

## **REPORT REGARDING THE PROPOSAL TO ESTABLISH A NEW FIRE PROTECTION SERVICE DISTRICT**

Prepared March 25, 2025, by David McNeill, Assistant County Manager

On March 24, 2025, the Transylvania County Board of Commissioners decided, by consensus, to proceed with a proposal to create a new single county fire protection, rescue, and EMS service district that comprises the entire unincorporated territory of Transylvania County and the incorporated area lying within the Rosman Town limits. The territory within the corporate limits of the Town of Rosman is included at the request of the Rosman Town Council through a duly adopted resolution.

The Transylvania County Assistant Manager, the Transylvania County Fire Marshal, and other appropriate representatives and employees of the County of Transylvania were authorized to take such steps as might be required or necessary to pursue the statutory and administrative processes relative to the proposal to create a new single, county fire protection, rescue, and EMS service district for funding fire, rescue, and EMS services in each respective fire response district.

### **REPORT INTRODUCTION**

- 1) The County of Transylvania has a total area of 381 square miles. Transylvania County is currently divided into eight fire protection service districts created pursuant to Article 16 North Carolina General Statute 153A. The Town of Rosman is currently included in the Rosman Fire Protection Service District and the City of Brevard municipal limits are excluded. Transylvania County currently provides fire protection services through seven contracted private non-profit fire departments and one municipal fire department that provides contracted coverage inside one county service district. The departments have varying staffing levels but remain mostly volunteer. Services provided by departments include fire protection, emergency medical first response, and rescue response. There are approximately 390 volunteer fire service personnel serving Transylvania County, and, in 2024, fire departments responded to 5022 calls for service. All fire departments providing services in Transylvania County are contracted with the County to provide services within a specified response district. The Transylvania County Board of Commissioners has demonstrated a commitment to working with fire departments to meet fire, rescue, and EMS-related needs including annual budget meetings to understand fire department funding needs, the collection of fire taxes within each district, and providing supplemental funding to departments from the County's general fund

budget. The County is committed to working with contracted fire and rescue departments to identify and support effective, efficient, and consistent fire protection, rescue, and EMS services countywide. The Transylvania County Board of Commissioners provided supplemental funding for fire protection services through the approved budget county budget process as outlined in the fire department contracts for service. Since the establishment of the fire service districts, departments have expanded services provided in their respective districts to include rescue and EMS. The current resolutions establishing fire service districts are limited to funding fire protection requiring the Transylvania County Board of Commissioners to update the service district resolution to accurately reflect the services for which taxes are collected and utilized. The establishment of a single county fire protection, rescue, and EMS service district provides the county and the fire and rescue service leaders with the opportunity to partner in the provision of effective and consistent fire protection, rescue, and EMS services throughout Transylvania County to ensure that citizens are receiving a reasonably equal level of service.

- 2) Given the geographic area of Transylvania County, the population densities, and rural unincorporated areas of Transylvania County, it is impractical and prohibitive under the existing circumstances to provide consistent fire protection services on a countywide basis. This proposal to establish a single countywide fire, rescue, and EMS service district in Transylvania County gives the Transylvania County Board of Commissioners a method to fund the cost of fire protection, rescue, and EMS services. Each year, the Transylvania County Board of Commissioners will allocate funding to each department from the collected revenues.

North Carolina General Statute 153A-306 provides that the Board of Commissioners may, by resolution, abolish a particular service district upon finding that there is no longer a need for a particular service district and that there are no outstanding bonds or notes issued to finance projects in the district. The Board of Commissioners may also choose to leave the existing service districts in place and simply set the rate within the districts at zero. This includes the Sylvan Valley II District, North Transylvania Service District, Little River Service District, Cedar Mountain Service District, Conneestee Service District, Rosman Service District, Lake Toxaway Service District, and Balsam Grove Service District.

- 3) The establishment of a single service district provides for a method to fund consistently and reasonably equal fire protection, rescue, and EMS services in each fire and rescue department response district. It is economically feasible to provide



the proposed services in the district without unreasonable or burdensome annual tax levies.

- 4) There is demonstrable demand for the proposed services by people residing in each fire and rescue response district located within the proposed countywide service district. The territory lying within the corporate limits of a city or sanitary district may not be included unless the governing body of the city or sanitary district agrees by resolution to such inclusion. The Town of Rosman has, by resolution, requested inclusion into the service district.

Pursuant to the direction of the Transylvania County Board of Commissioners and the foregoing law, a thorough inquiry was conducted in connection with the proposed establishment of the Transylvania County Fire Protection, Rescue, and EMS Service District. Based on the foregoing, the following FINDINGS and CONCLUSIONS are presented for consideration by the Transylvania County Board of Commissioners for the proposed fire protection, rescue, and EMS service district:

#### **FINDINGS FOR THE TRANSYLVANIA COUNTY FIRE PROTECTION, RESCUE AND EMS SERVICE DISTRICT**

- 1) The seasonal population in the area included in the proposed Transylvania County Fire Protection, Rescue, and EMS Service District is significant. The current estimated resident population of the proposed district based on U.S. Census data is approximately 25,611. The seasonal population increases to approximately 40,611 during the summer and fall months. The area consists of approximately 374 square miles. The population density is approximately 87 persons per square mile.
- 2) The appraised value of the property subject to taxation in the proposed District as of January 2025 is approximately \$9,905,500,000.
- 3) The FY 2025 tax rate for Transylvania County is sixty cents (\$0.6033) per One Hundred Dollar valuation. This rate is effective for all of the proposed service districts. The FY 2025 tax rate for the Town of Rosman is forty-six cents (\$0.4600) per One Hundred Dollar valuation. FY 2026 is a re-evaluation year. The rates will be set once property valuations are finalized, budget meetings are conducted, and the Transylvania County Board of Commissioners approves the budgets and funding methods.

- 4) Based on the foregoing, it appears that the proposed district can sustain the additional tax that would be imposed. It should be noted in this regard that Transylvania County is well below its \$1.50 authorized maximum.
- 5) Other factors considered in connection with the establishment of the proposed district include:
  - a. The ability for fire departments contracted by the county to provide fire protection, rescue, and EMS services within each response district located within the proposed service district.
  - b. Citizens residing in the area of the proposed fire protection service district have come to expect fire protection services from local fire organizations and the proposed fire protection, rescue, and EMS service district will fund the cost of these services, delivered on an equitable basis to all residents of the service district, with the cost burden carried equitably by all service district property owners through the service district tax.
  - c. There are numerous calls each month within the area encompassed by such proposed district and the proposed district would provide fire protection quickly and efficiently while making sure that the fire protection organization responding to the calls is paid for the services provided. The proposed district is an effective solution to address immediate and long-term fire protection needs, providing flexibility and funding to support services within each response district and allowing departments to provide mutual aid assistance throughout the service district.
  - d. The cost of providing fire protection service within the proposed district is more than can be reasonably supported by contributions, and a tax-supported service district is needed. The proposed district will fund the cost of fire protection service, delivered on an equitable basis to all residents of the service district, with the cost burden carried equitably by all service district property owners through the service district tax.
  - e. There is insufficient support for county-wide fire protection, rescue, and EMS services and it is impossible or impracticable to provide fire protection service on a county-wide basis. Transylvania County does not have the capital, equipment, or personnel to provide fire protection services on a county-wide



basis. The proposed strategy creates an effective model for supporting fire protection service and equitably allocates service costs across the entire service area.

**Based on the foregoing FINDINGS, the following CONCLUSIONS are made:**

- 1) There is a demonstrable need for providing fire protection service within the area of the proposed Transylvania County Fire Protection, Rescue, and EMS Service District.
- 2) It is impossible or impracticable to provide those services on a countywide basis.
- 3) It is economically feasible to provide the proposed fire protection service set forth for the proposed district without unreasonable or burdensome annual tax levies.
- 4) There is a demonstrable demand for the proposed services by persons residing in the district.

Based on the foregoing, the Transylvania County Fire Protection, Rescue and EMS Service District meets the standards set out in subsection (a) of North Carolina General Statute 153A-302 as required to be set forth pursuant to subsection (b)(2) of North Carolina General Statute 153A-302.

**THE PLANS**

North Carolina General Statute 153A-302(b) provides, among other things, that the Board of Commissioners shall cause to be prepared a report containing a plan for providing one or more of the services listed in North Carolina General Statute 153A-301. North Carolina General Statute 153A-301 provides that the Board of Commissioners of any county may define any number of service districts to finance, provide, or maintain for those district services, facilities, and functions in addition to or to a greater extent than those financed, provided or maintained for the entire county, including fire protection, rescue, and EMS services.

The following plan is proposed:

**PLAN FOR THE TRANSYLVANIA COUNTY FIRE PROTECTION, RESCUE, AND EMS SERVICE DISTRICT**

- I. *Area to Be Served.* The area to be served by the subject fire protection, rescue, and EMS service district shall be that area of Transylvania County described on the map of the proposed Transylvania County Fire Protection, Rescue and EMS Service District and set forth on the map entitled "Proposed Transylvania County Fire

Protection Service District” which is attached hereto as Exhibit 1 and incorporated herein by reference.

- II. *Name of the Service District.* The service district shall be known as the Transylvania County Fire Protection Service District.
- III. *Specific Services to be Provided.* The services to be provided within the above set forth district shall be limited to fire protection, rescue, and EMS services.
- IV. *Projected Agency to Provide Service.* Transylvania County will ensure services are provided and may contract with a qualified provider of fire protection, rescue and EMS services. Taxes levied and collected for the provision of fire protection, rescue, and EMS in the proposed district will be disbursed based on the Transylvania County Board of Commissioners budget guidelines and instructions to support fire and rescue agencies contracted to provide the services within a response district located in the proposed service district.

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