

1 **RESOLUTION OF THE FULTON COUNTY BOARD OF COMMISSIONERS**
2 **APPROVING AN AMENDMENT TO THE FULTON COUNTY DEFINED**
3 **CONTRIBUTION PLAN TO PERMIT PARTICIPATION BY JUDGES OF THE STATE**
4 **COURT OF FULTON COUNTY AND TO UPDATE THE PLAN AS REQUIRED BY**
5 **NEWLY ENACTED LAW; AND AUTHORIZING THE CHAIRMAN OF THE BOARD**
6 **OF COMMISSIONERS OR HIS DESIGNEE TO EXECUTE THE AMENDMENT.**

7
8 **WHEREAS**, Fulton County (the “County”) has adopted and maintains the Fulton County
9 Defined Contribution Plan (the “Plan”);

10
11 **WHEREAS**, the County now wishes to amend the Plan to permit participation by judges
12 of the State Court of Fulton County as permitted by O.C.G.A. Section 47-23-50;

13
14 **WHEREAS**, the County now wishes to amend the Plan to update the Plan for certain
15 changes required by the SECURE 2.0 Act of 2022, including changes to the minimum required
16 distribution age and to increase the cash-out limit under the plan from \$5,000 to \$7,000; and

17
18 **WHEREAS**, the Fulton County Defined Contribution Plan Retirement Committee has
19 recommended the approval of the proposed amendment to the Plan at its meeting held on June 6,
20 2024.

21
22 **NOW, THEREFORE, BE IT RESOLVED**, that the Fulton County Board of
23 Commissioners (the “Board of Commissioners”) hereby authorizes and approves the adoption of
24 the Fourth Amendment to the Fulton County Defined Contribution Plan, substantially in the form
25 attached hereto (the “Amendment”).

26
27 **BE IT FURTHER RESOLVED**, that the Chairman of the Board of Commissioners or
28 his designee is hereby authorized, empowered and directed to take all actions and to execute and
29 deliver all agreements, instruments, indentures, and documents as he shall deem necessary to carry
30 out the intent of the foregoing resolutions, including, without limitation, the execution and delivery
31 of the Amendment.

32
33 **BE IT FURTHER RESOLVED**, that the signature of the Chairman of the Board of
34 Commissioners or any designee on any agreement, instrument, indenture, or document shall be
35 conclusive evidence of his authority.

36
37 **BE IT FINALLY RESOLVED**, that this Resolution and Amendment shall become
38 effective when adopted, and that all resolutions and parts of resolutions in conflict with this
39 Resolution are hereby repealed to the extent of the conflict.
40
41

1 **SO PASSED AND ADOPTED** this ____ day of _____, 2024.

2
3
4 **BOARD OF COMMISSIONERS**
5 **FULTON COUNTY, GEORGIA**

6
7
8 By: _____
9 Robert L. Pitts, Chairman

10
11
12
13 **ATTEST:**

APPROVED AS TO FORM:

14
15
16 _____
17 Tonya R. Grier, Clerk to the Commission

Y. Soo Jo, County Attorney