

# CITY OF ELY

501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430  
[Cityofelynv.gov](http://Cityofelynv.gov)

## ELY CITY COUNCIL REGULAR MEETING

**September 14, 2023, 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 5:00 P.M., led in the Pledge of Allegiance, and asked for Roll Call.

**Members present:**

Mayor Nathan Robertson  
Councilman Terrill Trask  
Councilman Kurt Carson  
Councilwoman Samantha Elliott  
Councilman Jim Alworth  
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 (Zoom)  
City Attorney Leo Cahoon  
City Public Works Director Mike Cracraft  
City Engineer B.J. Almberg  
City Fire Chief Pat Stork  
City Police Chief Scott Henriod  
City Municipal Court Judge Mike Coster  
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 persons attended via video conference: Geri Wopschall, Jessica Brooks, Neal Freitas, Concetta Brown, and Marvin Griff.

### **ELY CITY COUNCIL ATTENDANCE LIST**

**DATE: September 14, 2023**

Print name below

Matt Miller  
Stephanie Hallinan  
DALE THOMPSON  
TOMMY ENRIQUETA  
COSTER M  
Mark Bassett  
SHADRACH ROBERTSON

Print name below

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## 2. PUBLIC COMMENT

Date: September 14, 2023

Method: VIA Zoom

Organization: Ely City Council Meeting

Speaker: Jessica Brooks, Development Associate, rPlus Hydro

Subject: Update on White Pine Pumped Storage Project

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Good evening, my name is Jessica Brooks. I am a Development Associate with rPlus Hydro working on the White Pine Pumped Storage Project.

I am providing public comment on Meeting Agenda Item B.11. I'm grateful to share some updates with the Ely City Council about the additional study work related to the Nevada Northern Railway. On July 19, 2023, rPlus Hydro submitted a Supplemental Visual and Aesthetic Resource Study Report to FERC, which included several new photo-simulations that were developed in consultation with the National Park Service and the Nevada Northern Railway.

These photo-simulations were used in a Visitor Use and Experience survey to inform a supplemental study request by the National Park Service related to potential recreational impacts to the Northern Nevada Railway. The survey was developed in consultation with both the National Park Service and Nevada Northern Railway. Four survey events were conducted between June and September at the Ely Depot, with the permission of the NNR Board of Directors. We are pleased to share that a statistically significant number of survey responses were gathered to inform the supplemental study request.

The next step is to receive data from the Nevada Northern Railway in order to develop the supplemental socioeconomic study report. If the request data is received in a timely manner, we expect to finish the socioeconomic study report in November.

rPlus Hydro has responded to all Federal Energy Regulatory Commission deficiencies and additional information requests by the due dates, the last of which was August 25, 2023.

Lastly, rPlus Hydro will be submitting an agenda item request to the next White Pine County Commission Meeting on September 27, 2023, and invites all who are interested to attend the meeting.

We look forward to providing additional information and other project updates soon. Thank you for your time.

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

Councilman Carson moved to approve the agenda as presented. Councilwoman Elliott seconded the motion. The motion carried unanimously.

## 4. CITY DEPARTMENT REPORTS

### ➤ CITY PUBLIC WORKS DIRECTOR

Public Works Director Cracraft stated the bearings have gone out on the screw pump at the Wastewater Treatment Plant so we will have another nice bill coming along soon; the bearing alone is \$8,000.00. We are bypassing it right now and the sewage is going to the pond. On a positive note, the pump for the lift station is on schedule and should be here next week. We plan on putting that in the first part of October.

Councilman Alworth stated the cemetery, and the parks look great; the best I think I have ever seen them.

Public Works Director Cracraft stated I will let Dale know that.

### ➤ CITY ENGINEER

City Engineer Almberg stated we did get back our quarterly water reports from the landfill and they came back with approval on that. We have been regularly attending NDEP meetings by Zoom as they are going through some regulation changes, so they are

having meetings to get public input. We are focusing on our Bell Avenue Water Line and Central Ely Sewer System Projects and hoping to get both projects on the street for construction in the spring. I want to thank Carl and the Water Department for assisting us while going through the process of when we needed locates to have the best projection of where the water facilities are. We have received some comments back from NDOT on the Aultman Street Project, so we have been working on those and working on getting the quantity and cost estimate together for that.

## 5. NNRY FOUNDATION REPORT

Mayor Robertson stated I will disclose I am a part-time employee of the Foundation, but this is not a voting item, and I don't vote.

NNRY President Mark Bassett reviewed the following report:

### NEVADA NORTHERN RAILWAY

NATIONAL HISTORIC LANDMARK



#### Nevada Northern Railway Foundation

A Nevada 501 (c) 3 Non-Profit Corporation

Depot: 1100 Avenue A, Ely, Nevada 89301

Mailing Address: PO Box 150040, Ely, Nevada 89315

Voice: (775) 289-2085 • Web: [www.nnry.com](http://www.nnry.com) • E-mail: [info@nnry.com](mailto:info@nnry.com)

#### Monthly Operations Report for August 2023

1. Locomotive Status – Updated
  - a. Locomotives in service: #105, #204, #310, 801, Wrecking Crane A & Rotary B.
  - b. Locomotive 93 is out-of-service for boiler issues.
  - c. Locomotive 81 is out-of-service with running gear and boiler issues.
  - d. Locomotive 40 is out of service for her heavy repairs. We have started on her repairs; she will be out of service until 2025.
  - e. Locomotives out of service needing moderate repairs: #109 and #201.
  - f. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309, Kennecott 802 and Rotary Snowplow B (for boiler overhaul.)
  - g. Locomotives out of service needing heavy repairs #80 and the military locomotives.
3. Rolling Stock Status – No change
  - a. Passenger equipment in service: #07, #08, #09, Flatcar #23, Coach #5, Baggage Car/RPO #20, Outfit Car #06.
  - b. Passenger equipment out of service: #10, #2 and #05 needing heavy repairs.
  - c. Caboose in service: #3 and #22 are operational.
  - d. Caboose out service: #5 and #6. Caboose #6 needs a 50-year waiver.
4. Track Status – No change
  - a. Keystone Branch is open.
  - b. Adverse Branch is open.
  - c. Museum Branch is the track between the East Ely Depot and the White Pine Public Museum. It is now open for traffic.
5. Ridership and Ticket Sales – Updated
  - a. In August we carried 1,555 passengers, this is an 18% decrease from last year. Our ridership in August was down to combination of factors, weather, schools in Washoe and Clark Counties started very early in August.
  - b. Year to date we have carried 10,011 passengers, this is a 5% decrease compared to 2022.
  - c. Since operations began in 1987, we have carried 357,856 passengers.
6. Economic Impact – Data from Travel Nevada Visitor Facts Pony Express 2016-2020  
The average non-gaming & gaming daily expenditure per overnight visitor \$140.  
Economic impact for July 2023 is  $1,555 \times 80\% \times 140 = \$174,160$   
Economic Impact Year To Date is  $10,011 \times 80\% \times 140 = \$1,121,232$

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#### Award Winning Destination

Best Historic Railroad of the West – 2022

Best Adrenaline Rush in Rural Nevada – 2020

Best Museum in Rural Nevada – 2022, 2020, 2017, 2016, 2014, 2013, 2010, 2009, 2008

Trip Advisor Certificate of Excellence – 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014

Best Place to Take the Kids in Rural Nevada - 2020, 2019, 2018, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007



These numbers only reflect the economic impact of our train passengers and does not include visitors who did not ride the train.

**7. Social Media: Our reach on social media continues to expand:**

**March:**

- a. We reached 888,944 people.
- c. We have 132,223-page likes.
- d. 181,374 people follow our page.

**8. 2024 Great Basin Star Train:** Ticket sales for the Great Basin Star Train were opened on August 1<sup>st</sup>. The 2024 schedule has 19 trains operating between mid-May and mid-September. Ridership was increased 25% to 80 passengers per train. All of the 2024 Great Basin Star Trains are sold out.



**6. REPORTS**

**COUNCILWOMAN WILLIAMS-HARPER**

Councilwoman Williams-Harper stated I am quite proud to talk about what our City is doing. We have talked endlessly about getting younger people involved and people to take our places. I am the work study coordinator for the White Pine County School District, and I am tickled pink because the Railroad hires our students to work there, the Fire Department will be taking an intern, the City of Ely will be taking an intern, the Hospital, and Chamber of commerce as well. This is really a big deal because these are not paid positions, but kids who want to learn in these places. I am excited that everyone in the City has said yes, and has open arms for these kids. It teaches these kids that you don't have to go away from Ely because there is a plethora of opportunities here.

**7. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE MUNICIPAL UTILITIES BOARD.**

1. Board Members – City Engineer Almberg – Discussion/For Possible Action – Approval of Ely Shoshone Tribe's Will-Serve Application to tap the City's water line at 505 S. Pioche Highway for two landscaping water service meters with 1" service lines.

Councilman Carson stated the Municipal Utilities Board recommended approval.

Councilman Carson moved to approve the Ely Shoshone Tribe's Will-Serve Application to tap the City's water line at 505 S. Pioche Highway for two landscaping water service meters with 1" service lines. Councilman Trask seconded the motion. The motion carried unanimously.

2. Board Members – City Engineer Almberg – Discussion/For Possible Action – Approval of Exclusive Easement Agreement between White Pine County Commissioners and the City of Ely for a sewer/water easement in Veteran’s Park.

City Engineer Almberg stated this is an easement for our existing sewer line. Our existing sewer line goes down Clark Street, crosses Veteran’s Park, and then goes between the Centennial Arts Center and the middle school. With this project, NDOT’s storm drain is going to cut right through the middle of that sewer line so we had to go back in and about a block before that we started to lower our sewer line and will come back over and tie back into Clark Street. I have not found any record of an easement as our existing sewer line crosses Veteran’s Park and comes down Clark Street. This is an easement for an existing sewer line and would allow us to work on the new sewer line going through there. I would like to say this has not been to the County Commission yet. This approval is to take this agreement to the County to seek their approval.

Councilman Carson stated the Municipal Utilities Board recommended approval.

Councilman Carson moved to approve the Exclusive Easement Agreement between White Pine County Commissioners and the City of Ely for a sewer/water easement in Veteran’s Park. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

3. Councilman Carson – Discussion/For Possible Action – Acceptance of Heggie Cattle, LLC’s termination of their lease with the City of Ely for a portion of the Georgetown Ranch.

Councilman Carson stated the Municipal Utilities Board recommended approval. Normally when we terminate a lease, we start advertising and look for a new lessee right away. I am asking for a month’s break so we can update things, see what our water rights look like, and get input from others and bring it back next month.

Councilman Alworth asked, “Did he say why he wanted to bail out?”

Councilman Carson stated no, but the last time we advertised for bids to lease part of the George Town Ranch people brought in their own numbers and ideas. I thought it might be better to streamline it by saying the things we want done and then they can offer prices. We can then clean it up a bit and have standards to go by.

Councilman Alworth moved to accept Heggie Cattle, LLC’s termination of their lease with the City of Ely for a portion of the Georgetown Ranch. Councilman Carson seconded the motion. The motion carried unanimously.

4. Board Members – City Clerk Lee – Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$46.43 from 2362 N. McGill Highway, Ely, Nevada at the request of Property Owner, Richard and Jennifer Adams.

Councilman Carson stated the Municipal Utilities Board recommended approval.

Councilman Carson moved to approve the removal of past due utility fee penalties up to the amount of \$46.43 from 2362 N. McGill Highway, Ely, Nevada at the request of Property Owner, Richard and Jennifer Adams. Councilwoman Elliott seconded the motion. The motion carried unanimously.

5. Board Members – City Clerk Lee – Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$74.85 from 19 Keystone Street, Ruth, Nevada at the request of Property Owner, Nathan and Kezia Kelly.

Councilman Carson stated this item was tabled by the Municipal Utilities Board due to a clerical error on the amount.

Councilman Carson moved to table the approval to remove past due utility fee penalties up to the amount of \$74.85 from 19 Keystone Street, Ruth, Nevada at the request of Property Owner, Nathan and Kezia Kelly. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

**8. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A MEETING OF THE ELY LIQUOR LICENSING BOARD.**

1. Board Members – Discussion/For Possible Action – Approval of Class IV Liquor License to Desiree Ramirez d.b.a. *Taproot/The Space* located at 301 E. Aultman Street, Ely, Nevada.

Councilman Carson stated I will disclose I do own that building so I will abstain from this matter.

Councilwoman Elliott moved to approve the Class IV Liquor License to Desiree Ramirez d.b.a. *Taproot/The Space* located at 301 E. Aultman Street, Ely, Nevada. Councilman Alworth seconded the motion. The motion carried with four in favor and one abstention from Councilman Carson.

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

**A. CONSENT AGENDA**

Councilman Alworth disclosed I am a past member of the Volunteer Fire Department and bills that are paid on behalf of the City of Ely Fire Department I believe are paid in the best interest of the citizens of the City.

Mayor Robertson stated I will disclose some of these bills are reimbursement to me for travel and also 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 Elliott stated I would like to disclose there is a bill for reimbursement to me when I traveled for League of Cities. I believe it is being paid in the best interest of the City, so will not be abstaining.

Councilwoman Williams-Harper stated I would like to disclose there is a bill for reimbursement to me when I traveled for League of Cities. I believe it is being paid in the best interest of the City, so will not be abstaining.

**MOTION:** Move to approve the Consent Agenda item 9A-1 Minutes and 9A-2 Bills.

Moved by: Councilwoman Elliott Second by: Councilman Alworth Vote: Unanimous

1. Discussion/For Possible Action – Minutes
  - July 27, 2023
2. Discussion/For Possible Action – Bills.
  - August 23, 2023
  - August 30, 2023

**B. NEW BUSINESS**

11. Council Members – City Treasurer Trask – City Attorney Cahoon – Discussion/For Possible Action – Review of prior Council action to set a cap for Thompson Hine Legal Fees at \$100,000 with expenses to date in regard to Federal Energy Regulatory Commission (FERC) filings involving the White Pine Pumped Storage Project, to protect the interests of the Nevada Northern Railway Foundation and the City of Ely; and possible approval to pay recently-received Thompson Hine invoices totaling \$81,772.50.



Mayor Robertson stated this is pensively an issue of budgetary concerns at the moment.

City Attorney Cahoon stated that is correct, at the last meeting the Council authorized a specific amount that could be paid towards Marvin's work on the FERC filings. I believe there may have been some miscommunication there. Marvin has gone over that authorized amount so at this time the City would need to authorize to have that amount paid and any additional amount they may consider for future filings.

Councilwoman Elliott asked how much has he gone over?

Councilman Trask stated if we approve the invoice due, we are at \$189,000.00 which is \$89,000.00 over what we approved.

Councilwoman Elliott asked why, what happened?

City Attorney Cahoon stated I believe I hadn't received the April billing and that was the one that had a ton of work, and the time he was doing the initial filing for FERC. I hadn't received that until several weeks ago.

City Treasurer/HR Director Trask stated if you choose to pay these two bills, they are from the prior year. I will say there is money still available in the prior budget under attorney legal services and can do an augmentation. I don't have any issues if you approve it because it will go back to the prior year.

Mayor Robertson stated the main issue here is the Council put a cap and the cap was exceeded by a significant amount. The April bill wasn't talked about when we had this discussion in May and for whatever reason that bill didn't show up in the City Attorney's office until July or August.

City Attorney Cahoon stated yes, Marvin might be able to speak to that. I believe he reached out to me two weeks ago and their finance department had noticed those bills hadn't been paid yet and sent those over to me at that time.

Councilman Carson asked did we let him know there was a cap, or were we just waiting for bills to come in and meet that threshold?

City Attorney Cahoon stated Marvin and I did have several conversations about him keeping an eye on the billings, but I think with that meeting being held in May and the majority of what is outstanding is from April there might have been some confusion about what the cap was or what was still outstanding.

Mayor Robertson stated in my estimation I think there is some right hand/left hand issues over at Thompson Hine where Marvin goes along doing work and the accounting office does what they do, and I am not sure they keep in touch as I would assume they would.

Councilman Alworth asked how much of the April bill will be paid out of last year's budget?

City Treasurer/HR Director Trask stated the full amount for the April and June invoices, which is \$81,772.50 would go back into the prior year. The amount we had left in the budget was \$84,828.75 so we just barely covered it in last year's budget. Anything we receive going forward is in this fiscal year.

Councilwoman Elliott asked what is budgeted for this fiscal year?

City Treasurer/HR Director Trask stated I know we have at least \$132,000.00.

Councilwoman Elliott asked do we have an estimate on how much more work he is going to be doing? Are we going to use all of that by the end of the year?

City Attorney Cahoon stated Mr. Griff maybe you can speak to this. I don't know if we have received August's bill, and will there be one coming from September as well?

Marvin Griff, Esq. with Thompson Hine, LLP stated I don't think we have sent an August bill out. Leo, you and I have had discussions since this was identified as a problem and I have not been billing anything at all in September. At the point I talked to you, I thought there might still be some money left, but I was keeping my time down so the August bill is not a very large amount; it might be around \$20,000.00. The real problem was the April bill when the big pleading was put together and that was about \$70,000.00, and that just didn't get picked up. Either our group didn't send it out or it didn't get received by the right people in Ely and for months it had been sitting there and nobody was aware it hadn't been paid and that is when you and I started talking a couple of weeks ago. We got the bills pulled together and resent and that is when we had the aha moment. This had caused an overrun and it was a big amount.

Councilman Trask stated moving forward, I want to make sure we don't have this issue anymore. I know we are probably going to have one more response regarding this issue. What billables will there be in the future? This \$81,000.00 additional amount is almost double what we authorized, but I don't see how we can go back and not pay for something that has already been done. It sounds like it is in the budget, but I want to make sure we don't run into this going forward. Marvin, can you give an estimate of what you think this last response will take?

Marvin Griff, Esq. with Thompson Hine, LLP stated we had some discussion earlier and if we were to cover, what I recommend are the areas that need to be addressed, there is a way to do that type of filing. From an overall cost point of view this can be done for between \$50,000.00 and \$70,000.00. My goal would be to try and get it done at the lower end of that. The amount would be split between the NNRY Foundation and the City of Ely, so it would be half of that.

Councilman Trask stated so we would be at \$25,00.00 to \$35,000.00 realistically.

Marvin Griff, Esq. with Thompson Hine, LLP stated yes, I think that is a realistic number to be looking at.

Councilman Alworth stated this question is for the Treasurer. Would our 45G payment cover this amount and be a little bit left over for a cushion?

City Treasurer/HR Director Trask stated yes, I have budgeted \$132,000.00 because that is what we got last year and have budgeted that amount for railroad legal expenses this year. We have spent some of that on the July bill.

Councilman Trask asked City Attorney Cahoon, "Is there anyway on this agenda item Leo that we can put a cap on the next spending or do we need to put it on another agenda. I had this same conversation when we approved the \$100,000.00 and it was said we wouldn't go over and I had suggested \$60,000.00 then and it was put at \$100,000.00 because it was mentioned that no way were we going to go over that and now we are at almost \$200,000.00. I really want to sure this up, so we are not running ourselves into quadruple the amount of what we initially approved.

City Attorney Cahoon asked, "Mr. Griff, when would the next filing need to be done by? Do we have time to put this on the next meeting agenda to approve additional funds in two weeks?"

Marvin Griff, Esq. with Thompson Hine, LLP stated I think it could be done, but it would be better if we could reach a decision so if there is going to be more work we can start. A filing like this is going to take a little bit of time to put together. It is not something you can do in one or two days because of the amount of material the project has submitted. In order to do the prep work, it takes time. There is no absolute deadline. There is a sense that once the Park Service files their filing, which will probably be in the next week or so, FERC is going to be anxious to pull these issues together so we should be getting our filing in during that timeline. It is possible, but it is not the best outcome. If I could be booking some of that time on a contingent basis because I don't want to be scrambling to get a filing together.



Mayor Robertson asked, “Can I recommend a motion?”

City Attorney Cahoon stated the concern I have is the last sentence in the agenda item specifies possibly approval to pay recently received Thompson Hine invoices totaling \$81,772.50, so to be accurate and in compliance with the Nevada Open Meeting Law (OML) I would prefer it be put on at the next meeting. I apologize Mr. Griff; we will have to postpone that until the next meeting to authorize the additional funds for the next filing.


Councilwoman Elliott moved to pay recently received Thompson Hine invoices totaling \$81,772.50 in regard to Federal Energy Regulatory Commission (FERC) filings involving the White Pine Pumped Storage Project, to protect the interests of the Nevada Northern Railway Foundation and the City of Ely. Councilwoman Williams-Harper seconded the motion.

Councilman Alworth stated we are extremely lucky we have a slush. I like the comments that Terrill made and at the next meeting the cap will have to be whatever is left in the 45G and that is it.

The motion carried unanimously.

1. Mayor Robertson – Kinross Mine Representative - Discussion Only – Update regarding the Kinross Bald Mountain Mine Juniper Project.

Bald Mountain Mine Operations Manager Dale Thompson stated we are here tonight to provide an important update of where we are with this project. Matt Miller, who is our Community Relations Professional, is with me tonight; and Stephanie Hallinan, who is our Environmental Superintendent. The following slide show was reviewed:




### Introductions

- Joseph Kemp – V.P. and General Manager Bald Mountain Mine
  - 775-318-0635
  - [joseph.kemp@Kinross.com](mailto:joseph.kemp@Kinross.com)
- Beth Ericksen – Principal Advisor – Permitting
  - 775-388-4036
  - [Beth.Ericksen@Kinross.com](mailto:Beth.Ericksen@Kinross.com)
- Stephanie Hallinan – Environmental Superintendent
  - 775-401-0890
  - [Stephanie.Hallinan@Kinross.com](mailto:Stephanie.Hallinan@Kinross.com)
- Matthew Miller – Community Relations Professional
  - 775-388-1187
  - [Matthew.miller@kinross.com](mailto:Matthew.miller@kinross.com)

Juniper Project – KG Mining, Bald Mountain Mine

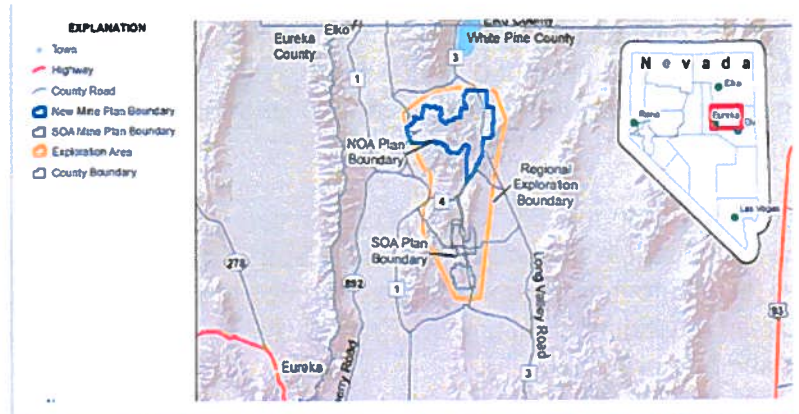
### Kinross Operations Overview

- 6,000+ Employees around the world
  - 2,100+ in the U.S.
  - 1,400+ in Nevada
- Focus on Americas and Canada
- Multiple exploration projects in Nevada
- Two operating mines in Nevada
  - Bald Mountain
  - Round Mountain



Juniper Project – KG Mining, Bald Mountain Mine

## Bald Mountain Overview



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Juniper Project – KG Mining, Bald Mountain Mine

## Bald Mountain Today

- The Bald Mountain Mine is an open-pit, heap-leach operation with large estimated mineral resources located in White Pine County, Nevada
- Since 2016 Bald Mountain has produced 1,317,717 Au equivalent oz.
- History of Bald Mountain
  - 1869-1956: Gold, silver and other metals produced in the district
  - 1976: Partial acquisition of the district by Placer Dome
  - 2006: Barrick Gold acquired Bald Mountain
  - 2016: Kinross Gold acquired Bald Mountain from Barrick Gold. Barrick retained 50% of central zone for Joint Venture exploration
  - 2018: Kinross acquired remaining 50% of the Bald Mountain remaining 50% of JV, consolidating full 100% ownership
  - 2022: Juniper Project Notice of Intent is published in the Federal Register
  - 2023: (August): Juniper Project Notice of Availability is published in the Federal Register



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Juniper Project – KG Mining, Bald Mountain Mine

## Corporate Responsibility in Every Facet of Our Operation

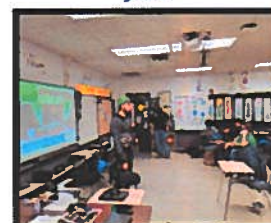
KG-BM's five key areas of focus:

- **Putting People First** – The health and safety of our employees remains our top priority
- **Managing Our Environmental Footprint** – Committed to minimizing our impact on the environment
- **Empowering Local Communities** – Using our resources to improve surrounding communities and leave lasting and sustainable benefits
- **Generating Socioeconomic Value** – Working with local communities to generate income and provide economic opportunities
- **Engaging Our Workforce** – Providing a rewarding, meaningful livelihood to our employees



- Level Up 4 Health Program Flagview Elementary

- Kinross Mine Rescue Teaching 6<sup>th</sup> graders



### Cleaning and restoring an elementary school playground

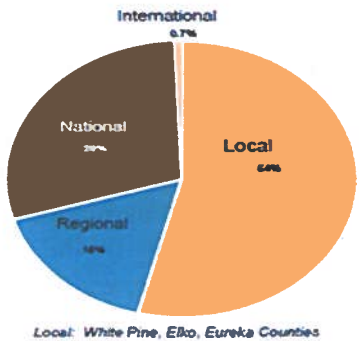
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Juniper Project – KG Mining, Bald Mountain Mine

Socioeconomic Benefits (2016-2021)

- ~\$88 million in yearly wages and benefits
- ~\$632 million in total economic output
- \$38.5 million in public taxes
  - \$9.2 million (24%) benefits the local area
- More than 50% of direct BFP (wages, suppliers and taxes) spent in local area
- Total local benefits (including wages, vendor spending, taxes, donations)

Benefit Footprint Distribution (BFP)

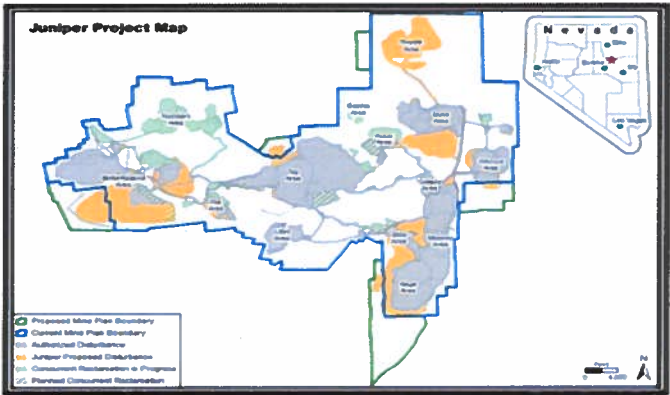


KINROSS

Juniper Project – KG Mining, Bald Mountain Mine

Current mine footprint with Juniper expansion

- Currently 14 mine areas in varying status of development and/or concurrent reclamation.
- Juniper Project proposed project disturbance is approximately 3,969 acres
- Five extensions of the authorized North Operations Areas Plan boundary
- One new mine area and several expansions around existing mine components
- Proposed project has the potential to add up to 11 years of mine life



KINROSS

Juniper Project – KG Mining, Bald Mountain Mine

Timeline and Summary

- Notice of Availability publication in Federal Register – August 18, 2023
- BLM Draft EIS public comment period - August 18th through October 5, 2023
- Ely BLM Office and various cooperating agencies have contributed to the input and review of the proposed action.
- Bald Mountain continues to participate fully in all aspects of the National Environmental Policy Act (NEPA) process.
- This NEPA action is a critical permit for the employment of 600 employees and support service contractors in White Pine, Eureka and Elko Counties.
- Bald Mountain Mine would like your support for the project to keep families employed in northern Nevada, along with all our business partners.
- Bald Mountain Mine will continue to operate with a strong Safety and Environmental track record, while maintaining a positive work environment and community presence.

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Juniper Project – KG Mining, Bald Mountain Mine

How to get involved

Written comments related to the Bald Mountain Mine Plan of Operations Amendment may be submitted by any of the following methods:

- ePlanning website: <https://go.usa.gov/xAm2g>
- Email: [blm\\_nv\\_eydo\\_juniper\\_eis@blm.gov](mailto:blm_nv_eydo_juniper_eis@blm.gov)
- Mail: BLM Bristlecone Field Office
  - ATTN: BMM EIS Project
  - 702 North Industrial Way
  - Ely, Nevada 89301
- Two public meetings:
  - In person September 19 at Ely District office – 5:30 pm
  - Virtual meeting – September 21 (register on BLM website)
- All comments are to be received by October 5, 2023



KINROSS





Kinross Environmental Superintendent Stephanie Hallinan stated some of the folks that work and live in Ely are some of our longest employees that have worked at our mine; nearly twenty years for some of them.

Councilman Alworth stated you failed to mention it is going to extend the mine life eleven years and that is unbelievable. The Fire Chief, some other employees, and I have worked for mines. It was twenty-seven years for me at five different mines in six different states and mining is great. We get no more than \$30,000.00 a year because of where it sits in the boundaries. The County gets a lot and what you do for the Boys and Girls Club, the Chamber, and the schools you are one hundred percent spot on, and we appreciate that. Your busses all go down Strawberry and my question is does the mine help White Pine County on the County Road from the Mormon Ranch turn off with the trucks hauling fuel, line, and so forth?

Bald Mountain Mine Operations Manager Dale Thompson stated we have a road service agreement with White Pine County. Martin Trout and his team have been partners with us for a long time. We actually meet with Jack Neal at the Mormon Ranch to figure out how we can help him as well. It was a brutal winter this year. We were actually sending D10 dozers miles and miles down that road to rescue stuck trucks. We also sent dozers down that road to open it up so the Sutherland Ranch can get feed and hay to their cattle. There are quite a few people that pass through this area as they commute from southern California to Northern Nevada, and we are always a part of those rescue operations that happen. We do have dedicated equipment and operators on those roads. We have about eighty miles of dirt roads to maintain on a twenty-four-hour basis for the crews. It is as important to us to maintain that road as it is for our partners and neighbors around us.

Mayor Robertson stated this seems to be a pretty routine mine expansion, is there a big obstacle that you guys are facing in this with the federal government or anything?

Bald Mountain Mine Operations Manager Dale Thompson stated timing in permitting delays is our primary obstacle. We are in the eleventh hour of our active mine plan and the timing of the permitting process is right up against it. If there are any longer delays than that we are going to have to make some tough decisions for sure.

2. Mayor Robertson – Discussion/For Possible Action – Annual Performance Evaluation of City Municipal Court Judge Coster to include, but not limited to consideration of character, alleged misconduct, professional competence, or physical or mental health. Possible action includes, but is not limited to, termination, suspension, demotion, reprimand, reduction or increase in pay, promotion, endorsement, engagement, retention, or “no action.”

City Municipal Court Judge Coster stated it has been a great year and has been our first uninterrupted year in the new courthouse. Everything has gone essentially flawlessly as I have previously reported. The only thing that has happened in the past month that has required any attention at all has been a separation and upgrade of the Ely Wi-fi access to fiber optic system in that building. We will run our cables into the building, but we will have our own small server area as opposed to sharing the County server room. In the short term I don't know if there is any particular benefit, but in the long term I think it provides a level of stability that will avoid confusion with the County and the possible physical error of one box being handled thinking it belonged to a different subcomponent of government. Jennifer Lee has worked us through that, and all is well there.

Mayor Robertson asked, “has your workload changed much since our last performance evaluation?”

City Municipal Court Judge Coster stated I would say not much. There has been a trend down on traffic because of civil traffic, which is the new law that takes the lesser of traffic charges and lowers the sanction for routine speeding or running a STOP sign. Other states have done it, and Nevada has decided to do it; fewer people contest those charges now. In terms of other crime cases from handling a firearm, drunk pedestrians in sidewalks, domestic violence, and DUI's those have been stable in numbers. We do get those monthly reports in to the second City Council Meeting of every month.

Mayor Robertson asked, “do you find you have enough human resources and actual resources to accomplish the tasks?”

City Municipal Court Judge Coster stated we do. We are really blessed that we have two clerks that work really well together. They schedule their leave around each other; both know how to cover our obligations, they track all of our obligations on our calendar, and they self-manage at a very high level. I asked them both if there were any needs or forecasted needs, and they both said they really didn’t need anything.

Mayor Robertson stated I have spent time visiting with Judge Coster over the last four years I have been in office and have spent time watching Municipal Court. I think we are very fortunate to have someone that takes their job as seriously as you do and is professional in prosecuting that. I think you do a wonderful job and bring professionalism to the Municipal Court. I am consistently impressed by the work I see up there.

City Municipal Court Judge Coster stated thank you and thank you for bringing people by. It is a public court, and everybody is welcome to come by or come by in advance and ask questions about processes or get a quick tour. The Mayor has done that with school-age kids in the past and I think that is great. We want them to see what the process is like, not so they get comfortably familiar with it, but so they know what it is. It is a relatively invisible part of government.

Councilman Alworth asked do you still do continuing education?

City Municipal Court Judge Coster stated I do. The State requires a minimum of one training week a year and they set that up for January. The State pays for that. They also offer another four-day training in the spring, and I was able to go to that in Tonopah this year and again, the State paid for the training. We haven’t touched our training budget and that came up in conversation today with the clerks. There has only been one time in my years as a judge that a clerk has gone to Elko for training, and I think we definitely have the money if they come across courses that would be of interest. Frankly, I am not a big government spender or government traveler but the change of scenery and meeting with your peers from different organizations is a vein of gold in terms of workplace development. I encourage them to do that, and I hope based on the discussion today they said they will consider it either by the end of the year or the first part of next year by going to something held in Reno, Carson City, or Elko. They tend to not want to go too far away because they have home lives and family members they live with.

City Attorney Cahoon stated I would like to say I enjoy working with Judge Coster. He is knowledgeable, fair, and he follows the law. It is a pleasure to practice in his court.

City Municipal Court Judge Coster stated we enjoy that it is a relatively low volume court, and we take our time to make sure if the defendants have questions on their way out, we try to answer those and if they have questions later, they know to call the clerk’s office to find out. On an average day we run two to seven cases a day and my peers down in Clark County have sixty-two cases a day. We are generally done by noon. I tell them I can’t always give you a happy outcome, but you should understand what is going on. We try to make everyone understand that we are generally being fair under the circumstances. Judge Bishop and I have spent a little more time together in the last year talking about how we process different cases and what paperwork he is requiring versus what I am requiring so we can make sure we are following as we are required to do, the guide of Judge Dobrescu, who heads the 7<sup>th</sup> Judicial District for the State.

Mayor Robertson asked, “is there anything you would like to ask for?”

City Municipal Court Judge Coster stated I am not asking for a change in pay, you really caught me up last year. I was a bit disturbed when I found out I did not know how the process worked in my years and had not had a change since the day I started the job. We did not budget a pay change for me this year at my request and I wanted to acknowledge my appreciation for what you did last year.

Councilwoman Williams-Harper moved to approve the Annual Performance Evaluation of City Municipal Court Judge Coster and endorse the wonderful job he does. Councilman Alworth seconded the motion. The motion carried unanimously.

3. Mayor Robertson – Discussion/For Possible Action – Acceptance of Craig Peterson’s resignation as City of Ely Building Official.

Mayor Robertson stated he was initially going to be leaving on September 8, 2023, but he has expressed a willingness to stick around and help us during this transition time and was able to postpone that until September 29, 2023. He will be here until at least then and as able will be willing to come and do some contract work in the interim. We have talked to Brad Christiansen who is also willing to fill in here and there as we work through the process. We already started advertising a few weeks ago and have a handful of applications sitting on the desk.

Councilwoman Elliott moved to accept Craig Peterson’s resignation as City of Ely Building Official. Councilman Alworth seconded the motion. The motion carried unanimously.

4. Mayor Robertson – Discussion/For Possible Action – Designation of City Council Member as liaison to the Nevada League of Cities and Municipalities. Mayor Robertson is currently serving as a member of the Nevada League of Cities and Municipalities Executive Board.

Mayor Robertson stated Glenn Leavitt who came up and met with the available council members and myself a couple weeks ago pointed out with me serving on the Executive Board we could have another member of the Council serving on the General Board of Directors. It gives us another voice and he is looking for as much participation from elected officials as possible. If we have one person willing to serve on the Board of Directors, I will continue to serve on the Executive Board.

Councilwoman Elliott asked, “What does that entail?”

Mayor Robertson stated it entails going to a meeting usually by Zoom twice a year. You are there to listen and to vote.

Councilwoman Williams-Harper stated, “I am interested.”

Councilman Alworth moved to accept Councilwoman Williams-Harper offer to be the City Council Member liaison to the Nevada League of Cities and Municipalities with Mayor Robertson continuing to be on the Executive Board. Councilwoman Elliott seconded the motion. The motion carried unanimously.

5. Mayor Robertson – Discussion/For Possible Action – Approval of First Reading of Ordinance 753, Bill No. 2023-07 to amend Ely City Code 1-5-8 to increase City of Ely elected official salaries; per NRS 266.230, any increase to City of Ely elected official salaries would not benefit those currently holding office.

Councilman Trask moved to approve the First Reading of Ordinance 753, Bill No. 2023-07 to amend Ely City Code 1-5-8 to increase City of Ely elected official salaries; per NRS 266.230, any increase to City of Ely elected official salaries would not benefit those currently holding office. Councilwoman Elliott seconded the motion. The motion carried unanimously.

