



CITY OF ELY

501 Mill Street Ely, Nevada 89301
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Cityofelynv.gov

ELY CITY COUNCIL REGULAR MEETING

March 27, 2025, 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Mayor Robertson called the regular meeting of the Ely City Council to order at **5:01 P.M.** Dave Costello offered an invocation. Mayor Robertson led in the Pledge of Allegiance and asked for Roll Call.

Members present:

Mayor Nathan Robertson
Councilman Terrill Trask
Councilwoman Melody Van Camp
Councilwoman Samantha Elliott
Councilman Dennis Perea
Councilwoman Jerri Lynn Williams-Harper

City Officials and staff present in the building or via video conference:

City Clerk Jennifer Lee
City Treasurer-HR Director Janette Trask
City Fire Chief Pat Stork joined at 5:11 p.m.
City Attorney Chris Arabia
City Engineer B.J. Almberg
City Building Official Don Hendrickson
City Police Chief Scott Henriod
City Municipal Court Judge Mike Coster (Zoom)
City Administrative Assistant Patti Cobb

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below) and the following people attended via video conference: Geri Wopschall; Wyatt Cox with KELY; Eugene Harper; and Joe.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: March 27, 2025

Print name below

Janet Van Camp
Paula Caeson
Daniel Costello
Thomas Henson
Nitin Bhatia
George Chachas
Dean Reynolds
Jess Trask
Pat Robison
Jasen Hutchens

Print name below

2. PUBLIC COMMENT

George Chachas stated on your agenda item 6B-1 you are to consider the approval of the third addendum of the contract between the Porter Group and the City of Ely. You need to rethink this item, the City has paid approximately \$192,000 since March of 2021, and I've not seen any results. The taxpayer deserves something, and it doesn't appear that the City has gained any benefit to date. The City needs to move on to something else, that's a lot of money. On agenda item 6B-3, the City should not be using taxpayers' money to support a private club that promotes only its members and no other businesses. The Council is funding an entity that excludes businesses and individuals that are not dues payers. Members of the Council that are also members of the Chamber of Commerce are intentionally violating the ethics laws that pertain to using taxpayers' dollars to benefit themselves. The Council needs to remove the City from any membership that does not assist all citizens and businesses.

3. Mayor – Discussion/For Possible Action – Approval of Agenda, including removal of agenda items.

Councilman Trask moved to approve the agenda as presented. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ CITY MUNICIPAL COURT JUDGE

City Municipal Court Judge Coster stated the monthly reports to the State are attached and it does include a Community Service Utilization Report. I am aware that some of our community service hours are dropping off and that may be in part due to the winter season, but also trouble that we're having with the administration of community service at the Public Works Department. There have been multiple reports of adjudicated defendants arriving for public service and being turned away, which I think does not serve the City's interests, and is unfair to those defendants, many of whom are walking because of other DMV related problems that sent them to community service. That is something I will talk to Mike about, and hope to see those numbers pick up. Other than that things are going well, I wanted to inform you as to schedule I verified with the Mayor earlier today that thankfully the City Council accepted my resignation effective April 4th and at the mayor's request and easy agreement on my end, I will be able to stay through the 20th as needed, or some portion of those days until my replacement can start. I think that's fully resolved at this point and I'm sure the Mayor will inform you if there's any problems or complications with that. Lastly, and perhaps on a more serious matter I want to inform you that the long-standing, long-discussed financial agreement under the statute that pertains to weekend availability pay, called the weekend stipend under State Statute, still has not been resolved between the City and the County; depending on when you want to start measuring it either January or perhaps six months before that. The County is sitting on thousands of dollars, maybe tens of thousands of dollars of State money, that it has not decided to use for Justice Court purposes. The Municipal Court still goes without the intended funding, and the County is forbidden by law from taking that money and not utilizing it. So, I want to inform you, as I've informed the Mayor, I will be pursuing the prospect of embezzlement charges against White Pine County and any involved actors there or in the City, for the inaction in handling reimbursement to the City government, which is at a minimum \$19,800, maybe tens of thousands of dollars more and ultimately some of which would come to the municipal court judge, to me, as referenced in my resignation, that longstanding disagreement, despite the Mayor's best efforts still remains unresolved. Frankly, I'm done with it and done with the lies, the excuses, the explanations, and the weeks of inaction by County government. I don't want that to take you by surprise, so that's my purpose in making this comment. I don't know if there's anything you need to do about it, but again, for purposes of eliminating that surprise and that is all I have for you this evening.

Mayor Robertson stated I do have a follow-up question regarding the Community Service issue. My understanding is there are a number of entities on the list that they can appeal to, to perform that community service, is that correct or are we just sending everybody to public works?

City Municipal Judge Coster stated we would certainly invite more possible recipients. The Protocol works as follows: the only official designated City recipient of this City asset, called community service, is administered through the Public Works Department and on occasion, you may remember, for example, four years ago at the air races, the City Council approved volunteer service to meet community service obligations. Lastly, in cases of physical hardship, such as senior adults that may be on oxygen or something like that we do, pragmatically speaking, choose the County library, occasionally the senior center, or alternative service at a church or nonprofit organization to which the defendant has no affiliation, so that it's honest, independent community service. The first recipient is the Public Works Department. My concern is particularly when we had cold weather if someone in some cases walked out there and was turned away and told it was a bad day, they didn't have time to handle it, that person then walked back home, maybe another hour. I saw it fit to give them community service credit for the trip out there and back because I thought that it was just not being well handled by the City, and I'm sure that working with Mike or working with Mike through the Mayor that we will make progress in that area. Not only is it unfair to the recipients, but it also means that the City isn't able to take advantage of that resource. We would welcome other alternative uses, whether it was janitorial services in City Hall, or something else that would benefit the City, which is what community service is all about.

Mayor Robertson stated that answers my question, thank you.

➤ **CITY ATTORNEY**

City Attorney Arabia stated I commented last time on the liens. We've got letters going out now to everyone, that's \$5,000 and above, who's not making any legitimate efforts to pay. On the criminal side there are a few things to say. There's been a new development, which I think is really positive, we filed a criminal complaint today on a public nuisance case, that is a remedy that we have under the law. I think people need to understand that we're not just going to sit by while people are creating health hazards or other environmental problems, and I want to thank Don Hendrickson for his work on that and Fire Chief Stork as well. We are working with the District Attorney's office, because there are certain criminal cases that we can't do, because we don't have jurisdiction, and they're looking at a more serious case now. I think this is a positive in that we can protect the land and the health of the population and whatnot. By invitation of the Sheriff, I went over and spoke to the people in the sheriff's office this morning, and I came away from that meeting with a couple areas where I think we can improve our interactions with the deputies pertaining to court and so forth, making the process a little more efficient. Finally, I just wanted to say that the new Public Defender, Robert Melcic, was in court today and acquitted himself quite well, he seems to be prepared and diligent. I'm optimistic that he's going to be a positive addition around the courthouse, and that's all I have.

➤ **CITY CLERK**

City Clerk Lee stated the Governor's Office of Energy notified us on March 14th that our Energy Efficiency Conservation Grant funding has been restored, so we can move forward with the Fire Station Solar Energy project now. Last Wednesday I attended Caselle training in Provo and I've been preparing the first drafts of our earmark applications based upon feedback we received from Congressman Amodei when we visited there.

➤ **CITY ENGINEER**

City Engineer Almborg stated we are working on our Morley Street CDBG sewer and water project by working through the design portion of that. As you guys are all inconvenienced, the Aultman Street Project is well underway, so we will be inconvenienced for a while now. We've been assisting Mike with some cost estimating for improvements to some parks. The other thing we are really close to having completed is getting all the Fire Chief's fire flows into our GIS system. There's a lot of hand input at this point in time doing it, but we created it so that it would actually calculate in the field when they do it. I'll coordinate with the Fire Chief on the final results of it.

5. REPORTS

➤ **COUNCILWOMAN ELLIOTT**

Councilwoman Elliott stated I wasn't here in person at the last meeting; I have been out of town for work, but I have over the last month met with a few different people that wanted ideas on housing. I've referred them to Don. I have talked with some City staff about different projects here and there. I think we've got a Local Emergency Planning Committee (LEPC) meeting coming up for a grant, and other than that it has just been busy.

➤ **COUNCILWOMAN VAN CAMP**

Councilwoman Van Camp stated I attended the Natural Resource Advisory Board meeting on Tuesday and Greg Copeland, Project manager of the Pumped Storage Project, was on the hot seat. Plans are to drill two test wells and three Monitor wells. The Pumped Storage has handpicked individuals to collect the results and quietly circumvent the NRAB and the County Commission and send those results to the State Engineer. Let the grilling begin, because that didn't sit well with the Advisory Board, and at times it was a heated discussion. The board is on top of the shenanigans going on with the Pumped Storage. After many questions, in the end the Pumped storage will present its results to the Board and also to the County Commission before submitting them to the State Engineer. Mr. Copeland stated that the Pumped Storage is not removing water, but it's storing it. There were a few protests in the beginning of public comment, and after on this issue. The U.S. Forest service is going through tough budget constraints. There's a freeze on hiring and there's a freeze on the summer hires; it was kind of a bleak discussion. The State parks and the Department of Wildlife are really struggling with funding. They were surprised to see that Cave Lake filled up so fast as they expected it to be a nine-to-eleven-month fill, but it's full. They're going to stock the fish in April. There is a big party on June 7th. Also, there is a hundred percent snowpack up there, and they're counting the herds for the coming up draw.

➤ **COUNCILMAN TRASK**

Councilman Trask stated I am a part of Tourism and Recreation and this last Tuesday we did our Aid to Organizations Grants. We gave out \$85,000 so that was exciting and my first go around through that process. We then attended the Travel Nevada meet and greet that night.

➤ **MAYOR ROBERTSON**

Mayor Robertson stated I was in Carson City last week and we had a sit down with the mayors and the Governor where we had an opportunity to go over some of our concerns. My main concerns that I brought to him were that they'd be signing on again, of course, for a CRISI Grant application. We also discussed how grateful we are that the NDOT project is inconveniencing us all, and that it's here and going on. We had discussed the 48-hour bail hearing which did make it into the Governor's Crime Bill. He said, how would you like me to address the 48-hour bail hearing? I said I'd like it to go back to 72-hours and he said good, because that's what we did. I did have some further conversations with his legislative director this week and his rural liaison, who said, that is in his bill, and they expect that to be taken back out so we're having discussions on how to kind of resolve this issue going forward. Another thing to note is that in their bill that dropped, I believe it's AB40, another one of the Governor's bills, he did put in reciprocity for contractor licenses and said it's with the support of the Contractors Board. I'm going to be digging into that and certainly giving Ely's full-throat support on that; we're happy that will be going forward. In reference to some of the earlier reports, I will note that we did get a draft agreement from the County on the weekend bail hearing stipend that showed up late Friday, so it wasn't able to make it on this agenda. As you're aware, I'm unable to sign agreements on behalf of the City without the Council's approval, so that will be on the April 10th agenda for the Council's approval. I was also able to speak with both of our legislators, while in Carson City and continue to have conversations with them about legislative objectives that reference Ely, like our schools and our City Hall project, still trying to find somewhere to put some funding in for that, but I'm working with them.

6. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL.

Mayor Robertson disclosed my husband is a member of the Volunteer Fire Department and is not treated any differently than any of the others so I will not be abstaining, and I also don't vote.

Councilwoman Van Camp stated I would like to disclose my granddaughter is an employee of the City of Ely Fire Department.

A. CONSENT AGENDA

MOTION: Move to approve the Consent Agenda item 6A-1 Minutes and 6A-2 Bills.

Moved by: Councilwoman Van Camp Second by: Councilwoman Elliott Vote: Unanimous

1. Discussion/For Possible Action – Minutes.
 - March 13, 2025
2. Discussion/For Possible Action – Bills.
 - March 13, 2025
 - March 20, 2025

B. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action – Approval of Third Addendum of Contract between Porter Group, LLC, and the City of Ely for continued lobbying services through March 31, 2026.

Mayor Robertson stated there are no changes in this that I could see from the previous amendments. As we discussed previously, if we get down the road and things aren't looking like they're going to be worth pursuing, we do have the option to cancel this before the year's up with thirty (30) days' notice. I think everybody who went on the D.C. Trip finds the value in what they're doing, not only for our future asks, but certainly for the ones that we're still working through such as the \$13.5 million that we've been awarded through Congress.

Councilman Trask moved to approve the Third Addendum of Contract between Porter Group, LLC, and the City of Ely for continued lobbying services thorough March 31, 2026. Councilwoman Elliott seconded the motion. The motion carried unanimously.

2. Councilman Trask – Councilwoman Elliott – Discussion Only – Update on Porter Group efforts on the City of Ely's behalf to secure federal and State funding.

Councilman Trask stated we're in the process of getting applications in. We still don't have any deadlines as they keep getting pushed back. We are working with Brian at the Porter Group, and Jennifer has been working diligently to make sure the language is more adequate to what they would like to see. We want to have it all ready to go so that the minute we know the deadlines we can submit our applications.

3. Councilwoman Williams-Harper – Discussion Only – White Pine Chamber of Commerce quarterly report on community activities.

Mayor Robertson stated I would like to disclose the CEO of the White Pine Chamber of Commerce is my husband, but this is not a voting item.

