

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2008 Legislative Session

Resolution No. CR-75-2008

Proposed by Council Member Dean

Introduced by Council Member Dean

Co-Sponsors _____

Date of Introduction July 23, 2008

RESOLUTION

1 A RESOLUTION concerning

2 Personnel Board Subpoena

3 For the purpose of issuing a subpoena pursuant to Section 1012 of the Charter for Prince
4 George's County Charter in response to a request initiated by the Personnel Board pursuant to
5 Section 16-105 of the County Code.

6 WHEREAS, Section 1012 of the County Charter provides that the County Council shall
7 have the power to require the production of records and other materials in connection with any
8 hearing authorized by law or by the Charter; and

9 WHEREAS, Section 907 of the County Charter provides that the Personnel Board is
10 responsible to hear and decide appeals of various actions of the Personal Officer and appointing
11 authorities; and

12 WHEREAS, Section 16-105 of the County Code, the Personnel Board May, upon a
13 majority vote of the full Board, make application to the County Council for the issuance of
14 subpoenas upon any person to require such person to attend, testify, and produce documents and
15 records regarding the subject of any appeal before the Board; and,

16 WHEREAS, pursuant to Judge Shaw Geter's order in civil action CAL07-16288 dated
17 April 11, 2008, the Personnel Board made application by letter dated July 16, 2008 to the County
18 Council for the issuance of subpoenas for persons to attend, testify and produce documents and
19 records regarding the subject of an appeal by Amy Thomas as requested by her attorney in a
20 letter dated June 25, 2008 from R. Wayne Pierce to Personal Board Administrator Carol Rubino;
21 and

22 WHEREAS, the County Council has reviewed the application of the Personnel Board.

1 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
2 County, Maryland, that the following persons are directed pursuant to the authority of the County
3 Council contained in Section 1012 of the Charter for Prince George's County, Maryland to
4 attend the hearing of the Personnel Board in the Appeal of Amy Thomas at such date(s) and
5 time(s) as may be established by the Personnel Board:

- 6 1. James Brinkley
7 Bowie, Maryland
- 8 2. Jamal Brooks
9 District Heights, Maryland
- 10 3. Brian Monn
11 Edgewater, Maryland
- 12 4. Larry Armstrong
13 Bowie, Maryland
- 14 5. Dr. Paul Panavelil
15 Express Care

16 BE IT FURTHER RESOLVED that the County Attorney, the Personnel Officer, the Fire
17 Commissioner and the Fire Chief, or their respective authorized representatives shall attend the
18 hearing of the Personnel Board in the Appeal of Amy Thomas at such date(s) and time(s) as may
19 be established by the Personnel Board and provide a copy of the following documents:

- 20 1. The final, executed settlement agreement and/or consent decrees entered into between
21 Prince George's County and the United States Department of Justice from April 9, 1998
22 to the date of the hearing;
- 23 2. A copy of the medical accession standards as such standards existed in 2002;
- 24 3. A copy of the current medical accession standards;
- 25 4. All documents produced by the County as a result of completing the review pursuant to
26 an Order of the Court dated April 11, 2008;
- 27 5. All documents produced by the County as a result of the County's efforts to comply with
28 the settlement agreements and/or consent decrees identified in item 1 above;
- 29 6. All documents constituting medical standards under which Appellant Thomas failed to
30 qualify for employment;
- 31 7. Position Descriptions for the position of emergency response technician in effect in 2002

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and for the positions of emergency response technician, fire fighter, or similar classifications currently in effect;

- 8. Any documents that would show whether any other person(s) with a vision condition similar to Appellant Thomas' had been hired pursuant to the medical accession standards in effect in 1994 or subsequently.

BE IT FURTHER RESOLVED that the Personnel Board is authorized to prepare and serve upon the persons named in this Resolution the subpoenas directed to be issued.

Adopted this 23rd day of July , 2008.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Samuel H. Dean
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council