

**AGENDA**  
**FORSYTH COUNTY BOARD OF COMMISSIONERS**  
**THURSDAY, SEPTEMBER 1, 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 Resolution commemorating the 235th anniversary of the signing of the United States Constitution on September 17, 2022 - Semanson / John

**V. Public Comments**

**VI. Adoption of Minutes**

- (1) Regular Meeting / Public Hearings of August 18, 2022
- (2) Work Session and Executive Session of August 23, 2022

**VII. Consent Agenda**

- (1) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of August 23, 2022
- (2) Acceptance of Right of Way as County maintained with a speed limit of 25 MPH on Tiberon Parkway and all other property and property rights as shown on subdivision plat for Tiberon on the Etowah, Phase 2B, recorded in Plat Book 202, Pages 200-213, Forsyth County, Georgia Records, located in Commission District 4.
- (3) Acceptance of Right of Way as County maintained with a speed limit of 25 MPH on Amble Valley Avenue, Stock Saddle Place and all other property and property rights as shown on subdivision plat for Mountain Crest, Phase 7C - Dartmoor recorded in Plat Book 202, Pages 226-235, Forsyth County, Georgia Records, located in Commission District 1.
- (4) Board adoption of a Resolution commemorating the 235th anniversary of the signing of the United States Constitution on September 17, 2022 - Semanson / John
- (5) Board authorization allowing staff to notate on the Resolution approving ZA3916 that

the advertised Conditional Use Permits for a convenience store with gas pumps conducting around the clock business was approved - County Attorney

- (6) Board ratification of the following items that were discussed and voted on at a Work Session held on August 23, 2022 (to the extent that two Board Members were not present to vote on some of the Items presented below at the August 23, 2022 Work Session, the absent Board Members have indicated having no objections to placement of the Items on the Consent Agenda - at the request of County staff - as anticipated by Board Rule 1.07.01):
  - (A) Board authorization for staff to proceed with advertisement and the Public Hearing process regarding a proposed abandonment of a portion of Sandy Court as requested by CRC 100, LLC, a Georgia Limited liability company, to facilitate commercial development on Sandy Court, south of the northern intersection of Sandy Court and Crossroads Road as presented - Director, Department of Engineering
  - (B) Board approval to set the Sewer Capacity Rate as the prevailing rate charged by the City to the County at time of purchase plus a ten-percent (10%) surcharge as presented by staff - Director, Department of Water and Sewer
  - (C) Board approval of a Sludge Disposal Agreement with GFL Environmental with a disposal rate of \$74.95 per ton with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Water and Sewer
  - (D) Board approval of Invoice, INV-011460, from Georgia Department of Transportation and authorize payment in the amount of \$120,817.98 for additional work related to the relocation of water/sewer infrastructure as part of the Bethelview Road Widening project (Castleberry Rd. to SR 20) - Director, Department of Water and Sewer
  - (E) Board approval to award Bid 22-68-3320 to Vortex Services, LLC in the amount of \$105,748.50 for the rehabilitation and lining of eight (8) manholes along Champions Run Sewer Outfall for the Department of Water and Sewer with authorization for the County Manager to execute documents in furtherance of the same - Director, Department of Water and Sewer
  - (F) Board authorization for staff to proceed with the Public Hearing process regarding an amendment to Ordinance 133, to remove Node 5 from the ARPA Sewer Node Ordinance as presented - Director, Department of Water and Sewer / County Attorney
  - (G) Board approval of an Amendment with Atlas Technical Consultants in the amount of \$69,571.04 for the SPLOST Program Management Purchase Order, 20210552, with authorization for the County Manager to execute documents in furtherance of the same as presented - Director, Department of Capital Projects

- (H) Board approval of Change Order #12 with Vertical Earth (Contract Number 1202000030) in the amount of \$60,237.25 for the SR 369/400 Interchange Project with authorization for the County Manager to execute documents in furtherance of the same as presented - Director, Department of Capital Projects
- (I) Board approval of Supplemental Agreement #2 with Atlas Technical Consultants in the amount of \$131,236.00 for out-of-scope design services for the McGinnis Ferry Widening Project (PEW08) with authorization for the County Manager to execute documents in furtherance of the same as presented - Director, Department of Capital Projects
- (J) Board approval of Supplemental Agreement #4 with Atlas Technical Consultants in the amount of \$338,588 for design revisions and design-support during construction services for the McGinnis Ferry Interchange Project (GI400) with authorization for the County Manager to execute documents in furtherance of the same as presented - Director, Department of Capital Projects
- (K) Board approval of Supplemental Agreement #3 with Atlas Technical Consultants in the amount of \$221,870.00 for design support during construction services for the McGinnis Ferry Widening Project (PEW08) with authorization for the County Manager to execute documents in furtherance of the same as presented by staff - Director, Department of Capital Projects
- (L) Board approval of Task Order 1 with Atlas Technical Consultants, LLC in the amount of \$82,020 for project support for the SR 9 at Jewell Bennett Road Intersection Improvements with authorization for the County Manager to execute documents in furtherance of the same as presented - Director, Department of Capital Projects
- (M) Board approval of Task Order 1 with Heath & Lineback Engineers, Inc. in the amount of \$132,304 for project support and Construction Engineering and Inspection (CEI) Services for the Shiloh Road at Shiloh Road East Roundabout with authorization for the County Manager to execute documents in furtherance of the same - Director, Department of Capital Projects
- (N) Board approval of Task Order 2 with Heath & Lineback Engineers, Inc. in the amount of \$132,304.00 for project support and Construction Engineering and Inspection (CEI) Services for the Brannon Road Sidewalk Project with authorization for the County Manager to execute documents in furtherance of the same - Director, Department of Capital Projects

## **VIII. Public Hearings**

- (1) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3830 (TRB Bethelview, LLC) by HB Development LLC - Parcels

073-038, 073-329, 051-027, and 073-018 - AZ220025 - District 1 - Director,  
Department of Planning and Community Development  
(Postponed from the July 7, 2022 Agenda)

- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2704 (Providence Development Corporation) by David Ughulu - Parcel 193-200 - AZ220028 - District 1 - Director, Department of Planning and Community Development  
(Postponed from the August 4, 2022 Agenda)
- (3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1794 (Peachtree Development Group, Inc.) by DJ and Ankita Patel with the following variance to: 1.) Reduce the rear setback from 20 ft. to 9 ft. (UDC Table 11.2(a)) - Parcel 159-148 - AZ220033 - District 2 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote for approval of an Alternate Design for McFarland Road Associates, LLC - Parcel 041-198 - AD220007 - District 3 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3740 (FrontDoor Communities, LLC) by Legendary Renovations, LLC - Parcel 061-474 - AZ220029 - District 3 - Director, Department of Planning and Community Development  
(Postponed from the August 4, 2022 Agenda)
- (6) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2979 (Patricia Walker) by Kimberley and Leigh Cadorette with the following variance to: 1.) Reduce the exterior setback from 50 ft. to 12.5 ft. (UDC Table 11.2(b)) - Parcel 095-138 - AZ220032 - District 4 - Director, Department of Planning and Community Development
- (7) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3316 (NNP II Windermere LLC) by Nima Amin - Parcel 177-509 - AZ220030 - District 5 - Director, Department of Planning and Community Development

**IX. Public Comments**

**X. Old Business**

**XI. New Business**

- (1) Board acceptance and retention of Attorney Randy Rich to serve as the Local Option Sales Tax (LOST) mediator between Forsyth County and the City of Cumming - County Attorney

**XII. Recess Regular Meeting**

**XIII. Executive Session (if needed)**

**XIV. Adjournment**