

COMMISSIONERS OF OXFORD
Regular Meeting Minutes
January 23, 2024

The Commissioners Meeting was held in the Oxford Commissioners meeting room on Tuesday, Jan 23, 2024.

PRESENT

Attending the meeting were Commission President Tom Costigan, Commissioner Susan Delean-Botkin, Commissioner Katrina Greer, Lt. Eric Kellner, Town Manager Cheryl Lewis, and Attorney Lyndsey Ryan. Public Works Supervisor Matt Ozman was not available. Approximately 50 people were in attendance and approximately 35 virtually. The meeting opened with the Pledge of Allegiance.

APPROVAL OF MINUTES

Commissioner Greer motioned to approve the minutes of January 11, 2024 as distributed, Commissioner Delean-Botkin seconded the motion, all were in favor, and the motion carried.

Costigan stated the Commissioners of Oxford held a Special Meeting on January 17, 2024 at 2 pm for the purposes of holding a Closed Session to discuss a personnel matter and receive legal advice.

PUBLIC WORKS REPORT

Manager Lewis provided a Public Works briefing as provided by Water Supervisor Mike Bell. Public Works continued pickup of storm debris and flood damage debris following the previous storm/flooding event. Staff was on hand during the recent snow event monitoring needs of the town. Over the past weekend a water leak was noted Tilghman, which was repaired and restored on Monday.

POLICE REPORT

Lt. Kellner presented and expanded on the police statistics for the prior period, attached here. Kellner stated Interim Chief Phillips attended a candlelight vigil for Dorchester Officer who had passed. The department responded to the multiple weather events to be available if needed. The Citizen Police Academy is winding down, having just finished an active shooter training, with the next/last session to be simulator training at the Sheriff's office. Lt Kellner attended a Law Enforcement Steering Committee meeting in Easton, Officer Bobbick attended a Task Force Meeting in Easton, and Interim Chief Philips attended a Talbot County Emergency Management Table Top Exercise in St. Michaels

FIRE COMPANY

President Kearns noted there were 5 medical and 9 fire calls, with the majority outside of the Oxford area. They held their annual Awards Banquet and Swearing in of Officers this past Friday. Upcoming events include Rummage Sale 1/26, Breakfast 2/11, Spaghetti Dinner 2/19, Talbot County Annual Friends and Family CPR and AED Training on 2/28, more information can be found on the Oxford Auxiliary FB page.

UNFINISHED BUSINESS

None presented.

NEW BUSINESS

Roy Geiser, CPA from UHY Accounting, presented the Commissioners with the FY 2023 Annual Financial Report. Stating the Town's financials are performed as risk-based audits, based on assessment of internal controls, identified areas to review, and communication of any identified weakness, all of which forms the actual audit program. He stated the identified weaknesses have been around for a while, but that the firm made a conscious effort to reengage in the startup process and take a fresh look at everything, stating that it is not anything that would be noticeable in the end result, but he wanted them to be aware of the

extra review. He began his review noting they had given the town an “Unmodified Opinion” which is the “Highest Level of Assurance” they can provide, meaning the financials as presented are “Free of any Material Mistakes.” He noted that elements found within the report, noting there were four funds, General, along the Enterprise Funds - Wastewater/Water/Stormwater, pointing out that the net position of the town was 24.2 million dollars of which 20.6 million is net investment in capital assets, buildings and equipment less any depreciation and debt. The unrestricted balance is what remains for the town. The change in net position decreased by \$430,000, attributed to depreciation, not cash. The unassigned General Fund Balance is about 1.4 million. The General Accounting Board recommends there be about two months of funding available, Oxford currently has eleven months, which is a sign of financial health. Referring back to changes in fund and the net loss of \$430,000, he stated the town had \$650,000 of depreciation last year due to the completion of a huge project and the booking of the depreciation. Under Government (General) Activities he noted we started with 2.4 and ended with 2.3, which includes capital asset additions and depreciation. Under Enterprise Activities, we started with 21 million and ended with 21.3 million. Long term debt showed no new debt and repayment of \$236,000 of debt. On the pension plans, he stated that with regards to the state pension, the town had little impact on this information as it is handled and provided by the state and then incorporated into the financials. He stated that a \$696,000 liability is demonstrated, noting this is a long-term estimate and subject to change. The secondary employment retirement benefit has a long-term estimate of \$253,000, with no assets set aside other than in the operating budget, but it could be accounted for by funding a trust up front if the Commissioners were interested. With regards to the Audit communications, he noted the most long term items, like the retirement identified, where estimated amounts. He stated that he is required to communicate any significant deficiency or material weakness within this communication, noting that, as in the past, the segregation of duties is noted as a material weakness. Adding that this is due to the size of staff in a small community, which does not present the ability to have ideal separation of duties, a weakness that is also found in other small towns. He stated he did not consider this material weakness to be out of the ordinary for this size town. In response to Greer’s question as to how other towns handled the lack of internal controls, he stated some do nothing, some use a third-party consultant, some have a council member involved, and some establish an audit committee, although that is rare for a town of this size. The FY 2023 Financial Report is available to the public on the town website.

