

1 **A RESOLUTION OF THE FULTON COUNTY BOARD OF COMMISSIONERS TO AMEND THE RESTATEMENT**  
2 **AND SECOND AMENDMENT OF THE INTERGOVERNMENTAL AGREEMENT FOR THE PROVISION OF**  
3 **SERVICES TO THE FULTON COUNTY BOARD OF HEALTH IN ORDER TO ALLOW ADDITIONAL TIME FOR**  
4 **THE BOARD OF HEALTH TO FINALIZE THE TRANSITION OF INFORMATION TECHNOLOGY SERVICES; TO**  
5 **CONTINUE THE LEASING OF COUNTY VEHICLES TO THE BOARD OF HEALTH FOR COVID-19 RESPONSE**  
6 **PURPOSES; TO AUTHORIZE THE CHAIRMAN TO EXECUTE SUCH AMENDMENTS; AND TO AUTHORIZE**  
7 **THE COUNTY ATTORNEY TO APPROVE THE AMENDMENT TO THE RESTATEMENT AND SECOND**  
8 **AMENDMENT AND RELATED DOCUMENTS AS TO FORM AND MAKE ANY NECESSARY MODIFICATIONS**  
9 **PRIOR TO EXECUTION.**

10 **WHEREAS**, through the adoption of House Bill 885 (Laws 201, Act 467, § effective April 27, 2016) in the  
11 2015-2016 Regular Session, the Georgia General Assembly repealed O.C.G.A. § 31-3-2.1, which had  
12 previously allowed Fulton County to operate its public health services through its internal Department of  
13 Health and Wellness; and

14 **WHEREAS**, House Bill 885 further provided that the operation of public health services in Fulton County  
15 was to transition from being a department within the County to being a county board of health similar  
16 to the other boards of health around the State of Georgia that were never incorporated into county  
17 governments; and

18 **WHEREAS**, Fulton County therefore adopted Resolutions Nos. 17-0298 and 17-0299 on April 12, 2017,  
19 dissolving the Department of Health and Wellness and directing County staff to facilitate the creation of  
20 the Fulton County Board of Health ("BOH") as a separate entity; and

21 **WHEREAS**, the h BOH now enjoys all powers and obligations of a county board of health that are set  
22 forth in O.C.G.A. § 31-3-1, et seq. and as may be delegated by the Georgia Department of Public Health  
23 and by and through the authorities established in O.C.G.A § 31-2-1, et seq., O.C.G.A. §26-2-370, et seq.,  
24 and other state laws; and

25 **WHEREAS**, to facilitate a smooth transition for the new entity, Fulton County and the newly established  
26 BOH entered into an Intergovernmental Agreement via Agenda Item No. 17-0300, for the provision of  
27 services and personnel from Fulton County to the BOH (hereinafter "Services IGA"); and

28 **WHEREAS**, on January 20, 2021, the Board of Commissioners passed Resolution 20-0622, enabling the  
29 complete separation of the BOH from the County, including a Reduction in Force of all County  
30 employees serving the BOH as of June 30, 2021, to enable the BOH to transition all employees who  
31 chose to transfer into BOH positions established under the State of Georgia's personnel system; and  
32 providing certain ongoing support for personnel, information technology services, facilities, and legal  
33 services; and

34 **WHERAS**, on June 16, 2021, the Board of Commissioners passed Resolution 21-0457, approving a  
35 Restatement and Second Amendment of the terms of the Services IGA in order to remove discussions of  
36 wholly past obligations and to collate the underlying documents and details related to each service area  
37 into exhibits, to wit: Exhibit A: Master Lease Agreement providing quarters to the Fulton County Board  
38 of Health; Exhibit B: Vehicle Use Agreement that allows the Fulton County Board of Health to use two  
39 mobile units purchased with C.A.R.E.S. Act Funds; Exhibit C: the Fulton County Information Technology  
40 Department Scope of Work and Transition Plan for the Fulton County Board of Health and Exhibit D; and

1 **WHEREAS**, the Parties agree that the BOH requires ongoing support for information technology services  
2 through June 30, 2023, with certain amended terms; that the County is firm in its commitment to  
3 provide ongoing financial support to defray the costs of state benefits for those employees who  
4 transitioned from employment with the County directly into employment with the BOH; and that the  
5 Parties desire to extend the vehicle use agreement to allow the County to provide certain vehicles to the  
6 BOH for the ongoing COVID-19 response activities supported by the C.A.R.E.S. Act; and

7 **WHEREAS**, the Fulton County Board of Health desires to continue to utilize the Facilities and Legal  
8 services provided by the County as specified by state law and as prudent to maximize synergies across  
9 the entities for optimal provision of public health services to the citizens of Fulton County; and

10 **WHEREAS**, Fulton County Code of Laws ("FCC") § 1-117 gives the Board of Commissioners exclusive  
11 authority over the affairs of the County, and the Board of Commissioners is authorized to enter into and  
12 amend Intergovernmental Agreements with other entities pursuant to GA CONST Art. 9, § 3, ¶ I.

13 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of Fulton County hereby supports  
14 the continuing transition of the BOH, and authorizes the Chairman of the Board of Commissioners to  
15 execute the Amendment to the Restatement and Second Amendment to the Intergovernmental  
16 Agreement for the Provision of Services to the Fulton County Board of Health, and those necessary  
17 revisions as well within Exhibit B, the Vehicle Use Agreement, and Exhibit C, the Fulton Information  
18 Technology Department Scope of Work and Transition Plan for the Fulton County Board of Health, in the  
19 forms similar to the version provided herein, to be effective upon signatures.

20 **BE IT FURTHER RESOLVED** that prior to execution of any documents, the County Attorney shall approve  
21 any and all documents as to form and make any necessary modifications prior to execution.

22 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its adoption, and that all  
23 resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the extent of  
24 the conflict.

25 **SO PASSED AND ADOPTED**, this 16th day of June, 2022.

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FULTON COUNTY BOARD OF COMMISSIONERS

BOARD OF COMMISSIONERS OF FULTON  
COUNTY

By: \_\_\_\_\_  
Robert L. Pitts, Chairman

ATTEST:

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Tonya Grier  
Clerk to the Board of Commissioners

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3 APPROVED AS TO FORM:

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Y. Soo Jo

7 Fulton County Attorney

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