

ORDINANCE NO. 2009-___

Summary:

An ordinance to merge the Coyote Springs - Lincoln County Fire Protection and Emergency Medical Services General Improvement District into the Coyote Springs – Lincoln County General Improvement District; reorganizing the resulting general improvement district, changing its name and appointing the board of county commissioners as the ex-officio board of trustees.

TITLE:

AN ORDINANCE TO MERGE THE COYOTE SPRINGS – LINCOLN COUNTY FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES GENERAL IMPROVEMENT DISTRICT INTO THE COYOTE SPRINGS - LINCOLN COUNTY GENERAL IMPROVEMENT DISTRICT, REORGANIZING THE RESULTING GENERAL IMPROVEMENT DISTRICT, CHANGING ITS NAME TO THE COYOTE SPRINGS – LINCOLN COUNTY CONSOLIDATED GENERAL IMPROVEMENT DISTRICT, AND APPOINTING THE BOARD OF COUNTY COMMISSIONERS AS THE EX-OFFICIO BOARD OF TRUSTEES THEREOF.

WHEREAS, pursuant to the Nevada Revised Statutes section 318.490 the Board of the County Commissioners the “Board”) of Lincoln County, Nevada (the “County”), possesses the authority to merge the Coyote Springs-Lincoln County General Improvement District (“CS-LC GID”) into the Coyote Springs-Lincoln County Fire Protection & Emergency Medical Services General Improvement District (“CS-LC FP&EMS GID”);

WHEREAS, the Board deems it to be in the best interests of the County, of the CS-LC GID, and of the CS-LC FP&EMS GID that the CS-LC FP&EMS GID merge into the CS-LC GID, that the CS-LC FP&EMS GID is by such merger dissolved as a separate entity, and that the CS-LC GID is reorganized and the name thereof is changed to the “Coyote Springs-Lincoln County Consolidated General Improvement District” (“Consolidated GID”); and

WHEREAS, the existing service plans for the CS-LC GID and for the CS-LC FP&EMS GID, shall remain the governing service plan(s) for the Consolidated GID, because they govern separate services, and there is no overlap.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LINCOLN, DO ORDAIN:

Section 1. The Board hereby determines that it is in the best interest of the County and of the CS-LC FP&EMS GID, the CS-LC FP&EMS GID be merged into the CS-LC GID, and that as a result of the merger: (a) the CS-LC FP&EMS GID will cease to exist; and (b) the resulting CS-LC GID will be reorganized and its name changed to the “**Coyote Springs - Lincoln County Consolidated General Improvement District**” (the “Consolidated GID”).

Section 2. It is hereby found, determined and recited that: (a) all outstanding indebtedness and bonds of all kinds of the CS-LC FP&EMS GID and the CS-LC GID will be assumed by the Consolidated GID; and (b) the services of the CS-LC FP&EMS GID and the CS-LC GID, respectively, can be more effectively performed by the Consolidated GID.

Section 3. The Clerk of the County shall certify a copy of this Ordinance to the Board of Trustees of the CS-LC FP&EMS GID and the CS-LC GID, respectively, and shall mail written notice of: (a) the adoption of this Ordinance; (b) the determination of the Board that the CS-LC FP&EMS GID be merged into the CS-LC GID; and (c) the time and place of the hearing on the merger of the CS-LC FP&EMS GID into the CS-LC GID to all property owners within the CS-LC FP&EMS GID and the CS-LC GID. The Consolidated GID will be authorized to exercise all of the powers both the CS-LC FP&EMS GID and the CS-LC GID are currently authorized to exercise, as well as all other powers not specifically prohibited the Consolidated GID by law, including the furnishing of emergency medical services.

Section 4. Any person who owns property within either general improvement district may, on or before the date fixed for such hearing, protest against such proposed merger. Such protest must be in writing and filed with the Clerk of the County.

Section 5. If, at or before the time fixed for such hearing, written protests are filed signed by a majority of the owners of property within the CS-LC FP&EMS GID, such district shall not be merged. If such written protests are not so filed, the Board may complete the merger by the adoption of a final ordinance, which ordinance shall contain a recital of the protests and is binding and conclusive for all purposes.

Section 6. _____, _____ at _____ at _____, is hereby fixed at the time and place when and where the Board will conduct a hearing on the merger of the CS-LC FP&EMS GID into the CS-LC GID

Section 7. With the merger of the CS-LC FP&EMS GID into the CS LC GID, and as permitted pursuant to NRS 318.0953(3), the Board will become the ex-officio board of trustees of the Consolidated GID.

Section 8. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, in a newspaper published in and having general circulation in Lincoln County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on September 16, 2009, by COMMISSIONER _____

PASSED: _____, 2009

Vote: Ayes: Commissioner _____

Commissioner _____

Commissioner _____

Commissioner _____

Commissioner _____

Nays: Commissioner _____

Commissioner _____

Abstain: Commissioner _____

Commissioner _____

Absent: Commissioner _____

Commissioner _____

Attest:

Lisa Lloyd, County Clerk

Paul Mathews, Chairman of the Board