

MINUTES

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES  
COMMISSION MEETING

Dennis Building  
Columbia, S. C.  
November 20, 1981

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held in the Dennis Building, Columbia, S. C., at 10:00 a.m., on November 20, 1981, with Chairman Edens presiding. Notice of the date, time and place of the meeting was mailed to the state's media. Commissioners present at the meeting included Commissioners Edens, Compton, Harrelson, Owen, Shuler, Dawson, Altman and Dennis. Directors and staff members present included Dr. Timmerman, Larry Cartee, Benny Reeves, Ed Joseph, Jeff Fuller, Sonny Baines, Bill Chastain and other staff. Guests at the meeting included Dr. Jackie Jacobs of the S. C. Wildlife Federation, Mr. Roy Mendelsohn of Columbia, W. D. Toler of the S. C. Shrimpers Association, Mary Lee Arnold of the Governor's Office, Harvey Geitner, Dianne Dunn and Roger Banks of the U. S. Fish and Wildlife Service, Jack Kendree and Graham Reeves of Georgetown, Ben Campbell of Senator Waddell's Office, Pat Robertson of the "Columbia Record", Bob Rhame of Holly Hill, Mrs. Willie Armstrong, Mrs. Lucy Martin, Bill Carter of Columbia and Bill Jordan of the Senate Finance Committee.

CALL TO ORDER

Chairman Edens called the meeting to order at 10:00 a.m. and introduced all guests at the meeting. Mr. Edens noted that he was sure everyone was aware of Mr. Jim Webb, former Executive Director, passing away this week. Mr. Edens stated that he would like it recorded that this meeting of the Commission is dedicated to the memory of James W. Webb with affection and deep respect, and in recognition of his innumerable highly significant contributions to the development of the modern day South Carolina Wildlife and Marine Resources Department. Inclusion of the statement is with the unanimous consent and approval of the Commission.

ITEM I. READING OF THE MINUTES

Commissioner Shuler moved to dispense with the reading of the Minutes of the October 16, 1981 meeting and approve them as submitted. Commissioner Compton seconded the motion and it was adopted by the Commission.

ITEM II. COMMENTS (For Information)

Dr. Timmerman noted that the Division of Information and Public Affairs is developing a film on departmental activities which will be available to show at the December Commission meeting. Dr. Timmerman also noted that the staff is reviewing rules and regulations to see if some of these can be reduced or combined in order to cut down on the number of regulations.

Dr. Timmerman stated that he would suspend any further comments in honor of Mr. Webb. Dr. Timmerman noted that South Carolina was most fortunate to have a man like Jim Webb. Under his leadership, the Department did an outstanding job in restoring and maintaining game and fish populations and developing the management



programs that ensure the future of outdoor recreation in South Carolina. Dr. Timmerman stated that he considered Jim Webb a personal friend and advisor, and he will be missed by his friends, the Department and the whole wildlife community.

ITEM III. APPEARANCE - Mrs. Willie Armstrong & Mrs. Lucy Martin

Chairman Edens introduced Mrs. Willie Armstrong, Mrs. Lucy Martin and Mr. Bill Carter who asked to make an appearance before the Commission. Tommy Edwards presented some background information noting that Mrs. Armstrong and Mrs. Martin are heirs of a trust from the Delk Estate located in North Carolina across the state line from the Watson tract owned by the Department. These individuals are requesting an easement across a portion of the Watson tract to gain access to their property in North Carolina. Some prospective buyers for this property exist and they want access to this property. Mr. Bill Carter presented a letter to the Commission from the prospective buyers noting that the property will not be used for development at this time, but for hunting purposes. Mr. Carter noted that they are requesting a fifteen foot (15') wide easement for about a one-fourth mile stretch that runs across the Department's property. Mr. Carter stated that a chain could be put up on this road for use by family and friends and Department personnel would be granted access on this road. Tommy Edwards noted that considerations need to be given to this proposed easement due to federal funds which were used to acquire the Watson tract. This easement would have to be reported to the Heritage Conservation and Recreation Service and a new appraisal may be required to determine if the easement has diminished the value of the property or changed the character of the property. Following discussion by the Commission, Chairman Edens noted that this aspect needs to be looked at carefully and there are various other questions which need to be answered. Chairman Edens stated that we will go into this carefully to see if the access can be worked out as requested. In the meantime, Chairman Edens recommended that other access be pursued as vigorously as possible.

Chairman Edens welcomed Commissioner Dennis who came into the meeting and he advised him that the Commission had dedicated this meeting in honor of James W. Webb. Commissioner Dennis noted that he learned many years ago while students at Furman University that Jim Webb was a dedicated individual. He stated that Mr. Webb should be given credit in a large measure to the Piedmont area of the state being abundantly supplied with deer and turkey. Commissioner Dennis noted that a great friend has been lost in South Carolina.

ITEM IV. APPEARANCE - Mr. Graham Reeves

Mr. Graham Reeves discussed his permit application to dike approximately 700 acres in Georgetown County with the Commission. Mr. Reeves stated that he planned to use this area as a waterfowl management area and for aquaculture in raising shrimp, crabs, etc. Mr. Reeves noted the Department had objected to this permit application with the decision to do so being made by the staff rather than the Commission. Mr. Reeves noted various letters and reports by several individuals in the state which supported the building of impoundments and he identified various areas of the state where the Department had done work on impoundments. Mr. Reeves advised the Commission that the University of South Carolina has a lot of research at his plantation



and approximately \$60,000 worth of shrimp was harvested this year. Mr. Reeves stated that he felt he had been treated unfairly by the Department and that he would like to see the decision on such permits to be acted upon by the Commission. Dr. Timmerman noted that permit applications of this type have been reviewed fully by the staff and acted upon based on these guidelines which were approved by the Commission. Dr. Timmerman stated that we have followed the guidelines formulated by the Commission and they may like to review these guidelines. Chairman Edens noted that the S. C. Coastal Council has approved this permit yesterday, so whatever we do won't hold up Mr. Reeves. Chairman Edens stated that the staff is following the guidelines, but that he is not sure the rules are right. As such, Chairman Edens appointed Commissioner Altman, Dawson, Owen and Compton as a committee to work with the staff to come up with a new set of guidelines to divide the resource. Dr. Timmerman noted that a lot of misinformation has occurred regarding this permit and that he would like to meet with Mr. Reeves some time to get several items clarified. Roger Banks of the U. S. Fish and Wildlife Service noted that there are many unanswered questions regarding impoundments and Chairman Edens asked for consultation with the Fish and Wildlife Service on this matter.

ITEM V. OLD BUSINESS

A. Clarification on Three-Mile Limit Policy: Ed Joseph noted that at the last Commission meeting, action was taken to adopt the three-mile territorial limit as approved by the federal government for law enforcement purposes effective the beginning of the 1982 shrimp season. Dr. Joseph suggested this change be made effective after fishing ends this year and before fishing begins next year. The Marine Advisory Board has recommended that February 1, 1982 be the effective date for the new three-mile limit. Commissioner Compton moved for the Commission to adopt this recommendation. Commissioner Dawson seconded the motion and it was adopted by the Commission.

ITEM VI. NEW BUSINESS

A. Proposed Registration Agreement - Woods Bay State Park: Tom Kohlsaat noted that a proposed Registration Agreement was mailed to the Commission for land at Woods Bay State Park (copy attached to original Commission Minutes) and this is recommended to the Commission by the Heritage Trust Advisory Board. Commissioner Compton moved for the Commission to approve this Registration Agreement as presented. Commissioner Shuler seconded the motion and it was adopted by the Commission.

B. Discussion - Issuance of Radios to Non-Department Personnel: Dr. Timmerman noted that we had a request to buy a walkie talkie out of County Funds for a Deputy Wildlife Conservation Officer and a review of past Commission Minutes provided some policies on this matter. Dr. Timmerman stated that he wanted to seek guidance on the issuance of such radios to personnel not employed by the Department.



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Commissioner Harrelson noted that radios have been issued in the past and that he was going to suggest some strict guidelines on these radios be developed as he has had a request from Big Survey Plantation to secure a crystal of the Department's frequency to put in a radio they own. Some Commissioners expressed concern that the issuance of radios could get out of hand and we may have a problem maintaining control on the radios. Following other discussion, Chairman Edens appointed a committee composed of Commissioners Compton and Shuler to work with Pat Ryan, Bill Chastain and Bobby Gifford in developing guidelines on the issuance and use of departmental radios to non-department personnel. Dr. Timmerman noted the committee may want to ask each Captain to appoint a Sergeant to be in charge of radios issued to non-departmental personnel in each area of the state. Chairman Edens asked Commissioner Compton to communicate the Commission's action with Senator Taylor to advise him that when an answer on this matter is developed, we will be back in touch with him. Following other discussion, Commissioner Dennis moved for the Commission to approve the request to allow Big Survey Plantation to install a crystal for the Department's frequency in their radio. Commissioner Shuler seconded the motion and it was adopted by the Commission.

C. Division Reports:

1. Administrative Services: There was nothing further to report.
2. Wildlife & Freshwater Fisheries: Tom Kohlsaat gave the Commission an update on publicity for the tax check-off program and gave them some bumper stickers which are being distributed to the public.
3. Law Enforcement & Boating: There was nothing further to report.
4. Information & Public Affairs: There was nothing further to report.
5. Marine Resources: There was nothing further to report.

D. Advisory Board Reports:

1. Wildlife & Freshwater Fisheries: Commissioner Owen noted the Board will meet on December 10th.

2. Law Enforcement & Boating: Commissioner Shuler noted the Board is working on a retirement program for Conservation Officers. Commissioner Shuler stated that it was his understanding that the Commission, in the past, established for law enforcement that sixty-five (65) is the age at which Officers will retire. Commissioner Shuler noted that he felt it was appropriate if the Commission would reiterate that point at this time. The Board recommends to the Commission that we do establish and reiterate our support for sixty-five (65) years of age being a mandatory retirement age for law enforcement and Commissioner Shuler so moved this be adopted by the Commission. Commissioner Dennis seconded the motion and it was adopted by the Commission.

Commissioner Compton asked if the Board has looked at the disciplinary policy for law enforcement. Commissioner Shuler stated the Board reviewed this as information, but took no action. Commissioner Compton stated that some questions have come forth on this and he asked if the Board could look at it further and if it sees fit, bring it to the Commission. Commissioner Shuler stated that this will be put on the agenda for their next meeting.



3. Marine Resources: Commissioner Compton passed out the Minutes of the Board meeting to the Commission for information.

4. Heritage Trust: Tom Kohlsaat went over the Minutes and activities of the last Board meeting.

E. Salary Review Committee: Dr. Timmerman noted this report is in order and a copy has been sent to the Chairman. Chairman Edens asked about an employee that received a marginal rating and this was discussed by staff.

F. Appointments: Dr. Timmerman distributed a copy of the recommendations for appointment and re-appointments of Conservation Officers and Deputy Wildlife Conservation Officers (copy attached to original Commission Minutes). All appointments and re-appointments were approved by the Commission as recommended, with the exception of Charles Roland Bell of Yemassee who was approved for re-appointment as a DWCO with county-wide authority in Colleton County, subject to being approved by the law enforcement staff. Dr. Timmerman informed the Commission that Allison H. Fickling will be promoted to Sergeant in District #4 and Charlie Jones and Walter Baxter will be promoted to Corporal in District #4.

G. Other Remarks: Chairman Edens noted the Attorney General's Office had issued an advisory opinion on the Commission's authority regarding promotions which was sent to the Commissioners. Chairman Edens stated that, yesterday a letter came in with a ruling on this matter from the Attorney General's Office and a copy of this letter was passed out to the Commissioners. This matter will be placed on the agenda for discussion at the December meeting.

Commissioner Owen asked to be sent a copy of the Mountain Bridge agreement between the Department and PRT. Chairman Edens asked that a copy be sent to all the Commissioners.

Tommy Edwards noted that the Commission had discussed the proposed annexation of Lake Wallace into the City of Bennettsville. The City Attorney, Jamie Lee, has submitted some proposed documents regarding this annexation addressing questions raised by the Commission. If the Commission will join the Budget and Control Board to petition for annexation, the City will create a new zoning ordinance for a wildlife zone on the piece of property where hunting occurs and the zone will be for any uses deemed appropriate by the Department. Mr. Edwards stated that if the Commission is in agreement, they could approve a resolution to annex Lake Wallace into the City of Bennettsville. Commissioner Owen moved for the Commission to approve this resolution to annex Lake Wallace into the City of Bennettsville. Commissioner Compton seconded the motion and it was adopted by the Commission.

H. Time and Place of Next Meeting: Commissioner Dennis invited the Commission to hold the December meeting at Wampee on December 18th and for the Commissioners to come late afternoon on December 17th, if possible. The Commission agreed to accept this invitation.



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ITEM VII. ADJOURN

There being no further business to come before the regular meeting, a motion was adopted to adjourn.

