

Minutes of the  
Fifty-Seventh Meeting of the  
Maryland Heritage Areas Authority  
Washington County Museum of Fine Arts  
401 Museum Drive  
Hagerstown, MD 21740  
October 18, 2012

The fifty-seventh meeting of the Maryland Heritage Areas Authority (MHAA) was held at the Washington County Museum of Fine Arts, 401 Museum Drive, Hagerstown, MD on October 18, 2012 beginning at approximately 10:10 a.m.

**Authority Members/Designees Present:** Matthew J. Power, Deputy Secretary, MD Department of Planning (representing Richard E. Hall, MD Department of Planning Secretary and Chairperson of the Maryland Heritage Area Authority); Hannah Byron (representing Dominick Murray, MD Department of Business & Economic Development Secretary ); John Wilson (representing John R. Griffin, MD Department of Natural Resources Secretary); Dr. Marty Baker (representing Darrell B. Mobley, MD Department of Transportation Secretary); Donna Ware (recommended by the Speaker of the House); Donna Dudley (public member for Heritage Tourism); Ann Fligsten (recommended by the Speaker of the House); Robert D. Campbell (Governor's Appointee for Historic Preservation Expertise); Burton Kummerow (recommended by President of the Senate); John Fieseler (MD Tourism Development Board representative); Amy Seitz (representing Raymond A. Skinner, MD Department of Housing and Community Development Secretary)

**Authority Members/Designees Absent:** Amy Owsley (MD Greenways representative); Andrea C. Harrison (MD Association of Counties representative); Dr. Marci Taylor-Thoma (representing Dr. Lillian M. Lowery, State Superintendent of Schools); Melinda Vann (representing Danette Gerald Howard, Secretary of Higher Education); Wayne E. Clark (recommended by President of the Senate); J. Rodney Little (State Historic Preservation Officer); Vanessa Orlando (representing Earl Hance , MD Department of Agriculture Secretary); Vacant (MD Municipal League Representative)

**Staff Present:** Bernadette P. Pruitt, Phil Deters, Richard Hughes, Shannon Marino; Amanda Conn

**Others Present:** Roz Racanello (Chair, Maryland Coalition of Heritage Area and Director of Southern MD Heritage Area); Carol Benson (Annapolis, London Town, and South County "Four Rivers" Heritage Area); Jay Parker and Lisa Ludwig (Lower Eastern Shore Heritage Area); Peggy Erickson (Heritage Montgomery); Mary Ann Lisanti and Bridgitte Carty; (Lower Susquehanna Heritage Greenway); Deborah Divins (Stories of the Chesapeake Heritage Area); Amanda Fenstermaker (Heart of Chesapeake Country Heritage Area); Liz Shatto (Heart of the Civil War Heritage Area); Jeff Buchheit (Baltimore National Heritage Area); Dee Dee Ritchie and Cindy Foreman (Canal Place Heritage Area); Aaron Marcavitch (Anacostia Trails Heritage

Area); Dawn Hein (Mountain Maryland Gateway to the West Heritage Area); Rebecca Massie Lane (Washington County Museum of Fine Arts); Barbara Fisher (Student visitor)

### **Call to Order/Introductions**

Mr. Power chaired the meeting and called the meeting to order at 10:10 a.m. Everyone in attendance introduced themselves.

### **Welcome and Introductions**

Ms. Elizabeth Shatto, Executive Director of the Heart of the Civil War Heritage Area, introduced herself, welcomed everyone, and gave a brief overview of the schedule for the day. She then introduced Ms. Rebecca Massie Lane, Director of the Washington County Museum of Fine Arts, and Mr. Tom Riford, CEO and President of the Washington County Visitors and Convention Center. Ms. Lane gave a warm welcome to all MHAA members and guests. She introduced some attending museum staff, and gave an overview of the museum's exhibits, summarized the typical visitor to the museum, thanked MHAA for its generous grant support for the museum's current Civil War exhibit and other projects, and extended an invitation for everyone to tour the museum following the meeting. Mr. Riford welcomed everyone to Washington County and gave a brief summary about Washington County, its Civil War history, presented some facts about the museum's collections, and provided some background information on heritage tourism in Washington County.

### **Approval of Minutes for July 12, 2012**

Ms. Ware offered the following motion:

**RESOLVED, that the Authority approves the July 12, 2012 meeting minutes as presented.**

The motion was seconded by Mr. Kummerow and approved unanimously.

### **Management Report**

#### **Maryland Heritage Areas Authority Financing Fund**

Mr. Hughes reported that the latest MHAA finance report of August 31, 2012 showed an available balance in the MHAA Financing Fund was \$378,938.20. Mr. Hughes noted that some grant closeouts came in under budget and a couple of FY 2013 grants were reduced from the previously approved funding level to reflect a reduction in available matching funds.

Mr. Power noted that two Certified Heritage Areas (CHAs) were currently considering boundary amendments (Canal Place Heritage Area and Montgomery County Heritage Area), and that the Patapsco Recognized Heritage Area (RHA) was moving to become a fully certified heritage area. Mr. Power stated that what makes the MHAA program distinct from most other state programs is that Heritage Areas highlight those very special historical, cultural and natural resources that make each Heritage Area unique. He noted that the Heritage Area program must take care to

focus funds and assistance on the most special resources in each heritage area and not expand the boundaries so much that the program loses the current focus that makes it special. He called on MHAA and Heritage Area management entities to focus on what makes the program unique and noted the program would lose something if it becomes too large. In addition to funding considerations, he also noted the special or unique resources in each heritage area are a selling point to visitors who see heritage areas as special places to visit.

Ms. Byron asked Mr. Hughes if he had heard back from the Governor's Appointments Office regarding filling the vacant Maryland Municipal League (MML) representative on the MHAA. Mr. Hughes said no because MML had yet to forward a name to the Appointments Office, but he reported that he had spoken to Mr. Tom Reynolds at MML to remind him of the need to forward the name of a recommended replacement as soon as possible.

#### Status of Statewide Heritage Area certification and propose boundary amendments

- Patapsco Heritage Greenway Recognized Heritage Area (Baltimore & Howard Counties) - Update on efforts to complete certification requirements

Mr. Hughes reported that the Patapsco Heritage Greenway (PHG), the management entity of the Patapsco Heritage Greenway RHA, has begun efforts to complete the process of becoming a Certified Heritage Area, eligible for all MHAA benefits. He noted that if PHG successfully completes the process, it would be the thirteenth Certified Heritage Area. To be a CHA, two steps must be completed and PHG has only completed the first step of becoming a RHA. In 1997 MHAA approved PHG as a RHA, making them eligible to receive a matching grant to develop the Heritage Area Management Plan that is required for certification. In 2000, PHG completed a draft management plan, but this plan was never submitted to MHAA for review and approval as local governments withdrew their support for certification due to community opposition by certain organizations. Mr. Hughes recently met with PHG representatives, Steve Stannard, Gary Maule, and John Slater, to review the requirements for certification. Mr. Hughes told PHG that MHAA would want documentation that the two counties within which the heritage area is located, Howard and Baltimore, supported PHG's efforts to complete the certification process. Since that meeting, three letters of support for PHG's efforts have submitted to MHAA from Howard County Executive Ken Ulman, Baltimore County Executive Kevin Kamenetz and Baltimore County First District Councilman Tom Quirk.

Mr. Hughes stated that in a subsequent meeting with PHG they have proposed a two-step approach. Since the problems that arose in 2000 when creation of the CHA was first proposed involved concerns expressed by the general public and environmental organizations that stated they did not have adequate opportunity to review the management plan, PHG is interested in obtaining grant assistance from MHAA to contract with the Urban Land Institute (ULI) to hold a series of public charettes and work groups to obtain broad public input and involvement in the current effort. Mr. Hughes reported that at his request PHG would prepare a draft application for the ULI public process and that MHAA staff would review it and hold a follow-up meeting with PHG representatives to provide feedback.

Mr. Wilson asked if any public meetings have taken place recently. Mr. Hughes indicated that no large scale public meetings had been held yet. Dr. Baker asked when the PHG first started the management plan development and certification process. Mr. Hughes said that they started in the 1990's, after PHG obtained Recognized Heritage Area status in 1997.

