

# CREATING A NEW MILTON COUNTY

## Report 4. The Legal Impacts of Creating Milton County



Carl Vinson **Institute of Government**  
The University of Georgia



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**STUDY REPORTS PREPARED FOR THE  
CREATING A NEW MILTON COUNTY  
PROJECT**

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# **The Legal Impacts of Creating Milton County**

**Governmental Services and Research Division  
Carl Vinson Institute for Government  
University of Georgia**

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# **The Legal Impacts of Creating Milton County**

## **Executive Summary**

The report presents the finding of an exploration and analysis of two sets of laws: Population Acts and Local Laws and Constitutional Amendments and the intergovernmental agreements to which Fulton County is a signatory.

### **Population Acts**

The analysis of the population acts raises the following issues:

1. How will the populations of Milton and Fulton Counties be counted to determine the application of existing population acts, given that there is no official census data for a new Milton County and that the census data for Fulton County will not be revised until 2010?
2. Will Milton County be subject to the population acts that apply to the current Fulton County solely because the area of Milton County was a part of Fulton County when the acts were passed, even though the population of Milton County will be less than that specified in the population act?

The creation of Milton County will have two significant results. Because of its loss of population, a number of population acts will no longer be applicable to Fulton County, and Milton County will fall under the provisions of a variety of existing population acts.

Currently, there is no legal means that will allow amendments of existing population acts so that they apply only to the new Fulton County but no other counties with the same population or only to Fulton (524,000) and Milton (278,000) Counties. However, even though there is no legal precedence, the language in House Resolution 21 (2009) amending Article III, Section VI, Paragraph IV(b) of the State Constitution potentially offers a solution to the issue regarding the application of existing population acts when a previously existing county is re-created.

The creation of Milton County could potentially impact a wide variety of issues that are currently specified in state law including: Fulton County's participation in the Metropolitan River

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Protection Act, the compensation of Fulton County commissioners, the sale of park land in Fulton County, public works contracts, zoning procedures.

### **Local Laws and Local Constitutional Amendments**

A critical issue with the local laws and local constitutional amendments that specifically govern Fulton County is whether or not Fulton County's local laws and local constitutional amendments are solely applicable to the new Fulton County, or will they continue to be applicable to the area (Milton County) that was part of Fulton County when they were passed? If Milton County is created, will existing local laws and local constitutional amendments that currently apply to Fulton County govern the new Milton County?

The creation of Milton County could potentially impact a wide variety of issues and entities that are currently specified in local law or local constitutional amendments including: Airports, City of Atlanta and Fulton County Recreation Authority, Bonds, Community Improvement Districts, Detention Facilities, Education/Employee Pensions, Hospitalization Services, Industrial District, Metropolitan Atlanta Transit Authority, Ordinances and Regulations, Parks and Recreation, Retirement System, Service Districts, Taxation of Property and other taxation provisions, and other, matters.

### **Intergovernmental Agreements**

Since 1990 Fulton County has been a party to over 148 intergovernmental agreements (IGAs). However, because of the dates of their establishment, the manner in which the IGAs were created, and the use of multiple mediums of record retention, an exact number of such agreements is not readily available. This report lists County's intergovernmental agreements that CVIOG received as a result of an information request.

If there are specific issues/problems associated with Fulton County's IGAs and the creation of Milton County, they are not known since this is an area of the law for which there is no precedent. Listed below are some potential issues/problems.

What will Milton County's responsibilities be under existing Fulton County's IGAs? Will there be any responsibility for Milton County because when the agreements were first negotiated and

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executed the area that will become Milton County was part of Fulton County? Other potential issues include:

1. Is Milton County responsible for Fulton County's IGAs that concern property that falls within the boundaries of Milton County?
2. What are the consequences if new Fulton County is unable fiscally or otherwise to carry out its responsibilities provided for in the agreement?
3. What happens to those IGAs between Fulton County and other counties that were adjacent to Fulton County (examples include agreements with Forsyth, Cherokee, and Gwinnett Counties) and were based primarily on issues related to the fact that the two counties were then adjacent but will not be when Milton County is created.? Does Milton County, which becomes the adjacent county, become liable for the responsibilities provided for in the agreement?
4. What happens if an IGA concerns property or facilities that are no longer in Fulton County?
5. What is the status of responsibilities between Fulton County, Milton County, and state departments (Departments of Revenue, Transportation, Community Affairs, Human Resources, and others) when the IGAs were adopted to address needs for specific areas in Fulton County that become part of Milton County? This is the same for IGAs with federal agencies.

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### **Milton County Study Population Acts**

This document identifies the current population acts that apply to Fulton County. It will be feasible to use this document to determine which of these acts will or will not apply to Milton County (estimated population of 278,000) and those that will or will not apply to the new Fulton County (estimated population of 524,000). No attempt has been made to determine the level of importance of any of these acts to either Milton or Fulton County.

#### ISSUES:

We raise the following issues recognizing that as yet there are no definitive answers. We have included a general discussion of the existing state law relative to Population acts.

1. How will the populations of Milton and Fulton Counties be counted to determine the application of existing population acts, given that there is no official census data for a new Milton County and that the census data for Fulton County will not be revised until 2010?
2. Will a new Milton County be subject to the population acts that apply to the current Fulton County solely because when the acts were passed the area of Milton County was a part of Fulton County, even though the population of Milton County will be less than that specified in the population act?
3. What will be the impact of amending population acts currently applicable to Fulton County so that they will continue to apply to a Fulton County with a reduced population, and how might, or can this be implemented without affecting other counties?

#### Discussion:

Georgia's Constitution prohibits the passage of new closed bracketed population acts that apply to a local government that falls within a defined lower and higher population, but it authorizes such existing acts to continue in effect and to be updated to allow their continued application to the intended government.

The constitution further authorizes the General Assembly to define population acts. As defined, only those acts that are bracketed on only one end or the other (greater or less than a set



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population) may be adopted. The definition of population acts has been further amended so that no population act can be enacted unless it applies to three or more local governments.

Population acts can be amended so that they continue to apply to the local government(s) for which they were passed.

The creation of Milton County will have two significant results. A number of population acts will no longer be applicable to Fulton County, and both Fulton and Milton County will fall under the provisions of a variety of existing population acts.

Currently, there is no legal means that will allow amendments of existing population acts so that they apply only to the new Fulton County but no other counties with the same population or only to Fulton (524,000) and Milton (278,000) Counties. However, even though there is no legal precedence, the language in House Resolution 21 (2009) amending Article III, Section VI, Paragraph IV(b) of the State Constitution potentially offers a solution to the issue regarding the application of existing population acts when a previously existing county is re-created.

In addition, there is the specific issue of the accrued retirement and pension rights of county employees. There are many population acts (not covered in this summary) that address the retirement and pension rights of various and specific county employees throughout Fulton County. With the creation of Milton County, many unanswered questions remain regarding retirement and pension liabilities of both of the new counties.

### **Existing Population Acts Applicable to Fulton County**

(arranged by descending population categories)

**Metropolitan River Protection Act – County within metropolitan statistical area with population of 1,000,000 or more according to the census of 1970 or any future census.** As part of the Atlanta MSA, Milton County will become a political subdivision covered by the restrictions, procedures, protections, etc of the Metropolitan River Protection Act. *O.C.G.A. §§12-5-440 through 12-5-457.*

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**Atlanta Regional Commission - County within metropolitan statistical area with population of 1,000,000 or more according to the census of 1970 or any future census.** As part of the Atlanta MSA, Milton County will become a political subdivision covered by the provisions of the Metropolitan Area Planning and Development Commission Act. *O.C.G.A. §§50-8-80 through 50-8-103.*

**Commissioners' Compensation – Population of 800,000 or more according to the census of 2000 or any future census.** The compensation of the chairman shall be \$17,000 per annum and \$16,000 per annum for each member of the board of commissioners. A change in such compensation adopted by the board shall not become effective until after the date the members of the board take office following a regular County election. With the creation of Milton County, this act will not apply to any county in the state.

**Park Lands; Sale or Lease – Population of 800,000 or more according to the census of 2000 or any future census.** Prohibits the sale or lease of any land owned or held for public park purposes without the consent of a majority or the grand jury then in session. With the creation of Milton County, this act will cease to be applicable to any county in the state.

**County Budget – Population of 800,000 or more according to the 2000 census or any future census.** This law provides for the preparation and adoption of a county's budget according to procedures which differs from those that govern all other counties. With the creation of Milton County, this act will cease to be applicable to any county in the state. (*O.C.G.A. §36-81-1*).

**Bonds – Population of 800,000 or more according to census of 2000 or any future census.** No county-wide bond election or school bond election in the unincorporated area of the county shall be held on any date other than the date of the November general election. However, if the superior court determines that the voters in the county will suffer irreparable harm if the election is held on the date of the general election, such election shall be held as provided for all other counties. With the creation of Milton County, this act will cease to be applicable to any county in the state. *O.C.G.A. §36-82-1(b.1)*

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**Housing Authority – Population of 800,000 according to census of 2000 or any future census.** County authorized to appoint the two resident commissioners and two additional commissioners to the county housing authority. With the creation of Milton County, this act will cease to be applicable to any county in the state. *O.C.G.A. §8-3-50(b).*

**Public Works Contracts – Population of 800,000 or more according to the census of 2000 or any future census.** Contracts for building or repairing any courthouse or other public building, jail, bridge, or other public works shall be let to the lowest responsible bidder, but the governing authority of the county has the right to reject any or bids upon consideration of the bidder's quality of work, general reputation, financial responsibility, previous work on public works, and compliance with compliance with minority participation plan. With the creation Milton County, this act will cease to be applicable to any county in the state. *O.C.G.A. §36-10-2.1.*

**County Boards of Health – Population of 800,000 or more according to census of 2000 or any future census.** Counties may create county board of health that differs from the boards of health otherwise provided by law for all other counties. With the creation of Milton County, this act will cease to be applicable to any county in the state. *O.C.G.A. §31-3-2.1.*

**Funds for County Law Library – Population of 700,000 or more according to the census of 1980 or any future census.** All funds collected for supplies, operation, staffing, and maintenance of the county library shall be deposited into the county treasury. There will be no library fund in such counties. With the creation of Milton County, this act will cease to be applicable to any county in the state. *O.C.G.A. §36-15 11.*

**Zoning Procedures – Population 625,000 or more according to census of 2000 or any future census.** There are separate laws governing zoning proposal review procedures for counties with a population of 625,000 or more than for other counties. The law currently applies to Fulton (pop. 815,806) and DeKalb (pop. 666,072) Counties. With the creation of Milton County, this law will no longer apply to Fulton County. *O.C.G.A. Chapter 36-67.*

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### **Juries - Population of 600,000 according to the census of 1990 or any future census.**

Superior court judges of any such county are authorized appoint a jury clerk to dispatch the work of the court. The continued applicability of this law to Fulton County depends on the population of the county after the creation of Milton County.

