

**AGENDA**  
**FORSYTH COUNTY BOARD OF COMMISSIONERS**  
**THURSDAY, DECEMBER 19, 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 Resolutions recognizing the following for obtaining the rank of Eagle Scout: Harrison Baggaly; Scotty Ferber; and, Alexander Robert Grigorian - Board of Commissioners
- (2) Presentation of *Retirement Award* to Peter Johnston - County Manager

**V. Public Comments**

**VI. Adoption of Minutes**

- (1) Regular Meeting / Public Hearings of December 5, 2024
- (2) Work Session of December 10, 2024

**VII. Consent Agenda**

- (1) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Setting Down Creek Drive, Surprise Lane, Jumping Trout Drive, and all other property and property rights as shown on the Subdivision Plat for Conner Farm Phase 2, recorded in Plat Book 214, Pages 203-215, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering
- (2) Board acceptance of Right of Way as County-maintained with a speed limit of 25 MPH on Carruthers Way, Waggamon Way, and all other property and property rights as shown on the Subdivision Plat for Ellorie Estates Phase 2, recorded in Plat Book 215, Pages 240-254, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering
- (3) Board authorization for the Forsyth County Board of Commissioners to advertise, schedule, and conduct a visioning, policy, and strategic planning retreat on January 30-31, 2025 in Walker County, Georgia at McLemore Conference Center (details will be advertised per the Open Meetings Act), to include ratification of the Resort Retreat Agreement - Board of Commissioners

- (4) Board ratification of the following Items that were discussed and voted on at the Work Session held on December 10, 2024 (as anticipated by Board Rule 1.07.01):
- (A) Board approval to award Quote 25-13-2410 to Municipal Emergency Services, Inc. in the amount of \$11,500.00 for Testing and Repairs of Self-Containing Breathing Apparatus for the Fire Department with approval of the associated General Services Agreement - Fire Chief
  - (B) Board approval to award Quote 25-22-2920 to Loudoun Communications, Inc. in the amount of \$15,525.00 for maintenance on the Outdoor Severe Weather Warning Sirens for the Emergency Management Agency with approval of the associated General Services Agreement - Director, Emergency Management Agency
  - (C) Board authorization for Forsyth County, on behalf of the Sheriff's Office, to accept the award of the Criminal Justice Coordinating Council's (CJCC) FY2024 Victims of Crime Act (VOCA) Grant Program in the amount of \$46,451.00 with no required match for the Victim Advocate Unit with approval of a Budget Resolution - Director of Business Operations, Sheriff's Office
  - (D) Board approval to renew various Annual Agreements for the calendar year 2025 as presented - Director, Department of Procurement
  - (E) Board approval to reappoint Jerry Bowman as the Neutral Representative to the Civil Service Board for a four-year term to begin on November 12, 2024 and expire on November 11, 2028 - Director, Department of Employment Services
  - (F) Board approval to award Quote 25-02-3410 to CAR Industries of Georgia II, LLC for Equipment Repair Services As-Needed for the Department of Recycling and Solid Waste with approval of the associated General Services Agreement - Manager of Environmental Programs, Department of Recycling and Solid Waste
  - (G) Board approval to award Bid 25-01-5211 to Outdoor Home Services GP, LLC dba TruGreen Limited Partnership for Irrigation Maintenance and Repair As-Needed for the Department of Parks and Recreation with approval of the associated General Services Agreement - Deputy Director, Department of Parks and Recreation
  - (H) Board approval to award Bid 25-01-5211 to Yellowstone Landscape-Southeast, LLC for Irrigation Maintenance and Repair As-Needed for the Department of Parks and Recreation with approval of the associated General Services Agreement - Deputy Director, Department of Parks and Recreation
  - (I) Board approval to award Quote 25-38-5211 to United Site Services of Florida, LLC for Portable Toilet Rentals As-Needed for the Department of

Parks and Recreation with approval of the associated General Services Agreement - Deputy Director, Department of Parks and Recreation

- (J) Board approval to enter into an Agreement with Kaizen Laboratories, Inc. via Omnia Partners Cooperative, Contract #23-6692-03, for Reservation Management Software Services with approval of the associated Order Form - Deputy Director, Department of Parks and Recreation
- (K) Board approval of Change Order #1 with Vertical Earth, Inc. in the amount of \$12,240.00 for Replacement of 114 linear feet of Curb and Gutter Removal and Replacement regarding the Courthouse Annex Parking Lot Resurfacing and Restriping Project - Director, Department of Public Facilities
- (L) Board approval of Change Order #2 with Vertical Earth, Inc. in the amount of \$102,494.20 for Removal and Replacement of Unsuitable Soils regarding the Courthouse Annex Parking Lot Resurfacing and Restriping Project - Director, Department of Public Facilities
- (M) Board approval to award Quote 25-08-1500 to Wind River Environmental, LLC for Grease Trap Pumping Services As-Needed for the Department of Public Facilities with approval of the associated General Services Agreement - Director, Department of Public Facilities
- (N) Board approval to award Quote 25-23-1620 to Cliff's Fire Extinguisher Co., Inc. in the amount of \$8,900.00 for Fire Sprinkler Inspection and Repairs for the Department of Public Facilities with approval of the associated General Services Agreement - Director, Department of Public Facilities
- (O) Board authorization for staff to proceed with the Public Hearing process regarding a County-Initiated rezoning from M1 to CBD at location 2110 Keith Bridge Road and 2120 Keith Bridge Road - Parcel 192-186 - Hill / John
- (5) Board adoption of Resolutions recognizing the following for obtaining the rank of Eagle Scout: Harrison Baggary; Scotty Ferber; and, Alexander Robert Grigorian - Board of Commissioners

## **VIII. Public Hearings**

- (1) Public Hearing and possible vote regarding the request for a renewal of an Alcohol License to Sell Malt Beverages (beer), Wine, and Distilled Spirits by the Package on the Premises for Vighnaharta 2, LLC dba Sip Wine & Spirits located at 3915 Towne Club Pkwy Suite C - Named Licensee is Nima Amin - AL03412 - District 2 - Business License Manager, Department of Business License
- (2) Public Hearing and possible vote regarding the request for a renewal of an Alcohol License to Sell Malt Beverages (beer), Wine, and Distilled Spirits by the Package on the premises for Anika Corp. dba Forsyth World of Beverage located at 3535 Peachtree Pkwy - Named Licensee is Anwar Ali - AL03497 - District 2 - Business License Manager, Department of Business License

- (3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA4118 (Heavy Equipment Real Estate, LLC) by Heavy Equipment Real Estate, LLC - Parcel 192-186 - AZ240037 - District 1 - Director, Department of Planning and Community Development
- (4) Public Hearing and possible vote regarding an Alternate Design for Teresa Curry - Parcel 184-439 - AD240017 - District 2 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding the County-Initiated request for an Amendment of Zoning Conditions on ZA2203 (Chestatee Crossing) by Forsyth County Board of Commissioners - Parcels 291-164 and 291-119 - AZ240044 - District 4 - Director, Department of Planning and Community Development
- (6) Public Hearing and possible vote regarding an Alternate Design for Godley Group of Atlanta, LLC with the following variance to: 1.) Increase the lighting under canopies from 30 foot-candles to 40 foot-candles (UDC 21-6.5(M)(3)) - Parcels 107-006, 107-005, and 106-080 - AD240006 - District 5 - Director, Department of Planning and Community Development  
(Postponed from the October 17, 2024 Agenda)
- (7) Public Hearing and possible vote regarding the County-Initiated request to rezone from Agricultural District (A1) and Single Family Residential District (R1) to Restricted Industrial District (M1) with a variance to: 1.) Reduce the minimum number of required parking spaces from 467 to 415 (UDC 21-6.5(D)(1)) - Parcels 107-006, 107-053, 107-005, and 106-080 - ZA4203 - District 5 - Director, Department of Planning and Community Development
- (8) Public Hearing and possible vote for approval of an Alternate Design for Forsyth County Board of Commissioners - Parcels 106-080, 107-005, 107-006, and 107-053 - AD240022 - District 5 - Director, Department of Planning and Community Development
- (9) Public Hearing regarding a proposed amendment to the Forsyth County Animal Control Ordinance that will eliminate the section on Vicious Animals under Article II and amend Article V, Dangerous Dogs and Vicious Dogs - County Attorney  
(This is the first of two required Public Hearings)

**IX. Public Comments**

**X. Old Business**

**XI. New Business**

- (1) Heavy Equipment Real Estate, LLC - CP240055 - to operate an open storage yard with 50 parking spaces and build a vehicle sales dealership in a 32,505 sq. ft. building with an overall site including a wholesale trade establishment and a minor automobile service establishment with 36 parking spaces and a 2,800 sq. ft. closed

- loop wash system on 9.94 acres zoned Restricted Industrial District (M1) with the following variance to: 1.) Reduce the required number of parking spaces from 109 to 36 (UDC Table 17.1); and, 2.) Reduce the required paved surface for the display of used vehicles from 1 acre to 0.2 acres (UDC 16-4.37(G)(1)) - Parcel 192-186 - District 1 - Director, Department of Planning and Community Development
- (2) Clean Eagle RNG, LLC - ZA4191 - to rezone from Mining Operations District (MINE) to Agricultural District (A1) on 32.16 acres with a Conditional Use Permit (CUP) to build an 880 sq. ft. methane to energy conversion facility and associated utility substation located adjacent to or contiguous with a MSW waste reclamation facility with 5 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); and, 2.) Increase the maximum building height for the thermal oxidizer and flare only from 30 ft. to 65 ft. (UDC Table 15.2) - Parcel 001-004 - District 1 - Director, Department of Planning and Community Development
- (3) Teresa Curry - CP240040 - to build a 1,869 sq. ft. minor automobile service establishment with 7 parking spaces with an overall site including a 1,500 sq. ft. drive-through restaurant with 17 parking spaces on 0.974 acres zoned Commercial Business District (CBD) - Parcel 184-439 - District 2 - Director, Department of Planning and Community Development
- (4) Yijin Liu - CP240053 - to operate a 1,324 sq. ft. personal service establishment (tutoring) in an existing building with 5 parking spaces on 0.03 acres zoned Office and Institutional District (O&I) - Parcel 138-475 - District 2 - Director, Department of Planning and Community Development
- (5) Cory Harmon - CP240034 - to build an 1,875 sq. ft. motel with 4 parking spaces, a 14,400 sq. ft. courtyard self-service storage facility with 2 parking spaces, a 625 sq. ft. residence for a caretaker and to operate a minor automobile service establishment and a retail trade establishment in an existing 2,400 sq. ft. building with 8 parking spaces on 3.421 acres zoned Commercial Business District (CBD) with the following variance to: 1.) Reduce the separation distance between self-service storage businesses from 3/4 mile to 2/3 mile (UDC 16-4.31(G)); 2.) Reduce the front setback adjacent to the existing structure only from 40 ft. to 25 ft. (UDC Table 12.2); 3.) Reduce the front landscape strip from 10 ft. to 5 ft. (UDC Table 12.2); 4.) Reduce the required number of amenities for a motel from 2 to 0 (UDC 16-4.16(A)); 5.) Reduce the landscape strip between the front property line and any vehicular use area from 10 ft. to 5 ft. (UDC 17-5.7); and, 6.) Reduce the setback from the right-of-way to the parking area from 10 ft. to 5 ft. (UDC 12-10.8) - Parcel 294-006 - District 4 - Director, Department of Planning and Community Development
- (6) Verde Landscaping LLC - CP240048 - to operate a contractor's establishment in existing buildings totaling 1,980 sq. ft. with 6 parking spaces on 0.902 acres zoned Highway Business District (HB) with the following variance to: 1.) Reduce the zoning buffer along the eastern property boundary adjacent to the existing asphalt, structure and septic only from 40 ft. to 6 ft. (UDC Table 12.2); 2.) Reduce the setback abutting Bannister Road adjacent to the existing structure only from 40 ft. to 0 ft. (UDC Table 12.2); 3.) Reduce the zoning setback along the eastern property boundary adjacent to the existing structures only from 50 ft. to 34 ft. (UDC Table 12.2); 4.) Reduce the landscape strip abutting Bannister Road and Bagby Lane adjacent to the existing structure and asphalt only from 20 ft. to 0 ft. (UDC 21-12.5(B)(2)); and, 5.) Eliminate

the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18) - Parcel 164-028 - District 4 - Director, Department of Planning and Community Development

- (7) Sara York - CP240052 - to operate a 558 sq. ft. kennel (boarding and training) with an overall site including an existing 2,760 sq. ft. detached single family residence with 3 parking spaces on 2.76 acres zoned Agricultural District (A1) with the following variance to: 1.) Reduce the setback along the southern property boundary adjacent to the existing structure only from 25 ft. to 6 ft. (UDC Table 15.2); 2.) Reduce the setback along the northern property boundary adjacent to the existing structure only from 25 ft. to 13 ft. (UDC Table 15.2); 3.) Reduce the buffer along the southern property boundary adjacent to the existing structure only from 25 ft. to 6 ft. (UDC Table 15.2); 4.) Reduce the buffer along the northern property boundary from 25 ft. to 0 ft. (UDC Table 15.2); 5.) Eliminate the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18); 6.) Reduce the setback along the eastern property boundary adjacent to the existing structure only from 25 ft. to 2 ft. (UDC Table 15.2); and, 7.) Reduce the buffer along the eastern property boundary adjacent to the existing structure only from 25 ft. to 2 ft. (UDC Table 15.2) - Parcel 185-060 - District 4 - Director, Department of Planning and Community Development
- (8) 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  
**(Postponed from the November 21, 2024 Agenda)**
- (9) Best Supply, Inc. - CP240056 - to operate an open storage yard with an overall site including a 20,000 sq. ft. wholesale trade establishment/office/warehouse in an existing building with 38 parking spaces on 2.419 acres zoned Restricted Industrial District (M1) with the following variance to: 1.) Reduce the landscape strip abutting Industrial Park Boulevard adjacent to the existing parking only from 25 ft. to 20 ft. (UDC Table 14.2) - Parcel 131-045 - District 5 - Director, Department of Planning and Community Development
- (10) Danielle Lookadoo Young - CP240057 - to operate a 1,269 sq. ft. salon in an existing building with 8 parking spaces on 5.796 acres zoned Office and Institutional District (O&I) - Parcel 090-290 - District 5 - Director, Department of Planning and Community Development
- (11) Godley Group of Atlanta, LLC - ZA4160 - to rezone from Agricultural District (A1) and Single Family Residential District (R1) to Commercial Business District (CBD) on 18.383 acres for a 155,000 sq. ft. indoor commercial recreational facility with 380 parking spaces with the following variance to: 1.) Reduce the stream buffer from 50 ft. to 0 ft. (UDC 18-11.2(A)); 2.) Reduce the impervious setback from 75 ft. to 0 ft. (UDC 18-11.2(B)); and, 3.) Reduce the minimum number of required parking spaces from 465 to 380 (UDC 21-6.5(D)(1)) - Parcels 106-080, 107-006, and 107-005 -

District 5 - Director, Department of Planning and Community Development  
(Postponed from the October 17, 2024 Agenda)

- (12) Board consideration of an Encroachment Agreement between Forsyth County and Francisco Benitez related to an Encroachment at Parcel 164-028 along the County's right of way at Bannister Road - County Attorney
- (13) Presentation regarding Scope of Services related to Forensic Construction and Financial Audit/Investigation of the S.R. 369/Exit 18 Bridge Construction and the S.R. 369 Widening Project - County Manager  
(As directed by the Board of Commissioners during the Work Session of December 10, 2024)
- (14) Board consideration and approval of the Workers' Compensation Excess Insurance Policy renewal with Gallagher for Fiscal Year 2025 - Director, Department of Employment Services
- (15) Board consideration and authorization to accept the Georgia Department of Behavioral Health and Developmental Disabilities (DBHDD) Fiscal Year 2024 Georgia Opioid Crisis Abatement Trust Award in the amount of \$1,008,230.40 with a required match of \$430,000.00 conditional upon review and approval of the final contract to provide youth substance abuse prevention counseling and prevention education - Chief Financial Officer
- (16) Board consideration and approval of a Resolution Appointing Cindy Henderson as the Interim Clerk to the Board of Commissioners - County Manager

**XII. Recess Regular Meeting**

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

**XIV. Adjournment**