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SUNDAY
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Daily Press

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Royal wedding 'a jolly good thing'

BY TOD ROBBERSON/THE DALLAS MORNING NEWS

WINDSOR, ENGLAND — People didn't mind the pomp so much but, oh, what circumstance!

Prince Charles and his long-time lover, Camilla Parker Bowles, married in a civil ceremony Saturday and then bowed before the archbishop of Canterbury on live television to confess "manifold sins and wickedness" and insist that, this time, they would be faithful spouses.

The wedding formally ended what the Anglican Church, and most Britons, regarded as an illicit, 30-year extramarital affair.

The couple had become the butt of countless gibes in the tabloid press, which had labeled the affair a principal cause for the breakup of Prince Charles' marriage to Princess Diana, who died in a 1997 car crash.

A largely forgiving crowd of several thousand cheered and

snapped photos as the newlywed couple emerged from Windsor Guildhall, waved tentatively, then boarded a 1977 burgundy Rolls-Royce Phantom for a 200-yard ride through the heavily guarded gates of Windsor Castle.

The Rolls was decorated with a strand of blue and red balloons and the words "Just Married" painted on the rear window.

"Personally, I think it's a jolly good thing," said Roger Woolcott, a retired salesman from the

nearby town of Reading. "Two people should be able to find love and happiness."

The bride, henceforth to be known as Camilla, Duchess of Cornwall, wore an off-white chiffon dress with matching coat and a lace, broad-brimmed hat with feather accents. ■

INSIDE
■ More wedding coverage. **A6**
■ Royal family. **News Illustrated, H6**



Prince Charles and Camilla, Duchess of Cornwall, after the wedding.

PHOTO BY STEPHEN HIRD/AP

Doctors who abuse drugs still practicing

Patient safety becomes of concern as medical boards let physicians keep working despite abuse.

BY CHERYL W. THOMPSON
THE WASHINGTON POST

WASHINGTON — Over the past 20 years, John F. Pholeric Jr. struggled on and off with cocaine addiction, cycled in and out of rehab and was convicted of a felony. During that time, he also practiced medicine.

Pholeric, 55, an ear, nose and throat specialist in Fairfax and Loudoun counties, admitted snorting cocaine "three to four times per week" in his office in 1999. He stole drugs from hospitals where he worked and wrote more than 40 fraudulent prescriptions for his own use, according to Virginia and Washington D.C. medical board records.

Several times, the Virginia Board of Medicine took up Pholeric's case. But it never took away his license to practice.

Pholeric, who retired last month after he was questioned by a Washington Post reporter about his substance abuse, is not alone. Virginia Board of

In Virginia

From 1999 to 2004, 45 doctors were disciplined for substance abuse — 27 more than once — out of 17,582 doctors with Virginia addresses of record.

Sources: Virginia medical board, U.S. Department of Health and Human Services, and Federation of State Medical Boards ■

Medicine records show that an Arlington ophthalmologist who performed cataract surgery under the influence, his hands shaking and his speech slurred, still has his license. So does a Loudoun County gastroenterologist who deprived his colonoscopy patients of painkillers and injected himself with the drugs between operations.

Scores of physicians in the area and across the country have been given repeated

Please see **ADDICTED DOCS/A10**

Salary protocol

PORT CHIEF'S BOOST TO \$275,615 DECIDED MOSTLY IN SECRET



Norfolk International Terminals. PHOTO BY ADRIAN SNIDER/DAILY PRESS

The increase

Lawmakers set this year's salary and bonus for the Virginia Port Authority executive director at **\$127,566**. But he is poised to receive **\$275,615**.

The governor never approved the executive director's full salary supplement, and the board never met in public to vote on his compensation.

BY PETER DUJJARDIN
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NORFOLK — Virginia Port Authority Executive Director J. Robert "Bobby" Bray takes home a paycheck that's more than twice the compensation set for his job in the state budget.

Bray stands to make \$275,615 this year, exceeding the \$127,566 lawmakers allotted for the post.

Overseeing three state-owned cargo terminals in Hampton Roads — Norfolk International Terminals, Portsmouth Marine Terminal and Newport News Marine Terminal — Bray is at the helm of the sixth-busiest container port in the country and a key state institution.

A Daily Press investigation into the process of setting Bray's salary revealed not only that his

pay rivals that received by port directors at some larger and faster growing ports but also that Gov. Mark Warner and the Virginia Port Authority's board of commissioners did not follow steps outlined in state law to set his pay.

Although the state's budget act calls for the governor to review and approve supplements to the port executive director's salary above those rates set in the budget, Warner's office signed off on less than half the increase the Virginia Port Authority's commissioners paid Bray.

William Leighty, the governor's chief of staff, said it was unnecessary to review the rest. Warner also did not consider salaries paid to similar officials at other states, a step the budget

How they stack up

The top U.S. container ports

Port	Container units	Employees	Top exec's salary
Los Angeles	7,321,440	764	\$270,187
Long Beach, Calif.	5,779,852	339	199,577
New York/N.J.	4,478,480	7,000	231,764
Oakland	2,044,594	600	256,900
Charleston	1,863,966	580	290,473
Hampton Roads	1,808,933	140	275,615

* TEUs 20-foot container units



J. Robert Bray has been Virginia Port Authority executive director since 1978.

called for when the governor grants those requests.

Moreover, the Virginia Port Authority's 12-member board of commissioners didn't follow the state's open-meetings laws when three of its members privately set Bray's compensation during telephone calls. For at least six years, that compensation committee has neither voted on Bray's salary in public nor submitted it to the full board for approval.

John G. Milliken, the Virginia Port Authority's chairman, told the board at its March 23 meeting that from now on the compensation committee and full board will hold public votes to set Bray's pay.

"I think a good job deserves recognition and reward, and I'm very comfortable with the substance of the decisions we've made," Milliken said. "I don't

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INSIDE ■ WHO KNOWS THE TOP SALARIES AT VIRGINIA INTERNATIONAL TERMINALS? **A9**

An asteroid is seen; could it be stopped?

Astronomers say not much could be done if Earth were in the path of an object from space.

BY GUY GUGLIOTTA/THE WASHINGTON POST

WASHINGTON — Astronomer David Tholen spotted it last year in the early evening of June 19, using the University of Arizona's Bok telescope. It was a new "near-Earth object," a fugitive asteroid moving through space to pass close to Earth.

Tholen's team took three pictures that night and three the next night, but storm clouds and the moon blocked further observations. They reported their fixes to the Minor Planet Center in Cambridge, Mass., and moved on. Six months later, the object

was spotted again in Australia as asteroid "2004 MN4." In the five days straddling Christmas, startled astronomers refined their calculations — the probability of the 1,000-foot-wide object hitting Earth rose from one chance in 170 to one in 38.

They had never measured anything as potentially dangerous to Earth. Impact would come Friday the 13th in April 2029.

The holidays and the tsunami in South Asia pushed 2004 MN4 out of the news, and in the meantime, additional observations showed that the asteroid would miss, but only by 15,000 to 25,000 miles — about one-tenth the distance to the moon. Asteroid 2004 MN4 was no false alarm. Instead, it has provided the world with the best evidence

Please see **ASTEROID/A4**

INSIDE/NATION

L.A. zookeepers give apes nurturing tips

Their latest success story: helping an orangutan learn the ropes of motherhood. **A11**



NATION

Delay's supporters map image campaign

Strategy reportedly includes leaks about questionable Democratic trips. **A13**

ADVANCING THE ISSUE

Tsunami aid helping victims to rebuild

From a \$3.50-a-day-salary to a \$30,000 water-purification system, donations have impact. **A3**

NATION

Jackson's trial laced with unpredictability

Both the prosecution and defense have encountered unexpected testimony. **A19**

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HAMPTON ROADS' PORTS

► **PORT SALARY** Continued from A1

Port boss has overseen dramatic growth

have any problem justifying the compensation level in any forum. But do I think we should do this in a more formal and transparent way? Yes, absolutely. I thought we were doing it properly, but apparently we weren't, and we will do it properly going forward."

But since the Daily Press began reporting the story in January, the General Assembly has passed changes to next year's budget bill that reduce the governor's involvement in setting salaries.

Bray, 66, who has overseen the authority under seven governors, has led the VPA through a dramatic growth in container cargo traffic in Hampton Roads. The consolidation of marine terminals in Norfolk, Portsmouth and Newport News, an international explosion of world trade, and new distribution centers in the region have helped boost cargo flow.

Bray oversees 140 port authority staffers, including port police, marketing and engineering workers, a job that entails looking after existing terminals and planning for possible future growth at Craney Island. The authority has a \$72 million operating budget and \$152 million in capital improvement spending under way this year.

PAY RIVALS BIGGER PORTS

His compensation package rivals or supersedes the pay of leaders of the three busiest port authorities in the country: Los Angeles, Long Beach and New York/New Jersey — although those leaders have more container traffic and oversee many more employees.

The head of the Port Authority of New York/New Jersey, for example, gets \$231,764 and the use of a port-owned car. That director oversees marine terminals, three very busy major airports, bridges, tunnels and the World Trade Center site. He's responsible for about 7,000 employees — 50 times the number Bray oversees — and a \$4.5 billion annual operating and capital budget.

But Leighty, the former Newport News resident and Warner's chief of staff, said Bray is worth it. "The port business is an incredibly complex business, and he is one of the pre-eminent port directors in the country," Leighty said. "We see the relationships that Bobby has with local governments and with shipping lines like Maersk Sealand, and there's no question we are lucky to have him."

Roger Giesinger, the president of the Hampton Roads Shipping Association, a management group that hires most of the port's laborers, credits Bray with boosting train traffic to the Midwest and convincing shipping lines to come to Hampton Roads instead of to other ports like Baltimore. "Baltimore used to knock our socks off," Giesinger said. "Changing that wasn't an easy feat."

Still, Del. Vincent F. Callahan, R-McLean, the chairman of the House Appropriations Committee, said the Virginia Port Authority's board of commissioners and the governor's office need to follow state guidelines.

"I don't have any problem with the board paying him a competitive salary, considering what these football and basketball coaches are making," Callahan said. "But we have created certain guidelines and provisions. If they don't follow them, they're on tenuous ground."

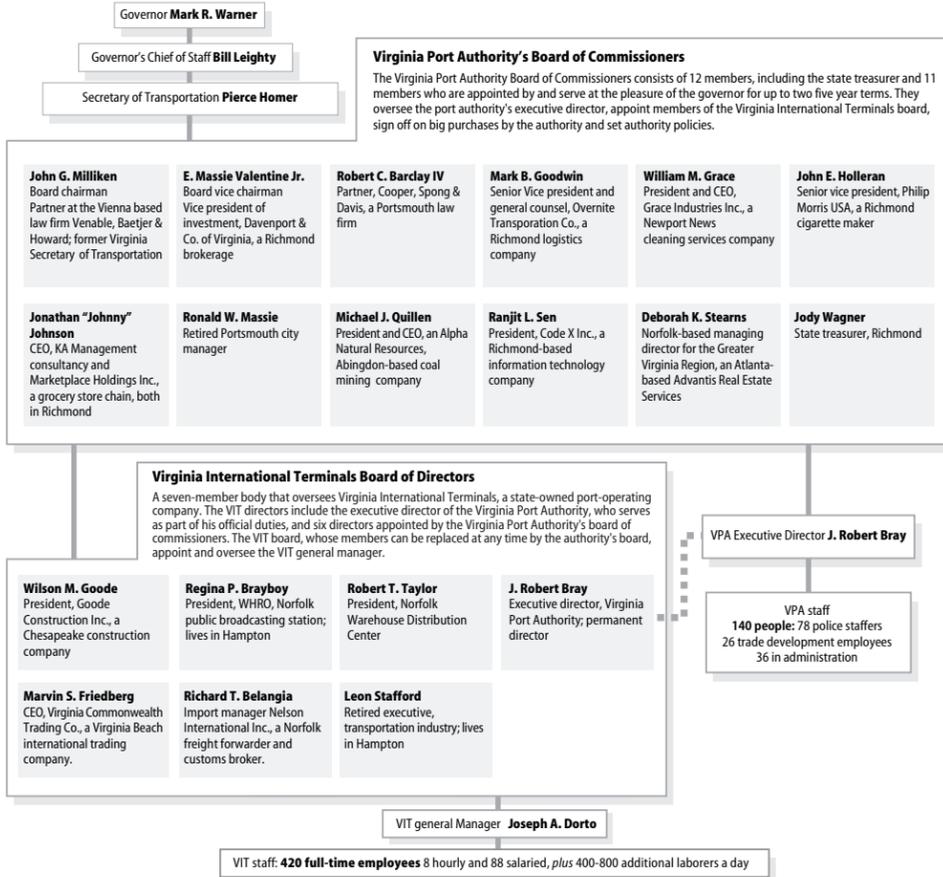
BUDGET LISTS SALARY

The General Assembly founded what was then called the Virginia State Ports Authority in 1952, with members appointed by the governor. The compensation for the port's director was to be fixed by the port authority's board of commissioners "in accordance with law." That law included a state budget that, year after year, contained a line item for the port authority executive director's salary.

At one time, that was paid out of the state's general fund. But when the port traffic started growing more rapidly in the 1980s, lawmakers allowed the Virginia Port Authority's board to use money generated by Virginia International Terminals — the VPA's operating company — to supplement salaries set by the state.

Those increases, according to state budgets ever since, could be granted only with the "prior annual written approval of the governor" and "the governor should be guided by criteria

Power structure at the port



Key players of the port authority

The decisions on salaries involve the governor's office and port executives.

J. Robert Bray:

The Virginia Port Authority's executive director since 1978. A lawyer who graduated from the College of William and Mary's law school, he is receiving a compensation package worth \$275,615 this year, exceeding the \$127,566 called for in the state budget.



William Leighty:

Gov. Mark R. Warner's chief of staff. He didn't find it necessary for the governor to review and approve all of the supplements to Bray's compensation. That's one of the steps the state budget called for the governor to do.



John G. Milliken:

Lawyer, former secretary of transportation and chairman of the Virginia Port Authority's 12-member board of commissioners. He and two others determined J. Robert Bray's salary in telephone calls rather than at a public meeting.



Joseph A. Dorto:

Virginia International Terminals' general manager, whose salary is not known to Virginia Port Authority board members or Bray. They contend that VIT, formed and owned by the state of Virginia, is a private company.



lawyer with Venable LLP in Northern Virginia, said board members not involved in setting Bray's salary never asked to help do so. If they had, he said, he would have changed the policy. But the fact that Bray's salary never came up at meetings often baffled at least one board member who said he wondered how much Bray was paid.

William M. Grace, president of Grace Industries, a Newport News cleaning company, who has served on the Virginia Port Authority's board since 1997, said he had no idea how much Bray made or how his salary was determined.

"I never knew how it worked in all the years I've been on the commission," Grace said. "And I don't think I've missed a meeting. It's bizarre. It's a strange board — it's different, and I've served on a lot of them. There's very little discussion on that board. It's a spoon-fed, rubber-stamp board."

The Virginia Port Authority board meetings, held every other month, have a serious but friendly tone. But resolutions, sometimes involving millions of dollars, often pass with few questions and little discussion. Briefings from authority employees — on topics such as port security, finance or construction progress — usually engender few questions from the board. Nearly all votes taken in the past several years have been unanimous tallies.

The VPA board also doesn't get involved in salaries below the top executive. When the authority announced at a meeting last year that it hired then-Hampton Roads Maritime Association chief J.J. "Jeff" Kever as its deputy executive director, not mentioning his \$184,175 compensation package board members said after the meeting that they didn't know how much Kever would be getting.

Virginia Port Authority commissioners are paid \$50 per meeting. After the meetings, the Virginia Port Authority buys lunch for them, typically at the Town Point Club at the World Trade Center in Norfolk, downstairs from the authority's office.

Asked why he never asked to see the salaries or to get involved in setting them, Grace said he was working on other issues like trying to increase the number of contracts state agencies award to minority-owned businesses.

"I see so much wrong going on around me, I can't right it all," he said.

Milliken disputed Grace's view that the board is a rubber-stamp authority, asserting that much discussion happens in subcommittee meetings before the full board meets.

Top salaries

The top five highest-paid staffers of the Virginia Port Authority:

2004-05 compensation

1. J. Robert Bray, exec. director: \$275,615
2. J.J. "Jeff" Kever, deputy exec. director: \$184,175
3. Betty Princen, dir. of marketing, Europe: \$153,620
4. Tom Capozzi, sr. managing director of marketing: \$139,272
5. Russell Held, managing director, marketing: \$126,250

Source: Virginia Port Authority

After the Daily Press raised questions about the practice of determining the salary outside of a public vote, despite the state's open meetings laws that require such actions be voted in public, Milliken asked for advice from the Virginia Attorney General's office. It told him the meetings need to be called, and public votes need to be held, from now on.

GOVERNOR'S APPROVAL

On June 7, Milliken sent the full compensation package, including the bonus and executive allowance, to Richmond, asking Whittington Clement, the state's then-Secretary of Transportation, to get the OK from Leighty, Warner's chief of staff, for the base pay hike. Leighty, recalling the Virginia Port Authority's autonomy granted in 1997, wondered why he was involved at all. He knew the governor didn't set the salary of the Virginia Economic Development Partnership, for example, an entity with similar status as the port authority.

On June 21, Leighty initialed a letter from Clement asking him to approve Bray's compensation plan. But Leighty told the Daily Press that he reviewed and approved only the \$73,409 base salary increase — and did not review or approve the \$68,215 bonus or the \$12,500 executive allowance.

"The Virginia Port Authority is as much a state agency as the city of Roanoke — more like a county government than the Department of Corrections," Leighty said. "When they sent me the information asking me to approve the salary increase, I couldn't understand why they were sending that to me."

As for provisions in the state budget setting Bray's salary, limiting his bonus to 5 percent, and requiring the governor to approve supplements — all part of budget proposals that Warner submitted to the legislature —

Leighty contended they didn't comport with the port authority's new autonomy. It was unclear if Leighty knew of the provisions, but he said they should have been removed when the authority received new autonomy in 1997.

"I didn't go back and do the specific research and look at the code," Leighty said. "I made the decision based on how I thought it was supposed to be made."

Leighty said neither he nor Warner compared Bray's salary to that of other port directors, as called for in the budget, although Milliken said the three-member compensation committee did do those comparisons.

IS IT AN AGENCY?

In making the comparison between the Virginia Port Authority and Roanoke, Leighty was referring to the fact that the General Assembly formed both as political subdivisions. Leighty said he believes the state has little formal involvement with either entity after that.

But unlike Roanoke's budget, the Virginia Port Authority's budget — both the piece from the transportation trust fund and the piece from terminal revenue — is part of the state budget. Unlike the city council in Roanoke, 11 members of the Virginia Port Authority's 12-member board are appointed by the governor, and the other is the state treasurer.

The state's secretary of transportation, who answers to the governor, oversees the Virginia Port Authority under law. The authority's property is owned by the state in the authority's name. The state's auditors annually audit its books. Its lawyers are approved by the state's attorney general's office. And its police cars have blue-tinted "official state use only" license plates.

"They may have less regulation than some state agencies, but it still quacks like a state agency," said Robert Vaughn, staff director for the House Appropriations Committee.

'STATE MONEY' DEBATE

The state agency question is related to a contention from many port officials, including Milliken and Bray, that the terminal revenue portion of their budget is not state money because it doesn't come from the general fund. Del. Callahan, however, disagrees — saying the authority's total budget is state money, just as the cash that a state university collects for tuition and room and board is also owned by the state.

Bray conceded the General Assembly could theoretically try to raid the port's terminal revenue — but only "if they want to have World War III," he said.

The merits of those arguments notwithstanding, language in the state budget that sets the port authority director's salary at a certain level supersedes general code sections granting more freedom to the authority, legal and budget experts say. In the case of a conflict between general law and budget law, the budget law wins.

And because the budget continues to list both a salary and bonus for the port's executive director, Vaughn said, the only power the authority's board has to go beyond the rates set is to get the governor's approval. Told that Leighty approved only the increase to Bray's base salary, not the \$68,215 bonus or the \$12,500 executive allowance, Vaughn questioned the legitimacy of those payments.

"I don't believe there was malice in anybody's actions," Vaughn said. "But if the governor didn't approve it, then on what authority could they pay him the bonus? The budget language is still applicable."

Vaughn's boss, Del. Callahan, seconded Vaughn's reasoning. Leighty said in January that he planned to request that legislators remove all references to the port chief's salary in the budget, giving all discretion to the board. But while the legislature cleaned up some of the old language in the recent budget bill, they maintained the language that sets a state salary for the port director and requires the governor to approve supplements. But under the new rule legislators agreed to in February, only the board — not the governor — now has to conduct comparisons with other ports.

"Somebody could say that weakens" the governor's involvement, Vaughn said. But, he said, the governor still can ask to see the comparisons. "And the chief man still has to approve it."