

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, JANUARY 20, 2022 AT 5:00 PM
110 EAST MAIN STREET, SUITE 220
CUMMING, GEORGIA 30040

I. Call Meeting to Order

II. Invocation and Pledge of Allegiance

III. Adoption of Agenda

IV. Announcements and Reports

- (1) Board recognition of the Forsyth County Student Government Academy - County Manager

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of January 6, 2022
- (2) Work Session and Executive Session of January 11, 2022

VII. Consent Agenda

- (1) Board adoption of Resolution authorizing Affidavit concerning the Executive Session of January 11, 2022
- (2) Board ratification of the following items that were discussed and voted on at the Work Session held on January 11, 2022 (as anticipated by Board Rule 1.07.01):
 - (A) Board approval to award Bid 21-157-2410 to American Flow Services in the not to exceed amount of \$145,000 for Fire Hydrant Field Testing for calendar year 2022 for the Fire Department as presented by staff - Director, Department of Procurement
 - (B) Board approval to award Bid 21-180-3340 to Unity Construction Co. in the amount of \$2,040,255.70 for the Hammonds Crossing 16-inch Water Main Project for the Department of Water and Sewer - Director, Department of Procurement
 - (C) Board approval to award Bid 21-191-1620 to REMS Property Management in the not to exceed amount of \$166,530 for Landscaping Services and

Detention Pond Clearing at various locations for calendar year 2022 for the Department of Public Facilities as presented - Director, Department of Procurement

- (D) Board approval to award Bid 21-198-5211 to The Surface Masters, Inc. in the amount of \$129,250 for Resurfacing and Restriping at Shady Grove Campground for the Department of Parks and Recreation as presented by staff - Director, Department of Procurement
- (E) Board approval to award RFP 21-171-1512 to Peachtree Immediate Care in the not to exceed amount of \$26,000 for Pre-Employment Physicals and Drug Testing on an as-needed basis for calendar year 2022 for the Department of Personnel Services as presented - Director, Department of Procurement
- (F) Board approval to award RFP 21-173-1550 to Peachtree Immediate Care in the not to exceed amount of \$3,500 for DOT and FTA Drug Testing on an as-needed basis for calendar year 2022 for the Department of Risk Management as presented by staff - Director, Department of Procurement
- (G) Board approval to award Bid 21-125-3190 to G. P.'S Enterprises Inc. in the amount of \$51,400,000 to provide all labor, materials, and equipment for Old Atlanta Road Phases 4 and 5 - Director, Department of Capital Projects
- (H) Board acceptance of payment in the amount of \$28,075.58 for damage sustained to Sheriff's Office Unit # 553 with authorization for the Risk and Safety Manager to execute the Property Damage Release with Hanover Insurance Group as presented by staff - Risk and Safety Manager, Department of Risk Management
- (I) Board authorization for staff to proceed with the Public Safety Infrastructure Refresh Project in the not to exceed amount of \$1,400,000.00 with approval of a Budget Resolution - Major Curry, Sheriff's Office
- (J) Board approval of a Resolution authorizing (a) its staff members (the "Staff"), Davenport & Company LLC ("Davenport"), and Citigroup Global Markets Inc. ("Citigroup") to develop a Plan of Finance for the issuance of the Bonds (the "Plan of Finance"); and, (b) the Staff, Davenport, Citigroup, the County's Bond Counsel, Murray Barnes Finister LLP ("MBF"), and Jarrard & Davis ("JD") - Counsel for the Water and Sewerage Authority and the County - to carry out the Plan of Finance and proceed with the issuance of the Bonds with authorization for the Chair to sign associated required documents - Chief Financial Officer
- (K) Board authorization for staff to proceed with the Public Hearing process regarding amendments to the Sign Ordinance related to Crown Signs with the suggested changes as discussed - Director, Department of Planning and Community Development

