

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, MARCH 3, 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 presentation of a Proclamation declaring March 4, 2022 as *Employee Appreciation Day* in Forsyth County - County Manager

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of February 17, 2022
- (2) Work Session and Executive Session of February 22, 2022

VII. Consent Agenda

- (1) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of February 22, 2022
- (2) Board adoption of a Proclamation declaring March 4, 2022 as *Employee Appreciation Day* in Forsyth County - County Manager
- (3) Board ratification of a Letter addressed to the Atlanta Regional Commission (ARC) expressing support of the South Forsyth Community Improvement District's request for funding a streetscape plan on Ronald Reagan Boulevard between McGinnis Ferry Road and McFarland Road - County Manager
- (4) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Crestline View Road, Branch View Drive, Summerchase Lane, Moreview Way, Havenhill Drive, and all other property and property rights as shown on the Subdivision Plat for Chimney Creek, Phase 2, recorded in Plat Book 199, Pages 198-215, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering

- (5) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Stratford Oaks Avenue, Garrick Way, and all other property rights as shown on the Subdivision Plat for Stratford Hills, Phase 1A, recorded in Plat Book 199, Pages 227-237, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering
- (6) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Holbrook Farm Lane, Haystack Court, and all other property and property rights as shown on the Subdivision Plat for Holbrook Farm, recorded in Plat Book 199, Pages 240-253, Forsyth County, Georgia Records - District 3 - Director, Department of Engineering
- (7) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Misty Meadow Lane, Poppy Mill Lane, Wild Violet Drive, and all other property and property rights as shown on the Subdivision Plat for Brookemeade, Phase 2, recorded in Plat Book 200, Pages 1-19, Forsyth County, Georgia Records - District 3 - Director, Department of Engineering
- (8) Board ratification of the following items that were discussed and voted on at the Work Session held on February 22, 2022 (as anticipated by Board Rule 1.07.01):
 - (A) Board approval to declare the list of items as surplus with authorization for the Department of Procurement to dispose of accordingly - Director, Department of Procurement
 - (B) Board approval of a Hardware Warranty Agreement by and between Dominion Voting Systems, Inc. and Forsyth County in the not to exceed amount of \$105,743.00 for voting machines for the Department of Voter Registrations and Elections with authorization for the County Manager to sign said Agreement and all associated documentation as presented - Director, Department of Voter Registrations and Elections
 - (C) Board approval to award RFP 21-195-3401 to Advanced Disposal Recycling Services Atlanta, LLC for Acceptance of Recycled Material for the Department of Recycling and Solid Waste with permission for the County Manager to sign the finalized Agreement as presented - Manager of Environmental Programs, Department of Recycling and Solid Waste
 - (D) Board approval to award RFP 21-146-2410 to Purvis Systems, Inc. in the not to exceed amount of \$1,033,609.69 with permission to continue the annual software licensing and maintenance renewals (based upon business need) for the life of the software and with authorization for the County Manager to sign the finalized Agreement as presented - Fire Chief
 - (E) Board approval of a Construction Services Agreement with Delta Municipal Supply Company in the amount of \$18,986,926.00 for Advanced Metering Infrastructure (AMI) Meters and System Installation for the Department of Water and Sewer as presented - Director, Department of Water and Sewer

- (F) Board approval of a Master Services Agreement with Delta Municipal Supply Company in the not to exceed amount of \$12,936,562.30 for Advanced Metering Infrastructure (AMI) Ongoing Operations and Maintenance - Network-as-a-Service and Software-as-a-Service Agreements - Director, Department of Water and Sewer
- (G) Board approval to award RFP 21-201-3300 to CSL Services, Inc. in the amount of \$163,528.00 for annual Sanitary Sewer Flow Monitoring Services for the Department of Water and Sewer as presented - Director, Department of Water and Sewer
- (H) Board approval of a Change Order with K-Team Engineering and Construction in the amount of \$46,300.00 for installation and connection of water and sewer utilities for the Matt Schoolhouse Phase 1 Renovation as presented - Director, Department of Public Facilities
- (I) Board approval of the Second Amendment to the Lease Agreement between Bennett Capital Partners LLC and Forsyth County to extend the term of the lease for 327 Dahlonge Street, Suite 601b, Cumming, GA 30040 (Tanyard Oaks Office Park) from May 1, 2022 to August 31, 2022 as presented - Director, Department of Public Facilities
- (J) Board approval of a Change Order with Gaskins Surveying Company in the amount of \$6,000.00 for Survey Services to cover the additional adjacent northern property of the Freedom Parkway Tract - Director, Department of Capital Projects
- (K) Board approval to award RFQ 21-182-1510 to Jericho Design Group in the amount of \$1,667,250.00 to provide all labor, materials, and equipment for Engineering and Design Services for the Forsyth County Whole Health Center as presented - Director, Department of Capital Projects
- (L) Board approval of a Task Order with Hayes, James & Associates Inc. in the amount of \$249,550.00 to provide Architectural and Engineering Services for the Water and Sewer Maintenance Warehouse Project - Director, Department of Capital Projects
- (M) Board approval of Task Order 23-Amendment 1 with CH2M Hill, Inc. regarding Lake Lanier Water Quality Sampling - Capital Improvement Projects Manager, Department of Capital Projects
- (N) Board approval of a Temporary Construction Easement and a Permanent Easement with Orchards of Central Park, LLLP for the Central Park Recreation Center gravity sewer connection to the adjacent residential development's sewer infrastructure as presented - Director, Department of Capital Projects
- (O) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated Conditional Use Permit (CUP) to conduct around