- Canal Place Heritage Area (Allegany County) – Management Plan Update and proposed boundary amendment

Mr. Hughes stated that the Canal Place Heritage Area had contracted with Makin Engineering, Pittsburgh to develop a Heritage Area management plan update. The consultant is to assess the feasibility of amending the existing Canal Place Heritage Area boundaries beyond Cumberland to include jurisdictions such as Frostburg, Mt. Savage, Lonaconing, and Westernport, as well as the Coal Heritage Trail, the Mountain MD Scenic Byway, the Historic National Road Byway, Western MD Scenic Railroad, and all Allegany County portions of the C & O Canal. The goal is to update the plan by Spring 2013. A preliminary map of the potential expansion areas was provided to MHAA members.

- City of Rockville (Montgomery County Heritage Area) – proposed boundary amendment to add portions of the City of Rockville to the Montgomery County Heritage Area.

Mr. Hughes reported that the City of Rockville intends to submit a proposed boundary amendment to MHAA to add portions of Rockville to the Montgomery County Heritage Area (MCHA). The management entity of MCHA supports the proposed boundary amendment. Rockville is well advanced in the process, and has already met with MHAA staff and given them a tour of the proposed areas that would be added to the MCHA. The required amendment to the Rockville Comprehensive/Master Plan is scheduled for review by the Rockville Planning Commission and the City Council. MCHA Executive Director Peggy Erickson indicated that Rockville is interested in submitting the proposed boundary amendment request to MHAA in early 2013.

Dr. Baker stated that MDOT had received the Rockville proposal through the State Clearinghouse and asked if there is a protocol for reviewing it. Mr. Power responded that review of such proposals, because it involves the amendment of local government comprehensive plans, is normal and the process generally is completed within 60-90 days.

#### MHAA Strategic Plan Implementation Quarterly Reports (Richard Hughes)

Before Mr. Hughes summarized the reports, Mr. Power thanked everyone for making such good progress in completing the items on the list, and he said he was pleased that the short term goals of the strategic plan will be completed shortly.

Mr. Hughes said that the next big effort in implementing strategic plan requirements is the initiation of the performance measurement process for Heritage Area management entities and the overall Heritage Area program. He reported that MHAA is developing draft performance metrics data definitions and management entity performance measure scoring criteria that are

projected to be completed in early 2013. MHAA is also working on how to utilize these performance measures during FY13 and 14 to develop baseline data that would be used to implement performance measurement fully as one of the strategic plan mid-term goals. Once in place, the performance measures will evaluate the overall performance of the heritage area management entities, and assess overall Heritage Area program impact.

Mr. Power recognized that it is not easy to track such information and that there are a few other areas to work on. He stated that MHAA is committed to working with the CHAs to establish baseline data and to using performance measurement methods that are meaningful, useful and fair. Mr. Campbell wondered that if MHAA staff is working on performance measures, and would it be advantageous to ask heritage areas what data possibly could be reported now. Mr. Hughes indicated that such discussions were already started at the last MHAA Technical Advisory Committee and Maryland Coalition of Heritage Areas meetings. Ms. Byron suggested to get the annual report material together to present to the upcoming session and also encouraged staff to consider submitting applications for MHAA for awards and recognition from national and historic organizations.

#### Quarterly Progress Reports

The main focus for this quarter was on the completion of the Five Year Plans, which have been created for all heritage areas. The next big piece which a number of the heritage areas have already begun to work on is the development plans. The short-term goals will be primarily wrapped up by the end of 2012, and the mid-term goals, many of which are ongoing tasks that have already happened in the short-term goals, will be the next area of focus.

#### Grants Lifecycle Management Software - Update on status (Richard Hughes)

Mr. Hughes reported that the RFP process for acquisition of the grants lifecycle management software is underway once again. The RFP was released on October 9, 2012, after being reviewed and approved by MDP the Department of Information Technology and Budget and Fiscal Management. The RFP closes December 5, 2012, and proposals will be reviewed. It is hoped that there can be a quick turnaround on a final award.

