



*APRIL 15, 2019*

*DAVIE COUNTY  
BOARD OF COMMISSIONERS*

*FIRE AND RESCUE  
SPECIAL CALLED MEETING*



# *Points to Consider*

- The NCGA does not require any County to fund fire services. However, the BoC may create and modify fire response zones/boundaries, choose to provide varying levels of fire services in different areas of the County, how much to allocate yearly, and what specific programs or activities are to be funded within each boundary. Services may be provided by county personnel or through contracts with one or more volunteer or municipal fire departments.
- Fire services are not required to be provided equally across each territory/boundary because differences may apply such as varying services offered and funding received from municipalities and other counties. Services can be provided by the County, or through contracts with providers, or directly with volunteer or municipal fire departments.
- Davie County has chosen to contract directly with the volunteer or municipal fire departments and assist these departments with funding supplements from the 4 cent fire tax.
- Davie County has no true fire Ordinance but only a basic burn Ordinance with no true enforcement duties for the Fire Marshal or Emergency Management. Many counties have adopted true Fire Ordinances.



# *Historical Information*

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- 5/12/81-The voters of Davie County passed a referendum to allow 4 cents of every \$100 property value to be collected county wide for fire protection. This referendum did not specify that the 4 cents had to go to volunteer fire departments or that it had to be spent in each fire protection district, only that it was for the purpose of fire protection and rescue squads in the County.
- Davie County has never adopted a county-wide fire service district, but did establish fire district boundaries (for the purpose of insurance grading) served by each department for which the BoC approves/modifies.
- Historically, the 4 cents has been used to supplement the local various municipal and volunteer fire departments and the one rescue squad.
- Over time the County increased the amount of funds used to supplement the municipal and volunteer fire departments such that the County now uses a total of 6.09 cents (4 cents from fire tax and 2.09 cents from the general fund) to fund the various municipal and volunteer fire departments and the rescue squad. This 6.09 cent does not include any funding for Squad 81 which is funded separately from other funds in the general fund. All departments are either maintained at their current level at the minimum amount of \$135,129 (which equates to more than \$.04/\$100.00 in several districts or to 4 cent allocation for every \$100 of real property value in the larger fire boundary area).



# Timeline

- 8/17/18-8/20/18-The County Manager and BoC Chair held individual meetings with Chiefs to check-in about their current needs/issues.
- 8/22/18-The County Manager emailed the Chiefs noting a summary of the most recurring themes that we received from individual meetings with them and thanked them for their honest/candid conversations noting to continue to hold meetings at least annually. He stated that the BoC would hold an upcoming work session on 8/29/18 to assess needs. He also noted in the email the themes that emerged from these meetings included (in order of items most repeated):

## Top 12 Requests From Chiefs (from meetings above):

1. *Pressures to address paid staff.*
2. *Need to support training coordination and develop strategies to increase certified firefighters.*
3. *Capital needs (station upgrades, apparatus, gear, equipment, and technology).*
4. *Support a consolidated process for equipment purchases to get bulk/government rate to better coordinate purchases and save your current funding and stretch it further.*
5. *Many chiefs seemed to have an understanding as to how the current formula 4 cent property value or the base whichever is greater was created. Some chiefs noted that the County should consider "Grandfathering" in the current allocations, but for the new revenue raised with the .25% Sales & Use Tax, the County should consider "equalizing" and/or "balancing" the funding to all departments so that it is a "fairer" process.*
6. *Need focus on how to increase volunteerism and # of firefighters (including a focus on Jr. Firefighters and recruit in middle/high school).*
7. *Need more technical assistance from the County with applying for grants to offset expenses and increase revenues.*
8. *Appreciate Squad 81, and support enhancing that service further (as long as it doesn't reduce current funding).*
9. *Assess ways to share gear and insurance costs to avoid duplicative expenses when firefighters work at more than one department.*
10. *Need to promote "pay for performance" in contracts when determining funding (response times-primary or secondary/mutual aide, no show rates, # of calls, # of certified firefighters, etc.)*
11. *Appoint a Fire Commission to help improve fire coordination.*
12. *Implement coordinated SOP's/SOG's County-wide.*