- (L) Board authorization for staff to commence review and editing of the Coal Mountain/Town Center Overlay and to commence the DRI review process for all or a portion of same - Mills / Levent
- (M) Board authorization to leave the Water and Sewer Committee 'as is' consisting of the Assistant County Manager (David McKee) and two BOC members (Commissioners Semanson and Mills) for 2022 - County Manager
- (N) Board authorization to leave the Finance Committee 'as is' consisting of the County Manager (Kevin Tanner), the Chief Financial Officer (Marcus Turk), and three BOC members (Commissioners John, Cooper, and Mills) for 2022 - County Manager
- (O) Board ratification of the Aaron Coe Workers' Compensation Settlement Agreement - County Attorney
- (P) Board approval of the Second Amendment to the MOU between Seefried Industrial Properties and Forsyth County regarding the roundabout at Shiloh Road and Shiloh Road East as presented by Counsel - County Attorney
- (Q) Board approval of a Settlement Agreement between Forsyth County and CC Windermere, LLC regarding the Daves Creek Stormwater Issue as presented - County Attorney
- (R) Board approval of a Resolution setting Board compensation as presented by Counsel - County Attorney
- (S) Board approval of a 30-day extension to the COVID Leave Policy for all County employees as presented by the County Manager - County Manager
- (T) Board approval of a Resolution authorizing the appointment of Conflict Counsel - County Attorney

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the County-Initiated Conditional Use Permit for agritourism on property currently zoned Agricultural District (A1) - Parcels 074-245, 074-149, 074-067, and 097-095 - CP210048 - District 1 - Director, Department of Planning and Community Development
- (2) Public Hearing and possible vote regarding the approval of a Sketch Plat for Cheer Investments, Inc. and variances to UDC Table 17.1 and UDC 21-7.5(B)(3) - Parcel 106-766 - SP210010 - District 3 - Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding Jonathan Gonzalez - ZA4007 - to rezone from Agricultural District (A1) and Single Family Residential District (R1) to

Commercial Business District (CBD) with a Conditional Use Permit (CUP) for an open air business on 2 acres associated with an existing 1,036 sq. ft. building with 8 parking spaces with the following variances to: 1.) Reduce the front setback from 40 ft. to 24 ft. (UDC Table 12.2); 2.) Reduce the front landscape strip from 20 ft. to 10 ft. (UDC 21-6.5(A)(1)); and, 3.) Reduce the required number of parking spaces from 75 to 8 (UDC Table 17.1) - Parcel 017-055 - District 3 - Director, Department of Planning and Community Development

(Postponed from the August 19, 2021 Agenda. At the September 2, 2021 Regular Meeting / Public Hearings, the Board voted 4-0-1 (Commissioners Mills, John, Levent, and Semanson in favor; Commissioner Cooper absent) to hold an additional Public Hearing on November 4, 2021; postponed from the September 2, 2021, November 4, 2021, and December 2, 2021 Agendas.)

- (4) Public Hearing and possible vote regarding proposed modifications to the Hotel, Motel and Lodging Excise Tax Ordinance, otherwise known as Forsyth County Ordinance 86, to update the imposition of tax, definitions, collection and remittance requirements, electronic notices; to repeal conflicting ordinances; and for other purposes - Business License Manager, Department of Business License
- (5) Public Hearing for purposes of receiving comment and input regarding an increase in Forsyth County's occupation tax receipts for fiscal year 2021, wherein those receipts were higher than the receipts for fiscal year 2020. O.C.G.A. 48-13-28 requires the County to hold a Public Hearing as part of the County's process to determine how to use the additional revenue - County Attorney

IX. Public Comments

X. Old Business

- (1) Board consideration and possible vote regarding the modification of conditions on existing zoning application ZA3897 in accordance with UDC Section 8-5.5(l) - Parcel 106-104 - District 3 - Director, Department of Planning and Community Development **(Postponed from the November 4, 2021 Agenda. A Public Hearing was held before the Board of Commissioners at its December 2, 2021 Regular Meeting / Public Hearings; the Board voted unanimously to postpone its decision to the January 20, 2022 Regular Meeting / Public Hearings.)**

XI. New Business

- (1) Board adoption of 2022 Qualifying Fees - County Attorney

XII. Administrative Hearings

- (1) Administrative Hearing in reference to a violation(s) of the Massage and Spa Ordinance for FY Health Services, LLC dba Sunset Massage - Named Licensee is Fengxia Yao - MT009634 - District 2 - Business License Manager, Department of Business License

XIII. Recess Regular Meeting

XIV. Executive Session (if needed)

XV. Adjournment