AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, JUNE 20, 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

(1) Board presentation of a Resolution recognizing Brooke Anderson for earning the *Girl Scout Gold Award* - Semanson / Hill

V. Public Comments

VI. Adoption of Minutes

(1) Regular Meeting / Public Hearings of June 6, 2024

(2) Work Session and Executive Session of June 11, 2024

VII. Consent Agenda

(1) Board ratification of the following Items that were discussed and voted on at the Work Session held on June 11, 2024 (to the extent that two Board Members were not present to vote on some of the Items presented below at the June 11, 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 authorization for staff to proceed with the Public Hearing process to adopt the County Road Impact Fees as proposed by TischlerBise - County Manager

(B) Board approval of a Budget Resolution for replacement of total loss vehicles - Sheriff's Office, Director of Business Operations

(C) Board acceptance of the Emergency Management Performance Grant (EMPG) from the Georgia Emergency Management Agency (GEMA) in the amount of $50,000 with an in-kind match of $50,000 - Director, Emergency Management Agency

(D) Board approval of a Budget Resolution in the amount of $215,000.00 for the

2024 Emergency Services IP Network Pricing Schedule to the AT&T Master Agreement for the E-911 Center - Director, Emergency Management Agency

(E) Board authorization for the County, on behalf of Accountability Courts, to accept the award of the Fiscal Year 2025 Council of Accountability Courts Judges State of Georgia Grant Program for Drug Court in the amount of $185,090 with a $32,663 required match with authorization for the Department of Finance Director to sign programmatic and financial documents - Director, Accountability Courts

(F) Board authorization for the County, on behalf of Accountability Courts, to accept the award of the Fiscal Year 2025 Council of Accountability Courts Judges State of Georgia Grant Program for DUI Court in the amount of $94,596 with a $16,693 required match with authorization for the Department of Finance Director to sign programmatic and financial documents - Director, Accountability Courts

(G) Board authorization for the County, on behalf of Accountability Courts, to accept the award of the Fiscal Year 2025 Council of Accountability Courts Judges State of Georgia Grant Program for the Mental Health Court's CARE Program in the amount of $125,691 with a $22,181 required match with authorization for the Department of Finance Director to sign programmatic and financial documents - Director, Accountability Courts

(H) Board approval of the Amended 2024 Funding Request in the amount of $608,929 from the Forsyth County Public Library with approval of a Budget Resolution - Director, Forsyth County Public Library

(I) Board approval of the Certification of 9-1-1 Expenditures for the Year Ended 2023 with authorization for the Chief Financial Officer to sign the document - Director, Department of Finance

(J) Board approval of a Lease Agreement with United Athletics, Inc. d/b/a United Futbol Academy for continued use of the Polo Fields for recreational soccer activities - Director, Department of Parks and Recreation

(K) Board approval of a Special Facility Use Agreement with Pam Knox dba Knox Concessions to permit the sale of concessions to guests of Central Park (Fields 4, 5, 6, and 7) - Director, Department of Parks and Recreation

(L) Board approval of a Reservation and Maintenance Agreement between Forsyth County, Georgia on Behalf of Forsyth County Parks and Recreation and the Cumming-Forsyth County Miracle League to provide recreation support and opportunities for individuals with physical and mental disabilities at Edge Field at Lanierland Park - Director, Department of Parks and Recreation

(M) Board approval of a Right of Entry Agreement with Shiloh Manor Community Association, Inc. to build a pedestrian nature trail connecting to Fowler Park - Director, Department of Parks and Recreation

(N) Board approval to award Bid 24-29-1620 to The Surface Masters, Inc. in the amount of $645,180.00 for Mary Alice Park Resurfacing and Restriping for the Department of Public Facilities with approval of the associated Construction Services Agreement - Director, Department of Public Facilities

(O) Board approval to award Bid 24-30-1620 to The Surface Masters, Inc. in the amount of $776,190.00 for Charleston, Young Deer Creek, and Six Mile Creek Parks Resurfacing and Restriping for the Department of Public Facilities with approval of the associated Construction Services Agreement - Director, Department of Public Facilities

(P) Board approval of the First Amendment to Memorandum of Agreement with the Atlanta Regional Commission regarding matters related to water supply issues in the Apalachicola-Chattahoochee-Flint River Basin (ACF Basin) and the Alabama-Coosa-Tallapoosa River Basin (ACT Basin) - Director, Department of Water and Sewer

(Q) Board approval of Amendment 2 to Task Order Number 17 under Contract 1202200010 with Brown and Caldwell in the amount of $337,020.00 for additional design tasks for the expansion of the Shakerag WRF to 2.5 MGD capacity - Director, Department of Water and Sewer

(R) Board approval of an Encroachment Agreement for Easement with Georgia Transmission Corporation for installation of a new 36-inch water main along Keith Bridge Road - Director, Department of Water and Sewer

(S) Board approval of the As-Needed Services Agreement 1202400017 with Turner & Townsend Heery, LLC for Program Management Services - Vertical Capital Projects Manager, Department of Capital Projects

(T) Board approval of Task Order 01 to Contract 1202400017 with Turner & Townsend Heery, LLC in the amount of $470,000.00 for Program Management Services for the Bennett Park Redevelopment Project - Vertical Capital Projects Manager, Department of Capital Projects

(U) Board approval of approve Change Order 005 to Contract 1202100013 with Astra Group, LLC in the amount of $78,454.38 for Remedial Improvements to the Lanierland Detention Pond - Vertical Capital Projects Manager, Department of Capital Projects

(V) Board approval of an invoice from Sawnee Electric Membership Corporation in the amount of $312,100.00 for relocation of their utilities along Freedom Parkway - Vertical Capital Projects Manager, Department of Capital Projects

(W) Board approval of Task Order 02 to Contract 1202300024 with Comprehensive Program Services, Inc. in the amount of $280,470.00 for Program Management Services for the Water and Sewer Maintenance Warehouse Project - Vertical Capital Projects Manager, Department of

Capital Projects

(X) Board approval of an Amended and Restated Services Agreement with Hussey, Gay, Bell & DeYoung, Inc., Consulting Engineers for Engineering Services related to Bennett Park Master Plan and Renovations with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Capital Projects

(Y) Board approval of Change Order 02 to Contract 1202400013 with Vertical Earth, Inc. in the amount of $61,123.05 for the Coal Mountain Connector Project (P18CM) to include additional sewer line upgrades and relocation of water service lines to Coal Mountain Park - Director, Department of Capital Projects

(Z) Board ratification of Change Order 1A to Contract 1202000014 with GP's Enterprises, Inc. in the amount of $33,500.00 for the Ronald Reagan Boulevard Extension Project (PEN12) to include the removal of a section of boardwalk replacement under the new bridge over Big Creek and adding temporary driveway access for Parcel 56 in the approved schedule of values - Director, Department of Capital Projects

(AA) Board ratification of Change Order 007 to Contract 1202000014 with GP's Enterprises, Inc. in the amount of $12,421.97 for the Ronald Reagan Boulevard Extension Project (PEN12) to include additional Class AA concrete and reinforcing steel for the new bridge over Big Creek - Director, Department of Capital Projects

(BB) Board ratification of Change Order 008 to Contract 1202000014 with GP's Enterprises, Inc. in the amount of $9,435.00 for the Ronald Reagan Boulevard Extension Project (PEN12) to include additional work on the concrete approach slab associated with the bridge over Big Creek - Director, Department of Capital Projects

(CC) Board ratification of Change Order 009 to Contract 1202000014 with GP's Enterprises, Inc. in the amount of $126,600.00 for the Ronald Reagan Boulevard Extension Project (PEN12) to include additional erosion control items required for emergency field changes to comply with EPD requirements - Director, Department of Capital Projects

(DD) Board approval of Change Order #25 to Contract 1202000030 with Vertical Earth, Inc. in the amount of $4,863.20 for the SR 369/400 Interchange Project (PEW29) to include the installation of slope drain pipe required for erosion control - Director, Department of Capital Projects

(EE) Board approval of Change Order #27 to Contract 1202000029 with Vertical Earth, Inc. in the amount of $7,601.95 for the SR 369/400 Widening Project (PEW29) to include the installation of a drop inlet to address stormwater drainage issues per a UOC (Use on Construction) revision dated April 30, 2024 - Director, Department of Capital Projects

(FF) Board approval of Supplemental Agreement #3 to Purchase Order 20211335 with Pond & Company in the amount of $42,730.00 for the Ronald Reagan Extension Project (PEN12) to include additional design support during construction services and additional scope associated with the required FEMA Letter of Map Revision (LOMR) submittal - Director, Department of Capital Projects

(GG) Board reappointment of Richard C. Hamilton as the County-Appointed Representative to serve on the North Georgia Region 2 EMS Advisory Council for a term to begin on July 1, 2024 and expire on June 30, 2027 - County Manager

(HH) Board authorization for staff to proceed with the Public Hearing process regarding proposed modifications to the Animal Control Ordinance, Ord. No. 11, codified as Chapter 14 in the Forsyth County Code of Ordinances, to require dog owners to obtain a permit through Animal Services following conviction(s) for specified violations of the Animal Control Ordinance - County Attorney

(II) Board termination of the Forsyth County/Forsyth County Parks Foundation Memorandum of Understanding - John / Hill

(JJ) Board appointment of Flo Valdes as the District 2 Representative to serve on the Library Board of Trustees for a four-year term to begin on July 1, 2024 and expire on June 30, 2028 - John / Semanson

(KK) Board authorization for staff to proceed with the Public Hearing process regarding modifications to the County's Unified Development Code (UDC) regarding Large Lot Subdivisions - Hill / John

(LL) Board authorization for staff to proceed with the Public Hearing process regarding modifications to the Comprehensive Land Use Plan character areas as discussed - John / Semanson

(MM) Board authorization for staff to proceed with the Public Hearing process to modify the Sewer Usage Ordinance to modify the percentage thresholds and to remove the Yellow Creek Node from the Ordinance - Hill / John

(2) Board adoption of a Resolution recognizing Brooke Anderson for earning the *Girl Scout Gold Award* - Semanson / Hill

(3) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of June 11, 2024 - County Clerk

VIII. Public Hearings

(1) 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
(Postponed from the May 4, 2023, June 15, 2023, July 20, 2023, September 21, 2023, and December 21, 2023 Agendas)

(2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1602 (Eric Liu) by Liu Investment Partners, L.L.L.P. with a variance to: 1.) Increase the maximum number of parking spaces for lot 1 from 7 to 16 (UDC Table 17.1); 2.) Reduce the minimum lot width for lot 4 from 60 ft. to 59 ft. (UDC 18-4.5); 3.) Increase the percentage of parking that fronts the main building entrance for lot 2 from 60% to 66% (UDC 21-8.5(A)); and, 4.) Reduce the minimum lot width for lot 6 from 60 ft. to 36 ft. (UDC 18-4.5) - Parcel 113-050 - AZ230031 - District 5 - Director, Department of Planning and Community Development
(Postponed from the March 21, 2024, April 18, 2024, and May 16, 2024 Agendas)

(3) Public Hearing and possible vote regarding the approval of a Sketch Plat for bSide Oakwood, LLC with the following variance to: 1.) Reduce the front setback on lots 1-4 only from 50 ft. to 25 ft. (UDC Table 15.2); 2.) Reduce the exterior setback from 50 ft. to 25 ft. (UDC Table 15.2); and, 3.) Reduce the minimum lot width from 60 ft. to 17.7 ft. (UDC 18-4.5) - Parcels 113-035 and 113-040 - SP240003 - District 5 - Director, Department of Planning and Community Development
(Postponed from the May 2, 2024 Agenda)

(4) Public Hearing and possible vote regarding a Resolution adopting a one hundred twenty day Moratorium on acceptance of applications for land disturbance permits, development permits, building permits, or any other permit or permission that would or reasonably could result in the use or development of property for a hospital or related health services, personal care home, or institutionalized living facility - County Attorney

IX. Public Comments

X. Old Business

(1) Board consideration 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 Agenda due to Meeting being canceled for lack of a quorum; postponed from the December 21, 2023 and February 1, 2024 Agendas. A Public Hearing was held before the Board of Commissioners on June 6, 2024; the Board voted 4-0-1 (Commissioner Levent absent) to postpone this Item, for decision only, to the June 20, 2024 Agenda.)

XI. New Business

(1) Furkids, Inc. - CP240015 - to build storage buildings totaling 1,080 sq. ft. with an overall site including a veterinary clinic, kennels with outdoor facilities, a residence for a caretaker or night watchman, and a miscellaneous service establishment (event venue) on 8.966 acres zoned Commercial Business District (CBD) with the following variance to: 1.) Reduce the landscape strip along all internal side and rear

lot or lease lines from 10 ft. to 0 ft. (UDC 12-10.15) - Parcels 063-593 and 063-067 - District 3 - Director, Department of Planning and Community Development

(2) Morley Holdings Hwy 9, LLC - CP240016 - to operate a 10,085 sq. ft. new and used vehicle sales dealership, a vehicle rental establishment, an open air business, and an automobile service establishment, minor in an existing building with 39 parking spaces on 1.210 acres zoned Commercial Business District (CBD) with the following variance to: 1.) Reduce the front landscape strip abutting Atlanta Highway from 20 ft. to 0 ft. (UDC 21-6.5(A)(1)); 2.) Reduce the front landscape strip abutting Francis Road from 15 ft. to 0 ft. (UDC Table 21.6); 3.) Reduce the landscape strips along the side and rear lot or lease lines from 10 ft. to 0 ft. (UDC 21-6.5(A)(2)); 4.) Reduce the open space from 25% to 0% (UDC Table 21.6); 5.) Reduce the required paved surface for the display of used vehicles from 1 acre to 0 acres (UDC 16-4.37(G)(1)); 6.) Reduce the landscape strip between the front property line and the parking areas from 10 ft. to 0 ft. (UDC 17-5.7); 7.) Reduce the rear setback adjacent to the existing dumpster from 25 ft. to 0 ft. (UDC Table 12.2); and, 8.) Reduce the parking area setback from the right-of-way from 10 ft. to 0 ft. (UDC 12-10.8) - Parcel 018-122 - District 3 - Director, Department of Planning and Community Development

(3) NP Square LLC - ZA4161 - to rezone from Agricultural District (A1) to Commercial Business District (CBD) on 2.163 acres for a 21,000 sq. ft. retail/office building with 78 parking spaces with the following variance to: 1.) Reduce the distance of the sidewalk from the façade on the front, rear and sides of the building from 6 ft. to 0 ft. (UDC 21-7.5(B)(3)); and, 2.) Reduce the front landscape strip from 15 ft. to 10 ft. (UDC 21-7.5(A)(4)) - Parcel 106-106 - District 3 - Director, Department of Planning and Community Development

(4) Liu Investment Partners, L.L.L.P. - CP230027 - to conduct around the clock business with an overall site including a drive-through finance establishment/drive-through restaurant buildings totaling 7,900 sq. ft. with 75 parking spaces on 18.213 acres currently zoned Commercial Business District (CBD) - Parcel 113-050 - District 5 - Director, Department of Planning and Community Development
(Postponed from the March 21, 2024, April 18, 2024, and May 16, 2024 Agendas)

(5) Board consideration and possible action on a Resolution imposing a Moratorium on the enforcement of UDC I I-9.7(C)(2)(c), while the Board of Commissioners considers possible amendments - Semanson / John

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment