

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, OCTOBER 6, 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 recognizing Eagle Scout Alexander Theofilis - Levent / Mills
- (2) Board presentation of a Proclamation declaring October 2, 2022 through October 8, 2022 as 4-H Week in Forsyth County - Cooper / Semanson
- (3) Board presentation of a Proclamation declaring September 15, 2022 through October 15, 2022 as Hispanic Heritage Month in Forsyth County - John / Mills

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of September 15, 2022
- (2) Work Session and Executive Session of September 20, 2022

VII. Consent Agenda

- (1) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of September 20, 2022
- (2) Board acceptance of Right-of-Way as County-maintained with a speed limit of 25 MPH on Loring Drive, Gordon Sosebee Drive, and all other property and property rights as shown on subdivision plat for Loring, Ph 4, recorded in Plat Book 203, Page 11-27, Forsyth County, Georgia Records - District 3 - Director, Department of Engineering
- (3) Board acceptance of Right-of-Way as County-maintained with a speed limit of 25 MPH on Bentwood Path and all other property and property rights as shown on subdivision plat for Parkview, recorded in Plat Book 203, Page 65-74, Forsyth

County, Georgia Records - District 4 - Director, Department of Engineering

- (4) Board ratification of the following items that were discussed and voted on at the Work Session held on September 20, 2022 (as anticipated by Board Rule 1.07.01):
- (A) Board adoption of the Health Insurance Programs as previously presented, including the 2023 Contribution Rates for County-sponsored Insurance Plans, with authorization for the Director of Employment Services in conjunction with Benefits Brokers to move forward with implementation - Director, Department of Employment Services
 - (B) Board approval of an Agreement between Forsyth County and Farmers Property & Casualty Insurance Company to provide for Group Select Property & Automobile Insurance to eligible County employees with authorization for the County Manager to execute documents in furtherance of the same as presented - Director, Department of Employment Services
 - (C) Board approval of an Agreement between Forsyth County and Impact Interactive for Dependent Audit Services for the 2023 Health Insurance Coverage Period with authorization for the County Manager to execute documents in furtherance of the same as presented - Director, Department of Employment Services
 - (D) Board approval of changes to Civil Service Handbook Policy 3 - Probationary & Regular Status - to provide for retention of regular status in original position for promoted employees as presented - Director, Department of Employment Services
 - (E) Board approval to declare list of items as surplus with authorization for the Department of Procurement to dispose of accordingly - Director, Department of Procurement
 - (F) Board approval of a Memorandum of Understanding between the Georgia Department of Transportation and Forsyth County to include waterline relocations within the contract for a Roundabout to be constructed at SR 9 at Bannister Road - Director, Department of Water and Sewer
 - (G) Board approval to award RFQ 22-76-3340 to NOVA Engineering and Environmental, LLC in the amount of \$28,495 for Geotechnical Services for Church Road and Martin Road Gravity Sewer for the Department of Water and Sewer with authorization for the County Manager to execute documents in furtherance of the same as presented - Director, Department of Water and Sewer
 - (H) Board approval to award Bid 22-64-1514 to Kevin Price Construction in the amount of \$13,899,142 to provide all labor, materials, and equipment for the construction of Fire Stations #9 and #15 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 a Task Order with NOVA Engineering and Environmental in the amount of \$68,137 with an owner directed contingency of fifteen percent for construction materials testing and inspection services for the construction of Fire Stations #9 and #15 - Director, Department of Capital Projects
- (J) Board approval of a Task Order No. 3 with Heath & Lineback Engineers, Inc. in the amount of \$58,316 to perform a constructability review for the McGinnis Ferry Widening Project as presented - Director, Department of Capital Projects
- (K) Board authorization for staff to proceed with the Public Hearing process regarding amendments to Coal Mountain Overlay signage within the Unified Development Code - Mills / Levent
- (L) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated variance to reduce the landscape strip abutting Bottoms Road from 25 ft. to 0 ft. (Table 14.2) - Parcel 235-218 as described by staff - District 4 - Mills / Levent
- (M) Board authorization for staff to proceed with the Public Hearing process regarding modifications to the Unified Development Code to allow a personal service establishment in the M1 zoning district to include barber and beauty shops - Levent / Mills
- (N) Board authorization for the County Attorney to draft a Moratorium regarding the enforcement of the fencing prohibition in conservation subdivisions and to return to a future meeting with a draft Moratorium Resolution - County Attorney
- (O) Board approval of an easement across Central Park property (Parcel 193-034) in favor of the City of Cumming for the installation of a sewer line as presented by Counsel - County Attorney
- (P) Board authorization for staff to proceed with the Public Hearing process regarding the Utility Accommodation Ordinance - County Attorney
- (Q) Board approval of a Conflict Waiver to authorize Jarrard & Davis, LLP to represent Forsyth, Cherokee, and Milton in preparing an Intergovernmental Agreement to allow Forsyth County to provide water/sewer utility services to a Toll Bros. development located within Milton/Fulton and Cherokee - County Attorney
- (5) Board adoption of a Resolution recognizing Eagle Scout Alexander Theofilis - Levent / Mills