- 8/29/18-Special Called BoC work session to discuss public safety and proposed Sales and Use Tax option.
  - 10/01/18-BoC directed staff to begin working on a Fire/Rescue Contract and Ordinance. Board supported the recommendations brought by the Davie County Communications Management Group to ensure proper protocols and security communications of Viper Radio and 911 dispatching for public safety.
  - 10/01/18-1/22/19-Staff compiled various counties' Ordinances and Contracts, assessed OSHA, ISO, and state/federal requirements, and sent a rough draft to the County Attorney for review/consideration based on feedback from the 58 counties reviewed.
  - 11/6/18-Sales & Use Tax option to supplement Fire services was rejected by voters.
  - 1/23/19-Special Called BoC work session was held where we shared the first draft of the Fire Contracts and Ordinance that was compiled with feedback from staff and BoC.
  - 1/23/19-2/07/19-BoC were encouraged to notify staff of any feedback that the BoC had by 2/7/19 prior to being discussed with Chiefs.
  - 2/15/19-2/22/19-BoC were emailed the revised version of the Fire/Rescue Contracts and Ordinance and were encouraged to notify staff of any feedback prior to being discussed with Chiefs. Staff were directed by the BoC to share the draft version with Chiefs.
  - 2/21/19-2/22/19-Meetings were held with Chiefs on 2/21 (Renegar & Eller) and on 2/22 (Renegar, Finney, & Eller) and the present/current Fire/Rescue Contract (for reference), the draft Contract and Ordinance, and data were shared. Chiefs were asked to provide feedback to the County within 30 days if possible. Chiefs were given a 'notice' letter to inform them that their current contract would be expiring soon.
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- 2/28/19-Draft documents of the proposed contract and ordinance were emailed to each Fire/Rescue Chief.
  - 3/18/19-County Manager sent notification to the Chiefs thanking those who submitted feedback about the proposed Fire/Rescue Contract and Ordinance and encouraged those who had not submitted to please do so. Acknowledging their request for more time to review the documents (as noted in a letter dated 3/18/19 requesting a year extension of current contracts and a delayed vote), the County Manager notified the Chiefs that the Board of County Commissioners would delay voting on the documents at their April meeting. He also noted that the BoC would also hold a special called meeting with the Fire Chiefs on the evening of 4/15/19 at 6:00 PM noting that it was important to receive their feedback before this meeting.
  - 3/21/19-County Manager sent notification to the Out of County Chiefs noting that we would be back in touch with them when we have a final draft of the Fire/Rescue Contract & Ordinance.
  - 4/01/19-The Emergency Services Director sent an email to the Chiefs noting that since the February meetings with the Chiefs, the County had received feedback from only a few departments and that he would like to request that any additional feedback be given by 4/9/19 to allow time for staff to get a revised version of the contracts/ordinance to the Chiefs prior to the 4/15/19 BoC Meeting. The County Manager also asked the BoC what structure they preferred for the 4/15/19 Special Called meeting.
  - 4/09/19-BoC gave feedback to staff regarding the structure of the meeting.
  - 4/10/19-Emergency Services Director sent the draft ordinance, contract, and feedback to date in an email to Chiefs.
  - 4/15/19-Special Called BoC Meeting to discuss Fire/Rescue Contract & Ordinance.
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# *Legal References Consulted*

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- NC General Statutes (NCGS)
- NC Administrative Code-Section .0900 (9s)
- NC Department of Insurance (ISO)
- National Fire Protection Association-1720 Standards (NFPA)
- NC Building Code-Fire Prevention (NCBC)
- Federal Occupational Safety and Health Administration (OSHA)
- UNC School of Government (SoG)



According to the UNC School of Government's *County & Municipal Government in NC* (Bluestein's section on Fire Services), a county governing board may divide its territories into fire response zones as it sees fit to be served by one or more fire departments. Further, it notes that by statute, a Fire Marshal is charged with the following:

- Advising the BoC on improvements on firefighting and training activities and coordinating such training and prevention activities.
  - Assisting fire departments in developing and improving their fire-fighting or fire prevention capabilities.
  - Conducting fire prevention inspections.
  - Serving as liaison between the County and fire departments regarding budget requests and contracts, and drawing/amending boundaries.
  - Any additional duties the BoC may prescribe.
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# *Outcomes & Next Steps*

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- Since the County citizens' tax dollars are being used to supplement municipal and private volunteer fire departments, the County wishes to ensure the safety of fire fighters and citizens are being met by adhering to the minimum requirements of NFPA, ISO, OSHA, and State/Federal Requirements.
- Incorporate feedback from the Chiefs before adoption.
- Adoption & Implementation of Fire/Rescue Contract & Ordinance that meets the expectations of the BoC (prior to discussions about future options for fire/rescue funding).
- Provide consultation to departments who wish to approach residents within their fire response zone/ boundary area regarding the establishment of a Rural Fire Tax District.