

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

Water Commission Minutes July 7, 2021

Approved

The monthly meeting of the Keedysville Water Commission was called to order at 7:24pm with the following members present: 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.

The minutes for the June 2, 2021 meeting were approved.

General Fund report was \$75,210.86.

There were no announcements.

Mr. Bishop said the Town is still waiting for Huntzberry to finish the water meter replacements. It was supposed to be completed by the end of June.

Mr. Bishop noted that the ARP funds will not provide enough for the water line replacement, so the Town will need to look for more funds elsewhere.

Justin Holder sent an email to the Town in which he requested that the Water Commission minutes from March 4, 2020 be amended to correct what Mr. Holder says is a mis-statement of what actually occurred during the meeting. The email and attachment will become part of the meeting's minutes.

Meeting adjourned at 7:28pm.

Respectfully Submitted,
Lisa Riner
Assistant Town Administrator

Justin Holder sent an email to the Town in which he requests that the Water Commission minutes from March 4, 2020 be amended to correct what Mr. Holder says is a mis-statement of what actually occurred during the meeting. The email and attachment will become part of this meeting's minutes.

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Ken Lord, Mayor
Barry Levey, Assistant Mayor
Gina Ellis, Council Member
Judy Kerns, Council Member
Matthew Hull, Council Member

March 4, 2020

The monthly meeting of the Keedysville Water Commission was called to order at 8:00pm, with the following members present: Commission Chairman Barry Levey, Commission Members Ken Lord, Gina Ellis, Judy Kerns and Matt Hull.

Minutes for February, 2020 were read and approved.

General Fund Report was \$233,616.28.

Mr. Levey noted the repairs of the weir at the spring were completed.

Mr. Levey noted that the utility ROW across the rail bed at the end of Antietam Drive was in process and might be available within 60 days. He noted that the plans for the waterline will be forwarded to Core & Main for a materials list. He noted that Mark Bradshaw from Washington County wants a utility easement agreement for the sewer to cross Town property.

Mr. Levey noted a small leak in the meter crock at 24 So. Main Street that was repaired.

Mr. Hull made a motion to replace Gina Ellis as alternate to the Water Advisory Board with Brandon Sweeney. Ms. Kerns seconded. Motion passed unanimously.

Justin & Deana Holder asked to be able to see the ordinance requiring hook up to the Washington County sewer system from 1988. They want to know why they are being charged to pay for sewer connections to their properties at the end of Antietam Drive when in 1988 there was a mandatory sewer connection requirement for all properties in Town at no cost to the residents. They are extremely frustrated. The Council suggested that they contact the County Commissioners.

Meeting adjourned at 8:20 pm.

From: Justin Holder <jholder2004@gmail.com>
Sent: Monday, June 21, 2021 3:47 PM
To: bsweeney@keedysvillemd.com
Cc: klord@keedysvillemd.com; Iriner@keedysvillemd.com; Ed Kuczynski; sbaker@keedysvillemd.com; jkerns@keedysvillemd.com; Town of Keedysville; Town Hall; gcarroll@keedysvillemd.com; mhull@keedysvillemd.com
Subject: Fwd: March 2020 Meeting Minutes revision ToK water Board
Attachments: Screenshot_20210221-110948_Adobe Acrobat.jpg

Mr. Sweeney,

I have been very forthcoming with what I am asking of the town, just honesty.

I have included an email to Town Hall of February 22nd, 2021, in which I kindly ask for a retraction.

As head of the Water commission I am directing this request to you to revise the minutes to accurately reflect the discussion.

The minutes states: "Justin & Deana Holder asked to be able to see the ordinance requiring hook up to the Washington County sewer system from 1988. **They want to know why they are being charged to pay for sewer connections** to their properties at the end of Antietam Drive when in 1988 there was a mandatory sewer connection requirement for all properties in Town at no cost to the residents. They are extremely frustrated. The Council suggested that they contact the County Commissioners." [Emphasis Added]

<https://drive.google.com/file/d/1nLiy0FGkKaU-WJTf9KIvlyvjQ8VOiOKf/view?usp=drivesdk>

That is the link to the Audio file from the March 4th 2020 Water Board meeting. At 1:03 in on the audio file Barry Levy states the issue is an EASEMENT. Matt Hull confirms it has been the right of way the entire time, and the next 3 minutes contain discussion about said easement only. No mention of cost whatsoever.

Again at 1:09 in Barry Levy receives comments from residents. Myself and my wife both make a public information request for the ordinance from 1988 requiring mandatory sewer. I have finally gotten those documents and they confirm the sewer was mandatory and no cost to customers, paid for by grants. However myself or my wife never say "why are we being charged" only that the county is not cooperating and that we want to "find out why it was never done".

I am asking you to amend that part of the minutes. At the last meeting in a ugly conversation with the town Attorney, I made it clear the gossip is we do not have water because we did not pay. I know Ed said that to at least 1 person, and I told him bluntly to cease and desist with his lies. I do know Jeff Young has told me directly we do not have water because we did not pay. I have not been informed how he came to hear that. I do know we have **NOT** gotten a "ready to serve" notice, and that 12 months after that the town by law can place a lien on

property for unpaid utility bills. I also have filed suit on other residents who have libelously campaigned against us.

If the town, the mayor and council, water boards, administrators etc is not the source of the "The Holders will not pay" Lie it would be much appreciated to simply amend the March 4th, 2020 minutes accordingly.

I also still need the memorandum of understanding, ordinance or whatever agreement places the county in charge of the sewer. Without that the Environmental Article in Maryland places the responsibility of sewer on the town as well as Mayor Lords January 23rd, 2020 letter, and signature on the DNR RoW agreement to cross with water.

I am aware water allocation and the leaking reservoir is a factor, or potentially the no water without sewer rule Mr. Levy discussed. Whatever the problem, I left the March meeting confident I had the Towns' support on going to the county, and by late May felt a knife in my back.

I am writing in good faith to just clear this up. The Publication is an ongoing tort. I have made the town aware of the mistake and why it is damaging me. To allow it to continue to be published is a reckless disregard of the truth, it has no value to the common good, and it is excessively published. That is an abuse of the qualified privilege town officials maintain and "actual malice". I have sent TCA Notice regarding defamation on several occasions. That notice is required by Law. It does not require me to followup with suit, and is sent in good faith that the town will just correct the minutes, or statements, or cease and desist publication of them.

Since the rumor is now out there spreading like wildfire, it would be great if the town could add a statement as to precisely why we are not able to be allocated water. If its MDE and the leaky reservoir, the county and NO Sewer, or simply Ed's you filed a TCA so we will not turn the water on philosophy of tyranny. I am asking the Town to speak the truth, and let the residents know exactly what the problem is.

The truth is that there is an easement, it's a "wagon road" the town named Harries Lane in 1961, and Stonecrest was built and the road was depicted as a stormwater management channel. That the road can be used to bring utilities, and the town has a duty to defend the public good for its residents. Holding clean drinking water for any purpose from existing homes is not acceptable, and as Head of the Water Board that responsibility is yours to manage.

I again am kindly asking to amend the March 4th, 2020 minutes of the Water Board, and to promptly send a "ready to serve" notice and charge the lines, or to Publicly in writing state the reason why the Town is unable to do so.

The only reasons I can think of are:

1. The State as in DNR or MDE is telling the town not to.
2. The County is telling the town not to.

3. Ed is telling the town not too, because of the TCA.
D) All of the above.

Please add this letter to the Water Board Minutes in July as my comment to the Water Board. I appreciate the voice and my 1st Amendment Rights to Redress of my Grievance being respected by the town.

Thank You,
Justin Holder

----- Forwarded message -----

From: **Justin Holder** <jholder2004@gmail.com>

Date: Mon, Feb 22, 2021 at 10:38 AM

Subject: March 2020 Meeting Minutes revision ToK water Board

To: Town Hall <townhall@keedysvillemd.com>

Cc: <deenay725@yahoo.com>, Ken Lord <mayorkenlord@gmail.com>, <hullscraneservice@hotmail.com>, Judy Kerns <jkkerns@verizon.net>, Sarah Baker <sarahdicarlo@yahoo.com>, <bsweeney@keedysvillemd.com>

<https://drive.google.com/file/d/1nLiy0FGkKaU-WJTF9KlvlyvjQ8VOiOKf/view?usp=drivesdk>

Mr. Bishop,

Above is a link to the Town of Keedysville March M and C plus water board audio. I have listened to it several times. I really would like the minutes to make an accurate reflection of the events. I have sent a few emails asking for retraction, however I should be specific, and will:

The inaccurate part is that the minutes reflect it was me and Deena complaining about cost. That is false. While we noted that in 88 the sewer had no cost, we not once said we want to know why we are being charged for it! Please clear this up, it is libelous!

Now Deena said she had paid/will pay what's right.

As Barry described the holdup was the easement. He mentions who has to pay 1 time, but Ken, Matt both talk about the easement also. We both left out of the meeting, and were never told otherwise with a full understanding the county said no to the easement and that was that. We had grant money and pocket change to pay!

I offer to hire h and h on a Rock-wheel trenches and complete the job in 3 days at my expense, rejected! That's a quote!

Matt Hull and Ken say they are going to take the sewer ordinance to Jeff Cline. (Did that happen?)
That's a quote!

I call Mark Bradshaw a liar. That's a fact. I went "on record" to state again at least twice "mark Bradshaw is **not** a man of his word.". That would be great in the minutes.

We were suppose to go to the vault in the basement to get the sewer law, but instead the recording stopped and we never were allowed down to get the Public Information Requested.

Honestly after everything that went on. The easement non sense in may/june/July. It's almost like a full audio file may be a better description. The current minutes just do a very poor job of describing the events. This may not be a big deal stand alone, but hook it up with the rest of the story and it adds to the false light.

I would just kindly ask that it has been a year. The minutes are inaccurate and these minutes are harming our reputation. Please retract or restructure/amend the minutes such that the veracity is in line with the actual events. I believe the Mayor and Council/water Board can vote to approve the amendment.

We just want the truth. In the Public view. Concealment of truth is bad politics, and not democracy.

Thank you,

Justin Holder

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Mayor & Council and Water Commission Meeting July 7, 2021

All attendees must sign in. Attendee comments will only be heard during the appropriate time in the agenda. Those wishing to be heard must check the appropriate box. Comments will be limited to three minutes each.

NAME	ADDRESS	PHONE	WISH TO BE HEARD
Sue Gemeny	50 So Main	301-432-8216	<input checked="" type="checkbox"/>
Justin Holder	308 W. Choptone St 21782	240-356-2008	<input checked="" type="checkbox"/> upon request
ERIC	Malton		<input checked="" type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

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Water Commission Agenda July 7, 2021

Call to Order

Approval of Minutes: June 2, 2021

General Fund Report: \$75,210.86

Announcements

Old Business: Meter replacements

New Business: ARP Funds

Comments by Residents

Comments by Commission

Adjournment