

# TOWN OF KEEDYSVILLE, MARYLAND

*"Where Northern Thrift and Personality Blend with Southern Charm and Hospitality"*

P.O. Box 359  
19 South Main Street  
Keedysville, MD 21756  
301-432-5795  
www.keedysvillemd.com



*Ken Lord, Mayor*  
*Brandon Sweeney, Assistant Mayor*  
*Judy Kerns, Council*  
*Matthew Hull, Council*  
*Sarah Baker, Council*

April 7, 2021

The monthly meeting of the Keedysville Mayor and Town Council was called to order at 7:00pm with the following members present: Mayor Ken Lord, Assistant Mayor Brandon Sweeney, Council Members Judy Kerns, Matt Hull, and Sarah Baker, Town Attorney Ed Kuczynski, Town Administrator Rick Bishop, and Assistant Town Administrator Lisa Riner.

General Fund report was \$178,878.33.

Mayor Lord noted the announcements listed on the agenda.

Community Deputy Report: Deputy Tracey Payton completed 66 dedicated checks in various areas around town, 2.5 hours of foot patrol, and issued one citation, one warning, and one parking citation. He also completed two dedicated hours to traffic and assisted the county with two calls out of town.

The minutes for March 2021 were approved.

Mr. Sweeney noted that residents must sign in if they would like to speak, and each individual gets up to three minutes to speak. Then if there are additional questions there can be more discussion.

Ms. Kerns noted the deadline for the Hometown Heroes Banners has passed. The goal was to have 20-23 banners, and there were 22 applications. However, there were 5 additional applications that did not meet the requirements of the veteran living in or having lived in the corporate limits. Mr. Bishop suggested they could still get a banner and hang it in their yard. Ms. Kerns would like the banners hung on Main Street by the middle of May. The banners are not yet done being printed.

Ms. Riner brought up the Sustainable Communities program and asked if the council would like to discuss participating in the program. She noted that Sustainable Communities and Sustainable Maryland are two different programs. Mr. Bishop recommended doing a separate workshop for Sustainable Communities and Ms. Kerns agreed. Mayor Lord noted the council needed to talk about it more and were not ready to make any decisions on it.

Mayor Lord has communicated with the Scout who is planning the Eagle Scout butterfly garden project. The Scout has engaged the help of a local landscaper, who is advising him on appropriate plantings. The Town still needs to meet with the Scout regarding the location. Mayor Lord will set up a time to meet with him to determine a site and get it started.

Mayor Lord introduced two applications for the Planning & Zoning Commission vacancy, one from Jonathan Puffenbarger, and one from Jeffrey Russell. An appointment to the Planning & Zoning Commission needed to be made or they would not be able to hold their scheduled meeting on Monday, April 12. Mr. Hull pointed out Mr. Puffenbarger's service on the Cannon Ridge HOA. Mayor Lord had worked with Mr. Puffenbarger on the Cannon Ridge HOA. Mr. Kuczynski noted that the Mayor is the one who makes the appointment to the Commission, and the Council approves it. No one in the room knew of the other applicant, Mr. Russell, personally, but he had lived in town for ten years. It was unclear how long Mr. Puffenbarger had lived in Town. Mr. Sweeney noted that there was more information on Mr. Puffenbarger's application. Mayor Lord recommended Mr. Puffenbarger be appointed to the Planning & Zoning Commission, but noted that there will be opportunities in the future for folks interested in serving. Mr. Hull motioned to accept the recommendation, Mr. Sweeney seconded, and all voted in favor. Mr. Sweeney said he appreciated Mr. Russell's interest and hoped he could serve the town in another capacity or in the future.

Ms. Kerns reminded the council that to apply for the Banner City designation, the requirements must be met between June and May of the coming year. She wanted to be sure that they will complete all of the items on the checklist. Mayor Lord clarified that this is an MML program. Ms. Kerns noted that each requirement must be completed within the current year. Their summer conference will be offered in a virtual and in-person capacity. Mayor Lord recommended that everyone who wanted to go should go. Ms. Riner will keep this program on the agenda to ensure the requirements are being completed. Mayor Lord said to register individually and then the Town will reimburse for the cost. There is a scholarship available for new attendees, but only one per town. All interested in attending should notify Mr. Bishop.

Mayor Lord said they are considering a draft leave and pay policy statement for staff, as well as job descriptions. Mayor Lord proposed to hold a separate open session to discuss it at a separate time in the future. He indicated that two weeks from the current meeting may be a good time.

Mr. Bishop spoke to Elmer Weibley at the Soil and Conservation District about the Streambank Restoration project. Mr. Weibley told him that MDE has changed the grant amount requested so that the town will only be responsible for \$14,000, and they may in fact cover the whole amount. Nothing is decided, but there could be more opportunities for funding support than the Town initially expected.

Mr. Sweeney read the summary of an opinion from the Maryland Open Meetings Compliance Board regarding a recent complaint. The summary is attached to the minutes. Mayor Lord encouraged the council to take the Open Meetings training if they have not already. The Mayor and Council signed the document acknowledging the opinion.

Ms. Baker said she has been looking at the condition of most of the roads in Keedysville and would like to create a list of road repair priorities. She said there are several that need attention. After much discussion, Mayor Lord asked that everyone bring in their suggestions for which roads need attention the most. Mr. Kuczynski noted that the Town could piggyback on the Washington County overlay contract for roads to get the work done. Ms. Baker noted that there are also several street signs missing in the Town that need to be replaced, as well as some confusion about how the street Audobon (Audubon) should be spelled. Resident Dian Thomson asked that when the Town fixes the pothole on Mt. Vernon Lane, they also address the flooding problems that cause the pothole. Mr. Hull said that the Town is unable to fix the flooding issues because it would require changes made to private property. After much discussion, Ms. Baker agreed to lead the development of a road repair and maintenance priority list.

Ms. Riner introduced the Sustainable Maryland program, which encourages the community to become more sustainable and more environmentally conscientious. It is a joint program through Maryland Municipal League and the Environmental Finance Center at the University of Maryland. The certification is based on a point system, with a total of 150 points required. It also requires creating a Green Team, having a Green Team action plan, and completing at least two of six priority actions. Points can be variable depending on the specifics of the project. Most actions require some sort of community outreach or educational component. Actions usually need to be completed



in the previous 2-3 years. Certification lasts for three years and then the Town would need apply for renewal. The program provides access to incentives and grants, as well as resources and support for green teams. The Town has probably already completed some of the required actions. Ms. Riner said the next step in pursuing this program is to explore the actions, find interested citizens, and set up a team. Mr. Kuczynski noted that the Sustainable Communities and Sustainable Maryland group could be the same team. Mayor Lord would like to make a statement of interest in this program and put a call out for folks who might be interested in being on the team, but pursuing this program is contingent upon getting enough volunteers. Mr. Hull agreed. Mayor Lord also asked everyone to think about things the Town has already done that might qualify. Ms. Riner will lead the creation of a Sustainable Maryland and Sustainable Communities team and move forward with pursuing these programs.

Resident Kimberly Hough was concerned about a lack of sidewalks for students walking to the bus stop from Bedrock to Main Street. Mr. Hull said we are unable to put sidewalks there because there is no right of way. Mayor Lord recommended contacting the School Board about changing the location of the bus stop. Mr. Hull said the residents would have to sign over a right of way to put in sidewalks. The Town doesn't own the property. Mr. Bishop noted that there is no way from Columbine and Taylor to Main Street because there is not a yard to put a sidewalk in.

Sue Gemeny received an email from a former resident who has a Civil War era Maryland Militia great coat that was owned by Aaron Snyder, who used to be mayor in the Town. The owner of the great coat said it was recently appraised for \$4,000, but he is only asking for \$1,000 from the Town. He would like to sell it to the Town in case they want to display it. Ms. Gemeny said there is some stitching up near the neck that is damaged, but for the most part it seems to be in good shape. The Historical Society is not able to do anything with it. Mr. Bishop said that the Town would need a mannequin or something to hang it on. Ms. Kerns is bothered that he is not disclosing who he is and would be glad to accept it as a donation. Mr. Bishop said the Hotel-Motel income could be used for this because it's tourism. Mr. Kuczynski suggested the individual could donate it and potentially get a substantial tax deduction. Ms. Baker suggested the Town could own it and then loan it to another local organization for display. After much discussion, it was determined that the Town does not have a location to display it, nor the expertise to preserve it properly.

Ms. Gemeny asked when the Town would install dimmers on some of the street lights. Mr. Bishop said it will happen when the banners are hung, so around mid-May. The light poles are not numbered.

Mr. Bishop read a summary from Justin Holder. Mr. Holder sent an email requesting a public hearing for the 2020/2021 Comprehensive Plan review process. He also included a number of attachments regarding sewer service and town planning. All will be attached to the minutes. Mr. Bishop noted that they are only doing a Comprehensive Plan review, not an update, so a public hearing is not required. This needs to be addressed to the Planning Commission.

Meeting adjourned at 8:21pm.

Respectfully Submitted,  
Lisa Riner  
Assistant Town Administrator

Justin Holder sent an email requesting a public hearing for the 2020 Comprehensive Plan review process. He included a number of attachments regarding sewer service and Town planning. The email and the attachments will be made part of this meetings minutes.

**From:** Justin Holder <jholder2004@gmail.com>  
**Sent:** Friday, April 2, 2021 12:57 PM  
**To:** Ken Lord  
**Cc:** Town Hall; sbaker@keedysvillemd.com; bsweeney@keedysvillemd.com; hullscraneservice@hotmail.com; Ed Kuczynski; gcarroll@keedysvillemd.com; rburns@keedysvillemd.com; jkerns@keedysvillemd.com; David Buck -MDP-; John Coleman -MDP-; jcline@washco-md.net  
**Subject:** Sustainable Communities Program (April minutes comments)  
**Attachments:** Sustainable Communities Question.pdf

Mayor Lord,

I have been conferencing with Mr. Carroll regarding the 2020 comp plan. I have been speaking with Messirs Mantello and Bishop regarding USDA RUS loans. I have been in contact with Mr. Cline at the county concerning Wastewater Treatment. (Pdf attached labeled (Sustainable Communities Question)).

I included MDH on this correspondence as well as the county.

I am kindly asking for a Public Hearing, as required by MD Land Use Articles and Article 66B during the 2020 Comprehensive Plan review process. I understand the COVID-19 crisis made this difficult. However the technology exists to give the Public our due process. Again in memory of Mr. French. I know you wanna do it, my question is when?

Respectfully,

Justin Holder

PS Mr. Bishop,

Thank you greatly for all your transparency thus far. Please post my email and attached pdf as my comment to the April minutes.

Thank you,

Justin Holder



## SUSTAINABLE COMMUNITIES ACT OF 2010

The Sustainable Communities Act of 2010 established a shared geographic designation to promote efficient use of scarce State resources based on local sustainability and revitalization strategies. The Sustainable Communities program consolidated geographically targeted resources for historic preservation, housing and economic development under a single designation. The designation places special emphasis on infrastructure improvements, multimodal transportation and development that strengthens existing communities. The legislation designated the Governor's Smart Growth Subcabinet as the body charged with final approval of Sustainable Communities designations.

**Growth We do not want?**

### WHAT ARE SUSTAINABLE



## 25 and 28 Antietam dr, keedysville sewer service

1 message

Sharpsburg Property <sharpsburgmanagement@gmail.com>

Mon, Mar 2, 2020 at 3:23 PM

To: jmose@washco-md.net, townhall@keedysvillemd.com, Levey, Barry <blevey@washco-md.net>, Deena <deenay725@yahoo.com>, Robert Kutchman -MDH- <robert.kutchman@maryland.gov>

Bcc: jholder2004@gmail.com

To whom it may concern:

I am writing in an effort to mitigate any legal fees and attempt to negotiate in good faith for the town of Keedysville, and the Washington county water quality department to comply with the law..

I am the property manager and project manager working for Sharpsburg Autolift LLC dba Sharpsburg Property Management. I am writing to convey my clients interest in the Sewer extension to the properties in the subject line of email. I have reviewed the town and county charter, and the ordinance in which the water lines and subsequently sewer lines were installed. At the time it was installed the law stated that all residents were to be hooked in. At this time I have reviewed all the documentation and I personally have been unable to find any legal and lawful exceptions to compliance with the law in this situation.

Please treat this email as a formal demand letter requesting full compliance with the law. It is in all parties interest to install utilities to the residents on Antietam drive. The homes were built in 1900 and 1905 respectively and have been here when the law was imposed. It was by no action or negligence of the owners of the property that the law was not complied with. The properties are on cistern and septic and in a critical area of the bay watershed. The south county treatment plant is enhanced and will drastically reduce nitrogen output from these properties.

In good faith I have assisted the owner in creating a sewer design for this property. The owner has spent over \$7500 in their funds in order to start this process and pay FSA civil engineers to design the extension and that extension is approved by water quality. I personally had to take over communications with Shane Johnson with the DNR to get board of public works approval to obtain a right away for the line. I took over communications after a 2 year process in which obtaining progress status checks was difficult from the town. At this point we have a shovel ready project.

The town of Keedysville does plan on installing the water service to these properties, and Mark Bradshaw has approved a same trench install of the sewer. Mayor Ken Lord has written a letter to the county asking the county to assist in compliance. At this time I must emphasize the opportunity that is presenting itself. The washco dept of Health does have save the bay money to assist with the sewer in the amount of \$40000, and both properties are eligible for this grant. If all agencies can work together we can remedy this environmental and humanitarian need in a fairly inexpensive solution.

The main problem that is arising is lack of cooperation between agencies in my opinion. I can not get the proper estimates for the sewer without the county having a tap close to the properties. The trench will be open and will only need a pipe for sewer put in it. I would estimate that the county installing this pipe would be far less expensive than any legal fees associated with defending the choice to ignore the law as it was imposed in 1950's and 80s respectively. The owner would also like to be reimbursed for actual expenses in assisting with this compliance.

In order to facilitate this compliance I would ask for a meeting of representatives from the agencies involved such that we can have a good faith discussion into making the appropriate decision with respect to the community and environment. Please forward this and share with all agency representatives and please remember time is of the essence as the work needs completed by the end of May in order for grant money to be released.

If it is the agency or municipality position that they do not have to comply with the law in this case please respond with an explanation and specific legal article in which that exception is based.

Thank you,  
Justin Holder  
Manager - Sharpsburg Property Management



Virus-free. [www.avast.com](http://www.avast.com)



David Buck -MDP- Mar 2

to me, John ✓



Good morning

All of the comp plans you list below are linked on our website at <https://planning.maryland.gov/Pages/OurWork/compplans/viewplans.aspx>

Thank you





# Maryland

## Department of the Environment

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary  
Horacio Tablada, Deputy Secretary

October 26, 2020

Justin Holder  
308 West Chapline Street  
Sharpsburg, MD 21782-1427

Dear Justin Holder:

Thank you for your correspondence to Governor Hogan regarding your request to secure water for your property in the town of Keedysville. As Secretary of the Maryland Department of the Environment (MDE), I am pleased to respond on behalf of the administration.

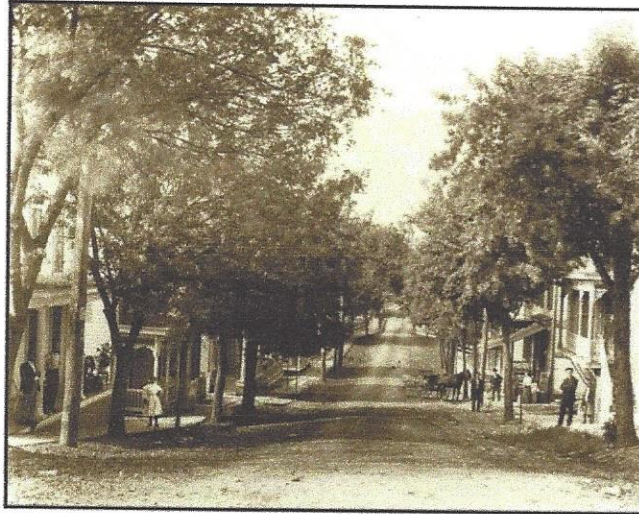
The land record plat, signed by Deena Holder in April 2019, shows these properties are to be served by water and sewer. MDE has reviewed available correspondence and records relating to your situation. The correspondence indicates that the project involved right-of-way access, sewer line plan sign-off by the Washington County Department of Public Works, and bids to perform the construction that were due to the town by May 29, 2020. Based on a conversation with the Town Administrator, the water and sewer extensions are underway. Due to a technical routing issue experienced during construction, completion is currently delayed with an estimated completion by November 2020.

Thank you again for your correspondence. If I may be of further assistance, please contact me at 410-537-3084 or Mr. Lee Currey, at 410-537-3567, or [lee.currey@maryland.gov](mailto:lee.currey@maryland.gov).

