



U.S. Department of Justice

This is supposed to be an FBI investigation into Mark Sapperstein's ties to the Anne Arundel Economic Development Council and his two cronies employed by the Economic Development Council, Jay Winer & Charles Delavan. While Mark & his father, Gilbert are busy stealing \$3.5 million from the Baltimore School Board

Federal Bureau of Investigation
Washington, D.C. 20535

July 28, 2016

MR. DONALD STONE
POST OFFICE BOX 55819
MUCKROCK
DEPARTMENT MR 22599
BOSTON, MA 02205-5819

The two Maryland FBI agents, Marina Murphy & Dave Midura apparently spent all their time inside their field office downloading newspaper articles of interest to them, making sure no articles were entered into the file mentioning Mark Cary Sapperstein or Gilbert Sapperstein.

FOIPA Request No.: 1346058-001
Subject: Anne Arundel Economic
Development Corporation

Dear Mr. Stone:

The enclosed documents were reviewed under the Freedom of Information Act (FOIA), Title 5, United States Code, Section 552. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Explanation of Exemptions:

Section 552

☐ (b)(1)

☐ (b)(2)

☐ (b)(3)

☐ (b)(4)

☐ (b)(5)

☒ (b)(6)

☐ (b)(7)(A)

☐ (b)(7)(B)

☒ (b)(7)(C)

☐ (b)(7)(D)

☐ (b)(7)(E)

☐ (b)(7)(F)

☐ (b)(8)

☐ (b)(9)

Section 552a

☐ (d)(5)

☐ (j)(2)

☐ (k)(1)

☐ (k)(2)

☐ (k)(3)

☐ (k)(4)

☐ (k)(5)

☐ (k)(6)

☐ (k)(7)

35 pages were reviewed and 35 pages are being released.

☐ Document(s) were located which originated with, or contained information concerning, other Government Agency (ies) [OGA].

☐ This information has been referred to the OGA(s) for review and direct response to you.

☐ We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.

☐ In accordance with standard FBI practice and pursuant to FOIA exemption (b)(7)(E) and Privacy Act exemption (j)(2) [5 U.S.C. § 552/552a (b)(7)(E)/(j)(2)], this response neither confirms nor denies the existence of your subject's name on any watch lists.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. Enclosed for your information is a copy of the Explanation of Exemptions.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request. Your patience is appreciated.

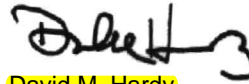
You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within sixty (60) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing ogis@nara.gov. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@ic.fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so that it may be easily identified.

☐ The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

☒ See additional information which follows.

Sincerely,



David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

In response to your Freedom of Information Act (FOIA) request, enclosed is a processed copy of the responsive documents you requested. The enclosed documents represent the final release of information responsive to your FOIA request. This material is being provided to you at no charge.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

This is what David Hardy (head of FBI FOIA request Div.) is trying to pass off as an extensive FBI investigation into the Anne Arundel Economic Development Corp.

It appears that Hardy is trying to pedal a very sanitized version of what I believe was an extensive FBI investigation lasting many months.

The investigation was run out the Annapolis, MD. FBI office involving two FBI agents Marina Murphy and a Dave Midura.

What is noticeably absent:

1. There are no FBI 302 reports.
2. No information pertaining to telephone calls or records.
3. No mention of the scam Mark Sapperstein and his two business associates employed by the Anne Arundel Economic Development Corp. Jay Winer and Charles Delavan pulled on Jane and George Chamberlain and their corp. Linktel.

4. This very informative article certainly doesn't appear anywhere in this so-called FBI file http://articles.baltimoresun.com/1997-03-09/news/1997068093_1_george-chamberlain-anne-arundel-economic-sapperstein

It appears that the two agents, Murphy & Midura simply sat in their office and downloaded newspaper articles off the internet and called it an investigation.

Odenton 5/23/99

Winer praised for area dealings

Developer influential in county purchases

By LAURA SULLIVAN
SUN STAFF

When developer Jay Winer orchestrated a \$1.3 million land deal in November in an attempt to get a library branch and community college campus built in Odenton, residents applauded a man who has repeatedly brought county money and projects into their declining town.

That Winer's motives appear as much financial as charitable matters little to residents who have long felt cheated in a county teeming with projects and development in every corner but theirs.

Winer's real estate firm, A.J. Properties, got an \$81,000 broker's commission

when the county bought land for the library and campus. The purchase also is likely to improve the value of \$6.1 million worth of nearby land owned by Winer.

Winer owns or brokers so much property in Odenton that almost any project there eventually benefits him. The county's recently expanded and renamed Piney Orchard Parkway, for example, runs in front of the Piney Orchard housing development he helped build.

But residents see Winer's financial gain as tangential. Winer has become sponsor and savior to this old railroad town where dilapidated Victorian homes and grand front yards once owned by conductors and engineers remind people of a more prosperous time.

For three [See Winer, 10B]

These may be the initials of Marina Murphy "MM"

MM

SUB NEWSPAPER

194B-BA-96809-1

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 26 1999	
FBI - BALTIMORE	

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2/1/99
plb O/A sub NP

Odenton residents welcome deals brokered by developer Jay Winer

[Winer, from Page 1B]

decades, residents have tried to get the county interested in their area, clinging to a 30-year-old plan for a town center that would replace nondescript strip malls and vacant buildings. But the town center plan is burdened with environmental problems — wetlands surround the area — and a lack of county investment.

Winer, in dual roles as land developer and community servant, has brought in money and attention, accomplishing what politicians only promised. Many residents don't care how he managed to do it.

"Does he benefit monetarily? Of course he does," said former County Councilman Bert L. Rice of Odenton. "But there isn't anyone out there that has done more for this area than him. ... I guess a businessman can't be a supporter of the community at the same time."

Winer was born 52 years ago in Odenton and now lives in Stevenson, in Baltimore County. He still is chairman of the Odenton Town Center Oversight Committee and the Odenton Small Area Planning Committee, and he sits on the board of the Anne Arundel Economic Development Corp.

He did not return phone calls for this article.

Many residents know Winer less as a developer than as a man who will sit through long church board meetings, then advise the members for free on how to draw a contract for a day-care center.

"He has put a lot into this community," said longtime resident Norm Meyers. "And he's always been a part of it."

Residents talk about a man who tirelessly attends school board sessions and Odenton Improvement Association sessions, offering his expertise.

"Jay Winer is absolutely the best thing that ever happened to Odenton," said resident and activist Jere Brown. "He doesn't need Odenton. Odenton needs him."

Residents describe Winer as quiet but effective. He helped the Odenton Heritage Society buy and renovate from ruins a historic

"Sometimes when a bunch of citizens get together to do something, they may be well-meaning, but they often don't know how to go about things, and Jay does."

Wylie Donaldson, former Odenton fire chief.

bank building near the train tracks, showing board members how to acquire property and get the proper zoning permits. He is also active in the Odenton Health Center, which his parents built.

"He's a businessman and he's good at these things," said Wylie Donaldson, Odenton's former fire chief. "Sometimes when a bunch of citizens get together to do something, they may be well-meaning, but they often don't know how to go about things, and Jay does."

Residents credit him with getting them a new school — Piney Orchard Elementary — which has been approved by the school board for construction. The county requires developers to help pay for new schools, but the board decides where the schools will be built. Residents say Winer ensured the money was used for an Odenton school.

The son of a Baltimore cabinet-maker, Winer was raised by parents who bought land and joined community groups in Odenton. The family moved the cabinet-making business to Odenton in 1943, at a time when most industry was following the railroad out of town. Not long after that, they started a surfacing company in Odenton — the National Plastics Co. — that made textiles, paintbrush bristles, even Barbie doll hair. The company, now part of International Paper, employs dozens of people from the area.

Some years ago, Winer extended his reach into Howard County.

His family had purchased Savage Mill, a 19th-century textile mill, in 1950. As one of the mill's owners, he played a key part in developing it as a shopping and antique complex that opened in 1986.

Residents say Winer wants to build up Odenton, as his parents did. He seems on his way, judging from the dozens of real estate signs staked in vacant lots and business parks, and the hundreds of letters he's written to county bureaucrats and elected officials pressing for new projects.

However, plans for the regional library and community college campus in Odenton have stalled. County Executive Janet S. Owens has cut from the budget money to build the library and Anne Arundel Community College is looking at a site on Fort Meade.

Regardless of what Winer has done for Odenton, questions remain about what he is also doing for himself. County Council President Daniel E. Klosterman Jr. disagrees with residents who say that because Odenton has benefited, it is all right for Winer to profit from county deals.

"How about the other six districts in this county that are pay-



LLOYD FOX: 1997 SUN PHOTO

Influence: Jay Winer, most activists agree, has helped bring facilities and services to their area.

ing these costs?" asked Klosterman. "The cost for this land doesn't get paid by the residents in Odenton. It gets paid by every taxpayer in this county.

"I'm sure Jay Winer does great things for Odenton," he said. "But by the same token, because he is in a position where he can dictate and lead this county to buy land, then he needs to hold himself to a higher standard, just as other public officials must recuse themselves completely and make sure they have no financial interests in the decisions they make."

The
Annapolis
Capital
5/13/99

THURSDAY
May 13, 1999

102
B-BA-96809-2

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 13 1999	
FBI - BALTIMORE	

Land proposal questioned

By JEFF NELSON
Staff Writer

County Council members are balking at County Executive Janet S. Owens' plan to put as much as \$1 million into a controversial account last tapped by predecessor John G. Gary Jr. for a questionable Maryland City land purchase.

Council members said yesterday that they are likely to go along with the county auditor's recommendation to ax Mrs. Owens' proposal.

According to County Auditor Teresa Sutherland, Mrs. Owens wants to use money the county receives from the Laurel Park racetrack to reimburse \$1 million to the Advanced Land Acquisition account. The money comes from a special state tax earmarked for projects near the racetrack.

The reimbursement is for Mr. Gary's \$1 million purchase — just before leaving office — of land in Maryland City from a political contributor.

At the time, Mr. Gary told area residents that the property would be

County exec wants to transfer \$1M into purchasing account

home to a large police substation and recreation fields. County police and parks officials say they never had any plans for the site.

Mrs. Owens has recommended selling the property. The deal, which is under investigation by the State's Attorney's Office, called the Advanced Land Acquisition account into question.

"I would warn you that this account can be used by the county executive for any land purchase she wants without approval from you," Mrs. Sutherland said.

The account typically received about \$100,000 in funding each year to give the county flexibility to buy property when it became available even if it was not specifically approved in the county budget.

Last year, just as the election was heating up, Mr. Gary asked the council to increase the funding in

the account to more than \$2 million.

Diane Evans — a former member of the council who ran against Mr. Gary — said she felt something was strange about the sudden increase and tried to cut the entire account.

"I felt it was the kind of revenue source that was ripe for abuse. And look at where we are now," the Arnold resident said.

Just \$180,000 remains in the account. Mrs. Owens recommended cutting that by \$100,000 and reimbursing the \$1 million.

Marvin Bond, Mrs. Owens' chief of staff, said the executive is simply trying to put the money back into the account to cover projects envisioned last year.

The only project Mr. Bond is sure it could be used for is land purchases for the proposed west county regional library.

Having money in the account,

allows Mrs. Owens to handle such deals quietly, he said.

"This lets you do things without a lot of publicity that would drive up the cost to the taxpayer," Mr. Bond said.

Council members said they will not support putting the \$1 million into such a "quiet" account, although some said the county should have at least \$100,000 on hand.

"There could be some times when the county executive needs some flexibility with this money," said council Chairman Daniel E. Klosterman Jr., D-Glen Burnie.

Councilman William D. Burlison, D-Odenton, said he wants to ensure that the \$1 million from the deal at least stays in his west county district, given that the capital budget cuts a wide variety of parks and other projects from the Odenton and Maryland City area.

"As questionable as this deal was, I'm reluctant to see this money go to other purposes outside of this district," he said.

5/17/99 SUN

Ex-Arundel official OK'd more 11th-hour land deals

Gary signed contracts for Odenton parcels in last days of term

Third purchase probed

By MATTHEW MOSK
AND LAURA SULLIVAN
SUN STAFF

Days before leaving office, former Anne Arundel County Executive John G. Gary signed two land deals that netted one of his top campaign contributors \$81,000 in real estate commissions.

The purchases, involving \$1.3 million worth of overgrown acreage in Odenton, were brokered at the same time county officials were in Maryland City buying a third property from another campaign donor. The state's attorney's office is investigating that transaction.

The flurry of deals by the Gary administration during his last days in office drained a land acquisition fund, one of the few accounts that he did not need council approval to use. More than \$1 million from the fund wound up in the hands of Gary's political backers.

Gary said he used the fund as intended, spending it to gather land for long-desired and thoughtfully planned county projects. He envisioned soccer fields, tennis courts and a police substation would fill the 7-acre Maryland City parcel.

The 26 garbage-strewn acres in Odenton, where two Victorian homes once housed B&O Railroad engineers, were to become the site of a

40,000-square-foot regional library and a possible western outpost for the county's community college.

"This was not some spur-of-the-minute purchase," Gary said. "This was a planned decision to get the county infrastructure in place before development gets out there."

Gary's successor, Janet S. Owens, has deleted all of those projects from the county's capital budget.

Bert L. Rice, an Odenton Republican who lost his council seat at the same time Gary was ousted, said the land where Routes 170 and 175 meet was widely considered ideal for a regional county facility.

Rice also confirmed an aspect of the deal evident in county memos and letters written in the days leading up to the purchase: The central figure in brokering the purchase was Odenton developer Jay Winer.

Winer, a longtime Gary ally and board member of the Anne Arundel [See Land, 6A]

5/20/99
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194B-BA-96809-3

SEARCHED	INDEXED
SERIALIZED	FILED
1 1999	
FBI - BALTIMORE	

During last days in office, Arundel executive OK'd 2 last-minute land deals

[Land, from Page 1A]

Economic Development Corporation, contributed \$4,500 over 1997 and 1998 to Gary's re-election campaign through his company, Academy Junction Limited Partnership.

As chairman of the Odenton Town Plan Oversight Committee, Winer was in charge of finding and approving suitable land for the library and community college. After reviewing several parcels, his committee chose the lots on Route 175 — two parcels that were being brokered by his real estate firm, A. J. Properties.

Not done in secret

Winer did not return calls to his office and home. Gary, who said he never knew Winer's firm was involved, sees no conflict.

"It's not like this was done in the closet," Gary said. "This committee looked at this property and agreed to it. There are 20 people on that committee ... Jay Winer was only one piece of the whole thing."

Gary said he would have bought the land no matter who the broker was, because everyone involved agreed it was an excellent spot.

While the location may have been ideal, a detailed account of the purchase culled from county files and interviews indicates that

the land was burdened with other problems.

From a developer's standpoint, they are "difficult parcels," said Robert F. Scher, the Baltimore real estate lawyer who was hired to sell one of them. "They've been working on selling them for a while."

Neighbors said signs from Winer's real estate firm had been posted on the property for at least two years.

Roughly a third of the property cannot be developed because it is protected wetlands. Also, some of the acreage has been used for dumping, and an environmental study showed a nearby landfill may have contaminated the ground water under the land.

Ownership problems

A bigger problem was that the owner of 14 acres of the tract, the late A. Danny Bisogne, did not hold title to the entire property, and county officials can't find all the other owners.

Bisogne, an Odenton fixture who died in 1994, bought more than 30 separate lots over time. Early developers subdivided the overall parcel with plans to build a small residential community there. Acquiring land that was set aside for internal roads, which crisscross the parcel, has proved the most vexing problem for coun-



Land deals: John G. Gary said the purchase of two Odenton parcels "was a planned decision."

ty officials because no one knew who owned it.

In an Oct. 22, 1998 letter to a Bisogne attorney, county Public Works agent Thomas Burke, working on the purchase, wrote: "Without these roads, the property is worthless to accommodate our needs."

On Oct. 27, Burke's boss, Richard Hall, brought the problem to the attention of top county officials, including Gary's chief administrative officer and his public works director. Hall advised them that it could take six to nine months to figure out who else might have a stake in the land, and he suggested they reduce their offer from \$675,000 to \$610,000.

p2.

Rush to close deal

Instead, the county hurried to close the deal.

Banking that they could acquire the scattered portions of land through condemnation proceedings, the officials agreed to the purchase. Gary signed the agreement in mid-November, and the purchase was recorded in state records Dec. 3, the day before he packed up his office.

At the same time, Gary's staff was hammering out what it believed was a bargain purchase of the neighboring 12 acres, owned by National Capital Properties, a Kentucky-based branch of National City Bank. While that land was appraised at \$810,000, the firm accepted the county's offer of \$675,000.

Nagging issues remain

Still, the nagging problems Burke and Hall first raised remain. Robert M. Pollock, the senior assistant county attorney, said they have not been able to find the woman they believe holds title to the ribbons of dirt road that cut across the parcel.

Gary is troubled not by the nagging details of land titles, but by the evaporation of his vision for a regional library and college campus.

"These are the community's ideas, these are the peoples' ideas," he said, as he stood on the front lawn of his Severna Park home. "I didn't go out and buy this land for myself, it belongs to the people of this county."

Anne Arundel

Winer urged to quit panel

Council president
says 'conflict clear'
in county land deal

Owens 'very troubled'

By MATTHEW MOSK
AND LAURA SULLIVAN
SUNSTAFF

Developer Jay Winer should resign from an Odenton planning committee for engineering a county land deal that benefited him, County Council President Daniel E. Klosterman Jr. said yesterday.

"I think the conflict is clear," Klosterman said in an interview outside the council chambers. "I think he should voluntarily resign."

The councilman was responding to reports in *The Sun* which revealed that Winer, using his public positions, persuaded the county to buy 26 acres of Odenton land as a site for a regional library and community college campus.

The purchase earned Winer's real estate firm an \$81,000 broker's commission, and greatly improved Winer's chances to profit from more than \$6 million in land nearby that he either owns or markets through his company, A. J. Properties.

Timing of the transaction also clouded matters. The county bought the acreage during the final days of County Executive's John G. Gary's tenure. Winer was a major contributor to Gary's campaign.

The Odenton deal was one of several signed during Gary's closing weeks in office. It has focused scrutiny on the way he spent money from the county's land acquisition fund, one of the few accounts he did not need council approval to use. More than \$1 million of the fund found its way into the pockets of his political backers.

Winer has declined repeated requests from *The Sun* for an interview, but he defended his role in the deal during a brief exchange Wednesday with County Executive Janet S. Owens, who encountered him at a Realtors' luncheon in Arnold.

"I said to him, 'My goodness, Jay, I am very troubled by what I'm reading,'" Owens said, recalling their conversation. "He said to me that he was committed to the community, and he did nothing improper."

Owens said she was consulting with the county's attorneys about the deal, and asked Winer to meet with her before she decides whether to join Klosterman's call for him to step down from any of his county-appointed positions.

In addition to chairing the Town Plan [See Land, 8B]

BALTIMORE Sun
5/20/99

194B-BA-96809-4

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 20 1999	
FBI - BALTIMORE	

Developer urged to resign from Odenton planning panel

[Land, from Page 1B]

Oversight Committee, Winer also heads the Odenton Small Area Planning Committee and sits on the board of the Anne Arundel Economic Development Corp.

Bill D. Burlison, the council member whose district includes Odenton, said ousting Winer would be a mistake.

"There would be an enormous void in leadership on that committee without Mr. Winer," he said.

Winer spoke Tuesday with the *Capital* and told the newspaper's editors there was nothing improper about him serving as chairman of the oversight committee, or about advising the county to buy land that he was brokering.

"We knew it might be an issue," he was quoted in the paper's published report yesterday. "We had discussions in the [oversight] committee on it, and I did everything I could to make it clear over several discussions that my company represented this property."

While many in the county and on the committee believe the property was best suited for the facilities whether Winer benefited or not, they don't recall him disclosing his personal interest.

Gary said Winer never told him of the possible conflict. And two members of the oversight committee said in separate interviews yesterday that they don't remember Winer discussing it.

Committee member Norm Meyers said he only knew of Winer's position as a broker and landowner "because I've lived in

Odenton for 20 years. But I wasn't going to bring it up because it was the ideal location for the library."

"Maybe in the future," he said, members "ought to make a disclosure of it if they have another interest. Then the committee can decide if they should step out of the discussions."

Marcia Hall, another member, said she also knew Winer was brokering the land, but found out from her business contacts, not from him. She said she doesn't remember any of the group's 11 members talking about it since she joined 10 months ago.

"It's just never come up," she said.

Committee members also couldn't remember who raised the idea of bringing a library to Odenton in the first place. But library administrator Ron Koslowski said the idea was Winer's.

"Originally I talked with Jay," Koslowski recalled. "He called me and asked me if I was interested in seeing the property."

Whether or not Winer's role constituted a conflict of interest, Klosterman said he still finds the transaction unsettling.

"People out there see this and they say, 'Something smells, something's wrong,'" the council president said.

"When the guy donates money to a political campaign, and then gets an \$80,000 commission, you have to look at that as payback. Whether it actually is or not doesn't matter. Perception in this business is 90 percent of the game."

(Mount Clipping in Space Below)

Arundel Official Quitting Over Gary-Ordered Deal

By JEFFERSON MORLEY
Washington Post Staff Writer

Anne Arundel County's chief attorney told his staff yesterday that he is stepping down, amid questions over his role in a series of controversial land deals initiated by former county executive John G. Gary.

County Attorney Phillip F. Scheibe, a veteran of county politics, did not respond to a request for comment. An aide said Scheibe told his staff that County Executive Janet S. Owens (D) had asked him to resign.

Owens's office also declined to comment. Knowledgeable county officials say the action was prompted in part by Scheibe's decision to sign off on a controversial \$1 million land purchase ordered by Gary last fall.

In the closing weeks of his unsuccessful reelection bid, Gary announced that the county was going to build a police substation and athletic fields on seven acres near Maryland City, next to Laurel Race Track.

After his defeat, Gary ordered subordinates to buy the property from Nick Andrew, a Maryland City businessman who gave \$4,000 to Gary's reelection campaign, according to a story in the Annapolis Capital last month. Officials since have decided not to use the site.

In an interview with The Washington Post earlier this week, Gary defended the deal, saying, "You can't get highly qualified professional people like Phil Scheibe to sign off on something's that's not right."

Gary named Scheibe, a Democrat, to head Anne Arundel's legal office in 1995. The appointment drew criticism when it was revealed that Scheibe had secretly bought and sold county land for profit during an earlier stint as

county attorney from 1967 to 1970. The state's attorney investigated but found no wrongdoing.

In addition to the Maryland City land deal, Gary defended his post-election decisions to use county funds to buy two properties in Odenton, saying the community has long sought to build a library there. Another Gary contributor, Realtor Jay Winer, made \$81,000 in commissions by arranging the purchases, according to a story in the Baltimore Sun.

"Jay Winer has served on hundreds of committees and put in hundreds of hours for the community, and they say he only did this for his personal gain. It's asinine," Gary said.

Winer, whose office is across the street from the undeveloped property at Routes 170 and 175, did not respond to requests for an interview made by telephone and at his office.

All three properties are in the western part of Anne Arundel, where development in the past 15 years has transformed a rural area into a suburban bedroom community and heightened demand for county services.

A supporter of Gary's plan for a police substation said Scheibe accompanied Gary and two other county officials on a visit to the property in October 1998.

"He was there at the first meeting we had about the property," said Ray Smallwood, president of the Maryland City Civic Association. Smallwood said that Scheibe did not speak while Gary and then-police chief Larry Tolliver and then-recreation and parks director Tom Angelis talked about their plans for the property.

By then, the county had already

(Indicate page, name of newspaper, city and state.)

THE WASHINGTON POST
WASHINGTON D.C.
PAGE B-3

Date: MAY 21, 1999
Edition:

Title: ARUNDEL OFFICIAL QUITTING
OVER GARY-ORDERED DEAL

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FILE PHOTO

Land purchases sought by former county executive John G. Gary, above, were authorized by County Attorney Phillip F. Scheibe.

commissioned an appraisal and was negotiating with Andrews to purchase the property for more than a month, according to Teri Belcher, assistant central services officer for the county.

Gary had a slightly different recollection of the meeting. He said he first met with Smallwood and another community leader in May 1998 and told them about his idea for a police substation.

"Both said it was a great idea," he said, "Then we started doing the appraisals on the property, which were finished in September."

County officials say they no have no plans to build a police substation on the site, former occupied by a trucking company because it is unsuitable for the proposed ballfields.

"They're really strapped for playing fields out in west county but that location left a little bit be desired," said Jay Cuccia, chief of special facilities oversight for the county recreation department.

"The plan is to sell the property if we can," said Marvin Bo Owens's chief of staff.

"ORIGINAL TO BUREAU"

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4/18/99 CAPITAL

Land deal a costly unfilled promise

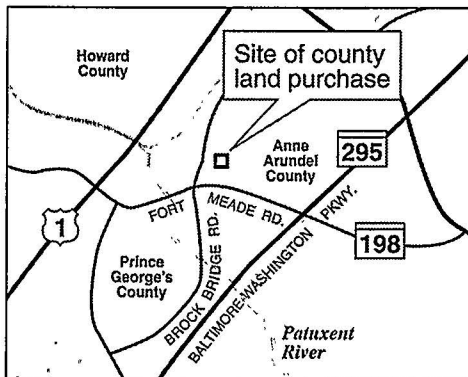
Gary pushed \$1M purchase during re-election run

By JEFF NELSON
Staff Writer

A surprise announcement in the heat of last fall's campaign that the county would buy land in Maryland City for a large police substation and playing fields was greeted enthusiastically by area residents.

Now, it appears to have been little more than an expensive, hollow promise.

Flanked by police officers, patrol cruisers and a helicopter on an October morning, then-county executive John G. Gary Jr. called in the media and community leaders to announce his plan to



pay \$1 million for 7 acres on Brock Bridge Road in Maryland City for the substation and recreation site.

The land was bought from Nick Andrew, a prominent owner of a Laurel

lounge and retail liquor store.

But officials with both departments slated to use the property now say they can't use the land and never asked for it. One is recommending that the land be sold — at a loss, if necessary. And, there are serious questions about the county's purchase, rushed through the government bureaucracy without proper approval and just days before Mr. Gary lost re-election.

"My recommendation is not to spend good money after bad," said Dennis Callahan, the county's director of Recreation and Parks.

Mr. Gary's promise of greater police protection and long-awaited ball fields for the growing commercial and residential area came just as he was in the final leg of

(See LAND, Page A12)

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LAND

(Continued from Page A1)

(a hotly contested run for re-election and polls were showing him behind in the race.

The deal to buy the land was pushed through fast, county records show. Environmental reports were done in less than a month and incomplete, though the land had a history as a dumping ground for vast amounts of trash.

And there were other problems:

- County Auditor Teresa Sutherland filed a complaint with Mr. Gary in November, noting that the land was bought without following county purchasing laws.

- The money used to buy the property came from an account County Council members were told was for a West County library, fire stations, and the purchase of historic properties. The council was never asked to approve the Maryland City land purchase.

- There never was any money budgeted to build the station and the county's construction spending plans were stretched to the limit with other projects.

- The Police Department had never suggested building such a large substation, opting to tackle the area's serious crime needs with additional officers rather than office space.

Yet an agreement to buy the land from Mr. Andrew, owner of Starting Gate Bar & Lounge, was penned in late September, the press conference held in early October and more than \$1 million in county taxpayers' cash was wired to Mr. Andrew two weeks before Mr. Gary turned over the executive's office to Janet S. Owens.

"Despite the fact that there was no approved commitment or direct payment authorized, the administration settled on the property and disbursed the funds on Nov. 21," Ms. Sutherland wrote in a letter complaining about the sale dated in November.

At the flashy October press conference, a preliminary floor plan for a 7,735-square-foot station was unveiled. Then-police chief Larry Tolliver announced that 33 officers from the Western District Police Station, including the entire detective's office and staff for holding cells, would call the site home when the project was completed.

"This is a major part of our effort to live up to a commitment that we made to this part of the county," Mr. Gary said at the time.

But police spokesman Lt. Jeff Kelly said there is no record of any evaluation done beforehand that suggested building a substation in Maryland City. An unwritten evaluation was done after the land was bought — it found no need for the grand plan envisioned last year.

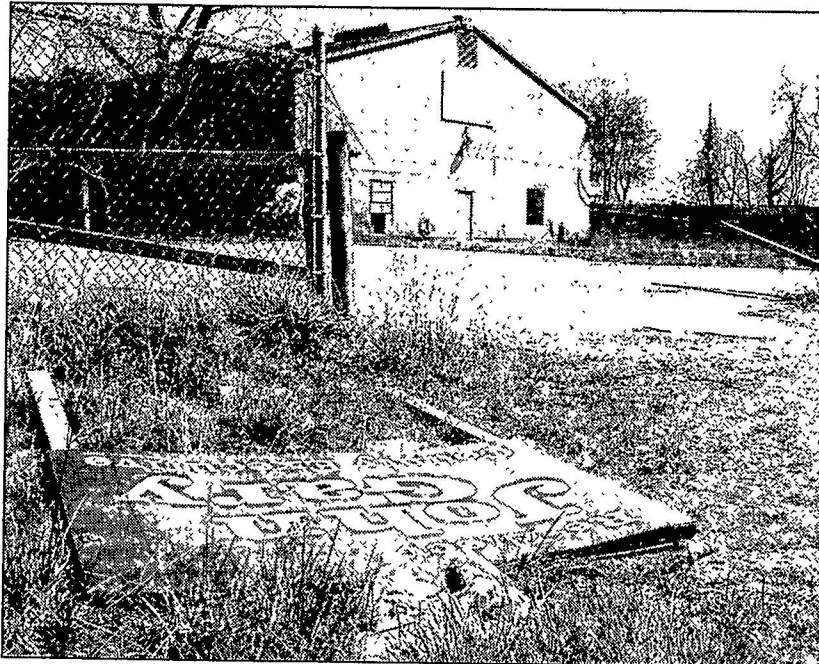
"We don't think that's necessary to have. We don't build those things anyway," Lt. Kelly said.

Substations, he said, are generally little more than a corner room where police can stop by to fill out reports on the rare occasions when they don't do their paperwork in their cars. No substation comparable to the one Mr. Gary described exists in the county.

"Generally, they're just a desk and a phone," Lt. Kelly said.

The floor plan, county records show, was hastily put together by an Annapolis company during two weeks in August. The police quickly penned a two-page "plan" for the site in mid-September, just as the county was inking an agreement to

FROM THE FRONT PAGE



By Jeff Nelson — The Capital

Locked in a race for re-election that polls said he was losing, former county executive John G. Gary Jr. held a flashy news conference at this site in Maryland City, promising it would be home to a new police substation and playing fields for children. Instead, the police and recreation departments don't want the \$1 million property and are suggesting it be sold less than six months after the county bought it.

buy the land.

Mr. Gary could not be reached to comment on the land acquisition. But Bert L. Rice, then the County Council member representing the area, said residents had a long-standing and legitimate reason to demand greater police presence in the area.

"I thought it was a good idea and I know that John (Gary) had been thinking about substations for a long time," he said.

Mr. Rice said the rapid purchase of the Maryland City site and its lack of budgeting probably had something to do with the campaign season.

"Was it tied to the election? Everything is tied to an election," Mr. Rice said.

Despite the lack of money in the county's capital budget, Mr. Rice said he is sure that Mr. Gary would have followed through on plans for the substation.

Police never gave the idea much consideration and will instead boost their presence in the area this year by adding an officer to the regular patrol of the zone beginning July 1, Lt. Kelly said.

The police aren't the only people with second thoughts, however. At the unveiling, Mr. Gary said most of the property would be used for ball fields and said the county was negotiating with adjacent landowners to add to the size of the parcel for greater recreation opportunities.

No record of such negotiations exists in the file for the deal. No additional land was purchased.

Parks department officials say they can't put anything on the Brock Bridge Road site. The land's L shape and odd topography make it impossible to use for much-needed soccer-type fields.

In addition, the property has been used as a dump and would require a cleanup that would cost thousands of dollars. The purchase agreement required the county to assume all cleanup costs.

Nothing has been done with the property, which is riddled with trash and debris. One of Mr. Gary's campaign re-election signs still lies knocked down in tall grass along the roadside.

"Even if this was donated to us, I don't think we would want it," Mr. Callahan said.

News that the grand plan presented to them in October is already forgotten came as no surprise to residents in Maryland City. For years, the area has grown at a rapid pace with little increase in police presence or recreation areas.

The additional officer in July will be a big help, and residents will just keep asking for more relief.

"We've been fighting (for greater services) for 30 years. I call this a ripple in the water," said Ray Smallwood, president of the Maryland City Civic Association.

4/25/99

Our say

(A/12)

Gary's Maryland City land deal: Expensive, fishy

PERHAPS FORMER county executive John Gary has a good explanation for why the county spent \$1 million for a useless, trash-strewn piece of land in Maryland City. If so, we'd like to hear it. So far, we haven't been able to reach him for a comment.

Otherwise, all county residents can do is stick with a bad explanation forced on them by the available facts: Mr. Gary, embroiled in a losing re-election fight, rushed into this deal so he could hold a big press conference and pick up some votes with promises he was unlikely to keep.

Specifically, Mr. Gary promised the people of Maryland City two things they urgently need: additional police protection and more recreation facilities. Last October, summoning the media and community leaders — and deploying police officers and equipment as props — the county executive announced that \$1 million would be paid for 7 acres on Brock Bridge Road so the county could put a 7,735-square-foot police substation there, with the rest of the land used for ball fields.

It is true that the county agreed to buy the land in September, and the money was wired to the owner — an unusual procedure in itself — two weeks before Mr. Gary left office. But nothing else Mr. Gary said seems to have had much foundation in fact.

The county police and the Department of Recreation and Parks now say they didn't ask for the land and can't use it. The police say they don't build the sort of elaborate substation Mr. Gary proposed and see no reason for one at Maryland City. Parks department officials say the L-shaped tract can't be used for soccer-type fields — and, besides, the land has been used as a dump and it would cost the county thousands of dollars to clean it up.

"Even if this was donated to us, I don't think we would want it," said Dennis Callahan, the new parks and recreation director.

It gets better: The county auditor filed a complaint that the purchase hadn't followed county laws. The \$1 million came from a fund set aside for other west county projects, and the purchase was never approved by the County Council or included in the capital budget. The environmental reports were incomplete and the floor plan Mr. Gary showed off was knocked together by an Annapolis company during two weeks in August.

When Bert Rice, the former County Council member who represented the district, was asked about this land deal he remarked: "Was it tied to the election? Everything is tied to an election." No kidding, Mr. Rice.

For all our disagreements with Mr. Gary, we respected him for tightfisted management of county resources. He wasn't a county executive to toss money around. So what happened last fall? Was he that rattled by the prospect of losing office?

In any case, whatever votes Mr. Gary's hollow promises got him in Maryland City weren't enough. He lost anyway, and \$1 million of taxpayers' money went to buy a piece of land whose only real use, so far as we can see, was to hold a "re-elect John Gary" sign, which is now lying on its back.

Again, perhaps Mr. Gary has some answers for this. If not, perhaps there are some investigators — even the FBI, which has already looked at some other dubious county land-use decisions — interested in asking questions.

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Our say

CAPITAL

Despite what Gary says, land deal doesn't make sense

THE COUNTY is preparing to sell the Maryland City land acquired during the final days of the John Gary administration — and it may well have to do so at a loss. Meanwhile, Mr. Gary has provided some explanations for this odd purchase.

Unfortunately, his version of events poses more questions than it answers.

It was last October when Mr. Gary, with maximum fanfare, announced the impending purchase of the 7-acre site. The land was supposed to be used for a 7,735-square-foot west county police substation, with the balance of the property — supplemented by purchases of neighboring land — to go for ball fields.

At the time Mr. Gary was running hard for reelection against challenger Janet Owens, and the polls showed him slipping behind. There were obvious benefits in announcing a dramatic move to help a neglected corner of the county.

Mr. Gary admits the announcement's timing was political. But he insists his plans for the property were serious. He intended to build upwards of three police substations in relatively remote areas of the county, starting with Maryland City, and had been talking about it for two years. He said Police Department and Recreation and Parks officials checked out the Maryland City site and agreed it would be suitable.

If Mrs. Owens and her new police chief and recreation chief disagree about the usefulness of the land, Mr. Gary says, that's their right — but hardly his fault.

What's wrong with this version of events? For starters, officials with both the Police Department and Recreation and Parks now say they can't use the land at all and NEVER asked for it. Someone is playing games with the truth.

Then police chief Larry Tolliver was fully on board for Mr. Gary's announcement, saying that 33 officers from the Western District Police Station would be transferred to the new facility at Maryland City. But police spokesman Lt. Jeff Kelly now says there is no record of any evaluation done beforehand to suggest building a substation at Maryland City.

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...or any evaluation done before-hand to suggest building a substation at Maryland City. An unwritten evaluation done after the land was bought found no need for the sort of facility Mr. Gary talked about.

Indeed, Lt. Kelly said, the department doesn't build large substations. Mr. Gary's alleged two years of discussion on this matter don't seem to have left any impression. Was he talking to anyone besides Mr. Tolliver? Wouldn't the building of large substations be part of an established, long-range plan?

Obviously, county policy is going to change when a new county executive is sworn in. But there's still something peculiar when the rationale for a quickie \$1 million purchase totally evaporates when an incumbent is booted from office.

And there's an even bigger oddity: Mr. Gary didn't complete the land deal until Nov. 20 — 17 days after he'd lost his re-election bid. Why did he go ahead with this expensive purchase while he was cleaning out his desk at the Arundel Center? Shouldn't this have been put on hold pending study by the incoming county executive and her staff?

The county auditor has complained that the purchase didn't follow county law, and the environmental report for the land was incomplete — in spite of the trash and debris on the site.

Put this all together, and Mr. Gary's explanations don't cut it. The best possible interpretation for this purchase is none too encouraging: This was a hasty \$1 million mistake, and a sad way for a generally frugal county executive to leave office.

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Capital file photo

Residents and county officials have long had big plans for Parole Plaza, part of Parole Town Center. Their disappointment was made clear last week when they learned the 33-acre tract could become home to a Wal-Mart and other stores.

Parole's future stirs emotions

Vision for area remains cloudy

By JEFF NELSON
Staff Writer

When developer Carl Freedman announced Wednesday that he was building a Wal-Mart on what was intended to be the core of the Parole Town Center, residents and county officials who have been planning the area for more than a decade were aghast.

They had envisioned a 33-acre grid of new urban streets fronting soaring 16-story office and condo towers. There would be parks, walking paths, theaters and transit stations.

Acres of asphalt surrounding a large box of a building was never in their plan.

"We cannot let this happen. We have to enforce the plan, the vision for Parole," said County Councilman Barbara D. Samorajczyk, D-Annapolis Roads.

But confusion over just what that

vision is has played an important role in Wednesday's announcement, according to planners, residents and developers.

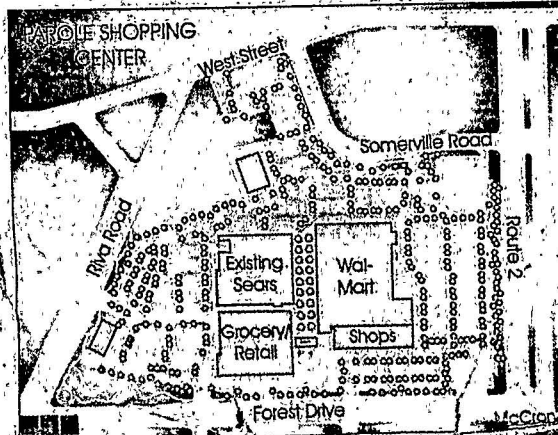
Since the first modern Parole Town Center plan surfaced in 1990, there have been three separate committees formed to do the planning. At least two separate plans have been adopted by the county, under the watch of five county planning directors and four county executives.

Even now, nine years after the first Parole plan was adopted by the County Council, there are bitter fights raging on Bestgate Road and Admiral Cochrane Drive over just what the plan means — fights so confusing that it is difficult to tell who is on what side of which policy.

"This is the third time in the six months I've been in office that a developer has attempted to violate the Parole plan. If we allow this, then we don't have a plan," Mrs. Samorajczyk said.

Her comments have an ironic

(See PAROLE, Page A12)



An artist's rendering for the proposed redevelopment of Parole Plaza in Annapolis.

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FROM THE FRONT PAGE

PAROLE

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twist for developers and planners, however. One of the projects she refers to — The Bernstein Group's plans for an office park and commercial development on Admiral Cochrane Drive — is called for in the Parole plan. But Mrs. Samorajczyk is fighting it, preferring instead to enforce zoning that allows only the type of low-density residential development that the plan rejected for the site.

Mrs. Samorajczyk is arguing the opposite with the Wal-Mart proposal — the zoning that allows a Wal-Mart is less important than the plan that calls for something else.

"That's what we've been dealing with for 10 years. We have a plan, but there isn't any consensus in the community as to whether it's a good plan or a bad plan," Chris Soldano, a town center planner, told the new Parole plan committee last week.

That fact has not been lost on Mr. Freedman, who as a key property owner has served on all of the Parole committees.

"A lot of people aren't going to like this. But just because you don't like it doesn't mean you can change it. Anything I've proposed here, there has been opposition to," he said.

Defining the plan

The Parole plan is a vision, en-

acted by the County Council, that is intended to do a great many things.

It creates a town center where people are expected to get out of their cars and work and live in the same area. It is also the zone where everyone is expected to agree that development and its increased tax revenue are welcomed rather than spurned.

The detailed idea was born in controversial plans in 1990 for 16-story office towers on Jennifer Road. The county put together a working group of area residents, planners and developers to decide once and for all where such high-intensity growth would go.

It was an attempt to provide details for previous plans for the area adopted by the county three times before, going all the way back to 1968.

Their plan, introduced and adopted in 1990, drew a distinct boundary from Gingerville in the south to Bestgate Road in the north, and Route 2 in the east to Housley Road in the west.

Within those boundaries was a core centered on Mr. Freedman's tract. There developers could, by mixing uses and providing mass transit centers and other amenities,

"A lot of people aren't going to like this. But just because you don't like it doesn't mean you can change it. Anything I've proposed here, there has been opposition to."

— Carl Freedman, developer

build their 16-story towers.

Immediately surrounding that was to be slightly less intense, but still urban, commercial residential and office development. And on the outer fringes, the planners envisioned office parks and high-density housing nestled within grassy or woodsy settings.

Studies continued through the early 1990s and a new committee of 21 residents, environmentalists and developers was formed to guide the process. That effort led to an even more detailed plan unveiled in 1994. Through it all, a mixture of uses — places to live, shop and work, all together within walking distance — was considered key, along with an intensity of development that would be enough to support mass transportation.

Since 1994, however, squabbles over the plan erupted whenever an actual project was proposed.

'mini-Manhattan'

Mr. Freedman proposed a \$100 million project for his site in 1996 and watched it get shot down. The county began drafting a zoning ordinance that would actually allow mixture of uses envisioned, but it has yet to be completed and passed.

Some developers pulled out of the area, complaining about intransigent slow-growth opposition and unrealistic planning.

Mr. Freedman echoed that. "There is a real problem with expectations. They expected me to go in there and build a mini-Manhattan overnight — and it just doesn't work that way," he said.

Residents, planners and developers never have settled the long-simmering disagreements on what really is allowable on the edges of the town center area, leading to the vicious battles over pro-

posals on Bestgate Road and Admiral Cochrane Drive this year.

Slow-growth activists now say the plan must be reworked and the intensity of zoning lowered because of traffic concerns. And because growth-leery residents have formed huge federations to battle intensive development on the fringes, their complaints are being heard.

A new 32-member committee began a comprehensive review of the plan this month. It is the third panel to do so since 1990.

"We're not going to be doing a whole new Parole plan, but we are going to take a look at what happened over the past nine years and see what needs to be done," said John Fischer, co-chairman of the new committee.

Time for action

Even among the new committee members, some of whom have studied the plans for a decade, there is a sense that plans need to be turned into action.

"As long as there is this flailing

around and re-looking at issues that have been looked at time after time, there isn't going to be a consensus," said Jon Arason, city director of Planning and Zoning and a member of the new Parole committee.

"You need to come up with a good plan, and not be afraid to go forward with something."

All the waiting and bickering helped produce the Wal-Mart instead of the town center, many said. For more than a decade, the Freedman site was largely vacant and crumbling, home to a small Sears, a weekend flea market, and a handful of shops in an aging, low-rent center.

"He's worked on this site for many, many years and he feels he has to do something. I understand that, but I'm disappointed with what he wants to do," said County Executive Janet S. Owens.

Though she is less than thrilled with the Wal-Mart proposal, Mrs. Owens said she will not direct county staff members to throw road blocks in front of the proposal.

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Interim economic chief named

Owens taps Badger,
development board's
vice president

By CHERYL LU-LIEN TAN
SUNSTAFF

Anne Arundel County Executive Janet S. Owens named yesterday the senior vice president of the county's economic development corporation to temporarily replace president Richard J. Morgan, who abruptly resigned two weeks ago to take a private-sector job.

William A. Badger Jr., 44, joined the Anne Arundel Economic Development Corporation (AAEDC) — a private corporation that receives public funds and is overseen by a county-controlled board — as Morgan's right-hand man in 1994.

Morgan handed his letter of resignation to Owens at the groundbreaking for Arundel Mills mall on July 15, a week after state officials criticized AAEDC's operations in a private meeting with the county executive and her chief advisers. Morgan, who had headed the agency for two years, recently faced scrutiny about the under-performance of loans brokered by the agency, a corporation insider said.

Badger's appointment takes effect Saturday.

Badger "is highly thought of," Owens said. "Things are booming in this county, and there's not a great deal of time for a learning curve. I'm just delighted that Bill agreed to be acting president and CEO. There'll be continuity and no loss of momentum."

Owens plans to pick Morgan's permanent replacement within two to three weeks and is considering Badger for the job. Owens has said she hopes to change the AAEDC's policy of keeping its work private, even from her. The county auditor is studying [See Owens, 6B]

Economic development board's vice president is interim head

[Owens, from Page 1B]

the agency's finances and is scheduled to release a report at the end of this month.

Badger said he was happy Owens tapped him for the interim job and emphasized that he would "help her in any way, as far as looking for a permanent person is concerned."

"I told her I would be interested in being that person, but I also would support any person that she would appoint to that position," he said.

Badger, who lives in Brooklyn Park with his wife, Colleen, and 7-year-old daughter, Hilary, joined the AAEDC after working at the Maryland Department of Business and Economic Development for 17 years, advancing from community development representative to senior industrial development representative.

He graduated with a bachelor of science degree in business administration from then-Towson State University in 1976 and worked as a budget assistant at the State Department of Education and the comptroller's office

before joining the state economic development agency.

County Councilwoman Pamela G. Beidle, who sat on the AAEDC's board a few years ago, said Badger has been important in "attracting the kinds of businesses we need in Anne Arundel County."

"A lot of companies at the National Business Park [in Odenton] are here because of Bill's work," Beidle said of the 175-acre project, which contains 560,000 square feet of office space. "He really does have many years of experience in this, and he's really terrific at bringing companies to the area."

Badger said he plans to emphasize the importance of tourism to the county and continue promoting it as an ideal location for technology companies to set up corporate headquarters.

"We are the third wealthiest county in Maryland, and the Chesapeake Bay and its tributaries ensure a high quality of life here," Badger said. "It's pretty much a continuation of what we've been doing."

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Business agency has new head

By CHET DEMBECK
Business Writer

William A. Badger Jr. was named the interim head of the Economic Development Corp. yesterday, replacing Richard J. Morgan, who resigned suddenly two weeks ago.

Mr. Badger, 44, of Brooklyn Park, has served as the quasi-public agency's second in command with the title of senior vice president since 1997. The corporation recruits businesses to the county and works to keep them here. It operates a \$3.5 million small business loan fund supported by 17 banks.

