



Maryland Department of Planning
MARYLAND HISTORICAL TRUST
BOARD OF TRUSTEES' MEETING
August 8, 2013

Conference Room 1.100A, 100 Community Place, Crownsville, MD
Committee Meeting 9:30 a.m.; Board Meeting 10:00 a.m.

AGENDA

- G1 CALL TO ORDER
- G2 APPROVAL OF MINUTES
- G3 COMMITTEE REPORTS
- G100 Capital Programs
- G101 Presentation by John Brooks on proposed Crittenton Project
- G102R Oyster Schooner Kathryn M. Lee Loan Amendment
- G103R Reassignment of FY2012 AAHPP Grant for Wilmer's Park
- G200 Survey, Registration, Community Education & Museums
- G201 Maryland Historical Trust History Day Prize Presentation – Kiley Hurst
- G202 The Monterrey 15577 Deep Water Expedition - Report
- G300 Management & Planning
- G301R Exempt Procurement Procedures
- G302R Heritage Preservation Fund Project Selection
- G303R MHT Board Bylaws Amendment – Voting by Ex Officio Members
- G304R Heritage Preservation Fund Committee Appointments
- G305R Howard Buchanan – Resolution of Thanks
- G306 Interim Actions of the Executive Committee
- G307 FY2014 Budget & Legislation - Report
- G308 Litigation & Legal Issues - Report



Maryland Department of Planning
Maryland Historical Trust

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Maryland Historical Trust

NOTICE

The regular meeting of the Maryland Historical Trust Board of Trustees will be held on Thursday, August 8th, 2013, at 10:30 a.m. in the Main Conference Room 1.100A, First Floor, DHCD in Crownsville.

Committee Meetings 9:30 a.m.

Survey, Registration, Community
Education & Museums – OPS Open Area

Management & Planning, Room 3.114

Capital Programs, Room 3.120

Board Meeting 10:30 a.m.

Lunch 1:00 p.m.

This notice given July 9th, 2013.

J. Rodney Little
Director

Please respond by e-mail kmonday@mdp.state.md.us or phone (410) 514-7603 by August 1st, 2013.

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

Richard Eberhart Hall, AICP, Secretary
Matthew J. Power, Deputy Secretary

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**MARYLAND HISTORICAL TRUST
BOARD OF TRUSTEES' MEETING
June 6, 2013**

Jefferson Patterson Park and Museum, St. Leonard, MD

Pursuant to notice, the regular meeting of the Board of Trustees of the Maryland Historical Trust (MHT or Trust) was held in Maryland Archeological Conservation Laboratory Conference Room at Jefferson Patterson Park and Museum, 10515 Mackall Road, St. Leonard, MD on June 6, 2013.

Trustees present: Ms. Bailey and Messrs. Edson, Lighthizer, Luckenbach, Parker, Poffenberger, and Turner.

Ex Officio: Kristen Harbeson representing Delegate Maggie McIntosh.

Area Representatives present: Ms. Tilghman and Messrs. Callan, Camlin, Charlton, Eshelman, Reed, and Spikes.

Assistant Attorney General: Rieyn DeLony

Staff: Mary Alexander, Michael Day, Elizabeth Hughes, Rodney Little, Kathy Monday, Peter Morrill, Mark Thompson, and Nell Ziehl

Guests: James F. Hershner, Timothy A. Hearn, Sharon Price, Mark Thistel, Bert Smith, Jackie Brooks, Mary Pat Clarke, John Brooks, and Larry Perl

**Committee Only*

F1 CALL TO ORDER

Mr. Edson, Chair, called the meeting to order at 10:15 a.m. A quorum of Trustees was present.

F2 APPROVAL OF MINUTES

Mr. Luckenbach made a motion, seconded by Mr. Lighthizer, that the April 4, 2013 minutes be approved as submitted. The motion was approved unanimously.

F3 COMMITTEE REPORTS

F100 Capital Programs

F101R Crittenton Potential Easement Amendment

Mr. Little introduced the Crittenton discussion by providing an historical overview of the Trust's practice in crafting easement language. Specifically, he noted that in the years prior to 1996, non-gifted easements routinely included language that expressly prohibited new construction of

any type regardless of whether or not new construction could be achieved in a way that was compliant with the Secretary of the Interior's *Standards for Rehabilitation of Historic Properties (Standards)*. Over time, it became apparent to Staff that this universal prohibition of new construction on non-gifted easement properties was often unwarranted and unnecessary. Consequently, the Trust revised its boilerplate easement document to remove the "no new construction" language and substitute it with "without the express consent of the Director, no new construction..."

Mr. Little continued and explained that if the Board decides that it is willing to amend the easement to remove the prohibition on new construction, the actual development proposal will be coming to the Board for consideration and approval, rather than the normal staff-level processing. Mr. Edson confirmed that this was his preference as Chairman.

Michael Day provided an overview of the Crittenton property. Crittenton, located in the Hampden community of Baltimore City, is a mid-19th century stone house, originally associated with Mount Vernon Mill #1. The property was purchased by the Florence Crittenton Mission of Baltimore City in 1925.

Mr. Day reported that the Trust acquired an easement on the property in 1992. The easement language expressly prohibits new construction. Hamilton Bank owns the property today. Developer John Brooks has expressed an interest in purchasing the property, provided that new construction may be permitted on the property.

Mr. Day asked the Board to consider whether it is appropriate to grant a modification to the Crittenton historic preservation easement to allow new construction. He noted that the owner of the property, the potential developer, and elected officials and representatives of the Hampden community have come to the meeting to provide testimony on the potential easement modification. Tim Hearn and John Brooks provided testimony in favor of the easement modification. Baltimore City Councilwoman, Mary Pat Clarke, Sharon Price, and Mark Thistel provided testimony in opposition to the easement modification. Ms. Price submitted a petition for the record signed by individuals who are opposed to the easement modification.

Ms. Barrie Tilghman made a motion to approve the following resolution, seconded by Ms. Margo Bailey, which was unanimously approved.

RESOLVED, that the Maryland Historical Trust Board of Trustees approves an amendment to the Crittenton Historic Preservation Easement that will allow new construction with the express consent of the Director of the Maryland Historical Trust.

F200 Survey, Registration, Community Education & Museums

F201 Museum Assistance Program Advocacy Strategy Presentation

Ken Rucker, Director of Administration for the National Capital Historical Museum of Transportation, made a presentation to the Board on behalf of the Maryland Association of History Museums. Mr. Rucker reviewed the history of funding of the Museum Assistance

Program and the Non Capital Historic Preservation Grant Program, the impact of these programs on local communities, and the ongoing need for these programs. Mr. Rucker urged the Board to advocate for restoration of funding for these two important programs in the FY2015 budget of the Maryland Historical Trust.

F300 Management & Planning

F301 FY2014 Budget & Legislation – Report

Mr. Little reported that there is no new information on the FY2014 state budget. Preparation of the FY2015 budget will begin in August. He reported that Matthew Power has left his position of Deputy Secretary of the Maryland Department of Planning to take a position within the Governor's Office as the Director of StateStat. Amanda Conn, formerly principal counsel for MDP, will assume the role of Deputy Secretary beginning on July 1. Mr. Little also introduced Nell Ziehl, who was hired to replace Nicole Diehlmann as Chief of the Office of Preservation Planning and Museum Programs.

Mr. Little reported that reauthorization of the Sustainable Communities Tax Credit Program will be an important initiative during the 2014 legislative session.

F302 Litigation & Legal Issues – Report

Rieyn DeLony reported that there are currently no litigation issues to report.

Ms. DeLony reported on one legal issue that will affect how the Board operates. The Attorney General of Maryland has formally opined on the issue of inclusion of members of the General Assembly on Executive Branch boards, noting that this could violate the separation of powers of Article 8 of the Maryland Declaration of Rights or cause a violation of the prohibition against dual office holding found in the Maryland Constitution. The statutory language that creates the Maryland Historical Trust Board designates the President of the Senate and the Speaker of the House as ex-officio members of the Board. Ms. DeLony will present a proposed cure for this issue at the August Board meeting.

F303 Disposition of 10 Market Space, Annapolis

Mr. Little reported that the Trust owns a property located at 10 Market Space in Annapolis. This property is currently leased to the Historic Annapolis Foundation who has subleased it to Mike Ashford through 2018. Mr. Ashford has indicated that he is interested in either purchasing or renewing the lease on 10 Market Space for an extended period of time. This issue will be brought back to the Board at some time in the future for action.

F304 Preservation Plan Update

Nell Ziehl reviewed progress to date on the Maryland Preservation Plan update. She reported that Trust staff have hosted outreach forums in Hagerstown, Greenbelt, Chestertown, Salisbury, Prince Frederick, and Pikesville. She thanked Board members Sam Parker, Brien Poffenberger,

and Dick Charlton for attending the forums in their communities. A future forum is planned for Baltimore City. Ms. Ziehl reported that synthesis of input received through these public forums and the online preservation plan survey – which is ongoing – will take place during the summer. A draft of the plan will be shared with the Board in early fall and will be distributed to the public for review and comment.

Meeting adjourned at 1:20 PM.

Mr. Charles L. Edson, Chair

J. Rodney Little, Director