



*Maryland Department of Planning*  
**MARYLAND HISTORICAL TRUST**

**BOARD OF TRUSTEES' MEETING**

**September 15, 2011**

**Mt. Victoria, The Lodge  
13500 Mount Victoria Place  
Mt. Victoria, MD 20664  
Board Meeting 10:30 a.m.**

AGENDA

*\*Committee Only*

- W1 CALL TO ORDER
- W2 APPROVAL OF MINUTES
- W3 COMMITTEE REPORTS
- W100 Survey, Registration, Community Education & Museums
- W101R Revisions to Maryland Preservation Awards Categories
- W200 Management & Planning
- W201 Discovery of Zekiah Fort – Presentation by Dr. Julie King
- W202 Heritage Fund Program - Report
- W203 FY2012 Budget & Legislation - Report
- W204 Litigation & Legal Issues
- W205 Ad Hoc Committee on the West Side - Report
- W300 Capital Programs
- W301R Approval of FY2013 African-American Heritage Preservation Grants
- W302R Amendment to the MHT Capital Grant Agreement for Bostwick, PG County

*Event: Discovery of Zekiah Fort – 1:00 p.m. – 4:00 p.m.  
Arrival of Governor Martin O'Malley – 2:00 p.m.*





Maryland Department of Planning  
Maryland Historical Trust

Martin O'Malley  
Governor

Anthony G. Brown  
Lt. Governor

Richard Eberhart Hall  
Secretary

Matthew J. Power  
Deputy Secretary

## Maryland Historical Trust

### NOTICE

The regular meeting of the Maryland Historical Trust Board of Trustees will be held on Thursday, September 15, 2011. The meeting will be held in Charles County at the residence of Mr. and Mrs. Michael Sullivan - Mt. Victoria, 13500 Mt. Victoria Place, Mt. Victoria, MD 20664. Immediately following the Board meeting will be a special event surrounding the official announcement of the discovery of the Zekiah Fort, a 17<sup>th</sup> century Piscataway Indian settlement.

Board Meeting	10:30 a.m.
Lunch	12:30 p.m.
Event: Discovery of Zekiah Fort	1:00 p.m. – 4:00 p.m.
Arrival of Governor Martin O'Malley	2:00 p.m.

This notice given August 29, 2011.

  
J. Rodney Little  
Director

Please respond by email [skeyser@mdp.state.md.us](mailto:skeyser@mdp.state.md.us) or phone (410) 514-7603 by September 9, 2011.



MARYLAND HISTORICAL TRUST  
BOARD OF TRUSTEES' MEETING

September 15, 2011

Mt. Victoria, The Lodge  
13500 Mount Victoria Place  
Mt. Victoria, MD 20664  
Board Meeting 10:30 a.m.

Pursuant to notice, the regular meeting of the Board of Trustees of the Maryland Historical Trust was held at Mt. Victoria, The Lodge, 13500 Mount Victoria Place, Mt. Victoria, MD 20664.

Trustees present: Messrs. Wetherill, Buchanan, Luckenbach, and Turner and Meses. Yerges and Wharton-Henley

Ex Officio: Kristen Harbeson for Del. Maggie McIntosh; Linda Janey for Deputy Secretary of Planning, Matt Power

Area Representatives present: Joshua Brown

Staff present: Anne Raines, Administrator of Capital Grant and Loan Programs; Assistant Attorney General: Philip Deters

Guests: Dr. Joni Jones, Director of the Maryland Commission on African American History & Culture (MCAAHC)  
Commissioner Veronica Coates of the MCAAHC

Marilyn Benaderet, Preservation Maryland

Dr. Julia A. King, St. Mary's College Professor

*\*Committee Only*

W1 CALL TO ORDER

Mr. Wetherill, Chair, called the meeting to order at 10:30 a.m. A quorum of Trustees was present.

W2 APPROVAL OF MINUTES

Dr. Luckenbach made a motion, seconded by Mr. Buchanan, that the July 21, 2011 minutes be approved as submitted. The motion was unanimously approved.

W3 COMMITTEE REPORTS

W100 Survey, Registration, Community Education & Museums

W101R Revisions to Maryland Preservation Awards Guidelines and Selection Criteria

Mr. Kegerise presented this item which is about restructuring the awards categories. At the last MHT Board meeting, the Board decided to move the awards ceremony from May to January 31<sup>st</sup> at 4:30 p.m. or 5:00 p.m. at the Governor Calvert House on State Circle. Mr. Wetherill asked if Mr. Kegerise was receiving enough applications on such short notice. The deadline for applications is a month away.

Mr. Kegerise thought perhaps a reconfiguration of the award's categories into something a little more simple and also more strategic made sense. He explained the three items before the Board were a resolution, a diagram, and actual revised guidelines. Mr. Kegerise pointed out that there are eight categories; and the Trust has given out in a particular year multiple awards in any one of these categories. He is not sure that the titles of these categories accurately or adequately brought attention to the messages the Trust conveys. Similarly Mr. Kegerise knows there is concern about the number of award recipients in any one year; this past year we had seventeen. The Trust does not want a program where everyone is a winner and the awards lose their significance. The proposal is to consolidate similar types of awards into four broad categories with specific awards to go to a single recipient in any given year. He pointed out that the Calvert Prize and the Preservation Service awards would now be in the larger category of Leadership and Service. The Calvert Prize is an award for individual leadership at the local level and organizational leadership at the local level. This gives the Trust the opportunity to distinguish in the press release that this is an award calling attention to a specific individual's contributions. In the Project Excellence category, the award is made for excellence in historic preservation and sustainable design. Sustainable green building practices are an area of growing public policy and popular interest. It is a strategic move for the Trust to say it supports this, but the Trust wants green building practices in a preservation context. This is the schematic. The actual criteria and actual descriptions of each of those bullets are described in the longer revisions to the guidelines. Mr. Kegerise said that there would be one award in each category. In the book award, while print publications are very important and a significant tool, the Trust does see an increasing number of nominations for digital multimedia. Mr. Kegerise said he wanted to differentiate the educational excellence award from the excellence in media publications award. There should be flexibility if two individuals deserve leadership recognition in one year. Mr. Wetherill stated that this becomes more of a competition. Mr. Kegerise brought this before the Board today in order

to meet the January timeline for the ceremony. The nominations deadline is October 14, and the Board would consider the nominees and make the awards at its December meeting. He amended the nominations form to anticipate that there might be some changes or the Trust can proceed the way it has in the past.

In the survey that Preservation Maryland put on line regarding the conference, the MHT awards program received a wonderful response.

Dr. Luckenbach moved, Ms. Wharton-Henley seconded, and the following resolution was unanimously approved.

**RESOLVED**, that the Maryland Historical Trust Board of Trustees approves revisions to the guidelines and criteria used to select recipients of the Maryland Preservation Awards as described in Attachment A.

### **BACKGROUND**

The Board of Trustees has presented awards for projects and service of various types since 1975. The Awards began with the Calvert Prize, an award honoring significant service and leadership with a statewide impact. The number of award categories expanded over time, eventually numbering eight, reflecting the Trust's interest in acknowledging a broad range of preservation activities and projects. However, as the number of categories grew, so too did concern that the number of recipients each year had grown too large and was potentially diminishing the meaning of the awards. Coupled with this apprehension was concern that the existing categories, while inclusive and all-encompassing, lacked the level of specificity necessary to truly give the awards distinction.

The Awards are a strategic opportunity to communicate to the rest of the world, through positive reinforcement, what types of actions and projects the Trust cares about and why. The existing award categories do not clearly convey the full breadth of issues or interests the agency supports or reflect the current and future state of the field. For example, the existing Project Excellence category can, and has, recognized projects that incorporate green building practices and technologies. However, such issues are often buried in the descriptive text about why that specific project was selected, rather than called out for easy recognition. Given the increasing attention being afforded to green building and sustainable design issues and their real or perceived conflicts with historic preservation, the Trust should seek to call special attention to projects that successfully integrate the two interests on a regular basis. The proposed revisions outlined in Attachment A would create an "Excellence in Historic Preservation and Sustainable Design" award that would be presented to a single recipient each year, specifically because the project incorporates green building practices in a preservation context. This change now *actively*

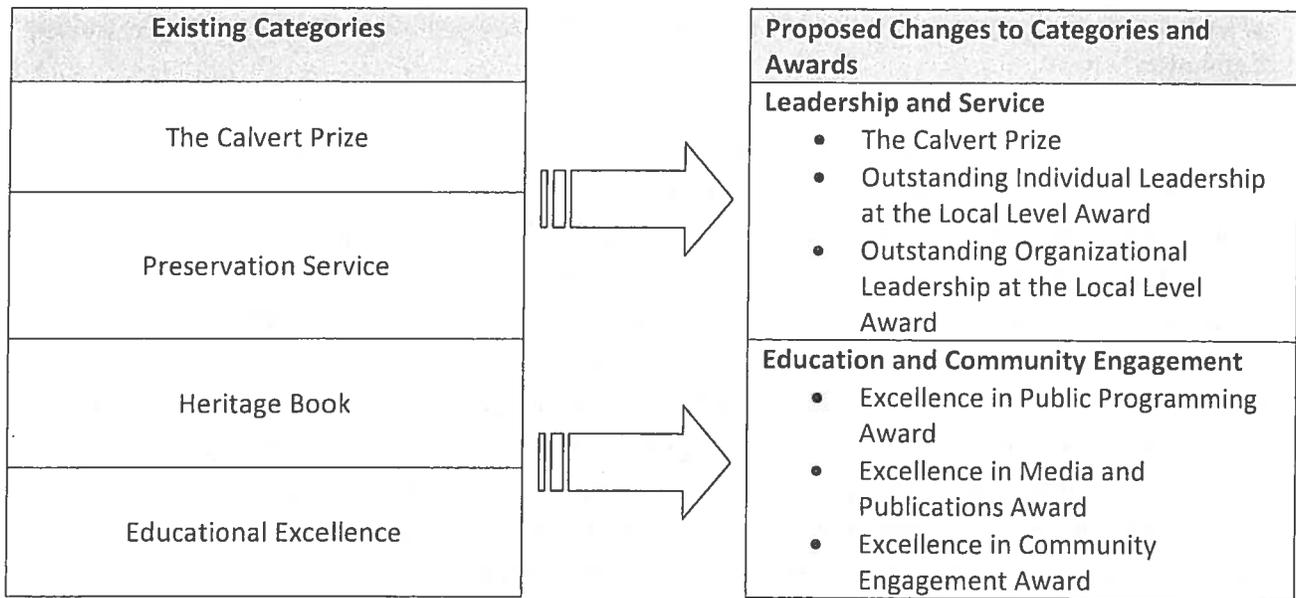
recognizes projects that successfully integrate two equally challenging design goals, rather than *passively* acknowledging the sustainable design features of otherwise outstanding preservation projects.

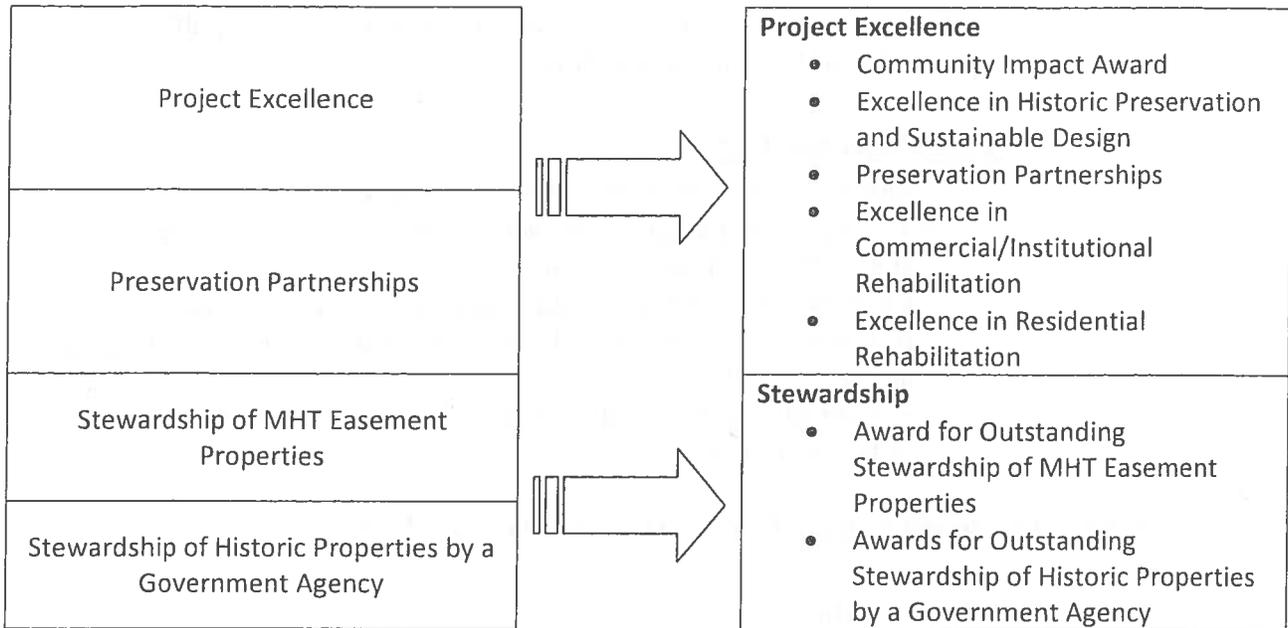
The proposed revisions described on Attachment A will make the following specific changes to the existing guidelines and criteria:

- Reduce the number of CATEGORIES from eight to four.
- Create individual AWARDS that target specific project types, actions, or recipients.

The reduction in the number of categories will be achieved by merging several existing categories, but will not preclude the Board’s ability to recognize any of the project types included in the merged categories. Instead, the revisions create specific awards for certain project types within broad, overarching categories. For example, the existing Heritage Book and Educational Excellence categories will be combined to create the Education and Community Engagement category. Within that category will be three specific awards, including Excellence in Public Programming and Excellence in Media and Publications. Books published on Maryland history and historic resources will now be eligible for the Excellence in Media and Publications award, but may be competing with electronic media used to relay information such as websites and podcasts.

**Revisions to the Maryland Preservation Awards – DRAFT**





## Maryland Preservation Awards Guidelines and Criteria

### *Category: Leadership and Service*

#### Category Description

Awards presented for leadership and service recognize individuals, organizations, agencies, and institutions for laudable activities or accomplishments that advance the public's appreciation, understanding and/or involvement in historic preservation and/or conservation of living traditions at the local, regional, and state levels in Maryland. The activity or service can be related to a specific project or advocacy effort, or recognize leadership or involvement with one or more activities or organizations over time. Examples of nominees could include historic preservation commissions or individual commissioners, elected officials, staff from local governments, or nonprofit organizations, members of the local business community, Main Street organizations, etc. The activity or service must have been completed within the last two years or be ongoing.

#### *Award: The Calvert Prize*

#### Award Description

The Calvert Prize is presented to an individual, organization, agency or institution for paramount leadership in or contributions to the preservation of Maryland's architectural and cultural heritage at the statewide level. The activity or service can be of a specific or ongoing nature, but it must have had

a significant impact at the broadest state level and advanced public appreciation of historic preservation.

### **Award Selection Criteria**

Nominations for the Calvert Prize will be evaluated on:

1. The length and nature of the service or activity and its impact on the statewide preservation community.
2. Contributions must have significantly preserved Maryland's historic resources and/or heightened public awareness of historic preservation across the state.
3. Preference will be given to unique services and activities that serve as statewide models.

### ***Award: Outstanding Individual Leadership at the Local Level***

#### **Award Description**

The Outstanding Individual Leadership at the Local Level award is intended to recognize significant contributions made by individuals to historic preservation, community development, or heritage education efforts in their communities above and beyond the call of duty. Recipients will have played an instrumental role in planning or leading an event or advocacy effort, or served in a leadership capacity within an organization during a time of significant achievement.

#### **Award Selection Criteria**

Nominations for Outstanding Individual Leadership at the Local Level awards will be evaluated on:

1. The extent to which an individual's contributions have significantly preserved the historic resources and/or cultural traditions of Maryland.
2. The extent to which an individual's service has produced demonstrable and remarkable outcomes and heightened public awareness of historic preservation and historic resources.

### ***Award: Outstanding Organizational Leadership at the Local Level***

#### **Award Description**

The Outstanding Organizational Leadership at the Local Level award is intended to recognize significant contributions made by community-based organizations to historic preservation, community development, or heritage education efforts in their communities above and beyond the call of duty. Recipients will have played an instrumental role in planning or leading an event or advocacy effort, or have a demonstrable track record and history of successes related to heritage preservation

and stewardship activities within their communities. Eligible recipients may include non-profit and for-profit entities, or coalitions of such organizations.

#### **Award Selection Criteria**

Nominations for Outstanding Organizational Leadership at the Local Level awards will be evaluated on:

1. The extent to which an organization's contributions have significantly preserved the historic resources and/or cultural traditions of Maryland.
2. The extent to which an organization's service has produced demonstrable and remarkable outcomes and heightened public awareness of historic preservation and historic resources.

### ***Category: Education and Community Engagement***

#### **Category Description**

Awards presented for education and community engagement recognize outstanding achievements by individuals, organizations, government agencies, and other entities in development and producing projects and materials that educate and engage the public with Maryland's past. Examples of eligible projects can include, but are not limited to, outstanding publications, videos, public archaeological digs, creative training programs, innovative museum exhibits, informational brochures and technical briefs, and planning processes that generate dialogue about history and historic preservation. The activity or product must have been completed within two years of being nominated.

#### ***Award: Excellence in Public Programming***

#### **Award Description**

The Excellence in Public Programming award is intended to recognize significant achievements in the development and execution of programs and projects that engage members of the public with Maryland history, heritage, and historic resources in meaningful, dynamic, and innovative ways. Recipients will have played a significant role in the planning and/or presentation of the program. Examples of eligible projects include, but are not limited to, exhibits, performances, lectures, public archeology, and tours.

#### **Award Selection Criteria**

Nominations for Excellence in Public Programming awards will be evaluated on:

1. The extent to which the project or program presented information about Maryland history, heritage, and historic resources in meaningful and innovative ways.

2. The extent to which the project or program successfully engaged its target audiences.
3. Preference will be given to projects or programs that could serve as model activities for other communities.

*Award: Excellence in Media and Publications*

**Award Description**

The Excellence in Media and Publications award is intended to recognize outstanding achievements in the presentation of information related to Maryland history, heritage, and/or historic resources through print or electronic media. Eligible projects may document the history of a region, subject, or culture, serve as instructional materials in fields related to preservation, or contribute to the general understanding of Maryland's heritage. Projects must be available to the general public and must have been published within two years of being nominated.

**Award Selection Criteria**

Nominations for Excellence in Media and Publications awards will be evaluated on:

1. The extent to which the project presented the subject matter in a clear and engaging manner.
2. The extent to which the project successfully engaged its target audience.
3. The accuracy and clarity of the material presented.

*Award: Excellence in Community Engagement*

**Award Description**

The Excellence in Community Engagement award is intended to recognize programs and projects that have resulted in members of the public to actively discussing, debating, planning, and/or advocating for the preservation of historic resources in their communities. Selected projects will have produced meaningful dialogue about the meaning of history, heritage, and/or historic resources within a community and yielded net positive results for the preservation of those resources. Examples of eligible projects include, but are not limited to, design charettes, advocacy campaigns, and planning processes.

**Award Selection Criteria**

Nominations for Excellence in Community Engagement awards will be evaluated on:

1. The extent to which the project or program resulted in increased awareness and discussion of the importance of history, heritage, and historic preservation within a community.
2. The extent to which the project or program engaged new or non-traditional audiences with the subject matter.
3. The extent to which the project or program resulted in a net-positive outcome for the preservation of historic resources in the community.

### ***Category: Project Excellence***

#### **Category Description**

Project Excellence awards are presented to property owners, project sponsors, contractors, and other entities for restoration or rehabilitation projects of all sizes, scopes, and on all types of properties. The design, materials, and workmanship of honored projects must demonstrate superlative historic preservation standards. Projects can include additions to historic structures; adaptive reuse of historic structures; construction of a sensitive new building in a historic environment; and restoration or rehabilitation of a historic structure. Projects by do-it-yourselfers as well as those done by professionals are welcome. All nominated projects must have been completed within the last two years.

#### ***Award: Excellence in Commercial/Institutional Rehabilitation***

##### **Award Description**

The Excellence in Commercial/Institutional Rehabilitation award is intended to recognize outstanding projects that preserve, rehabilitate, or restore historic buildings for commercial or institutional uses, including large-scale rental housing. All projects must meet or exceed the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and must have been completed within the past two years.

##### **Award Selection Criteria**

Nominations for Excellence in Commercial/Institutional Rehabilitation awards will be evaluated on:

1. The extent to which the project demonstrates adherence to superlative historic preservation standards and demonstrates best practices.
2. The extent to which the project incorporated innovative solutions to design challenges.
3. Special consideration is given to those projects that incorporate sustainable planning and/or building practices, or that have been assisted by federal, state, and local tax credits, or affordable housing and neighborhood revitalization programs.

***Award: Excellence in Residential Rehabilitation*****Award Description**

The Excellence in Residential Rehabilitation award is intended to recognize outstanding projects that preserve, rehabilitate, or restore historic properties for residential use. The focus of this award is on owner-occupied and small-scale rental housing; large apartment and condominium projects will be considered in the Commercial/Institutional category. All projects must meet or exceed the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and must have been completed within the past two years.

**Award Selection Criteria**

Nominations for Excellence in Residential Rehabilitation awards will be evaluated on:

1. The extent to which the project demonstrates adherence to superlative historic preservation standards and demonstrates best practices.
2. The extent to which the project incorporated innovative solutions to design challenges.
3. Special consideration is given to those projects that incorporate sustainable planning and/or building practices, or that have been assisted by federal, state, and local tax credits, or affordable housing and neighborhood revitalization programs.

***Award: Excellence in Historic Preservation and Sustainable Design*****Award Description**

The Excellence in Historic Preservation and Sustainable Design award is intended to recognize projects that successfully integrate green building and sustainable design practices and technologies into historic properties in a manner that respects the character and distinguishing features of the buildings. All projects must meet or exceed the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and must have been completed within the past two years.

**Awards Selection Criteria**

Nominations for Excellence in Historic Preservation and Sustainable Design awards will be evaluated on:

1. The extent to which the project has incorporated green building and sustainable design practices and technologies and can demonstrate the impact of such efforts.

2. The extent to which the project meets or exceeds historic preservation standards, principles, and best practices.
3. The extent to which the project incorporated innovative solutions to design challenges and/or could serve as a model for projects in other locations and communities.
4. Special consideration is given to those projects that have been assisted by federal, state, and local tax credits, affordable housing and neighborhood revitalization programs, or green building incentives.

***Award: Preservation Partnerships***

**Award Description**

Preservation Partnership awards are presented to individuals, organizations, agencies, or institutions in recognition of meaningful collaborations, partnerships, and relationships developed between governments, nonprofit organizations, and/or the private sector during the course of a project's planning, development, and/or execution. The intent of this award is to acknowledge and honor the unique and mutually beneficial relationships that are often vital to a preservation project's successful implementation. All projects must have been completed within the last two years.

**Award Selection Criteria**

Nominations for Preservation Partnerships awards will be evaluated on:

1. The extent to which the relationship between the individual partners was critical to the success of the project.
2. The impact of the project on the surrounding community.
3. The extent to which the collaboration(s) might serve as a positive example for other organizations and communities.

***Award: Community Impact***

**Award Description**

The Community Impact award is intended to recognize the significant role that rehabilitation projects on individual historic buildings can play in catalyzing positive revitalization and transformation efforts in their larger communities. All projects must meet or exceed the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and must have been completed within the past two years.

**Award Selection Criteria**

Nominations for Community Impact awards will be evaluated on:

1. The extent to which the rehabilitation project had a demonstrable, catalytic effect on preservation and revitalization efforts in the larger neighborhood/community.
2. The extent to which the project demonstrated superlative historic preservation standards.
3. Special consideration is given to those projects that have been assisted by federal, state, and local tax credits, affordable housing and neighborhood revitalization programs, or green building incentives.

***Category: Stewardship***

**Category Description**

Stewardship Awards recognize outstanding effort and intent toward the maintenance and preservation of historic properties by individuals, businesses, organizations, and government agencies of all types and sizes. The intent of stewardship awards is to recognize the hard work, time, effort, money, and dedication that are often required to maintain and preserve historically significant buildings and sites. Nominations don't need to be focused on a particular project, but rather should illuminate a history of care and commitment to preservation of historic properties.

***Award: Outstanding Stewardship of a Maryland Historical Trust Easement Property***

**Award Description**

Easement Stewardship Awards recognize outstanding effort and intent toward the ongoing maintenance and preservation of Maryland Historical Trust easement properties. Awards will be given to the steward of the property, usually the owner and/or occupant, for their dedication to and appreciation of the easement as a preservation tool. Only MHT easement properties are eligible for this award.

**Award Selection Criteria:**

Nominations for Outstanding Stewardship of an MHT Easement Property will be evaluated on:

1. The owner's track record of and dedication to the stewardship of the property and to upholding the terms of the preservation easement.

***Award: Outstanding Stewardship of Historic Properties by a Government Agency***

**Award Description**

Awards for the Outstanding Stewardship of Historic Properties by a Government Agency are presented to a municipal, county, State, or Federal government or an agency thereof in recognition of a demonstrated

commitment to preserve historically significant buildings, sites, structures, and objects under their ownership or direct care. The intent of this award is to acknowledge the significant role that government agencies play in the preservation of historically significant properties throughout Maryland and to reward those agencies who carry out that role with excellence. Recipients will have a demonstrated record of sound research and planning, and a commitment to quality workmanship in the maintenance and rehabilitation projects they have undertaken. Nominations need not be focused on a particular project, but rather should illuminate a history of care and commitment to historic preservation by a unit of government.

#### Award Selection Criteria

Nominations for Outstanding Stewardship of Historic Properties by a Government Agency will be evaluated on:

1. The extent to which the agency has developed and successfully implemented policies and procedures for the management and maintenance of the properties that meet commonly-accepted best practices.
2. The number and significance of the properties owned and/or cared for by the agency.
3. The commitment of the agency to long-term planning for the physical and financial stewardship of historic properties.
4. The extent to which the agency's programs and policies can serve as positive examples for other agencies and jurisdictions.

W200            Management & Planning

W201            Discovery of Zekiah Fort – Presentation by Dr. Julia King

Mr. Little introduced Dr. Julia King, a professor at St. Mary's College. The Maryland Historical Trust hired Dr. King, coming out of graduate school, as the Director of the MAC Lab at Jefferson Patterson Park and Museum; and she has been one of the most successful archeologists working in Maryland.

Dr. King is at Mt. Victoria with other archeologists because the owners, Mr. & Mrs. Michael Sullivan, love history, archeology, and southern Maryland history. She welcomed everyone to the Sullivans' which has become a place to discuss Maryland archeology.

Dr. King presented some slides so the Board would understand what her students have accomplished in the last couple of years. This is part of a larger project that began in 2008. In 2006 a woman visited the College and asked if Dr. King would help with a history of Charles County in order to celebrate its 350<sup>th</sup> Anniversary. This is how Dr. King met Mike Sullivan, and he wanted to locate the first Court House of Charles County. In 2008 Mr. Sullivan brought in

engineers and surveyors, and they mapped deeds. Dr. King and her students then found the Court House site.

Mr. Sullivan was then interested in finding the Zekiah Fort, so they put together the Zekiah Archeological Project, a partnership between Smallwood Foundation, St. Mary's College, the College of Southern Maryland, Maryland Historical Trust (Maureen Kavanagh & Dennis Curry), and the land owners. Dr. King showed a map by Augustine Herrman who was contracted by the Calverts to make a map of Maryland and Virginia. She pointed out Charles County, Westwood Manor, and Zekiah Swamp. Mr. Herrman did the field work in 1670; the map was published in 1673; and he put all of the Calverts' Manors on the map. Dr. King pointed out that, if you look at a modern map of the Potomac River and the Wicomico River, you see that Augustine Herrman did a good job. The archeologists focused on the Wicomico and the Zekiah Run. Dr. King showed the landscape of Southern Maryland's Wicomico River. As you move up the River, you come to Allens Fresh, and Zekiah Run empties into Allens Fresh. A couple of years ago, Dr. King took the anthropology club on a hike along the Zekiah Run. They hiked for about a mile and came to John Allen's Mill Pond. The archeologists know that John Allen had a mill about a mile up from Allen's Fresh. As you move up the Zekiah Run, you come to the Kerrick Swamp. This is good pasture and agricultural land. Dr. King involves her students; they are active as employees, and she works very hard to raise money to keep them working. Next Spring at St. Mary's College, they will build a practicum class around the Trust's Addison Plantation collection.

They wanted to find where Zekiah Fort was located, so Dr. King took this as an opportunity to get a lot of survey work done. A lot of people looked at stone tools as a clue, but Dr. King knows now that stone tools will not be a clue. They worked very close to Zekiah Swamp.

In 1400 the ancestors of the Piscataway appeared in the Potomac River drainage. Did they come from the Eastern Shore as their oral history as told by Governor Calvert suggested, or did they come down from the piedmont? The answer is somewhere in between. They were in conflict with a lot of indigenous Native American groups. At contact, when the Calverts arrived, the Piscataway saw the Calverts as potential allies. They could put the Calverts between them and enemy Indian tribes, especially the Susquehannock from Pennsylvania and later Iroquois Indians from New York. They remained in Charles County for 40 or 50 years.

In 1674, even though the Susquehannock Indians were aligned with the Seneca, they started fighting with them. Then the Susquehannock went to Lord Baltimore's Manor (over at the Patuxent Naval Air Station area) asking for a place to live in Maryland. Lord Baltimore told them to go to the piedmont on the Potomac River. Instead, the Susquehannock went to Piscataway Creek which is where the Piscataway Indians were located. The Susquehannock built a fort, and they were accused of some raids in Virginia. In 1675, Col. John Washington, George Washington's grandfather, with Col. Truman, Maryland Militia, held the fort under siege for many weeks. They invited the Indians to negotiate. The Indians came out and Col. Washington and troops murdered them, and this really angered the Susquehannock. Thus they were mad at the Piscataway because they were seen as Maryland allies. So the Susquehannock started wreaking havoc on Virginia and on the Piscataway of Maryland. Lord Baltimore knew that the Piscataway were in a vulnerable position and wanted them to be a trading partner, so he

invited them into the Zekiah, a place of refuge. This is how the Piscataway ended up here in 1680. The Seneca and the Susquehannock were an issue until probably the early to mid 1680's. The Piscataway stayed here until 1695, and in 1695 they move back to their homeland. Some left and some stayed in Maryland, and there is a large Piscataway Diaspora around the country.

Zekiah Fort is considered a landmark site for the Piscataway in early colonial history. They thought the Fort might be located on Prospect Hill which is a beautiful farm. Archeologists Dennis Curry and Maureen Kavanagh thought that it had enough land, and the land and soil was good enough that it would support the cultivation of enough corn to feed anywhere from 90 – 300 people. Dr. King's crew conducted shovel tests at intervals of about 50 feet. They were close to the swamp and were able to get information on sediment patterns and sea level change. The archeologists found nothing that was contact period. If this is 1680, they are looking for contact period artifacts, like Potomac Creek pottery, white clay tobacco pipes, and beads. Dr. King concluded that this site, Prospect Hill, was not the site.

The archeologists' next site was Hawkins Gate. Stewart Bowling, who is a descendant of the people who owned a housing development, bought a lot where there is an archeological site. He showed the archeologists some artifacts. Although a lot of them were 18<sup>th</sup> century material, there were a couple of ceramics that could be late 17<sup>th</sup> century. He also had a lot of Potomac Creek ceramics and late 17<sup>th</sup> century tobacco pipes. The archeologists were not looking for the stone tools but for the ceramics. The tornado in LaPlata in 2003 actually touched down at Hawkins Gate. Mr. Sullivan's engineering firm helped the archeologists carry their grids into the woods and tie their grids into the satellite system. Dr. King's crew conducted shovel tests in the woods trying to relocate where Stewart Bowling had picked up those artifacts. They started to find Potomac Creek ceramics, colonial ceramics, a tiny rusted iron nail, two fragments of a white clay tobacco pipe, a piece of English flint, a piece of an Indian-made tobacco pipe, and a piece of English stemware. Potomac Creek ceramics were made as early as 1300 AD. Dr. King knew that there were Indians in residence on these plantations. She does not believe this was the Fort site. They did not find beads or brass points. Then the archeologists started thinking that, when people talk about Zekiah today, we think about Zekiah Swamp. In the 17<sup>th</sup> century, Lord Baltimore had a Manor known as Zekiah Manor. Zekiah Manor was a conglomeration of properties. A map was made by the State of Maryland after the Revolutionary War because the State moved to confiscate Lord Baltimore's land because he was considered a traitor. The archeologists needed to locate the mapped sites on the ground. Scott Strickland who was working for Dr. King and is in graduate school now, also worked for a surveyor while he was in college. He was able to fit Zekiah Manor to a current topographical map. On the map Dr. King pointed out Zekiah Manor, Zekiah Run, Route 5, and the St. Charles development outside Waldorf. Dr. King thought this is where they should look for the Fort. Hawkins Gate is not on Zekiah Manor.

The archeologists then went to the Steffins and Hoag farm properties. They dug about 1100 shovel test pits at 50 ft. intervals. On the Hoag farm they found lithics which are stone plates that are left over from making tools. The stone plates cluster at the hill and come along Piney Run. There were Potomac Creek ceramics and English Flint. Even though archeologists did not think this was the Fort, they thought this was a satellite hamlet around the Fort. The archeology crew did shovel tests one-half mile from Route 5, the old Indian Trail, and found Potomac Creek

ceramics and English flint. Dr. King felt that this site was connected to the Fort site. Mr. Sullivan read a 1798 Federal Tax record for Charles Co. He called Dr. King and indicated that he found a reference to a place called "Indian Town". The Indian Fort is about 1680 so this was a hundred years later. Scott Strickland searched the county land records. They thought the site was not far from the Steffins and the Hoags. This land was owned by Thomas A. Dyson and had great agricultural soil. In January two alumni did 1,356 shovel tests. The next day they found glass beads, Indian tobacco pipes, white clay tobacco pipes, flint, lead shot, bottle glass, English ceramics, and Potomac Creek ceramics. This was pointing to an important late 17<sup>th</sup> century site. The archeologists made an artifact distribution map. Maureen Kavanagh and Dennis Curry, felt the site would be about 150 feet square. Dr. King has no doubt in her mind that this is Zekiah Fort. Before the archeologists began their major excavation, they invited the members of the three Piscataway tribes in Southern Maryland to join them for a blessing of the site. It was an amazing ceremony for Dr. King and her students. It was all cloudy and a beautiful rainbow came out. The archeologists dug a trench about 240 ft. long; they did not find anything conclusive about the fortification. They found a lot more glass beads, copper, brass points, and a silver belt hanger for an English sword that Dr. Luckenbach helped identify. This is a landscape that is not like any other county. It is an indigenous landscape indicating active contact. Their Web Site is: [www.chesapeakearcheology.org](http://www.chesapeakearcheology.org).

#### W202 Heritage Fund Program – Report

Ms. Hughes informed the Board that in 1994 the Board of Trustees and Preservation Maryland entered into a grant agreement in which the Board provided Preservation Maryland with \$300,000 matched by \$200,000 by Preservation Maryland to create a Heritage Preservation Fund to support historic preservation projects. One of the advantages of this fund was that the money could be turned around more quickly by a private non-profit organization than a State agency, and perhaps it could fill some needs that MHT's programs could not fulfill. This program has continued, and in 2004 the grant agreement was amended to increase the amount of the Board's contribution to this fund by \$500,000. Another amendment made to the grant agreement at that time was that Preservation Maryland should provide to the Board a report on a regular basis on the awards that are made under that Heritage Preservation Fund's program administered by Preservation Maryland as part of their match, as well as on the performance of the fund over time. Preservation Maryland prepared the report as required, which is included in the Board packet for review. Marilyn Benaderet from Preservation Maryland was available at the meeting to answer any questions. Mr. Turner asked if the HPC training for Maryland Association of Historic District Commissions was in response to a federal mandate. Ms. Benaderet responded that she is not aware of a federal mandate. Ms. Benaderet mentioned that even though the grant program is small, it is very important; and she thanked the Trust for its support.

#### W203 FY2012 Budget & Legislation – Report

Mr. Little reported that the Maryland Historical Trust is just beginning budget preparation for FY2013. The Trust does not have all of the guidelines yet, however, the situation does not look good. Mr. Little was trying to remember the last time that the Trust had a good budget year. The Trust has been taking budget cuts or sticking with a relatively level budget every single year since the last year of the Glendening administration. The Trust is looking this next year at cuts

in the range of \$1.1 million and up to as many as 4 position eliminations. Ms. Hughes mentioned that it will be a tough year, and the Trust needs the full support of the Board. Mr. Little said that up until now, for the most part, the Trust has been essentially reducing capacity in various areas and continuing programs at a lower capacity. This next round of cuts, if they are as substantial as they appear they will be, the Trust may have to eliminate some programs. The Cultural Conservation Program has already been eliminated.

At the moment there is no significant legislation proposed for next session. Ms. Hughes mentioned that it was reported at a MDP Senior Staff Meeting that there could be legislation coming out of the septic task force which is part of the Smart Growth Commission. The Trust may be interested in that if it is about directing growth to existing areas where there are historic communities. So if it is a Smart Growth tool that will support other aspects of our mission that may be of interest. As far as legislative items that have direct impact on Trust programs, the Trust will be talking internally about some housekeeping legislation for the Heritage Areas Program and the Tax Credit program. Mr. Little commented that in the current economic and political climate, he thinks it is dangerous to open program statutes to possible unexpected amendments. Unless something changes, he does not anticipate that there will be any major issues this session. Discussion ensued.

#### W204            Litigation & Legal Issues

Mr. Deters reminded the Board that early in the spring an organization called 120 W. Fayette Street LLLP brought a law suit against the City of Baltimore, Baltimore Development Corporation, the developer of the Super Block, and MHT to have the court declare that approval of the current plan for development of the Super Block last December by the Director, Rodney Little, be voided and all parties be put back in the position they were in as of last December 22<sup>nd</sup>, that a review of the plan proceed from there. The Attorney General's office, the City, and the developer all joined in a motion to dismiss that law suit. Judge Miller has finally issued a ruling on the motions to dismiss. There are many issues raised both in the complaint and the motions to dismiss. The Judge chose to focus on just one issue, that is, whether the Memorandum of Agreement entered into by the Director of the Trust and the City of Baltimore may be enforced by a third party. The Judge ruled that, consistent with Maryland law, contracts can be enforced only by parties to the contracts or intended third parties. The plaintiff in this case was not an intended third party or a party to the contract but in fact at most an incidental beneficiary, and therefore could not bring a law suit to enforce the MOA. This ruling was issued on Friday and filed the first of this week and there is a period of time for appeal. No one knows whether the plaintiff will appeal. Plaintiffs in related lawsuits routinely have appealed. Just based on that, Mr. Deters suspects the plaintiff in this case will appeal. Mr. Little said, based on past similar litigation, he thinks it is highly likely that the circuit court's decision will be appealed.

Mr. Little spoke about the status of the Super Block project. There are lots of additional pieces that have to come in for Trust review under the existing agreement and existing approval. Mr. Little will be very surprised if this project goes forward. Two years ago he reached the conclusion that the developer was not spending any significant money on planning the Super Block project. They were just doing the bare minimum to keep alive the option for development with the City. That option expires on December 31 of this year. Mr. Little would not be

surprised if the developer walked away from the project. The actions taken by the developer to date are the bare minimum. The plans submitted to the Trust were barely conceptual. They do not even begin to rise to the level of schematic plans. Mr. Wetherill asked, if the developer did walk, would the City then have to go out for new proposals and the new proposals have to come back to the Trust for approval. Mr Little said that the new proposals would have to come in and the approval given in December would be null and void. Mr. Wetherill asked if there has been anything further on Read's Drug Store. Mr. Little responded that the Trust has not heard anything subsequent to the Director's letter which went out on July 17, 2011.

Mr. Deters informed the Board, that as of last week, the City Board of Estimates was asked to approve funding for demolition of two buildings on the Super Block. The Board of Estimates granted approval for demolition of the former Greyhound Bus Terminal and a pawn shop. Both of those buildings in the MOA were designated as non-contributing buildings. Under the MOA, the City may demolish those without any further review. The MOA provides that no contributing buildings can be demolished until approval is granted and all necessary permits and financing for the Superblock project are in place. This requirement does not apply to non-contributing buildings.

Mr. Deters reported that the Trust was informed earlier this summer of the City's Maintenance and Preservation Plan. They came back with a short list building by building identifying each building: 1) to be demolished fall of 2011; 2) to be demolished; or 3) to be renovated or restored. The City previously informed the Trust that the Greyhound Bus Terminal and the pawn shop would be demolished in the fall of 2011.

Ms. Harbeson asked if the buildings that are still sound can still be protected at all costs. Mr. Little responded that according to the City they will be protected, however, he does not have a lot of confidence in the analysis. For example, the structure of Read's is sound but the interior is stripped. The other factor is the Trust does not have any real authority to require the City to maintain the building. The MOA simply states that they are to prepare a plan for maintenance.

Mr. Deters reported that the Trust recently filed a very minor law suit to recover damages to a gate at Jefferson Patterson Park and Museum. The mowing contractor ran into the gate and destroyed the gate. They have been asked several times to repair the gate, and they have not responded. The Trust had to proceed with a law suit for \$2,200.

W205            Ad Hoc Committee on the West Side – Report

Mr. Wetherill stated that there will not be any report by the Ad Hoc Committee on the West Side. Mr. Gibson is not present and, as far as Mr. Wetherill knows, there has not been any action by the Committee since the last meeting.

W300            Capital Programs

W301R          Approval of FY2013 African-American Heritage Preservation Grants

Mr. Deters raised a question on the FY2013 African-American Heritage Preservation Grants item. Last year the Trust Board reviewed the African-American Grant recommendations. These

are recommendations from the Commission on African American History and Culture, as required by the statute. The Board is asked to concur with those recommendations. This recommendation from both the Board and African American Commission then goes to the Department of Budget and Management who then makes its own decision as to which of those grants the Governor chooses to put in his capital budget for next year. This is a budget question so Mr. Deters recommended that we deal with this in closed session. Last year Anne Raines said there was some discussion and the chart went back to the Commission for action, and the revised chart was approved by the Board in an Executive Committee conference call. Mr. Deters informed the Board that the statute calls for the Governor to put \$1 million for the African-American Heritage Grants in his budget. The money has already been budgeted for FY 12 and the Board is making decisions on how to spend the money.

Mr. Turner made a motion, seconded by Ms. Yerges, to go into closed session which was unanimously approved.

In closed session, the Board adopted the following resolution:

**RESOLVED**, that the Maryland Historical Trust Board of Trustees concurs with the Maryland Commission on African American History and Culture in the recommendation of those projects described in Exhibit A [*to the closed session minutes*] (African-American Heritage Preservation Grant Chart for Fiscal year 2013) to the Department of Budget and Management for funding in the state capital budget for FY2013, contingent on compliance with the Smart Growth – Priority Funding Area requirements of the Program.

W302R          Amendment to the MHT Capital Grant Agreement for Bostwick, PG County

Ms. Anne Raines reported that Bostwick is a house that was built around 1746 and there are cracks, slippage of the foundation, and one of the chimneys toppled in the earthquake and fell into a porch roof on the first level at the back. The Board is being asked to approve a change to the grant agreement to allow grant funds to be used for roof repair/replacement as well as masonry repair which is already part of the grant. Also the Town of Bladensburg has been asking the Trust for various permissions to do soil testing to identify what the structural issues are and how they can be solved. Every time they come to the Trust in easement committee asking to do soil tests, the easement committee recommends to the director that the Trust requires archeological investigations. Staff would like to include archeology in the scope of the grant, so the grantee can use the grant funds to pay for structural issues.

Dr. Luckenbach moved, Mr. Turner seconded, and the following resolution was unanimously approved.

**Amendment to Scope – FY 2006 Capital Grant for Bostwick, Prince George’s County**

RESOLVED, that the Maryland Historical Trust Board of Trustees recommends to the Secretary of Planning an amendment to the scope of work for the FY 2006 MHT Capital Grant to the Town of Bladensburg for work on the property known as Bostwick located at 3901 48<sup>th</sup> Street in

Bladensburg, Prince George's County. The amended scope of work will include: A/E services, structural analysis, carpentry and masonry repairs, stabilization of foundation, grading, planning for ADA requirements, HVAC and utility upgrades, roof repair / replacement, and archaeological investigations.

FURTHER RESOLVED, that the Board recommends to the Secretary of Planning that the budget for the Project be amended to reduce matching funds to \$50,000.

**Background:**

Bostwick, ca. 1746, is a 2 ½ story brick structure with two large chimneys in the main block. The earthquake on August 23 toppled one of the chimneys, sending most of the bricks through the rear porch roof. The change to the grant agreement will allow grant funds to be used for roof repair / replacement as well as the needed masonry repairs which are already included.

Furthermore, Bostwick has a long history of structural issues due to soil conditions. As part of an extensive effort to understand and correct the building's structural problems, soil testing needs to be undertaken. Since Bostwick is under easement for archaeology and is known to have archaeological potential, any soil disturbance, including borings for soil testing, requires some level of archaeological investigation. The change to the grant agreement will allow grant funds to be used for the required archaeological investigations.

Finally, the reduction in match from \$64,172 to the minimum required match for local jurisdictions (a dollar-for-dollar match: \$50,000) would allow the Town to more readily access MHT grant funds for the needed emergency repairs.

The meeting adjourned at 12:45 p.m.

Harrison Wetherill, Chairman

J. Rodney Little, Director