

TOWN OF KEEDYSVILLE, MARYLAND

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

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

Approved

Mayor and Council Minutes September 7, 2022

The monthly meeting of the Keedysville Mayor and Town Council was called to order at 7:35 pm with the following present: Mayor Ken Lord, Assistant Mayor Brandon Sweeney, Council Members Matt Hull, Judy Kerns, Sarah Baker, Town Attorney Ed Kuczynski, Town Administrator Lisa Riner, and Administrative Assistant Teresa Pangle.

Minutes from the August 3, 2022 meeting were approved.

The General Fund Report was \$676,630.62

Announcements from the agenda were read.

Community Deputy Report

Deputy Peyton completed his usual checks which included 10 in Rockingham, 10 in Cannon Ridge, 8 in Stonecrest, 7 in the park, 8 in the cemetery, 4 hours of foot patrol, 6 hours of traffic which included 5 citations, and 4 warnings, 2 hours of court, towed an abandoned vehicle from Main Street, checked a 911 hang up, all was ok there and assisted Boonsboro PD with an intoxicated person.

Resident Comments

Dave Williams is one of the 2 Democrats running for County Commission. He has lived in Washington County for 45 years, with 34 of those years being in Smithsburg. He's a retired educator from Washington County Public Schools.

Kathryn Del Granado was not present to discuss the weed letter she received. Ms. Kerns noted the area looks much better.

Mike Luksa was not present to discuss the speed bumps on Taylor Drive. Ms. Riner reported his concerns about having a few close calls while walking his dogs. He said there use to be a couple of speed bumps on Taylor Drive and would like to look into getting them again. Mr. Hull mentioned the speed bumps are still there, but when they re-paved Taylor Drive the speed bumps got shorter as the pavement came up. Mr. Hull mentioned at the time the speed bumps cost about \$5000-\$5500 a piece and would be a lot less to raise them

up if the Council so chooses. Ms. Baker noted it's a lot of money for one complaint. Mr. Hull mentioned they could be repainted since the paint on them is no longer visible.

Old Business

Electronic Filing of Town Hall Records – There was much discussion about the various options. Appalachian Regional Commission (ARC) will pay approximately 50%. Mr. Sweeney made a motion to put this out to bid, Mr. Hull seconded, and all voted in favor.

Antietam Broadband Installation – Per Mr. Kuczynski, there are no updates. Mayor Lord mentioned he reached out to Jeff Cline and he said Tony Heaton from Antietam is supposed to give Jeff an update by Friday.

POS Project Ideas – The Council hasn't officially voted on doing the outdoor exercise equipment, but if being considered where would it go? That information is needed before getting quotes. We have until the end of the year to submit the application. There was a discussion about what space would be available. Ms. Kerns mentioned Community Parks and Playground money might be worth checking into as well as POS money. Due to the many ideas and projects already in motion, Mayor Lord suggested we need to be smart about what we fill Taylor Park up with. There was some discussion about needing an overall park plan. Setting up a committee to come up with a park plan was discussed and Ms. Riner said she could reach out to a community member who worked for the State's Park Department. Mayor Lord and Ms. Kerns agreed to sit on the committee. Mr. Hull mentioned if doing a wish list the fencing around the basketball court needs attention. Mr. Sweeney suggested before reaching out to the volunteer community member we should do a park layout, showing here's what we are looking at and here's what we have, so we can physically see the space.

Stonecrest Entrance Stormwater Sediment – Ms. Riner met with Blair Reynolds from the county, the erosion isn't really bad. He would like Mr. Levey to send a video while it's raining so he can see how the water is flowing. He thinks the fix may be to just shave down the side of that hill on the Mt. Vernon side of Dogstreet Rd. Mr. Hull mentioned there is a water line running under Dogstreet Road so don't shave too much.

Fee Ordinance Revision – Ms. Riner mentioned this was introduced at the last meeting and the Council made a correction to the blasting fee, everything else is the same. Mr. Hull motioned to adopt Ordinance No. 2022-03, Ms. Baker seconded, and all voted in favor.

Town Hall Parking Lot – Ms. Riner received 2 quotes, but after the Streambank meeting it makes more sense to hold off on graveling the parking lot until the Streambank restoration is completed. The hope is the restoration project will begin and be completed in the summer of 2023.

Pavilion 3 Staining – Ms. Riner received 2 quotes, Build-Rite and Willow Run Farms. Ms. Kerns motioned to go with Bryan Babington (Willow Run Farms), Mr. Sweeney seconded and all voted in favor.

Streambank Restoration – Ms. Riner met with Washington County Soil Conservation and all of the property owners. Ms. Riner showed a drawing which is about 30%, (1st phase) of the project, showing what their ideas are and what they are planning. Mr. Hull noted that the streambank at the Putman's property, near the bridge, needs to go back out due to the waterline that is there. Ms. Riner mentioned they may approach the County about participating in the project so the County can get MS4 credits for their stormwater program. If they do that then the County could have an easement back there. They want to make sure it's ok with the Council and property owners before they reach out to the County. It's possible the County will choose not to be involved. They plan to stage their equipment on the vacant property as well as the parking lot behind Town Hall. They plan on getting the work done next summer over about 3 or 4 months.

Old Bank Accounts – Mr. Hull closed 2 accounts at M & T and Mayor Lord closed 4 accounts at Truist. There are 3 more CDs to close with Truist once they reach maturity.

Pavilion Water Connection – Mr. Nicodemus gave 3 options for getting water to the Pavilion. Hotel/Motel money can be used for this project. There was some discussion about options 1 & 2. The Council feels there needs to be some clarification on option #1. Mr. Hull motioned for Mr. Sweeney to clarify and negotiate with Mr. Nicodemus on option 1, Ms. Kerns seconded, and all voted in favor.

Redundant Street Lights – Ms. Pangle reported she emailed First Energy with the list of lights to be removed from Main Street. Now waiting to hear back on when removal of lights will be scheduled.

New Business

MML Dinner – It's our turn to host the MML Dinner on Sept 26, 2022 at the McClellan Gun Club.

MML Fall Conference – Oct 10th – 12th. Mayor Lord and Ms. Riner are attending.

Library Roof Replacement – Due to the solar panel project for the library, it was decided to check the life of the roof shingles. It was determined the shingles would need to be replaced within a few years so replacing them would need to be done before solar panels can be installed. We received quotes from Complete Builders and Cronise Corporation for a shingle roof and a metal roof. There was much discussion. Mr. Hull motioned to put out to bid for a standing seam metal roof with gutters and downspouts, Mr. Sweeney seconded and all voted in favor. It was agreed to put in an option to request a bid for the roof on the restroom building. After further discussion, Mr. Kuczynski suggested calling a structural engineer to determine if the library roof can handle leaving the current shingles, with a metal roof on top, along with the weight of solar panels and potential snow.

Library Mailbox – Someone hit the mailbox with their car. It's not that bad but will need to be replaced. She did stop and give her information.

LED Lights – We received the quote from Willdan for the library and Town Hall to retrofit with LED bulbs or new fixtures. Potomac Edison will pay 70% of the cost. It was suggested to confirm lighting colors warm, cool etc. Ms. Baker motioned to retrofit lights in the library and Town Hall to the colors the Town Administrator so chooses, Ms. Kerns seconded and all voted in favor.

Holiday Banners – Ms. Riner has received 2 quotes for light-up snowflakes for the holidays. There was much discussion regarding size, color, cost of putting them up and down, etc. Mayor Lord suggested he and Ms. Kerns come into Town Hall and work on the details with Ms. Riner. Mr. Hull motioned to have Mayor Lord and Ms. Kerns work out the details with Ms. Riner, keeping it under \$10k, Mr. Sweeney seconded, and all voted in favor. Hotel/Motel money can be used for this purchase. Ms. Riner will talk with Bryan Basington and possibly Diamond Electric about putting up and taking down the snowflakes, as well as the banners.

Pavilion Pest Control - Ms. Riner reported the quote from Snyder's Pest Control can be one-time or ongoing. Mr. Sweeney motioned for the ongoing option, Mr. Hull seconded and all voted in favor.

MD Smart Energy/Solar Panels – There was some discussion about the 2 system designs provided by Mountain View Solar, one covering 73%, (14 panels) and the other covering 104% (20 panels). The tax credit listed in the proposal would not apply to the Town since we don't pay taxes. Ms. Riner mentioned with this \$20k grant

money the Town does have to have a little skin in the game, about 10-15% and the grant covers the rest. We will also have to get an official energy audit done. Mr. Kuczynski made some suggestions on doing the Request for Proposal. Mr. Hull motioned to put out to bid for the larger system design, Mr. Sweeney seconded and all voted in favor.

Board of Zoning Appeals Vacancy – Mary Robertson is currently a BZA alternate and has volunteered to become a permanent member. Mr. Sweeney motioned to move her up, Ms. Kerns seconded and all voted in favor.

Planning and Zoning Commission Alternate Vacancies – Tom Clemens put in an application to be an alternate. Mr. Hull motioned to accept Tom Clemens as an alternate, Ms. Kerns seconded, and all voted in favor.

Council Comments

Ms. Riner reported she hasn't heard anything about the letter sent to Antietam Youth Athletic League (AYAL) regarding the baseball field. Mayor Lord mentioned he heard from Alan (AYAL) via phone tag and all seems fine. Ms. Riner said she had Randy Heavner mow the field. Ms. Baker will reach out to South County Little League about their future use and maintenance of the field. Ms. Riner will contact Alan at AYAL about the removal of their shed from the ballfield.

Mayor Lord asked about the business being run in Cannon Ridge. Ms. Riner reported she is working on setting up a Board of Zoning Appeals hearing.

Mr. Hull made a motion to move into closed session to discuss pending litigation, Ms. Baker seconded and all voted in favor. The meeting went into closed session at 9:17 pm.

Closed Session Summary: A closed session was held on 9/7/22 at the Keedysville Town Hall to discuss pending litigation. Mayor Lord, Assistant Mayor Sweeney, and Council Members Mr. Hull, Ms. Kerns, and Ms. Baker all voted in favor of closing the session. No members voted against it. No members were absent. This meeting was closed under the following provisions of the General Provisions Article § 3-305 (b): (8) "To consult with staff, consultants, or other individuals about pending or potential litigation." The topic discussed was pending litigation. Persons present for this discussion were Mayor Lord, Mr. Sweeney, Mr. Hull, Ms. Kerns, Ms. Baker, Mr. Kuczynski, Ms. Riner, and Ms. Pangle. No action was taken during the closed session.

The meeting entered back into open session at 9:40 pm.

Meeting adjourned at 9:40 pm.

Respectfully Submitted,
Teresa Pangle
Administrative Assistant

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. *Complete items 1 – 4 before closing the meeting.*

1. **Recorded vote to close the meeting:** Date: 9/7/22; Time: _____; Location: Town Hall;
Motion to close meeting made by: Matt Hull Seconded by Sarah Baker;
Members in favor: Unanimous; Opposed: none;
Abstaining: none; Absent: none.

2. **Statutory authority to close session (check all provisions that apply).**
This meeting will be closed under General Provisions Art. § 3-305(b) only:

(1) ☐ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2) ☐ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3) ☐ "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4) ☐ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5) ☐ "To consider the investment of public funds"; (6) ☐ "To consider the marketing of public securities"; (7) ☐ "To consult with counsel to obtain legal advice"; (8) ☒ "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9) ☐ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10) ☐ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11) ☐ "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12) ☐ "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13) ☐ "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14) ☐ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process." (15) ☐ "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b) <input type="checkbox"/> #9	Pending Litigation	Discuss Status with Town Attorney
§3-305(b) <input type="checkbox"/>		
§3-305(b) <input type="checkbox"/>		
§3-305(b) <input type="checkbox"/>		
§3-305(b) <input type="checkbox"/>		

4. This statement is made by Kenneth Lord, Mayor, Presiding Officer.

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION FOR SUMMARY TO BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING. (See also template for summary.)

- For a meeting closed under the statutory authority cited above:

Time of closed session: 9:21pm

Place: Town Hall

Purpose(s): Meet with Town Attorney to discuss pending litigation

Members who voted to meet in closed session: Brandon Sweeney, Judy Kerns, Matt Hull + Sarah Baker

Persons attending closed session: Mayor Ken Lord, Brandon Sweeney, Judy Kerns, Matt Hull, Sarah Baker,

Authority under § 3-305 for the closed session: 3-305-(b)

Topics actually discussed: Pending Litigation

Actions taken: None

Each recorded vote: N/A

- For a meeting recessed to perform an administrative function (§ 3-104): Time: _____

Place: _____

Persons present: _____

Subjects discussed: _____

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Mayor & Council Agenda September 7, 2022

Call to Order

Pledge of Allegiance

Approval of Minutes: August 3, 2022 Meeting

General Fund Report: \$676,630.62

Announcements: Openings for Planning & Zoning Commission Alternates, Board of Zoning Appeals Member, and Green Team Members

Community Deputy Report

Resident Comments: Dave Williams; Weed Letter (Kathryn Del Granado); Speed Bumps on Taylor Dr (Mike Luksa)

Old Business: Electronic Filing of Town Hall Records; Antietam Broadband Installation; POS Project Ideas - Outdoor Exercise Equipment; Stonecrest Entrance Stormwater Sediment; Fee Ordinance Revision; Town Hall Parking Lot Gravel; Pavilion 3 Staining; Streambank Restoration; Old Bank Accounts; Pavilion Water Connection; Redundant Street Lights

New Business: MML Dinner; MML Fall Conference; Library Roof Replacement; Library Mailbox; LED bulbs in Town Hall and Library; Holiday Banners; Pavilion Pest Control; Maryland Smart Energy Community Grant/Solar Panels; Board of Zoning Appeals Vacancy; Planning & Zoning Commission Alternate Vacancies

Resident Comments Related to Agenda Items

Council Comments

Adjournment