

1 **A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS**
2 **AMENDING AND CLARIFYING THE PER DIEM ALLOTMENT AVAILABLE FOR THE**
3 **BOARD OF DIRECTORS OF THE DEVELOPMENT AUTHORITY OF FULTON**
4 **COUNTY; AND FOR OTHER PURPOSES.**

5
6 **WHEREAS**, the Fulton County Board of Commissioners has authority, pursuant to
7 the Constitution of the State of Georgia, Article 9, Sec. 2 ¶ 1(a), to adopt reasonable
8 ordinances, resolutions, or regulations relating to its affairs for which no provision has
9 been made by general law and which is not inconsistent with this Constitution or any local
10 law applicable thereto; and

11 **WHEREAS**, pursuant to the authority granted by the Development Authorities Law
12 (O.C.G.A. § 36-62-1 et seq.), the Board of Commissioners, on May 16, 1973, adopted a
13 Resolution declaring the need for a Development Authority in Fulton County ("Activating
14 Resolution") and did thereby establish the Development Authority of Fulton County (also,
15 "DAFC") for the purpose of developing and promoting welfare, trade, commerce, industry
16 and employment opportunities in Fulton County, among other purposes; and

17 **WHEREAS**, the activation of Development Authority of Fulton County by the Fulton
18 County Board of Commissioners has been codified in the Fulton County Code of Laws,
19 as Fulton County Code Sections 118-46 through 118-49; and

20 **WHEREAS**, under state law O.C.G.A. § 36-62-5, relating to the qualifications of
21 the officers [directors] of DAFC and their compensation and expenses, among other
22 things, the directors of the DAFC shall receive no compensation for their services but
23 shall be reimbursed for their actual expenses incurred in the performance of their duties;
24 provided, however, the directors of the DAFC in counties having a population of 550,000
25 or more shall be paid a per diem allowance to be determined by the governing authority

26 of such counties for each day, or part thereof, spent in the performance of their duties;
27 and

28 **WHEREAS**, the Board of Commissioners has found no record of any action by
29 the governing authority setting any per diem heretofore; and

30 **WHEREAS**, the Fulton County Board of Commissioners finds it necessary in the
31 best interest of the public to set the per diem for the members of the Board of Directors
32 of the Development Authority of Fulton County at \$105.00 per day, no matter how many
33 meetings are attended that day.

34 **NOW, THEREFORE, BE IT RESOLVED**, the Fulton County Board of
35 Commissioners hereby sets the per diem for the members of the Board of Directors of
36 the Development Authority of Fulton County at \$105.00 per day no matter how many
37 meetings are attended that day, payable only for attendance at duly scheduled and
38 publicly noticed meetings of the full Board of Directors.

39 **BE IT FURTHER RESOLVED**, the members of the Board of Directors of the
40 Development Authority of Fulton County are not allowed to receive any additional
41 compensation from the Development Authority of Fulton County outside of this per diem
42 allotment set forth within this Resolution, except where a member also qualifies for
43 reimbursement of expenses under applicable law.

44 **BE IT FURTHER RESOLVED**, each members of the Board of Directors of the
45 Development Authority of Fulton County shall provide to Fulton County, by delivery to the
46 Clerk to the Commission, a financial statement detailing all payments made to each
47 member in performance of his/her role as a member of the Development Authority of
48 Fulton County every six (6) months.

49 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its
50 adoption, and shall continue until further notice, and that all resolutions and parts of
51 resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.

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FULTON COUNTY BOARD OF COMMISSIONERS

Sponsored by:

Lee Morris
Commissioner, District 3

ATTEST:

Tonya R. Grier, Clerk to the Commission

APPROVED AS TO FORM:

Kaye Woodard Burwell, Interim County Attorney