

1 **RESOLUTION TO AMEND THE TERMS AND PROCESS OF APPOINTMENT**  
2 **OF MEMBERS OF THE FULTON COUNTY ARTS COUNCIL, AND TO AMEND**  
3 **SECTION 126-46 OF THE FULTON COUNTY CODE OF ORDINANCES, SO**  
4 **AS TO ENSURE THAT SUCH TERMS EXPIRE UPON THE EXPIRATION OF**  
5 **THE TERM OF SERVICE OF THE APPOINTING COUNTY COMMISSIONER;**  
6 **AND FOR OTHER PURPOSES**

7 **WHEREAS**, the Fulton County Clerk has identified approximately fifty-five  
8 (55) active boards or authorities to which the Fulton County Board of  
9 Commissioners make membership appointments;

10 **WHEREAS**, the process of appointing members and terms of service for  
11 the various boards and authorities is inconsistent;

12 **WHEREAS**, the boundaries of the Fulton County Board of Commissioners  
13 districts were recently redistricted so as to change the geographic boundaries of  
14 each district and to rename the individual districts;

15 **WHEREAS**, certain boards and authorities have the requirement that their  
16 appointment terms expire upon the expiration of the term of the appointing  
17 Commissioner;

18 **WHEREAS**, alternatively, certain boards and authorities have the  
19 requirement that appointees reside within the geographic boundaries of the  
20 appointing Commissioner's district; and, given the change in such district  
21 boundaries, confusion has resulted as to whether the member/appointee can  
22 continue to serve;

23 **WHEREAS**, there are also certain boards and authorities that have the  
24 requirement that appointees serve a specific term limit irrespective of the  
25 geographic boundaries of the district in which they reside or the term of the  
26 Commissioner who appointed the board member/appointee;

27 **WHEREAS**, the recent redistricting, along with the election of three new  
28 Fulton County Commissioners effective January 2015 has resulted in some  
29 degree of confusion about the process of appointing members/appointees to the  
30 various boards and authorities to terms that extend beyond December 31, 2014  
31 and into 2015 by Commissioners from the previous geographic Commission  
32 districts and/or by Commissioners who will not be returning in 2015;

33 **WHEREAS**, the Fulton County Board of Commissioners, at its November  
34 5, 2014 meeting, discussed Agenda Item 14-0943, regarding board  
35 appointments;

## # 15-0109

1           **WHEREAS**, during the discussion of Agenda Item 14-0943,  
2 Commissioners directed the County Clerk to assess the various boards and  
3 authorities with respect to incoming and outgoing Commissioners and to  
4 recommend strategies for incoming Commissioners to make appointments;

5           **WHEREAS**, as a result of the assessment requested pursuant to Agenda  
6 Item 14-0943, the County Clerk identified twenty-three (23) boards or authorities  
7 for which individual Commissioners traditionally make district appointments  
8 and/or such boards or authorities require appointees to reside within the  
9 geographic boundaries of the appointing Commissioner's district;

10           **WHEREAS**, at the request of the Fulton County Board of Commissioners,  
11 the County Clerk and the County Attorney prepared a joint report and  
12 recommendations for a process to address Board Appointments to Boards and  
13 Authorities as a result of redistricting and such report and recommendations were  
14 approved as Agenda Item 15-0077;

15           **WHEREAS**, the Fulton County Arts Council is one of the twenty-three (23)  
16 boards or authorities identified for which individual Commissioners make district  
17 appointments and/or such boards require appointees to reside within the  
18 geographic boundaries of the appointing Commissioner's district;

19           **WHEREAS**, the appointment process and/or terms for the Fulton County  
20 Arts Council lies within the authority of the Fulton County Board of  
21 Commissioners since such procedures are not governed by State law;

22           **NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF**  
23 **COMMISSIONERS OF FULTON COUNTY, GEORGIA**, that the Resolution  
24 creating the Arts Council, adopted upon approval of Item 9 at the Special  
25 Meeting of the Fulton County Board of Commissioners on October 17, 1979, as  
26 codified in Fulton County Code Sections 126-46 and 126-47, is hereby amended  
27 as provided in Exhibit "A", a copy of which is attached hereto and incorporated  
28 into this Resolution.

29           **BE IT FURTHER RESOLVED** that the County Clerk is hereby directed to  
30 forward a copy of this Resolution to the Chairman of the Fulton County Arts  
31 Council.

32           **BE IT FURTHER RESOLVED**, that the Fulton County Arts Council is  
33 encouraged to amend its by-laws to be consistent with this enactment.

1 **BE IT FURTHER RESOLVED**, that this Resolution shall become effective  
2 upon its adoption and that all Resolutions and parts of Resolutions in conflict with  
3 this Resolution are hereby repealed to the extent of the conflict.

4 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton  
5 County, Georgia, this 4th day of February, 2015.

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**FULTON COUNTY BOARD OF COMMISSIONERS**

**SPONSORED BY:**

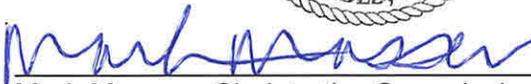


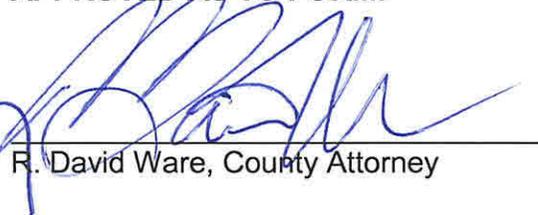
John H. Eaves, Chairman  
District 7, At-Large



**ATTEST:**

**APPROVED AS TO FORM:**

  
Mark Massey, Clerk to the Commission

  
R. David Ware, County Attorney

ITEM # 15-0109 RM 2/4/15  
REGULAR MEETING

EXHIBIT "A"

The Board of Commissioners of Fulton County does hereby create a council of citizens known as the Fulton County Arts Council, to be structured and to function as follows:

Section 126-46 – Creation; organization; members.

- 1) The arts council shall be composed of fifteen (15) residents of the county.
- 2) Initially, each member of the board of commissioners shall appoint two persons to serve on the council, one person to serve for a one-year term and one person to serve for a two-year term. No term of any member shall extend beyond the term of the District Commissioner who appointed the member to serve on the Arts Council Board; thereafter, each year, each member of the board of commissioners shall appoint one member for a two-year term. Each member may continue to serve beyond his/her term until replaced.
- 3) The chairman of the arts council shall be appointed to a two-year term by a majority vote of the board of commissioners.
- 4) The council shall elect a vice-chairman and a secretary from its membership.

Section 126-47- Annual art plan; contents; priorities of art council.

- (a) More specifically, the board of commissioners will request the arts council to submit an art plan for each calendar year which will include:
  1. A definition of needs;
  2. A resolution of these needs; and
  3. A request for support of programs by specific contracts which would include:
    - a. Contracts with larger organizations for annual programs; and
    - b. Contracts with smaller organizations for semiannual programs.
- (b) The arts council, as here established, shall give priority to programs which will introduce the arts to new audiences, and will ensure that the enjoyment of the arts is available to all citizens of the county and most especially children, the elderly, the handicapped, and those citizens who, because of economic or other circumstances, have not had ready and regular access to the arts.