

MARYLAND HISTORICAL TRUST
BOARD OF TRUSTEES' MEETING
Thursday, December 8, 2022 at 10:00 AM

Pursuant to notice, the regular meeting of the Board of Trustees of the Maryland Historical Trust was held at the MHT Board Room, located on the third floor of 100 Community Place, Crownsville, Maryland.

Trustees present: Sheila Bashiri, James Delgado, Laura Davis Mears, Barbara Paca, Samuel J. Parker, Jr., J. Rodney Little, and Senator Robert R. Neall.

Trustees participating virtually: Joshua D. Brown, Jeffrey Buchheit, Julie Earnstein, Albert L. Feldstein, Sarah Kunkel Filkins, and Franklin Robinson, Jr.

Area Representatives present: Dean Camlin, Lisa Sasser, and Harry T. Spikes, II.

Area Representatives participating virtually: Douglass C. Reed and Kirsti Uunila.

Ex Officio members present: Senator West, Delegate Gilchrist.

Office of the Attorney General: Rieyn DeLony, Adam Snyder.

MHT Staff: Gregory Brown, Elizabeth Hughes, Collin Ingraham, Kate Jaffe, Anne Raines, Kathy Monday, Marcia Miller, Matt McKnight, Rod Cofield, Eric Frere, Betty Seifert, Brenna Spray, Stephanie Soder, and Barbara Fisher.

Guests: Terry Klima, John Zebelean, Clarence Woods, Maria Mougridis, Marcos and Kelly Vaena, and Dolores Milmo.

AGENDA

E1 CALL TO ORDER

Chair Laura Mears called the meeting to order at 10:06 AM. Ms. Hughes called roll and found that a quorum of members were present at the meeting.

Chair Mears welcomed the following new staff members: Eric Frere, Assistant Director, Jefferson Patterson Park and Museum; Stephanie Soder, Research Archaeologist, Office of Research, Survey and Registration; Brenna Spray, Outreach Coordinator, Office of Planning, Education and Outreach.

E2 APPROVAL OF MINUTES

Ms. Bashiri asked that the minutes be corrected to correct the spelling of her first name. Mr. Spikes made a motion, seconded by Ms. Bashiri, to approve the October 20th meeting minutes with corrections. The Board voted unanimously to approve the minutes.

E3 PUBLIC COMMENT

Mr. Klima expressed concern about the Trust’s failure to protect the Baltimore City Confederate statues and plinths and urged MHT to take action to transfer the monuments to an appropriate location where they will be protected and publicly accessible.

Mr. Zebelean asked what action MHT has taken following the recent vandalism of the Confederate statues and suggested that the nationwide trend of removing Confederate monuments has had a chilling effect on military recruitment efforts.

E4 COMMITTEE REPORTS

E100 Capital Programs Committee

E101R Restatement of the Historic Preservation Easement and Preservation Agreement Acceptance, Modification and Termination Policy

Ms. Raines reported that following its October 18, 2018 meeting, the Board of Trustees has approved a number of changes to its policies for acceptance and modification of historic preservation easements and preservation agreements held by MHT and has adopted policies related to the termination of easements and preservation agreements. In light of these changes, and to streamline the Board’s policies, staff has determined that an update of the 2018 “Historic Preservation Easement Acceptance Policy” (as amended in 2021) is advisable.

Ms. Raines requested the Board’s approval of the “Restatement of the Historic Preservation Easement and Preservation Agreement Acceptance, Modification, and Termination Policy,” which incorporates all policies set by the Board, through and including the Board’s January 27, 2022 meeting.

Ms. Raines clarified that a new policy, the “Restatement” includes, as Exhibit B, “Guidance for Inclusion of Archaeological Protection in MHT Easements.” The standard for evaluating properties for easement acceptance is National Register listing or eligibility, which MHT staff indicate works well for standing structures, but cannot always be evaluated for archaeological resources. The guidance in Exhibit B provides a method for evaluating the archaeological potential of properties – particularly properties for which no archaeological research or investigations have previously occurred – to determine whether archaeological protection is warranted.

Mr. Parker inquired how MHT engages with local governments that hold easements when developing new easements on properties located in these jurisdictions. Ms. Raines responded that in so far as MHT and local government easement requirements and policies are not consistent, there is typically little collaboration.

The following motion was made by Dr. Delgado, seconded by Mr. Little, and approved unanimously.

RESOLVED, that the Maryland Historical Trust Board of Trustees approves the “Restatement of the Historic Preservation Easement and Preservation Agreement Acceptance, Modification, and Termination Policy.”

E102R King’s Reach Historic Preservation Loan – Amendment

Ms. Raines reported that at the December 3, 2020 meeting of the MHT Board, the Board approved a \$300,000 direct expenditure from the Maryland Historical Trust Loan Fund for the rehabilitation of the Kings Reach property at JPPM.

The approval of the funds in 2020 stipulated they would be used to complete the rehabilitation of the King’s Reach property for use as an event rental site, including drywall repair, painting, repair of structural components, installation of an ADA-accessible bathroom and warming kitchen in the Garage, a new septic system, and fire safety system upgrades to meet current code requirements for use as event space.

When the Calvert County Health Department’s Division of Environmental Health completed an evaluation of the septic system needed to adapt the King’s Reach property into an event space with capacity to serve 199 people, they stated that the facility would require a septic field of at least 12 trenches. Each trench would be 96 ft. long with 10 ft. of space in between. A septic field of this size would significantly impact the King’s Reach archaeological site. Because of the size and scope of the field and the impact it would have on one of JPPM’s preeminent archaeological resources, JPPM explored alternative uses for the loan funds. At this time none of the funds approved for King’s Reach have been expended.

The current proposal is to use the funds for the rehabilitation of the Pavilion (former Cattle Barn), including improvements to bathrooms and kitchen; repairs to septic and mechanical systems; repairs to walls, floors, and slabs; installation of insulation; accessibility improvements; and grading and drainage repairs. These work items, would enhance the appearance and functionality of this important revenue generating facility, allowing it to accommodate an extended rental season, a wider variety of audiences and users, and improve JPPM’s rental revenues.

Mr. Spikes inquired if the King’s Reach House would continue to serve as a seasonal rental property, housing Morgan State students who are studying at the PEARL center on the grounds of JPPM. Ms. Raines responded in the affirmative and clarified that no upgrades in the existing septic system at King’s Reach was required to support that use.

Mr. Parker asked if \$300,000 would be sufficient to make all the repairs to the Pavilion that are required. Mr. Cofield indicated that quotes on the overall project are still being sought from contractors and if additional funds are needed, they may be sought from the Department of General Services rather than MHT. However, the primary concern is repair and upgrade of the Pavilion bathrooms. This priority can certainly be accomplished with the available funding.

Ms. Paca asked about the period of use of the Pavilion and Mr. Cofield indicated that the Pavilion was used for special events from April through late December.

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

RESOLVED, that the Maryland Historical Trust Board of Trustees recommends to the Secretary of Planning and the Board of Public Works a modification of the use of the direct expenditure from the Maryland Historical Trust Historic Preservation Loan Fund (FY2021) of up to Three Hundred Thousand and 00/100 Dollars (\$300,000) previously approved for the rehabilitation of the King's Reach property at JPPM, to be used for both the rehabilitation of King's Reach and for the rehabilitation of the Pavilion at JPPM.

E103R Easement Appeal – 7212 Cedar Avenue, Takoma Park, Montgomery County

Ms. Raines reported that the MHT easement program received a request from property owners Marcos and Kelly Vaena to construct a basement level addition with associated deck and upper level screened porch at their property at 7212 Cedar Avenue, Takoma Park, on which MHT holds a perpetual preservation easement.

Ms. Raines explained that the easement on this property is a gift easement which was conveyed to MHT in 1985 by Gregory J. and Dolores Milmo. In Section C, the easement notes specific allowable construction. The easement was modified in 1986 to permit additional construction and add protection for archaeological resources. The easement was modified a second time in 1987 to further define restrictions on allowable construction.

The MHT Director responded by letter on November 23, 2022 denying the Vaena's proposed project as not allowable under the easement and stating that the proposed project does not merit modification of this gift easement. The property owners timely requested an appeal of the Director's decision to the MHT Board. The property owners also provided new information, in the form of a letter of support for the project, from the easement donors, Gregory J. and Dolores Milmo.

