

RESOLUTION # \_\_\_\_\_

RESOLUTION SETTING PUBLIC HEARINGS ON PROPOSALS  
TO ABOLISH AND ESTABLISH CERTAIN SERVICE DISTRICT

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- WHEREAS, there are currently thirty-five (35) Rural Fire Protection Districts and County Service Districts on the Buncombe County Tax Scrolls in which taxes are levied for the purposes of providing fire protection as well as ambulance and rescue services for the citizens and residents of Buncombe County; and
- WHEREAS, taxes are levied in these districts for fire protection and EMS services ranging from a low of 9¢ to a high of 15¢ per \$100 valuation; and
- WHEREAS, the tax rates in the current Chapter 69, Article 3A Rural Fire Protection Districts are capped by statute at either 10¢ or 15¢; the tax rates in some of these districts are at the statutory maximums; several of the Rural Fire Protection Districts were created in the early 1960's; and adjusted for inflation, 10¢ in 1960 is now valued at 79.8¢; and
- WHEREAS, counties are authorized and may define any number of service districts in order to finance, provide, or maintain for the districts services, facilities and functions related to fire protection and ambulance and rescue services in accordance with GS §153A-301(a)(1) and (7); and
- WHEREAS, a county service district created in accordance with Chapter 153A, Article 16 is not subject to the Chapter 69, Article 3A cap of 10¢ or 15¢ as indicated above, but is instead limited as provided by G.S. §153A-307; that limit is up to a combined rate of one dollar and fifty cents (\$ 1.50) on the one hundred dollars (\$100.00) appraised value of property subject to taxation in accordance with G.S. §153A-149; and the tax rate is set by the board of commissioners; and
- WHEREAS, Buncombe County staff and the Buncombe County Fire Chiefs Association propose, and this Board intends, to abolish and establish certain service districts such that there will be twenty-one (21) Fire Protection & Ambulance and Rescue Service Districts in the County; and
- WHEREAS, the purpose of these proposed new Fire Protection & Ambulance and Rescue Service Districts would be to provide financial support for the current nineteen (19) community volunteer and professional fire departments plus the city of Asheville to provide fire protection and EMS services as single-source, full service and comprehensive responding agencies in these Service Districts; and
- WHEREAS, this Board is of the opinion that it is in the best interests of the citizens and

residents of the County to call public hearings on whether such County Service Districts should be created.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

1. That pursuant to GS §153A-306, public hearings shall be held at a regular meeting of the Board beginning at 4:30 p.m. on Tuesday, October 20, 2015, in the Commissioners' Chambers located at 200 College Street, Room 326, in downtown Asheville, North Carolina regarding each of the following:

- the North Central Fire Protection Service District;
- the North East Fire Protection Service District;
- the North West Fire Protection Service District;
- the South Buncombe (Skyland) Fire Protection Service District; and
- the Upper Hominy Fire Protection Service District;

to determine whether there is a still a need for these particular service districts and whether there are any outstanding bonds or notes issued by the County to finance projects in any of these districts.

2. That pursuant to GS §153A-302, public hearings shall be held at a regular meeting of the Board beginning at 4:30 p.m. on Tuesday, October 20, 2015, in the Commissioners' Chambers located at 200 College Street, Room 326, in downtown Asheville, North Carolina regarding each of the following:

- the proposed new Asheville Special Fire Protection & Ambulance and Rescue Service District;
- the proposed new Barnardsville Fire Protection & Ambulance and Rescue Service District;
- the proposed new Beaverdam Fire Protection & Ambulance and Rescue Service District;
- the proposed new Fairview Fire Protection & Ambulance and Rescue Service District;
- the proposed new French Broad Fire Protection & Ambulance and Rescue Service District;
- the proposed new Jupiter Fire Protection & Ambulance and Rescue Service District;
- the proposed new Leicester Fire Protection & Ambulance and Rescue Service District;
- the proposed new North Buncombe Fire Protection & Ambulance and Rescue Service District;
- the proposed new Reems Creek Fire Protection & Ambulance and Rescue

- Service District;
- the proposed new Reynolds Fire Protection & Ambulance and Rescue Service District;
  - the proposed new Riceville Fire Protection & Ambulance and Rescue Service District;
  - the proposed new Skyland Fire Protection & Ambulance and Rescue Service District;
  - the proposed new Upper Hominy Fire Protection & Ambulance and Rescue Service District;
  - the proposed new West Buncombe Fire Protection & Ambulance and Rescue Service District; and
  - the proposed new Woodfin Fire Protection & Ambulance and Rescue Service District;

to consider the creation of such new service districts in accordance with Chapter 153A, Article 16.

3. That prior to holding the fourteen (15) public hearings regarding the proposed new service districts as named above, a report shall be prepared and submitted as provided in GS §153A-302 for each of the proposed service districts and same shall be available for public inspection in the office of the Clerk to the Board at least four weeks before the date of these public hearings.
4. That the office of the Clerk shall cause notice of these public hearings stating the date, hour, and place of the hearings and the subject to be published at least once not less than one week before the date of the hearing, and, in addition, such notice shall be mailed at least four weeks before the date of the hearing by U.S. mail which is fully prepaid to the owners of all property located within the proposed district as shown by the county tax records, and further, such notice shall include a map of the proposed district and a statement that the Report is available for public inspection in the office of the Clerk to the Board.
5. That all acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.
6. That this resolution shall be effective upon its adoption.

Adopted this the 1st day of September, 2015.

ATTEST:

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

\_\_\_\_\_  
Kathy Hughes, Clerk

By: \_\_\_\_\_  
David Gantt, Chairman

APPROVED AS TO FORM

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County Attorney