

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

Mayor and Council Minutes January 5, 2021

Approved

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

Minutes from the November 3, 2021 Water Rates & Fees Hearing, the December 1, 2021 De-Annexation Hearing, and the December 1, 2021 Mayor & Council Meeting were approved.

The General Fund Report was \$475,124.99.

The announcements from the agenda were read.

Town Attorney Ed Kuczynski arrived at 7:02pm.

Deputy Tracey Peyton completed 6 checks in Stonecrest, 11 in Cannon Ridge, 9 in Rockingham, 6 at the park and library, and 6 in the cemetery. He also handled a parking complaint, completed two hours of traffic work with two warnings issued, and did one hour of foot patrol. There was an alarm call at the library and a found property report. He also assisted the county with a dangerous animal call. He spent 3 hours in court with service of criminal charges.

Mr. Sweeney made a motion to approve the resolution for the charter amendment to de-annex the Matson property. Ms. Kerns seconded. Mr. Kuczynski said the Town should cover the cost of the de-annexation because the Town is not having to pay an engineer to correct the description in the original annexation or go through the process to correct it. In addition, since a de-annexation is a charter amendment, then the Council is the party who must initiate the action. All voted in favor. It will be advertised for four consecutive weeks. It will become effective on the 50th day from this date unless there is a challenge to it.

The next MML dinner will be Monday, January 24 at the Elks Club in Hagerstown. It is hosted by Funkstown. Ms. Riner is planning to attend.

The security cameras have been installed. The internet needs to be upgraded in order for the cameras to work. Verizon doesn't provide high enough speeds, so the Town will need to switch to Comcast. The internet prices that were quoted include only internet and a static external IP address. The park cameras use 200 mbps. There was some discussion. Mr. Hull motioned to go with the 200 mbps speed. Ms. Baker seconded. All voted in favor. Ms. Riner will find out what

length of contract is involved and if there is a termination fee. There is a setup fee of around \$100. Comcast is working on getting the cable installed in the building.

Ms. Baker recommended to ask the County if they would cover the cost of the library repairs. County Commissioner Jeff Kline is going to provide her with contact information. The Council will wait to hear back.

Ms. Riner found out that it is not possible to use an ARC grant with ARPA funds as the match. The Council will continue to think about what they may be able to do with those funds. The Town has already received the first half of the ARPA funds. The ARC application process begins in February and ends about a year later.

The Park Pavilions and Lighting Upgrades project was awarded to Build-Rite Construction, who was the lowest responsive bidder. The letter agreement is signed and work will begin when the weather warms up.

The Project Open Space grant application was submitted.

Matt Rhoads stepped down from the Planning and Zoning Commission, so there is another vacancy. Randy Burns said he would be willing to serve as Chairman of the Commission, and also that he would ask the Board of Zoning Appeals members if they would be interested in being on Planning and Zoning rather than the Board of Appeals. Mr. Kuczynski looked into adding alternates to the Commission and said that Ch. 16 of the ordinances can be amended to add alternates, and can give them voting authority in the absence of a regular member. He also noted that the state code doesn't explicitly address whether the ex-officio member can vote or not. However, the code seems to presume that the ex-officio does have the right to vote. Mr. Kuczynski also offered to add in requirements for meeting attendance, and how a member can be removed, which is included in state law. There was some discussion. Ms. Riner will put information on the website and Facebook to request applications for the vacancy.

The Green Team would like to pass a green purchasing policy. The action would earn points for Sustainable Maryland certification, but is not required. Even though the policy is only advisory, Mr. Kuczynski expressed concern that the sample policy cause issues in the future. Ms. Baker agreed. Mr. Kuczynski said if the Town could just adopt Section 2.1, it would be better. There was some discussion. Mayor Lord indicated that it was just a statement of intent and other considerations would be more important. Mr. Sweeney would rather not pass the policy at all. Mr. Hull liked the idea of just passing Section 2.1. Ms. Riner will ask Matt Rhoads to see if he can find simpler and shorter examples from nearby municipalities.

Ms. Baker submitted a work order and is still waiting on Potomac Edison to call her back about the redundant street lights.

Ms. Riner would like Ken Murphy of Albright, Crumbacker, who installed the computer system at Town Hall, to do monthly updates and security monitoring on the server and computers. The cost would be about \$70/month. Mr. Hull wondered if the updates could be done every other month. Mr. Murphy has already been doing IT support from time to time at no cost. It would not be an annual contract, but just month to month. Ms. Riner is also concerned about computer security. Ms. Riner will look at whether it needs to be monthly or every other month. Mr. Hull motioned to do it on a trial basis. Ms. Kerns seconded. All voted in favor.

Every year the Town donates \$1,000 each to Boonsboro Fire, Boonsboro EMS, Sharpsburg Fire, and Sharpsburg EMS, for a total of \$4,000. Ms. Kerns motioned to make the annual donations, and Mr. Hull seconded. All voted in favor.

Mayor Lord tabled the solar panels discussion item because the meeting with the solar company had to be postponed. Mr. Hull would like to make sure the structure of the roof is guaranteed with any solar installation.

Ms. Riner noted the Town needs to put out bids for mowing. There are two separate contracts, one for mowing stormwater ponds, and one for the park and various areas around Town. She will put that out to bid. Mr. Hull

recommended adding the new Town property on N Main St and around the streambank as areas that need to be mowed.

Mr. Matson thanked the Council for de-annexing his property.

Ms. Riner read a comment from Justin Holder. It includes an email from Barry Levey discussing "sketchy" issues related to the property. The documents will be added to the minutes.

Meeting adjourned at 7:51pm.

Respectfully Submitted,
Lisa Riner
Town Administrator



Justin Holder <jholder2004@gmail.com>

antietam drive properties

5 messages

Levey, Barry <blevey@washco-md.net>
To: justin <jholder2004@gmail.com>

Mon, Dec 11, 2017 at 8:52 AM

Justin;

I am currently having a water line extension designed to service the properties. There are two, Carl French Purchased one. Neither property got water service when the initial system went in. I suspect because the line would have needed to go under the rail bed. The property deeds are very cloudy. So you might want to force title insurance so your protected. The rail bed ROW actually crosses the front porch of the home. So, its sorta sketchy. Water hook up to the town is 10K. Our boundary survey just for the water line is based on the deeds of record. They are far from clear, but the town is moving ahead with the design. Yes, Stonecrest brought a water line to antietam drive as well as a fire hydrant. The hydrant is off presently as there is a leak that needs to be repaired.

Sewer is available on Antietam drive. But the county will not install it for the home owner. Trenching and installation is all on the customer. There are two properties, so its possible to combine resources, HOWEVER, Carl French is not someone to partner with.

So, both homes are on cistern and septic fields. Hope this helps.

Barry Levey

PSSM

Washington County Sheriff's Office

500 Western Maryland Parkway

Hagerstown, MD 21740

Justin Holder <jholder2004@gmail.com>

Mon, Dec 11, 2017 at 11:44 AM



TOWN OF KEEDYSVILLE, MARYLAND

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

May 12, 2020

Justin Holder
P.O. Box 420
Sharpsburg, MD 21782

Re: Antietam Water Line Work

Mr. Holder,

We wanted to provide you a status update for the project to extend water and sewer lines to your properties at the end of Antietam Drive.

The Right-of-Way across the railbed has been approved by the Maryland Department of Public Works. The Town has not received a signed copy yet, due to the difficulty during the COVID-19 outbreak, of obtaining the required signatures of the Maryland Governor, Comptroller and Treasurer. However, the Maryland Department of Natural Resources has issued the Town a Right-of-Entry for the land, which allows the Town to perform the construction.

Frederick, Seibert & Associates has completed the plans for the project and the Washington County Department of Public Works has approved and signed the mylar copy of the plans for the sewer line extension.

The Town will be providing labor and materials for the water line extension to your property line. As a courtesy to you, the Town will also provide labor to install sewer line in the same trench as the water line. The piping for this section of sewer line will need to be provided by you and be on site when the installation takes place. You will be advised as to when the line is needed on site. Any section of sewer line installation outside the trench for the water line will be your responsibility.

As, currently, an indoor sprinkler system is not required in Keedysville, and water is being provided for two existing homes and possibly a third in the future, a 2" water line will be installed.

The project will be advertised for bid Wednesday, May 13th. Bids will be due May 29, 2020 with the bid award to take place soon after.

The Town is working with expediency to have this project completed.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Lord", is written over a horizontal line.

Ken Lord, Mayor

Cc: Deana Young, Gina Ellis, Judy Kerns, Matt Hull, Rick Bishop

7/12/2020

Gmail - NEW DWELLING UNITS IN KEEDYSVILLE



Justin Holder <jholder2004@gmail.com>

NEW DWELLING UNITS IN KEEDYSVILLE

Justin Holder <jholder2004@gmail.com>

Mon, Jun 1, 2020 at 8:35 AM

To: Town Hall <townhall@keedysvillemd.com>, Fred Frederick <Fred@fsa-md.com>

I just got this message from Larry at the western md fire marshalls office. The water line drawing for antietam drive I saw was forwarded to the fire marshal and I asked if that water line size was suitable. Please see included response. Can we have the engineer take a look at this? Adding in a big storage tank later would again put undo burden on the residents for infrastructure provided by the town.

I wanted to get this corrected asap as to mitigate any delays in the installation process.

Thanks,
Justin

[Quoted text hidden]

7/12/2020

Gmail - NEW DWELLING UNITS IN KEEDYSVILLE



Justin Holder <jholder2004@gmail.com>

NEW DWELLING UNITS IN KEEDYSVILLE

Alfred L. Iseminger -State Police- <alfredl.iseminger@maryland.gov>

Mon, Jun 1, 2020 at 7:43 AM

To: jholder2004@gmail.com, Ingeborg Ritchie -State Police- <ingeborg.ritchie@maryland.gov>, townhall@keedysvillemd.com

Mr. Holder,

Maryland Law requires the installation of automatic sprinkler protection in all new dwellings constructed in the State. The exemption mentioned by Mr. Noel was a temporary exemption back in 2012 when the law was initially passed to allow for homes where the infrastructure was already in place. This exemption has long since expired. Any new dwelling unit built in Keedysville will need to be provided with residential automatic sprinkler protection. Water supply for the automatic sprinkler system must be adequately sized to meet the calculated sprinkler demand, roughly 25-30 GPM. It is unlikely that a 5/8 inch meter with 800 feet of 3/4 inch underground will be hydraulically adequate to meet this demand. A fire protection contractor will be able to run the calculations to make a final determination.

Larry

All scenarios were computed and the results analyzed. All pipes and pressure junction nodes are open and active for the analysis. It was found that the proposed system was adequate to provide for peak daily flows anticipated as well as provide for available fire flow well in excess of 500 GPM at all junction nodes on the 8" waterline within the study area. Two (2) pipes within the system, the 2" waterline extension and the 1" water service lateral to the future dwelling location did fail to meet the fire flow availability of 500 GPM. Assuming a 20 PSI residual pressure at the terminus of the 2" waterline extension and also at the terminus of the 1" waterline lateral the available fire flows were 215 GPM and 19 GPM at these locations respectively. It should be noted that the model used elevations of the buried waterline piping and made no accommodations for the elevation of any sprinkler head within a dwelling that would be served with a sprinkler system. Additionally, the fire demand expressed in GPM for a sprinkler protected dwelling was not known and therefore a recommendation for the size of the waterline laterals from the meter settings to the dwellings could not be made. However, given that only 19 GPM at 20 PSI is available at the terminus of the water service lateral serving the proposed single family dwelling consideration should be made regarding increasing the waterline lateral size to the proposed dwelling.



Justin Holder <jholder2004@gmail.com>

RE: Public information request - May 31 (June 10th modified request)

McCarty, Rachael <rmccarty@washco-md.net>

Tue, Jun 23, 2020 at 3:35 PM

To: Justin Holder <jholder2004@gmail.com>

Cc: "Bright, Andrew" <abright@washco-md.net>, "Downey, Kirk" <kdowney@washco-md.net>

Mr. Holder,

Please see the attached in response to your June 10th PIA request.

Thank you,



Rachael McCarty

Legal Secretary

Office of the County Attorney

Washington County Administration Complex

100 West Washington Street, Suite 1101

Hagerstown, MD 21740

P: (240) 313-2233 | F: 240-313-2231

www.washco-md.net

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From: Justin Holder <jholder2004@gmail.com>

Sent: Wednesday, June 10, 2020 10:37 PM

To: McCarty, Rachael <rmccarty@washco-md.net>

7/12/2020

Gmail - RE: Public information request - May 31 (June 10th modified request)

Cc: Bright, Andrew <abright@washco-md.net>; Downey, Kirk <kdowney@washco-md.net>

Subject: Re: Public information request - May 31

WARNING!! This message originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Any claims of being a County official or employee should be disregarded.

Mr. Bright,

Myself or Adam will be mailing payment tomorrow morning for the outstanding Invoice. Thank you for getting back to me. I think Adam was confused by the box of 5000 documents found after the first pia. I thought they should have been included but Adam was not sure. Either way I will let Adam figure that out. I really don't want to kill the trees with all the paper, so I will come in with Russ Weaver and take a look after we go through the previous request either myself or Adam will be paying for tomorrow.

On this search I really am looking for any email in which a county employee asked a Potomac Edison employee or contractor to shut me down, or blackball me. I realize it sounds a bit paranoid. I can tell you things were going great and then all of a sudden, I get no electricity, no water, no sewer, and now no contractors even call me back. I will tell you that in the attached screenshot from a PIA in sharpsburg I can see some animosity from Patty Hammond. (Patty is Keedysville town council member Matt Hull's mother in law). This may be irrelevant to you, or maybe me adding some sanity to this would help you. When we met a few years ago, you did make a good impression as a reasonable man.

My search started after I called water quality a while back. I talked to Karen Flook. Ms. Flook was very knowledgeable, had a ton of common sense and in my opinion a really valuable asset to the county. The property I managed did not have sewer but was in a zone where all other homes did. My client wanted to know why. Ms. Flook said there may have been a 350' or more from nearest connection exception. I asked her to find that exception if she didn't mind, as that seemed to me a logical reason that I could show the owner of the property. Ms. Flook was confident she knew where to look, so I was surprised when she came back and said hey, you need to use the county attorney to request it. I agreed and just thought policy is policy and ok seems easy enough.

Next Mark Bradshaw refused to deliver me the grinder pump specs. I could not get my bids made up for grants without them and explained it to Mr. Bradshaw. Mr. Bradshaw was unresponsive. I will forward that email chain at your request.

I am currently 3 public service complaints in on Potomac Edison for denial of service and just got some power last week. 1 out of 3 work orders complete, 1 work order is 2 years old and another 18 months old.

When I was 12 years old I attended a town meeting at the church up the street from my parents house about the sewer. I remember a grant paying and everyone had to get it. I asked a question about the ability of all the grinders to push the hills with all the head pressure. The man in charge explained there would be a pumping station. I was always interested in knowing all the details. I like to feel confident in the subject to discuss it. I hope this context will help you understand why I am persistent.

My question on the PIA "All email correspondence between Washington county admin officials, Washington county building permits, public utility companies such as Potomac Edison, Washington county water quality, the towns of Keedysville, Boonsboro and Sharpsburg, Washington county council and their agents, employees, or staff, that occurred in the past 2 years, that contain the following key words: Justin Holder, Deena Holder, Holder, Antietam Dr, Voorhar, Hydrant." is:

Would it be ok to requery the emails for the keywords as follows such that it is 5 separate request for information?

More specifically:

1.All email correspondance between washington county admin officials, Washington county building permits, public utility companies such as Potomac Edison, Washington county water quality, the towns of keedysville boonsboro and sharpsburg, washington county council and their agents, employees, or staff, that occurred in the past 2 years, that contain the following key words: justin and holder

2.All email correspondance between washington county admin officials, Washington county building permits, public utility companies such as Potomac Edison, Washington county water quality, the towns of keedysville boonsboro and sharpsburg, washington county council and their agents, employees, or staff, that occurred in the past 2 years, that contain the following key words: deena and holder

3.

All email correspondance between washington county admin officials, Washington county building permits, public utility companies such as Potomac Edison, Washington county water quality, the towns of keedysville boonsboro and sharpsburg, washington county council and their agents, employees, or staff, that occurred in the past 2 years, that contain the following key words: antietam and dr or antietam and drive or antietam and keedysville

4.All email correspondance between washington county admin officials, Washington county building permits, public utility companies such as Potomac Edison, Washington county water quality, the towns of keedysville boonsboro and sharpsburg, washington county council and their agents, employees, or staff, that occurred in the past 2 years, that contain the following key words: voorhar

5.All email correspondance between washington county admin officials, Washington county building permits, public utility companies such as Potomac Edison, Washington county water quality, the towns of keedysville boonsboro and sharpsburg, washington county council and their agents, employees, or staff, that occurred in the past 2 years, that contain the following key words: hydrant

Thank you for taking the time to read through this. I am only trying to figure out why the sewer was never installed for the owner. However my search has led me into quite a few rabbit holes.

Sincerely,

Justin Holder

7/12/2020

Gmail - RE: Public information request - May 31 (June 10th modified request)

On Wed, Jun 10, 2020, 5:46 PM McCarty, Rachael <rmccarty@washco-md.net> wrote:

Mr. Holder,

Please see the attached in response to your May 31st PIA request.

Thank you,



Rachael McCarty

Legal Secretary

Office of the County Attorney

Washington County Administration Complex

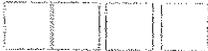
100 West Washington Street, Suite 1101

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From: Downey, Kirk <kdowney@washco-md.net>

Sent: Monday, June 1, 2020 10:12 AM

To: Bright, Andrew <abright@washco-md.net>; McCarty, Rachael <rmccarty@washco-md.net>

Subject: FW: Public information request

7/12/2020

Gmail - RE: Public information request - May 31 (June 10th modified request)

From: Justin Holder <jholder2004@gmail.com>
Sent: Sunday, May 31, 2020 2:26 PM
To: Downey, Kirk <kdowney@washco-md.net>
Subject: Public information request

WARNING!! This message originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Any claims of being a County official or employee should be disregarded.

Mr. Downey,

Please be provide the following information.

All email correspondance between washington county admin officials, Washington county building permits, public utility companies such as Potomac Edison, Washington county water quality, the towns of keedysville boonsboro and sharpsburg, washington county council and their agents, employees, or staff, that occurred in the past 2 years, that contain the following key words: justin holder, deena holder, holder, antietam dr, voorhar, hydrant.

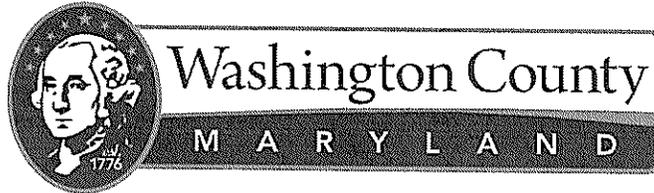
Please respond in 10 business days with a time and cost.

Thanks,

Justin Holder

 6.23.20 10-day letter to Holder Narrowed Fifth Request AB edit.pdf
295K

Kirk C. Downey
County Attorney



Kendall A. McPeak
Deputy County Attorney

B. Andrew Bright
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

June 23, 2020

Re: Public Information Act Request
dated 6/10/2020

jholder2004@gmail.com
Justin Holder
25 Antietam Drive
Keedysville, MD 21756

Dear Mr. Holder:

Our office is in receipt of your Public Information Act Request dated June 10, 2020, which served as a modification to your May 31, 2020 request. Your email requests records pursuant to the Maryland Public Information Act, MD. Code, Gen'l Prov. Art. §§4-101 et seq. ("PIA"). Your requests are set forth as follows:

1. All email correspondence between Washington County admin officials, Washington County building permits, public utility companies such as Potomac Edison, Washington County water quality, the towns of Keedysville, Boonsboro and Sharpsburg, Washington County Council and their agents, employees, or staff, that occurred in the past 2 years, that contain the following key words: Justin and Holder

2. All email correspondence between Washington County admin officials, Washington County building permits, public utility companies such as Potomac Edison, Washington County water quality, the towns of Keedysville, Boonsboro and Sharpsburg, Washington County Council and their agents, employees, or staff, that occurred in the past 2 years, that contain the following key words: Deena and Holder

3. All email correspondence between Washington County admin officials, Washington County building permits, public utility companies such as Potomac Edison, Washington County water quality, the towns of Keedysville, Boonsboro and Sharpsburg, Washington County Council and their agents, employees, or staff, that occurred in the past 2 years, that contain the following key words: Antietam and Dr or Antietam and Drive or Antietam and Keedysville

4. All email correspondence between Washington County admin officials, Washington County building permits, public utility companies such as Potomac Edison, Washington

Mr. Justin Holder
June 23, 2020
Page 2 of 2

county water quality, the towns of keedysville boonsboro and sharpsburg, washington county council and their agents, employees, or staff, that occurred in the past 2 years, that contain the following key words: voorhar

5.All email correspondance between washington county admin officials, Washington county building permits, public utility companies such as Potomac Edison, Washington county water quality, the towns of keedysville boonsboro and sharpsburg, washington county council and their agents, employees, or staff, that occurred in the past 2 years, that contain the following key words: hydrant”

The Director of Information Systems has determined that, as written, a search of these emails resulted in over 200,000 records. As you know, such a list of emails would require review by the County Attorney’s office to determine which emails or portions of emails, if any, are privileged or otherwise shielded from production. The cost of review and duplication of the emails which are not exempt from production is estimated at \$45,000.

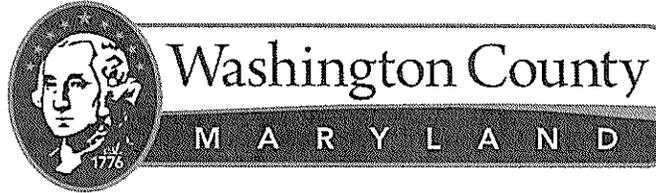
As indicated in a previous letter, our office requires a deposit of one half the estimated amount in order to commence the search and retrieval of these records.

Sincerely,



B. Andrew Bright
Assistant County Attorney

Kirk C. Downey
County Attorney



Kendall A. McPeak
Deputy County Attorney

B. Andrew Bright
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

June 17, 2020

Re: Public Information Act Request
dated 6/08/2020

jholder2004@gmail.com
Justin Holder
25 Antietam Drive
Keedysville, MD 21756

Dear Mr. Holder:

On June 8, 2020, our office received an email from you requesting records pursuant to the Maryland Public Information Act, MD. Code, Gen'l Prov. Art. §§4-101 et seq. ("PIA"). Your requests are set forth below. The purpose of this letter is to advise you that it will take us more than ten (10) working days to produce the records, to give you an estimate of when we expect to be able to produce them, and to give you an estimate of the costs of producing the records.

Inquiry No. 1: "The map, or key in which the dept of water quality records the customers in the 4-1 sanitary district which are NOT connected to the sewer system."

Response: The County has determined that no such records exist that are responsive to your request.

Inquiry No. 2: "If that map of the 4-1 sanitary district is not available please provide time and cost to provide all tproperty tax records for improved parcels located in the 4-1 sanitary district and all sewer bills for customers with service addresses in the 4-1 sanitary district."

Response: Due to the unavailability of the map or key requested in Inquiry No. 1 above, the County has investigated staff labor effort and materials that would be required to fulfill this request. The production of tax records is calculated factoring in $\pm 1,000$ properties located in the service area, which are not specifically indexed by sewer district, and must be manually searched by address in order to retrieve the requested documents. These tax records cover the span of 30 years, which roughly constitutes the course of

Mr. Justin Holder
June 17, 2020
Page 2 of 2

time since the inception of the sanitary district area. The production of sewer bills is calculated factoring in four (4) quarterly bills per year for 850 parcels connected to public sewer within the service area, covering a span of 30 years. We expect, based upon the labor involved in searching individual tax and sewer accounts and considering the volume of documents involved, that the response will generate a fee of \$29,925.00. As indicated in our previous letter, we would need a deposit of one half that amount in order to commence the search and retrieval. Please let me know whether you wish to proceed with the request as drafted.

On an unrelated note, after receipt of your email dated June 10, 2020, it strikes me that perhaps it would be beneficial to schedule an informal meeting with you, myself, and Kirk Downey, our Interim County Administrator, in order to see if some resolution could be reached to the problems you are having with the parcels on Antietam Drive. You could appear alone or bring an attorney, at your option. If you would be interested in sitting down, please let me know.

Sincerely,



B. Andrew Bright
Assistant County Attorney



June 8, 2020

Maryland Department of Labor
Division of Occupational and Professional Licensing
500 North Calvert Street, Room 308
Baltimore, MD 21202

Dear Mr. Cullingford and Members of the Board,

I received your letter on May 13, 2020. First and foremost I apologize for putting you through this but with this individual, I don't think this will be the end of it. He is currently putting Washington County Water and Sewer Department and the Town of Keedysville through similar time consuming pains through the Freedom of Information act by requesting volumes of past documents on Water and Sewer decisions all in his effort to get what he wants.

Below I will do my best to identify each complaint in his letter and then address each one.

COMPLAINT

- C1. Frederick, Seibert and Associates, Inc. (FSA) was hired to do a survey for purchase of land and we were to use the deed dated May 20, 1964 between Ivan S. Hammond and Virginia Hammond to Harry C. and Mary Jane Hutzell.
- A1. That is correct, however, whenever a surveyor performs a survey, they should NOT only look at the subject deed but also the adjoining deeds. Which I did. The Hutzell deed description was used over and over as it passed down the chain of title and did not have any recent survey of it nor did it mathematically close albeit only through a forced closure. (Copy of subject deed attached)
- C2. In the new metes and bounds description I prepared for this property I stated in the being clause "The lands intended to be conveyed" and recited the 1964 title deed into the Hutzells.
- A2. That is correct. Again the past deed was very poorly written and my updated description was intended to convey ALL (not part of) the same lands.
- C3. Mr. Frederick decided to use a boundary survey he had already performed instead of conducting the survey he was contracted to do.
- A3. Whenever I do any boundary survey, I look at both our deed and the adjoining deeds. In this case we had surveyed the adjoining property in November 1990 for the seller, Ellis Remsburg and the buyer Mr. Richard Jolles. When we did that survey the subject deed mentioned crossing the Antietam Creek. During our field work we found a blazed tree and old fence line on the West Bank. We used that monumentation to establish

fsa-md.com

HAGERSTOWN, MD
128 S. Potomac Street
Hagerstown, MD 21740
301.791.3650

GREENCASTLE, PA
20 W. Baltimore Street
Greencastle, PA 17225
717.597.1007

CARLISLE, PA
505 S. Hanover Street
Carlisle, Pa 17013
717.701.8111

SHERMANS DALE, PA
PO Box 387
Shermans Dale, Pa 17090
717.567.3680

Brandon;

Thanks. I can return mine as well. There is a problem though with the pipe sizing. I already know Matts response.

But read the following one page document, its part of the second larger file attached. I do think, to get a sprinkler system to the house that does not exist yet to meet fire flow, it might be in the towns best interest to upsize the 2 inch to possibly 2.5 inch. I am asking Fox associates the same question.

Barry

From: Brandon Sweeney <brandon.sweeney.82@gmail.com>

Sent: Tuesday, August 4, 2020 2:03 PM

To: townhall@keedysvillemd.com

Cc: Levey, Barry <blevey@washco-md.net>; rick <rick_bishop@keedysvillemd.com>; mayorkenlord@gmail.com; Matt Hull <hullscraneservice@hotmail.com>; Judy Kerns <jkkerns@verizon.net>

Subject: Re: Water Line

WARNING!! This message originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email. Any claims of being a County official or employee should be disregarded.

On Tue, Aug 4, 2020, 1:39 PM <townhall@keedysvillemd.com> wrote:
Barry,

I just spoke with Randy at Huntzberry and Wash. Co. contacted him about the submittals. He will respond directly to them. FYI, I should have let you know that we only had the two copies of the submittals. If one could be returned, maybe, for safe keeping.

Thanks,

Rick Bishop

Town Administrator
P.O. Box 359
Keedysville, MD 21756
301-432-5795

Office Hours Mon.-Wed. 8:00-4:30; Th.-Fri. 8:00-Noon

From: Levey, Barry <blevey@washco-md.net>
Sent: Tuesday, August 4, 2020 1:09 PM
To: rick <rick_bishop@keedysvilleMD.com>
Cc: mayorkenlord@gmail.com; Matt Hull
(hullscraneservice@hotmail.com) <hullscraneservice@hotmail.com>;
'Brandon Sweeney' <brandon.sweeney.82@gmail.com>; Judy Kerns
(jkkerns@verizon.net) <jkkerns@verizon.net>
Subject: FW: Water Line

Rick

Mark needs the cutsheet to the Poly pipe that huntzberry is using. I don't have the package here with me.