- (6) Board adoption of a Proclamation declaring October 2, 2022 through October 8, 2022 as 4-H Week in Forsyth County - Cooper / Semanson
- (7) Board adoption of a Proclamation declaring September 15, 2022 through October 15, 2022 as Hispanic Heritage Month in Forsyth County - John / Mills

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 and September 1, 2022 Agendas)
- (2) Public Hearing and possible vote regarding the County-Initiated variance to: 1.) Reduce the minimum required paved surface for the display of used vehicles from 1 acre to 0 acres (UDC 16-4.37(G)(1)) - Parcel 009-071 - VA220073 - District 1 - Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on CP130019 (The Aspire at Forsyth, LLC) by SHP V Johns Creek, LLC - Parcel 138-453 - AZ220035 - District 2 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding the County-Initiated Conditional Use Permit to erect a telecommunication tower (195 ft. monopole) on a leased area of 0.1469 acres on property currently zoned Agricultural District (A1) - Parcel 025-003 - CP220033 - District 4 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding the County-Initiated request to rezone from Commercial Business District (CBD) to Agricultural District (A1) on 19.423 acres - Parcel 236-001 - ZA4093 - District 4 - Director, Department of Planning and Community Development
- (6) Public Hearing and possible vote regarding amendments to the Unified Development Code related to Comprehensive Plan References within Chapter 12 - Planning Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on August 23, 2022)
- (7) Public Hearing and possible vote regarding approval of a Resolution of Submittal with adoption of the Impact Fee Program Capital Improvement Element (CIE) annual update, which includes a 2021 Financial Report, Schedule of Improvements with a CWP Addendum, and Report of Accomplishments as presented July 7, 2022 - Chief Financial Officer
- (8) Public Hearing and possible vote regarding abandonment of a portion of Sandy Court all that tract or parcel of land lying and being in Land Lots 423 and 504 of the

14th Land District of the 1st Section, Forsyth County, Georgia, containing approximately 0.613 acres, more or less, according to the Right of Way Abandonment Plat, dated May 25, 2022, prepared for CRC 100, LLC by McClure Surveying, Inc. - County Attorney

- (9) Public Hearing and possible vote regarding proposed modifications to the Forsyth County Animal Control Ordinance - County Attorney
(First Public Hearing was held before the Board of Commissioners on July 21, 2022)
- (10) Public Hearing and possible vote regarding amendments to the Unified Development Code related to Build-to-Rent within Chapters 3, 11, 12, 14, 15, and 16 - County Attorney
(The first Public Hearing was held before the Planning Commission on August 23, 2022)

IX. Public Comments

X. Old Business

- (1) Gary R. Bagley - CP210024 - to build a 1,000 sq. ft. vehicle sales dealership with 5 parking spaces on 1.36 acres currently zoned Highway Business District (HB) with the following variance to: 1.) Eliminate the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18) - Parcel 009-071 - District 1 - Director, Department of Planning and Community Development
(Postponed from the August 18, 2022 and September 15, 2022 Agendas)
- (2) Board Consideration and possible vote regarding the revocation of existing CUP, CP190012, in accordance with UDC Section 8-5.5(l) - Parcel 225-105 - District 5 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on July 7, 2022; the Board voted 4-0-1 (Commissioner Cooper absent) to postpone, for decision only, to the October 6, 2022 Regular Meeting / Public Hearing.)

XI. New Business

- (1) Board consideration and possible approval of a Resolution providing interim direction and guidance regarding implementation of market adjustment compensation increases for certain public safety workers - Director, Department of Personnel Services

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment