FORSYTH COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING / PUBLIC HEARINGS
AUGUST 7, 2025

OFFICIAL MINUTES

On Thursday, August 7, 2025, at 5:00 p.m. in the Commissioners' Meeting Room of the Forsyth County Administration Building, the Forsyth County Board of Commissioners held a Regular Meeting / Public Hearings with the following persons present: Alfred John - Chairman, Kerry Hill – Vice Chairman, Mendy Moore - Secretary, Todd Levent - Member, Laura Semanson – Member, Ken Jarrard – County Attorney, and Kiersten Law - County Clerk.

AGENDA
FORSYTH COUNTY BOARD OF COMMISSIONERS
THURSDAY, AUGUST 7, 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 and Executive Session of July 17, 2025

(2) Work Session and Executive Session of July 22, 2025

(3) Special Called Meeting / Public Hearing of July 22, 2025

VII. Consent Agenda

(1) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of July 17, 2025 - County Manager

(2) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of July 22, 2025 - County Manager

(3) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Waggamon Way, Quinn Court and all other property and property rights as shown on the Subdivision Plat for Ellorie Estates Phase 3, recorded in Plat Book 220, Pages 214-224, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering

(4) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Creekside Overlook Drive, Shoal Court, Rocky Branch Court and all other property and property rights as shown on the Subdivision Plat for Creekside Overlook, recorded in Plat Book 217, Pages 91-97, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering

(5) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Mustang Way, Reins Ridge and all other property and property rights as shown on the Subdivision Plat for Bridlefield Phase 1B, recorded in Plat Book 220, Pages 200-213, Forsyth County, Georgia Records - District 3 - Director, Department of Engineering

(6) Board of Commissioners ratification of a Lease Agreement between Forsyth County, Georgia and Municipal Communications III, LLC for a communications tower lease agreement on Forsyth County property tax parcel 177-335. This ratification of an agreement otherwise approved by the Board of Commissioners on July 17, 2025 - County Attorney

(7) Board Ratification of the following item that was discussed and voted on at the Work Session held on July 8, 2025 (as anticipated by Board Rule 1.07.01):

(A) Board approval of a postponement to the July 22, 2025 Work Session agenda for a Board generated rezoning for ZA4034, Surya Realty LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 3 - Director, Department of Planning and Community Development

(8) Board Ratification of the following items that were discussed and voted on at the Work Session held on July 22, 2025 (as anticipated by Board Rule 1.07.01):

(A) Board authorization for staff to commence the Public Hearing process regarding actions for old zoning districts following review of unit inventory as related to the residential moratoria - Director, Department of Planning and Community Development

(B) Board approval of the postponement to the second Work Session Agenda in January 2026 of a Board generated rezoning forZA4141, SSL Ventures, LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 1 – Director, Department of Planning and Community Development

(C) Board approval of the postponement to the second Work Session Agenda in January 2026 of a Board generated rezoning for ZA4135, Athena Learning LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 2 – Director, Department of Planning and Community Development

(D) Board approval to withdraw the Board generated rezoning for ZA4034, Surya Realty LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 3 - Director, Department of Planning and Community Development

(E) Board approval of the postponement to the second Work Session Agenda in January 2026 of a Board generated rezoning for ZA4128, R.D. Links

Investments, LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 4 – Director, Department of Planning and Community Development

(F) *Board approval of a 12-month postponement of a Board generated rezoning for ZA4136, Emory Lagree, LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 4 – Director, Department of Planning and Community Development*

(G) *Board approval of a 3-month extension of a Board generated rezoning for ZA4127, G.E. Industrial Solutions, Inc. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 5 – Director, Department of Planning and Community Development*

(H) *Board approval of a Single Source purchase from Cole Technology Incorporated in the amount of $36,302.48 for the repair of a 145 HP Ebara Submersible Pump for the James Creek Influent Pump Station - Deputy Director, Department of Water and Sewer*

(I) *Board approval to award Bid 25-67-1620 to Meer Electrical Contractors, Inc. in the amount of $42,775.52 for the installation of LED lighting at the Midway Park batting cages for the Department of Public Facilities with approval of the associated general services agreement – Director, Department of Public Facilities*

(J) *Board approval of Change Order #30 with Vertical Earth (Contract #1202000029) in the amount of $31,678.67 for the installation of an underdrain to divert underground water flow on the 369 Widening project - Director, Department of Capital Projects*

(K) *Board approval of Change Order #3 with Vertical Earth (Contract #1202400013) in the amount of $23,272.50 for Surge Stone and Geogrid on the Coal Mountain Connector - Director, Department of Capital Projects*

(L) *Board approval of Change Order #4 with Vertical Earth (Contract #1202400013) in the amount of $18,461.22 for Rumble Strip Installation on the Coal Mountain Connector - Director, Department of Capital Projects*

(M) *Board approval of Change Order #5 with Vertical Earth (Contract #1202400013) in the amount of $33,059.32 for additional 8 inch Water Main on the Coal Mountain Connector - Director, Department of Capital Projects*

(N) *Board approval of Change Order #10 with Vertical Earth (Contract #1202400013) in the amount of $20,960.21 for Plan Quantity Adjustments on the Coal Mountain Connector - Director, Department of Capital Projects*

(O) *Board approval of the Certification of Local Government Officials and State of Georgia Grant Certification forms regarding the Georgia Transportation*

Infrastructure Bank (GTIB) for the Coal Mountain Connector grant - Grant Manager, Department of Finance

(P) Board approval of the annual update to the Financial Policies of Forsyth County, Georgia. By approval, the Board Financial Policy Adopted May 30, 2001, as well as any other County Policies in conflict with the attached "Financial Policy" are hereby repealed and are ineffective and uneforceable - Director, Department of Finance

(Q) Board approval for staff to commence the Public Hearing process of the proposed changes to the Forsyth County Pawnshop Ordinance to account for certain hybrid businesses in Forsyth County - County Attorney / Director of Building and Licensing

VIII. Public Hearings

(1) Public Hearing and possible vote regarding the revocation of the existing Conditional Use Permit (CUP) for ZA3848 – Parcels 001-012 and 001-013 - District 1 - Director, Department of Planning and Community Development

(2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1421 (Technology Park/Atlanta, Inc.) by Carmel Holding Co., LLC with a variance to: 1. Reduce the side setbacks along internal lot or lease lines for Tracts 1 & 2 from 15 ft. to 12 ft. (UDC Table 14.2); 2. Reduce the landscape strip abutting McGinnis Ferry Road from 25 ft. to 0 ft. (UDC Table 14.2); 3. Reduce the landscape strip along internal lot or lease lines for Tracts 1 & 2 from 6 ft. to 0 ft. (UDC Table 14.2); 4. Increase the maximum number of parking spaces for Tract 1 from 18 to 36 (UDC 17-2.7); 5. Reduce the required number of parking spaces for Tract 2 from 31 to 26 (UDC Table 17.1); 6. Reduce the side landscape strip for Tract 2 only from 6 ft. to 0 ft.as shown on the site plan (UDC 14-4.13) - Parcel 141-002 - AZ250022 - District 2 - Director, Department of Planning and Community Development

(3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2573 (New Haven Development, LLC) by Aqua Design Pools & Spas, LLC - Parcel 079-355 - AZ250021 - District 3 - Director, Department of Planning and Community Development

(4) Public Hearing of the FY2026 Proposed Budget, the 2026-2030 Capital Improvement Program (CIP) and Occupation Tax - Chief Financial Officer

(5) Public Hearing regarding a proposed modification to Chapter 10 of the UDC regarding legal non-conforming uses, by adding Section 10-2.4 - Termination of Nonconforming Uses in certain situations - County Attorney
(The 1st Public Hearing was held at the June 24, 2025 Planning Commission Meeting and the 2nd Public Hearing was held at the July 22, 2025 Planning Commission Meeting)

IX. Time Set Public Hearing - 6:00 p.m.

(1) Public Hearing regarding proposed Fiscal Year 2025 Millage Rates - Chief Financial Officer
(The 1st Public Hearing was held at the July 22, 2025 Special Called Public Meeting/Hearing and the 2nd Public Hearing was held at the August 7, 2025 Special Called Public Meeting/Hearing)

X. Public Comments

XI. 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, June 19, 2025 and July 17, 2025 Agendas)

XII. New Business

(1) Board consideration and adoption of the 2025 Millage Rates Resolution - Maintenance & Operations (Net M&O Millage), Fire, and Bonds. Staff requests this item be considered on a "Time Sensitive" basis - Chief Financial Officer, Department of Finance
(Note: the 2025 Millage Rates will be considered for Adoption at 6:30 p.m.)

(2) 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 and July 17, 2025 Agendas)

(3) 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
(Postponed from the July 17, 2025 Agenda)

(4) Board consideration and possible appointment to the Forsyth County Library Board of Trustees to fill the unexpired term August 29, 2025 – June 30, 2026 – District 4 – County Manager

(5) Board consideration and possible approval of an Amended Resolution related to the previous January 9, 2025 Resolution authorizing minor plat approval (MP240281) at

tax parcel 105-004, with the Amendment authorizing certain land permitting to occur on such created lots - County Manager / County Attorney

(6) 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
(Postponed from the July 17, 2025 Agenda)

XIII. Recess Regular Meeting

XIV. Executive Session

XV. Open Session following Executive Session

(1) Board consideration and possible approval of County Manager contract with David McKee for a 3-year contract extension - County Attorney

XVI. Adjournment

Chairman John called the meeting to order at 5:00 p.m. with all members present.

The Invocation and Pledge of Allegiance were led by Rebecca Whitmire, Director, Department of Finance.

ADOPTION OF AGENDA

There was a motion by Commissioner Levent and a second by Commissioner Hill to postpone New Business, Item #3 (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) to the Regular Meeting / Public Hearings of August 7, 2025. Motion carried unanimously.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to postpone New Business, Item #2 (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) to the Regular Meeting / Public Hearings of October 2, 2025. Motion carried unanimously.

There was a motion by Commissioner Semanson and a second by Commissioner Moore to postpone New Business, Item #6 (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) to the Regular Meeting / Public Hearings of September 18, 2025. Motion carried unanimously.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to add New Business, Item #7 (Board consideration and possible direction regarding a County-Initiated variance to reduce the minimum lot area for the zoning to the O&I district from 2 acres to 1.7 acres (UDC table 12.2) for the property associated with zoning application ZA4223 – District 1). Motion carried unanimously.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to adopt the Agenda as amended. Motion carried unanimously.

UNDER ANNOUNCEMENTS AND REPORTS THE FOLLOWING ACTIONS WERE TAKEN:

Chairman John recognized tonight being the last meeting for Daniel Dotson of the Forsyth County News.

UNDER PUBLIC COMMENTS THE FOLLOWING PERSON ADDRESSED THE BOARD:

None

UNDER ADOPTION OF MINUTES THE FOLLOWING ACTIONS WERE TAKEN:

(1) Regular Meeting / Public Hearings and Executive Session of July 17, 2025

There was a motion by Commissioner Semanson and a second by Commissioner Hill to adopt the Minutes of the Regular Meeting / Public Hearings and Executive Session of July 17, 2025. Motion carried unanimously.

(2) Work Session and Executive Session of July 22, 2025

There was a motion by Commissioner Hill and a second by Commissioner Moore to adopt the Minutes of the Work Session and Executive Session of July 22, 2025. Motion carried unanimously.

(3) Special Called Meeting / Public Hearing of July 22, 2025

There was a motion by Commissioner Moore and a second by Commissioner Hill to adopt the Minutes of the Special Called Meeting / Public Hearing of July 22, 2025. Motion carried unanimously.

UNDER CONSENT AGENDA THE FOLLOWING ACTIONS WERE TAKEN:

There was a motion by Commissioner Levent and a second by Commissioner Hill to adopt the Consent Agenda as presented:

(1) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of July 17, 2025 - County Manager

(2) Board adoption of a Resolution authorizing Affidavit concerning the Executive Session of July 22, 2025 - County Manager

(3) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Waggamon Way, Quinn Court and all other property and property rights as shown on the Subdivision Plat for Ellorie Estates Phase 3, recorded in Plat Book 220, Pages 214-224, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering

(4) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Creekside Overlook Drive, Shoal Court, Rocky Branch Court and all other property and property rights as shown on the Subdivision Plat for Creekside Overlook, recorded in Plat Book 217, Pages 91-97, Forsyth County, Georgia Records - District 4 - Director, Department of Engineering

(5) Board acceptance of Right of Way as County-maintained with a speed limit of 25MPH on Mustang Way, Reins Ridge and all other property and property rights as shown on the Subdivision Plat for Bridlefield Phase 1B, recorded in Plat Book 220, Pages 200-213, Forsyth County, Georgia Records - District 3 - Director, Department of Engineering

(6) Board of Commissioners ratification of a Lease Agreement between Forsyth County, Georgia and Municipal Communications III, LLC for a communications tower lease agreement on Forsyth County property tax parcel 177-335. This ratification of an agreement otherwise approved by the Board of Commissioners on July 17, 2025 - County Attorney

(7) Board Ratification of the following item that was discussed and voted on at the Work Session held on July 8, 2025 (as anticipated by Board Rule 1.07.01):

(A) Board approval of a postponement to the July 22, 2025 Work Session agenda for a Board generated rezoning for ZA4034, Surya Realty LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 3 - Director, Department of Planning and Community Development

(8) Board Ratification of the following items that were discussed and voted on at the Work Session held on July 22, 2025 (as anticipated by Board Rule 1.07.01):

(A) Board authorization for staff to commence the Public Hearing process regarding actions for old zoning districts following review of unit inventory as related to the residential moratoria - Director, Department of Planning and Community Development

(B) Board approval of the postponement to the second Work Session Agenda in January 2026 of a Board generated rezoning forZA4141, SSL Ventures, LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 1 – Director, Department of Planning and Community Development

(C) Board approval of the postponement to the second Work Session Agenda in January 2026 of a Board generated rezoning for ZA4135, Athena Learning LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 2 – Director, Department of Planning and Community Development

(D) Board approval to withdraw the Board generated rezoning for ZA4034, Surya Realty LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 3 - Director, Department of Planning and Community Development

(E) Board approval of the postponement to the second Work Session Agenda in January 2026 of a Board generated rezoning for ZA4128, R.D. Links Investments, LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 4 – Director, Department of Planning and Community Development

(F) Board approval of a 12-month postponement of a Board generated rezoning for ZA4136, Emory Lagree, LLC. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 4 – Director, Department of Planning and Community Development

(G) Board approval of a 3-month extension of a Board generated rezoning for ZA4127, G.E. Industrial Solutions, Inc. In accordance with UDC 8-5.5(I), if an application for a land disturbance permit has not been submitted within 18 months of zoning approval, the Board may consider rezoning to a constitutional zoning designation - District 5 – Director, Department of Planning and Community Development

(H) Board approval of a Single Source purchase from Cole Technology Incorporated in the amount of $36,302.48 for the repair of a 145 HP Ebara Submersible Pump for the James Creek Influent Pump Station - Deputy Director, Department of Water and Sewer

(I) Board approval to award Bid 25-67-1620 to Meer Electrical Contractors, Inc. in the amount of $42,775.52 for the installation of LED lighting at the Midway Park batting cages for the Department of Public Facilities with approval of the associated general services agreement – Director, Department of Public Facilities

(J) Board approval of Change Order #30 with Vertical Earth (Contract #1202000029) in the amount of $31,678.67 for the installation of an underdrain to divert underground water flow on the 369 Widening project - Director, Department of Capital Projects

(K) Board approval of Change Order #3 with Vertical Earth (Contract #1202400013) in the amount of $23,272.50 for Surge Stone and Geogrid on the Coal Mountain Connector - Director, Department of Capital Projects

(L) Board approval of Change Order #4 with Vertical Earth (Contract #1202400013) in the amount of $18,461.22 for Rumble Strip Installation on the Coal Mountain Connector - Director, Department of Capital Projects

(M) Board approval of Change Order #5 with Vertical Earth (Contract #1202400013) in the amount of $33,059.32 for additional 8 inch Water Main on the Coal Mountain Connector - Director, Department of Capital Projects

(N) Board approval of Change Order #10 with Vertical Earth (Contract #1202400013) in the amount of $20,960.21 for Plan Quantity Adjustments on the Coal Mountain Connector - Director, Department of Capital Projects

(O) Board approval of the Certification of Local Government Officials and State of Georgia Grant Certification forms regarding the Georgia Transportation Infrastructure Bank (GTIB) for the Coal Mountain Connector grant - Grant Manager, Department of Finance

(P) Board approval of the annual update to the Financial Policies of Forsyth County, Georgia. By approval, the Board Financial Policy Adopted May 30, 2001, as well as any other County Policies in conflict with the attached "Financial Policy" are hereby repealed and are ineffective and unenforceable - Director, Department of Finance

(Q) Board approval for staff to commence the Public Hearing process of the proposed changes to the Forsyth County Pawnshop Ordinance to account for certain hybrid businesses in Forsyth County - County Attorney / Director of Building and Licensing

Motion carried unanimously.

UNDER PUBLIC HEARINGS THE FOLLOWING ACTIONS WERE TAKEN:

(1) Public Hearing and possible vote regarding the revocation of the existing Conditional Use Permit (CUP) for ZA3848 – Parcels 001-012 and 001-013 - District 1

Tom Brown, Director, Department of Planning and Community Development, addressed the Board.

Chairman John declared the Public Hearing open.

Speaking in favor:
None

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to approve the revocation of the existing Conditional Use Permit (CUP) for ZA3848 – Parcels 001-012 and 001-013. Motion carried unanimously.

(2) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA1421 (Technology Park/Atlanta, Inc.) by Carmel Holding Co., LLC with a variance to: 1. Reduce the side setbacks along internal lot or lease lines for Tracts 1 & 2 from 15 ft. to 12 ft. (UDC Table 14.2); 2. Reduce the landscape strip abutting McGinnis Ferry Road from 25 ft. to 0 ft. (UDC Table 14.2); 3. Reduce the landscape strip along internal lot or lease lines for Tracts 1 & 2 from 6 ft. to 0 ft. (UDC Table 14.2); 4. Increase the maximum number of parking spaces for Tract 1 from 18 to 36 (UDC 17-2.7); 5. Reduce the required number of parking spaces for Tract 2 from 31 to 26 (UDC Table 17.1); 6. Reduce the side landscape strip for Tract 2 only from 6 ft. to 0 ft.as shown on the site plan (UDC 14-4.13) - Parcel 141-002 - AZ250022 - District 2

Tom Brown, Director, Department of Planning and Community Development, addressed the Board.

Chairman John declared the Public Hearing open.

Speaking in favor:
Shane Lanham

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

There was a motion by Commissioner John and a second by Commissioner Hill to postpone this Item to the Regular Meeting / Public Hearings of August 21, 2025 as an Old Business Item. Motion carried unanimously.

(3) Public Hearing and possible vote regarding the request for an Amendment of Zoning Conditions on ZA2573 (New Haven Development, LLC) by Aqua Design Pools & Spas, LLC - Parcel 079-355 - AZ250021 - District 3

Tom Brown, Director, Department of Planning and Community Development, addressed the Board.

Chairman John declared the Public Hearing open.

Speaking in favor:
None

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

There was a motion by Commissioner Levent and a second by Commissioner Semanson to approve the request for an Amendment of Zoning conditions on ZA2573 (New Haven Development, LLC) by Aqua Design Pools & Spas, LLC – Parcel 079-355 – AZ25002. Motion carried unanimously.

(4) Public Hearing of the FY2026 Proposed Budget, the 2026-2030 Capital Improvement Program (CIP) and Occupation Tax

Brian Clark, Chief Financial Officer, Department of Finance, addressed the Board and provided a PowerPoint presentation.

Chairman John declared the Public Hearing open.

Speaking in favor:
None

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

Mr. Clark confirmed that the Board would be considering the proposed Fiscal Year 2026 Budget and the 2026-2030 Capital Improvement Program (CIP) for adoption during the Regular Meeting / Public Hearings of August 21, 2025.

No Board action was taken.

(5) Public Hearing regarding a proposed modification to Chapter 10 of the UDC regarding legal non-conforming uses, by adding Section 10-2.4 - Termination of Nonconforming Uses in certain situations

Ken Jarrard, County Attorney, addressed the Board.

Chairman John declared the Public Hearing open.

Speaking in favor:
None

Speaking in opposition:
Ethan Underwood

Chairman John declared the Public Hearing closed.

There was a motion by Commissioner Semanson and a second by Commissioner Levent to approve the modification to Chapter 10 of the UDC regarding legal non-conforming uses, by adding Section 10-2.4 – Termination of Nonconforming Uses in certain areas, as presented by the County Attorney. Motion passed unanimously.

At this time, the Board moved to Public Comments.

UNDER PUBLIC COMMENTS THE FOLLOWING PERSONS ADDRESSED THE BOARD:

Steven Marks
Steve Giller

At this time, there was a motion by Commissioner John and a second by Commissioner Semanson to recess the Regular Meeting / Public Hearings at 5:53 p.m. until time for the Time Set Public Hearing to be held at 6:00 p.m. Motion carried unanimously.

There was a motion by Commissioner John and a second by Commissioner Hill to reconvene the Regular Meeting / Public Hearings at 6:00 p.m. Motion carried unanimously.

UNDER TIME SET PUBLIC HEARING THE FOLLOWING ACTIONS WERE TAKEN:

(1) Public Hearing regarding proposed Fiscal Year 2025 Millage Rates

Brian Clark, Chief Financial Officer, addressed the Board and presented a PowerPoint presentation.

Chairman John declared the Public Hearing open.

Speaking in favor:
None

Speaking in opposition:
None

Chairman John declared the Public Hearing closed.

This was the third of three required Public Hearings. No Board action was taken.

At this time, Chairman John proposed to recess the Regular Meeting / Public Hearings until time to discuss New Business, Item #1 (Board consideration and adoption of the 2025 Millage Rates Resolution – Maintenance & Operations (Net M&O Millage), Fire, and Bonds) which will be considered at 6:30 p.m.

There was a motion by Commissioner John and a second by Commissioner Moore to recess the Regular Meeting / Public Hearings at 6:18 p.m. Motion carried unanimously.

There was a motion by Commissioner John and a second by Commissioner Hill to reconvene the Regular Meeting / Public Hearings at 6:30 pm. Motion carried unanimously.

At this time, the Board considered New Business, Item #1.

UNDER NEW BUSINESS THE FOLLOWING ACTIONS WERE TAKEN:

(1) Board consideration and adoption of the 2025 Millage Rates Resolution - Maintenance & Operations (Net M&O Millage), Fire, and Bonds.

Brian Clark, Chief Financial Officer, Department of Finance, addressed the Board.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to adopt the 2025 Millage Rates Resolution – Maintenance & Operations (Net M&O Millage), Fire, and Bonds. Motion carried unanimously.

At this time, the Board returned to Old Business.

UNDER OLD BUSINESS THE FOLLOWING ACTIONS WERE TAKEN:

(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

Tom Brown, Director, Department of Planning and Community Development, addressed the Board.

Jonathan Beard, Attorney, addressed the Board at the request of Chairman John.

There was a motion by Commissioner John and a second by Commissioner Semanson to approve the Sketch Plat for Rahull Chikyala with the variances, conditions and Exhibit A as displayed. The variances and conditions read as follows:

<u>Variances:</u>

1. Reduction of parking minimum 116 to 113 (UDC TABLE 17.1).

2. Reduction of landscape strip along Buford Highway from 35ft to 25ft (UDC 21-11.5(H)(3)).

<u>Conditions:</u>

1. Development shall be substantially in accordance with the site plan attached as Exhibit A. The District Commissioner's approval of final architectural designs shall be obtained by developer prior to Land Disturbance Permit approval. Once approved by the District Commissioner, development shall be substantially in accordance with the approved site plan.

2. The District Commissioner's approval of landscape plans shall be obtained by developer prior to Land Disturbance Permit approval but shall include, among other requirements, an annual flower bed on each side of the entrance along Buford Highway, as well something such as Camelia, evergreen flowering shrub, such as Kalmia Latifolia, Mountain Laurel and Pink Frost Florida along the same right-of-way.

3. Development shall strictly comply with the standards of both the Buford Highway Overlay and the recorded perpetual covenants associated with the subject property.

4. The Applicant shall install traffic signs at the intersection of the drive connecting Forsyth County Tax Parcel 228-193, which shall face internally stating "One Way/Do Not Enter" or something of similar effect.

5. Developer shall construct all improvements along Buford Highway as required by Georgia Department of Transportation.

6. Monument sign structures and base materials shall be compatible with the color, texture, material, and architectural design of the principal building.

7. Exterior building materials on all commercial development shall consist of a minimum of seventy-five (75%) percent per vertical wall plane of brick, natural or pre-cast stone, and/or glass. If multiple establishments are contained within one contiguous

structure, the percentage pertains to the entire facade rather than individual facade fronts

8. Outdoor storage is prohibited.

9. The following uses shall be prohibited:

(a) Electronic game playing centers
(b) Adult entertainment centers
(c) Adult novelty stores
(d) Pawn shops
(e) Pool halls
(f) Tattoo parlors
(g) Massage parlors, except massage establishments that provide massage services as well as facials, chemical peels, muscle stretch and therapy services, aromatherapy and foot treatments.
(h) Landfills
(i) Transfer stations
(j) Trailer parks
(k) Temporary buildings except construction trailers in commercial and industrial districts
(l) Electronic message boards/Changeable copy signs, except as outlined in section Forsyth County Unified Development Code § 21-11.7, including any upgrades to preexisting signs regardless of general allowance of such upgrades in the Forsyth County Sign Ordinance and this Code.
(m) Chemical storage facilities
(n) Panhandling
(o) Self-service car washes
(p) Building supply yards
(q) Fuel tank lease and sales establishments
(r) Large scale retail
(s) Vehicle rental establishments, vehicle sales dealerships and parking decks
(t) Smoke shops and vape/e-cigarette stores
(u) Marijuana or THC dispensaries excluding licensed pharmacies
(v) On site dry cleaning, but not excluding pickup service
(w) Club or lodge, nonprofit
(x) Contractors establishments
(y) Repair garages
(z) Motels

10. Hours for truck delivery or for garbage pick-up services shall be limited to the hours between 7:00 a.m. and 9:00 p.m.

Motion carried unanimously.

UNDER NEW BUSINESS (CONTINUED) THE FOLLOWING ACTIONS WERE TAKEN:

(1) Board consideration and adoption of the 2025 Millage Rates Resolution - Maintenance & Operations (Net M&O Millage), Fire, and Bonds – See Page #13 for action taken

(2) 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 - This Item was postponed [during adoption of the Agenda] to the Regular Meeting / Public Hearings of October 2, 2025

(3) 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 - This Item was postponed [during adoption of the Agenda] to the Regular Meeting / Public Hearings of August 21, 2025

(4) Board consideration and possible appointment to the Forsyth County Library Board of Trustees to fill the unexpired term August 29, 2025 – June 30, 2026 – District 4

There was a motion by Commissioner Moore and a second by Commissioner John to appoint Traci Priego to the Forsyth County Library Board of Trustees to fill the unexpired term August 29, 2025 – June 30, 2026. Motion carried unanimously.

(5) Board consideration and possible approval of an Amended Resolution related to the previous January 9, 2025 Resolution authorizing minor plat approval (MP240281) at tax parcel 105-004, with the Amendment authorizing certain land permitting to occur on such created lots

Ken Jarrard, County Attorney, addressed the Board.

There was a motion by Commissioner Levent and a second by Commissioner John to approve the Amended Resolution related to the previous January 9, 2025 Resolution authorizing a minor plat approval (MP24081) at tax parcel 105-004, with the Amendment authorizing certain land permitting to occur on such created lots. Motion carried unanimously.

(6) 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 - This Item was

postponed [during adoption of the Agenda] to the Regular Meeting / Public Hearings of September 18, 2025

(7) Board consideration and possible direction regarding a County-Initiated variance to reduce the minimum lot area for zoning to the O&I district from 2 acres to 1.7 acres (UDC Table 12.2) for the property associated with ZA4223 – District 1

Tom Brown, Director, Department of Planning and Community Development, addressed the Board.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to authorize staff to commence the Public Hearing process regarding a County-Initiated variance to reduce the minimum lot area for zoning to the O&I district from 2 acres to 1.7 acres (UDC Table 12.2) for the property associated with ZA4223. Motion carried unanimously.

There was a motion by Commissioner Hill and a second by Commissioner Semanson to recess the Regular Meeting / Public Hearings and enter into Executive Session for the purposes of Litigation, Land Acquisition and/or Personnel at 6:49 p.m. Motion carried unanimously.

The County Attorney announced there would be additional action taken following the Executive Session.

There was a motion by Commissioner Hill and a second by Commissioner Moore to come out of recess and reconvene the Regular Meeting / Public Hearings at 7:09 p.m. Motion carried unanimously.

UNDER OPEN SESSION FOLLOWING EXECUTIVE SESSION THE FOLLOWING ACTION WAS TAKEN:

(1) Board consideration and possible approval of County Manager contract with David McKee for a 3-year contract extension

Ken Jarrard, County Attorney, confirmed the Board can take action regarding this Item.

There was a motion by Commissioner Semanson and a second by Commissioner Hill to approve the County Manager contract with David McKee for a 3-year contract extension as outlined in the contract. Motion carried unanimously.

There was a motion by Commissioner Semanson and a second by Commissioner Hill to adjourn the Regular Meeting / Public Hearings at 7:10 p.m. Motion carried unanimously.

Kiersten Law
____
Clerk of Commission

The above and foregoing Minutes are hereby certified as being correct and ordered as recorded.

____
Alfred John, Chairman

Kerry Hill
____
Kerry Hill, Vice Chairman

Mendy Moore
____
Mendy Moore, Secretary

Todd Levent
____
Todd Levent, Member

____
Laura Semanson, Member

Please reference the streaming video located on the Forsyth County website, www.forsythco.com, for detailed information concerning this Meeting.