

**MARYLAND HISTORICAL TRUST
BOARD OF TRUSTEES' MEETING**

**Maryland Chamber of Commerce
60 West Street, #100
Annapolis, MD**

February 1, 2018

Pursuant to notice, the regular meeting of the Board of Trustees of the Maryland Historical Trust (MHT) was held at 60 West Street in Annapolis, Maryland, on February 1, 2018.

Trustees present: Mmes. Linder and Mears; Messrs. Alberg, Edson, Feldstein, Poffenberger, and Robinson

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

Maryland Department of Planning: Adam Grusz

Office of the Attorney General: Rieyn DeLony

MHT Staff: Marcia Miller, Elizabeth Hughes, Kathy Monday, Anne Raines, Mark Thompson, Michael Day, Rachelle Green, Nell Ziehl.

Guests: Terry Klima, John Zebelean, III, Jay Barringer, Eric Holcomb, Dan Taylor.

F1 CALL TO ORDER

Mr. Edson, Chair, called the meeting to order at 1:02 p.m. A quorum of Trustees was not present so no action could be taken at the meeting

F2 APPROVAL OF MINUTES

Mr. Feldstein made a motion, seconded by Ms. Mears that the closed session minutes of October 5, 2017 and the December 7, 2017 minutes be approved as submitted. The Board voted unanimously to approve the two sets of minutes and directed the MHT Board Executive Committee to take action to approve these minutes at its next meeting.

F3 COMMITTEE REPORTS

F100 Capital Programs

F101R West Side MOA – Report on Local Historic District Designation Process

Ms. Hughes noted that at the July 28, 2016 meeting, the Board had recommended that the Director seek to terminate the January 31, 2001 West Side Memorandum of Agreement with the

City of Baltimore following local historic district designation of the “Howard Street Commercial District” and the “Five and Dime District” by the Baltimore City Commission for Historical and Architectural Preservation (CHAP). Ms. Hughes introduced Eric Holcomb, Director of CHAP, and Dan Taylor, of the Baltimore Development Corporation, who proceeded to provide the Board with an update on the status of the local historic district designation process.

Mr. Holcomb reported that on December 7th, 2017, bills designating the “Howard Street Commercial District” and the “Five and Dime District” as two separate local historic districts were introduced before the Baltimore City Council. The Baltimore City Planning Commission reviewed these bills on January 11, 2018, and the Council will have its committee hearing on the bills on February 13, 2018. Once the bills pass committee, CHAP hopes to have the bill double read, passed and sent to the Mayor for signature. The designations will become active at the time of the Mayor’s signing and CHAP can fully implement the districts that same day.

Ms. Hughes noted that once the designations have become active, CHAP and MHT will work together to terminate the MOA as per the Board’s July 28, 2016 recommendation. It is anticipated that this termination action will be completed sometime in March 2018.

F200 Survey, Registration, Community Education & Museums

F201R Patterson Bequest Expenditure

Ms. Hughes explained that, in her will, Mrs. Patterson left a bequest of \$200,000 to be administered by the Maryland Historical Trust (MHT) for the benefit of the citizens of Maryland in accordance with the Trust Agreement by which in 1983 she transferred Point Farm in trust to the State of Maryland to be administered by MHT. The MHT Board Heritage Preservation Fund Disposition Policy stipulates that the Board can approve expenditures from the Patterson Bequest only with the prior approval of the JPPM Advisory Committee.

Mr. Thompson reported that on November 1, 2018, the JPPM Advisory Committee voted to approve expenditure of up to \$10,000 to support development of a Patterson Tree Preservation Plan. Consistent with desire to preserve the integrity of not only the Patterson home, but also the surrounding landscape, JPPM sought the preliminary advice of a landscape design firm regarding the long-term protection of various trees and large shrubs during construction. The plan will assess the risk to certain landscape elements and evaluate their suitability for transplantation during construction. A minimalist planting design will be developed to reflect the architecture and the period of interpretation. Ultimately, JPPM wants to ensure the consistency of the presentation between the exterior of the home, the interior of the home, and the narrative of the people who lived there. Selection of the design firm will take place through a competitive bidding process.

The Board voted unanimously to approve the following resolution and directed the MHT Board Executive Committee to take action on the resolution at its next meeting.

RESOLVED, that the MHT Board of Trustees approves an expenditure of up to \$10,000 from the Patterson Bequest to support development of the Patterson Tree Preservation Plan.

F202R Mark Thompson - Resolution of Thanks

Ms. Hughes reported that the Newport Restoration Foundation (NRF) has selected Mark Thompson to serve as the organization's next Executive Director, following a competitive search. He will assume this new role on February 5, 2018.

The Board voted unanimously to approve the following resolution and directed the MHT Board Executive Committee to take action on the resolution at its next meeting.

**Resolution Expressing Appreciation and Thanks from
the Maryland Historical Trust Board of Trustees
to Mark Thompson for 7 Years of Service**

February 1, 2018

Whereas, the Maryland Historical Trust was created in 1961 as an instrumentality of the State of Maryland for the purpose of preserving, protecting, and enhancing districts, sites, buildings, structures, and objects significant in the prehistory, history, upland and underwater archeology, architecture, engineering, and culture of the State, to encourage others to do so and to promote interest in and study of such matters; and

Whereas, Mark Thompson has served MHT since 2011, becoming the Director of Jefferson Patterson Park and Museum at a critical moment when planning for four complex capital projects and the Centennial of the War of 1812 were just getting underway; and,

Whereas, Mark Thompson led JPPM through a Museum Assessment and strategic planning process designed to chart the future of the 560-acre property which led to opening the park for 362 days out of the year and an increase in visitation by 55% in the past seven years; and,

Whereas, Mark Thompson has supported the reinvention of public programming at JPPM to include visits by the Beatles, the Bee Gees, Donna Summer and new events for children and families, on the condition that he is able to consistently avoid kid crafting areas; and,

Whereas, Mark Thompson succeeded in obtaining funding to repair the siding of the MAC Lab by handing fragments of the rotted wood to every elected official who has visited the park in the last five years; and,

Whereas, Mark Thompson's dedication to Jefferson Patterson Park and Museum led to the accumulation of weeks of comp time, such that he had to be forced to take vacations; and,

Whereas, Mark Thompson's commitment to his staff is symbolized by the fact that he has purchased over 75 cakes to recognize staff anniversary celebrations and special events; and,

Whereas, his knowledge of museum best practices and the law, his professionalism, sense of humor, and collaborative problem-solving skills have been critical to the success of MHT and Jefferson Patterson Park and Museum;

Now, therefore, be it resolved that the Maryland Historical Trust Board of Trustees wishes to express its deep appreciation to Mark Thompson for his seven years of service and to wish him a healthy, prosperous, and rewarding next phase of life.

F203 Historic Preservation Plan Update

Nell Ziehl reviewed the timeline for the State Historic Preservation Plan update, which will begin in the spring of 2018 and conclude by the end of the year.

F204R Dairy Farming Survey Funding Request

Ms. Miller reported that the decline of dairy farming is having an adverse impact on cultural resources associated with this historic Maryland industry. Dairy barns and supporting structures, such as milking parlors, silos and farmyards, are vanishing from Maryland's agricultural landscape. No comprehensive survey or historic context exists that documents the role of the dairy industry in Maryland. As more and more farmers leave the industry, now is the time to capture these stories and document the associated historic resources.

The first step in this process is to conduct an architectural survey to determine what exists, the integrity of the historic resources, and to place the buildings in context and determine their significance. MHT is proposing to identify, document, and evaluate extant dairy farms, including barns and associated structures, in Garrett, Allegany, and Washington counties, where dairy farming had a prominent presence and imprint on the landscape.

Ms. Miller reported that in March, the Office of Research, Survey, and Registration (ORSR) plans to seek available funding through the Appalachian Regional Commission (ARC), a federal-state partnership. ARC's strategic plan includes the goal of strengthening "Appalachia's community and economic development potential by leveraging the Region's natural and cultural heritage assets." Eventually, MHT plans to expand this research and documentation to a statewide survey and context. The ARC grant must be matched dollar-for-dollar. This funding is available now, but there are no guarantees that it will be available at these levels in the future.

ORSR is actively identifying additional partners for future phases of the study. This project has the potential to allow for reinvestment in these resources, improving the economic viability, renewed productivity, and adaptive reuse of these historic structures for local farmers. The project will benefit individual owners of the historic resources – many who are likely engaging in active agricultural production as their livelihood – and may assist in the repurposing of these structures for new agricultural endeavors. Additionally, preserving the rural character of these areas of our state is an important heritage tourism tool for local jurisdictions.

Ms. Miller asked that the Board provide matching funds that would permit MHT to seek ARC funding for this important and timely project to document the disappearing landscape of Maryland's dairy industry.

The Board voted unanimously to approve the following resolution and directed the MHT Board Executive Committee to take action on the resolution at its next meeting.

RESOLVED, that an expenditure of up to \$30,000 from the MHT Heritage Preservation Fund in fiscal year 2019 to support the following project is approved:

- Up to \$30,000 to support a Maryland dairy industry historic sites survey and context

F300 Management & Planning
F301R Election of Officers

Ms. Hughes reported that as a result of the resignation of Dr. Alvin Luckenbach from the MHT Board on December 8, 2017, the MHT Board Vice Chairman position is now vacant.

Ms. Mears, a member of the MHT Board Nominating Committee, reported that Committee members Sarah Filkins (chair), Samuel Parker, and herself, met by teleconference on January 5, 2018 to consider candidates to fill the vacant Vice Chairman position.

The Committee is recommending Brien Poffenberger, currently the Treasurer of the MHT Board, to fill the position of Vice Chairman and Samuel J. Parker, Jr. to fill the position of Treasurer.

The Board voted unanimously to approve the following resolution and directed the MHT Board Executive Committee to take action on the resolution at its next meeting.

RESOLVED, that the Maryland Historical Trust Board of Trustees approves the Nominating Committee's recommendation to appoint the following slate of officers to fill unexpired terms ending on July 31, 2018:

1. Vice Chairman: Brien Poffenberger
2. Treasurer: Samuel J. Parker, Jr.

F302R Election of Area Representative

Ms. Hughes reported that Dr. Ralph Eshelman, the MHT Board Area Representative representing Calvert County, resigned his position on the Board on December 18, 2017. As a result this position is now vacant.

Ms. Mears, a member of the MHT Board Nominating Committee, reported that Nominating Committee members Sarah Filkins (chair), Samuel Parker, and herself, met by teleconference on January 5, 2018 to consider candidates to fill the vacant Area Representative position.

Ms. Mears reported that Committee is recommending Kirsti Uunila to fill the vacant Area Representative position.

The Board voted unanimously to approve the following resolution and directed the MHT Board Executive Committee to take action on the resolution at its next meeting.

RESOLVED, that the Maryland Historical Trust Board of Trustees approves the Nominating Committee’s recommendation to appoint the following Area Representative to fill an unexpired term ending on July 31, 2018:

Kirsti Uunila – Calvert County

F303R MHT Heritage Preservation Fund Disposition Policy Update

Ms. Hughes reported that revisions to the Maryland Heritage Preservation Fund Disposition Policy are needed to reflect the terms of the gift agreement recently executed between the MARPAT Foundation, Inc., and the Maryland Historical Trust which transferred \$300,000 to the Trust for the benefit of Jefferson Patterson Park and Museum. The gift agreement stipulates that the funds are to be invested as provided in the Maryland Heritage Preservation Fund Investment Policy adopted by the Trust with the income to be accounted for separately from other moneys in the Fund. The funds may be expended for the exclusive benefit of the Jefferson Patterson Park and Museum as directed by the Board, with the approval of the JPPM Advisory Committee and as otherwise provided in the Gift Agreement.

The Board voted unanimously to approve the following resolution and directed the MHT Board Executive Committee to take action on the resolution at its next meeting.

RESOLVED, by the Board of Trustees of the Maryland Historical Trust, that the Maryland Heritage Preservation Fund Disposition Policy, adopted on February 1, 2007 and then subsequently amended, be further amended to read as follows:

MARYLAND HERITAGE PRESERVATION FUND DISPOSITION POLICY

Adopted February 1, 2007; Amended November 29, 2007; Amended October 21, 2010; Amended August 2, 2012; Amended October 4, 2012; Amended February __, 2018

A. PURPOSE

The Maryland Heritage Preservation Fund (the Fund) is a repository for unrestricted donations, bequests, and gifts to the Maryland Historical Trust (the “Trust”), including the proceeds from the sale or lease of any property donated to the Trust. The Fund includes three (3) separate and distinct sums of money, the corpus, investment earnings, and incomes of which shall be separately accounted for: (1) a bequest of \$200,000 from the Estate of Mary Marvin Breckenridge Patterson accepted by the Trust in 2003 (the “Patterson Bequest”); (2) a gift of \$300,000 from the MARPAT Foundation, Inc, accepted by the Trust pursuant to a Gift Agreement dated December 18, 2017 (the “MARPAT Gift”); (3) all other contributions to the Fund that are not the Patterson Bequest or the MARPAT Gift (the “General Fund”). Expenditures from the Fund will be made only for the general statutory purposes of the Trust.

B. INVESTMENT OF THE FUND

The Fund is invested under the oversight of the Investment Committee of the Board of Trustees of the Maryland Historical Trust, with the approval of the Board. Any investment earnings not

expended shall be reinvested in the Fund. Investment of the Fund shall be made in accordance with the Board's "Maryland Heritage Preservation Fund Investment Policy" (adopted December 7, 2000), as amended from time to time.

C. USES

The Fund will be used as a "source of last resort" for expenditures that are necessary or highly desirable and are not covered by funds appropriated to the Trust in the State budget. Monies in the General Fund may be used for: (1) significant "targets of opportunity;" and (2) high priority projects or programs initiated and conducted by the Trust. Monies in the Patterson Bequest may be used as authorized in the Will of Mary Marvin Breckenridge Patterson. Monies in the MARPAT Gift may be used as authorized in the Gift Agreement.

D. APPROVAL OF EXPENDITURES

All expenditures from the Fund must be approved by the Board. Expenditures from either the Patterson Bequest or the MARPAT Gift must be approved by the Jefferson Patterson Park and Museum Advisory Committee prior to being considered or approved by the Board.

E. HERITAGE PRESERVATION FUND DISPOSITION COMMITTEE

There is a Heritage Preservation Fund Disposition Committee (the "Disposition Committee") of the Board, which shall consist of at least five individuals who are appointed annually by the Chairman of Board and may be either Trustees or Area Representatives. At least one member of each of the Board's three Standing Committees shall be among those appointed to the Disposition Committee. The Committee shall meet at least once per year to consider proposed expenditures from the General Fund, and shall make recommendations to the Board regarding all proposed expenditures from the General Fund. The Disposition Committee may consider proposed expenditures from either the Patterson Bequest or the MARPAT Gift, but such expenditures need not be reviewed by the Disposition Committee prior to being approved by the Board.

F. LIMITATIONS ON EXPENDITURES

The annual limitations on expenditures from the Fund established in this paragraph shall only apply to expenditures from the General Fund. Expenditures from the General Fund during a fiscal year (July 1 through June 30, annually) shall not exceed six percent of the value of the General Fund, not including expenditures authorized, but not expended, during a prior fiscal year (the "Maximum Annual Expenditure"). In calculating the value of the General Fund, values shown on portfolio holdings statements for the General Fund shall be reduced by expenditures approved during a prior fiscal year, but not yet expended, and by any restricted funds and interest earned on such funds that are included in the General Fund. The value of the General Fund shall be based on a four year rolling average of the General Fund's market value and will be calculated using the valuations on June 30 of each of the four years preceding the first day of the new fiscal year. If, during a fiscal year, the Board approves of expenditures from the General Fund that are less than that year's Maximum Annual Expenditure, the difference shall roll over

and be added to the Maximum Annual Expenditure for the following fiscal year.

G. AMENDMENTS

The Board may revise this Disposition Policy as it deems appropriate.

F304 Litigation & Legal Issues

Ms. DeLony provided an update on the status of the Agreement to Dismiss MHT as a party to the condemnation action by SHA regarding the Middle River Depot easement property.

F305 Budget & Legislation

State Budget

Ms. Hughes reported that the FY2019 capital budget includes \$600,000 for the Capital Historic Preservation Grant Program, \$1,000,000 for the African American Heritage Preservation Grant Program, \$300,000 in the Revolving Loan Fund, and significant funding for a number of capital projects at Jefferson Patterson Park and Museum. Hearings on the capital budget are scheduled for February 13 before the Senate and February 14 before the House.

The FY2019 operating budget includes \$9 million in general funds for the Maryland Heritage Structure Rehabilitation Tax Credit Program (competitive commercial), and no general funds for the Non-Capital Historic Preservation Grant Program. The budget does include \$6 million in special funds for the MHAA Program. Of that amount, the Budget Reconciliation and Financing Act directs that \$300,000 be used to fund the MHT Non-Capital Historic Preservation Grant Program. Hearings on the operating budget are scheduled for February 14 in the House and February 15 in the Senate.

State Legislation

Ms. Hughes reported that there will be no Administration legislation affecting MHT programs. She does anticipate at least two bills, sponsored by Senator Ferguson and others, addressing changes to the historic tax credit program.

Federal Budget

Ms. Hughes reported that Federal Fiscal Year 2018 has been funded since October 1st by a continuing resolution based on FY 2017 funding levels. The most recent continuing resolution will expire on February 8th at which point there will be either another government shutdown, another continuing resolution, or an agreement on a FY2018 spending bill.

She noted that President Trump's FY2019 budget is expected to be issued on February 12th.

Federal Legislation

There is no federal legislation of interest at this time.

Public Comment

Terry Klima of the Maryland Division of the Sons of Confederate Veterans addressed his concerns regarding the future of Baltimore City's Confederate monuments and the Trust's

responsibility to enforce the terms of the deed of easement on these monuments.

Board members discussed Mr. Klima's comments and determined that it would be desirable to request that CHAP provide the Board with monthly status reports regarding the City's progress towards the return of the monuments to a location that would ensure preservation of and public access to the monuments.

Announcements

Ms. Raines reminded the Board that the annual Historic Preservation Awards event will begin at 4:30 PM in the President's Reception Room in the Maryland Senate Office Building. Board members are encouraged to attend.

The meeting adjourned at 2:55 p.m.

Mr. Charles L. Edson, Chair

Elizabeth Hughes, Director