RESOLUTIONS OF THE FULTON COUNTY BOARD OF COMMISSIONERS

RESOLUTIONS OF THE FULTON COUNTY BOARD OF COMMISSIONERS APPROVING AN AMENDMENT TO THE FULTON COUNTY DEFINED CONTRIBUTION PLAN TO UPDATE THE PLAN TO ALLOW THE FULTON COUNTY CHIEF FINANCIAL OFFICER TO SERVE ON THE PLAN'S ADMINISTRATIVE COMMITTEE AND RETIREMENT COMMITTEE AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COMMISSIONERS OR HIS DESIGNEE TO EXECUTE THE AMENDMENT.

WHEREAS, Fulton County (the "County") has adopted and maintains the Fulton County Defined Contribution Plan (the "Plan");

WHEREAS, the County now wishes to amend the Plan to provide that the Fulton County Chief Financial Officer will serve on the Administrative Committee and the Retirement Committee instead of the Fulton County Finance Director;

NOW, THEREFORE, BE IT RESOLVED, that the Fulton County Board of Commissioners (the "Board of Commissioners") hereby authorizes and approves the adoption of the Second Amendment to the Fulton County Defined Contribution Plan, substantially in the form attached hereto (the "Amendment").

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners or his designee is hereby authorized, empowered and directed to take all actions and to execute and deliver all agreements, instruments, indentures, and documents as he shall deem necessary to carry out the intent of the foregoing resolutions, including, without limitation, the execution and delivery of the Amendment.

BE IT FURTHER RESOLVED, that the signature of the Chairman of the Board of Commissioners or any designee on any agreement, instrument, indenture, or document shall be conclusive evidence of his authority.

BE IT FINALLY RESOLVED, that this Resolution and Amendment shall become effective when adopted, and that all resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.

15-0862

SO PASSED AND ADOPTED this 21st day of October, 2015.

BOARD OF COMMISSIONERS
FULTON COUNTY, GEORGIA

By: _____
John H. Eaves, Chairman
District 1, At-Large

ATTEST:

Mark Massey
Clerk to the Commission

APPROVED AS TO FORM:

Jerolyn Webb Ferrari
Interim County Attorney

ITEM # 15.0862 RCS 10/21/15
RECESS MEETING

SECOND AMENDMENT TO THE
FULTON COUNTY DEFINED CONTRIBUTION PLAN

This SECOND AMENDMENT is made as of this 21st day of October, 2015, by the Fulton County Board of Commissioners (the "Board of Commissioners").

WITNESSETH:

WHEREAS, Fulton County (the "County") maintains the Fulton County Defined Contribution Plan (the "Plan"), which was last amended and restated effective as of January 1, 2013;

WHEREAS, the County now wishes to amend the Plan to provide that the Fulton County Chief Financial Officer will serve on the Administrative Committee and the Retirement Committee instead of the Fulton County Finance Director; and

NOW, THEREFORE, the County does hereby amend the Plan, effective as of the date of this Amendment, as follows:

1. By deleting section 2.44 of the Plan and by substituting therefor the following:

   "2.44 Retirement Committee means the Chairman of the County Commissioners, the Fulton County Chief Financial Officer and the Fulton County Manager or their delegees."

2. By deleting section 9.1(a) of the Plan and by substituting therefor the following:

   "9.1 Administrative Committee; Appointment and Term of Office.

   (a) The Administrative Committee shall consist of not less than three members who shall be appointed by and serve at the pleasure of the Fulton County Commissioners. The members shall be the Chairman of the Fulton County Commissioners, the Fulton County Chief Financial Officer, and the Fulton County Manager or their delegees."

Except as specifically amended hereby, the Plan shall remain in full force and effect.

IN WITNESS WHEREOF, the County has caused this Second Amendment to be executed as of the day and year first above written, in its name, by and through the Board of Commissioners.

[SIGNATURES ON FOLLOWING PAGE]

15-0862

FULTON COUNTY BOARD OF COMMISSIONERS

By: _____
John H. Eaves, Chairman
District 7, At-Large

ATTEST:

_____
Mark Massey
Clerk to the Commission

APPROVED AS TO FORM:

_____
Jerolyn Webb Ferrari
Interim County Attorney

ITEM # 15-0862 RCS 10/21/15
RECESS MEETING