

**RESOLUTION NO. 2012- 109**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA APPROVING THE FIFTH AMENDMENT TO THE AGREEMENT AND DECLARATION OF TRUST CREATING THE FLORIDA ASSOCIATION OF COUNTIES TRUST**

**WHEREAS**, Nassau County is a member of the Florida Association of Counties Trust (hereinafter "FACT"); and

**WHEREAS**, the FACT Board of Trustees (hereinafter the "Board") has approved a Fifth Amendment to the Agreement and Declaration of Trust (hereinafter the "Fifth Amendment"), a copy of which is attached to this Resolution and incorporated by reference; and

**WHEREAS**, FACT is currently required to obtain two separate audits, GASB/GAAP and Statutory, under the current Trust Agreement at additional and unnecessary expense to the Members of the program; and

**WHEREAS**, the FACT Board has determined, after careful consideration and after receiving advice from outside advisors, that no legal or statutory requirements exist that require both audits; and

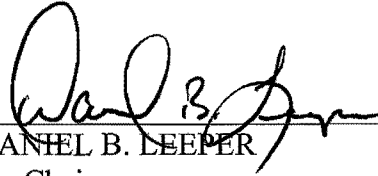
**WHEREAS**, the FACT Board has determine that the GASB/GAAP audit is completely adequate for meeting financial reporting requirements of the FACT financials; and

**WHEREAS**, the Agreement and Declaration of Trust dated March 1, 1989, creating the FACT requires the written consent of a percentage of the Members for the changes incorporated into the Fifth Amendment.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Nassau County, Florida, that the Fifth Amendment is hereby approved and that this Resolution shall document the written consent of Nassau County, as a Member of FACT, to the Fifth Amendment.

DULY ADOPTED this 27th day of August, 2012.

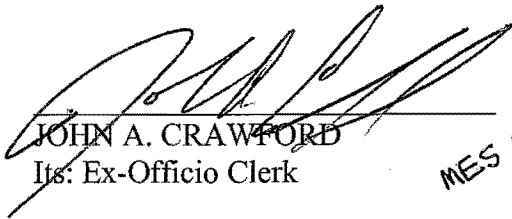
BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA



DANIEL B. LEEPER

Its: Chairman

Attest as to Chairman's signature:



JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

MES 08.28.12

Approved as to form by the  
Nassau County Attorney:



DAVID A. HALLMAN