In response to a public question, Geiser noted that in a perfect world, there would be three financially experienced employees supporting segregation of duties in the office. In response to the question of whether there is any reason to think there are problems affecting the accuracy of the town’s financials, Geiser stated that he is responsible for giving a high level of assurance on the financials of the town, and based on that he would not have given a clean opinion if he felt there was anything of concern.

Attorney Ryan reviewed **Ordinance 2401 - Amending the Oxford Zoning Ordinance to Establish Reasonable Zoning Regulations for Cannabis Businesses** with the Commissioners, reminding the Commissioners of the current moratorium put in place for 6 months while the Planning Commission produced recommended language for the Zoning Ordinance. She stated that she and Maria Brophy, former Planner, had been working with the Planning Commission to draft regulations for cannabis businesses based on the MD Alcoholic Beverages Article and COMAR Regulations. She stated we are permitted to establish reasonable regulations, but not undo burdensome regulations in comparison to already permitted businesses, and to utilize buffers around certain establishments for dispensaries and prohibit onsite consumption. Current business district zoning was reviewed, and the final determination was to permit dispensing and processing as a Special Exception in the C2 District, as green houses and retail establishments are already permitted in that zoning through the Special Exception process; along with growing facilities through Special Exception in the CIP District, which already allows for growing of crops. The Ordinance also incorporates definitions relevant to the cannabis businesses and prohibits onsite consumption. Additionally parking requirements required were modified to adapt to these uses. Costigan inquired as to where similar communities were in the process. Ryan stated that some others had

placed a 12-month moratorium on cannabis businesses and were nearing the final stage. Commissioner Greer motioned to introduced Ordinance 2401 - Amending the Oxford Zoning Ordinance to Establish Reasonable Zoning Regulations for Cannabis Businesses, Commissioner Delean-Botkin seconded the motion, all were in favor, and the motion carried. A public hearing was scheduled for February 13, 2024 at the regular Commissioners meeting at 6 pm.

LETTERS AND REQUEST

None presented.

ATTORNEY

Ryan noted she was working through the appeal of the Keegan-dock case.

TOWN MANAGER

Manager Lewis stated that the town's FEMA Community Rating System Program is scheduled for renewal at the end of 2024, noting that FEMA's first step was to review the current Oxford Floodplain Ordinance to assure it meets the current FEMA CRS requirements. She received correspondence from FEMA stating that one component of the Oxford ordinance did not and if the town intended to stay in the program and submit an application for recertification, they would need to remove the language that basically permits an exemption for equipment under the Flood Protection Elevation (FPE), most notably ductwork and other utility components that are susceptible to flood waters. She read the exemption language required to be removed aloud:

(E) As an alternative to paragraph (D), electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment are permitted to be located below the elevation of the lowest floor provided they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to that elevation.

Lewis explained this change would be relevant to new construction and construction improvements to existing homes which reached the 50% of value criteria that would trigger the Substantial Damaged/Substantial Improvement provisions of the Floodplain Ordinance, and would then require a property be brought into compliance, including elevation of the property and removing the components listed above from below the FPE. Lewis stated the process would begin with a drafted ordinance which would go in front of the Planning Commission and then the Commissioners, requiring a scheduled public hearing prior to approval. FEMA has provided the town several months to accomplish the task. She ended by stating basically the town needs to determine if they want to remain in the program, which provides 15% discount on Flood Insurance policies for town residents in the Special Flood Hazard Areas and 5% for policies outside of the SFHA, or whether they did not want to entertain this change and thereby not request to continue in the program. Further discussion on the topic will take place at a future meeting.

She noted the Planning Commission would be reviewing the final components of their first review of the Update to the Comprehensive Plan on Thursday at their normal 10 am workshop. She also noted that, after speaking with the PC members, they were interested in moving their regular meeting from 5 pm to 2 pm on the first Tuesday of each month, if the Commissioners were inclined to approve the change. Ryan noted that Commissioner approval of the change was sufficient notice to change the time for the February meeting. All were in agreement with the time change.

Lewis stated there were three openings currently noted on the Volunteer tab that were either open or would be open in the near future: Port Wardens, Election Board, and the Ethics Committee. If interested,

please fill out the application as found on the Volunteer tab on the website, noting that anyone can fill out an application, at any time, and it would remain in the file for future openings.

Lewis requested a Closed Session for Personnel Matters following the meeting.

ANNOUNCEMENTS

Town Talk on the functions of Living Shorelines and the Strand Shoreline Project: February 7, 2024 - 5:30 pm with MD DNR Chesapeake and Coastal Services and National Wildlife Federation. Presidents Day - February 19, 2024. The next Commissioners Meeting will be on February 13, 2024.

COMMISSIONER COMMENTS

Commissioner Delean-Botkin wished to point out that the Flood Insurance as previously discussed is very important, adding that if you find yourself in a situation where you need it, it is invaluable. She thanked the fire dept for a heart-warming dinner at the Awards Banquet and the OCC for their volunteer night.

PUBLIC COMMENT

Jim Wilcox inquired of Lt. Kellner regarding the mentioned arrest and was there a public concern, which there was not as it was a missed court date. Dan Kordell asked if the cannabis moratorium could be extended if needed, to which Ryan replied it could if there was a reasonable explanation for the extension. Kurt Reinsma request summary of the value of damage from recent flooding. Lewis stated there was no valuation done as the damage did not reach a level that the state would require such information. She noted the town did not have damage aside from clean up and she estimated there was likely a half a dozen homes with possible flood claims, as she has assisted several residents with direction. She also noted that, to the best of her knowledge, all but one of the homeowners that potentially received flooding were notified in advance with a personal phone call from her – the contact information for one new owner did not reach that owner. She did summarize the process for a flood that reached the state or federal criteria for a disaster declaration. When questioned about the ability of the town infrastructure to handle the flood, Lewis explained that in this case the tidal height exceeded the tops of the tide gates, roadways, etc., and at that level, there is no infrastructure in place that would prevent entry. She noted the town was looking at infrastructure improvements to better manage the situations following a significant flood, explaining that although the tidal water sheet flows over the roadways and bulk heads into the town and fills the towns stormwater infrastructure, it does not exit at the same rate, as it leaves through culverts and tide gates at a much slower pace, which could possibly be improved with pump stations. Art Murr inquired if the case for the CRS program was you either follow the rules and stay in, or don't and come out of the program. Lewis stated in the case of this one requirement, it was a yes or no, but after that decision, we would still be providing all the necessary elements that the town performs in order to receive the best possible rating, which at the 2020 entry into the program was a rating of 7. She reminded the public that the purpose of the program is to provide sufficient mitigation to reduce the actual exposure to flooding thereby providing more resilience to the town as a whole. If for example the homes that just flooded where elevated, they would not have flooded, and the town would have had less impacts. In this past flood, there were at least two homes affected with flood damage to their duct work, the she had not seen impacted in prior floods, demonstrating the advantages of the stricter regulations.

With no further business, Commissioner Greer motioned to adjourn into a Closed Session for Personnel and other Legal Matters, Commissioner Delean-Botkin seconded the motion, all were in favor, and the meeting was adjourned to go into a closed session at 7 pm.

Respectfully submitted, Cheryl Lewis, Town Manager

Commissioner Meetings are now live streaming and are archived on townhallstreams.com.



Oxford Police Department
101 Market Street
P.O. Box 339
Oxford, Maryland 21654
“Maryland’s First Port”

Reporting Period: 1/1/14 to 1/22/24

REPORTS	RP	YTD	ARRESTS	RP	YTD
Accident Report	0	0	Drug Arrests	0	0
Animal Complaint	0	0	DUI Arrests	0	0
Assault	0	0	On-View Arrests	0	0
Domestic	0	0	Warrant Arrests	1	1
Found/Lost Property	0	0	Criminal Summons	0	0
Fraud / ID Theft	0	0	Juvenile Referrals	0	0
Harassment	0	0	Other Arrests	0	0
Misc. / Other	0	0	Total Arrests	1	1
Suspicious Conditions	1	1			
Theft	0	0			
Total Reports	1	1			
CALLS FOR SERVICE	RP	YTD	COMMUNITY POLICING	RP	YTD
Alarm	0	0	Property Checks	143	143
Animal Complaint	2	2	Special Events	2	2
Assist Other Agency	3	3	Foot Patrol	11	11
Check Welfare	1	1	Bike Patrol	0	0
Found/Lost Property	0	0			
Harassment	0	0	ASSISTS	RP	YTD
Misc. / Other	5	5	Other PD	0	0
Motor Vehicle Collision	0	0	Fire/EMS	3	3
Noise Complaint	0	0	Other Agency	0	0
Parking Complaint	1	1			
Rogue and Vagabond	0	0	ENFORCEMENT	RP	YTD
Suspicious Conditions	2	2	Parking Citations	0	0
Suspicious Person	0	0	Traffic Stops	14	14
Suspicious Vehicle	0	0	Traffic Citations	1	1
Traffic Complaint	0	0	Traffic / Parking Warnings	14	14
Trespassing	0	0	PC Searches	0	0
Verbal Dispute	0	0	Criminal Citations	0	0
911 Hang Up	0	0	Civil Citations	0	0
Total Calls	14	14			
TRAFFIC VIOLATIONS	RP	YTD	TRAFFIC VIOLATIONS	RP	YTD
Speeding	10	10	Cell Phone Violation	1	1
Stop Sign	2	2	Other Violation	2	2
Driving w/o License	0	0	Equipment Violation	0	0



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Reporting Period: 1/1/24 to 1/22/24

Talbot County Sheriff's Office Response Statistics

REPORTS	RP	YTD	ARRESTS	RP	YTD
			Drug Arrests	0	0
			DUI Arrests	0	0
			On-View Arrests	0	0
			Warrant Arrests	0	0
			Criminal Summons	0	0
			Juvenile Referrals	0	0
			Other Arrests	0	0
			Total Arrests	0	0
Total Reports	0	0			
CALLS FOR SERVICE	RP	YTD	COMMUNITY POLICING	RP	YTD
Alarm	0	0	Property Checks	21	21
Animal Complaints	0	0	Special Events	0	0
Check Welfare	1	1	Foot Patrol	0	0
Suspicious Condition	0	0	Bike Patrol	0	0
911 – Hang-up	0	0			
Trespassing	0	0	ASSISTS	RP	YTD
Liquor Law Violation	0	0	Assist Oxford PD	1	1
Noise Complaint	1	1	Fire/EMS	0	0
Parking Violation	0	0	Other Agency	0	0
Suspicious Person	0	0			
Suspicious Vehicle	1	1	ENFORCEMENT	RP	YTD
Verbal Dispute	0	0	Parking Citations	0	0
Found Property	0	0	Traffic Stops	1	1
Motor Vehicle Collision	0	0	Traffic Citations	0	0
Traffic Complaint	0	0	Traffic / Parking Warnings	0	0
Harassment	0	0	PC Searches	0	0
Rogue and Vagabond	0	0	Criminal Citations	0	0
Misc. Calls	0	0	Civil Citations	0	0
Total Calls	3	3			