

NORTH CAROLINA
BUNCOMBE COUNTY

Notice is hereby given that the Board of Commissioners of Buncombe County will hold a public hearing pursuant to NCGS §153A-302 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. The Board will consider and may take action regarding a proposal to establish the Asheville Special Fire Protection & Ambulance and Rescue Service District effective July 1, 2016. The proposed district area is as depicted on the attached map. Further, a Report as required by NCGS §153A-302(b) is available for public inspection in the office of the clerk to the board located at 200 College Street, Room 316A, in downtown Asheville, North Carolina.

Kathy Hughes
Clerk to the Board

REPORT

IN THE MATTER OF:

THE PROPOSED CREATION AND ESTABLISHMENT OF THE ASHEVILLE SPECIAL FIRE PROTECTION & AMBULANCE AND RESCUE SERVICE DISTRICT AS PROVIDED FOR BY NORTH CAROLINA GENERAL STATUTES ARTICLE 16, CHAPTER 153A.

Buncombe County recognizes that there is a demonstrable need for providing fire protection services as well as ambulance and rescue services to all citizens and residents in the County. Counties are authorized to and may define any number of service districts in order to finance, provide, or maintain for such districts services, facilities and functions related to fire protection and ambulance and rescue services pursuant to North Carolina General Statutes Article 16, Chapter 153A.

Our emergency response experts and the Buncombe County Fire Chiefs Association are of the opinion that such services can best be delivered via existing district community volunteer and professional fire departments providing fire protection and EMS services acting as single-source, full service and comprehensive responding agencies in accordance with the Buncombe County EMS System Plan as prepared in compliance with the State Office of Emergency Medical Services. In response to these needs, the Board of Commissioners directed that this Report be prepared as required by said Article 16.

A. PURPOSE

The Asheville Fire Department agreed to take over fire protection services in a portion of the Haw Creek Fire District and has done so since July 1, 2009. The purpose of the proposed new Asheville Special Fire Protection & Ambulance and Rescue Service District would be to contract with and provide financial support for the City of Asheville, by and through the Asheville Fire Department, to provide fire protection services as well as ambulance and rescue services to this area as a single-source, full service and comprehensive responding agency. The creation of the new service district for the entire Skyland community area will offer a uniform taxing structure as well as a single source responding agency as part of the Buncombe County EMS System.

B. BOUNDARIES

The area is currently a portion of the Haw Creek Fire District. Haw Creek Fire & Rescue, Inc. discontinued fire protection services in the Haw Creek Fire District as of July 1, 2009. The proposed new Asheville Special Fire Protection & Ambulance and Rescue Service District would create a new service district for the area to be served.

A map of the proposed district, showing its proposed boundaries is attached hereto.

C. POPULATION

The proposed district lies in central Buncombe County within the Haw Creek community. The current resident population is approximately 378 which is about 208 persons per square mile.

D. APPRAISED VALUE OF PROPERTY IN THE PROPOSED DISTRICT

Records on file with the Buncombe County Tax Office indicate the appraised value of property subject to taxation in the proposed district is \$82,386,434. The current tax rate levied in the district in the proposed Asheville Special Fire Protection & Ambulance and Rescue Service District is set at 9.7¢. Given the current valuation of this taxable property in the proposed district at a County collection rate of approximately 99%, the tax levied in such district would generate approximately \$79,115.69 in revenues to be used to provide fire protection and ambulance and rescue services.

E. COUNTY TAXES IN THE DISTRICT

The present tax rate levied County-wide are at a rate of .604 per \$100 valuation. There are no city taxes or special use district taxes in the proposed district.

F. THE ABILITY OF THE PROPOSED DISTRICT TO SUSTAIN ADDITIONAL TAXES

There are currently 35 tax districts served by 16 volunteer fire departments plus the city of Asheville, the Town of Weaverville and Town of Black Mountain. Taxes are levied in these districts for levels of fire protection and ambulance and rescue services ranging from a low of 9¢ to a high of 15¢ per \$100 valuation.

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. Adjusted for inflation, 10¢ in 1960 is now valued at 79.8¢.

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. The tax rate is set by the Board of Commissioners.

There is no reason to find that the residents of the proposed new Asheville Special Fire Protection & Ambulance and Rescue Service District could not support and pay a service district tax at a rate comparable with other service districts in the County.

G. PLAN FOR PROVIDING SERVICES

1. Purpose. To describe the operations and staffing of the Asheville Fire Department (the "Department") to provide Fire Protection, Rescue Operations and EMS care to the Asheville Special Fire Protection & Ambulance and Rescue Service District.

2. Plan. All operational plans for providing services in the district shall be in compliance with Standard Operating Guidelines compiled in accordance with the Office of the State Fire Marshal and the Department of Insurance as well as the Buncombe County EMS System Plan.

3. Fire Protection. The service district consists of an area that is 2 square miles in size. The Department has two (2) fire stations in close proximity to the District that are fully staffed with personnel and equipment at each station. The stations are strategically located to ensure the appropriate equipment and response times are for the best of the community that it serves. Each station is equipped with at least one Engine Company and one Tanker that are staffed 24 hours a day to ensure a quick and adequate response to provide protection from all fires in the district.

4. Rescue and EMS Protection. Along with providing fire protection, the Department also provides the area with rescue and EMS service. The Department currently has seven (7) rescue trucks along with individuals that have specialized training in Rapid Intervention, Trench Rescue, Confined Space Rescue, Rope Rescue, Water Rescue, Wilderness Rescue, Motor Vehicle Entrapment, Machinery Rescue, and Farm Equipment Rescue. All members are trained in a highly disciplined atmosphere to be able to provide the care and support needed to perform these tasks. The Department also has first response units at each station that are staffed with EMT Basics. The First response units allow us to provide exceptional and quick responses to the community.

FINDINGS

Given the information on the new proposed Asheville Special Fire Protection & Ambulance and Rescue Service District as presented above, it is recommended that the Buncombe County Board of Commissioners finds as follows:

1. that there is a demonstrable need for providing fire protection services as well as ambulance and rescue services in the proposed district community through a single-source, full service and comprehensive responding agency as part of the Buncombe County EMS System;
2. that it would be impracticable to provide those services on a countywide basis as fire protection services as well as ambulance and rescue services can most economically and efficiently be served through the County's current system of community volunteer and professional fire departments providing fire protection and EMS services;
3. that it is economically feasible to provide fire protection services as well as ambulance and rescue services in the proposed new Asheville Special Fire Protection & Ambulance and Rescue Service District by levying a service district tax in the proposed district up to an amount that is comparable to the amounts being levied in other fire tax districts in the County and that such levy would not constitute an unreasonable or burdensome annual tax levies on the citizens and residents of the proposed district; and
4. that members of Asheville Fire Department and the community have established that there exists a demonstrable demand for the proposed services by persons residing in the district.

The proposed Asheville Special Fire Protection & Ambulance and Rescue Service District does in fact meet the standards set forth in G.S. §153A-302.