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**AGENDA**  
**FORSYTH COUNTY BOARD OF COMMISSIONERS**  
**THURSDAY, SEPTEMBER 21, 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 presentation of a Proclamation declaring September 25, 2023 through September 29, 2023 as *Childhood Cancer Awareness Week* in Forsyth County - Mills / Levent

**V. Public Comments**

**VI. Adoption of Minutes**

- (1) Regular Meeting / Public Hearings of September 7, 2023
- (2) Work Session and Executive Session of September 12, 2023

**VII. Consent Agenda**

- (1) Board ratification of the following Items that were discussed and voted on at the Work Session held on September 12, 2023 (to the extent that a Board Member was not present to vote on some of the Items presented below at the September 12, 2023 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 an Agreement with The Legacy Link, Inc. in the amount of \$477,515.00 with a match of \$122,647.00 for the annual nutrition site award for Congregate and Homebound Meals, Respite, and Wellness Services - Director, Department of Senior Services
  - (B) Board approval of a Local Share Commitment Letter FY2024 with The Legacy Link, Inc. in the amount of \$14,050.00 - Director, Department of Senior Services
  - (C) Board approval to declare a presented list of Items as surplus with authorization for the Department of Procurement to dispose of same - Director, Department of Procurement
  - (D) Board approval of a Budget Resolution amending the FY 2023 Budget to reflect an unbudgeted increase in the Office Services Contract Budget with the direction for staff to prepare a cost analysis at the end of 2023 to determine if it would be better to purchase the equipment off of the lease and pay for

- maintenance of the equipment on an as-needed basis - Technical Operations Manager, Department of Information Systems Technology
- (E) Board approval of a Contract and Contract Addendum with Quench USA, Inc. in the amount of \$5,798.00 for Quench Water Services with authorization for the Chairman to sign - Director, Emergency Management Agency
  - (F) Board approval of a Budget Resolution in the amount of \$13,343.00 regarding a previously approved Maintenance Agreement with Motorola - Director, Emergency Management Agency
  - (G) Board approval of a Professional Services Agreement with Medical Priority Consultants, Inc. dba Priority Dispatch Corp. in the amount of \$312,904.52 with approval of a Budget Resolution - Director, Emergency Management Agency
  - (H) Board approval of a quote from Westbroad Flooring in the amount \$28,750.00 regarding painting of the Public Safety and 911 Call Center - Director, Emergency Management Agency
  - (I) Board authorization to renew the Cellhawk Investigator Subscription with LeadsOnline LLC in the amount of \$3,085.00 with authorization for the County Manager to execute documents in furtherance of the same - Fire Chief
  - (J) Board authorization for the Fire Department to apply for the FY2023 Firehouse Subs Public Safety Foundation Grant in the amount of \$30,510.00 with no match requirements - Fire Chief
  - (K) Board approval of Basic, Supplemental Life, and Accidental Death & Dismemberment Insurance Program with Standard Insurance Company for plan year 2024 with authorization for the Plan Administrator to execute necessary documents - Director, Department of Employment Services
  - (L) Board approval of Short & Long Term Disability Insurance Program Alternative II, as presented, with Standard Insurance Company for plan year 2024 with authorization for the Plan Administrator to execute necessary documents - Director, Department of Employment Services
  - (M) Board approval of Employee Dental Insurance Program Alternative I, as presented, with Delta Dental for plan year 2024 with authorization for the Plan Administrator to execute necessary documents - Director, Department of Employment Services
  - (N) Board approval of Vision Insurance Program with Aetna Preferred Vision (supported by EyeMed) and to establish the Employee Contribution Rates for plan year 2024 with authorization for the Plan Administrator to execute necessary documents - Director, Department of Employment Services
  - (O) Board approval of Voluntary Critical Illness and Accidental Insurance with SunLife for plan year 2024 with authorization for the Plan Administrator to execute necessary documents - Director, Department of Employment Services
  - (P) Board approval of Flexible Spending, COBRA, and Direct Billing Administration services with TASC for plan year 2024 with authorization for

- the Plan Administrator to execute necessary documents - Director, Department of Employment Services
- (Q) Board approval to renew Employee fully-insured health insurance plan option Alternative I, as presented, with Kaiser Permanente and to set the rate for Employee Premium Contributions for Plan Year 2024 with authorization for the Plan Administrator to execute necessary documents - Director, Department of Employment Services
  - (R) Board authorization for the Department of Parks and Recreation to apply for the Georgia Department of Natural Resources (DNR) 2023 - 2024 Georgia Outdoor Stewardship Program (GOSP) grant in the amount of \$3,000,000.00 with a match in the amount of \$1,000,000.00 for a total amount of \$4,000,000.00 to repair a section of the Big Creek Greenway Trail with authorization for the Chairman to sign a letter supporting submission of the application - Director, Department of Parks and Recreation
  - (S) Board approval to award Bid 23-033-1620 to K-Team Engineering & Construction, Inc. in the amount of \$618,597.00 regarding Renovation of the Tag Office for the Department of Public Facilities with approval of the associated Fixed Pricing Agreement and with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Public Facilities
  - (T) Board approval to award Bid 23-037-1620 to Inergy Solutions, LLC in the amount of \$61,555.00 for the Replacement of Parking Lot and Walkway Lights at Central Park for the Department of Public Facilities - Director, Department of Public Facilities
  - (U) Board approval to award RFP 23-016-3340 to PC Construction Company in the amount of \$20,161,000.00 for the Antioch Water Treatment Plant Phase 3A Expansion for the Department of Water and Sewer with approval of associated agreement with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Water and Sewer
  - (V) Board approval of a Task Order with NOVA Engineering and Environmental, LLC in the amount of \$59,958.00 for Construction Materials Testing and Special Inspection Services of the Antioch Water Treatment Plant Phase 3A Expansion for the Department of Water and Sewer with authorization for the County Manager to execute documents in furtherance of same - Director, Department of Water and Sewer
  - (W) Board approval of a Sole Source Purchase with Cues, Inc. in the amount of \$49,485.00 for one new Cues OZIII Camera and Transporter for the Department of Water and Sewer - Director, Department of Water and Sewer
  - (X) Board approval of a Sole Source Purchase with JWC Environmental, LLC in the amount of \$100,291.98 for two Channel Monster Grinder Units for the Department of Water and Sewer - Director, Department of Water and Sewer
  - (Y) Board authorization for the Department of Engineering to apply for Phase 1 of the FY23 Strengthening Mobility and Revolutionizing Transportation (SMART) Grants Program in the amount of \$750,000.00 with no match requirement - Assistant Director, Department of Engineering

- (Z) Board approval to award Bid 23-025-3150 to Blount Construction Company, Inc. in the amount of \$5,995,160.92 for the 2023 Road Resurfacing Project for the Department of Engineering with approval of the associated Fixed Pricing Agreement and a Budget Resolution and with authorization for the County Manager to execute documents in furtherance of same - Assistant Director, Department of Engineering
- (AA) Board approval of Change Order #6 with Backbone Infrastructure, LLC in the amount of \$43,159.12 for the Shiloh Road and Shiloh Road East Roundabout (PE139) - Transportation Project Manager, Department of Capital Projects
- (BB) Board approval of Change Orders #12 & #13 with G.P.'s Enterprises, Inc. in the amount of \$411,223.55 for the construction of the Ronald Reagan Boulevard Extension - Transportation Project Manager, Department of Capital Projects
- (CC) Board approval of Task Order 1 with BCC Engineering, LLC dba Heath & Lineback in the not-to-exceed amount of \$86,715.00 regarding the Big Creek Greenway Engineering As-Needed Services Agreement - Transportation Project Manager, Department of Capital Projects
- (DD) Board approval of Task Order 2 with BCC Engineering, LLC dba Heath & Lineback in the not-to-exceed amount of \$139,285.00 regarding the Big Creek Greenway Engineering As-Needed Services Agreement - Transportation Project Manager, Department of Capital Projects
- (EE) Board approval of Change Order #002 with Cooper & Company General Contractors, Inc. in the amount of \$100,807.87 regarding additional work for the new Central Park Recreation Center Addition (Contract 1202200026) - Vertical Capital Projects Manager, Department of Capital Projects
- (FF) Board authorization for County staff to proceed with the Public Hearing process regarding amendments to the Unified Development Code related to Incentives for Large Lots within Chapters 11 and 15, to include removing the 20-lot maximum and investigating other incentivization options - Mills / Hill
- (GG) Board approval of a Utility and Access Easement between Forsyth County and the Forsyth County Water and Sewerage Authority related to the former Parkstone Water Reclamation Facility - County Attorney
- (2) Board adoption of a Proclamation declaring September 25, 2023 through September 29, 2023 as *Childhood Cancer Awareness Week* in Forsyth County - Mills / Levent
- (3) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of September 12, 2023

### **VIII. Public Hearings**

- (1) Public Hearing and possible vote regarding proposed amendments to the Forsyth Animal Control Ordinance, otherwise known as Forsyth County Ordinance 11 or Chapter 14 of the Forsyth County Code of Ordinances, to modify certain definitions; to amend provisions for the ownership, care, control of animals; to amend regulations related to animal disturbing the peace; to amend definitions of animal under restraint and animal at large; to provide for the disposal of deceased animals; to amend provisions related to the impoundment of animals; to add provisions related to

offenses involving unsterilized animals; to outline regulations for the breeding of dogs, cats, and domestic rabbits; to provide requirements for the transfer of dogs, cats, and domestic rabbits; to set requirements for transfers of animals for consideration; to establish a registry for litters of dogs, cats, and domestic rabbits; to define pet vendors and the requirements related to same; to amend provisions related to violation and enforcement of the ordinance, including requirements for sterilization of animals upon repeat offenses or repeat impoundments; and for other purposes -  
County Attorney

- (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

**(Postponed from the May 4, 2023, June 15, 2023, and July 20, 2023 Agendas)**

- (3) Public Hearing and possible vote regarding the approval of a Sketch Plat for Castleberry Village, LLC with the following variances to: 1.) Reduce the zoning buffer along the southern property boundary adjacent to tax map/parcel 128-071 from 40 ft. to 25 ft. (UDC Table 12.2); 2.) Reduce the zoning setback along the southern property boundary adjacent to tax map/parcel 128-071 from 50 ft. to 25 ft. (UDC Table 12.2); 3.) Reduce the zoning buffer along the eastern property boundary adjacent to tax map/parcels 128-071 and 128-068 from 40 ft. to 10 ft. (UDC Table 12.2); 4.) Reduce the zoning setback along the eastern property boundary adjacent to tax map/parcels 128-068 and 128-071 from 50 ft. to 10 ft. (UDC Table 12.2); 5.) Reduce the side setback adjacent to tax map/parcel 128-067 from 10 ft. to 0 ft. (UDC Table 12.2); 6.) Reduce the side landscape strip adjacent to tax map/parcel 128-067 from 10 ft. to 0 ft. (UDC 12-10.15); and, 7.) Increase the maximum number of parking spaces from 25 to 29 (UDC 17-2.7) - Parcel 128-558 - SP230003 - District 5 - Director, Department of Planning and Community Development

**(Postponed from the August 3, 2023 and September 7, 2023 Agendas)**

## **IX. Public Comments**

## **X. Old Business**

- (1) Northpoint Capital Investment Holdings LLC - ZA4017 - to rezone from Agricultural District (A1), Neighborhood Shopping District (NS), and Single Family Residential Restricted District (R2R) to Master Planned District (MPD) on 140.588 acres for 284 residential lots and 120 attached residential units with a density of 2.88 units per acre and commercial buildings totaling 88,000 sq. ft. with 359 parking spaces - Parcels 041-535, 062-016, 062-014, 062-015, 041-203, 041-075, and 062-002 - District 3 - Director, Department of Planning and Community Development  
**(Postponed from the May 18, 2023 Agenda. During the June 15, 2023 Regular Meeting / Public Hearings, the Board voted unanimously to postpone its decision regarding this Item to the Regular Meeting / Public Hearings of July 20, 2023; postponed from the July 20, 2023 and August 17, 2023 Agendas.)**

- (2) 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, and August 17, 2023 Agendas.)**

**XI. New Business**

- (1) Browns Bridge Road One, LLC - CP220056 - to operate a 15,241 sq. ft. minor automobile service establishment and new and used vehicle sales dealership in an existing building with 18 parking spaces on 1.511 acres currently zoned Commercial Business District (CBD) with the following variance to: 1.) Increase the percentage of vehicles visible along the road frontage from 30% to 100% (UDC 12-10.9); 2.) Reduce the landscape strip adjacent to all side and rear lots or lease lines from 10 ft. to 0 ft. (UDC 12-10.15); 3.) Reduce the required paved surface for the display of used vehicles from 1 acre to 0.137 acres (UDC 16-4.37(G)(1)); 4.) Reduce the required number of parking spaces from 83 to 18 (UDC Table 17.1); 5.) Reduce the front landscape strip for existing parking only from 20 ft. to 11 ft. (UDC 21-12.5(B)(2)); and, 6.) Increase the maximum percentage of chain link fencing in a front yard from 25% to 39% (UDC 12-10.19(B)) - Parcel 256-147 - District 4 - Director, Department of Planning and Community Development  
**(Postponed from the September 7, 2023 Agenda)**

**X. Old Business (continued)**

- (3) Board consideration and possible vote regarding the request for an Alternate Design for Browns Bridge Road One, LLC - Parcel 256-147 - AD230006 - District 4 - Director, Department of Planning and Community Development  
**(A Public Hearing was held before the Board of Commissioners on September 7, 2023; the Board voted unanimously to postpone, for decision only, to the September 21, 2023 Regular Meeting / Public Hearings.)**

**XI. New Business (continued)**

- (2) Cumming Terra Firma LLC - ZA4131 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 11.6557 acres for 15 residential lots with a density of 1.29 units per acre - Parcel 077-084 - District 1 - Director, Department of Planning and Community Development
- (3) MKW Capital, LLC - ZA4113 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 40.427 acres for 50 residential lots with a density of 1.24 units per acre with a variance to: 1.) Reduce the required landscape strip abutting Pittman Road to 0 ft. (UDC 11-9.6(J)(1)) and (UDC 21-10.5); 2.) Reduce the exterior buffer abutting Pittman Road from 40 ft. to 0 ft. (UDC 11-9.6(J)(1)); 3.) 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)); and, 4.) Reduce the minimum width of each undisturbed area of separation from 50 ft. to 0 ft. (UDC 18-12.1(A)(1)) - Parcels 080-264, 080-265, and 080-009 - District 3 - Director, Department of Planning and Community Development  
**(Postponed from the August 17, 2023 and September 7, 2023 Agendas)**
- (4) EC New Vision Georgia, LLC - ZA4132 - to rezone from Agricultural District (A1) to Single Family Residential District (RES3) on 68.012 acres with a Conditional Use Permit (CUP) for Senior Independent Living with 102 residential lots with a density of 1.50 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)); and, 2.) Reduce the minimum width of each undisturbed area of separation from 50 ft. to 0 ft. (UDC 18-12.1(A)(1)) - Parcel 015-009 - District 3 - Director, Department of Planning and Community Development

- (5) Ron Eckland - CP230016 - to operate a 2,175 sq. ft. short-term rental in an existing building for 6 overnight guests with 2 parking spaces on 2.867 acres currently zoned Agricultural District (A1) - Parcel 168-047 - District 4 - Director, Department of Planning and Community Development
- (6) First Light, LLC - ZA4125 - to rezone from Agricultural District (A1) and Commercial Business District (CBD) to Mixed-Use Center District (MCD) on 31.055 acres for a 6,008 sq. ft. convenience store with gas pumps conducting around the clock business with 31 parking spaces, a 120,000 sq. ft. climate controlled self-service storage facility with 20 parking spaces, commercial buildings totaling 61,400 sq. ft. conducting around the clock business with 209 parking spaces, light industrial buildings totaling 83,000 sq. ft. conducting around the clock business with 210 parking spaces and an open storage yard with a variance to: 1.) Reduce the zoning buffer along the northern and eastern property boundaries from 40 ft. to 25 ft. (UDC 20B-2.3(A)(4)) - Parcels 236-041 and 236-040 - District 4 - Director, Department of Planning and Community Development  
**(Postponed from the August 17, 2023 and September 7, 2023 Agendas)**
- (7) Loni Richards - CP230019 - to operate a 2,999 sq. ft. massage parlor in an existing building with 10 parking spaces on 39.5592 acres currently zoned Commercial Business District (CBD) - Parcel 107-034 - District 5 - Director, Department of Planning and Community Development
- (8) Karma Properties Holdings LLC - ZA4123 - to rezone from Agricultural District (A1) and Commercial Business District (CBD) to Commercial Business District (CBD) on 10.03 acres with a Conditional Use Permit (CUP) for a 76,794 sq. ft. hotel with 144 parking spaces with the following variance to: 1.) Reduce the Pedestrian Landscape Zone on a portion of the west side of the hotel on outparcel 3 from 8 ft. to 0 ft. (UDC Table 12.3); 2.) Reduce the Sidewalk Zone on a portion of the west side of the hotel on outparcel 3 from 6 ft. to 0 ft. (UDC Table 12.3); 3.) Reduce the Façade Landscape Zone on a portion of the west side of the hotel on outparcel 3 from 6 ft. to 0 ft. (UDC Table 12.3); and, 4.) Increase the maximum building height from 50 ft. to 60 ft. (UDC Table 12.2) - Parcels 107-012, 107-036, and 107-011 - District 5 - Director, Department of Planning and Community Development
- (9) G.E. Industrial Solutions, Inc. - ZA4127 - to rezone from Commercial Business District (CBD) to Restricted Industrial District (M1) on 3.7739 acres for a 42,300 sq. ft. office/warehouse with 51 parking spaces with the following variance to: 1.) Reduce the zoning buffer along the eastern property boundary from 40 ft. to 20 ft. (UDC Table 14.2) - Parcel 084-045 - District 5 - Director, Department of Planning and Community Development
- (10) Board consideration and approval of Employee self-insured health insurance plans to be administered by Aetna and to set employee contribution rates for plan year 2024 - Director, Department of Employment Services  
**(During the Work Session held on September 12, 2023, the Board voted 3-2 (Commissioners John, Semanson, and Hill in favor; Commissioners Mills and Levent opposed) to approve Employee self-insured health insurance plans to be administered by Aetna and to set employee contribution rates as presented in Alternative II for plan year 2024 with authorization for the Plan Administrator to execute necessary documents.)**

**XII. Recess Regular Meeting**

**XIII. Executive Session (if needed)**

**XIV. Adjournment**