

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, MARCH 2, 2023 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 3, 2023 as *Employee Appreciation Day* in Forsyth County - John / Semanson
- (2) Board presentation of a Resolution recognizing Brandon Kenney, Assistant County Manager - John / Semanson

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of February 16, 2023
- (2) Work Session of February 21, 2023

VII. Consent Agenda

- (1) Board adoption of a Proclamation declaring March 3, 2023 as *Employee Appreciation Day* in Forsyth County - John / Semanson
- (2) Board adoption of a Resolution recognizing Brandon Kenney, Assistant County Manager - John / Semanson
- (3) Board ratification of the following items that were discussed and voted on at the Work Session held on February 21, 2023 (as anticipated by Board Rule 1.07.01):
 - (A) Board authorization for the Finance Director to sign as the authorized official on behalf of the Forsyth County Board of Commissioners on any programmatic and/or official financial report paperwork for the Federal Victims of Crime Act Assistance Grant Program supporting direct services to crime victims for the 2022-2023 grant year as presented - Director, Department of Finance

- (B) Board approval of the 2023 Memorandum of Understanding with Learning for Life concerning a year-round training program, support service, and resources to help participating organizations implement career education programs for youth (Fire Explorers Program) as presented - Fire Chief
- (C) Board acceptance of a subrogation payment of policy limits of \$16,455.04 for damage sustained to Sheriff's Office Unit #519 with authorization for the Risk and Safety Manager to execute the Property Damage Release with Monica Waterson and Liberty Mutual Insurance with approval of a Budget Resolution to transfer subrogation from Risk Management Insurance Proceeds to the Sheriff's Office Capital Account as presented - Risk and Safety Manager, Department of Employment Services
- (D) Board acceptance of a payment in the amount of \$54,364.76 for damage sustained to a County-owned traffic signal at the intersection of Pendley Road and Ronald Reagan Boulevard with authorization for the Risk and Safety Manager to execute the Property Damage Release with Progressive Mountain Insurance Company and its insured, Adel Hidalgo, as presented - Risk and Safety Manager, Department of Employment Services
- (E) Board approval to award Bid 22-107-3320 to Cleary Construction Inc. in the amount of \$1,706,450.00 for construction of the Church Road and Martin Road Gravity Sewer Line for the Department of Water and Sewer with authorization for the County Manager to execute documents in furtherance of same as presented - Director, Department of Water and Sewer
- (F) Board approval of an Underground Easement Agreement with Georgia Power for the relocated primary power service to the Central Park Recreation Center Addition with authorization for the County Manager to execute documents in furtherance of same as presented - Director, Department of Capital Projects
- (G) Board approval of a FY 2023 Annual Non-Profit Services Agreement between Bald Ridge Lodge, Inc. and Forsyth County as presented - Chief Financial Officer
- (H) Board approval of a FY 2023 Annual Non-Profit Services Agreement between CASA of Forsyth County, Inc. and Forsyth County as presented - Chief Financial Officer
- (I) Board approval of a FY 2023 Annual Non-Profit Services Agreement between The Children's Center for Hope and Healing, Inc. and Forsyth County as presented - Chief Financial Officer
- (J) Board approval of a FY 2023 Annual Non-Profit Services Agreement between Forsyth County Family Haven, Incorporated and Forsyth County as presented - Chief Financial Officer
- (K) Board approval of a FY 2023 Annual Non-Profit Services Agreement between Jesse's House, Inc. and Forsyth County as presented - Chief

Financial Officer

- (L) Board approval of a FY 2023 Annual Non-Profit Services Agreement between Mentor Me - North Georgia, Inc. and Forsyth County as presented - Chief Financial Officer
- (M) Board approval of a FY 2023 Annual Non-Profit Services Agreement between Supporting Adoption of Foster Families Together, Inc. and Forsyth County as presented - Chief Financial Officer
- (N) Board authorization for staff to proceed with the Public Hearing process regarding amendments related to Residential Elevation Requirements within Chapters 8 and 20B of the Unified Development Code - Planning Manager, Department of Planning and Community Development
- (O) Board authorization for staff to proceed with the Public Hearing process regarding amendments related to Residential Accessory Structures within Chapters 11 and 16 of the Unified Development Code - Planning Manager, Department of Planning and Community Development
- (P) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated Conditional Use Permit (CUP) for a telecommunication tower, Parcel 203-111, as presented - Assistant County Manager

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3249 (Green Acres Development, Inc.) by Toll Brothers, Inc. with the following variances to: 1.) Reduce the minimum width as measured from the perimeter of each contiguous area of disturbance from 50 ft. to 0 ft. for the purpose of calculating minimum square footage for each undisturbed area of separation (UDC 18-12.1(A)(1)); and, 2.) Reduce the minimum width of each undisturbed area of separation from 50 ft. to 0 ft. (UDC 18-12.1(A)(1)) - Parcels 010-098 and 010-139 - AZ220043 - District 1 - Director, Department of Planning and Community Development
(Postponed from the February 2, 2023 Regular Meeting / Public Hearings Agenda)
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3900 (RaceTrac Petroleum, Inc.) by Pepperwood, Inc. - Parcels 031-069, 031-263, and 031-068 - AZ230004 - 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 ZA2945 (Douglas Sorrells) by CCM, L.P. - Parcels 190-036 and 190-218 - AZ230002 - District 4 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding the request for an Amendment of Zoning

Conditions on ZA3923 (Forsyth County Board of Commissioners) by 369 Bannister Associates, LLC - Parcel 145-097 - AZ230003 - District 4 - Director, Department of Planning and Community Development
(Due to 369 Bannister Associates not placing the Public Hearing Signage per the time requirements of the UDC, this Item will be postponed from the March 2, 2023 Agenda. Check Customer Self Service Portal at www.forsythco.com for updated Public Hearing date.)

IX. Public Comments

X. Old Business

- (1) Board consideration and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2699 (Aaron J. Land) by Chris Cowart Properties, LLC with the following variances: 1.) Reduce the zoning buffer along the northern property boundary adjacent to tax map/parcel 062-020 from 40 ft. to 0 ft. (UDC Table 14.2); 2.) Reduce the zoning setback along the northern property boundary adjacent to tax map/parcel 062-020 from 50 ft. to 0 ft. (UDC Table 14.2); 3.) Reduce the landscape strip along the side lot line adjacent to tax map/parcel 063-191 from 6 ft. to 0 ft. (UDC 14-4.13); 4.) Reduce the undisturbed buffer abutting Georgia Highway 400 from 40 ft. to 0 ft. to allow for utilities and existing structures within the required buffer and replanting the undisturbed buffer per the County Buffer Standards (UDC 10-1.10(A)(1)); 5.) Reduce the setback abutting Georgia Highway 400 from 60 ft. to 30 ft. (UDC 10-1.10(A)(1)); 6.) Reduce the side setback adjacent to tax map/parcel 063-191 from 15 ft. to 0 ft. (UDC Table 14.2); and, 7.) Reduce the front setback from 50 ft. to 38 ft. (UDC Table 14.2) - Parcel 063-057 - AZ210045 - District 5 - Director, Department of Planning and Community Development
(Postponed from the January 6, 2022, February 3, 2022, March 17, 2022, April 21, 2022, May 19, 2022, June 16, 2022, July 21, 2022, August 18, 2022, and September 15, 2022 Agendas. A Public Hearing was held before the Board of Commissioners on October 20, 2022 - the Board voted 4-0-1 (Chairman John absent) to postpone, for decision only, to the November 3, 2022 Agenda. Postponed from the November 3, 2022, November 17, 2022, December 1, 2022, December 15, 2022, and January 5, 2023 Agendas.)

XI. New Business

- (1) Board discussion regarding whether to return Work Sessions to the Large Conference Room - Cooper / Semanson
(During the February 21, 2023 Work Session, the Board voted 4-1 (Commissioners John, Mills, Hill, and Levent in favor; Commissioner Semanson opposed) for Work Sessions to remain in the Commissioners' Meeting Room.)
- (2) Board ratification and approval of a Separation Agreement with Tyra Little - County Attorney

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment