

# REQUEST FOR BOARD ACTION

**DATE OF MEETING:** April 7, 2025

**ITEM NUMBER**

**TO:** Rockingham County Commissioners

**FROM:** Melissa Joyce

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**REQUEST:**

Consideration of approval to set Public Hearing for the Consolidation of Jacobs Creek and Huntsville Fire Protection Service Districts

**FUNDING SOURCE:**

**Money in Budget.**

**New Appropriation Requested**

**Federal**

**State**

**County**

**Other -**

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**Manager's Recommendation:**

**REPORT REGARDING THE PROPOSAL TO CONSOLIDATE THE JACOBS CREEK  
AND HUNTSVILLE FIRE PROTECTION SERVICE DISTRICTS**

**NEED FOR CONSOLIDATION**

This report has been prepared as required by N.C.G.S. 153A-304 (b) to provide information concerning the consolidation through Merger of the Jacobs Creek Fire Service District and Huntsville Fire Service District for fire protection and the positive effects of this merger on property owners and fire departments in each of the service districts. The goal of the merger is to provide changes that are needed to ensure the continued fire protection for the Jacobs Creek District because the availability of adequate volunteer fire personnel has significantly decreased due to the dwindling pool of volunteers. In preparing this report, the standards set out in N.C.G.S. 153A-304.3 were all reviewed and considered.

Both Fire Departments are working together with their Attorney, Oliver Noble, on a plan of merger. The Notice of Transfer of Assets for Jacobs Creek Fire District, Inc. was sent on March 22, 2025, to the Office of the North Carolina Attorney General for review and approval.

After the approval of the Attorney General and the Board of County Commissioners, the merger will result in the Huntsville non-profit surviving and the transfer to Huntsville of the building, equipment, and other assets of Jacobs Creek. The plan is to have one fire tax rate for the combined districts. The merger process also anticipates a new fire tax rate for the new district and requires County Commissioner approval and a Public Hearing.

In order to provide continued fire protection during the days of the merger process the fire departments effective December 9, 2024, entered into a Contract to Furnish Personnel from Huntsville Volunteer Fire Department to Jacobs Creek Fire Department.

**AUTHORIZATION**

N.C.G.S. §153A-301 of the North Carolina General Statutes authorizes Rockingham County to define service districts in order to finance, provide, or maintain for the districts one or more of the following services, facilities, and functions in addition to or to a greater extent than those financed, provided, or maintained for the entire County.

N.C.G.S. §153A-304 of the North Carolina General Statutes authorizes Rockingham County by Resolution to consolidate two or more service districts upon finding that:

- 1- the districts are contiguous;
- 2- the services provided in each of the districts are substantially the same; and
- 3- there is a need to increase services in one district to the level of the other district for the purposes of fire protection.

**CONSOLIDATION NECESSARY TO CONTINUE CURRENT SERVICES**

The Jacobs Creek Fire Department currently serves the Jacobs Creek Fire District and has experienced a reduction in the number of volunteer fire personnel and has begun a consolidation

through merger process to merge its non-profit corporation with the Huntsville non-profit corporation transferring all assets and ensuring adequate fire personnel. Huntsville Fire Department currently serves the Huntsville Fire District and effective December 9, 2024, entered into a contract with Jacobs Creek to Furnish Fire Personnel from Huntsville Volunteer Fire Department to ensure Fire Protection for Jacobs Creek Fire District during the period of the merger process. Jacobs Creek current fire tax rate is 8.48 cents per \$100.00 and Huntsville current fire tax rate is 8.19 cents per \$100.00. These rates will be combined into a single new rate to be determined by the County Commissioners for the new consolidated service district after the merger has been finalized. The transfer of the assets of Jacobs Creek to Huntsville is before the NC Attorney General for his approval.

### THE REQUEST TO APPROVE THE CONSOLIDATION

The Fire Marshal requests that the Board of Commissioners for Rockingham County find that the proposed consolidation of the Jacobs Creek district with the Huntsville district is necessary to ensure the provision of one or more of the services, facilities or functions listed in N.C.G.S. §153A-304 upon finding the following:

- 1- The districts are contiguous or are in a continuous boundary;
- 2- The services provided in each of the districts are substantially the same; or
- 3- If the services provided are lower for one of the districts, there is a need to increase those services for that district to the level of that enjoyed by the other district.

### SUMMARY OF STATUTORY REQUIREMENTS

The law requires that the Board of County Commissioners approve and adopt the following:

- (1) **A map** of the proposed district, showing its proposed boundaries;
- (2) **A statement** showing that the proposed district meets the standards set out in NCGS 153A-302(a) which are:
  - (1) The resident population density of the proposed district is \_\_\_\_\_ residents and \_\_\_\_\_ tax parcels.
  - (2) The appraised value of property subject to taxation in the proposed district is \$000,000,000.00.
  - (3) The present tax rates of the county and any cities or special districts in which the district or any portion thereof is located is 8.19 cents per \$100.00 cents for Huntsville and the present rate for Jacobs Creek (which will be incorporated into the new Huntsville service district) is 8.48 cents per \$100.00.
  - (4) The residents of the proposed district have the ability to sustain the additional taxes necessary to provide the services planned for the district.
- (3) **A plan** for providing the fire services to the district has been created.

### NOTICE

A Notice of such hearing will be mailed to each owner of property in the districts and duly published in the Rockingham Now, a newspaper having general circulation in Rockingham County, and the hearing will be completed, all in conformity to N.C.G.S. §153A-301.



## NEW HUNTSVILLE SERVICE DISTRICT

The proposed new Huntsville Fire Service District will be based upon Jacobs Creek relinquishing their district in accordance with N.C.G.S. §153A-306 to Huntsville with a new service district tax rate of \_\_\_ cents per \$100.00 in valuation for the Jacobs Creek residents and the residents of the new Huntsville Fire Service District;

### THE REQUEST

The Fire Marshal requests that the Board of Commissioners for Rockingham County at the Public Hearing, following the presentation, and by Resolution find that the proposed consolidated district is in need of one or more of the services, facilities or functions listed in N.C.G.S. §153A-301 to a demonstrably greater extent than the remainder of the county and approve the following:

- (1) The **map** of the proposed district, showing its proposed boundaries;
- (2) The **statement** showing that the proposed district meets the standards set out in NCGS 153A-302(a) which are:
  - (1) The resident population density of the proposed district is 7255 residents and 3048 tax parcels.
  - (2) The appraised value of property subject to taxation in the proposed district is \$000,000,000.00.
  - (3) The present tax rates of the county and any cities or special districts in which the district or any portion thereof is located is 8.19 cents per \$100.00 cents for Huntsville and the present rate for Jacobs Creek (which will be incorporated into the new Huntsville service district) is 8.48 cents per \$100.00.
  - (4) The residents of the proposed service district have the ability to sustain the additional taxes necessary to provide the services planned for the district.
- (3) The **plan** for providing the fire services to the district has been created for providing one or more of the services listed in N.C.G.S. §153A-301 to the new consolidated district has been created; all of which has been incorporated into this Report which has been available for public inspection in the office of the Clerk to the Board for four (4) weeks prior to the public hearing on the matter of establishment of the service district more particularly described as follows:

### PLAN FOR THE HUNTSVILLE FIRE SERVICE DISTRICT

- I. Area to Be Served. The area to be served by the subject fire protection service district shall be that area of Rockingham County described on the map of the proposed Huntsville Fire Service District and set forth on the map entitled "Proposed Huntsville Fire 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 Huntsville Fire 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 and related emergency services.
  
- IV. Projected Agency to Provide Service. Rockingham County will continue its contract with the Huntsville Fire Department as a qualified provider of fire protection services provided that said provider(s) agrees to provide the required services in return for that portion of taxes levied pursuant to Chapter 153A, Article 16, of the North Carolina General Statutes, and complies with all existing laws and regulations relating to such service, including those laws set forth in North Carolina General Statute 153A-250 and 160A-487, provided also that the Huntsville Fire Department shall maintain an adequate number of personnel, amount of equipment, and amount of insurance as determined by said corporation and the Rockingham County Board of Commissioners from time to time.





Disclaimer: This map/report was prepared for the purpose of (inventory of real property; (initial project planning), etc.) and should not be used for any other purpose. The information contained herein was compiled from previously georeferenced data and/or public records, and these primary sources must be consulted for verification of the information contained in this map/report. This map/report is not intended to indicate the authoritative location of property boundaries, shape or contour of the earth, or fixed works. This map/report is not a survey and does not meet the minimum accuracy standards of a Land Information System/Geographic Information System Survey in North Carolina (21 NCAC 56.1608). Rockingham County shall not be liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data.

### Proposed Merged Response District

1 in = 8,000 ft