White Pine County Chamber of Commerce CEO Shadrach Robertson reported this is the Quarter One Economic Report from the White Pine Chamber of Commerce to continue our long-standing tradition of providing economic reports to the Council. The White Pine Chamber of Commerce is happy to meet this board at least once a quarter to highlight the success and the local business community's overall health. To begin I will give an economic view of the entire State. Unemployment in the State of Nevada has risen in the last three months and Nevada saw an overall increase of about sixteen hundred new

unemployment claims since the beginning of January. According to the Department of Economic Training and Rehabilitation, White Pine County saw a total of two new unemployment filings which did actually increase the unemployment rate from the beginning of the year at 3.4% to 4.5%, placing White Pine County out of the top spot for the lowest unemployment. For the first time in over a year we're now at the third lowest. As the tourist season begins, that number is expected to adjust for the seasonality of unemployment and natural economic trends at this part of the year. On a local level the White Pine Chamber of Commerce is actively working with local area businesses and organizations to stimulate our economy whether they're members or not. We have added a jobs page to the White Pine Chamber of Commerce website to support Employ NV and Career Hubs efforts. As a special stimulus to our downtown local area businesses, a Construction Zone Grand Giveaway Incentive Program kicks off April 1st to encourage shopping and patronage of businesses and entities stuck in the orange cone construction zones of the revitalization project. Anyone with a receipt from any of the businesses in the construction zone between April 1st and June 30th will be able to enter into a raffle to win \$1,000 in Chamber bucks from the White Pine Chamber of Commerce. We're also working with other promotions being implemented throughout the calendar year, from Cinco de Mayo celebrations to 4th of July, and then hitting our holiday shopping season. The Chamber of Commerce put out a community guide that is circulating around the entire State and will continue to be delivered to all parts of Nevada, advocating for relocation as well as visitation. The Chamber of Commerce Member Directory and Community Guide is the first one in the Chamber's history, and it's a terrific addition to the White Pine and Ely Marketing campaigns that we are focused on more and more. I will personally be attending the Nevada State Legislative session in April, May and again in June to meet with and work with our representatives, as well as collaborate with our lobbying agents and the Silver State Chambers of Commerce, to advocate for bills that positively impact all of White Pine County and its business communities. I will give you an update closer to the end of the second quarter. Going into the second quarter we expect a healthy tourist season, especially with the reopening of Cave Lake, with the grand opening on June 7th, which should reinvigorate that particular sector of visitation after it has been closed for the last couple of years. The White Pine Chamber of Commerce is also proud to announce a reinvigorated partnership with our local area mines. KGHM, Kinross, Bald Mountain, and Caliber are all now represented on the Board of Trustees for the Chamber of Commerce, returning our organization to a time when it was historically known as the White Pine Chamber of Commerce and Mines. We are all looking forward to further supporting our members that make up the majority of the business community in the local area. I am available to each and every single one of you for questions at any time. If you have any questions about the local economy or factors that impact local business communities. Thank you.

5. REPORTS CONTINUED

➤ MAYOR ROBERTSON

Mayor Robertson stated I neglected to mention the City of Ely came in second in the best tasting water in the State. First place was the Nye County Courthouse complex, which is how it was listed and I'm not exactly sure if they have their own well over there, or what. Had we won first place, our Public Works representatives would have been going back to D.C. to represent the City of Ely. We came close and seconds no slouch in an entire state.

B. NEW BUSINESS CONTINUED

- 4. Council Members – City Building Official Hendrickson – Discussion/For Possible Action – Approval of Interlocal Contract Between State of Nevada Manufactured Housing Division and the City of Ely beginning April 1, 2025 through April 1, 2027.**

City Building Official Hendrickson stated what we have here tonight is an interlocal agreement between the State of Nevada and the City of Ely to perform manufactured housing inspections. Since all manufactured housing is under the authority of the State,

it's not something that we can take on as our own entity. However, what this contract does is allow my office to conduct any inspections for the State on behalf of the State. I think it is important to notice, before I do get a question about it, that under attachment A scope of work, item one does state if the City of Ely has an interlocal agreement with any other entities, for example if we enter into a building agreement with the County that we also provide services to them for their State manufactured housing. The permit for inspection sets on manufactured homes is approximately \$300. We do get those fees for us, and then the county, if we have a contract with them and we do inspections for the county, they get their respective fees for those areas.

Mayor Robertson stated just a little background for the Council, because this is overseen typically, by the State. It means that they're covering everybody, and it would limit when they can come out. I think in the past, a lot of times to save time they would just have our building inspector hold up his phone with a video on to try to address some of this. This kind of agreement is one more thing along the lines of the Fire Marshal Agreement, where the more stuff we can take care of here, the quicker we can get it addressed, and the quicker we can help people get their projects out the door.

Councilman Perea asked, “the fees cover our costs, and we don't lose out on this agreement?”

City Building Official Hendrickson stated it does cover the cost, but not much more than that.

Councilwoman Elliott asked is there any additional training you have to do and what kind of time will this take out of what other duties you already have.

City Building Official Hendrickson stated there was training that I had to do, and I did do that about this time last year to be able to perform the inspections for the State. I don't want to blame anybody, but the State failed to make sure that the contract stayed up to date, and so recently it was discovered and requested that a new contract be put before us.

Councilman Perea moved to approve the Interlocal Contract Between State of Nevada Manufactured Housing Division and the City of Ely beginning April 1, 2025 through April 1, 2027. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

5. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval to submit a Letter of Intent to apply for a Capital Improvements Grant in the amount of \$197,010, with a City of Ely 15% match of \$29,552 through the Nevada Division of Environmental Protection Office of Financial Assistance for completion of the Morley Avenue Water & Sewer Upgrades Project, PWP-WP-2025-206.

City Clerk Lee stated our City Engineer has estimated the completion costs for the Morley Avenue Project are going to increase about 20%, and if the legislature passes the Governor's Executive Budget, then this money will become available. In the meantime, the Nevada Department of Environmental Protection (NDEP) is requesting letters of intent in advance so that they can get moving.

Councilwoman Elliott asked, “where are we getting the \$29,552 for the match?”

City Treasurer Trask responded, “the Utility Fund.”

Councilwoman Elliott moved to approve submitting a Letter of Intent to apply for a Capital Improvements Grant in the amount of \$197,010, with a City of Ely 15% match of \$29,552 through the Nevada Division of Environmental Protection Office of Financial Assistance for completion of the Morley Avenue Water & Sewer Upgrades Project, PWP-WP-2025-206. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

6. Council Members – City Clerk Lee – Discussion/For Possible Action – Selection of Summit Engineering Corporation dba Sanbell - Nevada to provide engineering design, construction oversight and final inspection for the Campton Street Improvement Project, Nevada Department of Transportation Funded Project No: TAP-0033-(342), based on the final technical score for each proposal being not less than ten points apart.

Mayor Robertson stated you do have a summary listed in your backup. Is there anything you wanted to add about the process City Clerk Lee?

City Clerk Lee stated no, the decision is to be based on the technical score.

Mayor Robertson asked if the rest of that funding comes or gets released, are we releasing a separate engineering thing for that funding or are we able to?

City Clerk Lee stated my understanding, working with NDOT on this, is that the engineering is being done for the entire project with this portion.

Mayor Robertson stated we would need to make some kind of agreement for project management on the construction when it gets to that point.

City Clerk Lee stated no project management will be included in the contract that we're doing with Sanbell at this time.

Councilman Trask moved to select Summit Engineering Corporation dba Sanbell - Nevada to provide engineering design, construction oversight and final inspection for the Campton Street Improvement Project, Nevada Department of Transportation Funded Project No: TAP-0033-(342), based on the final technical score for each proposal being not less than ten points apart. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

7. PUBLIC COMMENT

George Chachas stated I was charged seven dollars for public information that involved those that bid on the City equipment sale. That information should have been in the packet, not just a summary. I want my money back. I paid under protest. A summary was not what I asked for and they should have been presented before the whole Council. Mr. Chachas stated ongoing concerns regarding his request for the address and a contact name regarding the Bell Avenue Water Main Upgrade Project CDBG 22/pf/04 and who inspected the project; a request for a copy of the letter sent to Ralph Jones and Tina Templer outlining the terms requested of them for consideration to write off penalties and interest on their property utility bills; a permit application to allow him to park behind the sidewalk on his property located at 710 Avenue G and Great Basin Boulevard; the sewer problem he took care of at his residence located at 681 Parker; the water line and water meter replacement for the Cal Ranch store; 582 Highway North 93 property hooking up to City sewer, water, and has not put in a fire hydrant; Code violations by members of the Planning Commission, some City Council Members, some County Commissioners, and staff; and the drainage off of the Bath property draining onto his property at 622 High Street causing erosion.

8. ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE CITY COUNCIL

Councilman Trask moved to adjourn the regular meeting of the Ely City Council at **5:41 p.m.** Councilwoman Elliott seconded the motion. The motion carried unanimously.

MAYOR

ATTEST