

RESOLUTION NO. 2004

A RESOLUTION OF THE COMMISSIONERS OF OXFORD FOR THE PURPOSES OF AMENDING THE OXFORD TOWN CHARTER TO PROVIDE FOR THE POSTPONEMENT OF A TOWN ELECTION IN THE EVENT OF A STATE OF EMERGENCY OR A CATASTROPHIC HEALTH EMERGENCY

WHEREAS, Md. Code Ann. Local Gov't Article § 4-301, et seq. confers upon the Commissioners of Oxford the authority to initiate proposed amendments to the Charter for the Town of Oxford; and

WHEREAS, COVID-19 is a severe respiratory disease, resulting in serious illness or death, caused by person-to-person spread of the novel coronavirus, which was not previously found in humans; and

WHEREAS, the Secretary of the US Department of Health and Human Services has declared that COVID-19 creates a public health emergency, is a public health catastrophe, and a public safety emergency; and

WHEREAS, on March 5th, 2020, the Governor of the State of Maryland declared that in an effort to control and prevent the spread of COVID-19 within the State, that a State of Emergency and Catastrophic Health Emergency exists with the entire State of Maryland; and

WHEREAS, on March 13, 2020, a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak was issued by the President of the United States; and

WHEREAS, on March 16, 2020, the County Council of Talbot County declared that a state of emergency and catastrophic health emergency exists in Talbot County, Maryland; and

WHEREAS, to reduce the spread of COVID-19, the U.S. Centers for Disease Control and Prevention and the Maryland Department of Health recommend social distancing and avoiding gatherings of more than ten (10) people; and

WHEREAS, on March 23, 2020, the Governor of the State of Maryland issued Executive Order Number 20-03-30-01 prohibiting large gatherings and events larger than ten (10) persons and requiring all persons living in the State of Maryland to stay in their homes or places of residence unless otherwise permitted in the Order; and

WHEREAS, a municipal election is not permitted pursuant to Executive Order Number 20-03-30-01; and

WHEREAS, to reduce the threat to human health caused by the spread of COVID-19, and to protect the public health, safety, and welfare, it is necessary and reasonable that individuals in the Town refrain from congregating; and

WHEREAS, the Town election would ordinarily be conducted at a polling location that hinders social distancing, enables the transmission of COVID-19, and poses a risk to the public health, welfare, and safety; and

WHEREAS, hold a municipal election at a polling location during, or around, the time of a state of emergency and catastrophic health emergency would potentially expose government buildings, voters, municipal officers, employees, and volunteers to COVID-19; and

WHEREAS, the Charter for the Town of Oxford currently sets the date of the Town election to be the third Tuesday in the month of June; and

WHEREAS, the Town's Charter currently sets a candidate nomination by the third Monday in May proceeding the election; and

WHEREAS, the Town's Charter currently sets a voter registration no later than four weeks prior to an election; and

WHEREAS, the Town election must be accessible, secure, and safe to the public; and

WHEREAS, the Town does not have the ability to safely and effectively permit voting by a means other than at a polling location; and

WHEREAS, the state of emergency and the catastrophic health emergency is impairing the ability of the Town officials, employees, and volunteers of the Town to hold an election on the date currently required by the Charter; and

WHEREAS, it is in the best interest of the public health, safety, and welfare of the Town, its citizens, officials, employees, and volunteers to be able to postpone the Town election so such election and pre-election activities do not occur during a state of emergency and catastrophic health emergency, such as the current COVID-19 pandemic; and

WHEREAS, it is in the best interest of the Town to amend its Charter to provide for the postponement of the Town election in June; and

WHEREAS, by Executive Order Number 20-03-30-03, the Governor of the State of Maryland authorizes the Town to suspend the effect of a provision of Title 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland if the Town provides notice to the Governor of such suspension and finds that such suspension will not endanger the public health, welfare, or safety of the Town, and is necessary to amend the date upon which a municipal election will be held or the method, conduct, or voting system of an election in a manner that ensures an accurate vote count and certification of election results; and

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Charter Amendment – State of Emergency Election Postponement

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WHEREAS, on April 14, 2020, the Commissioners of the Town of Oxford found that the suspension of the Town election will not endanger the public health, welfare, or safety of the Town, and is necessary to amend the date upon which a municipal election will be held or the method, conduct, or voting system of an election in a manner that ensures an accurate vote count and certification of election results; and

WHEREAS, in accordance with the aforementioned Executive Order of the Governor, the Town suspends the provisions of Md. Code Ann. Local Gov't Article § 4-301, *et seq.* pertaining to notice, public hearing, publication, referendum, effective date, and any other relevant matter so that this Charter Resolution may be passed, enacted, and effective on the same date upon which it is introduced.

WHEREAS, the Commissioners of Oxford have determined that it is desirable and in the public interest to amend Sections C5-5, C5-9, and C3-4 of the Charter for the Town of Oxford to postpone a Town election during a state of emergency or catastrophic health emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF OXFORD AS FOLLOWS:

Section 1. Section C5-1 of the Charter for the Town of Oxford is hereby amended as follows:

ARTICLE V
Registration, Nomination and Elections

. . . .

Section C5-5. Notice of Elections.

The Board of Supervisors of Elections shall give at least two weeks notice of every registration day and every election by an advertisement published in at least one newspaper of general circulation in the Town and by posting a notice thereof in some public place or places in the Town. The election day shall be the third (3rd) Tuesday of each June *unless the election is postponed in the event of a state of emergency of the State of Maryland or a catastrophic health emergency, in accordance with Section C5-9.*

In the event of a state of emergency of the state of Maryland or a catastrophic health emergency, the Commissioners of Oxford may, by Resolution, postpone the date of the election in order to provide for the public health and safety of the Town, its voters, officials, employees, and volunteers.

Section 2. Section C5-9 of the Charter for the Town of Oxford is hereby amended as follows:

ARTICLE V
Registration, Nomination and Elections

. . . .

Section C5-9. Nominations and Election of Commissioners.

Persons may be nominated for elective office in the Town by filing a certificate of nomination at the office of the Board of Supervisors of Elections on or before the Third Monday in May next preceding the Town election, *or in the event that an election is postponed due to a state of emergency or a catastrophic health emergency, persons may be nominated for elective office in the Town by filing a certificate of nomination at the office of the Board of Supervisors of Elections on or before thirty (30) days prior to the postponed election.*

No person shall file for nomination to more than one elective Town public office or hold more than one elective Town public office at any one time. Any person desiring to withdraw his candidacy must do so seven (7) days prior to the election. On the third Tuesday in June in every year, *or on the date of an election that has been postponed due to a state of emergency or a catastrophic health emergency,* the qualified voters of the town of Oxford shall elect one person as a Commissioner for a term of three (3) years. In the instance where there is an unexpired term of office of a Commissioner who has vacated that position, the Commissioner so appointed will serve only the balance of his first year of such appointment until replaced or elected in accordance with C5–15 (Vacancies).

Section 3. Section C5-9 of the Charter for the Town of Oxford is hereby amended as follows:

ARTICLE III
The Commission

. . . .

Section C3-4. Meetings of the Commission.

The Commissioners at their first meeting in July, *or in the event that an election is postponed due to a state of emergency or a catastrophic health emergency, at their first regular meeting following the date of the election,* shall choose from their own body a President, who shall preside at all their meetings, after which the Commissioners shall meet regularly at such times as may be prescribed by its rules but not less frequently than twice each month. Special meetings shall be called by the President Clerk–Treasurer upon the request of the President or a majority of the Commissioners. All meeting [meetings] of the Commissioners shall be open to the public, and the rules of the Commissioners shall provide that residents of the Town shall have a reasonable opportunity to be heard at any meeting in regard to any municipal question. However[,] a majority of the

Commissioners may determine that the subject matter, such as personnel, property acquisitions, sale or lease, etc., should be considered in executive session from which the public is excluded but no ordinance, resolution, rule or regulation shall be finally adopted at such an executive session. In executive session a record shall be kept as required for a regular meeting in accordance with Section C3–7 but the record shall not be open for public inspection if such inspection would frustrate the purpose for the executive session.

Section 4. A fair summary of this Resolution shall be posted and published four (4) times at weekly intervals in a newspaper of general circulation within a period of forty (40) days following the adoption of this Resolution

Section 5. This Resolution shall become effective immediately.

RESOLVED, this 14 day of April, 2020.


COMMISSIONERS OF OXFORD:

/S/ Gordon Graves
Gordon Graves, President

/S/ Gordon Fronk
Gordon Fronk, Commissioner

/S/ John Pepe
John Pepe, Commissioner

I hereby certify that the above Resolution was passed by a yea and nay vote of the Commissioners of Oxford on the 14 day of April, 2020.

Attest: 
Cheryl Lewis, Clerk/Treasurer
Town of Oxford

Language ~~stricken~~ indicates language deleted from the Charter for the Town of Oxford
Language in ***bold and italics*** indicates language added to the Charter for the Town of Oxford

RESOLUTION NO. 2012

A RESOLUTION OF THE COMMISSIONERS OF OXFORD TO AMEND SECTION C7-3 OF THE OXFORD TOWN CHARTER TO PROVIDE THAT THE POSITION OF CLERK-TREASURER MAYBE COMBINED WITH THE POSITION OF TOWN MANAGER

WHEREAS, Md. Code Ann. Local Gov't Article § 4-304 confers upon the Commissioners of Oxford the authority to initiate proposed amendments the Charter for the Town of Oxford; and

WHEREAS, the Commissioners of Oxford have determined that it is desirable and in the public interest to amend Section C7-3 to include the ability to combine the position of Clerk-Treasurer with Town Manager when appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF OXFORD AS FOLLOWS:

Section 1: The Oxford Town Charter, Section C7-3 Town Manager is hereby amended as follows:

Section C3-2. Qualifications of Commissioners.

The office of Town Manager may be created at the pleasure of the Commission. This position must be reflected in the drafted budget for the succeeding year, provided funds and office space are available. *The office of Town Manager/Clerk-Treasurer, combining the two positions, may be utilized if the Commission determines it is appropriate and a suitable person is available to perform the duties. Once designated, the position of Town Manager/Clerk-Treasurer shall hold the title of Town Manager.*

Section 2: This Resolution shall be posted and published in accordance with the requirements set forth in Md. Code Ann. Local Government Article § 4-304.

Section 3: This Resolution shall become effective 50 days after final enactment unless a petition for referendum has been filed prior thereto in accordance with Section 4-304 of the Local Government Article of the Code of Maryland. This Resolution shall be deemed "finally enacted" on the date on which the Commissioners of Oxford indicate their approval of this Resolution by affixing their signatures hereto.

Section 4: As soon as this Resolution becomes effective, the Town Clerk-Treasurer shall cause to be delivered to the Department of Legislative Reference all the information regarding the Charter Amendment, this Resolution, and any referendum held

thereon as may be required by the Local Government Article of the Annotated Code of Maryland.

RESOLVED, this 8 day of September, 2020.


COMMISSIONERS OF OXFORD:

 S/S
John Pepe, President

 S/S
Gordon Fronk, Commissioner

 S/S
Gordon Graves, Commissioner

I hereby certify that the above Resolution was passed by a yea and nay vote of the Commissioners of Oxford on the 8 day of September , 2020.

Attest: 
Cheryl Lewis, Clerk/Treasurer
Town of Oxford

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RESOLUTION NO. 2210

A RESOLUTION OF THE COMMISSIONERS OF OXFORD FOR THE PURPOSES OF AMENDING THE OXFORD TOWN CHARTER TO PERMIT THE CLERK OF THE COURT TO ADMINISTER THE OATH TO NEWLY ELECTED COMMISSIONERS

WHEREAS, Md. Code Ann. Local Gov't Article § 4-301, *et seq.* confers upon the Commissioners of Oxford the authority to initiate proposed amendments to the Charter for the Town of Oxford; and

WHEREAS, the Commissioners of Oxford have broad home rule authority to conduct elections in the Town of Oxford as they see fit; and

WHEREAS, the Commissioners of Oxford have determined that it is desirable and in the public interest to amend Section C12-1 of the Charter for the Town of Oxford to allow the newly elected Commissioner to take and subscribe the oath of office before the Clerk of the Circuit Court of Talbot County.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF OXFORD AS FOLLOWS:

Section 1. Section C12-1 of the Charter for the Town of Oxford is hereby amended as follows:

**ARTICLE XI
General Provisions**

Section C12-1. Oath of Office Required.

(a) Before entering upon the duties of their offices, the Commissioners, the Clerk-Treasurer, the members of the Board of Supervisors of Elections, and all other person [persons] elected or appointed to any office or profit or trust in the Town government shall take and subscribe the following oath or affirmation:

“I,, do swear (or affirm, as the case may be), that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of, according to the Constitution and Laws of this State.”

(b) The *newly elected Commissioner* ~~President of Commissioners~~ shall take and subscribe this oath or affirmation before the Clerk of the Circuit Court for Talbot County or before one of the sworn deputies of the Clerk. All other persons taking and subscribing the oath shall do so before the President of the Commissioners.

. . . .

Section 2. This Resolution shall be posted and published in accordance with the requirements set forth in Md. Code Ann. Local Government Article § 4-304.

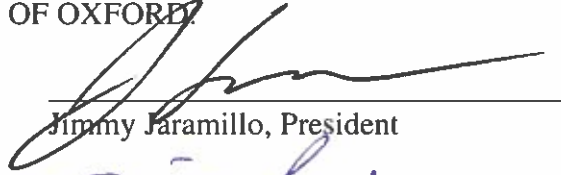
Section 3. The Commissioners shall hold a public hearing on this Resolution on _____, 2022 at 6:00 p.m.

Section 4. This Resolution shall become effective 50 days after final enactment unless a petition for referendum has been filed prior thereto in accordance with Section 4-304 of the Local Government Article of the Code of Maryland. This Resolution shall be deemed "finally enacted" on the date on which the Commissioners of Oxford indicate their approval of this Resolution by affixing their signatures hereto.

Section 4. As soon as this Resolution becomes effective, the Town Clerk shall cause to be delivered to the Department of Legislative Reference all the information regarding the Charter Amendment, this Resolution, and any referendum held thereon as may be required by the Local Government Article of the Annotated Code of Maryland.

BE IT FURTHER RESOLVED this 27 day of AUG, 2022.

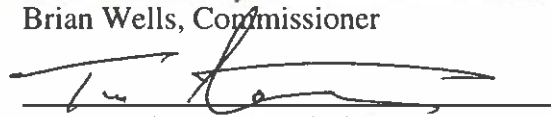
COMMISSIONERS OF OXFORD



Jimmy Jaramillo, President



Brian Wells, Commissioner



Tom Costigan, Commissioner

I hereby certify that the above Resolution was passed by a yea and nay vote of the Commissioners of Oxford on the 27 day of AUG, 2022.

Attest: 
Cheryl Lewis, Clerk/Treasurer
Town of Oxford

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RESOLUTION NO. 2211

A RESOLUTION OF THE COMMISSIONERS OF OXFORD FOR THE PURPOSES OF AMENDING THE OXFORD TOWN CHARTER TO EXTEND THE TIME THE SUPERVISORS OF ELECTIONS SHALL KEEP THE POLLS OPEN ON ELECTION DAYS

WHEREAS, Md. Code Ann. Local Gov't Article § 4-301, *et seq.* confers upon the Commissioners of Oxford the authority to initiate proposed amendments to the Charter for the Town of Oxford; and

WHEREAS, the Commissioners of Oxford have broad home rule authority to conduct elections in the Town of Oxford as they see fit; and

WHEREAS, the Commissioners of Oxford have determined that it is desirable and in the public interest to amend Section C5-10 of the Charter for the Town of Oxford to allow the voting polls to remain open for a longer period of time.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF OXFORD AS FOLLOWS:

Section 1. Section C5-10 of the Charter for the Town of Oxford is hereby amended as follows:

**ARTICLE V
Registration, Nomination and Elections**

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Section C5-10. Conduct of Elections.

It shall be the duty of the Board of Supervisors of Elections to provide for such special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each ~~candidate~~ *candidate* nominated for elective office in accordance with the provisions of this Charter, arranged in alphabetical order by office with no party designation of any kind. The Board of Supervisors of Elections shall keep the polls open from **8:00 a.m. 2:00 p.m.** to **8:00 p.m. 7:00 p.m.** on election days or for longer hours if the Commission requires it.

Section 2. This Resolution shall be posted and published in accordance with the requirements set forth in Md. Code Ann. Local Government Article § 4-304.

Section 3. The Commissioners shall hold a public hearing on this Resolution on _____, 2022 at 6:00 p.m.