Ms. Raines indicated that MHT staff are unable to approve the project under the existing provisions of the easement. She explained that if the Board wished to support the project, then a resolution to authorize the modification of the gift easement to allow new construction would be necessary.

Marcos and Kelly Vaena presented their project to the Board and asked for favorable consideration of modification of the easement.

Mr. Spikes inquired if the proposed new construction would be limited to the rear of the property. Mr. and Mrs. Vaena confirmed that the new construction would be attached to the 1980s addition which is in the rear of the property and would not be visible from the street.

Ms. Dolores Milmo joined the meeting virtually and voiced her support for modification of the easement.

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

RESOLVED, that the Maryland Historical Trust Board of Trustees approves of the modification of the gift easement on 7212 Cedar Avenue, Takoma Park, Montgomery County to conform with MHT's current easement provision to permit new construction subject to the Director's prior written approval, and approval of construction of a basement level addition with associated deck and upper level screened porch at the property, as proposed by Marcos and Kelly Vaena.

E104 Monument Relocation Working Group

Mr. Robinson left the Board meeting before he could provide a report on the Monument Relocation Working Group. In his absence, Ms. Hughes noted that on November 14, 2022 MHT sent a letter to the City of Baltimore regarding the concerns articulated by the Board at its October meeting. No response to the letter has yet been received, as the City is still gathering information. Ms. Hughes also noted that MHT staff inspected the statues that had been vandalized on December 1, 2022. A meeting of the Monument Relocation Working Group will be scheduled for early January 2023 to discuss the City's response to the Board's letter and the MHT staff inspection, as well as the inspection conducted by the conservator hired by the City earlier in 2022.

E200 Survey, Registration, Community Education & Museums Committee

E201 PM/MHT Heritage Preservation Fund Report

Ms. Hughes reported that a Grant Agreement was entered into on December 15, 1994, and subsequently extended in 2002, 2004, and 2017, by the MHT and Preservation Maryland (PM) to establish a fund (the "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.

The Agreement stipulates that PM must provide MHT an annual report on the management and investment of the Fund including: 1) interest and dividend earnings and all other income attributable to the Fund, 2) grant disbursements; and 3) all other transactional activity that has occurred during the reporting period. The Heritage Fund Program Report for Fiscal Year 2022 was submitted by PM and included in the MHT Board meeting packet in fulfillment of this requirement.

Maria Mougridis, Preservation Initiatives Manager for PM, thanked the Board for their continued support of this joint program. She noted that although there had been a slight decrease in demand for the program recently due to the pandemic, this was not expected to continue.

Mr. Parker commented that the application process is robust and thanked staff for their work on the joint grant fund.

Mr. Feldstein asked for a correction to the report in the category of the Strategic Preservation Plan for Hancock Maryland. The applicant should be the “Washington County Chamber of Commerce” rather than the “Allegany County Chamber of Commerce.”

E202 Jefferson Patterson Park and Museum Report

Mr. Cofield reported on recent activities at JPPM and noted that next year MHT will celebrate the 40th anniversary of JPPM.

E300 Management & Planning Committee

E301R Resolution of Appreciation – Betty Seifert

The following motion was made by Dr. Delgado, seconded by Mr. Little, and approved unanimously.

Resolution Expressing Appreciation and Thanks from
the Maryland Historical Trust Board of Trustees
to Betty Seifert for 33 Years of Service

Whereas the Maryland Historical Trust was created in 1961 as an instrumentality of the State of Maryland for the purpose of preserving, protecting, and enhancing districts, sites, buildings, structures, and objects significant in the prehistory, history, upland and underwater archeology, architecture, engineering, and culture of the State, to encourage others to do so and to promote interest in and study of such matters;

Whereas Betty Seifert has served the State of Maryland since 1989;

Whereas Betty Seifert began her career as a conservator at Jefferson Patterson Park and Museum, then became Deputy Director of the Maryland Archaeological Conservation Lab, and then was named Curator of JPPM collections;

Whereas her encyclopedic knowledge of Jefferson Patterson Park and Museum and the Patterson family will never be duplicated or replaced;

Whereas Betty is responsible for tracking and having knowledge of many items in the collections such as the Frick engine, dozens upon dozens of agricultural tools, the Goldstein collection, and the Patterson collection;

Whereas her knitted clothes are owned and beloved by many, many current and previous staff and volunteers;

Whereas she has worked with many hundreds, if not thousands, of visitors, volunteers, and guests on workshops, tours, and other public programs to help them understand all that JPPM has to offer; and

Whereas Betty has gone out into the community to acquire oral histories and other regional information, develop exhibits for external organizations, and has been a beloved and respected community ambassador for JPPM;

Now, therefore, be it resolved that the Maryland Historical Trust Board of Trustees wishes to express its deep appreciation to Betty Seifert for her 33 years of service and to wish her a healthy, happy, and prosperous retirement and a rewarding next phase of life.

Approved and adopted this 8th day of December, 2022 by the Maryland Historical Trust Board of Trustees

Mr. Little commented that Ms. Seifert was instrumental to the founding and success of the Maryland Archaeological Conservation Laboratory and, due to her efforts, ensured that the design of the Lab was the best in the nation.

Dr. Delgado noted that Ms. Seifert is known nationally and internationally for her extraordinary accomplishments as a conservator and thanked her for her service to MHT.

Ms. Uunila described Ms. Seifert as a trusted colleague and a good friend, recognizing that she is knowledgeable in many different areas and dedicated to serving the community.

Dr. Earnstein thanked Ms. Seifert for her spirit of generosity and service to MHT.

E302 Investment Committee Report

Mr. Little reported on the most recent meeting of the MHT Board Investment Committee. He noted that the value of the Maryland Heritage Preservation Fund is down 19% since the first of the year but did experience some slight growth in November. Brown Advisory is considering increasing the Fund's holding in bonds as these investments appear to be outperforming large and small cap stocks. Brown Advisory is not recommending any changes to the Patterson or MARPAT fund portfolios as there are no immediate cash needs associated with these accounts.

E303 Equity Working Group Report

Mr. Parker reported that the Reginald F. Lewis Museum will be organizing a series of facilitated discussions with MHT Board and staff members on JEDI issues in the spring of 2023. Board funds are being used to pay for these activities. Board member participation will be critical in order to ensure that these discussions have a meaningful impact on the organization. More information regarding scheduling will be shared as it becomes available.

E304 Budget & Legislation

Ms. Hughes reported that there was no Operating Budget hearing this year with the Department of Budget and Management, and no reductions are anticipated. The Governor's FY2024 budget will be available in mid-January 2023. Ms. Hughes reported that MHT will not be sponsoring any legislation in 2023.

Ms. Hughes noted that Secretary McCord resigned from state service effective December 1 in order to take a position as Director of Administration for Harford County. Deputy Secretary Sandy Schrader now serves as Acting Secretary of the Department of Planning.

E305 Litigation & Legal Issues

Mr. Snyder reported on the status of the Sons of Confederate Veterans litigation, noting that Baltimore City had filed a motion for summary judgment and MHT had filed a response. MHT's response updated its own pending motion, responded to the City's arguments, and asked the circuit court to schedule argument on both motions at the same time. No word yet on when that hearing will be.

E306 Meeting Calendar for 2023

Ms. Hughes inquired what changes, if any, the Board desired in terms of where and how Board meetings were held. All agreed that it is necessary to offer both in person and hybrid meeting options and that occasional off-site meetings are desirable. Mr. Spikes recommended that meetings in January and March be virtual due to weather concerns. Ms. Filkins suggested that when the Board hosts off-site meetings, it would be important to invite local preservation advocates to hear what the issues are in their communities.

The meeting calendar for FY2023 will be as follows, with locations for some meetings to be determined:

Thursday, January 26, 2023	Virtual Meeting
Thursday, March 23, 2023	Virtual Meeting
Thursday, May 18, 2023	Location TBD
Thursday, July 20, 2023	Location TBD
Thursday, October 19, 2023	100 Community Place, Crownsville, MD
Thursday, December 7, 2023	Location TBD

Meeting adjourned at 11:50 AM.