

Minutes of the
Sixty-Seventh Meeting of the
Maryland Heritage Areas Authority
April 16, 2015

The sixty-seventh meeting of the Maryland Heritage Areas Authority was held at the Dorchester Center for the Arts, 321 High Street, Second Floor, Cambridge, MD 21613.

Authority Members/Designees Present: Wendi W. Peters, Deputy Secretary, MD Department of Planning (representing MD Department of Planning Secretary David R. Craig); Bill Pencek (representing MD Department of Business & Economic Development Secretary R. Michael Gill); John Wilson (representing MD Department of Natural Resources Secretary Mark J. Belton); Terry Maxwell (representing MD Department of Transportation Secretary Peter K. Rahn); Burton Kummerow (recommended by the President of the Senate); Peter Leshner (MD Municipal League Representative); Wayne E. Clark (recommended by the President of the Senate); John Fieseler (MD Tourism Development Board representative); Rowland Agbede (representing MD Department of Agriculture Secretary Joseph Bartenfelder); Elizabeth Hughes (State Historic Preservation Officer); Donna Ware (recommended by the Speaker of the House); Lisa Challenger (Governor's Appointee for Heritage Tourism); Francis Jack Russell (MD Association of Counties representative); Amy Seitz (representing MD Department of Housing and Community Development Secretary Kenneth C. Holt); Lee Towers (representing MD Higher Education Commission Acting Secretary Jennie C. Hunter-Cevera);

Authority Members/Designees Absent: Robert D. Campbell (Governor's Appointee for Historic Preservation); Vacant (Representative for MD Greenways); Vacant (Representative for MD State Department of Education Secretary Lillian M. Lowery)

Staff Present: Richard Hughes, Jennifer Ruffner, Bernadette P. Pruitt, Rieyn Deloney (Office of the Attorney General)

Heritage Area Directors/Staff Present: Carol Benson (Four Rivers Heritage Area); Jeff Buchheit (Baltimore National Heritage Area); Gail Owings (Stories of the Chesapeake Heritage Area); Deidra L. Ritchie (Canal Place Heritage Area); Liz Shatto and Auni Geller (Heart of the Civil War Heritage Area); Aaron Marcavitch (Anacostia Trails Heritage Area); Mary Ann Lisanti and Brigitte Carty (Lower Susquehanna Heritage Greenway); Amanda Fenstermaker, Ceres Bainbridge and Kiri Carini (Heart of Chesapeake Country Heritage Area); Roz Racanello (Chair, Maryland Coalition of Heritage Areas and Executive Director of Southern MD Heritage Area); Sarah Rogers (Montgomery County Heritage Area); Jen Durbin (Mountain Maryland Gateway to the West Heritage Area); Lisa Ludwig (Lower Eastern Shore Heritage Area); Mary Catherine Cochran (Patapsco Valley Heritage Area)

Heritage Area Directors/Staff Absent:

Others Present: Mickey Love, Ray Pattera (Blackwater Wildlife Refuge), Mary Calloway, Lou Hyman, Anne Phillips, and J.O.K. Walsh

CALL TO ORDER

Deputy Secretary Peters called the meeting to order at approximately 10:10 a.m. She introduced herself and asked those in attendance to do so as well.

INTRODUCTIONS

Ms. Mickey Love welcomed everyone, and gave a brief overview of the Dorchester Center for the Arts, upcoming events and future goals.

APPROVAL OF MINUTES FOR JANUARY 15, 2015

The following motion was made by Mr. Fieseler.

RESOLVED, that the Maryland Heritage Area Authority (“MHAA” or the “Authority”) approves the January 15, 2015 Minutes as presented.

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

MHAA CHAIRPERSON REPORT & UPDATES

MHAA FY-2016 Budget Outlook

Mr. Hughes announced that the MHAA received full level funding of \$3 million and authorization for an additional \$100,000 that will be available for FY 2016 emergency grants.

Mr. Pencek reported that Department of Business and Economic Development received above level funding in spite of recommended cuts from the budget analyst. The Office of Tourism Development board received \$12.1 million in general funds. The Maryland State Arts Council received above level funding. The Maryland Film program was extended, but has not been funded beyond FY-16. He thanked those who supported the agency and testified before the legislators.

Mr. Wilson reported that Program Open Space funding was not fully funding but was higher in some areas and lower in others. The local side received \$30 million, stateside acquisitions received almost \$22 million, Rural Legacy received \$10 million and community parks and playgrounds received \$5 million.

Ms. Hughes reported that the Maryland Historical Trust Sustainable Communities Tax Credit Program received \$9 million for FY-2016 for the competitive commercial side of the program. The residential side remains the same.

Ms. Peters indicated the importance of continued outreach to legislators.

MANAGEMENT REPORT

Maryland Heritage Areas Authority Financing Fund Report (R. Hughes)

In addition to full level 2016 funding for the program Mr. Hughes reported that as of April 15th the Financing Fund balance is \$209,795.87. That includes \$141,751.95 from projects that came in under budget and \$93,475.00 that is set aside for FY-2015 emergency grants funding. The Board of Public Works had proposed cutting the \$209,795, but the funds were restored due to the advocacy work of the heritage areas and their partners.

FY 2016 Grant Application- Preliminary Report (J. Ruffner)

Ms. Ruffner reported that the MHAA received 117 grant requests totaling \$5.1 million. Only \$2.7 million is available for FY-16 grants, so it will be a competitive year. The applications include 13 management grants, and two marketing grants. The MHAA Technical Advisory Committee (TAC) is reviewing the requests and will present their recommendations at the MHAA July meeting for a final decision. A complete grant summary was provided to members and directors.

Mr. Pencek inquired about funding priorities. Ms. Ruffner indicated that in the past MHAA had funding priorities for projects relating to the Civil War, the War of 1812, Harriet Tubman, the Underground Railroad and Emancipation. At the last MHAA meeting it was decided to not have any priorities for FY-16, to allow some of those projects that do not relate to specific commemorations to rise to the top.

Report on Emergency Grants Awarded (J. Ruffner)

Ms. Ruffner discussed a report that she distributed showing the emergency grants that have been awarded by MHAA from 2006 through 2015. In that time period, MHAA awarded \$400,000 to emergency projects, which were primarily awarded for emergency building repairs.

Canal Place Heritage Area – Legislative Joint Chairmen’s Report Update (R. Hughes)

Mr. Hughes summarized that the General Assembly Joint Chairmen’s Report (JCR) for FY-2015 required the Maryland Heritage Areas Authority (MHAA) and the Department of General Services (DGS), in consultation with the Canal Place Preservation and Development Authority, the state unit that currently manages the Heritage Area, to prepare a report on alternatives to State ownership and management of the Canal Place Heritage Area. The report was prepared in consultation with the Maryland Department of Management and Budget (DBM) and local officials from Allegany County and the City of Cumberland.

Specifically the JCR language charged MHAA and DGS with examining options that include:

- Enveloping the property into another state agency;
- Transitioning the property to the county or city government;
- Transitioning the property to the National Park Service; or

- Ceasing operations

When exploring the above options, the report was to consider the value of the current property and any costs the State would incur to dispose of the property and any impacts on historic properties.

Appraisals will be conducted on the eleven acre property and DGS will issue a Request for Expressions of Interest (RFEI) to local governments to acquire or manage the property.

Mr. Hughes stated that Wendy Napier was a member of the Working Group and is the main MHAA contact at DGS. A Working Group will finalize the recommendations before the next legislative session.

Patapsco Heritage Area – Howard County Comprehensive Plan amendment to include Heritage Area Management Plan – Update (R. Hughes)

Mr. Hughes congratulated the Patapsco Valley Heritage Area on becoming the newest heritage area. Patapsco was certified by the MHAA at the January 15, 2015 meeting. Baltimore and Howard Counties needed to amend their comprehensive plans to include the relevant portion of the heritage area in order for the certification to be finalized. Baltimore County completed amending their comprehensive plan. Ms. Cochran indicated that Howard County is wrapping up their process, and the comprehensive plan should be amended soon.

Maryland Coalition of Heritage Areas (MCHA) (R. Racanello)

Ms. Racanello reported that the MCHA met on March 23, 2015 in Crownsville. They will have a table/booth at the MML and MACO meetings to conduct outreach.

She mentioned that the Board of Public Works cuts and additional cuts would have taken away monies that were already committed to projects through grants.

She indicated that the heritage area program received wonderful support from the general assembly and stressed the importance of having year-long relationships with legislators, including inviting them to ribbon cutting events and sending them newsletters.

Ms. Racanello also partnered with Nicholas Redding, Executive Director for Preservation Maryland, during the legislative session. He was a great support and attended the MCHA meeting to connect with everyone and to see how the programs can work together. She thinks he will be a valuable partner in the future to advocate for funding. She announced that he is working to increase Maryland Preservation grants from \$5,000 to \$10,000. These grants can be used to match MHAA grants.

Mr. Hughes mentioned Preservation Maryland's upcoming field school, which will focus on Main Streets and Heritage Areas. Ms. Racanello shared that it will be held in Fells Point on July 22, 2016.

Mr. Clark commended Ms. Racanello and the heritage area directors for the great work that they continue to do. Ms. Racanello mentioned that she was proud of her colleagues and the work that they did.

ACTION ITEMS

Boundary Amendment: Request for approval of an amendment to the boundaries of the Heart of the Civil War Heritage Area to include the Town of Sharpsburg, Washington County

Mr. Hughes reported that Sharpsburg had always been considered for inclusion in the heritage area, and it is listed in the original 2006 management plan, but the town at that time did not amend its comprehensive plan to join the heritage area.

A tour and public hearing were held in Sharpsburg on April 7, 2015 and those who testified at the hearing supported the amendment.

Ms. Shatto added that she received 100% positive feedback from those in the community that attended. She stated that when Sharpsburg decided that they were ready to move forward the language was changed to update rather than to amend an existing plan. The amendment focuses on and will include the municipal area of Sharpsburg. The unincorporated area was already included in the heritage area. Ms. Shatto summarized the Sharpsburg tour and locations that were visited on April 7th and some possible upcoming projects and how positive it will be for the heritage area. Mr. Hughes added that Ms. Susan Trail, Superintendent of Antietam National Battle Field, was in attendance and to have support of the National Park Service is very good.

Ms. Seitz commended Ms. Shatto on the boundary amendment process, stating that her presentation of specific themes and how the public hearing/tour went helped to make it an easy decision.

Mr. Clark made the following motion:

RESOLVED, that the Authority approves the request by the Town of Sharpsburg and the Heart of the Civil War Heritage Area to amend the boundaries of the Certified Heritage Area to include the area within the incorporated boundaries of the Town of Sharpsburg as existing on April 16, 2015 and as shown on the map titled “Heart of the Civil War Heritage Area: Sharpsburg, Maryland Vicinity” prepared by the Washington County Department of Planning and Zoning.

It was seconded by Mr. Leshner and approved unanimously.

Emergency Grant Request – Nehemiah Fountain Cobbler Shop (c. 1818): Phase II, Emergency Stabilization

Mr. Hughes introduced Mr. JOK Walsh, who was representing the Caroline County Historical Society (CCHS). CCHS submitted an emergency grant request for \$5,000 to stabilize the

Nehemiah Fountain Cobbler Shop. The Cobbler Shop is believed to be the oldest commercial structure still surviving in Denton, a town that was largely destroyed by a fire on July 4, 1865. The structure was relocated twice in the 20th century, and again in March 2015, this last time in order to prevent the demolition.

The goal of the project is to do emergency repairs to stabilize the Cobbler Shop as Phase II of a three-phase project that will make the Cobbler Shop a work space for artisans in the evolving Denton ArtsWay. Phase I, the move of the building to the ArtsWay has been completed. One objective is to permanently repair structural components in the bottom 40" of the structure (e.g., sills, floor joists, stud bottoms and flooring plus weatherboards). A second objective is to place the structure, currently on temporary cribbing, on a permanent foundation to prevent further deterioration until a full-scale restoration of the entire Shop is funded and accomplished in Phase III.

Absent these emergency repairs, the structure, which sits on "cribbing" cannot be placed on a permanent foundation. Absent a stable foundation, the historic Cobbler Shop remains both vulnerable to deterioration and unusable. Michael Bourne has documented the structure and will direct the restoration.

There was extensive discussion, questions, suggestions and comments:

The Town of Denton owns the building, and attempted to move the structure in March 2015, causing damage to the building. CCHS then took over and finalized the move and stabilized the structure. Mr. Wilson asked why the Town was not paying for the move and the damage caused by the move. Mr. Walsh indicated that there was no written contract with the demolition company that attempted the move, and the town has no money to support this work.

There is not currently an MOU with the Town. There is some urgency because the building is currently exposed to the elements and is resting on cribbing.

Mr. Kummerow commended Mr. Walsh on the work that he does and noted how Mr. Orlando Ridout V worked to keep buildings like this preserved. Mr. Kummerow spoke in support of assisting with what he called an important building.

Ms. Seitz noted that the TAC had concerns because the CCHS was in breach of an easement on another property. Mr. Walsh sent an e-mail to Ann Raines and Amy Skinner indicating that they would comply with an easement within the timeframe provided. He noted that he did not agree with the conclusions of the MHT that they were in breach. Ms. Hughes indicated that there is a need to establish a good line of communication between the easement staff and CCHS to ensure issues like this do not arise in future.

Mr. Clark commended Mr. Walsh on his work. Mr. Clark indicated that the local heritage area supported requesting an emergency grant.

Ms. Seitz questioned whether MHAA funds were the right source for this project. She indicated that there may be some existing DHCD / Community Legacy funds that could be repurposed for

the building stabilization. She suggested that CCHS be allowed to apply for MHAA funding in the regular grant round, and then in a couple of month apply for Community Legacy funds.

Mr. Clark stated that he does not feel that if MHT has a problem with an easement on one property it should have anything to do with another property/project.

Mr. Pencek respects Mr. Walsh's work in the county, and agreed that the building is significant, but has reservations about the future.

Ms. Peters indicated that the with regards to the amount, 5,000.00 is 5,000.00 and it is tax payers money and emergency grants should be made with the right intentions and conditions.

Mr. Fieseler asked why the project could not wait until the regular grant round. Mr. Walsh indicated that the bad sills, and the Tyvek-covered end, which opened the building up to vandalism, made this an urgent matter.

The group discussed placing a condition the grant award that CCHS must resolve the easement breach on the other property. Mr. Clark objected to this condition, and asked about precedent – none was known to exist. The group also discussed the importance of working closely with MHT and having good lines of communication with them to ensure good stewardship of all properties in the care of CCHS.

Mr. Clark made the following motion:

RESOLUTION TO APPROVE:

RESOLVED, that the Authority approves with conditions a Fiscal Year 2015 emergency grant from the Maryland Heritage Areas Authority Financing Fund in an amount not to exceed \$5,000 (the "Grant") to the Caroline County Historical Society, Inc. (the "Grantee") to stabilize the Nehemiah Fountain Cobbler Shop located on North 4th Street in the Town of Denton, Caroline County, Maryland (the "Property") including permanent repair of deteriorated structural components in the bottom 40" of the structure by, as required, replacing sills, floor joists, wall stud bottoms, flooring and weatherboards, and installing a south wall over the lean-to opening, constructing a slab foundation and constructing brick support piers. The Grantee is working in cooperation with the Town of Denton that owns the Property to relocate and rehabilitate the Property to the "Arts Way" in Denton for use as artisan work space.

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 that necessitates an immediate need for funding assistance, and the Grant application demonstrates that the immediate need for funding assistance was unanticipated at the time of the Authority's regular grant round. The unforeseen situation arose when the Town of Denton's contractor, without prior notice to the Grantee, attempted to relocate the structure but was

unsuccessful and in doing so caused significant, but not irreparable, damage to the Property. The Grantee has since successfully relocated the Property to the “Arts Way” where it wishes to repair and stabilize the structure until it can be fully rehabilitated for use as artisan work space.

AND BE IT FURTHER RESOLVED, that the Authority’s approval of the Grant is contingent on the Grantee’s satisfaction of the following conditions:

- 1. The Grantee consult with the Maryland Historical Trust (the “Trust”) to develop and implement a plan satisfactory to the Trust to resolve the current breach of easement issues applicable to the Gadow House Creamery structure located at 3421 Linchester Road, Preston, Maryland; and**
- 2. The Grantee shall provide to the Authority a letter of authorization for the Project from the Town of Denton, the owner of the property; and**
- 3. In the event the Maryland Historical Trust (“MHT”) determines that it wishes to hold an easement on the Property, MHAA shall require the Grantee to execute, or cause the owner of the Property to execute an easement satisfactory in form and content to MHT. If the Grantee fails to comply with the provisions of this condition, the Authority may require repayment of any Grant funds disbursed to the Grantee for the Project.**

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

The motion was seconded by Mr. Kummerow and approved with eight members in favor. Ms. Seitz, Mr. Wilson, Mr. Maxwell, Mr. Fieseler and Mr. Pencek opposed.

DISCUSSION ITEMS

Update on proposed amendment to the boundaries of the Maryland Milestones (Anacostia Trails) Heritage Area (Aaron Marcavitch, Executive Director)

Mr. Marcavitch presented the plan to expand the boundaries of the Anacostia Trails Heritage Area. He discussed the current status of the Heritage Area and then gave descriptions of each of the proposed boundary modifications. This included Old Bowie and the Patuxent River, “new” Bowie and the National Capital Radio and Television Museum, Glenn Dale and the old Glenn Dale Hospital, and the Town of Cheverly. He answered questions about the modifications including the question of expanding into the rest of Prince George’s County.

TAC MEMBER/MHAA STAFF ANNOUNCEMENTS/NEW BUSINESS

Ms. Hughes announced a grant opportunity that is being offered by National Park Service to under-represented communities to develop new listings on the national register. The grant is a minimum of \$25,000 with no match requirement. Certified local governments, State Historic Preservation Offices are eligible to apply.

Mr. Clark inquired if the MHT would be relocating in the future. The Department of Housing and Community Development is currently in the process of moving and will be out of the building in Crownsville the following week. Ms. Hughes indicated that so far MHT, MD Environmental Trust, and the Child Care Administration will remain housed at Community Place.

Ms. Peters thanked everyone for their patience in getting her through her first meeting and noted that it has not been determined yet who will chair MHAA moving forward.

ADJOURN

Ms. Peters called for a motion to adjourn. The meeting ending at 12:16 p.m.