

MINUTES OF THE REGULAR MONTHLY MEETING
OF THE BEN HILL COUNTY BOARD OF COMMISSIONERS
HELD ON **October 6th, 2026, AT 6:00PM** IN 4H AND BEN HILL COUNTY EXTENSION
SERVICE BUILDING LOCATED AT 321 DEWEY MCGLAMRY RD

Those present for the meeting were as follows:

Hal Wiley	Chairman
Hope Harmon	Vice-Chair
Daniel Cowan	Commissioner
John Mooney	Commissioner
Hampton Raulerson	County Manager
Pamela D Turner	County Clerk

Call to Order

Chairman Hal Wiley called the meeting to order

Commissioner Bennie Calloway gave the invocation.

Everyone gave the Pledge of Allegiance.

Approval of the Agenda/Agenda Changes

Vice-Chair Hope Harmon made a motion to approve the agenda. Commissioner Bennie Calloway seconded the motion; which passed with Vice-Chair Hope Harmon, Commissioner Bennie Calloway, Commissioner Daniel Cowan, Commissioner John Mooney, and Chairman Hal Wiley all voting for the motion.

Acceptance of Prior Minutes

Commissioner John Mooney made a motion to approve the Regular Monthly Meeting minutes that was held on September 8th, 2026. Vice-Chair Hope Harmon seconded the motion; which passed with Commissioner John Mooney, Vice-Chair Hope Harmon, Commissioner Daniel Cowan, Commissioner Bennie Calloway, and Chairman Hal Wiley all voting for the motion.

Commissioner Bennie Calloway made a motion to Close the Regular Monthly Meeting and enter public hearing. Vice-Chair Hope Harmon seconded the motion; which passed with Commissioner Bennie Calloway, Vice-Chair Hope Harmon, Commissioner Daniel Cowan, Commissioner John Mooney, and Chairman Hal Wiley all voting for the motion.

Public Hearing

- Special Exception for Property 521 Dewey McGlamry Road to be used as Discovery STEAM Center for Community Enrichment

Building and Zoning Director Jake Hughes stated that Dr. Crystal Cooper is requesting a Special Exception to operate a Discovery STEAM Center for Community Enrichment located at 521 Dewey McGlamry Road, offering after school, weekend and summer programs, this is only allowed in R9 with Special Exception.

- The property will permit suitable in view of the use and development of adjacent and nearby property which is Ben Hill Primary School and Buddy Bear Day Care.
- The proposed STEAM Center should not adversely affect the existing use of

adjacent or nearby property.

- The current residential zoning should not be affected in any way economically.
- The property has a yard and large driveway that should not cause any adverse effects.
- This property and proposed use fall within the scope of the land use plan.

Dr. Crystal Cooper requested for Special Exception for the Discovery STEAM Center went before the Planning and Zoning Board and was approved.

Dr. Crystal Cooper 251 Dewey McGlamry Road, Fitzgerald Georgia serves as the Director of several Educational Initiatives. She is also an author of early childhood books, training, and STEAM research publications.

She has had the opportunity to educate, support adults and work with young children. Creating learning experiences for where they are today and where they are going tomorrow.

Much of her career has been spent educating adults who educate children, she has trained teachers to support early childhood leaders and develop educational programs and on how this will influence childhood development.

Some of the most meaningful learning happens when children can investigate, ask questions, experiment, create and connect with what they are learning from the world around them.

The Discovery Center STEAM will provide educational programs centered on Science, Technology, Engineering, Arts and Mathematics (**STEAM**) with emphasis on hands-on learning, exploration, creativity, problem-solving, and discovery.

Creating opportunities for partnerships with schools, businesses, colleges, technical education programs, youth organizations, and community resource.

Clifford Cooper 251 Dewey McGlamry Road, Fitzgerald Georgia, this is just the beginning, we just picked up another piece of property that will bounce off this one located downtown across from the Ben Hill County Board of Commissioner, for teaching older kids and adults. We want to make a difference in the Education system in Ben Hill County

- Variance request from 10x Properties represented by Austin Futch to allow Remodeling, Repair, Replacing well or septic tank if necessary at 267 McCrimmon Road

Building and Zoning Jake Hughes stated the Variance would be to allow Remodeling, Repair, the lot is zoned for General Farming and is only .45 acres. The minimum lot size is 2 acres according to Ben Hill County zoning manual.

The Planning Commission voted unanimously for denial of this variance.

- This zoning proposal does permit use that is suitable in view of the use and development of adjacent and nearby property
- This zoning will not adversely affect the existing use or usability of adjacent or nearby property
- This property does have reasonable economic use as currently zone.
- This zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or school.
- There are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

There is an existing septic on site but not a well

Austin Futch 127 Carol Creek Fitzgerald Georgia, the well is on an adjacent property separated by a 15ft strip of land, the owner of the .45 acres also owns 4.45 acres that the well sits own. I'm here regarding the variance request on behalf of my client's property located at 267 McCrimmon Road in Fitzgerald.

Section 8-1 of the Ben Hill County Zoning Ordinance applies to this property; this is an existing nonconforming lot of record containing an existing residence. Words matter.

Section 8-1 states "Any lot for which a plat or legal description has been recorded in the Office of the Clerk of Superior Court of Ben Hill County at the time of passage of this ordinance which fails to comply with the dimensional requirements for the district in which it is located may, if vacant, be used for any of the uses permitted within the district by this ordinance, or if occupied by a structure containing a conforming use, may have the structure improved, enlarged, or extended".

Those are the County words not mine.

The lot was created in 2013 the current Ben Hill County Zoning Ordinance was adopted in 2021 so this lot had already been recorded for approximately 8 years at the time of passage of this Ordinance. The property contains .45 acres, so it fails to meet the current 2 acres dimensional requirements. It is occupied by an existing residence which is a conforming use, and my client seeks to improve that existing structure. Compare those facts to section 8-1.

The County nevertheless takes the position that section 8-1 does not apply because this lot was already under size under the zoning ordinance that it existed when it was created. Again, words matter.

Section 8-1 does not say any lot that was lawful when created, it does not say any lot that complied with the previous zoning ordinances, it does not say any lot that met the dimensional requirements, it said "Any lot at the time of passage of this ordinance.

In Section 16-1 states "All previous zoning ordinances of Ben Hill County, Georgia, are hereby repealed."

I am asking you to apply the ordinance as it is written.

Aaron Alderman 410 W 12th Street Alma Georgia, I have been investing in Fitzgerald for the last five years, I am the owner of this property, I acquired this property through a tax sale in 2025. Four months ago, Austin Futch, my realtor state agent, listed the property for sale. He found a buyer who wanted to purchase the property and to renovate the existing home, when the buyer contacted the County to request a septic permit, Jake the Zoning Administrator became involve, at this point that's when I learn that there was a zoning ordinance adopted in 2013 or 2021 requiring 2 acres for a home in this area.

Originally this was a site-built home built on this property and then there was an ordinance 2021 that now said its farm use and it has to be 2 acres. At some point this particular tract had been sub divided approximately .45 acres, I am assuming it may have been in 2013 before I purchased it.

The important point I want to make is that this is not a .45-acre vacant lot, I'm not asking you to build a new house, the house is already there, it has been there for years, it has previously been occupied and used as a residence. Since this home was previously occupied, I believe that this should be continued to be used as a residence and should grandfathered in. I believe that the Variance should be granted in order the continue use. I also believe there is a fundamental fairness here.

I purchased this house believing that the existing house could be renovated and returned to productive use. I have already invested thousands of dollars in this property.

I am asking the Board to consider the practical result.

Bonnie Kelly 502 Pine Forest Road Fitzgerlad Georgia

Mr. Chairman and members of the Board, thank you for your time.

I am here tonight to ask this board to deny the requested variance for a well and septic tank on this 0.45-acre parcel of land. While I understand the property owner's desire to develop this lot, our county ordinances and state regulations exist for a reason. Granting this variance poses a direct threat to public health, environmental safety, and the long-term integrity of our community's infrastructure.

To put this request into perspective, Georgia Department of Public Health guidelines generally require a minimum of 0.75 acres to safely accommodate both a private well and an individual onsite sewage management system. This property is nearly half the required size. Trying to squeeze both systems onto less than half an acre is a dangerous gamble. Math simply does not work in favor of public safety. A standard septic system requires a tank, a primary absorption field, and a designated 100% replacement area in case the first field fails. When you layer the mandatory 100-foot separation distance required between a drinking water well and a septic leach field, a 0.45-acre lot physically runs out of room. If this variance is granted, we face three severe risks:

- **Water Contamination:** Placing these systems too close together significantly increases the risk of untreated wastewater leaking into the groundwater. We are talking about E. coli, nitrates, and viruses migrating directly into the very well water that a family will drink.
- **Property Failure with No Backup:** On a lot this small, there is virtually zero room for a secondary replacement field. When—not if, but when—this septic system fails, the

homeowner will have nowhere to dig a new one. This will result in surfaced sewage, creating a biohazard for the immediate family and neighbors.

- Setting a Dangerous Precedent: If we wave the rules for this parcel, we open the floodgates. We will signal to every developer and property owner that our environmental and health safeguards are negotiable.

Variances are meant for extraordinary hardships created by unique topography—not to bypass basic public health minimums just to make an unbuildable lot buildable. The lot size is a selfcontained hardship.

For the safety of our groundwater, the health of our future residents, and the protection of neighboring property values, I strongly urge the board to deny this variance request. Thank you.

➤ **Special Exception by Vertical Bridge to Construct a Cell Tower at 151 Benjamin H Hill Drive SE**

Building and Zoning Director Jake Hughes all Cell Towers require a Special Exception; the site is placed in H district and complies with the requirements as outlined in Ben Hill County Ordinance. The lot is 3.32 acres. This will be located between the Water Tower and what was Sun Coast Stone on Benjamin Hill Drive.

- The proposed use should be suitable compared to the adjacent and nearby properties
- The proposed special exception will should not adversely affect the existing use of adjacent properties.
- The special exception will not change the economic use of the property
- This should cause no burden to any utilities, transportation or school
- This property falls within the scope of the land use of plan.

If approve the only traffic going in and out will be for the Construction

Steven Sullivan 6445 Woodlore Trail NW Acworth Georgia, I am here on behalf of the applicant and the property owner. It was asked that we add some landscape in front of the compound, and we agreed to do that. We had no opposition with Planning and zoning vote for approval.

Commissioner Bennie Calloway made a motion to Close the Public Hearing and enter Regular Monthly Meeting. Vice-Chair Hope Harmon seconded the motion; which passed with Commissioner Bennie Calloway, Vice-Chair Hope Harmon, Commissioner Daniel Cowan, Commissioner John Mooney, and Chairman Hal Wiley all voting for the motion.

Constitutional Officer: NONE

Department Head Reports:

Jake Hughes EMA Director, we do have a system we are looking at right now, be on the lookout for some heavy rain, and some wind this weekend. Right now, it's looking like it will go well to our West. There is one tract that does put it a little closer to us, that may give us some severe weather this weekend.

County Board Reports:

County Manager's Report:

- County Attorney Nick and Building and Zoning Director Jake Hughes, had several Code Enforcement cases that went before Magistrate Judge, cases that had complaints. They will continue through the process.
- Jake has solved several cases before they made it to Magistrate

Annexation Notification: NONE

Rezoning Application: NONE

Alcohol Application: NONE

Appointments: NONE

Old Business: NONE

New Business:

Special Exception by Vertical Bridge to Construct a Cell Tower at 151 Benjamin H Hill Drive SE

Vice-Chair Hope Harmon made a motion to approve the Special Exception by Vertical Bridge to Construct a Cell Tower at 151 Benjamin H Hill Drive SE. Commissioner John Mooney seconded the motion; which passed with Vice-Chair Hope Harmon, Commissioner John Mooney, Commissioner Daniel Cowan, Commissioner Bennie Calloway, and Chairman Hal Wiley all voting for the motion.

Special Exception Property used as Discovery STEAM Center on the Property of 251 Dewey McGlamry Road for Community Enrichment

Commissioner Bennie Calloway made a motion to approve the Special Exception Property used as Discovery STEAM Center on the property of 251 Dewey McGlamry Road for Community Enrichment. Vice-Chair Hope Harmon seconded the motion; which passed with Commissioner Bennie Calloway, Vice-Chair Hope Harmon, Commissioner John Mooney, Commissioner Daniel Cowan, and Chairman Hal Wiley all voting for the motion.

Variance request from 10x Properties represented by Austin Futch to allow setback, Remodeling, Repair, Replacing well, or septic tank, if necessary, at 267 McCrimmon Road
Commissioner John Mooney made a motion to deny the Variance request from 10x Properties represented by Austin Futch to allow setback, Remodeling, Repair, Replacing well or septic tank, if necessary, at 267 McCrimmon Road. Commissioner Daniel Cowan seconded the motion; which passed with, Commissioner John Mooney, Commissioner Daniel Cowan Commissioner Bennie Calloway, Vice-Chair Hope Harmon, and Chairman Hal Wiley all voting for the motion.

Legislative Report: NONE

Vice-Chair Hope Harmon Left the Meeting 6:47pm.

Public Comments:

- **Bonnie Kelly 502 Pine Forest Road Fitzgerald Georgia** just want to thank all the First Responders and Ben Hill County for what they do. Thanks for all their hard work and dedication.
- **Austin Futch 127 Carol Creek Fitzgerald Georgia** just want to thank the Commissioners; there has been a lot of consideration and discussion around all of this. I do want to clarify two things, the well and septic are greater than 100ft apart on separate parcels. We were not asking to drill a well or to place a septic tank. And I believe in 2012 Grady McCrimmon was still occupying that home. I appreciate you for considering it and your hard work.

Executive Session

Commissioner's Remarks:

Meeting adjourned.

_____ Hal Wiley, Chairman

_____ Pamela D. Turner, County Clerk