

Minutes of a regular meeting of the Marion Planning Commission held in the Council Chambers of the Municipal Building on September 14, 2020 at 5:15 pm.

CALL TO ORDER: Chairman Wolfe called the meeting to order.

INVOCATION: None.

VISITORS: Jeff Repass General Service Manager, Mt Rogers Community Services, Judy Henegar Emmaus Medical & Counseling Facility Director, Paul Spano Developing, Emmaus Medical & Counseling.

ROLL CALL: Chairman Cameron Wolfe, Trey White, Vice-Chairperson Kimberly Austin, Ben Reedy, Jim Barker and Alice Freeman Planning Commission Members; Town Manager/Zoning Administrator Bill Rush, Deputy Clerk Anita Catron and Town Attorney Mark Fenyk

ABSENT: Bob Ramsey.

DETERMINATION OF A QUORUM: The meeting was called to order with 6 voting members present, the Commission has a quorum.

MINUTES: Upon motion of Mrs. Freeman, seconded by Mr. Reedy and a vote of 6 AYES and 0 NOES, the minutes of the meeting held March 9, 2020 were approved as written. Messrs Wolfe, Freeman, Austin, White, Reedy and Barker voted affirmatively.

REPORT OF THE SECRETARY: No Report.

REPORT OF STANDING COMMITTEES: No Report.

REPORT OF SPECIAL COMMITTEES: No Report.

Chairman Wolfe stated the need to change the agenda order and moved the Old Business for Mt Rogers Community Services to the front of the agenda as the representative was already present, allowing time for representatives from Emmaus Medical to arrive.

REQUEST FOR REZONING AND TO VACATE PROPERTY LINES WITHIN 3 TRACTS OF PROPERTY LOCATED AT THE CORNER OF CULBERT DRIVE, TERRACE DRIVE AND BERRY PLACE FROM R-1 TO MEDICAL ARTS, OWNER MT ROGERS COMMUNITY SERVICES: Chairman Wolfe inquired from Mr. Fenyk if he needed to excuse himself from this discussion. Mr. Fenyk stated he could remain but could not vote on anything related to this item. Mr. Wolfe stated Mt Rogers Community Services has lost the funding for the intended project that was discussed at the March 9, 2020 meeting. However, they are still requesting the property lines to be vacated and the property be rezoned for another project. Discussion ensued regarding the intended use for the property and the mixed zoning around the area of the property. Mr. Rush stated the question should be not what goes in there now; but what is the best use for the property for the future? Should R-1 zoning in the middle of R-2, R-3 and Medical Arts (MA)? He reminded members they will be making a recommendation to council, but council will make the final decision. The joint public hearing on this issue has been rescheduled to November allowing time to revisit the request at the October meeting. (Mr. Repass left).

ELECTION OF OFFICERS: Due to COVID-19 restrictions, officer elections could not be held in April 2020.

Chairman Wolfe opened the floor to nominations for Chairman of the Board. Upon motion of Mrs. Freeman, duly seconded Kimberly Austin was nominated for Chairman. Upon motion of Mr. White, duly seconded Cameron Wolfe was nominated to continue as Chairman. With no other nominations Mr. Wolfe called for a vote by members and with a vote of 2 AYES and 3 NOES, for Mrs. Austin and 3 AYES and 2 NOES for Mr. Wolfe, Cameron Wolfe will remain as Chairman. The floor was opened for nominations for Vice-Chairman. Upon motion of Mrs. Austin, duly seconded Trey White was nominated for Vice-Chairman. Upon motion of Mr. White, duly seconded Mrs. Austin was nominated to continue as Vice-Chairman. With no other nominations Chairman Wolfe called for a vote by members and with a vote of 2 AYES and 3 NOES for Mr. White and a vote of 3 AYES and 2 NOES for Kimberly Austin, Mrs. Austin will remain as Vice-Chair.

SPECIAL USE PERMIT REQUEST FOR EMMAUS MEDICAL AND COUNSELING TO BE LOCATED AT

1577-1579 N. MAIN STREET (MARION PLAZA): Chairman Wolfe turned the meeting to Mr. Rush for discussion. Mr. Rush stated the request was presented to Town Council at the August 17, 2020 meeting. Town Council referred the request to Planning Commission for study and review noting a joint public hearing will be conducted October 5, 2020 for Planning Commission recommendation.

Members have received by e-mail a copy of the letter of intent that was given to council stating the clinic owner as Dr. Charles Backus who is board certified in Addiction Medicine. The letter indicated the intended purpose of the clinic is to make available and provide exceptional care for their patients with substance abuse while supplying educational assistance with the disease process, counseling, treatment programs and interventions for potential problems. The letter also noted no medications would be dispensed from the facility. Mr. Rush had shared with members by e-mail, all information as received prior to the meeting.

Mr. Rush requested the representatives for Emmaus Medical to introduce themselves and share information regarding this request with commissioners and then allow for questions from members.

Judy Henegar Facility Director, stated that Emmaus Medical & Counseling is a faith-based organization that strongly believes in the power of God and prayer. They want to address and help patients with drug and alcohol addictions. She oversees that rules and regulations are in place and being followed, noting they are Medicaid approved and accept most insurances. She assured members that no medications are given to patients and no medications are kept on the premises. All prescriptions are submitted electronically. Patients that come to them for help must complete and sign an agreement stating they will not fill any prescriptions for Opioids and the patients are strictly monitored. She indicated that Dr. Backus would be attending the public hearing, but assured members they may e-mail him with any questions they have prior to the public hearing.

Paul Spano works with the development team and has a Biology degree and a Pharmaceutical degree. He has worked in the medical field for 23 years and is very familiar with cardiovascular and respiratory issues. Both Ms. Henegar and Mr. Spano stressed to members they love the patients and follow all rules

and guidelines in treating patients also noting the patients must want to get better and be willing to help themselves.

Members had questions pertaining to types of drugs used in treatment for patients and the possible side-affects. A few of the concerns were regarding Oxycontin and Opioid addictions, the number of doctors, nurses, and other staff on premises, average number of patients per day, intended office hours, employee qualifications and benefits, success rate for their patients, why Marion was chosen for this clinic, if there have been complaints or issues with State Board, Law Enforcement, neighbors or other businesses in the area surrounding the clinic in Bulls Gap and would the organization would be willing to be credentialed thru Ballad Health. Discussion ensued. Ms. Henegar is to e-mail Mr. Rush an informational packet containing a copy of the forms used for new patients and how the progress of these patients is monitored.

Mr. Rush noted a Joint Public Hearing is set on this request for October 19, 2020. (Ms Henegar and Mr. Spano left).

RESTRICTIONS-CAMPERS AND RV's RESIDENTIAL R-2 DISTRICTS: This item was added after calls concerning temporary RV's on residential lots for people wanting a place to stay due to COVID. Mr. Rush would like members to be aware of this and give guidance on this issue based on zoning regulations.

ADJOURNMENT: Upon motion of Mrs. Freeman, seconded by Mr. Reedy and a vote of 6 AYES and 0 NOES the meeting was adjourned at 7:50 pm.

Chairman

Secretary