

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, JULY 17, 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

- (1) National Parks & Recreation Month Proclamation - Hill / Moore

V. Public Comments

VI. Adoption of Minutes

- (1) Regular Meeting / Public Hearings of June 19, 2025
- (2) Work Session and Executive Session of June 24, 2025
- (3) Work Session and Executive Session of July 8, 2025

VII. Consent Agenda

- (1) Board adoption of a Proclamation recognizing the month of July as National Parks & Recreation Month - Hill / Moore
- (2) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of June 24, 2025 - County Manager
- (3) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of July 8, 2025 - County Manager
- (4) Board adoption of a Resolution reappointing Rupal Vaishnav as the District 3 representative to the Board of Tax Assessors
- (5) Board adoption of a Resolution reappointing David Mancuso as the District 4 representative to the Board of Tax Assessors
- (6) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Brook Knoll Lane, Water Vista Court, Brannon Commons Circle, Oak

Meadows Lane and all other property and property rights as shown on Subdivision Plat for The Orchards of Brannon Oak Farm, recorded in Plat Book 221, Pages 9-10, Forsyth County, Georgia Records - District 5 - Director, Department of Engineering

- (7) Board Ratification of the following items that were discussed and voted on at the Work Session held on June 24, 2025 (as anticipated by Board Rule 1.07.01):
- (A) Board approval to purchase two (2) Bauer Cascade Unitized Air Systems, with the trade-in of two (2) existing systems, in the amount of \$230,747.44 through Breathing Air Systems as a Sole Source provider for the Fire Department - 2025 Fire Department CARP Budget – Fire Chief, Fire Department
 - (B) Board approval to award Bid 25-74-3180 to United Pump and Controls, Inc. in the amount of \$78,106.48 for Fuel Sites Upgrades and Repairs for the Department of Fleet Services with approval of the associated General Services Agreement – Director, Department of Fleet Services
 - (C) Board approval to award Quote 25-57-1620 to Cliff's Fire Extinguisher Co., Inc. to inspect and test emergency exit lights and emergency lights per NFPA standards for various County facilities for the Department of Public Facilities with approval of the associated General Services Agreement – Director, Department of Public Facilities
 - (D) Board approval of an Encroachment Agreement between Georgia Transmission Corporation (GTC) and Forsyth County for the Old Atlanta Road Widening project (PEW27) that will allow construction of a retaining wall required by the road widening within an existing GTC easement - Utility Coordinator Manager, Department of Capital Projects
 - (E) Board approval of a Budget Resolution in the amount of \$21,000.00 for additional furniture outfitting for Central Park and two exercise bikes for Senior Services - Accountant 1, Department of Senior Services
 - (F) Board approval of a Budget Resolution in the amount of \$39,266,431 regarding the annual transfer and for an additional one-time transfer from General Fund to Capital Fund - Director, Department of Finance
 - (G) Board approval of Task Order HS-16 with Hazen and Sawyer under the Standard Services Agreement for Water and Sewer Engineering Services As-Needed (Contract No. 1202300002) in the amount of \$148,000.00 for engineering services to perform the Antioch Water Treatment Plant Taste and Odor Alternatives Evaluation - Deputy Director, Engineering Division Department of Water and Sewer
 - (H) Board approval to award RFP 25-64-3340 to R2T, Inc. for Indefinite Quantity Mechanical Contractor services for the Department of Water and Sewer and approval of the associated Services Agreement – Deputy Director, Department of Water and Sewer

- (I) Board approval to award RFP 25-64-3340 to Sol Construction LLC for Indefinite Quantity Mechanical Contractor services for the Department of Water and Sewer and approval of the associated Services Agreement – Deputy Director, Department of Water and Sewer
- (J) Board approval of Task Order No. 1 with US Infra Rehab Services, LLC under the Manhole and Lift Station Wet Well Rehabilitation As-Needed Agreement (Contract No. 1202500011) in the amount of \$311,298.44 for manhole rehabilitation near Matt Highway and wet well rehabilitation at the Lower Etowah Lift Station - Deputy Director, Department of Water and Sewer
- (K) Board approval of Task Order No. 2 with Southeast Pipe Survey, LLC under the CIPP Lining of Sewer Pipes and Laterals As-Needed Agreement (Contract No. 1202500008) in the amount of \$95,368.90 for Sewer Rehabilitation near 3075 Old Atlanta Road - Deputy Director, Department of Water and Sewer
- (L) Board approval of Paid Parental Leave Policy to be included in the Forsyth County Employee Handbook as a new section under Policy 9 Attendance and Leave - Director, Department of Employment Services
- (M) Board approval of GOP nomination (Max Clavijo) to the Forsyth County Board of Registrations and Elections (term to commence September 1, 2025) - County Attorney
- (N) Board approval of Debbie Stair as the Democratic Party's nominee to continue for a new term on the Board of Registrations and Elections (current term expiring August 31, 2025) - County Attorney
- (8) Board Ratification of the following items that were discussed and voted on at the Work Session held on July 8, 2025 (as anticipated by Board Rule 1.07.01):
 - (A) Board authorization to commence the Public Hearing process regarding a County-Initiated request to revoke the existing Conditional Use Permit (CUP) to build a recycling plant on property zoned Agricultural District (A1) previously approved for ZA3848 – Parcels 001-012 and 001-013 – District 1 – Hill / Moore
 - (B) Board approval to award RFP 25-51-5211 to CPL Architects, Engineers and Landscape Architect, D.P.C. in the amount of \$157,725.00 for Consulting Services: Parks & Recreation Comprehensive Master Plan & Strategic Plan for the Department of Parks and Recreation with approval of the associated Professional Services Agreement – Director, Department of Parks and Recreation
 - (C) Board authorization to publish the required legal notice of boundary modifications to 07-Cumming, 16-Otwell, and City of Cumming Municipal Voting Precinct Lines due to annexations and pursuant to procedure in O.C.G.A. § 21-

2-262(d) - Director, Department of Voter Registrations and Elections

- (D) Board approval of a Memorandum of Agreement (MOA) between Forsyth County and the Georgia Department of Public Safety for the use of Certain Radio Talk-groups. This agreement is to maximize interoperability and authorize partnership between Agencies and DPS to enhance public safety in the State of Georgia - Operations Coordinator, Emergency Management Agency
- (E) Board approval to award Bid 25-71-1620 to The Yanover Company in the amount of \$97,750.00 for bathroom renovations at multiple parks for the Department of Parks and Recreation with approval of the associated Construction Services Agreement – Director, Department of Public Facilities
- (F) Board approval of Amendment #5 to the Amended and Restated Services Agreement with TY Lin International for Post Road Widening - SR 9 to Kelly Mill - in the amount of \$456,995.67 -Transportation Project Manager, Department of Capital Projects
- (G) Board approval of Supplemental Request #3 with BCC Engineering, LLC d/b/a Heath & Lineback for Construction Engineering and Inspection Services (CEI) and Program Management (PM) for Coal Mountain Connector in the amount of \$56,958.00 - Transportation Project Manager, Department of Capital Projects
- (H) Board authorization for Forsyth County, on behalf of Accountability Courts, to accept the award of the Fiscal Year 2026 Council of Accountability Courts Judges State of Georgia Grant Program for Drug Court in the amount of \$178,587.00 with a required match of \$31,515.00 and with authorization for the Department of Finance Director to sign programmatic and financial documents - Director, Accountability Courts
- (I) Board authorization for Forsyth County, on behalf of Accountability Courts, to accept the award of the Fiscal Year 2026 Council of Accountability Courts Judges State of Georgia Grant Program for Mental Health Court in the amount of \$63,341.00 with a required match of \$11,178.00 and with authorization for the Department of Finance Director to sign programmatic and financial documents - Director, Accountability Courts
- (J) Board authorization for Forsyth County, on behalf of Accountability Courts, to accept the award of the Fiscal Year 2026 Council of Accountability Courts Judges State of Georgia Grant Program for DUI Court in the amount of \$90,290.00 with a required match of \$15,934.00 and with authorization for the Department of Finance Director to sign programmatic and financial documents - Director, Accountability Courts
- (K) Board approval of a Cell Tower Lease Agreement and corresponding Easement Agreement between Forsyth County, Georgia and Municipal Communications III, LLC. Property is located at 1222 Swallowtail Drive, Suwanee, GA 30024; Tax Parcel ID 177-336 - Assistant County Manager

(Tarnacki)

VIII. Public Hearings

- (1) Public Hearing and possible vote regarding an Alternate Design for Mark Patterson - Parcel 009-063 - AD240018 - District 1 - Director, Department of Planning and Community Development
(Postponed from the March 20, 2025 and May 15, 2025 Agendas)
- (2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3799 (4087 Post Sosebee, LLC) by Guru Prasad Reddy Bogi Reddy - Parcel 096-371 - AZ250020 - District 1 - Director, Department of Planning and Community Development
- (3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on CP240015 (Furkids, Inc.) by Furkids, Inc. with a variance to: 1. Reduce the zoning buffer along the western property boundary from 40 ft. to 15 ft. as shown on the site plan (UDC Table 12.2) - Parcels 063-593 and 063-067 - AZ250014 - District 3 - Director, Department of Planning and Community Development
(Postponed from the June 5, 2025 Agenda)
- (4) Public Hearing and possible vote regarding an Alternate Design for David Panella - Parcel 017-198 - AD250003 - District 3 - Director, Department of Planning and Community Development
- (5) Public Hearing and possible vote regarding the request for a lot-size variance of 0.146 acres to allow a lot to be 0.439 acres rather than the required 0.585 acres (UDC 11.2(a)) – Parcel 270-173 – VA250034 – District 4 – Director, Department of Planning and Community Development
- (6) Public Hearing and possible vote regarding the County-Initiated request to rezone from Lake Residential District (LR) to Agricultural District (A1) on 7.81 acres - Parcels 296-014 and 296-027 - ZA4240 - District 4 - Director, Department of Planning and Community Development
- (7) Public Hearing and possible vote regarding the County-Initiated request to rezone from Lake Residential District (LR) to Agricultural District (A1) on 16.02 acres - Parcels 296-114 and 296-026 - ZA4241 - District 4 - Director, Department of Planning and Community Development
- (8) Public Hearing and possible vote regarding the County-Initiated request to rezone from Lake Residential District (LR) to Agricultural District (A1) on 2.0 acres - Parcel 296-025 - ZA4242 - District 4 - Director, Department of Planning and Community Development
- (9) Public Hearing and possible vote regarding the County-Initiated Conditional Use Permit to erect a telecommunication tower on property currently zoned Agricultural District (A1) with a variance to: 1. Reduce the separation distance for communication towers and residential uses from 500 ft. to 304 ft. (UDC 16-2.6(C)) -

Parcel 264-054 - CP250016 - District 4 - Director, Department of Planning and Community Development

- (10) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA3923 (Forsyth County Board of Commissioners) by Moody Nolan with a variance to: 1. Increase the maximum number of parking spaces from 12 to 30 (UDC 17-2.7); 2. Increase the percentage of parking that fronts the main building entrance from 50% to 86.6% (UDC 21-12.5(E)(2)) - Parcel 145-098 - AZ250019 - District 4 - Director, Department of Planning and Community Development
- (11) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on CP200014 (QuikTrip Corporation) by QuikTrip Corporation with a variance to: 1. Reduce the front setback abutting McGinnis Ferry Road from 50 ft. to 20 ft. (UDC Table 14.2); 2. Reduce the landscape strips abutting McGinnis Ferry Road and Windward Concourse from 25 ft. to 0 ft. as shown on the site plan (UDC Table 14.2); 3. Reduce the buffer abutting Georgia Highway 400 from 40 ft. to 30 ft. as shown on the site plan (UDC 10-1.10(A)(1)) - Parcels 022-009, 022-008 and 022-001 - AZ250001 - District 5 - Director, Department of Planning and Community Development
(Postponed from the April 17, 2025, May 15, 2025 and June 19, 2025 Agendas)
- (12) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA4104 (Richard Munson) by Global Star Investments LLC - Parcels 106-093 and 106-092 - AZ250018 - District 5 - Director, Department of Planning and Community Development
- (13) Public Hearing and possible vote regarding the approval of a Sketch Plat for Global Star Investments LLC with the following variance to: 1. Reduce the required number of off-street loading spaces from 2 to 1 (UDC 17-3.3) - Parcels 106-093 and 106-092 - SP250006 - District 5 - Director, Department of Planning and Community Development
- (14) Public Hearing and possible Board action regarding Proposed Rate Increase for Access Forsyth bus fares and Common Courtesy fares - Director, Department of Public Transportation
- (15) Public Hearing and possible vote regarding the 2024 Impact Fee Annual Update and Capital Improvements Element with Board adoption of a Resolution to submit to the Atlanta Regional Commission - Impact Fee Administrator, Department of Finance
- (16) Public Hearing to consider an amendment to the Forsyth County Ethics Ordinance, otherwise known as Forsyth County Ordinance 77 or Article III of Chapter 2 of the Forsyth County Code of Ordinances - County Attorney
(This is the first of two required Public Hearings)
- (17) Public Hearing and possible vote regarding a Resolution abandoning that certain portion of County right-of-way (Grant's Path) lying within Tax Parcel Numbers 302 028, 303 052, 303 009, 303 049, 302 019 and 303 050 - County Attorney

IX. Public Comments

X. Old Business

- (1) Board consideration and possible vote regarding the approval of a Sketch Plat for Rahull Chikyala with the following variance to: 1. Reduce the required number of parking spaces from 188 to 116 (UDC Table 17.1); 2. Reduce the landscape strip abutting Buford Highway from 35 ft. to 25 ft. (UDC 21-11.5(H)(3)); 3. Increase the maximum retaining wall height from 20 ft. to 40 ft. (UDC 12-13.17(B)); 4. Reduce the required number of off-street loading spaces from 5 to 3 (UDC 17-3.3) - Parcel 228-016 - SP240018 - District 2 - Director, Department of Planning and Community Development
(A Public Hearing was held before the Board of Commissioners on April 17, 2025; the Board voted unanimously to postpone, for decision only, to the May 1, 2025 Agenda. Postponed from the March 6, 2025, April 17, 2025, May 1, 2025, June 5, 2025 and June 19, 2025 Agendas)

XI. New Business

- (1) Mark Patterson - CP240044 - to operate a 6,432 sq. ft. manufacturing, processing and assembling facility in an existing building with 5 parking spaces on 0.64 acres zoned Highway Business District (HB) with the following variance to: 1. Reduce the zoning buffer along the northern property boundary adjacent to the existing gravel and septic area only from 40 ft. to 14 ft. (UDC Table 12.2); 2. Increase the percentage of parking that fronts the main building entrance from 60% to 100% (UDC 21-11.5(B)); 3. Reduce the sides of the building exterior that parking is distributed on from 2 sides to 1 side (UDC 21-11.5(B)); 4. Reduce the landscape strip between the front property line and any vehicular use area from 10 ft. to 0 ft. (UDC 17-5.7); 5. Reduce the landscape strip abutting Canton Highway adjacent to the existing concrete only from 25 ft. to 0 ft. (UDC 21-11.5(H)(3)); 6. Reduce the required number of off-street loading spaces from 2 to 1 (UDC 17-3.3); 7. Reduce the side setbacks adjacent to the existing structures only from 15 ft. to 12 ft. (UDC Table 12.2); 8. Reduce the landscape strip along the western property boundary adjacent to the existing concrete only from 10 ft. to 0 ft. (UDC 12-10.15); 9. Reduce the common area from 5% to 0% (UDC 21-11.6(A)(8)) - Parcel 009-063 - District 1 - Director, Department of Planning and Community Development
(Postponed from the March 20, 2025 and May 15, 2025 Agendas)
- (2) Wendell Smith - CP240037 - to operate a 2,528 sq. ft. minor automobile service establishment in an existing building with 13 parking spaces on 2.0 acres zoned Commercial Business District (CBD) with the following variance to: 1. Reduce the landscape strip abutting Bethelview Road from 25 ft. to 0 ft. (UDC 21-8.5(D)(3)); 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); 3. Reduce the landscape strip along all side lot or lease lines from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 077-393 - District 1 - Director, Department of Planning and Community Development
(Postponed from the May 15, 2025 and June 19, 2025 Agendas)
- (3) Coal Mountain Spot, LLC - ZA4223 - to rezone from Single Family Residential District (R1) to Commercial Business District (CBD) on 1.728 acres for a 2,400 sq. ft. office in an existing building with 8 parking spaces with an overall site including an existing 1,492 sq. ft. attached accessory structure and an existing 980 sq. ft. detached accessory structure with the following variance to: 1. Reduce the landscape strip abutting Spot Road from 20 ft. to 0 ft. (UDC 21-12.5(B)(2)); 2. Reduce the zoning buffer along the eastern property boundary adjacent to the

existing structures, asphalt, parking and gravel 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 0 ft. (UDC Table 12.2); 4. Reduce the zoning setback along the western property boundary adjacent to the existing structure only from 50 ft. to 47 ft. (UDC Table 12.2); 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 landscape strip along the eastern property boundary adjacent to the existing structure, asphalt, and gravel only from 10 ft. to 0 ft. (UDC 12-10.15) - Parcel 191-079 - District 1 - Director, Department of Planning and Community Development

(Postponed from the June 19, 2025 Agenda)

- (4) DC MotorWerks, LLC. - CP240064 - to operate an 800 sq. ft. vehicle sales dealership in an existing building with 18 parking spaces and an open storage yard with 20 parking spaces with an overall site including a 4,230 sq. ft. minor automobile service establishment in an existing building on 1.36 acres zoned Restricted Industrial District (M1) with the following variance to: 1. Reduce the landscape strip abutting James Road adjacent to the existing gravel and asphalt only from 25 ft. to 15 ft. (UDC Table 14.2); 2. Reduce the required paved surface for the display of used vehicles from 1 acre to 0 acres (UDC 16-4.37(G)(1)); 3. Reduce the required number of parking spaces from 31 to 18 (UDC Table 17.1) - Parcels 042-066, 042-036 - District 3 - Director, Department of Planning and Community Development
- (5) Rishi Gankidi - ZA4230 - to rezone from Single Family Residential Restricted District (R2R) and Agricultural District (A1) to Single Family Residential District (RES2) on 4.414 acres for 6 residential lots with a density of 1.36 units per acre with the following variance to: 1. Increase the maximum number of lots accessed by an easement from 3 to 4 (UDC 18-7.2) - Parcel 037-011 - District 3 - Director, Department of Planning and Community Development
- (6) Bryan Guevara - CP250012 - to operate a warehouse in 4,000 sq. ft. of an existing 5,885 sq. ft. building with 5 parking spaces with an overall site including an existing 1,885 sq. ft. office with 9 parking spaces on 3.787 acres zoned Commercial Business District (CBD) - Parcel 238-052 - District 4 - Director, Department of Planning and Community Development
- (7) Board consideration of the request by Kevin Salisbury for a Public Hearing regarding an appeal of the Zoning Board of Appeals' decision on VA250020. The front setback variance of 25' was denied, and the side setback variance of 7' was granted on June 3, 2025 – AV250002 – District 4 – Director, Department of Planning and Community Development
- (8) Board acceptance and ratification of the Stipulation and Agreement between Roy Baliem and Forsyth County Board of Commissioners as approved by the State Board of Workers' Compensation on June 3, 2025 - Director, Department of Employment Services
- (9) Per Forsyth Code 38-37, Board of Commissioner's preliminary review of appeal by Olde Towne Cutlery (Lee and Melissa Tigner) regarding the June 5, 2025 decision of the Forsyth County Fire Chief regarding a request for variance to Fire Hydrant requirement (Code 38-38). Under this agenda item, the Board has three options.

The Board may: (1) decline to consider the matter, thereby constituting an affirmation of the Fire Chief's written determination; (2) consider the matter based entirely upon the record prepared and submitted by the Fire Chief; or (3) schedule a hearing wherein the individual requesting Board review and the Fire Chief- or his designee may present information supporting their respective positions. In the event the Board of Commissioners utilizes options two or three, the Board shall render its decision within 30 days of the hearing or meeting where the matter is considered -
County Attorney

XII. Administrative Hearing

- (1) Administrative Hearing in reference to a violation of Ordinance 127 for XPATH INC dba Odysseus Vapor - Named Licensee is Santhosh Gaddam - VE04522 - District 3 - Director, Department of Building and Licensing

XIII. Recess Regular Meeting

XIV. Executive Session (if needed)

XV. Adjournment