



Washington Suburban Sanitary Commission Work Session Fact Sheet

Project/Contract Name: WSSC's CY 2008 Annual Ethics Report

Project/Contract No.: N/A

Responsible Team and Group: Internal Audit Office

Team Chief/Group Leader/Project Manager: Maxene M. Bardwell

Project/Contract Scope:

The WSSC's Annual Ethics Report is required under the MD Annotated Code, State Government Article, Title 15, Subtitle 8, Part III applicable to bi-county agencies and the WSSC Code of Ethics. Section 2-10 "Annual Report" of the Code requires an Annual Report to the counties informing them of the Conflict of Interest cases filed with WSSC and the Lobbyists registered with the WSSC.

March 18, 2009

The Honorable Isiah Leggett
Montgomery County Executive
Executive Office Building
101 Monroe Street, 2nd Floor
Rockville, MD 20850

Re: WSSC's CY 2008 Annual Ethics Report

Dear County Executive Leggett,

Enclosed is the Washington Suburban Sanitary Commission's (WSSC) Calendar Year (CY) 2008 Annual Ethics Report required under Maryland Annotated Code, State Government Article, Title 15, Subtitle 8, Part III, applicable to bi-county agencies, concerning regulations pertaining to conflicts of interest, financial disclosure, and lobbying registration and reporting. The Washington Suburban Sanitary Commission's Code of Ethics, Section 2-10 Annual Reporting requires an Annual Report to the counties that lists the conflict of interest cases filed with the WSSC and the lobbyists registered with the WSSC.

Should you have any questions, please feel free to contact me or Maxene M. Bardwell, Internal Audit Manager, at 301-206-8300.

Sincerely,

Joyce Starks
Chair

Enclosure

Originals sent to:

The Honorable Jack B. Johnson
The Honorable Phillip Andrews
The Honorable Marilyn M. Bland

cc: Commissioners
Maxene Bardwell, Internal Audit Manager
Suzanne S. Fox, State Ethics Commission

March 18, 2009

The Honorable Jack B. Johnson
Prince George's County Executive
County Administration Building
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

Re: WSSC's CY 2008 Annual Ethics Report

Dear County Executive Johnson,

Enclosed is the Washington Suburban Sanitary Commission's (WSSC) Calendar Year (CY) 2008 Annual Ethics Report required under Maryland Annotated Code, State Government 15, Subtitle 8, Part III, applicable to bi-county agencies, concerning regulations pertaining to conflicts of interest, financial disclosure, and lobbying registration and reporting. The Washington Suburban Sanitary Commission's Code of Ethics, Section 2-10 Annual Reporting requires an Annual Report to the counties that lists the conflict of interest cases filed with the WSSC and the lobbyists registered with the WSSC.

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Maxene Bardwell, Internal Audit Manager
Suzanne S. Fox, State Ethics Commission

March 18, 2009

The Honorable Phillip Andrews
Council President
Montgomery County Council
100 Maryland Avenue, 6th Floor
Rockville, MD 20850

Re: WSSC's CY 2008 Annual Ethics Report

Dear Council Member Andrews,

Enclosed is the Washington Suburban Sanitary Commission's (WSSC) Calendar Year (CY) 2008 Annual Ethics Report required under Maryland Annotated Code, State Government 15, Subtitle 8, Part III, applicable to bi-county agencies, concerning regulations pertaining to conflicts of interest, financial disclosure, and lobbying registration and reporting. The Washington Suburban Sanitary Commission's Code of Ethics, Section 2-10 Annual Reporting requires an Annual Report to the counties that lists the conflict of interest cases filed with the WSSC and the lobbyists registered with the WSSC.

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Suzanne S. Fox, State Ethics Commission

March 18, 2009

The Honorable Marilyn M. Bland
Chairperson, Prince George's County Council
County Administration Building
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

Re: WSSC's CY 2008 Annual Ethics Report

Dear Council Chairperson Bland:

Enclosed is the Washington Suburban Sanitary Commission's (WSSC) Calendar Year (CY) 2008 Annual Ethics Report required under Maryland Annotated Code, State Government 15, Subtitle 8, Part III, applicable to bi-county agencies, concerning regulations pertaining to conflicts of interest, financial disclosure, and lobbying registration and reporting. The Washington Suburban Sanitary Commission's Code of Ethics, Section 2-10 Annual Reporting requires an Annual Report to the counties that lists the conflict of interest cases filed with the WSSC and the lobbyists registered with the WSSC.

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Suzanne S. Fox, State Ethics Commission

WASHINGTON SUBURBAN SANITARY COMMISSION
BOARD OF ETHICS
2008 ANNUAL REPORT

Members:

William H. Walton, Chair

Steven J. Hausman

Robert J. Moore

George E. Pruden, II, Alternate Member

WSSC'S CY 2008 Annual Ethics Report

The report covers conflicts of interest matters that were addressed by the WSSC Board of Ethics, WSSC employee financial disclosure, and lobbying registration and reporting.

The current WSSC Board of Ethics members are William H. Walton, Chair (Prince George's County), Steven J. Hausman (Montgomery County), Robert J. Moore (Prince George's County), and George E. Pruden, II, Alternate Member (Prince George's County). Mr. Charles Kuderna was a member of the Board until August 2008 and then the Commissioners appointed Mr. Robert J. Moore (previous alternate) to fill Mr. Kuderna's vacant seat. Mr. George Pruden was appointed to fill the vacant alternate seat.

The Board of Ethics convened twelve times during 2008 to consider and review requests for advisory opinions, complaints, and other matters. During the year, the Board of Ethics issued six (6) Advisory Opinions on conflict of interest topics. Attached is a summary of each Advisory Opinion and Complaint (Appendix A).

Additionally, the Code of Ethics requires an individual to register as a lobbyist if they are compensated to influence executive or administrative actions by WSSC. Attached is a summary of the Lobbyist Expenditures as reported on the WSSC Lobbyist Activity Report (Appendix B).

During 2008, the following actions have been taken:

- Code of Ethics – Continue to provide New Hire Code of Ethics Training
- Code of Ethics – Provided Financial Disclosure/Conflict of Interest Training
- Code of Ethics – Distributed Annual Payroll Stuffer to all WSSC employees
- Code of Ethics – Administered Code of Ethics Training for WSSC's entire workforce
- Coordinated with the Ethics Steering Committee to hire an Ethics Officer, but at this time the WSSC has no funding for this position

To improve access to Ethics information, the Board has added the streaming notice to inform the Lobbyist of the registration fee increase to its web site (www.wsscwater.com/ethics/index.cfm). The web site contains the Code of Ethics, lobbyist registration information, Advisory Opinions issued, and the Board of Ethics Rules and Procedures.

The Code of Ethics requires certain employees to file annual financial disclosure forms. State law requires that the content of WSSC's financial disclosure regulations be "substantially similar" to the State. The Commission has an on-line system for specified employees to file their financial disclosure forms.

**CY 2008
BOARD OF ETHICS
ADVISORY OPINION REQUESTS**

Advisory Opinion #	Date Received	Issue	Regulation Involved	Status and Final Determination
A-08-01	01/24/08	Whether WSSC Commissioners or employees may solicit charitable donations from companies doing business with WSSC to support a WSSC fundraising event.	WSSC Code of Ethics § 3-6(b)	Advisory Opinion issued on May 15, 2008 and posted to the WSSC website.
N/A	01/24/08	Whether a former WSSC employee now working for a company that does business with WSSC violated §3-3 of the WSSC Code of Ethics “Employment Restriction—Former Commissioners and Employees”.	WSSC Code of Ethics § 3-3	On February 28, 2008 the Board voted to treat this Request for an Advisory Opinion as a Complaint. (See Complaint # C-08-01).
A-08-03	02/13/08	Whether a WSSC employee whose son is employed by a WSSC contractor may participate in WSSC matters involving that contractor.	WSSC Code of Ethics Sections 3-1(a)(2) and 3-1(a)(3)	Advisory Opinion issued on 03/13/08 and posted to the WSSC website.

**CY 2008
BOARD OF ETHICS
ADVISORY OPINION REQUESTS**

Advisory Opinion #	Date Received	Request	Disposition	Disposition Date
A 08-04	03/25/08	Whether a WSSC employee may accept an offer from a national trade association to pay his reasonable travel, meal, and lodging expenses in exchange for speaking at the trade association's annual meeting and conference.	WSSC Code of Ethics § 3-6(e)	Advisory Opinion issued on 4/10/08 and posted to the WSSC website.
A 08-06	06/19/08	Whether a WSSC Acquisition Office employee who also owns a home-based administrative services company may work for companies who do business with WSSC in her home based business.	WSSC Code of Ethics § 3-2	Advisory Opinion issued on 9/11/08 and posted to the WSSC website.
A 08-07	08/12/08	Whether a WSSC Fleet services employee may seek part-time employment as a Real Estate Agent in Prince George's County.	WSSC Code of Ethics Sections 3-2 and 3-4	Advisory Opinion issued on 10/9/2008 and posted to the WSSC website.

**CY 2008
BOARD OF ETHICS
ADVISORY OPINION REQUESTS**

Advisory Opinion #	Date Received	Request	Disposition	Disposition Date
A 08-08	08/25/08	Whether a WSSC plumbing inspector who is also a licensed plumber may hold a part-time job performing plumbing and gasfitting work outside the Washington Suburban Sanitary District.	WSSC Code of Ethics § 3-2	Advisory Opinion issued on 11/13/08 and posted to the WSSC website.

**CY 2008
BOARD OF ETHICS
COMPLAINT REQUESTS**

Complaint #	Date Received	Issue	Regulation Involved	Status and Final Determination
C-08-01	01/24/08	Whether a former WSSC employee now working for a company that does business with WSSC violated Section 3-3 of the WSSC Code of Ethics “Employment Restriction—Former Commissioners and Employees”	WSSC Code of Ethics Sections 3-1(a)(3) and 3-3	The Complaint was dismissed by the Board on 06/13/08 after it considered the Report of Investigation submitted by Staff Counsel
C-08-02	07/02/08	Whether an unnamed and unknown person violated Section 3-5 of the WSSC Code of Ethics – Disclosure of Confidential Information.	WSSC Code of Ethics § 3-5	HR has responded Board to discuss if any further action needs to be taken
N/A		Anonymous Complaint alleging that an employee violated Section 3-2 of the WSSC Code of Ethics—Restriction on Other Employment and Financial Interest	WSSC Code of Ethics § 3-2	N/A

CY 2008

Attachment B

**LOBBYIST EXPENSES FOR EACH COMPANY
AS REPORTED ON THE WSSC LOBBYIST ACTIVITY REPORT**

	LOBBYIST	COMPANY	DATE OF REGISTRATION	REPORTING PERIOD		Total
				1/01/08 thru 6/30/08	7/01/08 thru 12/31/08	
1	N. Greenbaum	Artery Group	7/30/2004	\$285.00	\$0.00	\$285.00
2	N. Greenbaum	Bethel Deliverance Outreach Ministries, Inc.	1/16/2007	\$0.00	\$5,035.00	\$5,035.00
3	N. Greenbaum	Dr. Lee/Dr. Butman	11/20/2008	\$0.00	\$3,230.00	\$3,230.00
4	N. Greenbaum	Forest City	7/16/2007	\$0.00	\$3,439.00	\$3,439.00
5	N. Greenbaum	Gelman Management Company	10/20/2008	\$0.00	\$1,805.00	\$1,805.00
6	N. Greenbaum	KB Homes - Mid Atlantic	7/20/2007	\$6,194.00	\$0.00	
7	N. Greenbaum	LCORWhite /Flint	3/6/2008	\$15,677.25	\$5,890.00	\$21,567.25
8	N. Greenbaum	NNP II - Clarksburg LLC	08/15/08	\$0.00	\$1,425.00	
9	N. Greenbaum	Prince George's Metro Apartments	10/2/2008	\$0.00	\$4,845.00	\$4,845.00
10	N. Greenbaum	Utility Finding LLC	12/2/2008	<u>\$0.00</u>	<u>\$2,565.00</u>	
Total Compensation and Expenses				<u>\$22,156.25</u>	<u>\$28,234.00</u>	<u>\$40,206.25</u>

**LOBBYIST REGISTERED WITH WSSC WHO DID NOT
FILE REPORTS IN CY 2008**

	LOBBYISTS	COMPANY	DATE OF REGISTRATION
1	L. Hoover	Apartment & Office Bldg. Assoc. of Metropolitan Wash.	11/12/2003
2	N. Greenbaum	Arcola Investment Associates	1/30/2004
3	K. Maloney	Atlantic Recycle Group	3/1/2007
4	K. Maloney	Calgon Carbon	9/20/2006
5	N. Greenbaum	Miller and Smith	11/18/2003
6	N. Greenbaum	The Artery Group - Crabbs Branch Way	8/10/2006
7	K. Quinn	Wye River Capital, Inc.	4/24/2004

bcc: Corporate Secretary, (C. Bundy)
Associate Counsel, (H. Ashbury)
Board of Ethics Members
Office File