

**WASHINGTON SUBURBAN SANITARY COMMISSION**

**BOARD OF ETHICS**

**2005 ANNUAL REPORT**

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**Members:**

**Debra Davis, Chair**

**Sharon Constantine**

**Charles Kuderna**

**Warren Fleming, Alternate Member**

## WSSC'S CY 2005 Annual Ethics Report

This is WSSC's 2005 (calendar year) Annual Ethics Report required under WSSC Code of Ethics § 2-10 and Maryland Annotated Code, State Government Article, Title 15, Subtitle 8, Part III. 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 Debra Davis, Esquire, Chair (Prince George's County), Sharon Constantine (Montgomery County), Charles Kuderna (Prince George's County), and Warren Fleming, Alternate (Montgomery County). The Board of Ethics met fourteen times during 2005 to consider and review requests for advisory opinions, complaints, and other matters. During the year, the Board of Ethics issued six Advisory Opinions on conflict of interest topics. Attached is a summary of each Advisory Opinion. (Appendix A) There were two Complaints filed during the year on conflict of interest matters. Attached is a summary of each Complaint. (Appendix B)

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. During 2005, there were sixteen lobbyist registrations filed on behalf of twenty-four clients with the Commission. Attached is a listing of all registered lobbyists and their clients. (Appendix C). Also attached is a summary of the Lobbyist Expenditures as reported on the WSSC Lobbyist Activity Report. (Appendix D).

To improve access to Ethics information, the Board has added more content to its web site ([www.wsscwater.com/ethics/index.cfm](http://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.

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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 initiated an on-line system for employees to file their financial disclosure forms. Approximately 450 employees filed financial disclosure forms during CY 2005.

CY 2005		1/13/2006	
BOARD OF ETHICS ADVISORY OPINIONS			
Case Number	Advisory Opinion Request	Disposition	Disposition Date
A-05-01	Whether a WSSC employee may accept an offer of payment of overtime from an outside entity for expediting a project through the WSSC relocation plan approval process	WSSC's Code of Ethics prohibits a WSSC employee from accepting overtime payment from a private entity for working to expedite the business of the private entity through a necessary WSSC review process	April 14, 2005
A-05-02	Whether a WSSC employee who joins a union is in violation of the Code of Ethics provision that prohibits use of their public employment for private gain	WSSC Code of Ethics does not prohibit a WSSC employee from joining a union	April 14, 2005
A-05-03	Whether a WSSC employee may accept part-time employment from a former employer that does business with WSSC	WSSC Code of Ethics prohibits a WSSC employee from working part-time for his former employer, a contractor doing business with WSSC.	May 12, 2005

CY 2005		1/13/2006	
<b>BOARD OF ETHICS ADVISORY OPINIONS</b>			
Case Number	Advisory Opinion Request	Disposition	Disposition Date
A-05-04	Whether WSSC Code of Ethics § 3-3 prohibits a retired WSSC employee from accepting a job with the Prince George's County Department of Public Works and Transportation (DPWT)	WSSC Code of Ethics does not prohibit a WSSC retired employee from accepting employment with Prince George's County DPWT after his temporary employment at WSSC is completed	September 8, 2005
A-05-05	Whether the WSSC Code of Ethics prohibits the General Manager from accepting an invitation to become an Honorary Director for the Prince George's County Chamber of Commerce	WSSC Codes of Ethics does not prohibit the General Manager from accepting the invitation from the Prince George's County Chamber of Commerce to become an Honorary Director	September 8, 2005
A-05-06	Whether the WSSC Code of Ethics prohibits a WSSC Team Chief from accepting a paid position on the Board of Directors of a local bank.	WSSC's Code of Ethics prohibits a Team Chief from accepting a paid position on the Board of Directors of a bank because it would create the appearance of a conflict of interest.	November 9, 2005

CY 2005		BOARD OF ETHICS COMPLAINT		
Case Number	Description of Complaint	Date Received	Disposition	Disposition Date
C-05-01	Potential Violations of the Code of Ethics and Article VII B (3) of the Board of Ethics Rules and Procedures Section 3-1(a) Restriction on Participation of Employees Section 3-2(b) Specific Restrictions Section 3-4(a) Misuse of Prestige of Office; Harassment; Improper Influence Section 4-3(d) Ethics: Contract Conduct Section 4-6(a) Disclosure of Procurement Information Section 5-2(b) When to File	06/09/05	Dismissed	November 9, 2005
C-05-02	Potential Violations of the Code of Ethics: Section 1-2(a) favoritism Section 1-2(b) favored treatment Section 2-2(a) employment-related conduct Section 3-1 restrictions on participation of employees	10/17/05	Dismissed following investigation by Staff Counsel	March 9, 2006

***WSSC - Lobbyist Name and Client***

<i>Lobbyist</i>	<i>Lobbyist Firm</i>	<i>Employer</i>
<i>Brown Todd D.</i>	<i>Linowes and Blocher LLP</i>	Fairfield Residential
<i>Greenbaum Nathan J.</i>	<i>Linowes and Blocher LLP</i>	Belladonna Homes/Largo Road Subdivision Fairfield Residential Mid-Atlantic Companies, Inc. Jay & Sharon Mazel The Magruder Companies/Scott C. Reed Ft. Myer Construction Corporation Arcola Investment Associates Natelli Communities Terrabrook/Newland Communities Eakin-Youngentob Associates, Inc. VOX, III, LLC Miller and Smith Atapco Ritchie Interchange, Inc. Pleasants Development, Inc. The Artery Group Georgetown Preparatory School Renewable Natural Resources Foundation Tapestry Subdivision/Miller & Smith Church of the Redeemer Prince George's Metro Center, Inc.
<i>Hoover Lesa N.</i>	<i>Apartment &amp; Office Bldg., Assoc. of</i>	Apartment & Office Bldg., Assoc. of Metro Wash
<i>Martin Anne C.</i>	<i>Linowes and Blocher LLP</i>	The Magruder Companies/Scott C. Reed

<i>Lobbyist</i>	<i>Lobbyist Firm</i>	<i>Employer</i>
<i>Metz</i>	<i>Robert H.</i>	<i>Linowes and Blocher LLP</i>
		JPI Apartments Development Georgetown Preparatory School Renewable Natural Resources Foundation
<i>Orrick, Jr.</i>	<i>John R.</i>	<i>Linowes and Blocher LLP</i>
		The Artery Group
<i>Quinn</i>	<i>Kevin</i>	<i>Wye River Capital, Incorporated</i>
		Wye River Capital, Incorporated
<i>Sears</i>	<i>Barbara A.</i>	<i>Linowes and Blocher LLP</i>
		Natelli Communities Eakin-Youngentob Associates, Inc.
<i>Street</i>	<i>Thomas</i>	<i>TeCK Partners Corporation</i>
		TeCK Partners Corporation
<i>Vini</i>	<i>Mark M.</i>	<i>Linowes and Blocher LLP</i>
		Church of the Redeemer

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**CY 2005**  
**LOBBYIST EXPENSES FOR EACH COMPANY**  
**AS REPORTED ON THE WSSC LOBBYIST ACTIVITY REPORT**

	COMPANY	REPORTING PERIOD			Total
		1/01/05 thru 6/30/05	7/01-05 thru 12/31/05		
1	Arcola Investment Associates	\$ 1,024	\$ 79		\$ 1,102
2	Apartment & Office Bldg. Assoc. of Metropolitan Wash.	-	-		-
3	The Artery Group	-	\$ 1,005		\$ 1,005
4	Atapco Ritchie Interchange, Inc.	-	\$ 3,701		\$ 3,701
5	Belladonna Homes/Largo Road	\$ 2,363	-		\$ 2,363
6	Eakin-Youngentob, Associates, Inc.	\$ 11,261	-		\$ 11,261
7	Fairfield Residential	-	-		-
8	Ft. Myer Construction Corporation	-	-		-
9	Georgetown Preparatory School	\$ 926	-		\$ 926
10	Jay and Sharon Mazel	-	-		-
11	JPI Apartments Development	\$ 833	\$ 79		\$ 911
12	The Magruder Companies	\$ 473	\$ 1,733		\$ 2,205
13	Mid-Atlantic Companies, Inc.	\$ 866	-		\$ 866
14	Miller and Smith	\$ 709	\$ 1,890		\$ 2,599
15	Natelli Communities	\$ 4,134	\$ 4,174		\$ 8,308
16	Newland Communities/Terrabrook	\$ 2,048	\$ 473		\$ 2,520
17	Pleasants Development, Inc.	-	-		-
18	Renewable Natural Resources Foundation	\$ 1,162	-		\$ 1,162
19	Tapestry Subdivision	-	-		-
20	TeCK Partners Corporation	-	-		-
21	University Town Center Utility/Prince George's Metro Center, Inc.	\$ 866	-		\$ 866
22	VOX, III, LLC	\$ 709	-		\$ 709
23	Wye River Capital, Inc.	-	-		-
		-	-		-
	<b>Total Compensation and Expenses</b>	<b>\$ 27,373</b>	<b>\$ 13,132</b>		<b>\$ 40,505</b>