

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, FEBRUARY 20, 2025 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

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of February 6, 2025
- (2) Work Session and Executive Session of February 11, 2025

VII. Consent Agenda

- (1) Board approval of Memorandums of Understanding for contractors to provide treatment services, substance screening, and home searches (Joe Stapp, Debbie Kreitner, John Crane, Faith Fanning, Jimmy DelValle, Jerry Kelley, Chrissy Barber, Stacey Edwards, Nathan Burks, Amanda Clack) with authorization for the Chair to execute all related documents - Director, Forsyth County Accountability Courts
- (2) Board ratification of the following items that were discussed and voted on at the Work Session held on February 11, 2025 (as anticipated by Board Rule 1.07.01):
 - (A) Board approval of Addendum No. 1 to the FY 2024-2025 Agreement between The Legacy Link, Inc. and Forsyth County regarding a change in award with an increase of \$42,010 to the Nutrition Site and Respite Program awards – Interim Assistant Manager, Department of Senior Services
 - (B) Board authorization to accept the award of the Georgia Emergency Management and Homeland Security Agency Hazard Mitigation Grant Program (HMPG) in the amount of \$1,516,777.50 with a required match of \$505,592.50 for the purchase and installation of three (3) fixed generators, with approval of a budget resolution and authorization for the Finance Director to sign programmatic and financial documents - Director, Emergency Management Agency
 - (C) Board approval of "fee schedule" regarding Dangerous Dog Classification -

Animal Services Manager, Department of Animal Services

- (D) Board approval to award Bid 24-59-1620 to Greater Georgia Contracting, Inc. in the amount of \$38,387.00 for Code Compliance Office Renovations for the Department of Public Facilities with approval of the associated Construction Services Agreement - Director, Department of Public Facilities
- (E) Board approval to award Bid 24-60-1620 to Pencor, LLC for the Matt Schoolhouse Renovation in the amount of \$2,418,765.00 for the Department of Public Facilities with approval of the associated Services Agreement - Director, Department of Public Facilities
- (F) Board authorization to apply to the Criminal Justice Coordinating Council (CJCC) FY 2026 State of Georgia Accountability Court Funding Program Grant not to exceed the amount of \$70,000.00, with a required 15% match of \$12,352.94 for the Mental Health Court (CARE Program) - Director, Accountability Courts
- (G) Board authorization to apply to the Criminal Justice Coordinating Council (CJCC) FY 2026 State of Georgia Accountability Court Funding Program Grant not to exceed the amount of \$95,000.00 with a required 15% match of \$16,764.71 for the DUI Court- Director, Accountability Courts
- (H) Board authorization to apply to the Criminal Justice Coordinating Council (CJCC) FY 2026 State of Georgia Accountability Court Funding Program Grant not to exceed the amount of \$200,000.00 with a required 15% match of \$35,294.12 for the Adult Drug Court - Director, Accountability Courts
- (I) Board approval to award Quote 25-46-3401 to Self Recycling, Inc. in the not to exceed amount of \$10,000.00 for calendar year 2025 for Scrap Metal Pick Up As Needed for the Department of Solid Waste and Recycling with approval of the associated General Services Agreement – Manager of Environmental Programs, Solid Waste and Recycling
- (J) Board approval to award Quote 25-45-3401 to Safety-Kleen Systems Inc. in the not to exceed amount of \$10,000.00 for calendar year 2025 for Removal and Recycling of used motor oil, oil filters, and antifreeze for the Department of Solid Waste and Recycling with approval of the associated General Services Agreement – Manager of Environmental Programs, Department of Solid Waste and Recycling
- (K) Board approval to award Quote 25-47-3401 to Sustainable Stormwater LLC. in the amount of \$12,000.00 per cut for calendar year 2025 for Landscaping Maintenance for the Department of Solid Waste and Recycling with approval of the associated General Services Agreement – Environmental Scientist Manager, Department of Solid Waste and Recycling
- (L) Board approval of Task Order No. 6 with Jacobs Engineering Group Inc. under the Roadway and Connectivity/Pedestrian Project Management Services As-Needed Services Agreement (RFP 22-010-1620) in the amount

of \$1,329,357.00 for project management support and Right-of-Way Acquisition services for Post Rd Widening from Kelly Mill Rd to SR 20 (PEW33/GDOT PI 0013965) - Director, Department of Capital Projects

- (M) Board approval of Amendment Restated Services Agreement (ARS) Amendment No. 4 with TY Lin International in the amount of \$3,364,489.93 to complete design services through bidding for the Post Road Widening project from Kelly Mill Road to SR 20 (PI No. 0013965/PEW33) - Director, Department of Capital Projects
- (N) Board approval of Change Order 001 to the General Service Agreement (Bid No. 24-53-3330) with Newterra Corporation, Inc. in the amount of \$23,286.00 for additional costs related to the removal of carbon media and screen replacements at the Shakerag WRF - Deputy Director Operations, Department of Water and Sewer
- (O) Board authorization to commence Public Hearing process regarding Commercial Impact Fee Implementation - Chief Financial Officer
- (P) Board approval of a Resolution to determine that certain portion of County right-of-way (Old Shiloh Road a/k/a Pine Grove Road) lying within Tax Parcel Numbers 063-205 and 086-120 which no longer serves a substantial public purpose and to initiate abandonment procedures; and to authorize the Chairman to execute the Resolution - County Attorney
- (Q) Board authorization to grant a utility easement to the Forsyth County Water and Sewerage Authority to install certain utility installations on a portion of the Denmark Library property - County Attorney
- (3) Board ratification of the Chair's designation of Commissioner Semanson to serve in his place on the Forsyth County Board of Health - O.C.G.A. § 31-3-2(a)(1) – County Attorney
- (4) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of February 11, 2025 - County Manager
- (5) **Board clarification regarding AZ240045, approved on February 6, 2025.** The Board hereby clarifies that the approval of AZ240045 was intended to accomplish the following objectives. It was intended to replace condition number 1 on CP200023 such that condition number 1 now reads: "Development shall be in substantial accordance with the site plan on file in the Department with this zoning condition amendment application, with open storage limited to the areas designated." It was also intended to add the following additional conditions to CP200023: "(3) Owner/Developer shall dedicate 60 feet right-of-way from centerline on S.R. 369 (Browns Bridge Road) as part of site development or when required for road improvement project as determined by GDOT or Forsyth County Department of Engineering;" and (4) "The District Commissioner shall approve the final landscape plan." Approval of AZ240045 also included approval of the requested variance: "1. Remove the standard dust-free pavement requirement to allow for a gravel parking area (UDC 17-5.3)." The variance was identified in the February 6, 2025 agenda

header. The County Clerk is hereby authorized to place a manual “*” on the February 6, 2025 minutes next to the AZ240045 approval cross-referencing to this Consent Agenda item confirming approval contained all of the above items – County Attorney

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on CP190005 (Piedmont Properties, Inc.) and ZA3222 (HealthSouth Rehabilitation Hospital of Forsyth County, LLC) by Encompass Health Rehabilitation Hospital of Cumming, LLC - Parcel 173-021 - AZ240046 - District 2 - Director, Department of Planning and Community Development
(Postponed from the January 9, 2025 Agenda.)
- (2) Public Hearing and possible vote regarding the request for an alcohol license to sell malt beverages (beer) and wine by the package for Mike & Sam LLC located at 8585 Browns Bridge Rd - Named Licensee is Murtuza Sayani - AL04991 - District 4 - Director, Department of Building and Licensing
- (3) Public hearing and possible vote regarding an amendment to the Forsyth County Alcohol Ordinance that will amend the requirements for consumption on premises at indoor commercial recreation establishments, add definitions, to set the rules for alcohol sales at indoor commercial recreation establishments, and for other purposes - County Attorney
- (4) Public hearing and possible Board action regarding a 180-day moratorium (until August 19, 2025) on the acceptance of applications for land disturbance permits, building permits and minor plats on properties in the LR zoning designation – County Attorney

IX. Public Comments

X. Old Business

- (1) Board appointment / reappointment of District 5 Representative to serve on the Public Facilities Authority for a term to begin effective immediately and expire on December 31, 2028 - County Manager
(Postponed from the January 9 and February 6 Agendas)

XI. New Business

- (1) 3R Leasing LLC - CP240049 - to operate an open storage yard with 25 parking spaces on 1.426 acres zoned Agricultural District (A1) with the following variance to:
1. Reduce the zoning buffer along the western property boundary adjacent to the existing easement and driveway only from 25 ft. to 0 ft. (UDC Table 15.2) - Parcel 074-067 - District 1 - Director, Department of Planning and Community Development
- (2) 3R Leasing LLC - ZA4186 - to rezone from Agricultural District (A1) to Office Residential District (OR) on 0.72 acres for a 1,516 sq. ft. office in an existing building

with 7 parking spaces with the following variance to: 1. Reduce the zoning setback along the southern property boundary adjacent to the existing structure only from 30 ft. to 9 ft. (UDC Table 12.2); 2. Reduce the zoning buffer along the western, southern and northeastern property boundaries adjacent to the existing easement, driveway, septic system and structure only from 15 ft. to 0 ft. (UDC Table 12.2); 3. Eliminate the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18); 4. Reduce the landscape strip along the northeastern property boundary adjacent to the existing septic system only from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 074-067 - District 1 - Director, Department of Planning and Community Development

- (3) Grand Communities, LLC - ZA4198 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 19.469 acres for 26 residential lots with a density of 1.34 units per acre - Parcel 097-056 - District 1 - Director, Department of Planning and Community Development
- (4) SKC Development, LLC - ZA4208 - to rezone from Agricultural District (A1) to Single Family Residential District (RES2) on 38.717 acres for 42 residential lots with a density of 1.08 units per acre - Parcels 144-082, 144-092, 144-091, 144-090, 144-078 - District 1 - Director, Department of Planning and Community Development
- (5) 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
(Postponed from the November 21, 2024 Agenda)
- (6) Janie Burnette - CP240036 - to operate a 144 sq. ft. kennel (breeding and sales) with an overall site including an existing 4,080 sq. ft. detached single family residence with 2 parking spaces on 3.50 acres zoned Agricultural District (A1) with the following variance to: 1. Reduce the side setback along the northern property boundary adjacent to the existing structure only from 25 ft. to 2 ft. (UDC Table 15.2); 2. Reduce the buffer along the northern property boundary adjacent to the existing structure only from 25 ft. to 2 ft. (UDC Table 15.2) - Parcel 211-013 - District 4 - Director, Department of Planning and Community Development
- (7) Carson Tidwell - CP240038 - to operate a convenience store with fuel dispensing units conducting around the clock business in an existing 4,957 sq. ft. building with a 1,148 sq. ft. addition with 30 parking spaces on 3.873 acres zoned Commercial Business District (CBD) with the following variance to: 1. Reduce the setback abutting Georgia Highway 400 adjacent to the existing structure only from 60 ft. to 37 ft. (UDC 10-1.10(B)(1)); 2. Reduce the landscape strip abutting Georgia Highway 400 adjacent to the existing asphalt only from 25 ft. to 11 ft. (UDC 10-1.10(B)(2)); 3.

Reduce the required number of parking spaces from 36 to 30 (UDC Table 17.1); 4. Reduce the landscape strip abutting Jot Em Down Road adjacent to the existing asphalt only from 10 ft. to 7 ft. (UDC Table 12.2); 5. Reduce the landscape strip between Jot Em Down Road and any vehicular use area adjacent to the existing asphalt only from 10 ft. to 7 ft. (UDC 17-5.7); 6. Reduce the setback abutting Jot Em Down Road adjacent to the existing underground fuel tank area and existing structure only from 40 ft. to 28 ft. (UDC Table 12.2) - Parcel 249-039 - District 4 - Director, Department of Planning and Community Development

- (8) Meridian Development & Construction Services, Inc. - CP240051 - to build a 6,000 sq. ft. machine shop with 9 parking spaces on 1.494 acres zoned Commercial Business District (CBD) - Parcel 239-171 - District 4 - Director, Department of Planning and Community Development

- (9) Jaime Barrios - CP240065 - to operate a 2,415 sq. ft. minor automobile service establishment in an existing building with 5 parking spaces on 0.305 acres zoned Commercial Business District (CBD) with the following variance to: 1. Reduce the rear setback adjacent to the existing structure only from 25 ft. to 16 ft. (UDC Table 12.2); 2. Reduce the landscape strip along the eastern property boundary adjacent to the existing asphalt only from 10 ft. to 0 ft. (UDC 12-10.15); 3. Reduce the landscape strip abutting Keith Bridge Road adjacent to the existing asphalt only from 20 ft. to 0 ft. (UDC 21-12.5(B)(2)); 4. Reduce the landscape strip between Keith Bridge Road and any vehicular use area adjacent to the existing asphalt only from 10 ft. to 0 ft. (UDC 17-5.7); 5. Reduce the common area from 5% to 2% (UDC 21-12.8(A)(12)); 6. Reduce the landscape strip along the southern property boundary from 10 ft. to 0 ft. as shown on the site plan (UDC 12-10.15) - Parcel 239-025 - District 4 - Director, Department of Planning and Community Development

XII. Recess Regular Meeting

XIII. Executive Session (if needed)

XIV. Adjournment