Can you scan up the poly SOS and lets see if it meets Mark Bradshaws need? As I recall, all poly pipe needed to be welded on site

And I believe the water line is poly as well. it should be welded the same way. But not all poly line can be welded.

As for the town paying for the inspection services for sewer, that is a council decision. Huntzberry did not break out the sewer line in anyway or shape. So the 65K for this extension is water and sewer. It's a win for the holders. I really want the holders to understand that we are paying for this. But will that, in some way admit wrong doing? I certainly hope not.

Barry

From: Bradshaw, Mark <MBradsha@washco-md.net>
Sent: Tuesday, August 4, 2020 12:52 PM
To: Levey, Barry <blevey@washco-md.net>
Cc: townhall@keedysvillemd.com; Showe, Kenneth <kshowe@washco-md.net>; mayorkenlord@gmail.com; Matt Hull

<hullscraneservice@hotmail.com>

Subject: Re: Water Line

Inspection fees need to be paid for the sewer that is being installed at the same time as the waterline. The fees will need to be paid by the town or mr holder. I am not sure what agreement you and mr holder made regarding the sewer installation so we sent an inspection agreement letter to the town for the portion being installed with the waterline.

Sent from my iPhone

On Aug 4, 2020, at 11:30 AM, Levey, Barry <blevey@washco-md.net> wrote:

-257 ?

Mark;

Just so its clear to me, inspection fees for the same trench / benched portion

Of the sewer line, will be paid by Mr Holder. Is that correct? I did not sign off

On the inspection fees of any kind...

Barry

From: Bradshaw, Mark <MBradsha@washco-md.net>

Sent: Tuesday, August 4, 2020 11:17 AM

To: townhall@keedysvillemd.com

Cc: Showe, Kenneth <kshowe@washco-md.net>; Levey, Barry

<blevey@washco-md.net>; mayorkenlord@gmail.com; Matt Hull

<hullscraneservice@hotmail.com>

Subject: Re: Water Line

Rick

We haven't received the inspection fees yet. We will need that prior to start.

For the sewer line, we'll need submittals on the material.

Mark

Sent from my iPhone

On Aug 4, 2020, at 8:22 AM, "townhall@keedysvillemd.com" <townhall@keedysvillemd.com> wrote:

-257 ?

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Any claims of being a County official or employee should be disregarded.

Yes, Huntzberry Bros. will be doing the work. They are expected to begin next week.

Thanks,

Rick Bishop
Town Administrator
P.O. Box 359
Keedysville, MD 21756
301-432-5795

Office Hours Mon.-Wed. 8:00-4:30; Th.-Fri. 8:00-Noon

From: Bradshaw, Mark <MBradsha@washco-md.net>

Sent: Monday, August 3, 2020 7:14 PM

To: townhall@keedysvillemd.com

Cc: Showe, Kenneth <kshowe@washco-md.net>
Subject: Water Line

Ken,

Has the town award a contract to install the waterline to Mr. Holder's property on Antietam Drive?

Mark

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

Mayor & Council Agenda January 5, 2022

Call to Order

Pledge of Allegiance

Approval of Minutes: November 3, 2021 Water Rates & Fees Hearing, December 1, 2021 De-Annexation Hearing, December 1, 2021 Mayor & Council Meeting

General Fund Report: \$475,124.99

Announcements: Town Hall will be closed Monday, January 17 for Martin Luther King, Jr Day

Community Deputy Report

Old Business: Matson De-Annexation; Banner Town; Cameras; Internet; Library Porch Repairs; ARPA Action Plan; ARC Grant; Park Pavilions & Lighting Upgrades; POS Application for Gazebo; Planning and Zoning Commission Vacancy and Alternates; Green Purchasing Policy; Street Lights

New Business: Town Hall Computer Updates & Security; Donations to Sharpsburg Fire & EMS and Boonsboro Fire & EMS; Solar Panels on Library; Mowing Bids

Comments by Residents

Comments by Council

Adjournment