

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2009 Legislative Session

Resolution No. CR-66-2009

Proposed by Council Members Dernoga and Dean

Introduced by Council Members Dernoga and Dean

Co-Sponsors _____

Date of Introduction September 22, 2009

RESOLUTION

1 A RESOLUTION concerning

2 Subpoenas

3 For the purpose of authorizing the Personnel Board to issue subpoenas regarding the subject of
4 an appeal before the Personnel Board; and generally relating to the Personnel Board.

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

9 WHEREAS, the Council may delegate its powers recited herein; and

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

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

17 WHEREAS, the Personnel Board made application by letter dated September 4, 2009 to the
18 County Council for the issuance of subpoenas for production of documents regarding the subject
19 of an appeal in the Appeal of Docket No. 1816-08; and

20 WHEREAS, the County Council seeks to delegate its subpoena authority in the Appeal of
21 Docket No. 1816-08 to the Personnel Board so that the Personnel Board may, upon a majority
22 vote of the full Board, issue subpoenas upon any person to require such person to attend, testify,

1 and produce documents and records regarding the subject of an appeal in the Appeal of Docket
2 No. 1816-08 before the Board; and

3 WHEREAS, pursuant to Section 1017(c) of the County Charter, the word "resolution" shall
4 mean a measure adopted by the Council having the force and effect of law but of a temporary or
5 administrative character.

6 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
7 County, Maryland, that the County Attorney, the Personnel Officer, the Director of Emergency
8 Management, or their respective authorized representatives shall attend the hearing of the
9 Personnel Board in the Appeal of Docket No. 1816-08 at such date(s) and time(s) as may be
10 established by the Personnel Board and provide a copy of the following documents:

- 11 1. Cell phone records for the County issued phone number (240) 508-3919 for the period
12 of January 1, 2007 through December 2008.

13 BE IT FURTHER RESOLVED that the Personnel Board is authorized to prepare and serve
14 the subpoenas directed to be issued.

Adopted this 22nd day of September, 2009.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Marilynn M. Bland
Chairperson

ATTEST:

Redis C. Floyd
Clerk of the Council