

**MARYLAND HISTORICAL TRUST
BOARD OF TRUSTEES' MEETING
Brice House, 42 East Street, Annapolis, MD 21401**

February 7, 2017

Pursuant to notice, the regular meeting of the Board of Trustees of the Maryland Historical Trust (MHT) was held at Brice House, 42 East Street, Annapolis, MD 21401 on February 7, 2017.

Trustees present: Mmes. Filkins and Mears and Messrs. Edson, Feldstein, Gibson, Luckenbach, Neall, Parker, Poffenberger, and Robinson.

Area Representatives present: Messrs. Azola, Brown, Camlin, Charlton, Eshelman, Spikes.

Maryland Department of Planning: Ewing McDowell, Deputy Secretary.

Office of the Attorney General: Rieyn DeLony

Maryland Historical Trust Staff: Elizabeth Hughes, Susan Langley, Marcia Miller, Kathy Monday and Anne Raines.

Guests: David Craig, Maryland World War I Commission; Paul Orlando, NOAA.

A1 CALL TO ORDER

Mr. Edson, Chair, called the meeting to order at 10:02 a.m. A quorum of Trustees was present.

Mr. Edson introduced MHT staff member Anne Raines, who was recently selected to serve as the Deputy Director of the Maryland Historical Trust. Ms. Raines came to the Trust in May of 2010 as the Capital Grant and Loan Programs Administrator. Previously, Anne worked at Barlow Stott Architects in Cornwall, UK, at ArchPlan Inc./Philipsen Architects in Baltimore, MD, and at the North Carolina State Historic Preservation Office. Anne has a bachelor's degree from North Carolina State University in Architecture and a Master's Degree in Architectural Conservation from the University of Edinburgh.

The Board welcomed Ms. Raines in her new position at the Trust.

A2 APPROVAL OF MINUTES

The December 8th Board meeting minutes were reviewed and approved as submitted.

Mr. Charlton made a motion, seconded by Mr. Feldstein that the December 8, 2016 minutes be approved as amended. The motion was approved unanimously.

A3 COMMITTEE REPORTS

A100 Capital Programs

Nothing to report

A200 Survey, Registration, Community Education & Museums

A201R Mallows Bay Potomac River National Marine Sanctuary Preferred Alternative

Dr. Susan Langley reported that at the April 3, 2014 meeting of the Maryland Historical Trust Board of Trustees, the Board passed a Resolution supporting the designation of Mallows Bay as a National Marine Sanctuary. The core of the nomination is the management and interpretation of the WWI-era and related vessels, as well as additional public access and recreational opportunities. This initial proposal used the extant Mallows Bay – Widewater Historical and Archeological National Register District as a basis for initiating public comment and input.

Subsequently, in response to a 90-day public comment period on the Federal Register, two public meetings, and input received by post, there was outstanding support for the proposal with over 80% of respondents requesting a larger area. In response to public input, NOAA, MHT, DNR, and Charles County government drafted several boundary alternatives as mandated by the NOAA process. The alternatives are as follows:

1. Alternative A (no Sanctuary) – This alternative is dismissed as neither meeting the mandate of the proposal nor addressing public input. Since the nomination process has already increased visitation, additional management of the area is already necessary.
2. Alternative B (18 square miles) – This alternative includes only the footprint of the Historic District. It is dismissed as it does not cover all the known WWI-era vessels and public scoping requested a larger Sanctuary.
3. Alternative C (52 square miles) – This is the preferred alternative and includes all known WWI-era vessels as well as all the other documented shipwrecks to date in Charles County, and other diverse maritime heritage resources.
4. Alternative D (100 square miles) – This alternative was proposed by some members of the public for the environmental benefits it would convey to many of the creeks and rivers. It does augment access to the river but does not meet the purpose of the nomination as there are no WWI-era vessels, or any other known vessels, in the area. Subsequent input from DoD, as there are a number of military bases in or adjacent to the proposed boundary alternatives, did not favor Alternative D.

The second round of public scoping opened January 6 for postal comments and January 9 on the Federal Register and will be open through March 31, 2017. There will be two public meetings on March 7 and 9 at the Charles County Government Offices in LaPlata and at Anne Arundel

Community College, respectively, both at 6pm. All relevant documents, FAQ and contact information as well as links to the Federal Register may be reached through the MHT web page at: http://mht.maryland.gov/archeology_mallowsbay3.shtml

The agencies creating the draft documents made a concerted effort to limit new regulations and there are essentially three: 1.) No one may interfere with a law enforcement investigation; 2.) no one may vandalize or otherwise damage Sanctuary property, such as interpretive signage, and; 3.) governance of the vessels complements and supplements existing protection of archeological historic property. The latter provision offers a higher level of protection of heritage resources and makes this protection more consistent; at present there are sites that fall only under State legislation, under both State and National Register coverage, and under the Sunken Military Craft Act. MHT will continue to manage heritage resources in the Sanctuary. Other activities, such as fishing, hunting, boating etc. will continue to be managed and licensed by DNR as at present. Recreational fossil collecting on State land is still permitted.

As the Sanctuary only covers the water base, it has no impact on private property rights. Landowners wishing to undertake construction in State waters such as docks, will follow the current application process through the US Army Corps of Engineers and the MDE clearinghouse and will continue to undergo review for compliance by the same agencies as at present. The Sanctuary will not be responsible for the acceptance or rejection of an application.

Dr. Luckenbach made a motion, seconded by Mr. Robinson, in support of the 52 square mile preferred alternative in the Draft Environmental Impact Statement (DEIS) and Draft Management Plan (DMP) for the proposed Mallows Bay – Potomac River National Marine Sanctuary (MPNMS). The motion was approved unanimously.

WHEREAS, in April, 2014 the Board of Trustees of the Maryland Historical Trust adopted the attached Resolution expressing strong support for the nomination and designation of the Mallows Bay area of the Potomac River in Charles County, Maryland as a new National Marine Sanctuary; and

WHEREAS, the Maryland Historical Trust, in executing its responsibilities to preserve and interpret the legacy of Maryland's past, has been a lead partner with Charles County, Maryland, the Maryland Department of Natural Resources, the National Oceanic and Atmospheric Administration (NOAA) and the Department of Defense as a cooperating agency in the development of the DEIS and DMP documentation; and

WHEREAS, the DEIS and DMP evaluated four alternatives and recommended designating a 52 square mile (39 nautical mile) section of Potomac River as the preferred alternative to best protect and promote nationally significant shipwrecks and associated maritime heritage resources in the area; and

WHEREAS, the preferred alternative includes all the vessels listed on the National Register of Historic Places, and all the known WWI steamships located in Maryland waters, the 1873 steamboat *Wawaset* (Maryland's greatest ship disaster), a recently discovered Civil War barge or

canal boat, and up to 17 other historic shipwrecks found or identified in records to be located in this area; and

WHEREAS, the preferred alternative includes historically significant steamboat landings, ferry crossings, revolutionary war and civil war battlescapes, American Indian cultural landscapes and remnants of the Potomac River's historic fishing industry and facilitates additional public recreational and educational access to the area; and

WHEREAS, the preferred alternative provides the management tools and capabilities for the long term preservation and interpretation of the historic shipwrecks and related maritime resources and offers tremendous opportunities for historical research, education, tourism, conservation, public access, and recreation; and

WHEREAS the name Mallows Bay – Potomac River National Marine Sanctuary, not only provides a geographic context for the proposed sanctuary, but reflects the rich heritage of the Potomac River which helped shape the history of human settlement and economic development of Maryland for centuries; and

WHEREAS, the designation of the MPNMS would be the first in the Chesapeake watershed, the first on a river, and help focus national and international attention on America's and Maryland's role in World War I in this, the Centennial Year of America's entry into WWI;

NOW, THEREFORE, BE IT RESOLVED THAT THE Board of Trustees of the Maryland Historical Trust hereby strongly supports the 52 square mile preferred alternative and the swift designation of the Mallows Bay Potomac River National Marine Sanctuary;

BE IT FURTHER RESOLVED, that copies of this resolution are sent to the Governor of Maryland, members of the Maryland Congressional Delegation and General Assembly representing Charles County, the NOAA Administrator and the Director of the Office of National Marine Sanctuaries,

Dr. Eshelman encouraged all Board members to write a personal letter of support and asked that Dr. Langley email additional information to all Board members.

A202 WWI Centennial Commission – Report by Executive Director David Craig

David Craig, Executive Director of the World War I Centennial Commission reported on upcoming activities of the Commission which will remain active until November of 2019.

A203 Preservation Awards Program

Ms. Hughes distributed invitations to Board members announcing the March 14th Preservation Awards event that will be hosted by the Maryland Historical Trust Board at the Miller Senate Office Building starting at 4:30 PM. Board members are encouraged to attend this free event.

A300 Management & Planning

A301 Interim Actions of the Executive Committee (10/14/16; 1/24/17)

**MHT Board Executive Committee Interim Conference Call Minutes
October 14, 2016 at 4 PM**

MHT Board Executive Committee: Edson, Bailey, Luckenbach, Poffenberger

MHT Staff: Elizabeth Hughes, Anne Raines

Mr. Edson, Chair, called the meeting to order at 4:02 p.m. A quorum of the Executive Committee was present.

Ms. Hughes reported that the Executive Committee was being called to consider two funding requests. Funding for these activities is being sought from the Board's Heritage Preservation Fund. Funds that are available for commitment during this fiscal year (July 1, 2016 – June 30, 2017) total \$6,581.85.

1. Minutes of the July 28, 2016 Board Meeting

Ms. Hughes reported that the minutes were reviewed at the October 6th meeting of the Board and no corrections were offered at that time.

Dr. Luckenbach made a motion to approve the following resolution, seconded by Mr. Edson, which was unanimously approved.

RESOLVED, that the minutes of July 28, 2016 are approved as submitted.

2. Friendship Hall

Ms. Hughes reported that Board members present at the October 6th meeting expressed support for rescinding the Board's action of July 28th relative to the Friendship Hall easement amendment.

Dr. Luckenbach made a motion to approve the following resolution, seconded by Ms. Bailey, which was unanimously approved.

RESOLVED that the July 28 action of the Board is hereby rescinded and the Executive Committee accepts the executed Amendment to the Friendship Hall deed of easement submitted by Ms. Anne Norton on August 2, 2016.

3. Preservation Maryland Heritage Grant Program Selection Committee

Ms. Hughes reported that it was announced at the October 6th meeting of the Board that Franklin Robinson had volunteered to serve on the Preservation Maryland Heritage Grant Program

Selection Committee. Board members present at that meeting had voiced support for the appointment.

Ms. Bailey made a motion to approve the following resolution, seconded by Mr. Luckenbach, which was unanimously approved.

RESOLVED, that Franklin Robinson is hereby appointed to the Heritage Grant Program Selection Committee to complete Barrie Tilghman's unexpired term ending on June 30, 2017.

4. African American Heritage Preservation Program (AAHPP)
Fiscal Year 2017 Grant Awards

Anne Raines provided an overview of the African American Heritage Preservation Grant Program, funding recommendations of the Maryland Commission on African American History and Culture (the "Commission"), and the discussion of those recommendations at the MHT Board meeting on October 6th.

Dr. Luckenbach made a motion to approve the following resolution, seconded by Mr. Poffenberger, which was unanimously approved.

RESOLVED, that the Executive Committee recommend to the Secretary of Planning (i) awarding \$983,000 to those certain grants designated with an "A" on the African-American Heritage Preservation Grant Chart for Fiscal Year 2017 (the "Grant Chart") with the exclusion of the \$29,000 grant to Ebenezer African Methodist Episcopal Church of Galesville, Inc. (which will be re-designated as "C – not recommended for funding" on the Grant Chart submitted to the Secretary; (ii) increasing the partially funded "A" designated \$50,000 grant to Asbury M. E. Church by \$17,000 to \$67,000; (iii) awarding other Program funding that may become available after the date of the Secretary's approval of the 2017 AAHPP grants (e.g., through cancellation or repayment of other Program grants) to those certain grants designated with an "AR" on the Grant Chart, in the order in which they appear on the chart; and (iv) reserving the remaining balance in the Fund as of the date of the Secretary's approval of the 2017 AAHPP grants for possible emergency project grants during FY2017. Pursuant to AAHPP regulation 34.04.09.07.A.(4)(b) and the recommendation of the Board of Trustees given at its meeting on October 6, 2017, the Executive Committee, deems it appropriate to revise the Commission's grant recommendations as set forth in this Resolution.

Meeting adjourned at 4:15 pm

MHT Board Executive Committee Interim Conference Call Minutes

January 24, 2017 at 3:00 PM

MHT Board Executive Committee: Edson, Luckenbach, Poffenberger

MHT Staff: Elizabeth Hughes, Nell Ziehl

Mr. Edson, Chair, called the meeting to order at 3:24 p.m. A quorum of the Executive Committee was present.

Survey, Registration, Community Education & Museums

I. MHT Board 2017 Preservation Awards

The Maryland Preservation Awards, presented annually by the Board of Trustees of the Maryland Historical Trust, are the highest level of recognition for historic preservation, heritage education and community development projects in the state. The 2017 Preservation Awards event will take place on Tuesday, March 14th in the Miller Senate Office Building in Annapolis beginning at 4 PM.

The Survey, Registration, Community Education, and Museums Committee of the Board met on December 14, 2016 to review all award nominations submitted by the November 30th deadline (see attached spreadsheet – award recommendations are highlighted). Both a powerpoint presentation with images of recommended nominations and a spreadsheet of all received nominations (with recommended awards highlighted) are attached for review.

Dr. Luckenbach made a motion, seconded by Mr. Poffenberger, that the following resolution be approved. The motion was approved unanimously.

RESOLVED, that the Maryland Historical Trust Board of Trustees approves the 2017 Maryland Preservation Awards recommendations of its Survey, Registration, Community Education, and Museums Committee. The recommendations are as follows:

EDUCATION & COMMUNITY ENGAGEMENT

Excellence in Media & Publications

Newtown Association for the Newtown Historic District Website (Wicomico County)

Excellence in Public Programming

Heart of the Civil War GeoTrail (Frederick, Carroll and Washington Counties)

STEWARDSHIP

Outstanding Stewardship of an Easement Property

Baltimore Harbor Light (Anne Arundel County)

Outstanding Stewardship of Archeological Resources

St. Mary's College of Maryland (St. Mary's County)

Outstanding Stewardship by a Government Agency

Calvert County Natural Resources Division

Washington County Engineering and Construction Management for the Old Forge Road Bridge

PROJECT EXCELLENCE

Community Impact

River View Commons (Wicomico County)

Project Excellence: Residential Rehabilitation

East Baltimore Historic II (Baltimore City)

Project Excellence: Commercial Rehabilitation

Baltimore Trust Building/10 Light Street (Baltimore City)

Preservation Partnerships

Historic Watch Box Relocation and Restoration (Charles County)

Lead Coffin Crypt Project (St. Mary's County)

LEADERSHIP AND SERVICE

Outstanding Organizational Leadership

Preservation Maryland

Outstanding Individual Leadership

Dr. Karen Gray

II. PM/MHT Heritage Fund Agreement

The Maryland Historical Trust and Preservation Maryland have prepared a revised agreement for the administration of the Heritage Fund that merges the original document with the two subsequent amendments. The revised agreement (see attached) incorporates Rules of Procedure outlining how the Selection Committee conducts business and tightens the structure and form of the agreement to provide greater protection and clarity for both MHT and PM. The attached revised agreement also reflects the following changes suggested by the Board.

- Properties that benefit from the Fund will no longer have to be determined eligible for inclusion in the Maryland Register of Historic Places. Instead, eligibility will be broadened to allow the committee to fund locally significant properties or other culturally or historically important properties that may not meet National Register criteria.
- The review committee consists of three appointments from each board (PM and MHT) and one joint appointment. Quorum is defined as four committee members. The agreement would be changed to stipulate that at least one member representing each organization should be present, in addition to the joint appointment, to constitute a quorum.
- Voting by proxy has been eliminated.
- The governing boards of MHT and PM retain the authority to set temporary priorities for the Fund.

Dr. Luckenbach made a motion, seconded by Mr. Poffenberger, that the following resolution be approved. The motion was approved unanimously.

RESOLVED, that the Board approves the Amended and Restated Heritage Fund Agreement to supersede and replace the Grant Agreement dated December 15, 1994, as amended by letter agreements dated January 28, 2002 and September 16, 2004, entered into between the Maryland Historical Trust and Preservation Maryland, Inc., and authorizes the Director of MHT to execute the Amended and Restated Heritage Fund Agreement.

Management & Planning

I. Budget & Legislation – Report

Ms. Hughes reported that the Governor’s fiscal year 2018 budget included \$9 million for the commercial side of the Maryland Heritage Structure Rehabilitation Tax Credit Program (level funding with FY17), \$1 million for the African American Heritage Preservation Grant Program, and \$2.7 million for the Maryland Heritage Areas Grant Program.

In addition, the fiscal year 2018 budget restores funding to the Maryland Historical Trust’s Non Capital Grant Program in the amount of \$379,197 and the Capital Historic Preservation Grant Program in the amount of \$600,000. These critical programs, which have been unfunded for the past five years, will assist non-profit organizations and local governments to identify and protect historic sites all across the state.

Regarding legislation, bills have been introduced that would increase funding authorized for the Maryland Heritage Areas Program from \$3 million to \$6 million annually in both the House and the Senate.

II. February 7th Meeting Agenda - Report

The MHT Board meeting is scheduled for Tuesday, February 7th from 10 am to 12 pm at the James Brice House located at 24 East Street in Annapolis. The meeting agenda is light and a box lunch will be provided so that members may leave the meeting promptly at 12 in order to conduct visits with their Senators and Delegates.

MHT Board members are encouraged to register for Preservation Maryland’s History Advocacy Day event which precedes the MHT Board meeting – beginning at 9:00 AM - and will take place at the William Paca House, located adjacent to the MHT Board meeting location. Preservation Maryland will schedule legislator visits for MHT Board members who register at their website.

Meeting adjourned at 3:32 pm.

A302 Investment Committee – Report

Mr. Poffenberger reported that the MHT Board Investment Committee met by teleconference on February 2nd. He reported that control issues related to the reconciliation of Brown Advisory

monthly statements and Board expenditures had been discussed and resolved. He also noted that Committee member Dick Charlton has requested a special meeting to discuss the overall investment strategy.

A303 Litigation & Legal Issues

Rieyn DeLony reported that MHT staff and Office of the Attorney General staff met to revise the draft of the easement appeal process. The revised draft will be presented for consideration at the next board meeting. Michael Day will be contacting Board members who volunteered to serve on the easement appeal working group of the Capital Programs Committee in advance of the Board meeting to review and revise the final draft.

A304 Budget & Legislation

Ms. Hughes reported that the Governor's budget for fiscal year 2018 includes great news for the preservation community. Both the Non Capital and Capital Historic Preservation Grant Programs are slated to receive funding for the first time in many years.

Funding for MHT financial assistance programs includes:

- Non Capital Grant Program funds totaling \$379,197
- Capital Historic Preservation Grant Program funds totaling \$600,000
- \$9 million for the commercial side of the Maryland Heritage Structure Rehabilitation Tax Credit Program
- \$1 million for the African American Heritage Preservation Grant Program
- \$2.7 million for the Maryland Heritage Areas Grant Program

Ms. Hughes reported that hearings on the Trust's Operating budget have already been held in the House and the Senate. The Department of Legislative Services budget analyst has recommended eliminating the Non Capital Historic Preservation Grant Program and advocacy efforts are needed to defeat that recommendation. Capital budget hearings are scheduled for February 14 in the Senate and February 15th in the House.

State legislation of interest includes a bill designed to increase the authorization of Heritage Areas Program funding from \$3 million to \$6 million which has been introduced in the House and the Senate (HB267/SB257) at the request of the Maryland Coalition of Heritage Areas.

Marty Azola suggested that some consideration should be given to desired adjustments to the Maryland Heritage Structure Rehabilitation Tax Credit Program, particularly in light of the fact that the Ways and Means Committee has a new chair in Delegate Anne Kaiser.

In terms of federal budget and legislative issues, Ms. Hughes reported that the Historic Preservation Fund (HPF) was reauthorized at the end of the 114th Congress for a period of 7 years as part of the National Park Service Centennial Act (H.R. 4680) which was passed on December 10, 2016 by Congress and signed it into law by President Obama on December 16, 2016.

The Historic Preservation Fund (HPF) appropriation for federal fiscal year 2017 remains subject to a continuing resolution that funds the government at fiscal year 2016 levels through April 28th, 2017. Maryland's share of the HPF appropriation typically totals between \$700,000 – 800,000 annually.

Tax reform is near the top of the agenda for the 115th Congress and could have a major impact on historic preservation. Previous proposals to overhaul the tax code have included the elimination of all tax credits, including the Historic Preservation Tax Credit (HTC).

Announcements

Ms. Hughes announced that Preservation Maryland is hosting a free legislative reception in the House Office Building – Room 142 – at 5 pm – and all Board members are invited.

Ms. Hughes also reminded Board members that the next meeting of the Board is scheduled for May 11, 2017 at the Carroll County Farm Museum in Westminster, Maryland. Agenda items are expected to include a loan forgiveness request, an easement determination appeal and discussion of the easement appeal process.

The meeting adjourned at 12:30 p.m.

Mr. Charles L. Edson, Chair

Elizabeth Hughes, Director