

August 13, 2009

The regular monthly meeting of the Oxford Board of Port Wardens was called to order by the chairman, Thomas Campbell, on Thursday, August 13, 2009 at 7:00 p.m., in the meeting room of the Oxford Municipal Building.

Other board members in attendance were Larry Murray, Stan Bright, and Nancy Cook.

The minutes of the meeting of July 2, 2009 were approved and accepted as distributed.

Though there was nothing on the agenda for the Port Wardens to review, there were a number of people in the audience interested in the proposed Resolution 1001 to “annex submerged lands located under certain public waters adjacent to the town boundaries in order to regulate placement of wharves, piers, mooring piles, mooring buoys, floating docks, and associated or related structures.” Ms. Cook reported that she had received some questions regarding this resolution sent directly to her because some residents knew she was on the Port Wardens. Mr. Campbell asked her if she would like to entertain those questions as a citizen since the board had all its full time members present. Ms. Cook responded that she would and presented to the board the following inquiries:

- Could a budget be seen for this infrastructure? How would this affect taxes? A budget should be put together to show how many moorings it is going to take to support the program.
- Is the town getting ready to receive commercial gains on this and short term rentals?
- What is the definition between a mooring area, a mooring field, and a mooring grid?
- Why was the definition of channel changed?

Mr. Campbell responded that a budget has not yet been developed but that it was probably going to be minimal because the town is not buying moorings. He felt that it was probably not proper for the board to address all the questions Ms. Cook was presenting at this time but that people should send their questions in to the Commissioners and board so that they can be addressed. Mr. Campbell stated that the purpose of the resolution was to try to regulate and come up with a plan to make sure that what moorings were out there have been installed safely. Many areas in which the moorings have been placed are in areas with poor anchorage that have terrible holding bottoms. Currently there are no regulations and the DNR does not have a budget or the manpower to enforce what little regulations they have. Mr. Campbell stated that the Board of Port Wardens had helped to come up with a concept for the mooring buoy regulations but currently it is not for a field or grid. Mr. Murray added that the board had come up with the plan to try to figure out how they could get the jurisdiction so that the moorings could be enforced by the town. He added that they had found out that the only they could this was if they could get jurisdiction over the waters which the town currently does not have. Mr. Campbell added that Town Creek is already annexed into the town so that annexing submerged lands was not a new thing, nor was it uncommon.

The board members addressed several questions asked by audience. Candice Shattuck asked that when the town has jurisdiction over the water, if someone were to come and abandon a boat and that boat leaked oil, would that become the town’s responsibility instead of the DNR?

Mr. Campbell responded that it would be a shared responsibility. Currently the DNR has jurisdiction which they will continue to have, but it will be shared. An example would be that if someone wants to build a pier, they have to come before the Board of Port Wardens for approval but they also have to secure approval from the Maryland Department of the Environment, Corp. of Engineers, etc. Mrs. Shattuck then stated that though she and others felt that some type of regulations needed to be in place, she questioned why the town was going directly to annexation of such a large area. Mr. Murray responded that the board attempted five years ago to come up with some means by which they could have some jurisdiction to cover moorings off the shores of the Tred Avon River. They worked with the DNR but the DNR was not interested in the problem, as well as the county, though the county did think it was a good idea. The next step was to annex those waters involved so that the town could have direct jurisdiction. Mr. Campbell pointed out that this had been going on for over two years and that what the Port Wardens had put together was a draft. He realized it was not perfect and added that the board was open to other ideas. The current fees listed for mooring buoys were conceptual but having a minimal amount of \$3 per foot. Mr. Campbell made it clear that the board was not saying "no" to moorings, but rather trying to make sure the moorings were safe and properly installed. Eventually the board was hoping to have a list with everyone's name that had a mooring and where the mooring was located. Other towns had been studied by the board to determine how they dealt with moorings.

Ms. Cook stated that she thought the town should accept responsibility for the moorings. Mr. Campbell responded that the town was not going to do that. Mr. Murray added that he did not think the town would want to get into the expense of having someone check lines on each mooring everyday as that was going to drive the permitting cost up. Mr. Campbell stated that the draft states that the Town of Oxford is not to be responsible for the moorings. The guidelines that the board has come up with at this time are conceptual. He again stated that the board is looking for feedback in written form. Mr. Murray informed the crowd that this was the 5th draft that the town as put together.

Someone from the audience asked about boats dragging and hitting other boats. He asked that if the town was going to have a set of rules for the town's people, what about those who want to use the town's mooring field? Mr. Murray responded that at this point a mooring field has not been identified. The only thing the board has done is to set up parameters for those people who are going to drop permanent moorings. The issue of transient anchorage has not been covered at all. A comment was made from a member of the audience stating that there was a lot of confusion as to what was written as "being in stone" and what was proposed. Mr. Campbell noted that the mooring regulations were evolving.

Gus Koste asked that if this resolution were to go through, what would stop a marina from going out, claiming an area, and installing 30 or so moorings. Mr. Campbell responded by stating that because he owned several boatyards in town he had been hearing accusations such as these and that he had no desire to put in a mooring field. Mr. Murray added that the document spells out that in order to have a commercial mooring field one needed to have a property adjacent to said mooring field. He added that to his knowledge, there were no commercial ventures, except the yacht club along the Strand that could put in a commercial mooring field.

When questions were raised about existing moorings, Mr. Campbell stated that there was nothing written stating that one had to move their moorings. However, at some point, there

may have to be some shuffling done, and some adjustments made in the layout of things which may involve asking an individual to move their mooring to a different location.

Mr. Campbell stressed that it was the responsibility of the owner to make sure his mooring is cared for properly. The purpose for this resolution was for safety and knowledge so that all boat owners would know what moorings are out there and to have the moorings properly established on a chart.

The meeting came to a close with Mr. Campbell stating that the board would like some written constructive comments on this that could be directed to either the Board of Port Wardens or the Commissioners. He again pointed out that copies of the mooring buoy regulation draft as well as copies of the proposed resolution were available in the town office and encouraged those present to read over both and submit their comments for review.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby
Assistant Clerk