### **Funds – Population of 600,000 or more according to census of 1990 or any future census.**

An officer of any county or court is authorized to deposit any funds being held for a third person or subject to a court order into the county treasury for safekeeping. The continued applicability of this law to Fulton County depends on the population of the county after the creation of Milton County.

### **Development Authorities – Population of 550,000 or more according to census of 1980 or any future census.** Directors of county development authorities shall receive no compensation except for reimbursement for actual expenses incurred in course of business of the authority.

Directors in counties with population of 550,000 or more authorized to receive per diem allowance as established by county governing authority. The continued applicability of this law to Fulton County depends on the population of the county after the creation of Milton County.

*O.C.G.A. §36-62-5(c).*

### **Building Authority – Population of 550,000 or more according to census of 1980 or any future census.** Law creates county building authority for such counties. The continued applicability of this law to Fulton County depends on the population of the county after the creation of Milton County.

### **Sale of County Property – Population of 550,000 or more according to census of 1980 or any future census.** Governing authority has the authority, with the advice and approval of advisory commission or the grand jury if no such advisory body has been created, to negotiate and consummate private sale of any county property. The continued applicability of this law to Fulton County depends on the population of the county after the creation of Milton County.

*O.C.G.A. §36-9-3(b).*

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**County Purchasing Department – Population of 550,000 or more according to the census of 1970 or any future census.** Provides for the establishment of county purchasing departments and comprehensive procedures county purchases. The continued applicability of this act to Fulton County will depend on the county’s population after the creation of Milton County.

**Elections –Population of 550,000 or more according to the census of 1970 or any future census.** Contrary to general law, the chairperson of the county board of registrars shall not be required to keep his/her office open for the duration of each primary and election. The continued applicability of this law to Fulton County depends on the population of the county after the creation of Milton County. *O.C.G.A. §21-2-490.*

**Elections –Population of 550,000 according to census of 1990 or any future census.** Any branch of a courthouse or courthouse annex shall serve as an additional registrar’s office, a place for the receipt of absentee ballots, and a place for voting absentee ballots. Law currently applies to Cobb, DeKalb, Fulton, and Gwinnett Counties. The continued applicability of this act to Fulton County will depend on the county’s population after the creation of Milton County. Another issue is how this act will affect any courthouse annex located in the area that becomes part of Milton County. *O.C.G.A. §21-2-382(b).*

**County Building Authorities – Population of 550,000 according to census of 1970 or any future census.** Creates county building authority and contains all provisions relative to the operations of such authority including but not limited to the powers of the authority, all procedures relative to the issuance of revenue bonds, and the receipt of any revenues. The continued applicability of this act to Fulton County will depend on the county’s population after the creation of Milton County.

**Ordinance and Regulation Violations – Population of 550,000 or more.** Any employee authorized to enforce any county code, ordinance, regulation, rule, or other order regarding such things as drainage regulations, soil erosion and sedimentation regulations, subdivision and zoning regulations, and others shall have the authority to issue citations to any violators and command that person to appear at a regular session of the appropriate court. The continued

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applicability of this act to Fulton County will depend on the county's population after the creation of Milton County. *O.C.G.A. §§36-1-17 and 36-13-5.1.*

**Costs of Street Repairs – Population of 550,000 according to the census of 1980 or any future census.** The county is authorized to assess against any property the cost of re-opening or repairing any public street, road, right of way, or highway or the cost of cleaning up any debris, sediment, soil, trash, building materials, or other items resulting from any private construction by a developer, contractor, or owner of such property. Such assessment shall constitute a lien against such property coequal to any other lien for taxes. The continued applicability of this act to Fulton County will depend on the county's population after the creation of Milton County. *O.C.G.A. §36-1-18.*

**Directors and Officers of Development Authorities – Population of 550,000 or more according to census of 1980 or any future census.** The directors of the development authority created by the county shall be paid a per diem allowance to be determined by the governing authority for each day or part of day spent in the performance of their official duties. The continued applicability of this act to Fulton County will depend on the county's population after the creation of Milton County. *O.C.G.A. §36-62-5(c).*

**Outdoor Advertising – Population of 500,000 or more according to census of 1970 or any future census.** Act increases maximum height and size of outdoor advertising signs. The continued applicability of this law to Fulton County depends on the population of the county after the creation of Milton County.

**Probate Courts – Population of 400,000 according to census of 1990 or any future census.** Where a courthouse annex or satellite courthouses have been established, the probate judge is authorized to keep and maintain an office at the additional courthouse locations, and all actions taken at such courthouse annex will be as valid and binding as if take at the county's courthouse. However, all permanent records must remain at the courthouse at the county site. **Law will continue to apply to Fulton County, but an issue that will have to be addressed is what will**

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**be the status of any additional Fulton County courthouses established according to this act that become located in Milton County. *O.C.G.A. §15-9-81(a).***

**Appropriations for Charitable Grants or Contributions – Population of 400,000 or more according to census of 1990 or any future census.** The governing authorities of such counties are authorized to appropriate money for and make grants or contributions to any corporation, association, institution, or individual for purely charitable purposes as long as the activities so funded take place in the county making the funding. This law will remain applicable to Fulton but not Milton County. *O.C.G.A. §36-1-19.1.*

**Waste Management – Population of 350,000 or more according to the census of 1980 or any future census.** No permit for a governmental solid waste disposal facility shall be issued if any part of the site is located within ½ mile of an adjoining county or to a private party for a site within two miles of an adjoining county. The continued applicability of this law to Fulton County will depend on the population of the county after the creation of Milton County.

**Elections – Population 250,000 or more according to the census of 1970 or any future census.** The governing authority of the county has the power to change the boundaries of election precincts, create new precincts, and set the boundary requirements for precincts. These powers are the responsibility of the county's governing authority. In all other counties, these powers are those of the person or body in control of elections. This law will apply to both Fulton and Milton Counties. *O.C.G.A. §21-2-262.*

**Abandoned Cemeteries – Populations of 200,000 or more according to the census of 1980 or any future census.** The governing authority is authorized to establish an advisory commission to hear applications for permits to develop or otherwise disturb any known cemetery, burial ground, human remains, or burial objects. *O.C.G.A. §36-72-9.*

**Elections – Population of 200,000 or more according to census of 1990 or any future census.** Provides for the minimum per diem compensation of poll officers - \$95 for the chief manager,

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\$66 for each assistant manager, and \$60 for each clerk. With a projected population of 278,000. Milton will fall under the provisions of this law. *O.C.G.A. §21-2-98.*

**Additional Hospital Authority – Population of 100,000 or more according to census of 1970 or future census.** Authorizes creation of additional hospital authority. *O.C.G.A. §31-7-73.*

**Fire Safety Standards – Population 100,000 or more according to the most recent census.**

County shall adopt the state minimum fire safety standards and accompanying regulations.

*O.C.G.A. §25-2-12(a).*

**Special Purpose Grand Juries – Population 70,000 or more according to census of 1970 or future census.** Chief superior court judge of district that includes county authorized to empanel a special purpose grand jury to investigate any alleged violations of state law or any matter subject to investigation by grand juries as provided by law. *O.C.G.A. §15-12-102.*

**Clerk of Superior Clerk – Fees.** There are specific statutes that establish additional fees that a clerk of court shall collect and the disposition of such fees. One applies to counties with population of 550,000 or more according to the census of 1970 or any future census, another to counties with population of 640,000 or more according to the census of 1990 or any future census, and another applies to counties with a population of 350,000 or more according to the census of 1980 or any future census. *O.C.G.A. §§15-6-77.1, 15-6-77.2, and 15-6-73.3.*

**Ad Valorem Taxes – Payments.** There are a variety of population laws that address issues of the payment of taxes to the county and installment payments, interest, and penalties on delinquent tax payments. Whereas some of the provisions will no longer apply to Fulton, others do and there are some that will be applicable to Milton. *O.C.G.A. §48-5-24.*



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### **Local Acts and Local Constitutional Amendments**

A critical issue with the local laws and local constitutional amendments that specifically govern Fulton County is whether or not Fulton County's local laws and constitutional amendments are solely applicable to the new Fulton County, or will they continue to be applicable to the area that was Fulton County when they were passed, i.e., the new Milton County. If Milton County is created, will existing local laws and local constitutional amendments that currently apply to Fulton County govern the new Milton County, or will such local laws and amendments even continue to apply to Fulton County since it is no longer the same county for which the laws were adopted?

#### **LOCAL LAWS and LOCAL CONSTITUTIONAL AMENDMENTS**

**Airport** – The governing authority of Fulton County is prohibited from expanding, improving, or otherwise altering the construction of any airport or landing field maintained or operated by the county for non-commercial use unless such action is approved at referendum. **Ga. Laws 1993, p. 4520.**

**Atlanta Market for Georgia Farm Products Authority** – The purpose of the authority is to develop, maintain, manage, and promote a municipal market for agricultural products in or around the City of Atlanta. One member of the seven member board shall be a citizen of Fulton County. **Ga. Laws 1988, p. 4947.**

**Atlanta Region Metropolitan Planning District** – The district shall be composed of Clayton, Cobb, DeKalb, Fulton, and Gwinnett Counties and the City of Atlanta. The act is still shown as a current local act for Fulton County. The potential problem for Milton County is that the district's member counties are specifically listed. If the planning district is still a valid entity, what would Milton County's position be since it is not one of the listed counties? **Ga. Laws 1960, p. 3102 & Ga. Laws 1968, p. 3494.**

**Board of Education** – The local act establishing the current districts for members of the Fulton County Board of Education will have to be amended to redraw those districts and a new local act creating districts for the new Milton County Board of Education will have to be prepared. In

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addition, the Federal Voting Rights Act requires that efforts to both amend and create districts for county boards of education be presented to and approved by the U.S Department of Justice before they can become active.

**Bonds** – As authorized by a **local constitutional amendment**, Fulton County may issue, without approval of the voters, not more than \$3,000,000.00 in general obligation bonds for any permanent public improvement that has an anticipated life greater than the period within which such bonds are to be amortized. **Ga. Laws 1969, p. 1154 (continued by Ga. Laws 1986, p, 4444).**

**City of Atlanta and Fulton County Recreation Authority** – Fulton County is authorized to contract with the authority. However, since the Authority is a political subdivision of the state of Georgia and based on the intergovernmental contract clause of the state constitution, I know of no reason why Milton County, like any other county, would be prohibited from contracting with the authority. **Ga. Laws 1960, p. 2810.** In addition, all counties are authorized by the state constitution to provide park and recreational services. **Ga. Const. Article IX, Section II, Paragraph III(5).**

**Civil Service System** – As authorized by **local constitutional amendment** and established by local act the Fulton County Personnel Board and Merit System of Personnel Administration is created. This should not be a problem for Milton County as counties are authorized by general state law to create civil service/merit systems for county employees.

**Commissioners** – The local act that established the districts for the Fulton County board of commissioners will have to be amended, and a local act creating commissioner districts for Milton County will have to be drafted. Both of these acts must be presented to and approved by the U.S. Department of Justice before they can become active.

**Community Improvement Districts** – As provided by the state constitution for any county, the legislature adopted a local act that authorized the establishment of one or more community improvement districts in unincorporated Fulton County. There might be an issue regarding the

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status of a community improvement district or districts located wholly or partly in the area of Milton County. **Ga. Laws 1987, p. 5460.**

**Conveyances** – An easement is granted Fulton County over, under, or across land owned by the state in Fulton and Cobb Counties for the construction, operation, and maintenance of a sewer pipeline. **Ga. Laws 1987, p. 5460.**

**County Officers – Local constitutional amendment** requires that Fulton County’s tax commissioner and county treasurer appoint chief deputies from their assistants who shall serve at the pleasure of the appointing official. Whenever there is any vacancy in the office of the Fulton County judge of probate court, clerk of superior court, tax commissioner, or treasurer, the individual who has been appointed as the chief clerk, chief assistant, or chief deputy shall, upon qualifying for such office, fill the unexpired term of the officer. **Ga. Laws 1939, p. 33 (continued Ga. Laws 1986, p. 4774).**

**County Offices – Local constitutional amendment** authorizes the establishment of branch offices by the Fulton County Board of Commissioners for the conduct of county business and by the Fulton County Board of Education for the conduct of business related to education. An issue here involves any such branch offices that are located wholly or partly in Milton County. **Ga. Laws 1978, p. 2426 (continued Ga. Laws 1986, p. 4043).**

**Detention Facilities – Local constitutional amendment** provides that the Fulton County Board of Commissioners shall maintain and operate detention facilities within and outside the boundaries of the county and that such facilities shall be under the control of such officer or official as designated by the Fulton County Board of Commissioners. **Ga. Laws 1972, p. 1439 (continued Ga. Laws 1986, p. 4428).**

**Education – Employee Pensions.** Every county is authorized to create a public school system in their boundaries. The laws governing the Fulton County school system include 63 local laws from 1945 to 2004 establishing a pension fund/program for Fulton County and amending the Fulton County school employees’ pension fund. Because of the guaranteed right to specific

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pension benefits at time of employment, this could possibly be a tricky issue with the creation of a new school system that might have teachers who prior to the creation of Milton County were teachers in the Fulton County School System.

**Education – Funding** Even though the following is a taxation issue, it is listed it here. A **local constitutional amendment** prohibits Fulton County from levying any tax for education purposes on any property located in or annexed into the boundaries of an independent school system. This amendment will not have any effect on the new county if no such property in Milton County is annexed into the City of Atlanta. **Ga. Laws 1950, p. 458 (continued 1986, 4812).**

**Hospitalization Services– Local constitutional amendment** authorizes contracts between the City of Atlanta, Fulton County, and DeKalb County for purposes of levying taxes for hospitalization services and for obligations and liabilities pertaining to the hospitalization of the indigent and other purposes without the need for a referendum and irrespective of the debt limitation provision of the state constitution. **Ga. Laws 1943, p. 18 (continued Ga. Laws 1986, p. 4783).**

**Industrial District – Local constitutional amendment** creates an industrial district in Fulton County on property along the east side of the Chattahoochee River in accordance with the description of the property contained in constitutional amendment. The local amendment also prohibits Fulton County from levying any tax for educational purposes on any property located within the boundaries of an independent school district. **Ga. Laws 1979, p. 1797 (continued Ga. Laws 1983, p. 4077 and Ga. Laws 1986, p. 4438).**

**Industry, Commerce, and Trade – Local constitutional amendment** authorizes Fulton County to make appropriations from county funds, not derived from taxation, to advertise and promote the agricultural, industrial, historic, recreational and natural resources, facilities, and assets of the county; to encourage the location of industry in the county; and to attract tourists and visitors to the county. **Ga. Laws 1943, p. 24 (continued Ga. Laws, 1986, p. 4029).**

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**Judicial Circuit** – The Atlanta Judicial Circuit is composed of Fulton County. In addition to the Atlanta circuit, all of the counties that might be adjacent to Milton (Gwinnett Forsyth, Cherokee, Cobb, and Douglas) are in single county judicial circuits. The placement of Milton County in a state judicial circuit would take an amendment of state law (O.C.G.A. §15-6-1).

**Juvenile Court** – Local act provides for the retirement and compensation of Fulton County juvenile court judges.

**Library: The Atlanta-Fulton County Library System.** The joint city-county public library system is composed of library services and facilities within unincorporated Fulton County and certain municipalities located wholly or partly within Fulton County and is governed by a board of directors appointed largely by the members of the Fulton County Board of Commissioners. **Ga. Laws 1982, p. 4174.**

**Medical Examiner – Local Constitutional amendment** abolished the office of coroner and authorized the creation of the office of Fulton County Medical Examiner. **Ga. Laws 1964, p. 872 (continued Ga. Laws 1986, p. 4031).**

**Metropolitan Atlanta Transit Authority (MARTA)** – The first issue regarding MARTA and Milton County is that Milton is not one of the specifically listed counties that are part of MARTA. This question is accompanied by the issue of the status of any property owned by MARTA (if any) in the area that will become Milton County and the status of conveyances, including the grant of easements, to MARTA from the state of property owned by the state which is located within Fulton County. As with other conveyances involving Fulton County, in reading the general and local laws that provide for the conveyances of property (including easements), it is difficult to determine whether the property described in the laws that solely refer to Fulton County includes property that will be within the boundaries of Milton County. **Ga. Laws 1978, p. 2117 (law has been constantly amended since MARTA was created).**

**Motor Vehicle Racetracks** – Prohibits the operation in Fulton County of a motor vehicle racetrack within two miles of existing neighborhood. **Ga. Laws 1995, 4497.**

## **The Legal Impacts of Creating Milton County**

**Ordinances, Regulations – Local constitutional amendment** authorizes governing authority of Fulton County the power to adopt ordinances for the unincorporated areas of the county for the purpose of protecting and preserving the health, safety, welfare, and morals of the citizens of Fulton County. I do not know of any powers authorized by this local amendment that counties cannot now do. **Ga. Laws 1976, p. 1880 (continued Ga. Laws 1986, p. 4027).**

**Parks and Recreation – Local constitutional Amendment** authorizes Fulton County to extend grants, not to exceed \$5,000, to municipalities located wholly or partly in Fulton County for the conduct of recreational programs and activities. **Ga. Laws 1982, p. 2504 (continued Ga. Laws 1986, p. 4436).**

**Retirement System** – A comprehensive retirement system for officers, employees, judges, and solicitor generals of Fulton County is authorized by a number of local constitutional amendments and local acts of the General Assembly.

**Service Districts – Local constitutional amendment** authorizes the Fulton County Board of Commissioners to create service districts without regard to the uniformity of the area or the area's population. The board of commissioners is authorized to levy taxes or assessments or both throughout the districts without the necessity of uniformity of taxation between districts. The county may not provide any service inside the boundaries of any other local government except by contract with the local government. **Ga. Laws 1972, p. 1481 (continued Ga. Laws 1986, p. 4430).**

**South Fulton Coliseum Authority** – The South Fulton Coliseum Authority is created and given the power to construct, maintain, and operate public projects to be used for amusement, recreational, civic, cultural, and educational purposes including fairs, expositions, conventions, athletic events, and others. There is no definition of what constitutes South Fulton; it is used in the name of the authority but no where else in the body of the act. The act only refers to needs in metropolitan Georgia, but all legal matters that the authority is a party to, whether they involve litigation or the validation of bonds, are to be dealt with in Fulton County. **Ga. Laws 1970, p. 2126.**

## **The Legal Impacts of Creating Milton County**

**State Court** – The State Court of Fulton County is created by the consolidation of the Criminal and the Civil Courts of Fulton County. **Ga. Laws 1976, p. 3023.** If it is decided that there should be a State Court for Milton County, the General Assembly will have to adopt a local act for Milton County that creates the State Court for Milton County. **O.C.G.A. §15-7-2.**

**State Court** - Any person who becomes a judge of the State Court of Fulton County after July 1, 2004, shall become a member of the Georgia Judicial Retirement System. **O.C.G.A. §47-23-50.**

**State Institutions – Local constitutional amendment** provides that the governing authority of Fulton County may appropriate, budget, and disburse county funds for the support of any institution within the county which is owned by the state or any of its agencies. **Ga. Laws, 1950, p. 453 (continued Ga. Laws 1986, p. 4450)**

**Taxation of Property** – There are numerous **local constitutional amendments** and local acts that govern issues of taxation in Fulton County. They address such issues as the General Assembly's tax administration powers in Fulton County; homestead exemptions from county taxes for the aged and disabled, nonprofit cooperative housing corporations, senior citizens, and persons who are disabled or age 65 or older; a homestead exemption from county taxes for county purposes; and a homestead exemption from school district taxes for persons aged 65 years or older or disabled; and millage rates. As stated at the entry for **Education**, Fulton County is prohibited from levying any tax for education purposes on any property located in the boundaries of an independent school system (primarily applies to property annexed into the City of Atlanta).

**Taxation; General Assembly** – As provided by a **local constitutional amendment**, the General Assembly shall have the power, by general law or local law applicable to Fulton County, to prescribe a number of procedures related to the levy and collection of property taxes in Fulton County. **Ga. Laws 1951, P. 874 (continued Ga. Laws 1986, p. 4432).**

## **The Legal Impacts of Creating Milton County**

**Taxation – Local constitutional amendment** provides for a \$10,000 homestead exemption for certain disabled persons and individuals age 65 or older. **Ga. Laws, 1977, p. 1574 (continued Ga. Laws 1986, p. 4434).**

**Taxation – Local constitutional amendment** extends homestead exemptions from local property taxes to owner occupants of nonprofit cooperative housing corporations. **Ga. Laws 1976, p. 1864 (continued Ga. Laws 1986, p. 4448).**

**Taxation – Local constitutional amendment** authorizes Fulton County to indemnify the tax commissioner and his/her bondsman from returned checks. **Ga. Laws 1968, p. 1571 (continued Ga. Laws 1986, 4049).**



## **The Legal Impacts of Creating Milton County**

### **Intergovernmental Agreements**

Since 1990 Fulton County has been a party to over 148 intergovernmental agreements (IGAs). However, because of the dates of their establishment, the manner in which the IGAs were created, and the use of multiple mediums of record retention, an exact number of such agreements is not readily available. This report lists County's intergovernmental agreements that CVIOG received as a result of an information request. In addition to the fact that this list of Fulton County's intergovernmental agreements might be inexact, there are probably a number of the agreements which have expired. The complete list is included to illustrate the volume of contracts a county is likely to enter into. Extensive renegotiation and amendment of the agreements might be necessary to clearly establish the responsibilities of each county and to ensure that the intended purposes of the agreement(s), if still valid, can be carried out.

If there are specific issues/problems associated with Fulton County's IGAs and the creation of Milton County, they are not known since this is an area of the law for which there is no precedent. Listed below are some potential issues/problems.

What will Milton County's responsibilities be under existing Fulton County's IGAs? Will there be any responsibility for Milton County because when the agreements were first negotiated and executed the area that will become Milton County was part of Fulton County? Other potential issues include:

1. Is Milton County responsible for Fulton County's IGAs that concern property that falls within the boundaries of Milton County?
2. What are the consequences if new Fulton County is unable fiscally or otherwise to carry out its responsibilities provided for in the agreement?
3. What happens to those IGAs between Fulton County and other counties that were adjacent to Fulton County (examples include agreements with Forsyth, Cherokee, and Gwinnett Counties) and were based primarily on issues related to the fact that the two counties were then adjacent but will not be when Milton County is created.? Does Milton County, which becomes the adjacent county become liable for the responsibilities provided for in the agreement?

## The Legal Impacts of Creating Milton County

- 4 What happens if an IGA concerns property or facilities that are no longer in Fulton County?
- 5 What is the status of responsibilities between Fulton County, Milton County, and state departments (Departments of Revenue, Transportation, Community Affairs, Human Resources, and others) when the IGAs were adopted to address needs for specific areas in Fulton County that become part of Milton County? This is the same for IGAs with federal agencies.

The following two tables provide lists of intergovernmental agreements from 1990 to 2007 and specify the departments that are impacted by the agreement. Immediately following these two tables are descriptions of historical changes and amendments to the three most complicated of the intergovernmental agreements for **Atlanta-Fulton Recreation Authority**, MARTA, and Grady Hospital.

## The Legal Impacts of Creating Milton County

### INTERGOVERNMENTAL AGREEMENTS AND MEMORANDUMS OF UNDERSTANDING CLERK TO THE COMMISSION 1990 - 2004

	<b>ITEM #</b>	<b>DATE</b>	<b>SUBJECT</b>	<b>DEPARTMENT</b>
	<b>Approved</b>			
1.	04-1341	12-15-2004	<b>Memorandum Of Understanding</b> Between The City Of Palmetto Ad Fulton County For Construction Of A Wastewater Conveyance System From The City Of Palmetto’s Water Pollution Control Plant To Fulton County’s Line Creek Interceptor	<b>Public Works</b>
2.	04-1232	11/17/2004	Request Approval Of An <b>Intergovernmental Agreement</b> With The Atlanta Housing Authority To Provide Criminal History Reports From September 1, 2004 Through August 31, 1005	<b>Police</b>
3.	04-1137	10-20-2004	Request Approval Of <b>Intergovernmental Agreement</b> With The City Of Atlanta For Animal Control Services For The Period Of July 1, 2004 Through June 30, 2005	<b>Police</b>
4.	04-1126	10-20-2004	<b>User License Agreement</b> With The City Of East Point Fire Department For Access To The Countywide 800 Mhz Radio System	<b>Emergency Services</b>
5.	04-1125	10-20-2004	Renew The <b>Memorandum Of Understanding</b> With The University Of Georgia Cooperative Extension Service To Provide Research Based Education In The Areas Of Agriculture And Natural Resources, Family And Consumer Programs To Fulton County Citizens	<b>Cooperative Extension</b>
6.	04-0680	6-2-2004	Request Approval Of an <b>Intergovernmental Agreement</b> By And Between Fulton County, Georgia, And The Fulton County School District – Education Access Channel	<b>County Manager</b>
7.	04-0633	5-19-2004	Request Approval Of An <b>Intergovernmental Agreement</b> by and between Fulton County and the Fulton County Board of Education – Sandy Springs Tax Allocation District	<b>County Manager</b>
8.	03-1530	12-17-2003	Request Approval Of <b>Intergovernmental Agreement</b> By And Between Fulton County, Georgia, And The Fulton County Board Of Education To Implement The Sandy Springs Redevelopment Plan And Tax Allocation District	<b>BOC Commissioner Lowe</b>
8.	03-1330	11-05-2003	An <b>Amendment To The Agreement</b> Regarding The Atlanta Zoo, Dated December 5, 1985, Among	<b>Finance</b>

## The Legal Impacts of Creating Milton County

			The City Of Atlanta, Fulton County, Georgia, And The City Of Atlanta, Georgia And Fulton County Recreation Authority In Connection With The Current Refunding Of The Authority's Refunding Revenue Bonds, Zoo Series 1992 To Permit The County To Realize Certain Present Value Savings As A Result Of Lower Interest Rates	
9.	03-1248	10-15-2003	Request Approval Of <b>Memorandum Of Understanding</b> With The University Of Georgia Cooperative /Extension Service To Allow Funds Budgeted By The Board Of Commissioners To Be Combined With State And Federal Funds To Provide Research-Based Education To The Fulton County Citizens In The Areas Of Agriculture And Natural Resources, Family And Consumer Sciences, And 4-H Youth Development. Amount: \$102,809 (Pending Approval Of 2004 Budget)	<b>Cooperative Extension</b>
10.	03-1139	9-17-2003	Request Approval To <b>Renew An Intergovernmental Agreement</b> With The City Of Palmetto For Fire Response Coverage. (No County Funding Required)	<b>Fire</b>
11.	03-1138	9-17-2003	Request Approval To Renew An Intergovernmental Agreement With The City Of Fairburn For Fire Response Coverage. (No County Funding Required)	<b>Fire</b>
12.	03-1075	9-3-2003	Request Approval Of An <b>Intergovernmental Agreement</b> Between Fulton County And Forsyth County For Rehabilitation Of McGinnis Ferry Road From McFarland Road To Sargent Road. Total Project Cost: \$700,000, To Be Shared Equally. Fulton County Share Not To Exceed \$350,000.	<b>Public Works</b>
13.	03-1033	8-20-2003	Request Approval Of <b>Amendment #2 To The Intergovernmental Agreement</b> With Forsyth County And Technology Park For McGinnis Ferry Road Widening (Sargent Road To Gwinnett County Line At Chattahoochee River).	<b>Public Works</b>
14.	03-0934	8-6-2003	Request Approval Of An <b>Intergovernmental Agreement</b> With The Secretary Of State's Office To Receive Two Computers To Be Used To Access State Elections And Voter Registration Information.	<b>Registration and Elections</b>
15.	03-0795	7-2-2003	Request Approval Of An <b>Intergovernmental Agreement</b> With Cherokee County To Allow Cherokee County Government To Assume Responsibility For Issuing Permits And Conducting Inspections Associated With A Golf Tournament At The Capitol City Club-Crabapple From September	<b>Environment &amp; Community Development</b>

## The Legal Impacts of Creating Milton County

			30, 2003 To October 5, 2003	
16.	03-0352	3-5-2003	Request approval of <b>Intergovernmental Agreement</b> with the City of Alpharetta to extend service for fire response through December 31, 2003	<b>Fire</b>
17.	03-0351	3-5-2003	Request approval of <b>Intergovernmental Agreement</b> with the City of Palmetto to extend service for fire response through December 31, 2003	<b>Fire</b>
18.	03-0351	3-5-2003	Request approval of <b>Intergovernmental Agreement</b> with the City of Fairburn to extend service for fire response through December 31, 2003	<b>Fire</b>
19.	03-0270	2-19-2003	Request approval of <b>Memorandum of Understanding</b> with the Georgia Department of Transportation (GDOT) for preliminary engineering for a bicycle route along the Scenic Byway in south Fulton County	<b>Public Works</b>
20.	03-0178	2-5-2003	Request approval of Transportation Enhancement Activity <b>Memorandum of Understanding</b> with the Georgia Department of Transportation (GDOT) for preliminary engineering for a streetscape project along Roswell Road from Cliftwood Road to Hammond Drive	<b>Public Works</b>
21.	03-0177	2-5-2003	Request Approval Of A <b>Maintenance Contract</b> And Authorization With The Georgia Department Of Transportation (GDOT) For Temporary State Route Designation For McGinnis Ferry Road And Douglas Road	<b>Public Works</b>
22.	03-0176	2-5-2003	Request Approval Of An <b>Agreement</b> With The Georgia Department Of Transportation (GDOT) For Design Of The John's Creek Greenway Project	<b>Public Works</b>
23.	03-0147	1-15-2003	Request Approval Of <b>Intergovernmental Agreement</b> With Gwinnett County For Shared Cost For The Rogers Bridge Project	<b>Public Works</b>
24.	03-0132	1-15-2003	Spreading on the Minutes: <b>Intergovernmental Agreement</b> - Request approval of Intergovernmental Agreement with City of Atlanta to provide for the loan of a City vehicle to the County through June 30, 2003	<b>Sheriff</b>
25.	02-1269	11-20-2002	Request approval of <b>Memorandum of Understanding</b> with the University of Georgia Cooperative Extension Service to continue providing research-based education in areas of Family and Consumer Sciences, Agriculture and 4-H Youth programs to Fulton County citizens.	<b>Cooperative Extension</b>

## The Legal Impacts of Creating Milton County

			\$108,391 (Funding pending approval of 2003 budget)	
26.	02-1002	9-4-2002	Request approval for renewal of an <b>Intergovernmental Agreement</b> with the City of Alpharetta for fire response coverage. Amount: \$344,080 (funds are identified in existing budget)	<b>Fire</b>
27.	02-0919	8-21-2002	Spreading On The Minutes: <b>Intergovernmental Agreement</b> – Request approval of intergovernmental agreement with the State of Georgia to participate in the statewide voting initiative to implement a uniform voting system in every precinct of the state by November 5, 2002	<b>Registration and Elections</b>
28.	02-0824	7-17-2002	Request Approval Of Renewal Of An <b>Intergovernmental Agreement</b> With The City Of Alpharetta For Fire Response Coverage. Amount: \$688,160	<b>Fire</b>
29.	02-0698	6-19-2002	Request Approval Of <b>Intergovernmental Agreement</b> With Atlanta Housing Authority (AHA) To Use Criminal History Reports For Initial Resident Applications For Admission Into AHA's Public Housing Programs	<b>Sheriff</b>
30.	01-1402	1-16-2002	Request Approval Of A Resolution For The East Atlanta Branch Library Project Authorizing The Acquisition Of Real Property Rights. The Resolution Includes Authorization To Enter Into An <b>Intergovernmental Agreement</b> With The City Of Atlanta To Institute Condemnation [Proceedings For The Quick And Effective Condemnation Of Said Property Rights And Interests.	<b>General Services</b>  <b>NOTE:</b> <b>Explanation for Item 01-1402 was held on 12-19-2001 and approved on 1-16-2002.</b>
31.	01-0616	6-6-2001	Request Approval Of <b>Intergovernmental Agreement</b> With Fulton County Board Of Education For Bus Transportation Services For Fulton County's Super Summer Program. Amount Not To Exceed \$25,000 (Funds Are Identified In Existing Budget)	<b>Park and Recreation</b>
32.	01-0615	6-6-2001	Request Approval Of <b>Intergovernmental Contract</b> With Fulton County Board Of Education For Use Of Facilities For The Summer Playground Program. (No County Funding Required)	<b>Park and Recreation</b>
33.	01-0614	6-6-2001	Request Approval Of <b>Intergovernmental Contract</b> With Fulton County Board Of Education For Use Of Holcomb Bridge Middle School And Abbotts Hill Elementary School For Additional Sites For The Summer Arts Camp. (No County Funding Required)	<b>Park and Recreation</b>
34.	01-0547	05-16-	<b>Memorandum Of Understanding</b> With UGA	<b>Cooperative</b>

## The Legal Impacts of Creating Milton County

		2001	Cooperative Extension Service To Provide Research Based Education And Services To Fulton County Citizens.	<b>Extension</b>
35.	01-0365	3-21-2001	Request Approval Of Georgia Department Of Transportation <b>Local Government Project Agreement</b> For Pavement Rehabilitation Of Peachtree-Dunwoody Road Extension From Abernathy Road To Mount Vernon Highway.	<b>Public Works</b>
36.	01-0361	3-21-2001	Request Approval Of <b>Intergovernmental Agreement</b> With The City Of Alpharetta To Extend Services Through December 31, 2001 For Funding Of Twelve (12) Firefighters In The Alpharetta Fire Department. Term: Through December 11, 2001 Amount: \$630,473 (Funds Identified In Existing Budget)	<b>Fire</b>
37.	01-0265	2-21-2001	Request Approval To Execute An <b>Intergovernmental Agreement</b> With The Atlanta Housing Authority For Funds Donated For Improvements To The Kimberly Road Project. Amount: \$175,000	<b>Public Works</b>
38.	00-1302	10-18-2000	Request Approval Of <b>Intergovernmental Agreement</b> With Cobb County For A Study Conducted Concerning Chattahoochee River Crossing. Amount: \$109,749.49 (Funds Identified In The Capital Improvement Program)	<b>Public Works</b>
39.	00-0797	6-7-2000	Request Approval Of <b>Intergovernmental Agreement</b> With The City Of Alpharetta For Development Of A Comprehensive Transportation Plan	<b>Public Works</b>
40.	00-0698	5-17-2000	Resolution Supporting <b>Memorandum Of Understanding</b> Between Fulton County And The City Of College Park Regarding Economic Development And The Delivery Of Services Along The Old National Corridor	<b>BOC Commissioners Hightower &amp; Kenn)</b>
41.	00-0481	4-5-2000	<b>Memorandum Of Understanding</b> With Fulton County Soil And Water Conservation District Authorizing Fulton County To Review Development Plans, Issue Land Disturbance Permits And Conduct Erosion Control Enforcement Activities	<b>Environment &amp; Community Development</b>
42.	99-1495	11-3-1999	Request <b>Approval Of Memorandum Of Understanding</b> With Water Wise, Inc. For Wastewater Treatment Services, And To Authorize The Public Works Director To Initiate Negotiation Leading To A Service Agreement With Water Wise, Inc. For Subsequent Submission For	<b>Public Works</b>

## The Legal Impacts of Creating Milton County

			Approval	
43.	99-1369	10-6-1999	Request Approval Of <b>Intergovernmental Agreement</b> With The City Of College Park For Library Shelving And Other Materials Remaining At The Temporary College Park Library Site	<b>BOC Commissioner Hightower</b>
44.	99-1362	10-6-1999	Request Approval To Renew An <b>Intergovernmental Agreement</b> With Lamar County To Provide Inmates Beds At Their County Jail For A Fee Of \$35 Per Day Per Inmate	<b>Sheriff</b>
45.	99-1250	9-15-1999	Request Approval Of <b>Memorandum Of Understanding</b> With The Georgia Department Of Human Resources Division Of Pubic Health For The Special Supplemental Food Program For Women, Infants And Children. (WIC) Term: July 1, 1999 – June 30, 2000 – State Funded: \$10,000,000	<b>Health and Wellness</b>
46.	99-1245	9-15-1999	Request approval of <b>Intergovernmental Agreement</b> with Forsyth County for road construction and right-of-way acquisition for the intersection of McGinnis Ferry Road with Bell Road at the intersection of McGinnis Ferry Road with Sargent Road. Amount: Not to exceed \$500,000	<b>Public Works</b>
47.	99-1129	8-19-1999	Request Approval Of Amendment To The <b>Intergovernmental Contract</b> With The City Of Roswell To Provide Additional Improvements, At The City Of Roswell's Expense, To The Linear Park Along The Chattahoochee River	<b>Parks and Recreation</b>
48.	99-0701	5-19-1999	Request Approval Of <b>Memorandum Of Understanding</b> With The University Of Georgia Cooperative Extension Service To Allow Funds Budgeted By The Board Of Commissioners Each Year For The Fulton County Cooperative Extension Service To Be Combined With State And Federal Funds To Provide Services To Fulton County Citizens. (Amount: \$96,603 – Pending Approval Of Fiscal Year 2000 Budget	<b>Cooperative Extension</b>
49.	98-1470	11-18-1998	<b>Memorandum Of Understanding</b> Between Fulton County And GA Department Of Transportation For Receipt Of Six Motorola Portable 800 MHZ Radio Units	<b>Public Works</b>
50.	98-1226	09-16-1998	<b>Grant</b> From Georgia Department Of Community Affairs, State Of Georgia Emergency Shelter Grant Program, 1998-99 Program Participation Agreement, To Support The Operation Of The Jefferson Place Emergency Shelter	<b>Human Services</b>
51.	98-1225	09-16-	<b>Memorandum Of Understanding</b> Between The	<b>Health And</b>



## The Legal Impacts of Creating Milton County

		1998	State And Fulton County To Provide A Supplemental Food Program For Women, Infants, And Children (WIC)	<b>Wellness</b>
52.	98-0751	06-03-1998	<b>Memorandum Of Understanding</b> Between U S Department Of HUD And Fulton County To Operate Promoting Alternative Suggesting Solutions And Generating Excellence Program	<b>Human Services</b>
53.	98-0692	05-20-1998	<b>Memorandum Of Understanding</b> Between The University Of Georgia Cooperative Extension Service And Fulton County Board Of Commissioners To Allow Funds Budgeted By The Board Of Commissioners Each Year Combined With State And Federal Funds To Provide Services To Fulton County Citizens	<b>Cooperative Extension</b>
54.	97-1552	12-17-1997	Approval To Amend <b>Agreement</b> Between Fulton County And Georgia Public Safety Training Center To Decrease The Minimum Class Size For Inservice Classes From 15 To Only The Number Of Students In Each Class	<b>Police</b>
55.	97-1429	11-19-1997	Intergovernmental Lease Agreement By And Among The City Of Atlanta And Fulton County Recreation Authority, The City Of Atlanta, And Fulton County For The Purpose Of Facilitating The Development And Operation Of A New Multipurpose Arena And Related Improvements In The City Of Atlanta	<b>Finance</b>
56.	97-1171	10-01-1997	<b>Grant</b> From The Georgia Department Of Human Resources For The Annual WIC Program	<b>Health</b>
57.	97-0769	06-18-1997	<b>Memorandum Of Understanding</b> Between The University Of Georgia Cooperative Extension Service And Fulton County Board Of Commissioners To Allow Funds Budgeted By The Board Of Commissioners Each Year Combined With State And Federal Funds To Provide Services To Fulton County Citizens	<b>Cooperative Extension</b>
58.	97-0539	05-07-1997	<b>Memorandum Of Understanding</b> With Arc Commute Connections To Create A Program To Reduce Transportation Congestion And Offer Alternatives To Address Commuter Transportation Needs	<b>Public Works</b>
59.	96-0734	06-19-1996	<b>Memorandum Of Understanding</b> Between The University Of Georgia Cooperative Extension Service And Fulton County Board Of Commissioners To Allow Funds Budgeted By The Board Of Commissioners Each Year Combined With State And Federal Funds To Provide Services	<b>Cooperative Extension</b>

## The Legal Impacts of Creating Milton County

			To Fulton County Citizens	
60.	96-0248	02-21-1996	<b>Agreement</b> Between Fulton County, Georgia, City Of Atlanta And Fulton County Recreation Authority To Allow Current Permanent, Full Time Authority Employees To Participate In Fulton County's Health, Dental, Vision And Life Insurance Plan.	<b>Finance</b>
61.	95-1164	12-20-1995	<b>Tri-Party Agreement</b> Between City Of Atlanta, Fulton County And Atlanta Fulton County Recreation Authority Regarding Various Aspects Of Ownership, Use And Operation Of The Olympic Stadium And Atlanta Fulton County Stadium	<b>County Manager</b>
62.	95-0864	07-19-1995	<b>Memorandum Of Understanding</b> With The Georgia Department Of Human Resources To Provide Computer Repair Training	<b>County Manager</b>
63.	95-0794	07-05-1995	<b>Memorandum Of Understanding</b> Between The University Of Georgia Cooperative Extension Service And Fulton County Board Of Commissioners To Allow Funds Budgeted By The Board Of Commissioners Each Year Combined With State And Federal Funds To Provide Services To Fulton County Citizens	<b>Cooperative Extension</b>
64.	95-0567	05-03-1995	<b>Memorandum Of Understanding</b> To Continue Employment For Two Project Fulton Participants, Currently Working As Fire Safety Instructors Within The Fulton County Fir Department	<b>DFACS</b>
65.	95-0206	02-15-1995	<b>Memorandum Of Understanding</b> Between Georgia Department Of Human Resources, Division Of Family And Children Services And Fulton County Police Department To Continue Employment For Two Individuals To Achieve Economic Self-Sufficiency	<b>DFACS</b>
66.	94RM655	11-02-1994	<b>Memorandum Of Understanding</b> Between Fulton County And DFACS To Provide Employment For Four Boat Rock And Red Oak Residents To Assist Adults And Families In The Achievement Of Economic Self-Sufficiency	<b>DFACS</b>
67.	94RC032	01-19-1994	<b>Amendment To The Interlocal Agreement</b> Between Fulton County And The City Of Atlanta, Regarding The Land Bank Authority, To Allow The Authority To Employ And Compensate Its Staff Directly	<b>Land</b>
68.	93RM132	03-10-1993	Recreation Authority Braves <b>Operating Agreement</b> Between Fulton County, City Of Atlanta, Atlanta Fulton County Recreation Authority And The Atlanta Braves For Lease Of	

## The Legal Impacts of Creating Milton County

			The Olympic Stadium	
69.	93RM017	01-27-1993	<b>Resolution For Taxi Discount Program And Memorandum Of Understanding</b> With City Of Atlanta, ARC And Senior Transportation Subcommittee	<b>BOC Commissioner Hightower</b>
70.	92RC318	11-15-1992	Approval To Amend <b>Interlocal Agreement</b> Of The Fulton County/City Of Atlanta Land Bank Authority And Approve Resolution Authorizing Chairman Lomax To Enter Into Amended Agreement With The City Of Atlanta	<b>Land</b>
71.	92RC487	10-21-1992	<b>Resolution And Memorandum Of Understanding</b> Between Fulton County And Housing Authority Of Fulton County Regarding Rental Rehabilitation Program As Part Of The Community Development Block Grant Program	<b>Planning And Economic Development</b>
72.	92RC322	07-15-1992	Approval To Amend State Of Georgia Department Of Natural Resources <b>Project Agreement</b> (Land And Water Conservation Grant) For Autrey Mill Nature Preserve From Acquisition To Development Purposes	<b>Parks And Recreation</b>
73.	92RC208	05-20-1992	<b>Resolution</b> To Authorize Fulton County To Enter Into <b>Memorandum Of Understanding</b> With The City Of Atlanta Concerning Policy Considerations, Designation Criteria, And Administrative Procedures On The Urban Enterprise Zone Program For Housing	<b>Planning And Economic Development</b>
74.	92RM042	02-0-1992	Approval Of <b>Resolution</b> For Refunding Of 1985 Zoo Revenue Bond Issue By Fulton County Recreation Authority	<b>BOC Commissioner Hightower</b>
75.	91RM322	08-07-1991	<b>Resolution</b> Approving Intent To Enter Into <b>Memorandum Of Understanding</b> Which Permits The City Of Roswell To Use A Portion Of Alpharetta Corrections And Rehabilitation Camp As A Recycling Center For Six Months	<b>BOC Commissioner King</b>
76.	91FM107	06-12-1991	<b>Resolution</b> Authorizing Chairman Of BOC To Enter Into An Interlocal Agreement With The City Of Atlanta To Establish "Fulton County/City Of Atlanta Land Bank Authority"	
77.	90-F-145	11-14-1990	<b>Fifth Amendment Contract</b> Between The City Of Atlanta, Fulton County, And The City Of Atlanta And Fulton County Stadium Authority	<b>County Manager</b>

## The Legal Impacts of Creating Milton County

### INTERGOVERNMENTAL AGREEMENTS AND MEMORANDUMS OF UNDERSTANDING CLERK TO THE COMMISSION 2005 - 2007

	ITEM #	DATE	SUBJECT	DEPARTMENT
	<b>Approved</b>			
1.	07-0812	Oct. 3, 2007	Request approval of a <b>Resolution</b> urging renegotiation of contracts between the Fulton-Dekalb Hospital Authority and Fulton County, Dekalb County, Emory University, Morehouse School of Medicine, and other vendors of significances	<b>BOC Comm. Riley/Eaves</b>
2.	07-0456	May 16, 2007	Request approval of a <b>Resolution</b> expressing support for the Joint Fulton-Dekalb Committees on Grady Hospital and MARTA	<b>BOC Chairman Eaves</b>
3.	07-0421	May 2, 2007	Request approval of <b>MARTA'S Proposed 12<sup>th</sup> Amendment</b> to the Rapid Transit Contract and Assistance Agreement	<b>BOC Chairman Eaves</b>
4.	07-0155	Feb. 7, 2007	Request approval to enter into an <b>Intergovernmental Agreement</b> for the provision of 800 MHz radio system access between the City of Milton and Fulton County	
5.	07-0135	Jan. 17, 2007	Request approval of an <b>Intergovernmental Agreement</b> between Fulton County and City of Milton – Provide Police Service Services to City of Milton	<b>County Manager</b>
6.	06-1265	Dec. 20, 2006	Request approval of an <b>Intergovernmental Agreement</b> Amendment between The Georgia Department of Revenue and Fulton County, Georgia	<b>County Manager</b>
7.	06-1242	Dec. 6, 2006	Request approval of an <b>Intergovernmental Agreement</b> between Forsyth County and Fulton County establishing each party's responsibility in providing water, reuse water, and sewer services to customers I the Manor and the Manor Golf and Country Club	<b>County Manager</b>
8.	06-1238	Dec. 6, 2006	Request approval of <b>Intergovernmental Agreements</b> with the City of Milton for the following services: a) 9-1-1 Emergency Communications b) Animal Control c) Water and Sewer	<b>County Manager</b>
9.	06-1237	Dec. 6, 2006	Request approval of <b>Intergovernmental Agreements</b> with the City of Johns Creek for the following services: a) 9-1-1 Emergency Communications b) Animal Control	<b>County Manager</b>

## The Legal Impacts of Creating Milton County

			<ul style="list-style-type: none"> <li>c) Fire and Rescue</li> <li>d) Police</li> <li>e) Water and Sewer</li> </ul>	
10..	06-1105	Nov. 1, 2006	Request approval of an <b>Intergovernmental Agreement</b> with the city of Hapeville for the provision of 800 MegaHerz Radio System Access	<b>County Manager</b>
11.	06-1104	Nov. 1, 2006	Request approval to <b>renew a Memorandum of Understanding</b> with University of Georgia Cooperative Extension Services for continued funding for research-based education in the areas of agriculture, natural resources, family and consumer sciences, and 4-H youth development to Fulton County citizens	<b>County Manager</b>
12.	06-1041	Oct.18, 2006	Request approval of a <b>Resolution</b> approving an <b>Intergovernmental Agreement</b> regarding Fulton County's participation in City of Atlanta Tax Collection District Number Six – Beltline	<b>BOC Comm. Darnell</b>
13.	06-0969	Sept. 6, 2006	Request approval of a <b>contract</b> with the city of Union City to conduct a Special Election in conjunction with the November 7, 2006 General Election	<b>Registrations &amp; Elections</b>
14.	06-0912	Sept. 6, 2006	Request approval of a <b>contract</b> with the city of Union City to conduct a Special Election in conjunction with the November 7, 2006 General Election	<b>Registrations &amp; Elections</b>
15.	06-0911	Sept. 6, 2006	Request approval of an <b>amendment</b> to the Cobb County and Fulton County Wastewater Services Agreement, formalizing the terms and conditions identified in the January 15, 2003 Memorandum of Understanding	<b>Registrations &amp; Elections</b>
16.	06-0903	Aug. 16, 2006	Request approval of a <b>Resolution</b> authorizing the sale and lease of certain Fulton County Parks to the City of Sandy Springs, City of Johns Creek, City of Milton, and to future cities	<b>Commissioners Pitts &amp; Lowe</b>
17.	06-0851	Aug. 16, 2006	Request approval of a <b>Memorandum of Understanding</b> with Firstwatch for receipt of 9-1-1 Call Data for Public Health and Safety Syndromic Surveillance	<b>Emergency Services</b>
18.	06-0704	July 5, 2006	Request approval of <b>Memorandum of Understanding</b> with the Georgia Department of Transportation for utility improvements along McGinnis Ferry Road from Sargent Road to the Chattahoochee River	<b>Public Works</b>
19.	06-0703	July 5, 2006	Request approval of <b>Memorandum of Understanding</b> with the Georgia Department of Transportation for utility improvements at Abbotts Bridge Road and Parsons Road intersection	<b>Public Works</b>

## The Legal Impacts of Creating Milton County

20.	06-0695	July 5, 2006	Request approval of a <b>contract</b> with Grady Health System to provide laboratory services to HIV positive clients	<b>Health &amp; Wellness</b>
21.	06-0659	June 21, 2006	Request approval of an <b>Intergovernmental Agreement</b> with Forsyth County establishing each party's responsibility in providing water and sewer services to customers in Kennewick Subdivision	<b>Public Works</b>
22.	06-0658	June 21, 2006	Request approval of <b>Memorandum of Understanding</b> Agreement for transportation improvements to the Chattahoochee Hill Country Regional Greenway Trail Master Plan. Amount: \$100,000 (Funds identified in existing budget)	<b>Public Works</b>
23.	06-0429	Apr.19, 2006	<b>Intergovernmental Agreement</b> for the Provision of 800 MHz Radio System Access between Fulton County, Georgia and the City of Fairburn, Georgia	<b>County Manager 9-1-1 Emergency Services Dept.</b>
24.	06-0158	Feb. 1, 2006	<b>Intergovernmental Agreement</b> for Animal Control Services	<b>County Manager Police Dept.</b>
25.	05-1473	Dec. 21, 2005	Discussion and Approval of the <b>Contracts</b> with the City of Sandy springs for Police, Fire, EMS 911, and Sewer Services	<b>County Manager</b>
26.	05-1116	Sep. 21, 2005	Ryan White <b>Intergovernmental Agreement</b>	<b>County Manager</b>
27.	05-0648	June 1, 2005	Request approval of an <b>Intergovernmental Agreement</b> between Fulton County and Dekalb County to construct a new Raw Water Pump Station located on the Chattahoochee River at Holcomb Bridge Road	<b>County Manager E &amp; CD</b>
28.	05-0594	May 18, 2005	Request approval of an <b>Intergovernmental Agreement</b> with the Fulton County Board of Education for use of Bus Transportation Services for the 2005 Super Summer Program	<b>County Manager Parks &amp; Recreation</b>
29.	05-0593	May 18, 2005	Request Approval of an <b>Intergovernmental Agreement</b> with the Fulton County Board of Education for use of School Facilities for the Summer Playground Program	<b>County Manager Parks &amp; Recreation</b>
30.	05-0586	May 18, 2005	Request approval of <b>Intergovernmental Agreement</b> with the City of Alpharetta to share resources and facilities until the construction of the City's new Fire Station (No.5) is complete or two years have past, whichever comes first	<b>County Manager Fire Dept.</b>
31.	05-0385	April 6, 2005	<b>Intergovernmental Agreement</b> between the City of Alpharetta and the Fulton County Board of Commissioners regarding boarding inmates at the Alpharetta Jail	<b>County Manager Sheriff Dept.</b>

## The Legal Impacts of Creating Milton County

### ATLANTA-FULTON RECREATION AUTHORITY

- 64-0413**      **CONTRACT BETWEEN CITY OF ATLANTA, FULTON COUNTY, AND ATLANTA-FULTON RECREATION AUTHORITY FOR THE CONSTRUCTION OF STADIUM (04/13/64)**
- 83-0043**      **(#43) CONTRACT, ATLANTA-FULTON COUNTY RECREATION AUTHORITY PARTICIPATION IN COUNTY CREDIT UNION (04/06/83)**
- 85-0032**      **(#32) ATLANTA ZOO AGREEMENT (10/16/85)**
- 85-0049**      **(#49) FOURTH AMENDATORY CONTRACT AND RESOLUTIONS AUTHORIZING FULTON COUNTY TO ENTER INTO AN AGREEMENT WITH THE CITY OF ATLANTA AND THE CITY OF ATLANTA AND FULTON COUNTY RECREATION AUTHORITY IN ORDER TO SUPPORT THE ISSUANCE OF \$14,000,000 AND \$16,000,000 CITY OF ATLANTA AND FULTON COUNTY RECREATION AUTHORITY REVENUE BONDS, (11/06/85)**
- 87-0028**      **(#28) AGREEMENT WITH THE CITY OF ATLANTA-FULTON COUNTY RECREATION AUTHORITY FOR THE USE OF THE NORTH PARKING LOT AT THE STADIUM (10/07/87)**
- 89-0047**      **(#47) CONTRACT: CITY OF ATLANTA-FULTON COUNTY RECREATION AUTHORITY STADIUM PARKING FEE (07/05/89)**
- 90-0145**      **FIFTH AMENDMENT CONTRACT BETWEEN THE CITY OF ATLANTA, FULTON COUNTY, AND THE CITY OF ATLANTA AND FULTON COUNTY STADIUM AUTHORITY (11-14-1990) ( 90-F-145)**
- 92-0042**      **REQUEST FOR APPROVAL OF RESOLUTION FOR REFUNDING OF 1985 ZOO REVENUE BOND ISSUE BY FULTON COUNTY RECREATION AUTHORITY (02/05/92) (92-RM-042)**
- 92-0490**      **REQUEST FOR ADOPTION OF RESOLUTION TO ENCOURAGE METROPOLITAN ATLANTA OLYMPIC GAMES AUTHORITY TO FULFILL ITS COVENANT IN THE TRI-PARTY AGREEMENT (10/08/92) (92-RM-490)**
- 93-0060**      **REQUEST FOR ADOPTION OF RESOLUTION ESTABLISHING POLICY FOR THE FULTON COUNTY MEMBERS OF THE ATLANTA FULTON RECREATION AUTHORITY PERTAINING TO PAYMENT OF CAPITAL EXPENDITURES BY THE ATLANTA BRAVES (2/03/93) (93-RC-060)**

## **The Legal Impacts of Creating Milton County**

- 93-0110**      **REQUEST FOR APPROVAL OF AGREEMENT BETWEEN FULTON COUNTY, CITY OF ATLANTA, ATLANTA-FULTON COUNTY RECREATION AUTHORITY AND METROPOLITAN ATLANTA OLYMPIC GAMES AUTHORITY FOR CONSTRUCTION OF OLYMPIC STADIUM AND DEMOLITION OF ATLANTA-FULTON COUNTY STADIUM (03/10/93) (93-RC-110)**
- 95-1164**      **REQUEST FOR APPROVAL OF TRI-PARTY AGREEMENT BETWEEN CITY OF ATLANTA, FULTON COUNTY AND ATLANTA-FULTON COUNTY RECREATION AUTHORITY REGARDING VARIOUS ASPECTS OF OWNERSHIP, USE AND OPERATION OF THE OLYMPIC STADIUM AND ATLANTA-FULTON COUNTY STADIUM (12/20/95)**
- 96-0248**      **REQUEST FOR APPROVAL OF AGREEMENT BETWEEN FULTON COUNTY, GEORGIA, CITY OF ATLANTA AND FULTON COUNTY RECREATION AUTHORITY TO ALLOW CURRENT PERMANENT, FULL-TIME AUTHORITY EMPLOYEES TO PARTICIPATE IN FULTON COUNTY'S HEALTH, DENTAL, VISION AND LIFE INSURANCE PLAN (AUTHORITY TO CONTRIBUTE EMPLOYER'S SHARE OF COST) (02/21/96)**
- 97-1429**      **REQUEST APPROVAL TO EXECUTE AN INTERGOVERNMENTAL LEASE AGREEMENT BY AND AMONG THE CITY OF ATLANTA AND FULTON COUNTY RECREATION AUTHORITY, THE CITY OF ATLANTA, AND FULTON COUNTY FOR THE PURPOSE OF FACILITATING THE DEVELOPMENT AND OPERATION OF A NEW MULTIPURPOSE ARENA AND RELATED IMPROVEMENTS IN THE CITY OF ATLANTA. (11/19/97)**
- 03-1330**      **REQUEST APPROVAL OF RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT REGARDING THE ATLANTA ZOO, DATED DECEMBER 5, 1985, AMONG THE CITY OF ATLANTA, FULTON COUNTY, GEORGIA, AND THE CITY OF ATLANTA, GEORGIA, AND FULTON COUNTY RECREATION AUTHORITY (THE "AUTHORITY"), IN CONNECTION WITH THE CURRENT REFUNDING OF THE AUTHORITY'S REFUNDING REVENUE BONDS, ZOO SERIES 1992, TO PERMIT THE COUNTY TO REALIZE CERTAIN PRESENT VALUE SAVINGS AS A RESULT OF LOWER INTEREST RATES. (11/05/03)**



## The Legal Impacts of Creating Milton County

- 04-1252** REQUEST APPROVAL OF A PROPOSED RESOLUTION AUTHORIZING FULTON COUNTY TO CONSENT TO THE EXECUTION OF A FIRST AMENDMENT TO OPERATING AGREEMENT RELATING TO TURNER FIELD WHICH AMENDS THE OPERATING AGREEMENT, DATED AS OF MARCH 16, 1993, BETWEEN THE CITY OF ATLANTA AND FULTON COUNTY RECREATION AUTHORITY (THE “RECREATION AUTHORITY”) AND THE ATLANTA NATIONAL LEAGUE BASEBALL CLUB, INC. (THE “ATLANTA BRAVES”). (12/01/04)
- 07-0391** REQUEST APPROVAL OF THE GOVERNMENTAL AGREEMENT TO CONTINUE FULTON COUNTY’S CURRENT LEVEL OF SUPPORT – DEBT SERVICE FOR 2007 ZOO SERIES BOND. (04/18/07)
- 07-0950** REQUEST APPROVAL OF A RESOLUTION AUTHORIZING THE GEORGIA WORLD CONGRESS CENTER AUTHORITY TO UTILIZE FUNDS HELD IN RESERVE PURSUANT TO SECTION 5.02 OF THE STADIUM FUNDING AGREEMENT, FOR MAINTENANCE AND REPAIRS TO THE GEORGIA DOME. (12/05/07)
- 08-0169** REQUEST APPROVAL OF THE ATLANTA FULTON COUNTY RECREATION AUTHORITY’S REQUEST FOR THE COUNTY’S CONSENT TO THE RELEASE OF THE \$15 MILLION LETTER OF CREDIT AND THE \$60 MILLION PERFECTED LIEN ON THE ATLANTA HAWKS NBA FRANCHISE, IN ACCORDANCE WITH THE HAWKS SECURITY AGREEMENT, AS ADDITIONAL SECURITY FOR THE \$147,510,000 ARENA BONDS. (02/06/08)

## The Legal Impacts of Creating Milton County

### MARTA

- 71-0901 (#1) RESOLUTION-PURCHASE OF ATLANTA TRANSIT SYSTEM, INC. BY MARTA (09/28/71)**
- 71-0001 (#1) REOLUTION – RAPID TRANSIT CONTRACT AND CALL FOR ELECTION (09/15/71)**
- 71-0012 (#12) RESOLUTION – MARTA SALES AND USE TAX (12/29/1971)**
- 73-0003 (#3) PROPOSED MODIFICATION TO THE MARATA SYSTEM (12/05/1973)**
- 73-0046 (#46) REVISION TO CONTRACTS-MARTA IMPACT STUDIES (11/07/1973)**
- 74-0001 (#1) RESOLUTION-MARTA STATION ALIGNMENT – PIEDMONT-LINDBERGH AREA (03/25/74)**
- 74-0038 (#38) RESOLUTION-PROPOSED MODIFICATION TO THE MARATA SYSTEM RELOCATION OF THE NORTHSIDE DRIVE STATION (08/21/74)**
- 74-0044 (#44) PROPOSED MODIFICATION TO THE MARTA SYSTEM (04/03/74)**
- 78-0012 (#12) 4<sup>TH</sup> AMENDMENT-RESOLUTION AMENDMENT TO RAPID TRANSIT CONTRACT (09/20/78)**
- 78-0024 (#24) AMENDMENT TO MARTA RAPID TRANSIT CONTRACT PERMITTING A RAIL STATION AT THE NEW AIRPORT MIDFIELD TERMINAL & RESOLUTION PERMITTING AMENDMENT (08/16/78)**
- 79-0014 (#14) MARTA AMENDMENT TO TRANSIT PLANCONSTRUCTION OF NORTH/SOUTH LINE (MINUTES) (08/15/79)**
- 80-0024 (#24) 6<sup>TH</sup> AMENDMENT TO RAPID TRANSIT CONTRACT (10/01/1980)**
- 81-0024 (#24) 7<sup>TH</sup> AMENDMENT TO RAPID TRANSIT CONTRACT (01/07/81)**
- 83-0017 (#17) 8<sup>TH</sup> AMENDMENT TO RAPID TRANSIT CONTRACT (06/01/83)**

## **The Legal Impacts of Creating Milton County**

- 90-0649 RESOLUTION TO APPROVE A PROPOSED AMENDMENT TO THE RAPID TRANSIT CONTRACT AND ASSISTANCE AGREEMENT OF SEPTEMBER 1, 1971 BETWEEN CITY OF ATLANTA, FULTON AND DEKALB COUNTIES AND MARTA (08/29/90) (90RCM649)**
- 91-0075 REQUEST FOR APPROVAL OF REARRANGEMENT AGREEMENT WITH MARTA TO DEFINE ROLES AND ALLOCATE COST RESPONSIBILITIES AS TRANSIT AGENCY BUILDS ITS NORTH RAIL LINE (02/10/91) (91-RC-075)**
- 92-0480 REQUEST FOR APPROVAL OF REVENUE GENERATING INTERGOVERNMENTAL AGREEMENT WITH MARTA AND ATLANTA BUS SHELTERS, INC. FOR BUS SHELTERS IN UNINCORPORATED FULTON COUNTY (10/08/92) (92-RM-480)**
- 95-1094 REQUEST APPROVAL OF AMENDMENT #2 TO THE REARRANGEMENT COOPERATIVE AGREEMENT BETWEEN FULTON COUNTY AND MARTA ESTABLISHING GUIDELINES FOR THE MARTA RAIL LINE AND STATION PLANNING, DESIGN AND APPROVAL PROCESS AT NO COST TO COUNTY (09/20/95)**
- 00-0509 REQUEST APPROVAL OF RESOLUTION OPPOSING AN INCREASE IN MARTA FARES AND URGING THE MARTA BOARD OF DIRECTORS TO CONSIDER ALTERNATIVES TO A GENERAL FARE INCREASE. (04/05/00)**
- 00-1256 REQUEST APPROVAL OF RESOLUTION IN OPPOSITION TO EXTENDING THE TERM OF THE MARTA CONTRACT. (10/04/00)**
- 03-0894 NEW BUSINESS - REQUEST APPROVAL OF A RESOLUTION GRANTING APPROVAL TO THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY (MARTA) TO ENTER INTO LEASE FINANCING OF THE SOUTH LINE FROM THE AIRPORT TO FIVE POINTS STATION, INCLUDING TRACK LEADING TO THE SOUTH YARD AND THE EAST LINE FROM INDIAN CREEK STATION TO FIVE POINTS STATION. (07/16/03)**
- 03-2006 MARTA ACT 2003 REVISED THROUGH 2006 LEGISLATION SESSION**

## **The Legal Impacts of Creating Milton County**

- 07-0421 REQUEST APPROVAL OF MARTA’S PROPOSED 12TH AMENDMENT TO THE RAPID TRANSIT CONTRACT AND ASSISTANCE AGREEMENT. (05/02/07)**
- 07-0456 REQUEST APPROVAL OF A RESOLUTION EXPRESSING SUPPORT FOR THE JOINT FULTON-DEKALB COMMITTEES ON GRADY HOSPITAL AND MARTA. (05/16/07)**
- 07-0842 COMMISSIONERS’ ITEM - REQUEST APPROVAL OF A RESOLUTION SETTING FORTH THE POLICIES AND GOALS OF FULTON COUNTY REGARDING THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY (MARTA) (10/17/07)**
- 07-0921 REQUEST APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT WITH MARTA FOR THE BUS SHELTER ADVERTISING PROGRAM, WHICH ALLOWS THE ERECTION OF BUS SHELTERS ON THE COUNTY’S RIGHTS-OF-WAY. (12/05/07)**
- 07-1002 REQUEST APPROVAL OF A RESOLUTION DIRECTING THE COUNTY ATTORNEY TO INVESTIGATE POSSIBLE LEGAL CLAIMS EXPLORE ALL LEGAL AVENUES TO REQUIRE THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY TO IMPLEMENT PARKING FEES FOR NON-RESIDENTS OF FULTON AND DEKALB COUNTIES. (12/19/07)**
- 08-0296 REQUEST APPROVAL OF A RESOLUTION IN SUPPORT OF SENATE BILL 332 REGARDING EXTENSION OF THE RAPID RAIL SYSTEM OF THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY (MARTA). (03/19/08)**
- 08-0706 REQUEST APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT WITH COBB COUNTY, DEKALB COUNTY, AND MARTA TO FORM A WIDE-AREA REGIONAL ITAC “INTERNATIONAL TALK AROUND CHANNELS” COMMUNICATIONS NETWORK. (09/03/08)**

**The Legal Impacts of Creating Milton County**

**GRADY HOSPITAL (04/14/53)**

- 41-0806 RESOLUTION CREATING A CORPORATE AND POLITIC BODY FOR FULTON-DEKALB HOSPITAL AUTHORITY (08/06/41)**
- 45-0502 RESOLUTION TO ESTABLISH A CLINIC FOR THE TREATMENT OF ALCOHOLICS (05/02/45)**
- 45-0725 CONTRACT FOR PROVIDING SERVICES TO THE INDIGENT SICK OF FULTON AND DEKALB COUNTIES (07/25/45)**
- 53-1113 FULTON AND DEKALB COUNTIES AND FULTON-DEKALB HOSPITAL AUTHORITY 1953 CONTRACT (11/13/53)**
- 53-0414 CONTRACT TO CONSTRUCT A NEW GRADY MEMORIAL**
- 64-0115 CONTRACT BETWEEN FULTON-DEKALB HOSPITAL AUTHORITY AND TRI-CITY HOSPITAL AUTHORITY (01/15/64)**
- 67-1121 CONTRACT TO PURCHASE FROM THE HOSPITAL AUTHORITY OF FULTON COUNTY HOSPITAL FACILITIES IN ORDER TO PROVIDE HOSPITALIZATION AND CARE FOR CERTAIN INDIGENT PERSONS (11/21/67)**
- 71-0055 (#55) RESOLUTION – TRI-CITY HOSPITAL (08/18/71)**
- 78-0048 (#48) AMENDMENT TO CONTRACT, FULTON-DEKALB HOSPITAL AUTHORITY (09/06/78)**
- 83-0029 (#29) ESTABLISHMENT OF THE HOSPITAL AUTHORITIES (02/14/83)**
- 84-0025 (#25) FULTON DEKALB 1984-2013 CONTRACT (06/20/84)**
- 87-0002 (#2) RESOLUTION AUTHORIZING FULTON-DEKALB HOSPITAL AUTHORITY TO OBTAIN A TEMPORARY LOAN FOR IMPROVEMENTS TO GRADY HOSPITAL INFORMATION SYSTEMS AND LABORATORY COMPUTER EQUIPMENT (1ST AMENDMENT) (12/02/87)**

## The Legal Impacts of Creating Milton County

- 88-0001** (#1) FULTON-DEKALB HOSPITAL AUTHORITY RESOLUTION AUTHORIZING AN AMENDMENT TO PRESENT CONTRACT ALLOWING CONTRACT TO BE PLEDGED TO SECURE AN ADDITIONAL INTERIM LOAN TO PROVIDE FOR CONSTRUCTION AND AUTHORIZATION FOR BOND FINANCING OF PARKING DECK RECORDS STORAGE FACILITY IN HAVERTY BUILDING AND CONSULTING SERVICES (06/01/88)
- 88-0007** (#7) AMENDMENT #3 TO CONTRACT (12/07/88)
- 88-0014** (#14) AGREEMENT FOR FUNDING AND OPERATION OF AMBULANCE SERVICES (01/25/88)
- 88-0015** (#15) GRADY HOSPITAL FUNDING (05/12/88)
- 88-0048** (#48) GRADY MEMORIAL HOSPITAL – PROPOSED RENOVATION PROGRAM & RESOLUTION (09/21/88)
- 89-0060** (#60) RESOLUTION AUTHORIZING, APPROVING AND PROVIDING FOR THE ENTERING INTO A CONTRACT, DATED AS OF NOVEMBER 1, 1989, WITH DEKALB COUNTY AND THE FULTON-DEKALB HOSPITAL AUTHORITY; PROVIDING FOR THE EXECUTION OF SAID CONTRACT AND FOR OTHER PURPOSES (10/25/89)
- 92-0009** RESOLUTION FOR THE LOCATION OF THE GRADY HIV/AIDS CLINIC (07/15/92) (92SC009)
- 03-0602** REQUEST APPROVAL OF RESOLUTION AUTHORIZING, APPROVING, AND PROVIDING FOR THE ISSUANCE AND SALE OF THE FULTON-DEKALB HOSPITAL AUTHORITY REVENUE REFUNDING CERTIFICATES, SERIES 2003, AND AUTHORIZING AND PROVIDING FOR THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT WITH RESPECT TO SAID REVENUE CERTIFICATES; AND FOR OTHER PURPOSES. (05/17/03)
- 03-0911** REQUEST APPROVAL OF A RESOLUTION BY THE BOARD OF COMMISSIONERS OF FULTON COUNTY, GEORGIA, AUTHORIZING NEGOTIATIONS TO AMEND THE CONTRACT BETWEEN FULTON COUNTY, DEKALB COUNTY, AND THE FULTON-DEKALB HOSPITAL AUTHORITY. (07/16/03)
- 03-0912** REQUEST APPROVAL OF A RESOLUTION BY THE BOARD OF COMMISSIONERS OF FULTON COUNTY, GEORGIA, PERTAINING TO THE FULTON-DEKALB HOSPITAL AUTHORITY’S CARE OF NON-RESIDENT INDIGENTS. (07/16/03)

**The Legal Impacts of Creating Milton County**

- 07-0456**      **REQUEST APPROVAL OF A RESOLUTION EXPRESSING SUPPORT FOR THE JOINT FULTON-DEKALB COMMITTEES ON GRADY HOSPITAL AND MARTA. (05/16/07)**
- 07-0645**      **REQUEST APPROVAL OF A RESOLUTION IN SUPPORT OF THE GREATER GRADY TASK FORCE'S RECOMMENDATIONS REGARDING GRADY MEMORIAL HOSPITAL. (08/15/07)**
- 07-0812**      **REQUEST APPROVAL OF A RESOLUTION URGING RENEGOTIATION OF CONTRACTS BETWEEN THE FULTON DEKALB HOSPITAL AUTHORITY AND FULTON COUNTY, DEKALB COUNTY, EMORY UNIVERSITY, MOREHOUSE SCHOOL OF MEDICINE, AND OTHER VENDORS OF SIGNIFICANCE. (10/03/07)**
- 08-0212**      **REQUEST APPROVAL OF A LEASE AND TRANSFER AGREEMENT BETWEEN THE FULTON-DEKALB HOSPITAL AUTHORITY AND GRADY MEMORIAL HOSPITAL CORPORATION. (02/20/08 & 03/05/08)**
- 08-0254**      **REQUEST APPROVAL OF A RESOLUTION REQUESTING THAT THE BOARD OF TRUSTEES OF THE FULTON-DEKALB HOSPITAL AUTHORITY DEVELOP AND ADOPT A CODE OF ETHICS. (03/05/08)**
- 08-0256**      **REQUEST APPROVAL OF A RESOLUTION REQUESTING THAT THE BOARD OF TRUSTEES OF THE FULTON-DEKALB HOSPITAL AUTHORITY NOT REDUCE OR ELIMINATE ANY PROVISIONS OF THE FUNDING AGREEMENT BETWEEN THE HOSPITAL AUTHORITY AND GRADY MEMORIAL HOSPITAL CORPORATION. (03/05/08)**