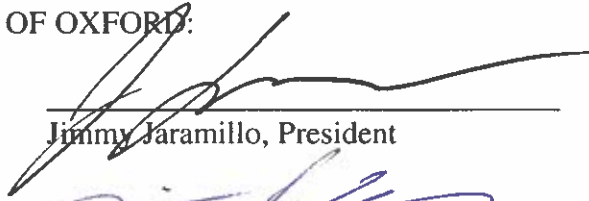
Section 4. This Resolution shall become effective 50 days after final enactment unless a petition for referendum has been filed prior thereto in accordance with Section 4-304 of the Local

Government Article of the Code of Maryland. This Resolution shall be deemed "finally enacted" on the date on which the Commissioners of Oxford indicate their approval of this Resolution by affixing their signatures hereto.

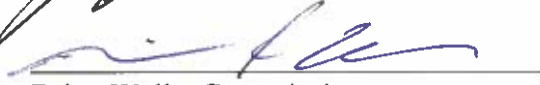
Section 4. As soon as this Resolution becomes effective, the Town Clerk shall cause to be delivered to the Department of Legislative Reference all the information regarding the Charter Amendment, this Resolution, and any referendum held thereon as may be required by the Local Government Article of the Annotated Code of Maryland.

BE IT FURTHER RESOLVED this 23 day of AUG, 2022.

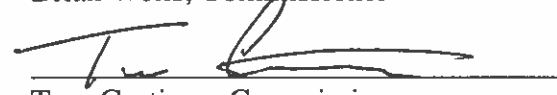
COMMISSIONERS OF OXFORD:



Jimmy Jaramillo, President



Brian Wells, Commissioner



Tom Costigan, Commissioner

I hereby certify that the above Resolution was passed by a yea and nay vote of the Commissioners of Oxford on the 23 day of AUG, 2022.

Attest: 

Cheryl Lewis, Clerk/Treasurer
Town of Oxford

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RESOLUTION NO. 2306

A RESOLUTION OF THE COMMISSIONERS OF OXFORD SCHEDULING A REFERENDUM ELECTION ON WHETHER THE CHARTER AMENDMENT PETITION SUBMITTED ON APRIL 11, 2023, SHALL BE APPROVED WHICH WOULD AMEND THE TOWN CHARTER TO REQUIRE VACANCIES ON THE COMMISSION TO BE FILLED BY HOLDING A SPECIAL ELECTION WITHIN 45 DAYS OF THE NEXT REGULARLY SCHEDULED COMMISSION MEETING AFTER A VACANCY OCCURS, RATHER THAN BY APPOINTMENT BY A MAJORITY OF THE REMAINING COMMISSIONERS UNTIL THE NEXT REGULARLY SCHEDULED ELECTION

WHEREAS, Section C5-15 of the Town of Oxford Charter provides that a vacancy on the Commission for any reason shall be filled by the favorable votes of a majority of the remaining members of the Commission until the next regular election; and

WHEREAS, on April 11, 2023, more than 20% of the qualified voters in town signed and submitted a Petition to amend the language in Section C5-15 of the Charter to state, “[a]ny vacancy on the Commission, for any reason, shall be filled by the favorable votes of the registered voters of the Town of Oxford. The date of the election shall be set by the Commission at the next regularly scheduled Commission meeting and shall be held within 45 days. The voting shall be conducted in the manner as prescribed in Sections C5-10, 12, 13, 14 under “Registration, Nominations and Elections” for Town elections” (the “Petition”); and

WHEREAS, pursuant to MD Code Ann., Local Government Article § 4-305, within 60 days of receipt of the Petition, the Town is required to approve a resolution calling for the referendum on whether the proposed charter amendment shall be approved and schedule the date for the referendum; and

WHEREAS, the Commissioners have determined that it is desirable and in the public interest to hold the referendum election on the proposed Charter amendment within the Petition on **July 18, 2023 from the hours of 8:00 am to 8:00 pm.**

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF OXFORD that a referendum election on the Charter amendment within the Petition is scheduled for July 18, 2023 from the hours of 8:00 am to 8:00 pm; and

BE IT FURTHER RESOLVED BY THE COMMISSIONERS OF OXFORD that the following language shall be placed on the ballot:

The ballot shall contain the following question:

PLACE AN “X” IN THE BOX *APPROVING* OR *DISAPPROVING* THE CHARTER AMENDMENT BELOW:

