

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, MAY 4, 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 recognition of the Fire Department's annual Safety Poster Contest winners - County Manager
- (2) Board presentation of a Resolution recognizing Eagle Scout, Alan Haniel Albert - Semanson / John

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of April 20, 2023
- (2) Work Session and Executive Session of April 25, 2023

VII. Consent Agenda

- (1) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: JKN Ventures, LLC - 150 gpd - Interim Director, Department of Water and Sewer
- (2) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: Lloyd Brothers Properties, LLC - 556 gpd - Interim Director, Department of Water and Sewer
- (3) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: PGO Investments, LLC - 9,990 gpd - Interim Director, Department of Water and Sewer
- (4) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: Reid & Reid Investments, LLC - 5,400 gpd - Interim Director, Department of Water and Sewer

- (5) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: Tipton Development, LLC - 1,080 gpd - Interim Director, Department of Water and Sewer
- (6) Board ratification of a Sewer Reservation Agreement for the Fowler Water Reclamation Facility: Toll Southeast LP Company, Inc.- 9,450 gpd - Interim Director, Department of Water and Sewer
- (7) Board ratification of a Sewer Reservation Agreement for the James Creek Water Reclamation Facility: Yellowstone Capital Group, LLC - 475 gpd - Interim Director, Department of Water and Sewer
- (8) Board ratification of a Sewer Reservation Agreement for the James Creek Water Reclamation Facility: Yellowstone Capital Group, LLC - 480 gpd - Interim Director, Department of Water and Sewer
- (9) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Yellowstone Farm Drive, Joseph Drive, Marie Way, and all other property and property rights as shown on the Subdivision Plat for Yellowstone Farm, recorded in Plat Book 206, Pages 60-73, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering
- (10) Board ratification of a Right of Entry between Forsyth County and G.P.'s Enterprises, Inc. regarding Tax Parcel 159-540 (Old Atlanta Road Widening Project - Phase V) - County Manager
- (11) Board ratification of the following Items that were discussed and voted on at a Work Session held on April 25, 2023 (to the extent that a Board Member was not present to vote on one of the Items presented below at the April 25, 2023 Work Session, the absent Board Member has indicated having no objections to placement of the Item on the Consent Agenda - at the request of County staff - as anticipated by Board Rule 1.07.01):
 - (A) Board approval of additional funding in the amount of \$33,916.00 for Bilingual Interpretation Services to fund the remainder of FY with approval of a Budget Resolution as presented - Director, Victim Witness Assistance Program
 - (B) Board approval to postpone the consideration and possible approval of the Library Board's request for additional County funding in the amount of \$1,095,507.00 for the construction of Denmark Library with approval of a Budget Resolution to the Work Session of August 8, 2023 - Director, Forsyth County Public Library
 - (C) Board approval of the closeout for the FY 2021 Emergency Management Performance Grant (EMPG) in the amount of \$100,000.00 - Director, Emergency Management Agency
 - (D) Board approval to award LOI 23-012-5211 to Iconic Stables, LLC for the Polo

Fields Equestrian Center Lease and Management Services for the Department of Parks and Recreation as presented - Interim Director, Department of Parks and Recreation

- (E) Board approval of a Sole Source Purchase from Contech Engineered Solutions, LLC in the amount of \$55,545.00 for A2 Liner PVC Piping - Assistant Director, Department of Engineering
- (F) Board approval of Change Order #1 to Bid 23-009-1620 with The Surface Masters in the amount of \$53,970.00 to Mill, Repave Road, and add Striping behind entry gate for Shady Grove Campground Loop 60 as presented - Director, Department of Public Facilities
- (G) Board approval of Task Order 1 with Freese and Nichols, Inc. in the amount of \$123,800.00 for Construction Management Services for the Church Road and Martin Road Gravity Sewer Project with authorization for the County Manager to execute documents in furtherance of same as presented - Interim Director, Department of Water and Sewer
- (H) Board ratification of a Loan Pre-Application to the 2022 Drinking Water State Revolving Fund Bipartisan Infrastructure Law Lead Service Line Replacement Request for low-interest financing to assist with a Lead Service Line Inventory Project for \$500,000.00 and a Lead Service Line Replacement Project for \$3,000,000.00 - Interim Director, Department of Water and Sewer
- (I) Board approval of Task Order 24-Amendment 1 with CH2M Hill, Inc. (PO #20213024) for the County's Water Intake Permitting Support Services as presented - Director, Department of Capital Projects
- (J) Board adoption of the 2023-2027 5-Year Capital Improvement Program as presented by staff - Chief Financial Officer
- (K) Board authorization to suspend the annual transfer in the amount of \$500,000.00 from the Solid Waste and Recycling Fund to the General Fund with approval of a Budget Resolution as presented - Chief Financial Officer
- (L) Board approval of a Cash Handling Policy and Procedures as presented - Chief Financial Officer
- (M) Board approval of a Change Order with Kimley-Horn and Associates, Inc. in the amount of \$171,173.32 for a revised Scope of Work removing previous work completed prior to January 2023 related to the McFarland Livable Centers Initiative (LCI) Study Area Investment Feasibility Study for the Department of Public Transportation with authorization for the County Manager to execute documents in furtherance of same as presented by staff - County Manager
- (N) Board appointment of Anita Tucker for another term on the Forsyth County

Board of Registrations and Elections, at the request of the Forsyth County Democratic Party - County Attorney

- (O) Board approval of an Intergovernmental Agreement with the City of Cumming regarding the City's collection of library and public safety impact fees and tendering of same to Forsyth County to fund countywide library and public safety services as presented by Counsel - County Attorney
- (P) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated rezoning from R1R to A1 regarding 6515 AC Smith Road (3.65 acres) and 6555 AC Smith Road (1.5 acres) - Mills / Levent
- (Q) Board authorization for "*The Gathering*" to return before the Board at the Work Session of May 9, 2023, for further discussion and possible Board direction - Semanson / John
- (12) Board adoption of a Resolution recognizing Eagle Scout, Alan Haniel Albert - Semanson / John
- (13) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of April 25, 2023

VIII. Public Hearings

- (1) 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 1 - Director, Department of Planning and Community Development
(Postponed from the October 6, 2022, November 3, 2022, December 15, 2022, January 19, 2023, and February 16, 2023 Agendas)
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1929 (Silver Creek Development, LLC) by Mommies Properties, LLC with a variance to: 1.) Increase the maximum building height from 50 ft. to 85 ft. (UDC Table 12.2) - Parcel 229-017 - AZ230010 - District 2 - Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding amendments to the Unified Development Code related to Elevations for Residential Uses within Chapters 8 and 20B - Planning Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on March 28, 2023)
- (4) Public Hearing and possible vote regarding amendments to the Unified Development Code related to Residential Accessory Structures within Chapters 11 and 16 - Planning Manager, Department of Planning and Community Development
(The first Public Hearing was held before the Planning Commission on March 28, 2023)

IX. Public Comments

X. Old Business

XI. New Business

- (1) Richard Munson - ZA4104 - to rezone from Neighborhood Shopping District (NS) to Commercial Business District (CBD) on 2.193 acres with Conditional Use Permits (CUPs) for a 65,494 sq. ft. climate controlled self-service storage facility with 17 parking spaces and a 500 sq. ft. vehicle rental establishment with 4 parking spaces and an open storage yard with 3 parking spaces with the following variance to: 1.) Reduce the separation distance between self-service storage businesses from $\frac{3}{4}$ of a mile to 0 (UDC 16-4.31(G)) - Parcels 106-093 and 106-092 - District 5 - Director, Department of Planning and Community Development
(Postponed from the March 16, 2023 and April 20, 2023 Agendas)
- (2) Board consideration and possible adoption of a Memorandum of Understanding with RocaPoint Partners regarding milestones for bringing a high-end retail establishment to Halcyon and possible land use entitlements associated wherewith - County Attorney
- (3) Board consideration of a Resolution authorizing the County Manager and the County Attorney to dispose of property at 1929 Sharon Road (Parcel 135-073) - County Attorney
- (4) Board consideration of a Resolution authorizing the County Manager and the County Attorney to dispose of property at 7305 Lanier Drive (Parcel 274-010) - County Attorney

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment