

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, DECEMBER 5, 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 Forsyth County poll workers for contributions made during the 2024 Election Year - John / Hill
- (2) Recognition of the 2024-2025 Student Government Academy - County Manager

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings and Executive Session of November 21, 2024
- (2) Work Session and Executive Session of November 26, 2024

VII. Consent Agenda

- (1) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Bronte Lane, Woolf Way, Homer Drive, and all other property and property rights as shown on the Subdivision Plat for Tiberon Woods, recorded in Plat Book 215, Pages 85-103, Forsyth County, Georgia Records - District 1 - Director, Department of Engineering
- (2) Board amendment of Item previously adopted regarding District 4 Planning Commissioner (BOC Rules 3.02.01). At the Board of Commissioners' January 5, 2023 meeting, the Board approved Adrian Flack to serve the remainder terms as the District 4 Planning Commissioner, with a term to December 31, 2026. That approval needs to be amended to reflect that Flack's term will expire on December 31, 2024, in accord with UDC 4-3.2. The Clerk is authorized to place a manual "*" on the January 5, 2023 Minutes at Agenda Item 13 to cross reference to this amendment, to reflect that Flack's term expires December 31, 2024. Flack shall be entitled to all "term" provisions and allowances at UDC 4-3.2 - County Attorney
- (3) Board ratification of the following Items that were discussed and voted on at the Work Session held on November 26, 2024 (to the extent that a Board Member was

not present to vote on one of the Items presented below at the November 26, 2024 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 adoption of the 2024 Forsyth County Local Emergency Operations Plan - Director, Emergency Management Agency
- (B) Board approval of Budget Resolutions for increasing Repair and Maintenance Costs for 2024 and 2025 for County Sirens - Director, Emergency Management Agency
- (C) Board approval to enter into a Condensed Migration Assurance Plan (MAP) 2025 - 2029 with Motorola Solutions, Inc. in the amount of \$7,498,398 for upgrades and improvements to the Public Safety Radio System - Director, Emergency Management Agency
- (D) Board approval to award Quote 25-17-2410 to Think Green Lawn Services, LLC in the amount of \$7,740.00 for Lawn Weed Control and Fertilization at various Fire Stations for the Fire Department with approval of the associated Services Agreement - Fire Chief
- (E) Board authorization for Forsyth County, on behalf of the Sheriff's Office, to accept the award of the Georgia Emergency Management and Homeland Security Agency (GEMA/HS) Fiscal Year (FY) 2024 Homeland Security Grant in the amount of \$3,000.00 with no match required for veterinary care, food, and supplies for K-9 response and with approval of a Budget Resolution - Director of Business Operations, Sheriff's Office
- (F) Board approval of a Fourth Amendment to the Services Agreement with COMMONCOURTESY, INC. to increase the contractual "not to exceed" limit from \$510,000.00 to \$552,500.00 which is the budgeted amount for 2025 and increase the 2024 budgeted amount from \$468,784.00 to \$542,391.00 for a 2024 increase of \$73,607.00 and with approval of a Budget Resolution - Director, Department of Public Transportation
- (G) Board approval of the Fiscal Year 2025 Fee Schedule for the Department of Parks and Recreation - Director, Department of Parks and Recreation
- (H) Board approval to award Quote 25-03-1620 to Townley Construction Company, Inc. for Septic Tank Pumping Services As-Needed with approval of the associated General Services Agreement - Director, Department of Public Facilities
- (I) Board approval to award Quote 25-20-1620 to K.M. Davis Contracting Co., Inc. for Backflow Inspection and Testing Services As-Needed approval of the associated Service Agreement - Director, Department of Public Facilities
- (J) Board approval of a Task Order with Curbco, Inc. in the amount of

\$123,450.00 to provide services under the Concrete Repairs As-Needed Agreement (Contract 1202300026) for the Westbrook Subdivision Sidewalk Repairs - Director, Department of Engineering

- (K) Board approval of Change Order 001 to the Construction Services Agreement (Contract 1202400023) with PC Construction Company in the amount of \$248,007.00 for the Antioch Water Treatment Plant Phase 3A Expansion - Deputy Director of Planning and Engineering, Department of Water and Sewer
- (L) Board approval of Invoice A25192 with Georgia 811 Utilities Protection Center, Inc. in the amount of \$54,178.92 - Deputy Director of Planning and Engineering, Department of Water and Sewer
- (M) Board approval of Task Order No. 1 with NOVA Engineering and Environmental, LLC under the Standard Services Agreement (RFP 21-141-3150) in the amount of \$164,415.00 for Construction Material Testing and Inspection for the Fowler WRF Return Flow Phase 1 Project (Bid 24-46-1514) with approval of a Budget Resolution - Director, Department of Capital Projects
- (N) Board authorization for staff to proceed with the Public Hearing process regarding UDC amendments related to Data Centers and Clerical Edits - Planner II, Department of Planning and Community Development
- (O) Board approval of a Resolution accepting funds for road maintenance and repair and further accepting Union Station Subdivision roads into the County roadway system with approval of an associated Budget Resolution - County Attorney
- (P) Board authorization for staff to proceed with the Public Hearing process to initiate a use permit (UDC 16-2.2(D)) to allow a private telecommunications facility to locate on County property as presented - Assistant County Manager (Tarnacki) / County Attorney
- (Q) Board authorization for staff to proceed with the Public Hearing process regarding UDC amendments related to Dumpster Access and Signage within the Coal Mountain Overlay - Mills / Levent
- (4) Board adoption of a Resolution recognizing Forsyth County poll workers for contributions made during the 2024 Election Year - John / Hill
- (5) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of November 21, 2024 - County Clerk
- (6) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of November 26, 2024 - County Clerk

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3858 (Pilgrim Mill Family Partnership, LLLP) by Tipton Development LLC with a 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) - Parcels 071-031 and 071-026 - AZ240042 - District 1 - Director, Department of Planning and Community Development
- (2) Public Hearing and possible vote regarding an Alternate Design for Abernathy Development Company LLC - Parcel 105-004 - AD240019 - District 3 - Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding the County-Initiated Conditional Use Permit for Agritourism on property zoned Agricultural District (A1) - Parcel 290-008 - CP240063 - District 4 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding a revised Impact Fee Ordinance (Chapter 47 of the County Code, Ordinance 125), to add road impact fees for commercial/industrial/institutional uses, to allow for a gradual phasing in of such fees, and to allow payment of fees to be made within 18 months of building permit issuance or issuance of certificate of occupancy - County Attorney
(The first Public Hearing was held on November 7, 2024)
- (5) Public Hearing and possible vote regarding Amendment "C" to Ordinance 133, the Forsyth County Sewer Usage of ARPA Funds Ordinance - County Attorney
(The first Public Hearing was held on November 7, 2024)

IX. Public Comments

X. Old Business

- (1) Board consideration and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3046 (Godwin Land Development, LLC) by EPIC Group of Companies, LLC with the following variance to: 1.) Reduce the zoning buffer from 40 ft. to 10 ft. (UDC Table 12.2); 2.) Reduce the required number of parking spaces from 87 to 72 (UDC Table 17.1); 3.) Reduce the Pedestrian Landscape Zone from 8 ft. to 0 ft. (UDC Table 12.3); 4.) Reduce the Sidewalk Zone from 6 ft. to 0 ft. (UDC Table 12.3); and, 5.) Reduce the Façade Landscape Zone from 6 ft. to 0 ft. (UDC Table 12.3) - Parcel 184-006 - AZ240032 - District 2 - 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 December 5, 2024 Agenda.)

XI. New Business

- (1) 2637 Paradise LLC - ZA4155 - to rezone from Agricultural District (A1) to Commercial Business District (CBD) on 5.1875 acres for a retail/office/restaurant/day care center in buildings totaling 50,954 sq. ft. with 202 parking spaces with the following variance to: 1.) Increase the maximum building

height from 30 ft. to 40 ft. (UDC Table 12.2); and, 2.) Reduce the zoning buffer along the northern property boundary from 40 ft. to 25 ft. (UDC Table 12.2) - Parcel 077-085 - District 1 - Director, Department of Planning and Community Development
(Postponed from the April 18, 2024, May 16, 2024, June 6, 2024, July 18, 2024, August 15, 2024, and September 5, 2024 Agendas)

- (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
(Postponed from the November 21, 2024 Agenda)
- (3) 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
(Postponed from the November 21, 2024 Agenda)
- (4) Board discussion regarding the City of Cumming's Resolution sent to the County, signed November 6th - Levent / Mills
- (5) Board discussion and possible direction regarding Meeting Room location for Work Sessions - Levent / Mills
- (6) Board discussion and possible direction the 2024/2025 County/Chamber of Commerce Funding Agreement - Mills / Levent
- (7) Board discussion and possible direction regarding emails and digital communications from constituents to Board members - Mills / Levent

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment