

12-0282 Request approval to amend existing contract, **Water Resources Department**, RFP #07RFPAWTM-NH, Alpharetta Water Transmission Main Engineering Services with Brown & Caldwell Company to extend the existing contract for an additional 1,095 consecutive calendar days. Approval of this amendment will extend the existing contract from 1,460 consecutive calendar days to 2,555 consecutive calendar days at no additional cost to the County. Effective upon BOC approval. **(APPROVED)**

A motion was made by Commissioner Hausmann and seconded by Commissioner Lowe to approve. The motion carried by a unanimous vote of 7-0-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Pitts, Hausmann, Lowe, Garner, and Edwards voted yea.

12-0283 Request approval to amend existing contract, **Superior Court General Office**, RFP #11RFP77379A-DR, Jury Management System, in the amount of \$0 with Courthouse Technologies, LTD (British Columbia, CN) to allow the system to be vendor hosted versus an internally hosted system. Effective upon BOC approval. **(APPROVED)**

A motion was made by Commissioner Hausmann and seconded by Commissioner Garner to approve. The motion carried by a vote of 6-0-0. Chairman Eaves and Commissioners Pitts, Hausmann, Lowe, Garner, and Edwards voted yea. Vice Chair Darnell was present but did not vote.

COMMISSIONERS' ITEMS – UNFINISHED BUSINESS

Commissioners' Action Items

12-0246 Request approval of a Resolution amending the Fulton County Defined Benefit Plan to allow certain employees to also participate in the State Employee Retirement System. **(Edwards) (HELD 3/21/12 for a lack of four affirmative votes) (APPROVED)**

A motion was made by Commissioner Edwards and seconded by Commissioner Garner to approve. The motion carried by a vote of 5-2-0. Chairman Eaves, Vice Chair Darnell, and Commissioners Lowe, Garner, and Edwards voted yea. Commissioners Pitts and Hausmann voted nay.

1 **RESOLUTION AMENDING THE FULTON COUNTY DEFINED BENEFIT PLAN**
2 **TO ALLOW CERTAIN EMPLOYEES TO ALSO PARTICIPATE IN THE STATE**
3 **EMPLOYEE RETIREMENT SYSTEM**
4

5 **WHEREAS**, Fulton County established the current Fulton County Defined
6 Benefit Plan (the "DB Plan") on December 18, 1991, which DB Plan provides
7 certain retirement benefits for eligible Fulton County officers and employees; and

8 **WHEREAS**, the DB Plan is managed and administered by an eleven-
9 member Board of Trustees, appointed and elected as provided in the DB Plan
10 document, as amended; and

11 **WHEREAS**, O.C.G.A. § 47-2-292(f) provides that employees of the Fulton
12 County Tax Commissioner's office are eligible to participate in the State
13 Employees Retirement System concurrently with any county or local retirement
14 or pension system; and

15 **WHEREAS**, the State Retirement System has identified employees in the
16 Fulton County Tax Commissioner's office who are eligible for enrollment in the
17 State Employee Retirement System; and

18 **WHEREAS**, the identified employees are participants in the DB Plan; and

19 **WHEREAS**, the DB Plan does not currently provide for employees of the
20 Fulton County Tax Commissioner's office to participate concurrently in the DB
21 Plan and the State Employee Retirement System; and

22 **WHEREAS**, amendment of the DB Plan is consistent with the opportunity
23 provided to these employees by the Fulton County Defined Contribution Plan (the
24 "DC Plan"), because the DC Plan does not contain any prohibition against

1 employees in the Fulton County Tax Commissioner's office concurrently
2 participating in the DC Plan and the State of Georgia Retirement System; and

3 **WHEREAS**, the Board of Commissioners finds that the public interest will
4 be served by allowing employees in the Fulton County Tax Commissioner's
5 Office who are currently participating in the DB Plan and wish to also participate
6 in the State Employee Retirement System to have that opportunity;

7 **NOW THEREFORE, BE IT RESOLVED**, that the Fulton County Defined
8 Benefit Plan shall be amended to allow employees in the Fulton County Tax
9 Commissioners' office to concurrently participate in the Fulton County Defined
10 Benefit Plan and the State Employee Retirement System.

11 **BE IT FURTHER RESOLVED**, that the DB Plan shall be amended to
12 allow any Fulton County employee who participates in the DB Plan and transfers
13 into the office of the Fulton County Tax Commissioner to concurrently participate
14 in the DB Plan and the State Employee Retirement System if the employee so
15 elects within six months from the date of his or her transfer to the office of the
16 Tax Commissioner.

17 **BE IT FURTHER RESOLVED**, that the Fulton County Manager and
18 Director of Finance are directed to prepare, or cause to be prepared, any and all
19 specific amendments to the DB Plan documents that are necessary and proper in
20 order to effectuate the intent of this Resolution.

21 **BE IT FURTHER RESOLVED**, that, for employees in the Office of the
22 Fulton County Tax Commissioner who elect to participate in the State Employee

1 Retirement System as described above, any retroactive employer contributions
2 shall be paid from the budget of the Fulton County Tax Commissioner.

3 **BE IT FURTHER RESOLVED**, that this Resolution shall become effective
4 when adopted, and the amendment will be effective when the specific DB Plan
5 document amendment has been approved by both the Board of Commissioners
6 and the Board of Trustees of the DB Plan, and all resolutions and parts of
7 resolutions in conflict with this Resolution are hereby repealed to the extent of the
8 conflict.

9 **SO PASSED AND ADOPTED** this 4th day of April, 2012.

10 **FULTON COUNTY BOARD OF COMMISSIONERS**

11 By: 
12 Commissioner William ("Bill") Edwards
13 District 7
14

15 **ATTEST:**

16 
17 Mark Massey
18 Clerk to the Commission
19



20 
21 R. David Ware
22 County Attorney

23
24 P:\CALegislation\TaxCom\Resolutions\03.01.12 Resolution Amending Fulton County Defined Benefit Plan to Allow
25 Participation in ERS.doc

ITEM # 12-0246 RCS 4/4/12
REGRESS MEETING