



Maryland Department of Planning  
Maryland Historical Trust

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

David R. Craig, Secretary  
Wendi W. Peters Deputy Secretary

## Maryland Historical Trust

### NOTICE

The regular meeting of the Maryland Historical Trust Board of Trustees will be held on Thursday, December 17th, 2015, at 10:00 a.m. in the Main Conference Room 1.100A, First Floor, DHCD in Crownsville.

Committee Meetings 9:30 a.m.

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

Management & Planning, Room 3.114

Capital Programs, Room 3.120

Board Meeting 10:00 a.m.

Lunch 1:00 p.m.

This notice given November 17th, 2015.

Elizabeth A. Hughes  
Director

Please respond by e-mail [kmonday@mdp.state.md.us](mailto:kmonday@mdp.state.md.us) or phone (410) 514-7603 by December 1st.



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

Main Conference Room 1.100A  
100 Community Place, Crownsville, MD

Thursday, December 17, 2015 at 10:00 AM

**AGENDA**

- U1 CALL TO ORDER
- U2 APPROVAL OF MINUTES
- U3 COMMITTEE REPORTS
  - U100 Capital Programs
  - U101R Request to Approve Demolition of Franklin-Delphay Hotel
  - U200 Survey, Registration, Community Education & Museums
  - U201R 2016 Maryland Preservation Awards
  - U202 Maryland Maritime Archaeology Program Report
  - U203 Jefferson Patterson Park and Museum Report
  - U300 Management & Planning
  - U301 Budget & Legislation
  - U302 Litigation & Legal Issues
  - U303 2016 Meeting Schedule

**MARYLAND HISTORICAL TRUST  
BOARD OF TRUSTEES' MEETING  
October 8, 2015**

**Charles Chipman Cultural Center, 325 Broad Street, Salisbury, MD  
Board Meeting 10:00 a.m.**

Pursuant to notice, the regular meeting of the Board of Trustees of the Maryland Historical Trust (MHT) was held at Charles Chipman Cultural Center, 325 Broad Street, Salisbury, MD 21401 on October 8, 2015.

Trustees present: Mmes. Filkins and Tilghman and Messrs. Edson, Feldstein, Gibson, Parker, Poffenberger, and Stek.

Area Representatives present: Messrs. Brown, Charlton, Eshelman, and Spikes.

Maryland Department of Planning: Brandon Wright.

Office of the Attorney General: Paul Cucuzzella and Rieyn DeLony

Maryland Historical Trust Staff: Michael Day, Elizabeth Hughes, and Kathy Monday

Guests: Gale Yerges

**T1 CALL TO ORDER**

Mr. Edson, Chair, called the meeting to order at 10:00 a.m. A quorum of Trustees was present.

Board member Barrie Tilghman, who served as Mayor of Salisbury from 1998 to 2009, welcomed the Board to the City and provided a history of the Chipman Center.

Mr. Edson then recognized former Board member Gale Yerges and thanked her for attending the meeting.

**T2 APPROVAL OF MINUTES**

Approval of July 9, 2015 meeting minutes

Mr. Stek made a motion, seconded by Mr. Feldstein that the July 9, 2015 minutes be approved as submitted. The motion was approved unanimously.

**T3 COMMITTEE REPORTS**

**T100 Capital Programs**

## T101 Special Commission to Review Baltimore's Confederate Statues - Report

Michael Day reported that the Mayor of Baltimore City has appointed a *Commission to Review Baltimore's Public Confederate Statues* and that the Trust holds historic preservation easements on three of those statues that will be considered by the Baltimore Commission. He noted that the Commission is being directed to consider four potential outcomes for each monument that is being reviewed:

1. Keep the sculpture within the City collection as is.
2. Keep the sculpture within the City collection as is with conditions.
3. Relocate the sculpture while retaining it as part of the City's collection.
4. Remove the sculpture and deaccession it from the City's collection.

The recommendation from the Commission is not binding, and the proposed treatment of any monument will be subject to legal review by the City and other bodies. Commission recommendations are expected to be announced in January of 2016.

Mr. Day then described the history, scope, duration and terms of the easement held by MHT. He explained that should the Commission recommend relocation of one or more of the monuments subject to the Trust easement, this would require modification of the easement by the MHT Board of Trustees.

Mr. Gibson pointed out that he serves on the Special Commission and has made it clear to the Commission that he does not represent the MHT Board in his capacity as a Commission member. He explained that the Commission is currently participating in an intense research and data collection process. He asked Board members for their opinions on how the Confederate monuments should be managed. Discussion followed.

## T102 West Side MOA – Report on upcoming activities

Michael Day reminded the Board that the Maryland Historical Trust and the City of Baltimore entered into a Memorandum of Agreement (MOA) on January 31, 2001 which addresses the redevelopment of the west side of downtown Baltimore. The MOA between the Trust and the City (represented by the Baltimore Development Corporation) was the result of extended negotiations over which buildings could be demolished without further review or consultation, and which buildings must either be preserved or given priority for preservation.

The MOA does not change MHT's ability to review undertakings involving historic properties that are using state or federal funds, permits, or licenses. The MOA expands MHT's authority in only one area – it gives MHT the authority to review undertakings involving City-owned properties that do not involve state or federal funds, permits or licenses.

MHT has reviewed few undertakings involving City-owned properties to date. The most significant of these was review of the "Superblock" proposal in 2010. As a result of the Trust's involvement in this project, the Board resolved at its February 3, 2011 meeting that *"the Board's*

*Executive Committee or the full Board, if possible, should be consulted and approve all actions carried out by the Trust under the MOA."*

Mr. Day reported that on September 28, 2015, Trust staff met with staff from the Baltimore Development Corporation and the Commission for Historical and Architectural Preservation (CHAP) to discuss the future of the MOA. Both BDC and CHAP expressed interest in pursuing local historic district designation for the area which would give CHAP control over undertakings involving City-owned properties. Should this effort be successful, CHAP and BDC would like to explore termination of the MOA.

In the meantime, BDC is preparing to approach CHAP to request approval for demolition of the Franklin-Delphy Hotel, located at 300 W. Franklin Street. The building, individually listed by CHAP as a local landmark, was identified in the MOA as a "contributing building subject to development guidelines." The building has suffered significant deterioration over time and is deemed a public hazard. BDC will present their proposal to demolish the structure to the MHT Board at its December 17<sup>th</sup> Board meeting.

Discussion followed regarding the history of the MOA and its effectiveness over time.

T200            Survey, Registration, Community Education & Museums

T201 PM/MHT Heritage Preservation Fund Committee Member Appointments

Ms. Hughes explained that the Trust entered into a Grant Agreement with Preservation Maryland on December 15, 1994, which was subsequently extended in 2002 and again in 2004, to establish a fund held and managed by PM and dedicated for historic preservation projects throughout the State. Interest earned on the Fund supports the Preservation Maryland Heritage Grant Program. Currently, the Grant Selection Committee meets three times per year to evaluate and select grant projects for funding.

The Selection Committee has seven members: three appointed by the Board of Trustees of PM; three appointed by the Board of Trustees of MHT; and one selected jointly by the President of PM and the Chairman of the MHT Board of Trustees. Selection Committee members serve two-year terms.

The terms of all MHT appointments to the Selection Committee as well as the MHT/PM Joint appointment have expired as noted below:

<b>Member</b>	<b>Appointment</b>	<b>County</b>	<b>Term Expiration</b>
Mary Gregory	Joint	Baltimore	9/30/15
Samuel Parker, Chair	PM	Prince George's	9/30/16
Ann Powell	PM	Baltimore City	9/30/16
John Petro	PM	Prince George's	9/30/15
Harry Spikes	MHT	Baltimore City	6/30/15
W. Dickerson Charlton	MHT	Prince George's	6/30/15
Barrie Tilghman	MHT	Wicomico	6/30/15

Dick Charlton indicated that he does not wish to be reappointed. The Board thanked him for his long and distinguished service on the Committee.

Josh Brown expressed interest in serving on the Committee.

The following motion was made by Al Feldstein, seconded by Charlie Stek and unanimously approved:

**RESOLVED**, that the Maryland Historical Trust Board of Trustees appoints Joshua Brown to the Heritage Grant Program Selection Committee for a two year term beginning July 1, 2015 and ending on June 30, 2017.

#### T202 Historic Preservation Awards

Mr. Edson referred Board members to the awards application package in their meeting materials and encouraged them to share information about the awards with their communities.

Ms. Hughes noted that the date for the awards event was not yet finalized. Board members indicated their preference for an afternoon Board meeting to precede the awards event rather than a morning meeting on the day of the awards event.

T300            Management & Planning  
T301            Investment Committee Report

Mr. Poffenberger reported that the MHT Board Investment Committee participated in a conference call on October 1. There are no recommendations for action on the portfolio at this time. In the future, however, the Committee will be considering potential changes to the current fee-based Brown Advisory schedule. Since the Committee makes relatively few transactions over the course of the year, a per transaction approach to fees may be more advantageous. The Committee will be investigating its options.

#### S302            Budget & Legislation

##### State Budget and Legislation

Ms. Hughes reported that the Department of Planning (MDP) submitted their operating budget to the Department of Budget and Management for review in early September and that the agency budget hearing with Secretary Brinkley is scheduled for November 4<sup>th</sup>. As has been reported in the press, the Administration is seeking reductions to small and mid-size agencies, and MDP is among those agencies that have been given targets to work towards. MDP has made a number of requests for funding above the agency base budget aimed at making improvements to JPPM and bringing back Research and Survey funding. The Department is hopeful that they will be considered favorably.

The MDP capital budget hearing took place in September. All JPPM capital projects appear to remain on schedule and we are optimistic that the Capital Historic Preservation Grant Program will be funded again in fiscal year 2018.

As has been previously reported, Department of Legislative Services (DLS) staff met with MHT staff over the summer and have been making requests for information concerning the state rehabilitation tax credit program over the past few months. DLS is now working to finalize their report which is required by statute and will evaluate the state historic preservation tax credit program. The report will be made available to the public no later than October 31. A public hearing on the report will be held sometime between October 31 and December 14 as required by statute. Although no legislation is anticipated this session as a result of the report (the tax credit sunsets June 30, 2017), the findings of the report are likely to affect both Administration and legislator attitudes toward funding the program in fiscal year 2017.

#### Federal Budget and Legislation

Ms. Hughes reported that efforts to reauthorize the Historic Preservation Fund (HPF), which expired on September 30, remain underway. HR 2817, introduced in the House in June, would reauthorize and extend the HPF for a period of ten years at the current amount of \$150 million per year. Efforts to identify bi-partisan sponsors for the bill are underway.

Ms. Hughes reported that the National Conference of State Historic Preservation Officers' (NCSHPO) Board met with Representative Rob Bishop (R-UT) in Salt Lake City in July. Rep. Bishop, a former history teacher, chairs the House Committee responsible for reauthorization of the HPF. Rep. Bishop recommended that the SHPOs brief his Committee members on the HPF and committed to scheduling a hearing on HR2817 in the fall. In response, NCSHPO staff worked with Bishop's staff to carry out a bi-partisan briefing of Natural Resources Committee staff.

On the Senate side, the Energy and Natural Resources Committee approved a comprehensive energy package known as the Energy Policy Modernization Act in July. The Act would provide permanent authorization for the Historic Preservation Fund, the Land and Water Conservation Fund (along with several reforms), and create a new \$150 million annual National Park Service maintenance fund. The path forward for this bill is unclear.

#### S303 Litigation & Legal Issues

Mr. Cucuzzella reported on the status of the Bellefields case in Prince George's County. The case, a bench trial, was held on September 16-17. The judge will provide his determination in the case in writing. A report on the outcome of the case is expected by the next Board meeting.

#### S304 2016 Board Meeting Schedule Revision

The 2016 Board meeting schedule was distributed for review and includes the following dates: 2/11/16; 4/14/16; 6/9/16; 8/11/16; 10/13/16; 12/8/16. The June meeting is tentatively planned for Havre de Grace. Larry Gibson suggested that the October meeting be held in St. Mary's City at the reconstructed state house building.

## Announcements

### Mallows Bay

Mr. Stek reported that for the first time since 2000, NOAA has announced its intent to designate new sanctuaries under the National Marine Sanctuaries Act – one at Lake Michigan in Wisconsin and one at Mallows Bay in the Potomac River. The Mallows Bay-Potomac River sanctuary contender is a 14-square mile area of the tidal Potomac River, adjacent to Charles County. Nearly 200 vessels spanning from the Revolutionary War through the present are found in the area, including the remains of the largest "Ghost Fleet" of World War I wooden steamships built for the U.S. Emergency Fleet, which are listed on the National Register of Historic Places.

Previously, the Board wrote a letter of support for this nomination to NOAA. Public input is still needed and Board members are encouraged to attend public meetings that will be held on 11/4 at the Charles County Government Building Auditorium from 6:30 – 9:00 pm and on 11/10 at the Annapolis Maritime Museum from 6:30-9:00 pm.

### H.L.Mencken

Mr. Gibson shared copies of his recent publication on H. L. Mencken. Mr. Gibson gave the 2014 Mencken Day Memorial Lecture: "H. L. Mencken: Racist or Civil Rights Champion?" at the Enoch Pratt Free Library. The publication is the result of his research on this provocative topic.

### World War I

Mr. Stek inquired about the status of the creation of a World War I Centennial Commission, noting that the entry of America into WWI will be celebrated in April of 2016. Ms. Hughes noted that while Trust staff have met with representatives of the National WWI Centennial Commission who are seeking creation of a state commission by Executive Order, she is unaware of any movement on that request within the Administration.

Meeting adjourned at 12:05 p.m.

Mr. Charles L. Edson, Chair

Elizabeth Hughes, Acting Director