

REPORT

IN THE MATTER OF:

THE PROPOSED CREATION AND ESTABLISHMENT OF THE UPPER HOMINY 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 purpose of the proposed new Upper Hominy Fire Protection & Ambulance and Rescue Service District would be to contract with and provide financial support for The Upper Hominy Volunteer Fire and Rescue Department, Incorporated to provide fire protection services as well as ambulance and rescue services as a single-source, full service and comprehensive responding agency. The Upper Hominy community is currently served by the Upper Hominy Fire District and the Upper Hominy Ambulance and Rescue Service District which were heretofore created pursuant to Article 3A of Chapter 69 of the North Carolina General Statutes and Article 16 of Chapter 153A of the North Carolina General Statutes. The creation of the new service district for the Upper Hominy 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 carved into two (2) tax districts created to provide financial support for emergency services. The proposed new Upper Hominy 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 southwest Buncombe County. The current resident population is approximately 5,470 which is about 151 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 \$384,075,255. The current tax rates levied in the district in the proposed Upper Hominy Fire Protection & Ambulance and Rescue Service District are set at 12.5¢. 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 \$475,293 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 Upper Hominy 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 Upper Hominy Volunteer Fire and Rescue Department, Incorporated (the "Department") to provide Fire Protection, Rescue Operations and EMS care to the Upper Hominy 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 36 square miles in size. The Department has two fire stations in close proximity to the District; the main station is staffed with one full-time Firefighter/EMT and response is supplemented by the department's volunteer base. The second station is an unmanned substation relying on volunteer response. 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 and one Tanker.

4. Rescue and EMS Protection. Along with providing fire protection, the Department also provides the area with rescue and EMS services. The Department currently has one light duty rescue truck along with individuals that have specialized training in Technical 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 provides First Responder services at the EMT-Intermediate level and currently has three ALS certified Quick Response Units. The Department's first response unit allows the Department to provide exceptional and quick responses to the community and a quick return to service time to ensure coverage to the District.

FINDINGS

Given the information on the new proposed Upper Hominy 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 Upper Hominy 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 The Upper Hominy Volunteer Fire and Rescue Department, Incorporated and the community have established that there exists a demonstrable demand for the proposed services by persons residing in the district.

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