County Executive Janet S. Owens said she tapped Mr. Badger because of his experience and ability to ensure the continuity of the corporation's operations.

Mr. Badger characterized his meeting in Annapolis yesterday with Mrs. Owens as positive.

"She asked me if I'd be acting CEO, because this is pretty much the immediate concern," Mr. Badger said. "I agreed to accept the challenge, chatted a little about the permanent position and communicated that I'd be interested."

Mrs. Owens said she plans to pick Mr. Morgan's permanent replacement within three weeks. She has interviewed two candidates for the position and intends to interview at least six more. She declined to identify them.

"I'm not looking for someone outside the state," she said. "I want someone who's very familiar with Anne Arundel County."

Mrs. Owens said Mr. Badger was "high up there" among the candidates.

If he is not chosen, Mr. Badger said, he's willing to work with the new economic development chief.

Mr. Badger's appointment is effective Saturday, a day after Mr. Morgan's resignation takes effect. He hand-delivered his resignation to Mrs. Owens earlier this month after a groundbreaking ceremony for Arundel Mills, a massive mall near Baltimore-Washington International Airport.

The resignation came just two months after the County Council cut the agency's budget in half from \$300,000 to \$150,000. It also follows on the heels of a council-ordered audit of the agency, which is due to be released within a few weeks, according to Jodée Dickinson, assistant county auditor.

Mr. Morgan will become the chief executive officer of a new bank to be opened in Annapolis by CommerceFirst Bancorp Inc.

Mr. Badger is taking the reins at a time when some in government are toying with the idea of changing the corporation back into a county department.

County Council Daniel E. Klosterman Jr., D-Glen Burnie, said last month that this is one option the council would consider.

Meanwhile, Mr. Badger said he'll apply for an increase in pay during the time he's the acting head of the agency. The position pays \$64,000 to \$95,000, according to the county Personnel Office.

Mr. Badger is a former senior industrial development representative with the state. He lives with his wife and daughter.

ANNAPOLIS CAPITAL
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(Mount Clipping in Space Below)

2nd Gary land deal under review

Businessman traded
Curtis Creek land; got
trash facility agreement

By MATTHEW MOSK
AND LAURA SULLIVAN
SUN STAFF

Anne Arundel County officials are trying to sort out another complex land deal that former County Executive John G. Gary engineered during his final weeks in office, this one again involving the purchase of land with little apparent potential for public use.

The deal, for 40 acres of wooded waterfront along Curtis Creek, took place in December, at the same time the county spent \$1 million for Maryland City property that has gone unused.

The Curtis Creek land came to the county in a trade Gary brokered that handed a Millersville businessman the chance to quietly open a garbage transfer station that had been opposed by residents.

County officials said the land was a possible site for a boat launch. But when Recreation and Parks Director Dennis Callahan visited the property recently, he was baffled.

"I couldn't figure it out," he said. "It's really not an ideal spot. It's almost impossible to reach, and it's surrounded by heavy industry. To be honest, I don't understand how or why we came to own it."

In recent weeks, an FBI agent has met with county officials to inquire about both land deals, and has requested copies of related documents, sources said.

Gary could not be reached for comment. But current and past administrators who helped broker the purchase of the land along Curtis Creek defended it as sound.

Tom Andrews, who was Gary's chief [See Land, 6B]

(Indicate page, name of newspaper, city and state.)

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Anne Arundel to review second Gary land deal

[Land, from Page 1B]

administrator and is the county's top land-use official, said the land might be "worth its weight in gold."

"It's a fairly pristine property; the water there is good, the depth is good, the quality is good," Andrews said. "It was attractive at the time, and still has some potential."

Unlike the Maryland City purchase, which sent \$1 million in taxpayer money to a Gary campaign donor, the Curtis Creek deal was not a direct purchase.

The land was thrown in as part of a more complicated agreement that enabled Millersville businessman William K. Blanchet to open the county's second garbage transfer facility.

Blanchet agreed to sell the county Curtis Creek property valued at \$500,000 for \$35,000.

In exchange, officials signed an agreement that allowed him to open the facility on nearby Stahl Point Road, and reduced the fees connected with operating it.

Blanchet, who opened his trash

transfer site in April, said he approached Gary with the plan in early 1996.

At that meeting, Blanchet said he wanted to open a transfer facility — where trash is sorted and prepared for shipment out of the county — at Curtis Creek. But he could not afford the high regulatory fees the county's other facility at Annapolis Junction pays.

"I'm a mom-and-pop company compared to the bigger guy," Blanchet said. "I got the best deal I could. And I had this piece of property that seemed to fit very nicely with what the county wanted that I couldn't use because the residents didn't want all the truck traffic from a transfer station."

He said he offered Gary a swap for the 40 acres, and Gary set the deal into motion.

For the administration to push the deal through, it needed support from the then-Councilman George F. Bachman, whose district would become home to the unpopular and politically unpalatable trash business, Andrews said.

Bachman proposed that part of

the fees the county extracted from the transfer station be earmarked for use in his district.

"We wanted that money for land improvements, schools, or money for recreation and parks," Bachman said. "I would not have been for it unless my district got something."

But Andrews said county officials negotiated for parkland.

Acquiring Blanchet's property would give the county 80 acres along Curtis Creek.

"It seemed to us that we picked up a pretty good deal," Andrews said.

Bachman said he never signed off on the arrangement because the park land was not in his district. He thought the deal was pending.

But behind the scenes, it had moved forward.

The transfer station was exempted from zoning restrictions as part of a council bill passed last March with no fanfare.

The fee agreement with the county was signed in September. And in December, with everything else in place, the only remaining step was for the county to collect its 40 acres.

County Executive Janet S. Owens, in office a few weeks, signed the papers that made the land purchase final.

"At that point, we could see no reason not to buy the land," said Marvin Bond, her chief of staff.

That all this occurred without public input has left some in the community upset, especially because they fought Blanchet's initial plans to build the transfer station on the 40 acres.

When word spread of that first proposal, nearby residents met and demanded a hearing to challenge his zoning permits and truck traffic plans.

"We had the whole gang out there ready to fight this, and suddenly Blanchet disappeared," said resident Marge Huggins. "He was gone. We assumed he just gave up."

Residents wonder how he received county approval to operate across the creek without any of them being notified.

Although the trash station is a mile from homes, it could mean truck traffic and foul odors for residents.

Pamela G. Beidle, who took Bachman's seat on the council, said none of this surprises her.

"That's the story of District 1," Beidle said. "We get all the garbage, and none of the amenities."

Automated Serial Permanent Charge-Out
FD-5a (1-5-94)

Date: 07/29/99 Time: 09:06

Case ID: 194B-BA-96809 Serial: 13

Description of Document:

Type : NEWSPAPE
Date : 07/27/99
To : BALTIMORE
From : THE SUN
Topic: INTERIM ECONOMIC NAMED

Reason for Permanent Charge-Out:

inadvertently misfiled

Or misfiled on purpose as in told to bury the investigation

Transferred to:

Case ID: 194B-BA-96809-NP Serial: 10

Employee:

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194B-BA-96809-13

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10/15/99 BA SUN

Anne Arundel

County official accepts Ga. job

Andrews may begin
county manager job
mid-November

By AMY OAKES
SUN STAFF

Thomas C. Andrews, ~~Anne Arundel County's land-use and environment officer,~~ has accepted the job of county manager for Fulton County, Ga., pending completion of a written contract.

Andrews sent a letter of acceptance to the Fulton County Board of Commissioners yesterday and will visit the area this weekend, he said. He may begin his new job in mid-November, but his wife, a teacher, will probably finish the school year here, he said.

"I'm looking forward to the career advancement opportunity this presents," said Andrews, 57, who was chief administrative officer to former Anne Arundel County Executive John G. Gary before heading the Department of Public Works and Department of Planning and Code [See Andrews, 8B]

Andrews accepts county manager position in Georgia

[Andrews, from Page 1B]

Enforcement as land-use officer. "I was not looking to leave Anne Arundel County, but this was something I couldn't pass up."

Andrews, who earned \$94,671 a year as land-use officer, will be paid \$160,000 annually in his new position, plus \$12,000 for serving on the board of the Atlanta-Fulton Recreation Authority, said Josh Kenyon, chief of staff for Mike Kenn, the commissioners' chairman. He will be the highest paid county manager in the state's history, Kenyon said.

The commissioners approved the contract Wednesday after almost a week of negotiations. Andrews also will receive the use of a county automobile, four weeks of vacation, and health and pension benefits.

"I think the commissioners all agreed it was worth it, because they needed to get someone on

board," Kenyon said. "They liked his broad background."

County Executive Janet S. Owens said she has discussed the job opportunity with Andrews and thinks it will be a good career move.

"Tom is extremely knowledgeable about land-use and environmental issues," Owens said. "He will be missed."

With a population of 786,100, Fulton County is the largest and richest county in the Southeast. Andrews will oversee its nearly \$1 billion budget and manage more than 6,000 employees.

Kenyon said Andrews will face a projected budget shortfall for next year of at least \$35 million and growth problems, such as an overcrowded county jail. The Atlanta jail has a capacity for 2,200 inmates but 3,800 are housed there now.

"There's a lot of challenges down here," Kenyon said. "It should be exciting."

Andrews was the commissioners' second choice to be Fulton's top administrator. After a three-

month search that yielded four candidates, the commissioners offered the position to Teree L. Caldwell-Johnson, manager of Polk County in Iowa, who declined based on salary considerations.

Robert Regus, the last permanent county manager, earned \$134,533 before being fired in November 1998, Kenyon said. Regus was replaced by Cecelia Corbin Hunter, acting deputy county manager, Kenyon said. Regus' predecessor, John Stanford, earned \$142,000, annually.

The seven commissioners voted unanimously Oct. 6 to offer the county manager position to Andrews, who had begun looking for other employment when Owens, a Democrat, defeated Republican incumbent Gary in November.

Andrews' 30 years in government include five years as director of administration for the state Department of Natural Resources and four years as the county's health officer. He has a bachelor of science degree in biological sciences from Miami University in Oxford, Ohio, and a master of sci-

ence degree in natural resources administration from the University of Michigan in Ann Arbor.

As health officer, Andrews said his achievements include establishing a program to provide low-cost health insurance for the under-insured in the county. And, as land-use officer, he said he is most proud of his success with stream restoration projects.

In Andrews' years during Gary's administration, two county matters involving land developers had been the subject of scrutiny.

Andrews was subpoenaed March 16 to testify about the county's relocation of a proposed road last year. The FBI and the Anne Arundel County Ethics Commission were investigating whether the road change was to help developers planning a retail and housing complex.

And, while he was chief administrative officer, county officials came under fire for granting developer Jay Winer and land-use lawyer Fred Delavan, a discounted lease for a cellular phone tower.

Automated Serial Permanent Charge-Out
FD-5a (1-5-94)

Date: 09/02/99 Time: 09:47

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Type : FD302

Date : 04/27/99

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From :

Topic: SOURCE AND SOURCE'S SPOUSE MOVED TO MARYLAND IN 1989. AT

Reason for Permanent Charge-Out:

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DOCUMENT INADVERTANTLY UPLOADED INTO WRONG CASE ID.

Transferred to:

Case ID: 194B-BA-95927 Serial: 33

Employee:

DOCUMENT UPLOADED INTO WRONG CASE ON PURPOSE ?

194B-BA-96809-15

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MAY 1999
FBI - BALTIMORE
[Signature]

POST

Audit Raises Questions in Arundel

8/11/99

The first audit of the Anne Arundel County Economic Development Corp. didn't find missing funds but has raised questions about bookkeeping practices at the quasi-public organization.

The audit, released Monday, showed the 15-member office spent \$55,000 on travel and nearly \$600,000 on promoting the county at events such as the Preakness horse races and an around-the-world yacht race.

Auditors also found a number of "significant deficiencies," such as assets being reported twice, and the agency's failure to adopt an operating budget or keep detailed minutes of meetings. Auditors also recommended that the agency hire a more qualified accountant.

The development group is run like a private company but has received about \$6 million in taxpayer funds since it was privatized six years ago.

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Gary property deal nets FBI investigation

BA SUN

9/99

County paid \$35K for \$500K property

By JEFF NELSON
Staff Writer

Officials in County Executive Janet S. Owens' administration are questioning another land purchase made by the previous administration — a deal that has attracted the interest of FBI officials who want to review county documents.

The deal made by former county executive John G. Gary Jr.'s administration came to light in January when Mrs. Owens was asked to sign the final paperwork for an unusual sale.

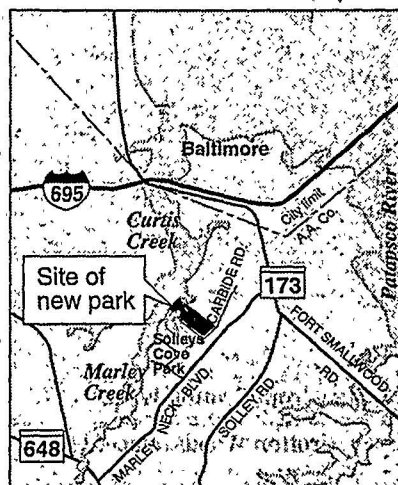
The county paid just \$35,000 for 40 acres of industrially zoned waterfront property on Carbide Road near the Baltimore city line. The land had been appraised at \$500,000.

"Once again, we had a situation where none of the professionals in the county were consulted. Someone came along and said, 'You've got a park.' Now what do we do with it?" said Dennis Callahan, county recreation and parks director.

Mr. Callahan conceded that it appears to be a good deal for the county. The land is next to a 36-acre park deeded to the county by CSX Corp. and adjacent to CSX's proposed Tanyard Cove project of more than 1,200 homes.

Gary administration officials involved in negotiating the purchase could not be reached for comment.

But John Morris, a spokesman for the county Land Use Office, said the deal was a no-brainer.



Capital Graphic

"It gave us an almost 100-acre park for \$35,000. That's pretty good," he said.

County officials close to the purchase said FBI agents asked for documents related to the deal last week, along with other records relating to a controversial land deal in Maryland City.

In the Maryland City case, the county is considering selling off a \$1 million parcel it bought just before last year's election. Mr. Gary said the property was intended to be used as a park and a site for a new police station, though police and parks officials deny any such plans were in the works.

With the Carbide Road property, Mr. Callahan said the department was asked by Mrs. Owens to consider building a boat ramp into Curtis Creek. A ramp would augment the county's meager stock of public boat launching facilities.

"The problem is that it is so hard to find (by car) and so far away from good water," Mr. Callahan said.

William Blanchet, former owner of the property and president of Curtis Creek Recovery Systems, said the county approached him about selling the land.

In return, he was granted an agreement for a trash transfer station on Stahl Point Road that is likely to save him money in the long

run.

In 1996 he bought the Carbide Road property as well as the one on Stahl Point Road, across Curtis Creek and right on Interstate 695. He chose the Stahl Point Road site because of public opposition to the Curtis Creek location.

The deal, negotiated by former land use officer Ronald Nelson, was in the works with the county since May 1996, according to county documents. Trash transfer stations, which sort and repackage garbage from homes and businesses before it goes to the landfill, pay the county an amount per ton under an agreement designed to mitigate impacts of the facility, such as the heavy truck traffic.

Under the agreement with Mr. Blanchet, he will pay the county \$1.35 per ton, an amount that will increase each year by 15 percent. In addition, he pays another "start-up" fee of 25 cents per ton for a maximum of \$100,000.

The only other transfer station in the county, Annapolis Junction, pays \$1.10 per ton — an amount that also increases by 15 percent per year. However, Annapolis Junction must pay a minimum of \$500,000 per year to the county in host benefit payments after the first year. There is no minimum payment for Mr. Blanchet's company.

He said his is a much smaller company and would be crushed by a minimum payment in tight economic times.

Between May 19 — when the company started accepting trash — and June 30, the company paid the county \$14,698.

In addition to acquiring the partly wooded waterfront property, the county inherited two private leases on the site. American Legion Post 77 has a building there and pays the county \$1 per year.

Richard Devilbliss, a caretaker who has lived on the site for 20 years, pays \$859 per year, a price set before the county took ownership of the land.