

**MARYLAND HISTORICAL TRUST
BOARD OF TRUSTEES' MEETING**
Thursday, December 5, 2019 at 10:00 AM
MHT Board Conference Room
100 Community Place, Crownsville, MD

Pursuant to notice, the regular meeting of the Board of Trustees of the Maryland Historical Trust was held at the offices of the Maryland Historical Trust located at 100 Community Place in Crownsville, Maryland.

Trustees present: Mmes. Bashiri, Ernstein, Linder, Mears, and Paca; Messrs. Alberg, Feldstein, Parker, and Robinson

Area Representatives present: Messrs. Azola, Callan, Charlton, Reed, Spikes, and Stek

Ex-Officio Members: Senator Chris West; Delegate Jim Gilchrist, Secretary Robert Neall

Maryland Department of Planning: Robert McCord, Secretary

Office of the Attorney General: Paul Cucuzzella, Rieyn DeLony

MHT Staff: Elizabeth Hughes, Anne Raines, Kathy Monday, Susan Langley, Greg Pierce, Marcia Miller, Heather Barrett, Kate Bolasky, Allison Luthern, Barbara Fisher, Collin Ingraham

Guests: Terry Klima, Jay Barringer, John Zebelean; Jessica Feldt, Preservation Maryland; Eric Holcomb, CHAP

AGENDA

O1 CALL TO ORDER

Ms. Laura Mears called the meeting to order at 10:05 AM. A quorum of Trustees was present.

O2 APPROVAL OF MINUTES

Mr. Feldstein made a motion, seconded by Ms. Ernstein that the October 17, 2019 Board meeting minutes be approved provided that the record of action on any grant awards supported by federal Historic Preservation Fund monies show that Ms. Ernstein abstained from the vote. The Board voted unanimously to approve the minutes as amended.

O3 PUBLIC COMMENT

Messrs. Jay Barringer, John P. Zebelean, and Terry Klima provided public comment, expressing their concern regarding the condition of the Baltimore City Confederate monuments and requesting that the Trust exercise its authority to require that the monuments be reinstalled in their original location or a location which would be publicly accessible.

O4 COMMITTEE REPORTS

O100 Capital Programs

O101R Change to Historic Preservation Easement Template

Ms. DeLony reported that the City of Baltimore (the “City”) has requested a modification to a pending MHT easement on the Orianda House (the “Property”), which is owned by the City and licensed to the Baltimore Chesapeake Bay Outward Bound School, Inc. (the “School”) for use as the school’s base for its outdoor education programs operations. The easement is required to be executed by both the City, as the owner of the fee interest, and the School, as owner of the leasehold interest. The City has requested that the easement on the Property provide for the bifurcation of the responsibility and liability for compliance under the easement between the City and School, so that the School is liable for easement compliance during its possession of the Property, and the City is responsible for compliance with the easement when the City regains possession of the Property upon the expiration or earlier termination of the license agreement.

The easement modification language proposed below would limit the easement granting parties’ responsibilities for compliance with the easement to the periods of their respective ownership and possession.

MHT holds two preservation easements on leasehold properties owned by Baltimore City in which MHT has already agreed to bifurcate responsibility for compliance and liability under the easement based on possessory or “stewardship” interest: the 2013 easement between MHT and the City and the Maryland Zoological Society on the Elephant House, and the 2011 easement between the same parties on the Maryland House.

The following motion was made by Mr. Reed, seconded by Mr. Robinson, and approved unanimously.

RESOLVED, that the Maryland Historical Trust Board of Trustees approves of a modification of the Board-approved perpetual and term historic easement templates with respect to easements on historic properties that are leased or licensed by the City of Baltimore to tenants or licensees who are the grantees of State funding giving rise to the easement (a “City Leasehold Easement”), to allow the bifurcation of responsibility for complying with the easement, so that obligations and liability under the easement runs (a) with the tenant/licensee during the term of the lease or license or similar instrument and (b) with the City during the City’s possession of the property upon the termination for any reason of the lease, license, or similar instrument; provided however, that the City of Baltimore remains liable for curing any breach under such an easement that exists at the time the City’s lease or license terminates for any reason (the “Bifurcation Provision”).

Resolved further, that the Maryland Historical Trust Board of Trustees grants the Director of the Trust authority to approve the Bifurcation Provision with respect to any City Leasehold Easement to be entered into by and among the Trust, and the City of Baltimore and its tenants or licensees, to facilitate the conveyance of City Leasehold Easements.

O102 Mallows Bay-Potomac River National Marine Sanctuary - Presentation

Dr. Susan Langley reported on the recent designation of the Mallows Bay-Potomac River National Marine Sanctuary by the National Oceanic and Atmospheric Association (NOAA). This is the first national marine sanctuary designated since 2000 and the first marine sanctuary ever designated in Maryland. The sanctuary, which consists of 18 square miles of the Potomac River adjacent to Charles County, protects the remnants of 118 World War I-era wooden steamships and vessels as well as other significant maritime heritage resources. NOAA, the State of Maryland and Charles County will manage the national marine sanctuary jointly.

Mr. Stek explained that, now that designation has been achieved, the next phase of this project will be to improve public access to this portion of the Potomac River. Mr. Alberg opined that this designation will result in enormous attention to Maryland for its commitment to preserving maritime resources that connect people to the past.

The Board commended Dr. Langley for her work in support of the sanctuary designation and recognized Mr. Stek for his tireless advocacy on behalf of this significant and unique historic resource.

O103 Baltimore City Confederate Monuments - Report

Ms. Hughes provided an overview of the communications between MHT and the City of Baltimore pertaining to the three Confederate monuments owned by the City on which MHT holds an historic preservation easement.

Mr. Eric Holcomb, Executive Director of the Baltimore City Commission for Historical and Architectural Preservation, addressed the Board regarding the City's plans for removal of paint from the bronze sculptures which are currently in storage and covered with blue tarps. He indicated that the sculptures had been waxed in 2016 and, based on the City's consultation with a conservator two years ago, would not be damaged by the red latex paint which is adhered to the wax coating. The City is in the process now of developing a contract for a professional conservator to complete a comprehensive survey of all monuments in the City to assess their needs and establish a cyclical maintenance schedule. That assessment is expected to be completed in June of 2020. He noted that the monument bases are tagged frequently and the City works with the maintenance graffiti crew on removal of the graffiti on a regular basis.

Mr. Holcomb then addressed the City's efforts to find a new location for the monuments. Mr. Spikes confirmed that the City has been actively seeking host sites for the monuments but that most locations have significant security concerns. The Board inquired about various sites and urged Mr. Holcomb to follow up with Baltimore County to inquire about the placement of the monuments at Lake Roland Park and report back on the County's response. Mr. Stek requested that Mr. Holcomb share a list of all those locations in Maryland where the City has sought to place the monuments.

Following Mr. Holcomb's presentation, Ms. Mears announced that she would appoint a subcommittee of the Board to work with Mr. Holcomb and Mr. Spikes to assist in identifying a

host location for the monuments. Mr. Holcomb offered to host a meeting of the Committee and provide a tour of the monument sites if desired.

O200 Survey, Registration, Community Education & Museums
O201 PM/MHT Heritage Fund Program Annual Report

Ms. Hughes reported that a Grant Agreement was entered into on December 15, 1994, and subsequently extended in 2002, 2004, and 2017, by the MHT and Preservation Maryland (PM) to establish a fund held and managed by PM and dedicated for historic preservation projects throughout the State. Interest earned on the fund supports the Preservation Maryland Heritage Grant Program. Board members Samuel Parker, Josh Brown, Harry Spikes and Franklin Robinson represent MHT on the Grant Program Selection Committee.

The Agreement stipulates that PM must provide to MHT on an annual basis a report documenting the management and investment of the Fund including: 1.) interest and dividend earnings and all other income attributable to the Fund, 2.) grant disbursements; and, 3.) all other transactional activity that has occurred during the reporting period. PM has submitted the required report, entitled “Heritage Fund Program Report: Fiscal Year 2019” in fulfillment of this requirement. Jessica Feldt, Preservation Initiatives Manager for PM, will attend the December 5th Board meeting to answer questions about the report.

Ms. Jessica Feldt, Preservation Maryland’s Preservation Initiatives Manager, reported on the impact of the joint grant program and answered Board member questions. Mr. Parker thanked Ms. Feldt for her work with the grant program and remarked on the great collaborative relationship between MHT and PM as evidenced by the success of this program.

O202 JPPM Report

Greg Pierce, Executive Director of Jefferson Patterson Park and Museum (JPPM), reported on new and ongoing initiatives at JPPM.

O300 Management & Planning
O301 Investment Committee Report

Samuel Parker, Board Treasurer and Chairman of the Investment Committee, reported that the Board’s Investment Fund remains in a strong position. To ensure the long-term health of the Fund and to protect assets during market downturns the Committee will be undertaking the following tasks over the coming months: 1.) examine the amount withdrawn annually in comparison to the growth of the Fund over time to determine whether a more conservative withdrawal approach is needed; 2.) procure the services of an independent third party to evaluate the performance of the Board’s investment manager; and, 3.) request that Brown Advisory offer financial management training to interested Board members.

O302 Litigation & Legal Issues

Paul Cucuzzella indicated that there is nothing to report.

O303 Budget & Legislation

Ms. Hughes reported that the outlook for the fiscal year 2021 budget was generally positive, but funding of the MHT’s various grant programs would not be announced until the release of the Governor’s budget which is due no later than January 15, 2020. At this time, she is unaware of any Administration legislation expected to be introduced this session that will have an impact on MHT programs. Preservation Maryland is likely to advocate for the introduction of a bill or bills designed to enhance the historic tax credit program.

O304 Meeting Calendar for 2020

Board members reviewed and approved the 2020 meeting calendar which includes the following events and meeting dates:

January 23, 2020	Miller Senate Office Building 11 Bladen Street Annapolis, MD	The annual MHT Board’s annual Historic Preservation Award events will take place from 4:30 – 5:30 pm followed by a reception until 7:00 pm. This event does not include a board meeting.
March 19, 2020	MHT Offices 100 Community Place Crownsville, MD	Board Committees will meet from 9:30 – 10 AM. The full Board will meet from 10 AM – 12 PM followed by lunch.
May 14, 2020	Port Tobacco Court House 9430 Commerce Street Port Tobacco, MD	There will be no Board Committee meetings. The full Board will meet from 10 AM – 12 PM. Following lunch, a tour of Port Tobacco will be offered. A tour of Mallows Bay may take place later in the afternoon.
July 16, 2020	MHT Offices 100 Community Place Crownsville, MD	Board Committees will meet from 9:30 – 10 AM. The full Board will meet from 10 AM – 12 PM followed by lunch.
October 22, 2020	Baltimore, MD	The full Board will meet from 1 – 3 PM.
December 3, 2020	MHT Offices 100 Community Place Crownsville, MD	Board Committees will meet from 9:30 – 10 AM. The full Board will meet from 10 AM – 12 PM followed by lunch.

Announcements

There were no announcements.

Meeting adjourned at 12:02 PM