Sincerely,

Ben Grumbles  
Secretary

cc: Richard Bishop, Administrator, Town of Keedysville  
Lee Currey, Director, Water and Science Administration



## 2009 Comprehensive Plan

### TOWN OF KEEDYSVILLE

### Washington County, Maryland

*Photograph is Courtesy of Boonsboro Museum*

#### Wastewater Treatment Assessment

Keedysville is currently served by the Antietam Water Reclamation Facility which is operated by Washington County. The existing County treatment plant is designed and permitted to treat 163,000 gallons per day and currently treats an average daily flow of 113,000 GPD based on the average of the last three years. The County is currently planning on upgrading the existing plant by adding screening capability to the headworks and other minor maintenance items by year 2014/2015. No expansion of the plant will be necessary to accommodate the Town's growth to year 2030. The Town's sewer collection system consists of grinder pumps and low pressure sewers in the entire town except for Cannon Ridge East development which is served by gravity sewers. As a result of the low pressure sewer system, inflow and infiltration is minimal and is

June 8, 2009; July 13, 2009 Revised July 14, 2009  
Planning Commission Draft Revised: January 31, 2010

WR-6

relatively consistent flows are achieved. There are no septic systems within the Town. The only central pump station is owned and maintained by the County along Maryland Route 34. The pump station receives 52,000 GPD on average and is currently at 89 percent capacity. The County has plans to increase the capacity in conjunction with a new 61 unit subdivision along MD. Rte. 34 with contributions by the developer. With 560 total dwellings projected for the planning period an additional 35,540 GPD will be generated between 2009 and 2030. The existing wastewater treatment plant with a reserve capacity of 50,000 GPD does have sufficient capacity for the projected growth as shown in Table WR-5.

The Town currently discharges treated wastewater to the Antietam Creek under NPDES Permit #03-DP-2354 via the County's Antietam Water Reclamation Facility. This discharge is sufficient to accommodate the Town's projected growth through 2030. Stormwater management for future development will be accommodated on each individual site and comply with the MDE's 2007 stormwater guidelines that will go into effect on May 4, 2010.

Table WR-5 summarizes existing and future projected sewage demand.



David Buck -MDP- Mar 2

to me, John ▾



Mr. Holder

You have contacted the appropriate parties (Washington County Department of Water Quality and the town of Keedysville) with your request. The Maryland Department of Planning has no records about those properties on Antietam Drive.

Thank you



**David Buck**  
**Director, Office of Communications**  
**Maryland Department of Planning**  
301 W. Preston St., Suite 1101  
Baltimore, MD 21201  
Cell - (443) 463-7139  
Work - (410) 767-4395  
[david.buck@maryland.gov](mailto:david.buck@maryland.gov)

Please take our customer service survey.

[Planning.Maryland.gov](http://Planning.Maryland.gov)







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Show quoted text



Justin Holder Mar 2

to David, John, bcc: A [REDACTED]



Mr. Buck,

I really appreciate your help. I also am not able to get an answer from the county and town. That is why I am asking the state.

Would you be able to refer me to a supervisor or perhaps the Secretary that could assist me in determining the answer, and perhaps why **planning** does not have records they are required to keep?

Any additional information would be greatly appreciated. I really have exhausted all option here.

Thank you,

Justin Holder

Show quoted text



Justin Holder Mar 2

to David, John, b [REDACTED]



Mr. Buck,

I appreciate all your help. I just have one question. Perhaps if you are not able to answer you could suggest the appropriate party in planning or refer it to the secretary.

As defined under MD Environmental Law 9-601(i) definitions section, are the properties located at 25 and 28 Antietam dr., keedysville, md 21782, located in the "service area" w1/s1 having existing water and sewer utilities?

I have asked town of Keedysville and Washington County Department of Water Quality at least 5 times and have not gotten a response. I have also asked the respective planning departments the same.

I would greatly appreciate any help you can provide.

Respectfully,

Justin Holder



Justin Holder 10:28 AM

to Cline, Bright, Bradshaw, Downey, bc... ✓



Dear Mr. Cline ,

I hope this email finds you well. I appreciate all the help you have provided thus far on the FIWRT Trail. I find myself again in need of your assistance. Would you kindly assist me in obtaining an answer to the questions Director Bradshaw declined to answer? I would be extremely grateful to the county for assistance.

For your convenience I attached 2 screenshots with the questions highlighted in yellow and blue. Perhaps Mr. Downey could be of assistance on the question in red?

Please have a great weekend. Kind regards,

Justin Holder

Post Script:

Mr. Bradshaw

I respect your rights, and appreciate your answer.  
I wish you well as director and a good holiday.

Justin Holder

[Show quoted text](#)

the sewerage system.

If the sewer is optional, why isn't the water turned on? Why did we waste 3 years designing and bantering over its construction?

If the sewer is mandatory, when do we stop the criminal conspiracy to conceal and start to comply?

I honestly do not think it's too much to ask for a straight answer here that I can take back to Town of Keedysville. Either the properties have to have sewer service to receive water service or they don't. Either septic systems are permitted in a Sanitary District s1 zone, or they are not.