

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, NOVEMBER 21, 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 Proclamation declaring the month of November as *Pancreatic Cancer Awareness Month* in Forsyth County - Semanson / Hill
- (2) Recognition of the Department of Parks and Recreation for winning the following Georgia Recreation and Park Association (GRPA) awards: *2024 District 7 Agency of the Year - Population 80,001+* and *2024 State Agency of the Year - Population 150,001* - Assistant County Manager (Tarnacki)
- (3) Recognition of the Department of Voter Registrations and Elections and the Department of Employment Services - County Manager

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of November 7, 2024
- (2) Work Session and Executive Session of November 12, 2024

VII. Consent Agenda

- (1) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Gadwall Way, Wigeon Road, and all other property and property rights as shown on the Subdivision Plat for Westover, recorded in Plat Book 215, Pages 108 - 129, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering
- (2) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Travers Lane, Asprey Court, and all other property and property rights as shown on the Subdivision Plat for Northfield Trail, Phase 1, recorded in Plat Book 214, Pages 83 -101, Forsyth County, Georgia Records - District 3 - Director, Department of Engineering

- (3) Board ratification of the following Items that were discussed and voted on at the Work Session held on November 12, 2024 (to the extent that a Board Member was not present to vote on some of the Items presented below at the November 12, 2024 Work Session, the absent Board Member has 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 the Fiscal Year 2025 Member Prices and Fee Schedule for the Department of Senior Services - Accountant, Department of Senior Services
 - (B) Board approval of a Budget Resolution to amend the 2024 Budget in the amount of \$11,025.00 for Board Wages and Hearing Officer Fees for the Board of Equalization - Director, Department of Finance
 - (C) Board authorization for staff to apply for the Department of Homeland Security (DHS) Fiscal Year 2023 State and Local Cybersecurity Grant Program (SLCGP) in the up to amount of \$200,000.00 with a required match of \$50,000.00 for Cybersecurity Improvements - Director, Department of IS&T
 - (D) Board approval of a Workplace Solutions Cooperative Acceptance Agreement and Addendum No. 1 with Cintas Corporation No. 2 via Omnia Partners for Uniform Rental Services for the Department of Fleet Services with approval of the associated Cooperative Acceptance Agreement - Director, Department of Fleet Services
 - (E) Board authorization for Forsyth County, on behalf of the Department of Parks and Recreation, to apply for the Fiscal Year 2024 Atlanta Hawks and the Atlanta Hawks Foundation Grant in the amount of \$2,380.00 with no match required to eliminate Registration Fees for participants of the Therapeutic Recreation Program - Director, Department of Parks and Recreation
 - (F) Board approval to award Bid 24-55-5211 to Signature Tennis Courts, Inc. in the amount of \$56,215.00 for the Fowler Park Basketball to Pickleball Court Conversion for the Department of Parks and Recreation with approval of the associated Services Agreement - Director, Department of Parks and Recreation
 - (G) Board approval of a Budget Resolution to amend the 2024 Budget in the amount of \$64,681.00 for Paving and Stormwater Pond Services at the Kelly Mill Reserve for Roads and Bridges Division / Department of Engineering - Director, Department of Engineering
 - (H) Board approval to award Bid 24-53-3330 to Newterra Corporation, Inc. in the amount of \$129,887.52 for Odor Control Carbon Replacement at Water Reclamation Facilities for the Department of Water and Sewer with approval of the associated General Services Agreement - Director, Department of Water and Sewer

- (I) Board approval to award Bid 25-09-3330 to Waste Eliminator, LLC for Dewatered Sludge Removal, Hauling, and Disposal As-Needed for the Department of Water and Sewer with approval of the associated General Services Agreement - Director, Department of Water and Sewer
- (J) Board approval of a Cooperative Technical Assistance Intergovernmental Cost Sharing Agreement with the Atlanta Regional Commission committing up to \$75,000.00 per year, effective January 1, 2025 through December 31, 2027, for Technical Research, Legal Research, and Representation for Water Supply Related Issues in the Apalachicola-Chattahoochee-Flint (ACF) and the Alabama-Coosa-Tallapoosa (ACT) River Basins - Director, Department of Water and Sewer
- (K) Board approval of Task Order IDQ-032 with Lanier Contracting Company in the amount of \$415,364.52 to provide services under the Indefinite Quantity Mechanical Contractor Agreement (RFP 20-108-3340) for Improvements at the Welwyn and Woodbury Lift Stations - Deputy Director, Department of Water and Sewer
- (L) Board approval of Task Order IDQ-034 with Lanier Contracting Company in the amount of \$381,899.00 to provide services under the Indefinite Quantity Mechanical Contractor Agreement (RFP 20-108-3340) to replace the Control Valve Assembly for the Filter Backwash Supply and a section of corroded Filter Effluent Pipe at the Antioch Water Plant - Deputy Director, Department of Water and Sewer
- (M) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated Zoning Condition Amendment on ZA2203 (Chestatee Crossing, LLC) - Parcels 291-119 and 291-162 - District 4 - Mills / Levent
- (N) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated Alternate Design allowing the existing four-board fence to remain and eliminating (i) the sidewalk from the right-of-way to the main building entrance (ii) the access connections between adjacent properties and (iii) bicycle parking - Parcel 185-060 - District 4 - Mills / Levent
- (O) Board approval of a Resolution imposing a moratorium on enforcement of Section 21-12.3(K) of the Forsyth County Unified Development Code prohibiting temporary construction trailers in residential portions of the Coal Mountain Overlay - County Attorney
- (P) Board authorization for staff to proceed with the Public Hearing process regarding modifications to the Animal Control Ordinance, Ordinance 11, codified as Chapter 14 in the Forsyth County Code of Ordinances, to amend Article for "Dangerous Dogs and Vicious Dogs" - County Attorney
- (Q) Board approval of a Fee Schedule for dog permits pursuant to Animal Control Code Sec. 14-188(b) - County Attorney / Animal Services Manager, Department of Code Compliance

- (4) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of November 12, 2024 - County Clerk
- (5) Board ratification of Temporary Right of Entry in favor of Polo Club HOA on Forsyth County property at 5890 Polo Fields Parkway for purposes of limited 'staging' activity - County Attorney
- (6) Board adoption of a Proclamation declaring the month of November as *Pancreatic Cancer Awareness Month* in Forsyth County - Semanson / Hill

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the County-Initiated variance to: 1.) Reduce the front setback for lots 33-41 from 25 ft. to 20 ft. as shown on the site plan (UDC Table 11.2(a)) - Parcels 273-182, 273-183, 273-184, and 273-028 - VA240053 - District 4 - Director, Department of Planning and Community Development

IX. Public Comments

X. Old Business

- (1) Board consideration and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3846 (Mosaic Homes, LLC) by Sun Hills LLC with a variance to: 1.) Reduce the exterior buffer along the northern and western boundaries from 25 ft. to 0 ft. (UDC Table 11.2(b)) - Parcels 102-003, 102-004, 102-002, and 102-001 - AZ240033 - District 3 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on November 7, 2024; the Board voted unanimously to postpone, for decision only, to the November 21, 2024 Agenda.)
- (2) Board consideration and possible vote regarding the request for an Amendment of Zoning Conditions on ZA4034 (Surya Realty LLC) by Sun Hills LLC - Parcels 102-119, 102-075, 102-076, 102-062, and 102-005 - AZ240034 - District 3 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on November 7, 2024; the Board voted unanimously to postpone, for decision only, to the November 21, 2024 Agenda.)
- (3) Board consideration and possible vote regarding amendments to the Unified Development Code related to Incentives for Large Lots on A1 Property - Planning Manager, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on November 7, 2024; the Board voted to unanimously to postpone, for decision only, to the November 21, 2024 Agenda.)

XI. New Business

- (1) Toll Brothers, Inc. - ZA4187 - to rezone from Agricultural District (A1) and Commercial Business District (CBD) to Single Family Residential District (RES2) on 33.737 acres for 38 residential lots with a density of 1.13 units per acre with the

following variance 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)); 2.) Reduce the minimum width of each undisturbed area of separation from 50 ft. to 0 ft. (UDC 18-12.1(A)(1)); and, 3.) Increase the maximum area of disturbance in a single contiguous area from 20 acres to 25 acres (Ordinance 73, Section IV(c)(20)) - Parcel 010-018 - District 1 - Director, Department of Planning and Community Development

- (2) Grand Communities, LLC - ZA4189 - to rezone from Agricultural District (A1) and Planned Unit Development District (PUD) to Single Family Residential District (RES2) on 58.876 acres for 54 residential lots with a density of 0.92 units per acre - Parcel 047-001 - District 1 - Director, Department of Planning and Community Development
- (3) Oaktree Personal Storage, LLC - CP240004 - to operate an open storage yard with 10 parking spaces with an overall site including existing mini-warehouse self-service storage buildings totaling 12,107 sq. ft. with 5 parking spaces on 2.703 acres zoned Commercial Business District (CBD) with the following variance to: 1.) Reduce the front landscape strip adjacent to the existing asphalt and gravel only from 10 ft. to 0 ft. (UDC Table 12.2); 2.) Reduce the zoning buffer along the southern property boundary adjacent to the existing asphalt, gravel and structures only from 40 ft. to 0 ft. (UDC Table 12.2); 3.) Reduce the zoning setback along the southern property boundary adjacent to the existing structures only from 50 ft. to 19 ft. (UDC Table 12.2); and, 4.) Reduce the landscape strip along the northern property boundary adjacent to the existing asphalt and gravel only from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 180-006 - District 2 - Director, Department of Planning and Community Development
- (4) Priyanka Patel - ZA4175 - to rezone from Agricultural District (A1) to Commercial Business District (CBD) on 2.71 acres with Conditional Use Permits (CUPs) for a 5,000 sq. ft. convenience store with fuel dispensing units conducting around the clock business with 22 parking spaces and a 9,000 sq. ft. retail package liquor store/retail trade establishment with 36 parking spaces with the following variance to: 1.) Reduce the zoning buffer along the western and northern property boundaries adjacent to the loading area and the existing utility easement from 40 ft. to 0 ft. (UDC Table 12.2) - Parcel 302-006 - District 4 - Director, Department of Planning and Community Development
- (5) Forsyth County Humane Society, Inc. - ZA4188 - to rezone from Agricultural District (A1) to Commercial Business District (CBD) on 2.821 acres with a Conditional Use Permit (CUP) to build a kennel and a veterinary clinic with outdoor facilities in buildings totaling 15,520 sq. ft. with 73 parking spaces - Parcel 254-017 - District 4 - Director, Department of Planning and Community Development
- (6) Teresa Curry - CP240047 - to build a 1,869 sq. ft. minor automobile service establishment with 4 parking spaces on 0.579 acres zoned Commercial Business District (CBD) with the following variance to: 1.) Reduce the landscape strip abutting Atlanta Hwy from 20 ft. to 0 ft. (UDC 21-6.5(A)(1)); and, 2.) Reduce the landscape strip between the front property line and any vehicular use area from 10 ft. to 0 ft. (UDC 17-5.7) - Parcel C12-086 - District 5 - Director, Department of Planning and Community Development

- (7) Florina Trifu-New - CP240050 - to operate a 1,260 sq. ft. salon in an existing building with 8 parking spaces on 5.796 acres zoned Office and Institutional District (O&I) - Parcel 090-285 - District 5 - Director, Department of Planning and Community Development
- (8) MSM-Shiloh North LLC - ZA4178 - to rezone from Agricultural District (A1) to Restricted Industrial District (M1) on 13.748 acres for a 137,800 sq. ft. office/warehouse with 150 parking spaces 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); 2.) Reduce the zoning buffer along the northern property boundary adjacent to the existing structures only from 40 ft. to 0 ft. (UDC Table 14.2); 3.) Reduce the zoning setback along the northern property boundary adjacent to the existing structures only from 50 ft. to 0 ft. (UDC Table 14.2); and, 4.) Reduce the landscape strip along the northern property boundary adjacent to the existing structures only from 6 ft. to 0 ft. (UDC 14-4.13) - Parcels 062-258 and 062-020 - District 5 - Director, Department of Planning and Community Development
- (9) Board consideration of an Encroachment Agreement between Forsyth County and Francisco Benitez related to an encroachment at Tax Parcel 164-028 along the County's right of way at Bannister Road - County Attorney
- (10) Board consideration and approval of Amendment No. 2 to Contract #1202000020 with Atlas Technical Consultants, LLC in the not-to-exceed amount of \$180,000.00 for Construction Engineering and Inspection (CEI) Services through June 30, 2025 for the SR 369/400 Interchange and Widening Project (PEW29) - Transportation Project Manager, Department of Capital Projects
(Postponed from the November 12, 2024 Agenda)
- (11) Board consideration and approval of Contract Modification No. 2 between Forsyth County and the Georgia Department of Transportation (GDOT) extending the contract to March 31, 2025 for the SR 369/400 Interchange (PI 0013369) - Transportation Project Manager, Department of Capital Projects
(Postponed from the November 12, 2024 Agenda)
- (12) Board discussion on the process used on the creation of Resolutions, engagement of staff lobbying on behalf of BOC, and changing/creating policy without BOC direction - Mills / Levent

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment