

**Tennessee Health Services and Development Agency
Public Hearing
Sunrise Community of Tennessee, Inc.
CN1510-043
January 7, 2016**

AGENCY STAFF PRESENT

**Mark Farber, Deputy Director
Jim Christoffersen, General Counsel
Rhonda Finchum, Director of Administrative Services
Mark Ausbrooks, Administrative Services Assistant III**

ATTENDEES PRESENT

Support

Ann Williams
Dianne Dixon
John Johnson
Kristen Thompson
Leslie Leech
Michael Hart
Michelle Pitts
Stacy Songer
Tonya Cammon
Vickie B.

Opposition

David Hawk, State Representative
W. T. Daniels, Greeneville Mayor
Terry Cannon, Greeneville Police Chief
Alice Russell
Allen Vital
Allison Weems
Bonnie Thompkins
Brian Allen
Daniel Lawrence
David Crum
Holly Nix
Hugh (Tony) Nix
James Harbin
Jane Stroud
Jeanine Crum
Jeff Idell
Jeff Weems
Joe Shaw
John Craven
Joy West
Karen Thompson
Lynn Carter
Mark Williams
Pat Hankins
Pete Vestal
Rita Carter
Terry Cannon
Tim Stroud
Todd Smith
Walt Thompson

CALL TO ORDER /ANNOUNCEMENTS:

The public hearing was called to order by Mark Farber, Deputy Director, on January 7, 2016 at 6:00 p.m., in the Criminal Court Room, Greene County Courthouse, 101 S Main Street, Greenville, Tennessee, 37745, regarding the following Certificate of Need Application: CN1510-043 Sunrise Community of Tennessee, Inc., located at 640 Old Shiloh Road, Greenville, TN 37745.

Mr. Farber provided instructions for those speaking about the application.

Mr. Farber informed the audience that this was a fact-finding public hearing and the application will be presented to the Agency members for review at the Health Services and Development Agency Meeting in Nashville, TN.

Jim Christoffersen, General Counsel, explained the process for filing support and/or opposition with the Health Services and Development Agency, the criteria by which the decision to approve or deny must be made by law, legal requirements for being eligible to file an administrative appeal of the Agency's decision to approve or deny the applications, and the administrative appeal process.

APPLICANT'S PRESENTATION:

Ann Williams, Executive Director, stated that Sunrise Communities was a private non-profit organization that works with individuals with developmental disabilities and has provided support for over 155 individuals in 75 different residential settings, for over twenty years. It assists individuals, improves their quality of life, and helps them blend seamlessly into their communities and be productive members of the community. It provides people with experiences of personal growth and development.

Ms. Williams discussed the four individuals selected for this home. She noted they are individuals with significant medical needs and are very medically fragile. They have all lived at Greene Valley Developmental Center for an extended period of up to thirty years. The facility will be an ADA compliant 4-bedroom single family home. On the outside it will look like other homes in the community. Ms. Williams also discussed property selection and mitigation of traffic issues. She indicated Sunrise Communities will work closely with architects, engineers, and local designated officials to ensure the proper measures will be taken regarding drainage issues. She stated their goal is to be good neighbors.

SUPPORT

Dr. John Johnson, ComCare, is the conservator for 21 individuals at Greene Valley. ComCare is the conservator for one individual who will be moving into this home. This individual is a 55 year old man, who is going to have his own bedroom for the first time in his life. The individual has lived in the Greene Valley Developmental Center for 18 years. This individual is totally dependent on his caretakers. Dr. Johnson said Sunrise was chosen because they are dependable and can be counted on to meet the needs of these individuals.

OPPOSITION

GOVERNMENT OFFICIALS

State Representative David Hawk- State Representative David Hawk expressed his strong opposition to the application. He stated that Sunrise does a tremendous job; however, he indicated as a community-based provider the applicant needs to understand the wishes and thoughts of the community and this community has not bought into this project. He encouraged the applicant to re-think their decision, and look for another location. Representative Hawk stated the project would not be embraced due to a myriad of reasons. These are the most fragile individuals that need 24/7 care. He indicated the Chief of Police was concerned with the current employee ratio, traffic, and the coming and going of the employees.

Terry Cannon, Greeneville Police Chief- Greeneville Police Chief Cannon stated the roads around the location are curved and have no shoulders. It will take longer for an ambulance to reach the home when the roads flood. The people that work at these home are minimum wage and unskilled. Once they become skilled they move on to better jobs and then are replaced by unskilled workers. Police are often called to these homes because the operators cannot control the residents or their workers. They did not have these problems when Greene Valley Developmental Center was fully open taking care of these people. This is a bad decision and needs to be rethought. The operator is from Florida and does not really care what happens in Greeneville. It's all about the almighty dollar. The people that have spoken in opposition tonight have very valid points.

W.T. Daniels, Greeneville Mayor- Mayor Daniels noted his opposition to the project and agreed with what had been said by community members. He stated these individuals need a decent place that they can call their own but the choice of this property goes against common sense. He also said there are many other properties in this community that would be less controversial.

MEMBERS OF THE COMMUNITY:

The following individuals presented oral testimony: Hugh Anthony (Tony) Nix, Dr. Pete Vestal, Jeff Idell, Karen Thompson, Walter Thompson, Gene Crumm, Mark Williams, Alice Russell, Allen Vital, and Joy West. Their shared many of the same concerns, which included:

- Concern with putting a commercial business on this site; current neighbors cannot obtain a permit to establish a business on their property. The State of Tennessee has redefined "residential" to allow this commercial business to be placed at this site despite the restrictive covenants and local zoning that led the neighbors to expect purely residential development and invest in their homes. What happened to their rights as property owners, taxpayers, and voters? The project will destabilize the neighborhood and reduce the value of properties in the

neighborhood. Why not build outside the city limits in the county where building restrictions are more relaxed?

- This subdivision was first developed in 1966. This lot has never been developed or built on because of serious drainage issues. It is an uninhabitable lot. Neighbors are also concerned about increased runoff water resulting from improvements planned for the site by the applicant.
- Safety of ingress and egress into the site. The intersection is dangerous. The site is at an intersection on a narrow, curved road. Too many vehicles already take the curve too quickly, with accidents having occurred, cars regularly swerving off the road digging ruts on the property and repeatedly taking out neighboring mailboxes. It would be more of an issue with increased traffic due to employees at the proposed facility and moving special vehicles for the patients in and out of the property.
- The roads in the “curves” area were recently closed due to flooding. What would happen to the residents of this home in an emergency? They would have to go at least a mile out of their way. (HSDA staff drove by the property the next day after hearing the concerns; the main road to the property had flooded in one spot after a light, but steady, rain; it was passable in an SUV with caution in the daylight, though other scenarios cannot be accounted for one way or another.)
- Area roads should be restructured before such a facility could be placed here.
- A Florida company handling the State of Tennessee’s needs?
- How biohazardous materials will be handled?
- There are more economical alternatives available than buying an uninhabitable site for \$25,000 and then committing \$170,000 to improve the lot.
- An empty commercial facility in a residential neighborhood if in the future Sunrise cannot locate patients for this house and the facility closes.
- Concern was expressed regarding the quality of construction for this home.
- The proposed project is being placed in an upper price range market. Buyers in this price range are more discerning and savvy. Resale is very important to prospective buyers. If a buyer believes their investment will be threatened by what is going on nearby, they will seek an alternative somewhere else. Commercial business trying to disguise itself as a house will negatively affect the value of the homes in the area. Other similar homes in Greene County are not in higher dollar areas.

APPLICANT’S RESPONSE

Leslie Leech Jr., CEO of Sunrise Community LLC noted Sunrise was a respected provider that operated in several states. He indicated that a lot could be done with the property. Despite the responsible opposition he did not see it as a commercial property. He noted that Sunshine tries to assist people to live valued lives in the community. It’s not a good investment to build a 2800 square foot home for 4 people and meet all ADA specifications for handicapped people but as a non-profit

that is what Sunrise has to do. He stated that he was sorry about creating alienation in the neighborhood but that they have a job to do too. He stated their job was to win over every person in this room once this operation is on line including the chief of police.

QUESTION AND ANSWER PERIOD

There was a brief question and answer period; however personal questions were being directed to Mr. Leech that did not address the application's need, financial feasibility, or orderly development of healthcare, so Mr. Farber announced that he would adjourn the hearing.

ADJOURNMENT

Mark Farber adjourned the Public Hearing at 8:00 p.m.



Mark Farber, Deputy Director
MF/maa