

Town of Maggie Valley  
Board of Aldermen Agenda Setting/Monthly Workshop  
November 1, 2022  
MINUTES

Members Present: Mayor Mike Eveland, Aldermen: Jim Owens, John Hinton, Tammy Wight and Phillip Wight

Staff Present: Interim Town Manager Vickie Best, Planner Kaitland Finkle, Assistant Planner Sam Cullen, Public Works Director Mike Mehaffey, Police Chief Russ Gilliland and Minute Taker Regina Massie

Others Present: Haywood County Program Administrator David Francis, Civil Design Concepts, PA's Patrick Bradshaw, Director of Haywood County TDA, Lynn Collins, a team from WithersRavenel, Mountaineer Reporter Kathy Ross, Hillbilly Jam Promoters, and two Maggie Valley residents

**Festival Grounds Workshop**

1) Workshop Called to Order

Mayor Eveland called the Annual Festival Grounds Workshop to order at 9:00 am on Tuesday, November 1, 2022, in the Town Hall Boardroom.

2) Review of 2022 Calendar of Events, Revenues and Expenditures

Manager Best reviewed the 2022 Event Schedule, revenues and expenditures.

The Maggie Valley Festival Grounds hosted twenty-two (22) events in 2022. There were five (5) one-day events, ten (10) two-day events, six (6) three-day events, and one (1) five-day event.

The Mini Truckin' Nationals was an all-time hit for Maggie Valley's first event. The Valley was full, and sidewalks along Soco Road were full of spectators watching the vehicles and crews. In fact, promoters reported that participants had to be turned away because they reached capacity. This is a great kick-off for the event season.

Hillbilly Jam was also a hit, but promoters say the event has reached capacity. This event began in the parking lot of Smacker's Restaurant before moving to the Festival Grounds and is a true success story.

Town Hall staff appreciates all the promoters and the events they bring to Maggie Valley. Staff members work hard with the promoters to have successful events. Promoters were reminded to get insurance and deposits in on time.

Everyone was saddened that the Elk Fest was cancelled this year because of pending weather. A 2023 Elk Fest is still uncertain.

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As of October 19, 2022, the Town has collected the following:

Rentals: \$34,000  
Overnight Camping: \$8,675  
Labor Grounds/Repair Reimbursement: \$7,830

Total Revenues: \$77,739  
Total Expenses: \$100,070.88  
This leaves a deficit of \$22,331.88.

Manager Best shared two Festival Grounds noise complaints written by residents Bob Bledsoe and Barbara Mills.

3) 2023 Pricing Increase

- a. Rent increase from \$500 to \$600 per day
- b. Camping fees increase from \$25 to \$35 per night

At the 2021 Festival Grounds Workshop, it was decided that rent and camping fees would be increased effective 2023.

Alderman Phillip Wight noted that the deficit was down from previous years. Manager Best said that the Local Government Commission's (LGC) guidance is to take deficits from general funds.

As new commitments are being made, the Town needs to be able to pay its debt, Mayor Eveland said. Alderman Owens agreed, noting purchase of the Ferguson property and the Sweet Briar Lot. It will take \$65,000 - \$75,000 to improve the lot next to the Festival Grounds. The Town has \$125,000 to pay toward the Sweet Briar Lot and TDA will pay the rest. Overall, the Town will be investing approximately \$200,000 in the two properties.

4) Comments from Promoters

Hillbilly Jam promoters Terry Frady and Becky Ramey has no complaints about the Festival Grounds. "Everything is perfect," Frady said, adding "we've never had a problem that someone didn't come and take care of."

Director Mehaffey observed that the vacated Ferguson Property is already helping with the parking situation. Just in the past two weeks, with cars parked in rows to the fence, a lot of parking has been gained. The same will happen with the Sweet Briar property.

Some promoters put up signs that say Event Parking. Once these buildings are burned, the Festival Grounds will be more visible from the road. TDA can set up a van with electricity when they want to be on-site. Everyone is excited about the opportunities.

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Alderman Phillip Wight addressed the sound system, suggesting that a four speaker PA system would enhance the sound. This would only be for those events whose promoters don't have their own systems. There is not a Town owned sound system at the Festival Grounds.

Mayor Eveland said if the Town looks into this option, they must envision a system that is loud enough but not too loud. He added that systems vary - one system is okay, then the next one, just because of the way the speakers are turned, will carry further and in a different direction. The Town will continue to collect information from promoters to see what course of action needs to be taken.

Ms. Joy Hearn previously commented at the October 11, 2022, Board of Aldermen Regularly Scheduled Meeting Public Hearing about the Festival Grounds' noise infiltration into her residence at The Knolls. At today's workshop, she submitted a *Festival Grounds Study for 2022* and resubmitted a Haywood County Sheriff's Office Report dated July 24, 2021. Ms. Hearn said she hesitates to call law enforcement on noise complaints, and only called once recently at the truck event in October.

She reiterated that by exempting the Festival Grounds from a sound ordinance, any objective standard on noise level is removed. She reported that she met with Haywood County staff about the noise this week, because noise induced hearing loss is such a big issue. Over 85dBs and ear damage occurs.

She said Asheville's sound ordinance is not working either, but this issue has been resolved in other areas. She reported the Ag Center has placed limitations on their sound system because vendors were complaining. However, she added that Maggie Valley does a better job than the rest of Haywood County. She said she wasn't sure if Haywood County even knows they have a problem with sound.

Ms. Hearn explained that it is the job of an acoustical engineer to direct speakers in a way to provide sound coverage to all areas. She gave the example of one 2022 event where speakers were disbursed around the area, allowing for everyone there to hear, without disturbing her residence.

Mayor Eveland said there are many different promoters, some who have good sound systems, that have been working with the Town for a long time on noise. The way the speakers are set up is more a problem than the decibel level.

Ms. Hearn feels that family events should end at 10 pm, especially when there is no audience. Instead, what she observes is music still blasting, with less than ten audience members. Alderman Phillip Wight explained that bands are paid to be there until a specified time. Mayor Eveland noted that over the years the late-night crowd is dying off, and that many leave by 9 pm. He said the Town is not ready to change the hours of operation but will talk with vendors that still stay open until 11 pm to get their thoughts.

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Terry Frady said the Hillbilly Jam cuts off at 11 pm. He said they are natives and want to see the event continue, so they try to go by the rules. Ms. Hearn disagreed, saying one time she witnessed them continuing to play until 11:13 pm. Mr. Frady said that is not the expectation, and that it will not happen again. Hillbilly Jam speakers are hung at the front of the stage, each up a certain distance from the last. They have set them up this way over the years. Volume is cut down every year, but they need some sound.

Mayor Eveland reminded everyone that the Festival Grounds have hosted lots of bands over the years, and some are just naturally loud. Good sound systems don't have to blare to make the sound right; others may have to increase the decibels because their sound system is not as good. Decibel levels and speaker placement are the things that the Town needs to look at long term he said.

Ms. Hearn said if other towns can fix sound problems across water (referencing Jupiter Florida), Maggie Valley should be able to fix this problem. Mayor Eveland responded that he respects and understands the issue, and that the Town will likely be working on it in two more years. But there will be no change to what Hillbilly Jam is doing. "You bring this to our attention, we listen, but we are not going out to tell people what not to do next year. We are aware of it," he told Ms. Hearn.

Director Mehaffey feels like the Town has come a long way with sound concerns over the past few years. He attends most events, and thinks they continue moving in the right direction, but it is not a process that happens overnight.

Chief Gilliland reported on Festival Ground complaints. He said for the period of April 2 through October 29, 2022, the Police Department received 25 noise complaints. Five of those were generated from the Festival Grounds. The way the Valley is set up, some will have more complaints than others.

Ms. Hearn concluded, emphasizing that she believes selective enforcement denies equal protection; noise impacts property values as evidenced by Realtor.com; and government should not sponsor events that compete with established businesses.

She reported speaking with Caroline at Willow House. They cannot use Willow House on certain dates because of the noise. "I'm not trying to shut anyone down, just trying to let people enjoy their homes," she stated.

5) Review of 2023 Calendar

The 2023 Event Schedule does not reflect two, and potentially three, events that will be presented at the November Board of Aldermen meeting for approval. The first is the proposed four-day Worldwide Beatbox Fest, a first-time event for Maggie Valley, scheduled for May 19 – 22, 2023. Manager Best hopes to speak with the promoters prior to the meeting to obtain more information about their event. The second is the Vairs in the Valley event. This event has outgrown the Pavilion and promoters requested to move it to the Festival Grounds in 2023.



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Planner Finkle said the Elk Fest wants to come back in September, but it is uncertain at this time.

Director Mehaffey reported that the Check in/Check out process at the Festival Grounds goes pretty well. Those who come every year clean up before leaving. They did have an issue this weekend, and Public Works staff had to clean up after the event. Cigarette butts continue to be a big problem.

He said there was not as much damage to the grounds this year as in the past. Resowing some grass helped, but they expect to see more benefit next year if there's a rainy season. Moving forward, they plan to fix similar issues the same way. Electricity is not a problem, he said; however, the curtain on the stage needs to be replaced. The curtain came from Carolina Nights and was customized to fit but is showing wear. Manager Best will look into this request. The TDA is preparing for a second round of funding, and hopefully they will be able to get better material this time.

Mayor Eveland foresees a big push coming for the Town with the addition of the two parking lots. The contract to get the inspection on the former Ferguson property at the Festival Grounds is in the works. Maggie Valley Fire Department will use this property for a training exercise and has requested a two to three-week notice. Nothing can begin until Maggie Valley Ice Festival is over. The tentative schedule is for the asbestos inspection to be completed before the end of January with burn planned for around the first of February.

A maple tree on the site will be cut as it is deemed a hazard. Once the fire department is finished, material will be hauled to the landfill. One challenge is that one part of the building has a seven-foot basement, another has a two-foot basement, while other parts are entirely underground. The goal is for completion before the Mini Truckin' Nationals in April. This is one of the events that already doesn't have enough parking.

Mayor Eveland requested a conversation about trailers for the March 2023 Agenda Setting Meeting. With extra grounds available, the Town needs to look at options, he said.

Reminding everyone that his department is all about public safety, Chief Gilliland spoke about the three biggest Festival Grounds events – Mini Truckin' Nationals, July 4<sup>th</sup> and Hillbilly Jam. The largest one is the July 4<sup>th</sup> event. He says he thinks things go really well overall and that they have very few calls from the Festival Grounds, outside of noise. He gives credit to promoters and clientele that attend. Decibel meters are installed just outside the Festival Grounds.

Motor vehicle and pedestrian traffic can be challenging. He suggested adding temporary signage at the entrance of the Festival Grounds alerting people to pedestrians. Alderman Owens recommended something that can be turned on and off with little effort, and that the Town should look into what the cost would be.

Mayor Eveland said the multi-million-dollar NCDOT road project will hopefully be a go and completed by next summer. That would solve 75% of the pedestrian problem. This concern will

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be reviewed again in March. If the project is going to be completed, the Town may not need to do anything. Once yield signs are added, it will naturally slow down traffic and people will know that there are crosswalks.

Planner Finkle said the road project should go back to bid this month and we should know one way or the other by the next Agenda Setting Meeting if the project will move forward. Representative Pless has gotten involved and asked the State for urgency.

Alderwoman Tammy Wight said she would like to see a quote on additional signage before March, just to be prepared. Alderman Owens agreed. Director Mehaffey thinks signage would be less than \$1000. These are battery/solar signs, and it is just a matter of turning them on during busy times.

Before leaving the meeting, Hillbilly Jam promoters Terry Frady and Becky Ramey again thanked the Town and the Public Works Department specifically for their support

Following the conclusion of the Festival Grounds Workshop at 9:48 am, Council reviewed the agenda for November 9, 2022.

#### **Agenda Setting Meeting**

- 1) Meeting Called to Order
- 2) Pledge of Allegiance
- 3) Approval of the Agenda/Conflict of Interest Declaration
- 4) Consent Agenda
  - a. Minutes to be Approved: October 4 and October 11, 2022
  - b. Budget to Actual
  - c. A/R Report
  - d. Tax Releases
  - e. Voluntary Annexation – Call for Public Hearing December 13, 2022 at 6:30 pm  
Resolution 22-26 Griffith PIN TBD (Portion of PIN # 7696-08-3702)
  - f. Initial Zoning Griffith PIN TBD (Portion of PIN # 7696-08-3702) (Only if Annexed) Call for  
Public Hearing December 13, 2022 at 6:30 pm
  - g. Conditional Rezoning SAHAS PIN # 8607-34-5642 Call for Public Hearing December 13, 2022  
at 6:30 pm

The survey for the Anthony Griffith property located at 1580 Moody Farm Road has come back and has been recorded. A portion of the property has been surveyed out of the larger parcel so that a proposed new five-bedroom home can be constructed where a double-wide

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mobile home currently stands. After annexing the smaller parcel, Council will need to vote to zone the property. Public Hearing for both annexation and initial zoning is set for December 13, 2022.

The Conditional rezoning request is for SAHAS NC LLC property currently known as Ridgecrest and previously owned by Craig Woolmington. This is for a proposed subdivision just down from The Preserves Subdivision off Jonathan Creek Road. Due to the size of the property, a neighborhood meeting is scheduled for tomorrow.

5) Public Comment

6) 2021/2022 Audit Report

As in the past several years, Erica Brown with Martin Starnes & Associates, CPAs, P.A. will provide the annual audit report.

7) Public Hearing for the Annexation of 1585 Jonathan Creek Road

- a. Open Public Hearing, Close Public Hearing
- b. Adopt Ordinance

8) Public Hearing for Initial Zoning of 1585 Jonathan Creek Road (only if annexed)

- a. Open Public Hearing, Close Public Hearing
- b. Adopt Ordinance Zoning the Property
- c. Adopt the Consistency and Reasonableness Statement

9) Public Hearing: Planning Board Initiated Text Amendment for Building Height in Special Flood Hazard areas

- a. Open Public Hearing, Close Public Hearing
- b. Adopt Text Amendment
- c. Adopt a Consistency Statement

10) Property Owner Requested Conditional Zoning District: 1585 Jonathan Creek Road, PIN # 8607-27-9452, 92 Lot Subdivision (61 Single Family & 31 Multi family Dwelling Units) (only if zoned)

- a. Open Public Hearing, Close Public Hearing
- b. Adopt Ordinance for Conditional Zoning of the Property
- c. Adopt the Consistency and Reasonableness Statement

11) Approval of Event:

- a. Worldwide Beatbox Fest
- b. Vairs in the Valley

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The Beatbox Fest will include sample distiller tastings, live music, overnight camping, and will be held Friday, May 19 – Monday, May 22, 2023. This application was just received and Manager Best plans to meet with the promoter to get a better understanding of what is being proposed.

Vairs in the Valley has outgrown the Pavilion and is moving to the Festival Grounds. This event will include live music scheduled for October 13 and 14, 2023.

Clarification was provided that only vendors and promoters are approved for overnight camping.

12) Budget Amendment

a. Ordinance 1014

This amendment is for 10% of the appropriated fund balance for ABC Distribution Rehab/Education

b. Ordinance 1015: This is the remaining property tax for the Ferguson Property. Maggie Valley must pay this year, but the property will be exempt moving forward.

13) HCTDA Director Lynn Collins: Selection of a Name for the Ice Festival

Director Collins provided a list of names nominated for the event. After discussing the suggestions, Alderman Phillip Wight recommended Maggie Valley Ice Festival, and all agreed. A mockup of the logo was distributed.

Director Collins asked to confirm the hours for the event. Ice Mill promoters recommend from 3 – 8 pm. Attendees could come earlier to watch carving, and they recommend continuing the event after dark because of the fire and ice display. Ice Mill has received a deposit and provided a list of sculptures they will do.

She said to keep in mind that this is a Maggie Valley, not a TDA, event. As such, the Town needs to be involved. Manager Best said that staff members will sit on the committee and stated she will follow up. Vendors are needed to sell food and music/deejay needs to be secured.

Director Collins distributed a list of advertising media for the event and has met with The Chamber of Commerce about advertising. She has spoken with merchants in Waynesville to promote the event as well. Ice Mill was planning to have a life size elk at the Elk Festival, that was unfortunately cancelled this year. This would have been a great promotion.

Mayor Eveland said like everything else, winters have changed. Maggie Valley has tried several things in the past, but nothing has stuck. There needs to be a push for people to get something going for winter. Over the next few years there will be more people moving to the county, and it will continue to grow – not just Maggie Valley. Alderman Owens reminded all that winter business is stronger than it was two or three years ago.

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Alderwoman Tammy Wight felt that it might be good in the future to consider hosting this event in December. Mayor Eveland agreed, saying it gives people more reason to be here. Skiing could be hampered if the area continues in a drought.

14) ARP Funds

- a. Written Internal Controls
- b. Eligible Use Policy
- c. Allowable Cost Policy
- d. Civil Rights Compliance Policy
- e. Conflict of Interest Policy
- f. Budget Amendment

These documents must be adopted and in place before spending any of the ARP funds. They can be approved all at once, but each must be named as approved. A one or two sentence description of each item will be presented at the BOA Meeting.

15) Request \$500 to Pay for Asbestos Test on Ferguson Property.

Manager Best distributed a contract with Fleetwood Daniels Group, LLC for an asbestos survey. The survey will cost \$500 and Manager Best will ask for additional funds because each bore (test) costs \$20. This could run an additional \$300 to \$400. There could be asbestos in the roof or flooring. This could generate multiple samples (i.e., three layers of flooring requires three samples.) The survey will save Maggie Valley money in the long run because there will be less debris to haul off after the structure is burned. Mayor Eveland questioned if a budget for this project, so they don't have to keep approving small amounts, was needed. Manager Best will work on this.

After the Ice Festival there will be a short window in February and March to clean up this site before the season begins. If asbestos is found, it needs to be mitigated so as not to slow down the burn schedule.

A design proposal has been submitted for the parking lot at Sweet Briar. They are ready to present construction plans and can then go to bid. Currently, the holdup is for bidding on the NCDOT project. If NCDOT doesn't get bids again, that doesn't mean this project won't happen, it will just cost Maggie Valley more money.

16) Department Head Reports

- a. Mike Mehaffey, Public Works Director
- b. Russ Gilliland, Police Chief
- c. Sam Cullen, Assistant Town Planner
- d. Vickie Best, Interim Town Manager

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Planner Finkle will not be at the Board Meeting on November 9. Sam Cullen will be available to address the properties scheduled to be annexed and zoned.

Regarding zoning of the property at 1585 Jonathan Creek Road, the Planning Board made a unanimous recommendation for R3, as it seems to fit with most adjacent land uses. The property is in the 100- and 500-year floodplain. It is expected, at the Board meeting, to bring the property into the Town of Maggie Valley and decide on recommended R3 zoning.

The Conditional Zoning is a first for the Planning Board. Overall, the site meets or exceeds requirement for an R3: High Density Residential zoning district. There are 91 or 92 units planned, even though 102 single family dwelling units are allowed. One parking space per unit is required, but this one will have from two to four. The developer is asking for exceptions on a few things. Minimum lot width, for example is set at 60 feet, but they are asking for a variance. Front setback is 15 feet, and 10 feet on the side and rear sides of the property. No exceptions are requested on streets and front setback, but they did request seven feet on some lots for side/rear setbacks.

The type of curb will make for easier snow removal and getting in and out of drives. This is the same V shaped gutter system used on Riddle Cove Road.

Assistance Planner Cullen said certain conditions can be negotiated. The developer has agreed to a linear right of way along the creek for future greenway use but did not agree to public access. This, along with building height has been talked about at length at Planning Board meetings, he said. However, the Planning Board's only condition is a buffer at the road front, either in the form of vegetation, a fence or a combination of the two. If a wall is added, it can be staggered.

The initial plan is to not do anything along the highway. After receiving the plans, Planner Finkle went back to the developer about things that are required, such as street trees and buffers. Consideration has to be made for the NCDOT right of way. Any fencing would have to be installed on the proposed developed property. As for landscaping, one question is who is going to maintain it, and is there an alternative.

Director Mehaffey said he is not opposed to a fence as much as vegetation. Sewer is right at the edge of the right of way. If vegetation is approved, there needs to be restrictions on what is planted.

"Fence" includes chain link fences. Mayor Eveland said if the developer doesn't want to put in a fence, restrictions need to be made on the style and height, so all are the same. A question arose about if the fence gets damaged, and who will maintain the highway facing side. If the property owner installs the fence, the Town will have to police it. Misty

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Meadows is an example of some good and bad options being utilized. Alderman Owens questioned whether in some cases, the back of homes is worse.

From a developer's perspective, a berm is not practical. Planting would be on the side, and roots and limbs could be problematic. One added value of a fence is leaving the bottom up a little to allow drainage.

The developer is willing to do a continuous fence and then turn it over to the HOA. The Planning Board recommended a minimum of eight feet. Before Tuesday, Planning Department staff will get with the developer to find out the material being proposed.

The plans provided are the most up to date. The developer is expected to share information on size and price points at the Board meeting.

Building height will follow the base zoning district. The developer and Planner Finkle have spoken with NCDOT and Erosion Control. The Hwy 276 project may shift things on their end, but no permits have been issued yet.

Planner Finkle expects several folks will attend the Board of Aldermen Meeting next week. Some still think they can be annexed against their will in spite of assurance that this can't happen. Expect neighbors to bring up recreation and creek access. Concerns about traffic are within NCDOT control. Modernizing Hwy 276 in the next couple of years will make some concerns less of an issue. Storm water concerns need to be referred to Erosion Control.

Alderman Phillip Wight suggested if the greenway could pass through this property, it would be a plus. The property has been a field for many years, and neighbors must accept that it won't be there anymore.

Moving to the proposed text amendment for building heights, Planner Finkle explained that nothing is being added, but language about a height of 65 feet by right in special food hazard has been crossed out. This does not mean that a higher building height cannot be achieved. It could go through a variance or the conditional zoning process and doesn't have to be in the floodplain.

Expect everything to be shown on the site plan at Wednesday's Board meeting, including fencing. Council will be asked to vote on the whole, with adoption of site plan as conditional zoning.

#### **Comprehensive Plan Project Update**

Karen Mallo, AICP, with Withers Ravenel provided a project update on Maggie Valley's Comprehensive Plan. The project has not moved to Phase B, as the Land Use Plan is



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now completed. Her agenda today includes a Comp Plan Project Overview, Community Conditions, Engagement Efforts and Next Steps.

The Comprehensive Plan prepares the Town for the future, builds on the existing land use plan, provides details and inventory of assets and facilities, provides for community engagement to create vision and focus areas, practical implementation strategies, and is a tool for use by staff and boards for decision making.

Three questions answered in the Comprehensive Plan contents are:

- Where are we now?
- Where do we want to be?
- How do we get there?

According to an American Community Survey (ACS), a comparison taken of 2010 vs 2019 shows that the population is aging but still growing in most categories. It levels out in the 15 to 24 age group, which could be attributed to families moving or kids going to college.

Another ACS survey provides a comparison of education attainment from 2010 to 2019. This survey reveals fewer high school graduates, but this could be good news, because more people are earning college degrees. More education generally equates to higher per capita income.

A projection of the Maggie Valley population growth through 2040, and the formula used for the projection was reviewed. Extraterritorial Jurisdiction (ETJ) properties are included in the formula.

Data shows rentals are larger than 50% of vacancies compared to the rest of housing. In the third quarter of 2022, 751 units are vacant for seasonal use and 765 short term rentals (Airbnb/VRBO/etc.) are available. The majority of vacant homes are being used as rentals. When summed up, an additional 1600 people could be renting those properties, having the potential to double the existing population.

An organizational chart of Maggie Valley owned/operated services and facilities as well as those under other Public and Quasi-Public entities, such as the Fire Department or Water District was presented.

In Maggie Valley, 11.8% of households are without internet service. Availability is problematic, and there are concerns about quality and low speeds. Maggie Valley still ranks better than Haywood County and the other municipalities, and North Carolina as a whole.

Only 2% of households report no vehicle ownership, and the average commute time is 22.6 minutes.

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The Greenway Plan is not included in the Land Use Plan. The greenway is expected to follow Jonathan Creek to I-40.

Recommended mitigation pertinent to Maggie Valley is contained in the Smoky Mountain Regional Hazard Mitigation Plan. Hazards range from fires and landslides to flooding.

Town Staff took the lead on workshops and local outreach, but it has been a joint effort with WithersRavenel. The Mountains to Valleys tagline and logo have been created, with various community engagements.

Nearing the end of the final month of the survey, 120 households have responded. Preliminary survey data was presented.

When asked "What is your largest concern for Maggie Valley's future?" respondents ranked too much growth and economic sustainability as their top concerns. The challenge is to look at creative ways to merge those two concerns.

Commercial development ranked highest when asked "What kind of development do you see as needed for Maggie Valley's future?"

Next steps will include additional workshops and community engagement. The survey will close on November 30<sup>th</sup>, then on to creation of goals to formulate a vision for the Town and drafting of a new Future Land Use Map.

Planner Finkle said that for decades Maggie Valley has been called out because it needs a mission. During this year's Board retreat, it was talked about. The Comprehensive Plan provides the opportunity to craft a vision to start attaining.

Ms. Mallo shared a Community Vision exercise that asks where we want to be. She gave examples of mission statements from other municipalities, as well as the mission statement of Maggie Valley. The mission of Maggie Valley and data collected from the surveys will be in writing in the Plan, as has never been done before.

A list of keyword responses to the survey questions was presented:

Growth	Tourist	Tourism	Friendly	Small-Town Feel
Clean	Quiet	Buildings	Peaceful	Entertainment
Development	Family	Destination	Parks	Shops
Update	Natural	Limited	Outdoor	Hiking
Biking	Mountain	RV Parks	Festivals	Food
Beauty	Parks	Access		

Ms. Mallo directed attention to the Strengths, Weaknesses, Opportunities, and Threats (SWOT) Analysis that was completed previously with the Board and Town staff.

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Alderman Phillip Wight noted that Wheels Through Time Museum was left off the list but is a great strength to the community. Small-town feel was added to the list of strengths. Alderman Owens said it is not unusual to have economic growth, while keeping the small-town feel. Everyone agrees that Maggie Valley doesn't want to become like Gatlinburg.

The question of how much more tourism Maggie Valley can handle without building new hotels was discussed. Growth is there, but it is mainly still a weekend destination, Alderman Phillip Wight pointed out. Growth is managed Monday – Thursday.

Economic development forecasts are based on rooftops, so if the Town isn't reaching a certain threshold, things like grocery stores won't come because there are not enough units to support year around.

Mayor Eveland acknowledged that some people in the community feel that the Town Board doesn't want growth, but that's not true. Many businesses won't come until the people are here. Traffic would also be an issue.

Alderwoman Tammy Wight thinks the Town lacks a draw (such as Ghost Town in the past) and Sunday through Thursday traffic. Maggie Valley gets the least traffic off of the parkway. How can we build on this?

COVID-19 gave insight. There was a higher tourist count than in years past, but we can't be sure whether this is a trend or is ongoing. Alderman Owens said the tourist are mixed, and not just skiers anymore.

Planner Finkle reminded everyone of the Blue Ridge Parkway Gateway Community Initiative, whose goal is to get people off the parkway and into communities. They want towns to highlight their hidden gems in hopes of getting more traffic. Alderman Owens advised that the GSM National Park superintendent, Cassius Cash, supports a stronger relationship with Maggie Valley.

Mayor Eveland reasoned that once the UDO is completed, it will fix some of the identified weaknesses in the SWOT analysis. They will certainly not be as big of an issue as before the list was started. He says the Town is "doing the right things moving forward."

Growth, or the management of growth, was discussed as both a strength and a weakness. Capacity has to be considered, such as sewer, and municipal services are extended further out. On the 276 corridor, it was estimated that 70 to 75 percent are year around residents. Any growth won't hurt the middle of Town because it's not on their doorstep. Another negative is loss of the small-town feel, the "I like it the way it is" mentality. But growth along this corridor can be spread out better.

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If a grocery store were to be a consideration, perhaps this is where it would go. Whatever the Town wants to see on the corridor, they are in the driver's seat right now. It is an open slate.

Regarding opportunities, Alderman Phillip Wight mentioned Chestnut Mountain Nature Park, wondering how many people are coming, where are they going, how long are they staying. Canton doesn't have a lot of places to stay. The fact that Maggie Valley has hotels and rentals is an opportunity. Hotels are closer to Asheville than Maggie Valley for people going to Chestnut Mountain. Of the TDA occupancy tax, we get 50%.

The Festival Grounds parking expansion was added to the list of opportunities.

The NCDOT 19/74 flyover project is off the table and only bridge repairs will be made. There's a new plan out from NCDOT for red light and pedestrian crossings at Lake Junaluska.

Lack of affordable housing was a threat previously identified. Bethel Village is one of the only communities in the county with affordable housing, Mayor Eveland said, and in that area, Maggie Valley is doing more than other towns. Ownership of Bethel Village is through Mountain Projects.

Affordable housing does not necessarily mean low income. Ms. Mallo referred to the "missing middle," which suggests single family and town homes ownership with lower density and a smaller footprint. Similar to a condo that looks like a single-family home on the outside, it is about reinventing typical housing by providing more affordable options, she explained. For one level and communal living that many ordinances allow for, developers and architects have to think outside the box.

Apartments are allowed by right, but there is not a market for them and not in Maggie Valley's vision at this time. That may change in the future.

Another newly identified threat is TDA leaving Maggie Valley. They are moving to Lake Junaluska for a couple of years, then after that they are unsure.

Another threat is that Jonathan Creek never felt like Maggie Valley. The people annexed into Maggie Valley don't consider themselves part of the Town. There is no involvement with these residents whatsoever, but there needs to be some type of inclusiveness down the road.

Planner Finkle said she heard this at the neighborhood meeting from the commercial community too, that they feel disjointed from the Town. Others don't want to be part of the Town, so it's really a mixed bag. Another challenge out of the Town's control is these people who are in town limits vote and pay Maggie Valley taxes but have a Waynesville zip code. This is not a unique issue to Maggie Valley.

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Mayor Eveland says a lot of these things will not change in the near future. Cows and pastureland will be there for the next 20-30 years, but over time, pieces will become part of Maggie Valley. Maggie Valley needs to embrace them, and the Land Use Plan should envision that. The challenge is to create community identity. He recalled Bethel Village residents attending a Board meeting a couple of years ago. They did not realize they could call for municipal services, like the Police Department.

The Comprehensive Plan will look at the Jonathan Creek corridor closely, and if you are part of this community, we want you to be engaged and we want to hear from you, the mayor said. The Planning Department has been reaching out to the Jonathan Creek community and surveys have been sent to Bethel Village residents. The plan is to return to the same people after the survey is completed and a proposal is drafted. They'll be asked how they feel about zoning or annexation.

The neighborhood meeting on Jonathan Creek was not well attended, and neither was the Greenway Plan meeting. There continues to be some hostility and rub about annexation. The Planning Department is trying to correct those misunderstandings, and still wants to know what the people want to see in their community.

Mayor Eveland speculated that some families, don't care about the plan, they just see the Town coming into their territory. They are raising cattle and would rather react rather than give input. He thinks it will generate more opinions once a map is presented. There are opportunities, where new businesses want to come in, but the Town needs the vision in the Land Use Plan.

Regarding whether commercial zoning is a threat to residential, Alderman Phillip Wight requested a map to show vacant/unused parcels that meet the size threshold, both for Jonathan Creek and Maggie Valley. He said we keep talking about residential but commercial is needed too. Ms. Mallo said the ratio needs to be about 70% to 30%. They discussed whether this was a threat or an opportunity. Walkability near services, or having some residential near pedestrian facilities, is a good thing.

The other consideration is that commercial doesn't need to be traded off for mixed use. Mayor Eveland said the UDO has lots of commercial with residential elements in it. These were identified as mixed use but are becoming more residential rather than commercial. So, for the mixed zoning, the question is whether a mixed message is being sent. The Board wants to encourage commercial development.

True mixed use is 60% residential and 40% commercial but a good balance is 70% to 30%. Planner Finkle has observed that most developers are not willing to combine projects, although it could be required. A conversation needs to be had while the plan is being completed. She said that commercial needs to be defined – is it along Soco Road or the entire corridor? Alderman Phillip Wight asked if there is any data available now

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on commercial vs residential. Planner Finkle will research. Finance can determine what part of the tax base is coming from commercial vs residential.

The Land Use Map will show if properties are vacant and if used, how they are being used. Woodlands, vacant agriculture, commercial, residential (high and low), Town properties, all will be identified. There are several mixed-use properties on Soco Road now, that the Land Use Plan will show. Slopes will also be identified.

In conclusion, Ms. Mallo said she appreciates the feedback and wants to understand what the Town wants. The only way to help is through feedback, and that is why Planner Finkle, and Assistant Planner Cullen are doing so much groundwork.

**Other**

Representative Pless will have an event on Thursday, November 3 from 12 – 3 in Franklin on opioid issues. He will hold another event at the Pavilion on November 16<sup>th</sup> with all elected officials in the county. This event topic will be flood mitigation and use of Golden Leaf Grant funds that are left over. Manager Best encouraged board members to rsvp if they haven't already done so.

**17) Adjournment**

**ON MOTION OF ALDERWOMAN TAMMY WIGHT, THE MEETING ADJOURNED AT 12:30 PM.**

  
\_\_\_\_\_  
Mayor Mike Eveland

  
\_\_\_\_\_  
Regina Massie, Minute Taker

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Festival Grounds Revenue and Expenditure Comparison By Fiscal Year							
	Fiscal Year 2016-2017	Fiscal Year 2017-2018	Fiscal Year 2018-2019	Fiscal Year 2019-2020	Fiscal Year 2020-2021	Fiscal Year 2021-2022	As of 10/15/2022 Fiscal Year 2022-2023
Revenues							
Rental	25,750.00	32,440.00	22,000.00	13,500.00	26,970.00	23,500.00	10,500.00
Overnight Camping	4,600.00	5,250.00	4,785.00	3,300.00	3,800.00	5,300.00	3,375.00
Labor Grounds/Repair Reimbursement	7,293.75	5,882.50	3,390.00	1,820.40	3,045.00	5,020.00	2,810.00
TDA	4,000.00	31,902.07	41,030.56	33,090.00	7,000.00	9,814.00	17,420.00
Total Revenues	41,643.75	75,574.57	71,185.56	51,720.40	40,815.00	43,634.00	34,105.00
Expenditures							
05-45-4121 SALARY & WAGES	27,197.40	29,634.03	31,806.49	31,547.13	16,234.88	42,103.60	8,844.02
05-45-4122 SALARY & WAGES OT	978.78	231.51	612.56	597.32	1,328.04	2,740.43	1,959.87
05-45-4123 ONCALL	529.46	-	-	-	-	-	-
05-45-4127 LONGEVITY	-	-	-	-	-	162.50	-
05-45-4133 401K LAW	44.91	-	73.54	23.97	62.01	134.45	98.00
05-45-4134 401K NON LEO	620.55	857.14	899.42	904.98	457.92	1,236.41	255.84
05-45-4181 SOCIAL SECURITY	2,348.12	2,338.36	2,532.87	2,484.71	1,334.49	3,421.99	798.65
05-45-4182 RETIREMENT LGERS	1,886.29	2,162.22	2,456.72	2,819.66	1,786.81	6,037.35	1,288.64
05-45-4183 MEDICAL INSURANCE	7,518.09	8,339.58	6,535.78	9,020.21	1,855.41	3,291.82	1,485.29
05-45-4190 PROFESSIONAL SERVICES	-	-	-	-	-	4,600.00	-
05-45-4191 LICENSE	1,090.00	114.00	1,219.00	1,247.00	2,202.00	2,234.00	-
05-45-4211 JANITORIAL SUPPLIES	3,483.37	1,612.65	2,942.45	2,458.34	3,330.75	3,161.57	1,820.77
05-45-4212 UNIFORMS & ACCESSORIES	14.59	-	289.00	-	-	-	-
05-45-4260 OFFICE SUPPLIES	84.89	98.81	58.31	36.13	87.53	97.89	-
05-45-4291 DATA PROCESSING	-	-	-	-	-	-	-
05-45-4299 MISCELLANEOUS SUPPLIES	25.19	-	(223.02)	272.99	647.01	-	41.96
05-45-4322 TELEPHONE & POSTAGE	709.04	578.53	588.18	391.55	455.14	339.10	20.20
05-45-4323 INTERNET	1,702.08	1,098.44	889.76	1,866.37	2,189.65	2,451.27	1,001.97
05-45-4330 UTILITIES	8,484.18	9,651.61	10,538.84	7,876.37	8,987.06	10,448.80	5,318.08
05-45-4351 M & R BUILDING	4,178.49	383.78	7,640.46	5,228.18	1,898.20	5,780.16	39.88
05-45-4356 M & R GROUNDS	8,299.89	3,456.74	6,250.16	3,552.83	6,940.82	2,233.20	847.26
05-45-4358 SMALL EQUIPMENT NON CAPITALIZE	-	749.00	4,054.00	-	399.00	-	-
05-45-4370 ADVERTISING	2,462.94	1,940.50	1,653.00	2,225.00	3,225.00	3,755.00	3,350.00
05-45-4399 SOLID WASTE DISPOSAL	1,901.88	1,897.80	1,878.28	1,418.92	2,229.59	2,154.47	1,651.55
05-45-4440 CONTRACT SERVICES	422.42	403.57	224.88	312.91	129.77	133.78	-
05-45-4442 COPIER LEASE	463.68	888.48	883.36	880.04	583.68	1,072.48	189.52
05-45-4450 WORKERS COMPENSATION	940.87	948.80	1,041.27	1,018.29	1,041.55	2,039.31	1,419.00
05-45-4480 JULY 4 FIREWORKS	14,000.00	14,000.00	15,000.00	15,000.00	15,000.00	15,609.14	16,000.00
05-45-4581 SKATING RINK EXPENSE	-	-	34,501.34	-	-	-	-
140-612-4482 MOVIE NIGHT	-	-	-	-	1,789.96	2,189.00	-
05-45-4499 MISCELLANEOUS EXPENSE	152.47	60.00	55.37	-	-	-	-
05-45-4580 CAPITAL OUTLAY BUILDING	-	14,084.07	-	27,089.00	-	-	-
05-45-4593 CAPITAL OUTLAY LAND IMPROVEMENTS	-	12,835.00	-	11,885.00	-	-	13,352.50
	89,489.28	108,303.43	136,484.62	130,164.76	74,193.06	116,427.90	61,381.98
Cost to Town	(47,848.51)	(32,728.86)	(65,219.26)	(78,444.36)	(35,378.06)	(72,793.90)	(27,276.98)
Purchased land across the street from festival grounds	-	-	-	-	188,643.45	-	-
Purchased land adjacent to festival grounds	-	-	-	-	-	-	436,351.24



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**Vickie Best**

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**From:** Bob R Bledsoe <brbledsoe@proton.me>  
**Sent:** Wednesday, October 26, 2022 7:34 AM  
**To:** Vickie Best  
**Subject:** Noise in the Valley

To whom it may concern,

I just want to share with you what my wife and I experienced on Saturday evening, Oct 8th during the events occurring at the Festival Grounds in Maggie. We were sitting inside our house on Sheepback mountain around 8:30 pm and heard a booming noise, which at first we thought was distant thunder. We have double-pane windows which usually cuts down on any noise occurring outside our house. Walking out on our porch, we could hear the booming noise coming from the festival grounds in the valley. We have owned this house on Sheepback since 1987 and this is the first time we have experienced this level of noise from one of these events in the valley. Our house faces the old Ghosttown theme park at 4,500 feet. I can only imagine how loud this must have been for neighbors living closer to the festival grounds. Clearly, the noise levels from these type of events are becoming louder and louder. Please take this into consideration when discussing acceptable noise levels for future events of this nature.

Respectfully,  
Bob R. Bledsoe

Sent with [Proton Mail](#) secure email.

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**Vickie Best**

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**From:** Barbara Mills <bam33710@hotmail.com>  
**Sent:** Friday, October 28, 2022 4:34 PM  
**To:** Vickie Best  
**Cc:** Joy and Thomas Hearn  
**Subject:** Festival Grounds noise

Ms. Best,

Our neighbor in The Knolls, Joy Hearn, gave me your E-mail address to contact you since I will be unable to accompany her to the Town meeting on Nov. 1 at 9 a.m. as I had planned.

I am writing to support Joy in her plight to bring the Festival Ground noise levels down to a uniform decibel level. I have noticed that this summer the noise level at the Festival Grounds has been better than in the past, but there is still a way to go. As I can recall, there were about three nights where the music was loud enough that it interfered with us hearing our TV programs; and one time in particular where the thump, thump of the base was so annoying and repetitious from around 9 or 10 in the morning until just after 11 p.m. that I almost called the police. Joy can identify several of those venues.

We have been here 20 years and came before the property was used as a festival ground. We purchased our home here in The Knolls because it was a beautiful place to live and a very quiet neighborhood. When the city bought the property and started to rent it out to venues that hired musicians, we did not have air-conditioning and double-pane windows. The noise levels were just terrible and interfered with our enjoyment of visiting friends and our own TV. I complained to the police and they didn't do much at all. They said they didn't have a decibel meter. At the time, there was also a push to court cycle events where the cyclist would rev their cycles all day and into the night. It was almost unbearable. We finally had to put out \$8,000.00 to get new double-pane windows and A/C to muffle the noise and enjoy our home on the nights the music and cyclists were at the Festival Grounds.

In closing, I would like to thank you and the other members of the town council for working with Joy Hearn to enable the Festival Grounds and the surrounding property owners to live in harmony by seeing to it that the decibel levels allowed are such that we can all enjoy our weekends.

Sincerely,

Barbara Mills  
54 Ridgewood Dr.  
Maggie Valley, NC 28751

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**Festival Grounds Study for 2022**

Date	Event	Time	dB	Location	dB	Location	Comments
6/25/2022	Thunder	7-8:20 PM	64 dB	Home			
Sat.	LOUD	9:25	47-51	Home		Inside	Should be 35dB inside house
		9:44					Few people in from of Stage
	LOUD	10:15	68-72	Home			Few people in from of Stage
							Vendors Closing Up
	LOUD	23:04	68-75	Home			Played till 11:04
							Maybe 10 people in audience
July 9-10	Art s & Crafts						No Sound-Never a problem
July 15-16	Swap Meet						Very subdued-elevator music
	barely audible						
22-Jul	Jam	5:00 to 5: 30	Loud	Home			PM
	LOUD						
		6:40	67-72	Home			Alabama sound but still too loud
							Went till 10:59
		7:35	70-74	Home			New Band-LOUD
23-Jul	Jam	9:10:00 A.M.	Loud				Sound Check for 1/2 hour
		3:08 P.M.	68-72	Home			Loud
		6:45	72				Loud
		10:30:00 P.M.	74 Avg	Home			Supposed to go to 10:00 per
							Nathan Clark went to 10:58
30-Jul	Folkmoot	7:40		Home			Drums in Balance
							Very good musicianship
		7:55	55dB Voice	Home			Ukrainians'
			58-61 music	Home			Boom Boom of Drums 58-60
		8:30	51-53	Home			Indians
		9:30					
		10:00	dance grp	Home			loudest group
		10:30	58-60	Home			Trombone Band-No drums
							Only lead singer had mike
							Perfect Dixieland Jazz
31-Jul	Folkmoot	2:35 P.M.	cloggers	Home			OK
		4:50 P.M	62-66	Home			Irish Dance Group- Full String
							Accompaniment
20-Aug	Euro fest	9:40 DJ	61 dB	Home			1 day for show day, other events
			55-58	Home			at different businesses in Maggie
		2:10	58-61	Home			Speakers inset at stage
27-Aug	Republican	11:24:00 AM	60-61	Home			Nobody there-Am trying to do
	Rally						Continuing Ed for RE License
							Can hear Through my windows
							Am Trying to work
							Nobody in Attendance
	" " "	1:30PM	50-55	Home			Sound Reduced-Vendors did not
							show up but speakers did.
							Attendance poor

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**Festival Grounds Study for 2022**

Date	Event	Time	dB	Location	dB	Location	Comments
Sept 9-11	Thunder	4:25	69-72	Home			LOUD-Afternoon
		10:42	68-72	Home			Loud stopped at 11:00PM
11-Sep	" " "	11:25					Pouring Rain in morning
		5:51					Maybe 20 people in front of stage
		6:04	74dB	Home			
		7:20	70-75	Home			
		8:44	58-61				Not Bad
		9:20 AM	68-71				Last Band too Loud with just for just 20 People??
		10:25 P.M.					about 10 people listening about 25 motorcycles on grounds
		10:50					Music Stopped -No audience Motor Cycles leaving grounds
16-Sep	VW's	9:30	Nothing				
		3:00					Barely heard anything
		3:13	55				Motor Revving up
		4:00					Sound not noticeable
17-Sep	VW's	7-9:30	Nothing				
		9:40					Low Music
		10:10					Got louder up to 58 Bass Guitar?
		10:16	50-54				Announcement
		4:00 P.M.					Only heard announcements once in a while—Good Job Bob!
22-Sep	Swap Meet	8-9:15					No sound
		12:05	56 dB's				
		1:50					Heard some announcements
		2:30					Music barely audible
Oct. 5	Showdown	8:20-8:30PM					Wed- Horrible loud bass from Woofers
Oct. 6 Thurs	Showdown	2:30-2:45					Thurs Loud Rap music
		5:15-6:00PM					Too Loud again-show not started Only Vendors on Site
Oct. 7 Fri	Showdown	8:00-9:25					Show opened at 8:00 No sound
	Showdown	11:30 AM				Stage Rear	
		12:15-12:30	58 dB				
		1:15-1:45	72 dB				Actually louder because woofers
	Called Ms. Best					Home	and sub-woofers cannot be measured by A decibel reader
	Showdown	1:45	55 dB			Home	
							Heard Gunshots at 10:15 obnoxious truck at 10:20

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**Festival Grounds Study for 2022**

Date	Event	Time	dB	Location	dB	Location	Comments
Oct 8 Sat	Showdown	1:50:00 PM	58dB				
		2:40	58-62 dB				Music comes in house at this level
		2:52					Bass and Vocal up to 72
							Too Loud-Lasted about 5 Min
		7:25				Home	Crusin up and down Soco
							63-72 Decibels
		8:55					Lights out on grounds
		10:55					Last loud Truck. One gate closed and area dark. These guys are cruising up and down Soco
		11:20					Last loud Deisel Horn blast from and music lasted about 30 Sec.
Oct. 29	Bluegrass	60-64		Bluegrass with excellent Musicians			Without drums it was not quite as obnoxious.
							58-60 db's would be better.
							Drums & Bass Carry
Conclusions: Motel Occupancy is much more influenced by good weather than motorcycle events.							
(Observation from the Summer of 2021 and this Summer)							
The maximum dB level at a residential property is 50 and 55 at the property line. With windows shut the dB level typically drops to 35 which allows for sleeping. The current noise ordinance in Maggie should not allow for 85 dB's for more than 30 minutes. Above that level some promoters are providing ear plugs.							
Family friendly events should end at least by 10:00 P.M. especially when there is no audience.							
By exempting the Festival Grounds, from the ordinance any <b>objective standard</b> on noise level is removed and can be abused by Promoters. This standard requires an <b>acoustical engineer</b> not a sound engineer.							
Exempting the Festival Grounds amounts to selective enforcement of the ordinance and denies residential owners in the area of their equal protection.							
After Covid it became apparent that more and more people were working remotely from their homes. Denying a homeowner the full use of the intended use of their home can amount to a taking.							
Noise impacts value as evidenced by the noise maps that are on Realtor.com. It ranks right up there flood maps. Essential workers and first responders should be able to live anywhere in Haywood County.							
There are solutions to the noise problem as other municipalities have experienced similar problems							
One of the solutions already is the change to the car promoters with "elevator" music in the background							
In my opinion Government should never sponsor events that compete with already established businesses at the expense of businesses within the community. This amounts to unfair competition.							
Submitted by Joy Hearn Nov. 1, 2022							