

A RESOLUTION TO DECLARE THE NEED FOR THE ACTIVATION OF A RESIDENTIAL CARE FACILITIES FOR THE ELDERLY AUTHORITY TO FUNCTION IN THE COUNTY OF FULTON, GEORGIA, PURSUANT TO THE PROVISIONS OF THE RESIDENTIAL CARE FACILITIES FOR THE ELDERLY AUTHORITIES ACT; TO APPOINT A BOARD OF DIRECTORS FOR SAID AUTHORITY; TO AUTHORIZE SAID AUTHORITY TO EXERCISE THE POWERS CONTAINED IN THE RESIDENTIAL CARE FACILITIES FOR THE ELDERLY AUTHORITIES ACT; TO PROVIDE FOR THE APPOINTMENT OF SUCCESSOR DIRECTORS; TO PROVIDE FOR NOTICE TO THE SECRETARY OF STATE OF GEORGIA OF THE ADOPTION OF THIS RESOLUTION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES:

W I T N E S S E T H:

WHEREAS, it has been determined by the Board of Commissioners of Fulton County, Georgia, that there exists an urgent need to provide facilities which can furnish the comprehensive services required by elderly persons in a single location, including, without limitation, residential care and the types of services provided in skilled nursing homes, intermediate care homes, and personal care homes (hereinafter referred to as "residential care facilities for the elderly"); and

WHEREAS, an adequate supply of residential care facilities for the elderly to provide the special facilities and services needed by elderly persons cannot be provided through the ordinary operation of private enterprise, and the involvement of a public agency as herein contemplated in such an undertaking would not be competitive with private enterprise; and

WHEREAS, the Residential Care Facilities for the Elderly Authorities Act (Acts 1980, Act. No. 1372, codified as Chapter 99-50, Georgia Code Annotated) (the "Act"), which was enacted by the General Assembly of the State of Georgia, creates for every county in the State of Georgia a public body corporate and politic to be known as the "Residential Care Facilities for

the Elderly Authority" of such county, which shall consist of a board of seven directors to be appointed by resolution of the governing body of such county for initial terms of two, four and six years and thereafter for staggered terms of six years; and

WHEREAS, the Board of Commissioners of Fulton County, Georgia has determined that there is a need for a Residential Care Facilities for the Elderly Authority to function in Fulton County to help finance the cost of providing an adequate supply of residential care facilities for the elderly for the people of Fulton County; and

WHEREAS, the Board of Commissioners of Fulton County, Georgia, after thorough investigation, has determined that it is desirable and necessary that a Residential Care Facilities for the Elderly Authority be activated immediately to function in Fulton County with the powers granted it by the Act to issue revenue bonds and bond anticipation notes for the purpose of providing funds to finance residential care facilities for the elderly in order to fulfill the present needs expressed herein;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Fulton County, and it is hereby resolved by the authority of same, that there is hereby determined and declared to be a pressing, existing and future need for a Residential Care Facilities for the Elderly Authority (as more fully described in the Act) to function in Fulton County for the purpose of providing an adequate supply of residential care facilities for the elderly in said County, thereby promoting the health and welfare of the people of said County.

BE IT FURTHER RESOLVED, by the aforesaid authority, that there be and there is hereby activated the public body corporate and politic known as the Residential Care Facilities for the Elderly of Fulton County (hereinafter referred to as the "Authority"), which Authority was created upon the adoption and approval of the Act and particularly Section 99-5004 thereof.

BE IT FURTHER RESOLVED, by the aforesaid authority, that there be and there are hereby elected as members of the first

Board of Directors of the Authority the following named persons, each of whom is a taxpayer residing in Fulton County and none of whom is an officer or employee of Fulton County:

| <u>NAME</u>   | <u>TERM</u>      |
|---|------------------|
| (1) <u>Willie Robinson (Commissioner Williams)</u>  | - <u>4</u> years |
| (2) <u>Marshall Mitchell (Commissioner Lomax)</u>   | - <u>4</u> years |
| (3) <u>Virlyn Moore, Jr. (Commissioner Farris)</u>  | - <u>6</u> years |
| (4) <u>Terry Newsome (Commissioner Roach)</u>       | - <u>6</u> years |
| (5) <u>Earie McClure (Commissioner Eaves)</u>       | - <u>6</u> years |
| (6) <u>Ethel Bannister (Commissioner Bannister)</u> | - <u>2</u> years |
| (7) <u>Bettye Lowe (Commissioner Lowe)</u>          | - <u>2</u> years |

BE IT FURTHER RESOLVED, by the aforesaid authority, that commencing with the date of adoption of this resolution by the Board of Commissioners of Fulton County, each of said persons named as directors above shall serve in such capacity for the number of years set forth opposite their respective names; and if at the end of any term of office of any director, a successor thereto shall have not been elected as hereinafter provided, then the director whose term of office shall have expired shall continue to hold office until his successor shall be so elected. No person shall receive any compensation for serving as a director, but a director may be reimbursed for his actual expenses incurred in the performance of his duties.

BE IT FURTHER RESOLVED, by the aforesaid authority, that in the event that a director at any time ceases to be a taxpayer residing in Fulton County, his eligibility to serve as a director shall cease, and his term of office shall end.

BE IT FURTHER RESOLVED, by the aforesaid authority, that the Board of Directors hereinbefore elected shall organize itself, carry out its duties and responsibilities and exercise its powers and prerogatives in accordance with the terms and provisions of the Act as it now exists and as it might hereafter be amended or modified.

BE IT FURTHER RESOLVED, by the aforesaid authority, that in the event that any vacancy shall occur in the Board of

Directors of the Authority for any reason, the Board of Commissioners of Fulton County shall submit a list of three eligible persons to the Board of Directors of the Authority, and said Board of Directors at its next regular meeting shall select one of the three persons named in said list to fill such vacancy.

BE IT FURTHER RESOLVED, by the aforesaid authority, that the Clerk of the Board of Commissioners of Fulton County shall furnish immediately to the Secretary of State of the State of Georgia a certified copy of this resolution in compliance with the mandate set forth in Section 99-5004 of the Act.

BE IT FURTHER RESOLVED, by the aforesaid authority, that this resolution shall be effective immediately upon its adoption by the Board of Commissioners of Fulton County and from and after such adoption the Authority shall be deemed to be duly created and activated and shall have perpetual existence.

BE IT FURTHER RESOLVED, by the aforesaid authority, that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

Adopted and approved this 3RD day of DECEMBER, 1980.

BOARD OF COMMISSIONERS OF FULTON COUNTY

Milton G. Farris  
Milton G. Farris, Chairman

A. Reginald Eaves  
A. Reginald Eaves, Vice-Chairman

Michael Zoman  
Michael Zoman, Commissioner

Lee J. Roach  
Lee J. Roach, Commissioner

Tom Lowe  
Tom Lowe, Commissioner

Chuck Williams  
Chuck Williams, Commissioner

Bruce Bannister  
Bruce Bannister, Commissioner  
ITEM #14 SM 12/3/80 AM.

Attest:

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Clerk of Board of Commissioners  
Albert E. Johnson  
(SEAL)