



## Washington Suburban Sanitary Commission Work Session Fact Sheet

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**Project/Contract Name:** WSSC's Calendar Year 2011 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 Annual Ethics Report of the Washington Suburban Sanitary Commission (WSSC) 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.



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# Washington Suburban Sanitary Commission

14501 Sweitzer Lane • Laurel, Maryland 20707-5901

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COMMISSIONERS  
Dr. Roscoe M. Moore, Jr., Chair  
Chris Lawson, Vice Chair  
Gene W. Counihan  
Melanie Hartwig-Davis  
Antonio L. Jones  
Hon. Adrienne A. Mandel

GENERAL MANAGER  
Jerry N. Johnson

May 16, 2012

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

Re: Calendar Year 2011 Annual Ethics Report of the Washington Suburban Sanitary  
Commission (WSSC)

Dear County Executive Leggett,

Enclosed is the Annual Ethics Report of the Washington Suburban Sanitary Commission (WSSC) for Calendar Year (CY) 2011 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 WSSC's Code of Ethics, Section 2-10 Annual Reporting requires an Annual Report to the counties that lists the Conflicts of Interest cases filed with WSSC and the Lobbyists registered with the WSSC.

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

Sincerely,

Dr. Roscoe M. Moore, Jr.  
Chair

Enclosure

Originals sent to:

The Honorable Rushern L. Baker, III  
The Honorable Roger Berliner  
The Honorable Andrea Harrison

cc: Commissioners  
Charlett Bundy, Corporate Secretary  
Maxene M. Bardwell, Internal Audit Manager  
Robert A. Hahn, State Ethics Commission



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Jerry N. Johnson

May 16, 2012

The Honorable Rushern L. Baker, III  
Prince George's County Executive  
County Administration Building  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

Re: Calendar Year 2011 Annual Ethics Report of the Washington Suburban Sanitary  
Commission (WSSC)

Dear County Executive Baker,

Enclosed is the Annual Ethics Report of the Washington Suburban Sanitary Commission (WSSC) for Calendar Year (CY) 2011 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 WSSC's Code of Ethics, Section 2-10 Annual Reporting requires an Annual Report to the counties that lists the Conflicts of Interest cases filed with WSSC and the Lobbyists registered with the WSSC.

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Jerry N. Johnson

May 16, 2012

The Honorable Roger Berliner  
Council President  
Montgomery County Council  
100 Maryland Avenue, 6<sup>th</sup> Floor  
Rockville, MD 20850

Re: Calendar Year 2011 Annual Ethics Report of the Washington Suburban Sanitary  
Commission (WSSC)

Dear Council Member Berliner,

Enclosed is the Annual Ethics Report of the Washington Suburban Sanitary Commission (WSSC) for Calendar Year (CY) 2011 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 WSSC's Code of Ethics, Section 2-10 Annual Reporting requires an Annual Report to the counties that lists the Conflicts of Interest cases filed with WSSC and the Lobbyists registered with the WSSC.

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Sincerely,

Dr. Roscoe M. Moore, Jr.  
Chair

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The Honorable Isiah Leggett  
The Honorable Rushern L. Baker, III  
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cc: Commissioners  
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Jerry N. Johnson

May 16, 2012

The Honorable Andrea Harrison  
Chairperson, Prince George's County Council  
County Administration Building  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

Re: Calendar Year 2011 Annual Ethics Report of the Washington Suburban Sanitary  
Commission (WSSC)

Dear Council Chairperson Harrison:

Enclosed is the Annual Ethics Report of the Washington Suburban Sanitary Commission (WSSC) for Calendar Year (CY) 2011 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 WSSC's Code of Ethics, Section 2-10 Annual Reporting requires an Annual Report to the counties that lists the Conflicts of Interest cases filed with WSSC and the Lobbyists registered with the WSSC.

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Sincerely,

Dr. Roscoe M. Moore, Jr.  
Chair

Enclosure

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The Honorable Rushern L. Baker, III  
The Honorable Isiah Leggett  
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cc: Commissioners  
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Maxene M. Bardwell, Internal Audit Manager  
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**WASHINGTON SUBURBAN SANITARY COMMISSION**  
**BOARD OF ETHICS**  
**2011 ANNUAL REPORT**

**Members:**

**Robert J. Moore, Chair**

**Steven J. Hausman**

**George E. Pruden, II**

**Rachel B. Brown, Alternate Member**

## Washington Suburban Sanitary Commission Calendar Year 2011 Annual Ethics Report

This report covers conflicts of interest and lobbyist registration and reporting matters that were addressed by the Washington Suburban Sanitary Commission (WSSC) Board of Ethics during calendar year 2011.

The current WSSC Board of Ethics members are Steven J. Hausman (Montgomery County), Robert J. Moore (Prince George's County), George E. Pruden, II, (Prince George's County), and Rachel B. Brown, Alternate Member, (Montgomery County). The Board of Ethics convened twelve times during 2011 to consider and review requests for advisory opinions, complaints, and other matters. During the year, the Board of Ethics issued two (2) Advisory Opinions on conflicts of interest topics and two (2) decisions regarding Complaints. Attached is a summary of each Advisory Opinion and Complaint (Appendix A).

The Board of Ethics web site <http://www.wsscwater.com/home/jsp/content/ethics-index.faces> contains the WSSC Code of Ethics, Lobbyist registration information, Advisory Opinions and Waivers issued as well as the Board of Ethics Rules and Procedures.

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

The WSSC Code of Ethics also 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.

Finally, we would like to highlight a few activities that have occurred during CY 2011.

- Workforce completed annual Conflict of Interest Statements during the month of April 2011.
- Ethics Officer provided face-to-face ethics training from April 6, 2011 to June 28, 2011 to over 1,450 WSSC employees at various locations.
- On November 16, 2011, ethics training was provided to the WSSC Commissioners.
- On October 27, 2011, the Ethics Officer sent informational letters to potential Lobbyists as Phase I of the new WSSC Lobbyist Awareness and Registration Campaign. The information provided to the potential Lobbyists included, but was not limited to, the registration fees and activity reports required when registering. We also provided information to potential Lobbyists that were in attendance at a Small, Local Minority Business Enterprise (SLMBE) Office outreach event held during the year.

**CY 2011  
BOARD OF ETHICS  
ADVISORY OPINION REQUESTS**

Advisory Opinion #	Date Received	Issue	Regulation Involved	Status/Final Determination
A-11-01	02/08/11	Whether a former Commissioner or employee as a contractor or consultant can work for WSSC one day after separation from WSSC or does the 12 month delay apply?	Code of Ethics §§ 3-3(c) and 3.3(b)	Dismissed – insufficient facts.
A-11-02	08/10/11	Employee inquiry about continuing as a sitting member on the IBM Tivoli Software Board of Advisors	Code of Ethics § 3-1	Dismissed. Employee resigned from the membership



**CY 2011  
BOARD OF ETHICS  
COMPLAINTS**

<b>Waiver #</b>	<b>Date Received</b>	<b>Request</b>	<b>Regulation Involved</b>	<b>Status/Final Determination</b>
C-11-01	01/08/10	Article 4 § 4-4 Alleging that a prime contractor has violated the WSSC's Code of Ethics.	Code of Ethics § 4-4(d)	Accepted Proposed Settlement Agreement on 03/08/12
C-11-02	07/20/10	Alleging that a manager has misused his position according to his affiliation with a fraternity in reviewing a customer's water bill account.	N/A	Dismissed on 08/11/11

CY 2011

Appendix B

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

	LOBBYIST	COMPANY	DATE OF REGISTRATION	REPORTING PERIOD		Total
				1/1/2011 thru 06/30/11	7/01/11 thru 12/31/11	
1	L. Hoover	Apartment & Office Bldg. Assoc. of Metropolitan Wash.	11/12/2003	\$8,251.11	\$7,971.16	\$16,222.27
2	N. Greenbaum	Bernstein Companies/Bethesda Center	10/18/2011	\$0.00	\$945.00	\$945.00
3	N. Greenbaum N. Greenbaum	Bethel Deliverance Outreach Ministries, Inc. Federal Realty Investment Trust/Mid Pike Plaza	1/16/2007	\$0.00	\$0.00	\$0.00
4	N. Greenbaum	Federal Capital Partners/Woodlake	11/14/2011	\$0.00	\$840.00	\$840.00
5	N. Greenbaum	Forest City	10/12/2011	\$0.00	\$3,255.00	\$3,255.00
6	N. Greenbaum	F.P. Homes, LLP	7/16/2007	\$0.00	\$0.00	\$0.00
7	N. Greenbaum	Kyle Drefke	7/18/2011	\$0.00	\$12,915.00	\$12,915.00
8	N. Greenbaum	Glenstone Foundation	9/18/2009	\$0.00	\$0.00	\$0.00
9	N. Greenbaum	Harmony Place Associates, LLC	9/14/2011	\$0.00	\$2,330.00	\$2,330.00
10	N. Greenbaum	LCOR White /Flint	11/14/2011		\$1,995.00	\$1,995.00
11	N. Greenbaum		3/6/2008	\$0.00	\$0.00	\$0.00
	E.Appel / D.Carroll/R.Johnson/ S. Sidh	M. Luis Construction	5/13/2009	\$0.00	\$0.00	\$0.00
12	N. Greenbaum	Mid Pike Plaza	9/14/2011	\$0.00	\$840.00	\$840.00
13	T. Stone	Montgomery Scrap Corporation	5/3/2010	\$0.00	\$650.00	\$650.00
14	N. Greenbaum	NNP II - Clarksburg LLC	8/15/2008	\$0.00	\$0.00	\$0.00
15	N. Greenbaum	Potomac Vista Corporation	11/18/2011	\$0.00	\$2,730.00	\$2,730.00
16	N. Greenbaum	Republic Properties		\$0.00	\$0.00	\$0.00
17	N. Greenbaum	Sun Brook Partners	7/29/2011	\$7,765.00	\$10,912.50	\$18,677.50
18	N. Greenbaum	Patriot Group: Wheaton Safeway	1/25/2011	\$0.00	\$0.00	\$0.00
19	N. Greenbaum	John W. Warren/Hirschman	7/2/2011	<u>\$1,822.50</u>	<u>\$0.00</u>	<u>\$1,822.50</u>
20	N. Greenbaum					
		<b>Total Compensation and Expenses</b>		<u>\$17,838.61</u>	<u>\$45,383.66</u>	<u>\$63,222.27</u>

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