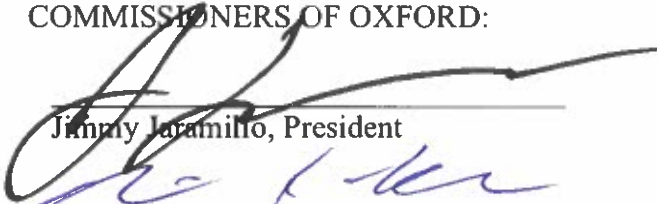
Any vacancy on the Commission, for any reason, shall be filled by the favorable votes of the registered voters of the Town of Oxford. The date of the election shall be set by the Commission at the next regularly scheduled Commission meeting and shall be held within 45 days. The voting shall be conducted in the manner as prescribed in Sections C5-10, 12, 13, 14 under "Registration, Nominations and Elections" for Town elections.

APPROVE

DISAPPROVE

RESOLVED, this ____ day of _____, 2023.

COMMISSIONERS OF OXFORD:



Jimmy Jaramillo, President

Brian Wells, Commissioner

Tom Costigan, Commissioner

I hereby certify that the above Resolution was passed by a yea and nay vote of the Commissioners of Oxford on the 23 day of MAY, 2023.

Attest:


Cheryl Lewis, Town Manager
Town of Oxford

RESOLUTION NO. 2309

**A RESOLUTION OF THE COMMISSIONERS OF OXFORD TO
AMEND SECTION C5-2 OF THE OXFORD TOWN CHARTER TO
INCREASE THE NUMBER OF MEMBERS SERVING ON THE
BOARD OF SUPERVISORS OF ELECTIONS**

WHEREAS, Md. Code Ann. Local Gov't Article § 4-304 confers upon the Commissioners of Oxford the authority to initiate proposed amendments the Charter for the Town of Oxford; and

WHEREAS, by Resolution 2211, the Commissioners of Oxford increased the hours that polls remain open on election days from 2:00 pm to 7:00 pm to 8:00 am to 8:00 pm; and

WHEREAS, as a result of the increasing the time that polls remain open on election day from five hours to twelve hours, additional members on the Board of Supervisors of Elections are necessary to conduct Town elections; and

WHEREAS, the Commissioners of Oxford have determined that it is desirable and in the public interest to amend Section C5-2 to increase the Board of Supervisors of Elections from three members to six members.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF OXFORD AS FOLLOWS:

Section 1: The Oxford Town Charter, Section C5-2 is hereby amended as follows:

Section C5-2. Board of Supervisors of Elections.

There shall be a Board of Supervisors of Elections, consisting of ~~three~~ **six** members who shall be appointed by the Commission before the first Monday in April ~~in every odd-numbered year~~. The terms of members of the Board of Supervisors of Elections shall begin on ~~the first Monday in April in the year~~ **the date** in which they are appointed and shall run for two years. Members of the Board of Supervisors of Elections shall be qualified voters of the Town and shall not hold or be candidates for any elective office during their term of office. The board shall appoint one of its members as Chairman. Vacancies on the board shall be filled by appointment by the Commission for the remainder of the unexpired term. The compensation of the members of the Board shall be determined by the Commission.

Section 2: This Resolution shall be posted and published in accordance with the requirements set forth in Md. Code Ann. Local Government Article § 4-304.

Section 3: This Resolution shall become effective 50 days after final enactment unless a petition for referendum has been filed prior thereto in accordance with Section 4-304 of the Local Government Article of the Code of Maryland. This Resolution shall be deemed “finally enacted” on the date on which the Commissioners of Oxford indicate their approval of this Resolution by affixing their signatures hereto.

Section 4: As soon as this Resolution becomes effective, the Town Clerk-Treasurer shall cause to be delivered to the Department of Legislative Reference all the information regarding the Charter Amendment, this Resolution, and any referendum held thereon as may be required by the Local Government Article of the Annotated Code of Maryland.

RESOLVED, this 12 day of SEPT, 2023.

COMMISSIONERS OF OXFORD:



Tom Costigan, President




Susan Delean-Botkin, Commissioner



Katrina Greer, Commissioner

I hereby certify that the above Resolution was passed by a ye and nay vote of the Commissioners of Oxford on the 12 day of SEPT, 2023.

Attest: 

Cheryl Lewis, Town Manager
Town of Oxford

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