the clock business on property currently zoned Restricted Industrial District (M1) as presented - Parcel 140-072 - District 2 - John / Semanson

- (P) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated Amendment of Zoning Conditions on ZA1421 (Technology Park/Atlanta, Inc.) as presented - Parcel 140-072 - District 2 - John / Semanson
- (Q) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated rezoning from A1, CBD, and HB to M1 with conditional use permits (CUPs) and variances for parcels 235-045, 235-056, 235-036, and 235-218 as described - Mills / Levent
- (R) Board approval of a Resolution declaring surplus and authorizing disposal of an air monitoring station that has been operating at or near Eagle's Beak Park as described by staff - Assistant County Manager (McKee)
- (S) Board appointment of Maria Villalon to the Administrative Committee to fill the Employee At-Large Member position that was vacated due to retirement - County Manager

VIII. Public Hearings

- (1) Public Hearing and possible vote for approval of an Alternate Design for Rene Melendez - Parcel C20-030 - AD210008 - District 1 - Director, Department of Planning and Community Development
(Postponed from the January 6, 2022 and February 3, 2022 Agendas)
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3022 (Eastbrooke Properties LLC) by Aqua Design Pools & Spas, LLC and variances to UDC Table 11.2(b) and UDC 18-11.2(B) - Parcel 032-511 - AZ220001 - District 1 - Director, Department of Planning and Community Development
(A Public Hearing was held at the February 3, 2022 Regular Meeting / Public Hearings; the Board voted unanimously to hold an additional Public Hearing on March 3, 2022.)
- (3) Public Hearing and possible vote for approval of an Alternate Design for Tom Maune and a variance to UDC 21-8.6(A)(5)(a) - Parcel 138-012 - AD220001 - District 2 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1794 (Peachtree Development Group, Inc.) by Richard P. Kenney, Jr. and a variance to UDC Table 11.2(a) - Parcel 159-214 - AZ220004 - District 2 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2431 (Vickery Land Co., LLC) by Luxe Properties, Inc. - Parcel

058-707 - AZ220005 - District 3 - Director, Department of Planning and Community Development

- (6) Public Hearing and possible vote regarding the County-Initiated request to rezone from Agricultural District (A1) to Restricted Industrial District (M1) with Conditional Use Permits (CUPs) for open storage yards not exceeding 20%, kennels, animal hospitals, veterinary clinics, food processing plants, frozen food lockers, micro-breweries, micro-distilleries, and breweries and distilleries, and conducting around the clock business with variances to UDC 10-1.10(B)(1), UDC Table 14.2, UDC 14-4.13, UDC 21-12.5 (F)(1), and UDC Table 17.1 - Parcel 237-013 - ZA4018 - District 4 - Director, Department of Planning and Community Development
(Postponed from the February 3, 2022 Agenda)
- (7) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2643 (THE RYLAND GROUP INC) by Vinod Pillai - Parcel(s) 157-538 - AZ220003 - District 5 - Director, Department of Planning and Community Development
- (8) Public Hearing and possible vote regarding amendments to the Unified Development Code related to Variances within Chapters 3, 8, and 11 - Director, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on January 25, 2022)
- (9) Public Hearing and possible vote regarding amendments to the Unified Development Code related to Title Opinion for CUPs and Sketch Plats within Chapter 8 - Planning Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on January 25, 2022)
- (10) Public Hearing and possible vote regarding amendments to the Unified Development Code related to M1 Sketch Plats and Non-Residential Building Expansion within Chapter 8 - Planning Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on January 25, 2022)
- (11) Public Hearing and possible vote regarding amendments to the Unified Development Code related to Lap Siding within Chapter 11 - Planning Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on January 25, 2022)
- (12) Public Hearing and possible vote regarding proposed modifications related to the Forsyth County Sign Ordinance - Planning Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Board on February 17, 2022)
- (13) Public Hearing and possible vote regarding proposed modifications related to the Forsyth County Tree Protection and Replacement Ordinance, Forsyth County Ordinance 98 - Development Services Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Board on February 3, 2022)

IX. Public Comments

X. Old Business

- (1) Board consideration and possible direction regarding RUS-AL (USA), Inc., CP190014, to operate an open storage yard with 133 parking spaces associated with existing buildings totaling 18,000 sq. ft. with 26 parking spaces on 6.680 acres currently zoned Restricted Industrial District (M1) with variances to: 1.) Reduce the zoning buffer along the eastern property boundary from 60 ft. to 0 ft. (UDC, Table 14.2); 2.) Reduce the front setback from 50 ft. to 35 ft. abutting Union Hill Road right-of-way adjacent to the existing structure only (UDC, Table 14.2); and, 3.) Reduce the zoning setback from 75 ft. to 65 ft. along the eastern property boundary adjacent to the existing structure only (UDC, Table 14.2) - District 3 - Director, Department of Planning and Community Development
(At the November 21, 2019 Regular Meeting / Public Hearings, the Board voted unanimously to authorize staff to proceed with advertising for additional Public Hearings for AZ190005 (RUS-AL), SP190002 (RUS-AL), and CP190014 (RUS-AL) to be heard at the December 5, 2019 Regular Meeting / Public Hearings (Consent Agenda (5)(P)). At the December 5, 2019 Regular Meeting / Public Hearings, the Board voted unanimously to deny the CUP and variances. At the January 9, 2020 Regular Meeting / Public Hearings, the Board voted unanimously to rescind the denial of the CUP. Postponed from the March 19, 2020, April 16, 2020, June 4, 2020, July 9, 2020, July 23, 2020, August 6, 2020, August 20, 2020, October 8, 2020, November 5, 2020, November 19, 2020, December 17, 2020, January 21, 2021, May 6, 2021, June 3, 2021, July 8, 2021, August 19, 2021, October 7, 2021, December 2, 2021, and February 3, 2022 Agendas.)
- (2) Board consideration and possible direction regarding Sketch Plat approval for RUS-AL (USA), Inc. and variances to the UDC Section 14-1.3 and Table 14.2 - Parcel 041-099 - SP190002 - District 3 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners at its November 7, 2019 Regular Meeting / Public Hearings; the Board voted unanimously to postpone its decision to the November 21, 2019 Regular Meeting / Public Hearings. At the November 21, 2019 Regular Meeting / Public Hearings, the Board voted unanimously to authorize staff to proceed with advertising Public Hearings for AZ190005 (RUS-AL), SP190002 (RUS-AL), and CP190014 (RUS-AL) to be heard at the December 5, 2019 Regular Meeting / Public Hearings (Consent Agenda (5)(P)). A Public Hearing was held before the Board of Commissioners at its December 5, 2019 Regular Meeting / Public Hearings; the Board voted unanimously to move Item to the February 20, 2020 Regular Meeting / Public Hearings Agenda to hold an additional Public Hearing. Postponed from the February 20, 2020, March 19, 2020, and April 16, 2020 Agendas. A Public Hearing was held before the Board of Commissioners at its June 4, 2020 Regular Meeting / Public Hearings; the Board voted unanimously to postpone its decision to the July 9, 2020 Regular Meeting / Public Hearings. Postponed from the July 9, 2020, July 23, 2020, August 6, 2020, August 20, 2020, October 8, 2020, November 5, 2020, November 19, 2020, December 17, 2020, January 21, 2021, May 6, 2021, June 3, 2021, July 8, 2021, August 19, 2021, October 7, 2021, December 2, 2021, and February 3, 2022 Agendas.)
- (3) Board discussion and possible adoption of a proposed Amended Agreement with Mike and Kim Domenicone regarding Forsyth County acquiring Tax Parcels 058-023 and 059-010, approximately 39.24 acres at 5890 Polo Fields Parkway/6045 Majors Road for \$7.5 million, to remove the Denmark sale contingency - County Attorney
- (4) In accord with Board of Commissioner rule 3.02.03, Board consideration of rescission of two items approved at the February 3, 2022 Regular meeting, to wit: (1) Board initiation of a County sponsored Res3 zoning of Forsyth County-owned property located at 500 Windy Hill Drive, Tax Parcel 040-037, otherwise referred to as a portion of Denmark Park; and (2) Board approval of a Resolution authorizing

the sale and/or disposition of Forsyth County property located at 500 Windy Hill Drive, Forsyth County Georgia, Tax Parcel 040-037, otherwise known as a portion of Denmark Park property - County Attorney

XI. New Business

- (1) Board consideration and vote on a proposed Resolution that will amend the Forsyth County enabling legislation (March 2, 1972 (1972 Ga. Laws, p. 2065)), specifically modifying Section 4 thereof, by removing the prohibition against a Board Member holding another county, municipal, or state office - County Attorney

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment