

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, FEBRUARY 1, 2024 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

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of January 18, 2024
- (2) Work Session and Executive Session of January 23, 2024

VII. Consent Agenda

- (1) Board ratification of the following Items that were discussed and voted on at the Work Session held on January 23, 2024 (to the extent that two Board members were not present to vote on some of the Items presented below at the January 23, 2024 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 approval of a revised Public Transportation Agency Safety Plan (PTASP) with authorization for the Chairman to execute documents in furtherance of same - Director, Department of Public Transportation
 - (B) Board authorization of a budget adjustment of \$125,000.00 to cover additional postage and printing of required Precinct Card Notifications to all registered voters in Forsyth County for change in U.S. Congressional District Assignment per the ruling of the U.S. District Court for the Northern District of Georgia on December 28, 2023 with approval of a Budget Resolution - Director, Department of Voter Registrations and Elections
 - (C) Board approval of a Master Solution Purchase and Service Agreement with Dominion Voting Systems, Inc. for Voting Equipment and Licenses for the Department of Voter Registrations and Elections with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Voter Registrations and Elections

- (D) Board authorization for Reliant Construction Inc. in the amount of \$19,015.00 to bring the Handicap Parking Space, Ramp, and Sidewalk up to ADA Standards within the Secure Parking Area of the 911 Center with approval of a Budget Resolution - Director, Emergency Management Agency
- (E) Board approval of a Statewide Mutual Aid Agreement (SWMAA) between Forsyth County and the Georgia Emergency Management Agency with authorization for the Chairman to execute documents in furtherance of same - Director, Emergency Management Agency
- (F) Board approval to award Bid 24-20-1620 to Blue Sky Systems, LLC for Alarm System Inspection, Maintenance, and Repairs for 2024 for the Department of Public Facilities with approval of the associated Standard Services Agreement and with authorization for the Chairman to execute documents in furtherance of same - Director, Department of Public Facilities
- (G) Board approval of a Contract Item Agreement with Georgia Department of Transportation for reimbursement of an estimated \$410,700.00 for the relocation of Water and Sewer Infrastructure on State Route 9 at County Road 741/Bannister Road due to the construction of a roundabout (PI 0015591) - Director, Department of Water and Sewer
- (H) Board approval of a Sewer Reservation Agreement and Addendum #1 with SDP Atlanta Highway, LLC for the Fowler Water Reclamation Facility (7,159 gpd) with authorization for the Chairman to execute documents in furtherance of same - Director, Department of Water and Sewer
- (I) Board approval of a Sewer Reservation Agreement and Addendum #1 with SHJ Development, LLC, fka TWAS Properties, LLC, for the Fowler Water Reclamation Facility (10,000 gpd) with authorization for the Chairman to execute documents in furtherance of same - Director, Department of Water and Sewer
- (J) Board approval of Task Order No. 24-01 with ESG Engineering in an amount not to exceed \$275,000.00 for providing continued Program Management, Engineering, and Construction Oversight Support on the Indefinite Quantities (IDQ) Program with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Water and Sewer
- (K) Board approval of Change Order 14 with G.P.'s Enterprises, Inc. in the amount of \$51,529.00 to perform a Storm Drain Revision on Ronald Reagan Blvd (PEN12) with authorization for the Chairman to execute said document - Transportation Project Manager, Department of Capital Projects
- (L) Board approval of Change Order No. 23 with Vertical Earth (Contract Number 1202000029) in the amount of \$11,835.77 for the SR 369 Widening (PEW29) Project for Air Release Valve (ARV) Adjustments due to design revisions - Transportation Project Manager, Department of Capital Projects

- (M) Board approval of a Second Amendment to Amended and Restated Services Agreement, dated November 17, 2022, with T.Y. Lin International in the amount of \$459,869.06 for Post Road Widening Design Services with authorization for the Chairman to sign said document - Director, Department of Capital Projects
- (N) Board approval of Change Order #24 with Vertical Earth (Contract Number 1202000030) in the amount of \$35,146.43 for the SR 369/400 Interchange (PEW29) for a Statnamic Pile Test at the existing Bent 1 of the Exit 18 Bridge and an additional 6 days of construction with authorization for the Chairman to execute said document - Director, Department of Capital Projects
- (O) Board approval of a FY 2024 Annual Non-Profit Services Agreement between Bald Ridge Lodge, Inc. and Forsyth County with authorization for the Chairman to execute said document - Director, Department of Finance
- (P) Board approval of a FY 2024 Social Services Agreement between CASA of Forsyth County, Inc. and Forsyth County with authorization for the Chairman to execute said document - Director, Department of Finance
- (Q) Board approval of a FY 2024 Annual Non-Profit Services Agreement between The Children's Center for Hope and Healing, Inc. and Forsyth County with authorization for the Chairman to execute said document - Director, Department of Finance
- (R) Board approval of a FY 2024 Annual Funding Agreement between The Forsyth County Division of Family and Children Services and Forsyth County with authorization for the Chairman to execute said document - Director, Department of Finance
- (S) Board approval of a FY 2024 Annual Non-Profit Services Agreement between Forsyth County Family Haven, Incorporated and Forsyth County with authorization for the Chairman to execute said document - Director, Department of Finance
- (T) Board approval of a FY 2024 Annual Non-Profit Services Agreement between Jesse's House, Inc. and Forsyth County with authorization for the Chairman to execute said document - Director, Department of Finance
- (U) Board approval of a FY 2024 Annual Non-Profit Services Agreement between Mentor Me - North Georgia, Inc. and Forsyth County with authorization for the Chairman to execute said document - Director, Department of Finance
- (V) Board approval of a FY 2024 Annual Non-Profit Services Agreement between Thrive Together A Center For Family Solutions Inc. and Forsyth County with authorization for the Chairman to execute said document - Director, Department of Finance

- (W) Board authorization for staff to proceed with the Public Hearing process regarding amendments to the Unified Development Code related to Dual-Branded Hotels on a fast-track basis. Then, without exception, the Board directed Tom Brown, Department of Planning and Community Development Director, to provide an overview of MPD and MCD at a future Work Session with authorization for Mr. Brown to meet with Commissioners Hill and Mills to discuss the zonings prior to returning before the Board - Planner II, Department of Planning and Community Development
- (X) Board withdrawal of the additional discussion regarding the Rules and Procedures for 2024 - Mills / Hill
- (2) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of January 9, 2024 - County Clerk
- (3) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of January 23, 2024 - County Clerk

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3379 (Apex Land Company, LLC) by Datha Parsi and Prasannalaxmi Anchuri - Parcel 081-653 - AZ230037 - District 3 - Director, Department of Planning and Community Development
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2106 (Fox Creek Properties, Inc.) by Jamont Homes, Inc. with a variance to: 1.) Reduce the minimum lot width from 100 ft. to 38 ft. (UDC Table 11.2(a)) - Parcel 251-138 - AZ230025 - District 4 - Director, Department of Planning and Community Development
(Postponed from the October 5, 2023 and October 19, 2023 Agendas; moved from the November 16, 2023 Public Hearing Agenda due to meeting being canceled for lack of a quorum; postponed from the December 21, 2023 Agenda.)
- (3) Public Hearing and possible vote regarding the approval of a Sketch Plat for Chestatee FC Land, LLC - Parcel 296-028 - SP230007 - District 4 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding the County-Initiated Variance to reduce the required paved surface for the display of used vehicles from 1 acre to 0 acres (UDC 16-4.37(G)(1)) - Parcels 250-166 and 250-012 - VA230057 - District 4 - Director, Department of Planning and Community Development
(Postponed from the December 7, 2023 Agenda)
- (5) Public Hearing and possible vote regarding the approval of a Sketch Plat for Keith Cristal - Parcel 133-011 - SP230005 - District 5 - Director, Department of Planning and Community Development
- (6) Public Hearing and possible vote regarding possible recommendation(s) to the Forsyth County Board of Voter Registrations and Elections for a ballot hand-count

for some or all elections during the 2024 election cycle - County Attorney

IX. Public Comments

X. Old Business

- (1) Board consideration 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
(A Public Hearing was held before the Board of Commissioners on March 2, 2023; the Board voted 4-0-1 (Commissioner Levent absent) to postpone, for decision only, to the March 16, 2023 Agenda. Postponed from the March 16, 2023, April 20, 2023, May 18, 2023, June 15, 2023, July 20, 2023, August 17, 2023, September 21, 2023, November 2, 2023, December 7, 2023, and January 4, 2024 Agendas.)
- (2) Board consideration and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1980 (Rajae Janho) by Trendz at Forsyth LLC with a variance to: 1.) Increase the maximum building height from 40 ft. to 50 ft. (UDC Table 12.2) - Parcel 109-588 - AZ230038 - District 5 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on January 4, 2024; the Board voted unanimously to postpone, for decision only, to the January 18, 2024 Agenda. Postponed from the January 18, 2024 Agenda.)
- (3) Board consideration and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1992 (DOGWOOD PARTNERS, LLC) by Trendz at Forsyth LLC with a variance to: 1.) Increase the maximum building height from 40 ft. to 50 ft. (UDC Table 12.2) - Parcel 109-588 - AZ230039 - District 5 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on January 4, 2024; the Board voted unanimously to postpone, for decision only, to the January 18, 2024 Agenda. Postponed from the January 18, 2024 Agenda.)
- (4) Board consideration of City of Cumming annexation of parcel 151-213 (+/- 32.985 acres of land) - County Attorney
(During the Work Session of January 23, 2024, the Board voted 4-0-1 (Commissioners Hill, Semanson, Levent, and Mills in favor; Commissioner John absent) [during Adoption of Agenda] to postpone this Item to the Regular Meeting / Public Hearings of February 1, 2024.)

XI. New Business

- (1) Mason Properties, Inc. - ZA4129 - to rezone from Restricted Industrial District (M1) to Commercial Business District (CBD) on 14.71 acres with Conditional Use Permits (CUPs) for a new and used vehicle sales dealership and a vehicle rental establishment in buildings totaling 40,750 sq. ft. with 94 parking spaces with the following variance to: 1.) Increase the percentage of vehicles visible along the road frontage from 30% to 52% (UDC 12-10.9); 2.) Reduce the landscape strip abutting Georgia Highway 400 from 25 ft. to 10 ft. (UDC 10-1.10(B)(2)); 3.) Reduce the required paved surface for the display of used vehicles from 1 acre to .5 acres (UDC 16-4.37(G)(1)); and, 4.) Reduce the required number of parking spaces from 127 to 94 (UDC Table 17.1) - Parcels 250-166 and 250-012 - District 4 - Director, Department of Planning and Community Development

(Postponed from the December 7, 2023 Agenda)

- (2) Board consideration and approval of revisions to Employee Handbook Policy 9 *Attendance & Leave* - Director, Department of Employment Services
(During the Work Session of January 23, 2024, the Board voted 4-1-0 (Commissioners John, Hill, Semanson, and Mills in favor; Commissioner Levent opposed) to adopt the revisions to Employee Handbook Policy 9 *Attendance & Leave* as presented by staff.)

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment