

MARYLAND HISTORICAL TRUST
BOARD OF TRUSTEES' MEETING
Thursday, October 21, 2021 at 10:00 AM
Teleconference

Pursuant to notice, the regular meeting of the Board of Trustees of the Maryland Historical Trust was held by teleconference.

Trustees present: Mmes. Bashiri, Filkins, Mears, and Paca; Messrs. Brown, Buchheit, Delgado, Feldstein, Little, Neall, and Robinson

Area Representatives present: Mmes. Sasser and Uunila; Messrs. Charlton, Reed, Spikes, and Stek.

Ex-Officio Members: Senator Chris West, Delegate Gilchrist

Maryland Department of Planning: Robert S. McCord, Secretary.

Office of the Attorney General: Paul Cucuzzella, Rieyn DeLony.

MHT Staff: Andrew Arvizu, Heather Barrett, Charles Hall, Elizabeth Hughes, Marcia Miller, Greg Pierce, and Anne Raines.

Maryland Commission on African American History and Culture: Chanel Compton, Dr. Edwin T. Johnson.

AGENDA

PUBLIC COMMENT

Ms. Hughes reported that no members of the public had signed up in advance of the meeting to provide public comment.

X1 CALL TO ORDER

Chair Laura Mears called the meeting to order at 10:03 AM.

X2 APPROVAL OF MINUTES

Ms. Filkins made a motion, seconded by Mr. Robinson, that the July 15, 2021 Board meeting minutes be approved. The Board voted unanimously to approve the minutes with the exception of Ms. Bashiri who abstained since she was not in attendance at the July 15th Board meeting.

X3 COMMITTEE REPORTS

X100 Capital Programs

X101R African American Heritage Preservation Program Grant Awards

Anne Raines, MHT Deputy Director, reported on the African American Heritage Preservation Grant Program (the “Program”) administered as a joint partnership between MHT and the Maryland Commission on African American History and Culture (MCAAHC) , since the position charged with administration of that Program is currently vacant. She noted that thirty-six eligible grant applications were received by the July 1, 2021 deadline. The total eligible funding request was \$3,293,000. Applications represented 17 counties and the City of Baltimore. Ten projects are recommended for full funding and three projects are recommended for partial funding for a total of \$1,014,545.17.

Ms. Raines explained that the MCAAHC evaluated, ranked, and recommended funding levels for eligible applicants in accordance with the Program project selection criteria and introduced Commissioner Edwin T. Johnson, who presented the Commission’s funding recommendations to the MHT Board of Trustees for action.

The following motion was made by Mr. Robinson, seconded by Mr. Little, and approved unanimously with the exception of Josh Brown who recused himself from the vote.

RESOLVED, that the Maryland Historical Trust Board of Trustees concurs with the Maryland Commission on African American History and Culture in the recommendation to fund those projects in the (i) A=Recommended for Funding category, as further described in Exhibit A (African-American Heritage Preservation Grant Chart for Fiscal Year 2022) to the Secretary of the Maryland Department of Planning; and

RESOLVED, that the Maryland Historical Trust Board of Trustees concurs with the Maryland Commission on African American History and Culture in the recommendation to the Secretary of the Maryland Department of Planning to maintain a reserve of \$14,545.17 to be used for emergency project grants during FY2022.

X102 Bazzel Church Spirituals Recording

Dr. Barbara Paca, a member of the MHT Board and a commissioner with the MCAAHC, reported on the Maryland Spirituals Initiative, a project on which she is working that complements the capital historic preservation work supported by the African American Heritage Preservation Grant Program. She shared a video of an intergenerational choir at the ancestral prayer grounds of Harriet Tubman, directed by Kentavius Jones, a singer and songwriter from Easton, Maryland. The Maryland Spirituals Initiative project will include publication of a book entitled “There is a City Called Heaven,” which honors early African American spirituals recorded by artists, singers, and writers on Maryland’s Eastern Shore over 100 years ago. An album is expected to accompany the book.

X103R Proposed Changes to Easement Conveyance Requirements

Ms. Raines reported that at its October 18, 2018 meeting, the Board of Trustees approved changes to the easement conveyance requirements of the MHT Historic Preservation Easement Program, including a change in some instances in the length of easements from perpetual to a term of years. This change applies to properties assisted by MHT Capital Grants, African American Heritage Preservation Program (AAHPP) Grants, Maryland Heritage Areas Authority (MHAA) Grants, and State Capital Budget Grants, and establishes easement terms based on the amount of grant funding received: each \$5,000, or portion thereof, in funds granted results in one year of easement term, with a minimum term of 15 years. The Board did not establish a maximum easement term.

Staff now requests that the Board consider instituting a maximum easement term of 50 years for properties receiving funding through MHT Capital Grants, AAHPP Grants, MHAA Grants, or State Capital Budget Grants. Many other easement-holding SHPOs have established maximum easement terms, and the National Park Service requires a 50-year term for easements on projects funded through its Save America's Treasures grant program.

The following motion was made by Dr. Delgado, seconded by Ms. Uunila, and approved unanimously.

RESOLVED, that the Maryland Historical Trust Board of Trustees approves amending the Historic Preservation Easement Acceptance Policy of the Maryland Historical Trust such that there shall be a maximum 50-year term for easements conveyed or extended as a result of MHT Capital Grants, African American Heritage Preservation Program (AAHPP) Grants, Maryland Heritage Areas Authority (MHAA) Grants, or State Capital Budget Grants, with the intention that no term easement shall have a term greater than 50 years from the date that the easement is either conveyed or extended.

X200 Survey, Registration, Community Education & Museums

X201R Historic Preservation Non-Capital Grant Awards

Ms. Barrett, Administrator of Research and Survey, explained that the objective of the Historic Preservation Grant Program for non-capital projects is to provide funding for a wide variety of research, survey, planning, and educational activities. In FY2022, funding totaling \$300,000 was distributed from the Maryland Heritage Areas Authority Financing Fund to the Maryland Historical Trust to be awarded as Historic Preservation Non-Capital grants. For this funding round, individual grant requests were capped at \$75,000. Twenty-four grant applications were received by the July 30, 2021 deadline. The total funding request was \$1,165,473. Submitted application represented one statewide project, sixteen counties, and Baltimore City.

Projects proposed to receive grants are designated on the FY22 Approved Grant Chart as "Recommendation: Partial Funding" in the comments field. No project received full funding this year. Recommended grantees are listed in the order of their ranking.

Projects recommended for funding represent one statewide project, eleven counties, and Baltimore City. If extra funds become available, the Program will grant additional funding to the FY22 projects that received only partial funding, up to the amounts shown in the

“Requested Amount” column on the Chart. The recommended partially funded projects will be reconsidered for additional funding in the order in which they appear on the Chart. Should funds become available, no additional approvals from the Board will be required to provide additional funds to these partially funded projects.

The following motion was made by Mr. Robinson, seconded by Mr. Little, and approved unanimously, with the exception of Josh Brown who recused himself from the vote.

RESOLVED, that the Maryland Historical Trust Board of Trustees recommends to the Secretary of Planning the award of MHT Historic Preservation Non-Capital grants to those projects described in **Exhibit A** (MHT Non-Capital Program Approved Grant Chart for Fiscal Year 2022) attached to this Resolution (the “**Chart**”).

X202R Maryland Heritage Fund Grant Program Selection Committee

Ms. Filkins, Chair of the MHT Board Nominating Committee, reported that the Committee had met to consider MHT Board appointments to the Grant Selection Committee for the Maryland Heritage Fund Grant Program, a joint program of the MHT Board and Preservation Maryland. 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.

Harry Spikes, Joshua Brown, and Franklin Robinson currently represent the MHT Board of Trustees on the Committee. These members have all expressed an interest in being reappointed and the Nominating Committee is recommending their reappointment.

The following motion was made by Dr. Delgado, seconded by Ms. Bashiri, and approved unanimously.

RESOLVED, that the Maryland Historical Trust Board of Trustees reappoints Harry Spikes, Joshua Brown and Franklin Robinson to the Heritage Fund Grant Program Selection Committee for a two-year term beginning July 1, 2021 and ending on June 30, 2023.

X203R Heritage Preservation Fund: Additional Project Selection for FY2022

Ms. Raines reported that at the Board’s May 13th meeting, the Board approved an expenditure of up to \$145,110 from the Heritage Preservation Fund, leaving up to \$55,547.22 uncommitted and available for award in FY2022. MHT is requesting consideration of an expenditure out of the remainder totaling \$1,800 to support honoraria for MHT’s 2021 Architectural Fieldwork Symposium.

The following motion was made by Ms. Uunila, seconded by Ms. Filkins, and approved unanimously.

RESOLVED, by the Board of Trustees of the Maryland Historical Trust, that an expenditure of up to \$1,800 from the MHT Heritage Preservation Fund in fiscal year 2022 to support honoraria for MHT's 2021 Architectural Fieldwork Symposium is approved.

X204 JPPM Report

Dr. Greg Pierce, Director of Jefferson Patterson Park and Museum, provided a report regarding current and ongoing activities at JPPM.

X205 MHT Report

Ms. Anne Raines provided a report regarding current and ongoing activities at MHT.

X300 Management & Planning

X301 Investment Committee Report

Mr. Charlton, who serves on the MHT Board Investment Committee, reported that the Committee met with Brown Advisory on October 7th to review the performance of the investment portfolio. The portfolio is not invested in any individual stocks but includes investments in mutual funds and exchange traded funds. As of September 30, 2021 the value of the Fund totaled approximately \$5.2 million. To date, the Committee remains pleased with the services provided by Brown Advisory.

X302 Budget & Legislation

Ms. Hughes reported that the MHT operating budget was submitted by the Maryland Department of Planning in September. There will be no operating budget hearing with the Department of Budget and Management this fall. The MHT capital budget hearing was held on September 15th and went smoothly. She has no concerns about budget reductions at this time but will not know more until the Governor's budget is released in mid-January of 2022.

Ms. Hughes reported that MHT will not be proposing any legislative initiatives during the 2022 legislative session. She understands that Preservation Maryland expects to propose legislation that would require a stepped increase in the competitive commercial side of the Maryland Heritage Revitalization Tax Credit Program as well as an increase in the small commercial tax credit authorization.

X303 Litigation & Legal Issues

Mr. Cucuzzella reported that in August the Circuit Court for Baltimore City approved MHT's Motion to Dismiss *The Petition of Cliff Ransom, et al. v. MHT*, which is an administrative mandamus action filed to challenge the Director's approval under a preservation easement of certain interior work at a Fell Point property. The action was filed by a number of neighboring property owners. MHT argued, and the Court agreed, that the petitioners lacked standing to challenge the Director's decision under the easement. Petitioners have since noted an appeal of

the Court's decision to the Court of Special Appeals, which is pending. Mr. Cucuzzella also reported that discovery is ongoing in the Confederate Monuments case; the discovery period ends in early December.

Announcements

The next meeting of the Board will take place on December 9, 2022; location to be determined.

Meeting adjourned at 11:33 a.m.