### **ACTION ITEMS**

#### Certified Heritage Area 5-Year Action Plans (FY2013 – FY 2018) – Review and approval.

Mr. Hughes gave a brief PowerPoint presentation summarizing the 5-Year Action Plans for FY2013 – FY 2018 that were completed and submitted by all 12 Certified Heritage Areas. He noted that initial draft plans had been submitted to MHAA staff and the Technical Advisory Committee for review and comment. All CHAs then resubmitted revised versions of their plans to address the feedback. Mr. Hughes reported that the TAC then delegated final review of revised plans to MHAA staff, who then reported back to the Technical Advisory Committee at its next meeting. The TAC/staff recommendation to MHAA is to approve 10 of the submitted Five-Year Plans. Mr. Hughes stated that two CHA plans from the Lower Susquehanna Heritage Greenway and Lower Eastern Shore Heritage Areas needed some additional minor revisions to meet all requirements, and that therefore it was recommended that approval of these plans be

deferred until the next MHAA meeting in January. Mr. Hughes noted that it was not critical that approved plans be in place until the FY 2014 grant round started after January 2013.

Ms. Seitz offered the following motion:

**RESOLVED, that the Maryland Heritage Areas Authority (the Authority), approves the 5-Year Action Plans submitted by the Annapolis, London Town and South County Heritage Area (Four Rivers Heritage Area); Baltimore National Heritage Area; Canal Place Heritage Area; Mountain Maryland Gateway to the West Heritage Area; Heart of Chesapeake Country Heritage Area; Heart of the Civil War Heritage Area; Montgomery County Heritage Area; Southern Maryland Heritage Area; and Stories of the Chesapeake Heritage Area as presented.**

The motion was seconded by Mr. Campbell and passed unanimously.

Emergency Grant Request – Up to \$9,225 to the Captain Avery Museum, Inc. located in Shady Side, Maryland for replacement of the roof of the Captain Salem Avery House due to damage resulting from the June 29, 2012 derecho storm (Four Rivers Heritage Area).

Mr. Hughes reported that the Captain Avery Museum, Inc. had submitted an emergency grant request for \$9,225 for replacement of the roof of the historic Captain Salem Avery House and Museum due to damage resulting from the June 29, 2012 derecho storm. He stated that the museum had been fundraising and had in its budget the replacement of the roof in 2013 or 2014, but that the derecho storm had so severely damaged the shingles and underlying roofing structure that the work could no longer be deferred without likely damage to the structure and the museum collections in it. The museum's insurance will pay for a significant portion of the repairs, but will not fully cover all estimated costs. Mr. Hughes also reported that the museum intended to apply to Preservation Maryland for up to \$5,000, and that the MHAA Technical Advisory Committee had reviewed the application and found it meets the requirements of MHAA's July 3, 2003 "Policy on Emergency Grants," and recommended MHAA's approval with the condition that any MHAA grant award be reduced by the amount of any grant awarded received from Preservation Maryland.

Ms. Fligsten offered the following motion:

**RESOLVED, that the Maryland Heritage Areas Authority (the Authority) approves a Fiscal Year 2013 emergency grant from the Maryland Heritage Areas Authority Financing Fund in an amount not to exceed \$9,225 to the Captain Avery Museum, Inc (the Grantee) for replacement of the roof of the Captain Salem Avery House due to damage resulting from the June 29, 2012 derecho storm.**

**AND BE IT FURTHER RESOLVED, that the Authority has determined in accordance with its July 3, 2003 Policy on Emergency Grants that this grant will help meet unanticipated needs that arose because of an unforeseen situation, i.e. the roof damage resulting from the June 29, 2012 derecho storm, that necessitates an immediate**

**need for funding assistance, and that the application demonstrates the need for funding assistance was unanticipated at the time of the regular Authority grant round.**

**AND BE IT FURTHER RESOLVED, that the Authority has determined, in accordance with its policy adopted on April 12, 2012 regarding the award of FY 2013 Capital grants to projects located outside of a Target Investment Zone, that the replacement of the roof of the Captain Salem Avery House damaged as a result of the June 29, 2012 derecho storm is an activity which is identified as a priority activity in the five-year plan and annual work plan approved for the Certified Heritage Area, and that the activity is consistent with the goals, objectives, strategies, standards, and actions outlined in the approved Certified Heritage Area management plan.**

**AND BE IT FURTHER RESOLVED, that this approval is contingent on the following:**

- 1. The amount of the grant award may not exceed \$9,225 and shall be reduced:
  - a. to an amount equal to actual project costs paid for by the grant; or,**
  - b. by an amount equal to the amount of funds awarded by Preservation Maryland, Inc., or another funding entity, for the replacement of the roof at the Captain Salem Avery House.****
- 2. The Grantee shall obtain all necessary approvals required under the terms of the existing preservation easement held by the Maryland Historical Trust prior to the commencement of work.**

**AND BE IT FURTHER RESOLVED, that this approval is contingent upon sufficient funding being available from the Maryland Heritage Areas Authority Financing Fund.**

The motion was seconded by Ms. Ware and passed unanimously.

Emergency Grant Request – Canal Place Heritage Area for roof and vent stabilization repairs on the Footer Dye Works building

Mr. Hughes introduced Ms. Dee Dee Ritchie, the Executive Director of the Canal Place Heritage Area, and asked her to summarize the background and need for an emergency grant to stabilize the Footer Dye Works Building.

Ms. Ritchie informed MHAA members that the Footer Dye Works Building lies within the Canal Place Heritage Area and is owned by the Heritage Area management entity, the Canal Place Preservation and Development Authority (CPPDA), which is a State agency. Ms. Ritchie stated the building was constructed in 1906 and has been determined to be eligible for the National Register by the Maryland Historical Trust. She said the building has been unused since the CPPDA acquired it in 1997. CPPDA had entered into option to lease agreements with a series

developers running from 2001 to 2011, with the intent of the developer rehabilitating the building. None of the developers exercised the option to redevelop the building. In July 2011, the then current lessee reverted the Footer Dye Works parcel back to CPPDA. Ms. Ritchie related how her predecessor Executive Director had retired shortly after CPPDA regained control of the building, and that she was not hired to fill the position until June 2012. Shortly thereafter she had a building assessment done that showed the structure had much more serious structural problems than had previously been realized and that rapid correction actions were needed to avoid further irreversible structural damage and deterioration that would render the building uneconomically viable for rehabilitation. Ms. Ritchie said that the needed stabilization work and associated costs were outlined in the emergency grant application.

Mr. Wilson asked Ms. Ritchie why a grant application was not submitted during the regular grant round. She responded that since she did not assume her position of Executive Director and only a single administrative support-level staff remained, that the deadline for FY 2013 grants had passed. Mr. Wilson asked why her predecessor had not submitted an application. Ms. Ritchie said she did not know. Mr. Fieseler noted that the cost in the application for a sheet of plywood to cover the windows seemed high to him. Ms. Ritchie noted more than one sheet may be needed per window and that the costs in the budget were prepared by a historic structures consultant, but that she could check. Ms. Fligsten asked if this is a true emergency. Mr. Hughes stated it likely meets the MHAA Policy Emergency Grants criteria to save and eventually rehabilitate a building for heritage tourism purposes within a narrow time frame of opportunity, and that a situation has occurred since the last regular grant round and necessitates an immediate need to stabilize and preserve the building.

Mr. Power asked if other state funds would go to stabilize the building. Ms. Ritchie indicated that the City of Cumberland received a \$100,000 Community Legacy grant specifically for the Footer building, that the Maryland Historical Trust had given a \$50,000 grant for the same purpose, and that Canal Place would utilize its own special funds for the stabilization, but that all of these funds were still \$50,000 less than needed. Mr. Power said this was not in the application and suggested perhaps a conditional approval requiring the application budget be amended to include these other funds and that the Technical Advisory Committee must review the revisions.

Mr. Campbell asked if this grant would require additional long-term support of the project by MHAA. Ms. Ritchie replied that the plan is to request General Funds in Canal Place's budget for some additional exterior repairs, then to issue an RFP seeking a developer that would rehabilitate the building. Mr. Campbell also asked if there is a long-range plan currently for the building. Ms. Ritchie said the building rehabilitation is in the Heritage Area management plan, but this is somewhat vague. Mr. Campbell commented that while he has not been in the building, the cost for stabilization seemed high.

Ms. Seitz stated she did not believe the application as currently presented should be approved as it lacked certain key information and was contradictory on specific costs with some items. She offered the following motion for consideration:

**RESOLVED, that the Maryland Heritage Areas Authority (the Authority) approves with conditions a Fiscal Year 2013 emergency grant from the Maryland Heritage Areas Authority Financing Fund in an amount not to exceed \$50,000 to the Canal Place Preservation and Development Authority for the stabilization of the Footer Dye Works Building.**

**AND BE IT FURTHER RESOLVED, that this approval is contingent on the following:**

- 1. The budget be revised to reflect accurate cost estimates for requested MHAA-funded stabilization components, and to provide summary cost information for non-MHAA funded components of the overall stabilization project; and**
- 2. A justification be provided as to why the application could not have been submitted for the regular FY2012-13 MHAA grant rounds; and**
- 3. The long-range plan for redevelopment/reuse of the Footer Dye Works building be included in the application; and**
- 4. The MHAA Technical Advisory Committee review items 1. through 3. and make a recommendation on their adequacy to the MHAA Executive Committee; and,**
- 5. Because of the emergency nature of the application, authority for final action on the application is delegated to the MHAA Executive Committee.**

**AND BE IT FURTHER RESOLVED, that this conditional approval is contingent upon sufficient funding being available from the Maryland Heritage Areas Authority Financing Fund.**

The motion was seconded by Ms. Fligsten and passed with one member voting No.

Concord Point Lighthouse Master Plan Implementation FY 2012 grant: Request to amend Scope of Work (Lower Susquehanna Heritage Greenway Heritage Area)

The Friends of Concord Point Lighthouse received a FY 2012 grant to undertake a master planning process on both the Lighthouse property, and the Keeper's House property, which is located across the street from the Lighthouse. The Maryland Historical Trust currently holds preservation easements on the Keeper's House property, and on the lighthouse, but not the property surrounding the lighthouse. One of the requirements of MHAA grants is the donation (or modification) of a preservation easement to encompass the grant project area, if MHT determines that an easement should be donated. The Master Plan grant, which would include lighting and landscaping and walkways on the portion of the lighthouse property not currently under easement, came with the requirement of an easement modification on the lighthouse property to include the portion of the property included in the grant project (but not the street, which was also part of the same parcel). The City of Havre de Grace declined to modify the easement to include the additional property. The Friends of Concord Point Lighthouse are therefore requesting that the grant be reduced, and the scope of work be modified to only include the work on the Keeper's House property.

Ms. Dudley offered the following motion:

**RESOLVED, that the Maryland Heritage Areas Authority (the Authority) approves the request by the Friends of Concord Point Lighthouse, Inc. to amend the grant agreement scope of work to only include the work on the Keeper's House property and to reduced the grant amount from \$70,000 to \$30,000.**

The motion was seconded by Dr. Baker and passed unanimously.

#### Maryland Coalition of Heritage Areas (MCHA) Report

MCHA Chair Roz Racanello reported that a number of Heritage Areas had joined together, as suggested and organized by Anacostia Trails Heritage Area Executive Director Aaron Marcavitch, to have a table/booth at the Maryland Association of Counties meeting in Ocean City. She reported that Heritage Areas donated items for raffle prizes, which proved to be a very popular activity. She reported many local and state officials stopped at the booth and took informational materials. Overall, she reported it was a highly successful event that MCOHA hopes to repeat next year.

Ms. Racanello also reported that Coalition members had discussed the possible future need to try to increase the annual funding for the Heritage Areas program, particularly as CHAs continue to add new areas and with one new Heritage Area in the last year and possibly the Patapsco Heritage Greenway being added in the future as the 13<sup>th</sup> CHA. She said they do not intend to seek additional funding in FY 2014, but would be considering the need in the future.

#### Heritage Area Director 5-Year Plan Summary

The Executive Directors of the Canal Place Heritage Area and Canal Place Heritage Area and the Heart of Chesapeake Country Heritage Area were prepared to make a presentation on their 5-Year Plans, but due to a lack of time before MHAA needed to depart for its tour of the Heart of the Civil War Heritage Area, these presentations were postponed to a later meeting date.

#### New Business

None.

The meeting adjourned at 12:05 p.m. and was followed by lunch at the Washington County Museum of Fine Arts and a tour of portions of the Heart of the Civil War Heritage Area.