6. Councilwoman Elliott – White Pine Chamber of Commerce Executive Director – Discussion/For Possible Action – Approval to become a Title Sponsor of the Small Business Expo in Ely, November 3-4, 2023, for \$5,000 through community service funds.

Mayor Robertson stated I would like to make the disclosure that my spouse is the Executive Director of the White Pine Chamber of Commerce.



**Mayor Robertson handed the gavel over to Mayor Pro Tempore Williams-Harper.**

Councilwoman Elliott stated I am on the Chamber of Commerce Board as the past president and working with Shadrach on this small business resource fair. I think it is going to be a really good opportunity for Ely. It is estimated to draw one hundred participants from all over the state. We are working with the Lieutenant Governor's Office of Small Business Advocacy on this two-day event. We have local, federal, and State resources and special keynote speakers. There will be presentations on women in leadership. Having the City of Ely be a Title Sponsor will include marketing, advertising, branding of the City, and taking ownership of this event. None of the funds are going to be used for administrative, it will all be strictly for this event. It is one of the first ones we have had here in almost a decade. It is scheduled for November 3-4, 2023. There will be career fairs during that time, bringing high schoolers in, allowing businesses to promote, hire, and show what they are doing so job seekers can come in and get hired on the spot. It is an all-encompassing type of fair.

Councilman Alworth asked in the Title Sponsor of \$5,000.00 is the mixer included?

White Pine Chamber of Commerce Executive Director Shadrach Robertson stated what you see is what you get. The back up documentation you received should include everything that is included in the Title Sponsorship including breakout sessions, a table of eight for the awards ceremony, and a prominent table at the convention center.

Councilman Alworth stated the \$5,000.00 covers everything?

White Pine Chamber of Commerce Executive Director Shadrach Robertson stated yes, it covers all the logistics such as the mixer, the venue rental, catering, supplies, and providing you the space to put yourself out there as a pro-business organization that is supporting all the businesses that pay taxes in your City. This is one of the very first small business fairs in over a decade that will benefit all of White Pine County businesses. We do currently have eighteen organizations across the state that are participating, and we have invitations to sixty other organizations as participants. We project about one hundred and fifty to two hundred people coming into the area to fill up hotel rooms.

Councilman Alworth moved to approve becoming a Title Sponsor of the Small Business Expo in Ely, November 3-4, 2023, for \$5,000 through community service funds. Councilwoman Elliott seconded the motion. The motion carried unanimously.

**Mayor Pro Tempore Williams-Harper handed the gavel back to Mayor Robertson.**

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

No report given.

8. Councilwoman Williams-Harper – Discussion/For Possible Action – Approval of support letter from the City of Ely to Michelle Leiber, SNPLMA PTNA Program Manager, Bureau of Land Management in support of Nevada Northern Railway Foundation's Southern Nevada Public Land Management Act (SNPLMA) grant application to make capital improvements to the Nevada Northern Railway National Historic Landmark.

Councilwoman Elliott moved to approve the support letter from the City of Ely to Michelle Leiber, SNPLMA PTNA Program Manager, Bureau of Land Management in support of Nevada Northern Railway Foundation's Southern Nevada Public Land Management Act (SNPLMA) grant application to make capital improvements to the Nevada Northern Railway National Historic Landmark. Councilman Carson seconded the motion. The motion carried unanimously.

9. Council Members – City Treasurer/HR Director Trask – Discussion/For Possible Action – Ideas regarding use of Redevelopment Area funds, including assistance to property owners to improve their properties, with direction to City Treasurer Trask to develop an implementation plan including total Redevelopment Area funding to be expended.

Mayor Robertson stated just for clarification this is not a plan to use the total redevelopment funding, but they want a plan for the total amount you want to use out of the redevelopment funding for this and then she will develop a plan based on the details you discuss today.

Councilman Alworth stated I would like to thank Janette for ramrodding this. The Redevelopment Fund has been around since 2004 and we have a healthy fund balance right now. We are getting \$90,000.00 a year and at the end of this year we are going to be at \$626,000.00, which is good. I know in the budget it is a flat \$600,000.00 for whatever is going to come up, but I really think when we do this since the Redevelopment District is a district by itself, we need to look at planning and budgeting by getting with Mike and his guys. There are eleven different things that can happen in the Redevelopment District including sewers, storm drains, streetlights, playgrounds, and things like that. A detailed budget is going to have to go forward on this because what is going to happen is this is going until 2034 and at \$90,000.00 a year that is \$900,000.00 and that comes to a total of \$1,527,000.00 and that's why I think your idea is outstanding to get this rolling.

Mayor Robertson stated I think the idea was in some of these development areas is if we could address some of the infrastructure issues like curb, gutter, and sidewalks. On 11<sup>th</sup> Street going towards one of our biggest tourist attractions there are some sidewalk needs there and some downtown sidewalk needs as well; that would be an easy thing to get with the Public Works Department and budget. I know Janette has been approached by some other non-profit organizations in the area asking if there is a grant program where we are giving money to property owners to develop or assist them with things.

Councilman Trask stated I like the idea of a grant program with stipulations to bring infrastructure inside of the buildings as Jim pointed out with the Façade Improvement Program, and I have talked to Kyle about that too.

Mayor Robertson stated there are five redevelopment zones in the redevelopment area with some being commercial and some being residential. These funds come from the property taxes that these property owners pay so making sure it is equally available to everybody I think is an important part. I think addressing some of the curb, gutter, and sidewalk issues would help a lot of these properties as well.

Councilman Alworth stated when the Street Department is doing some of the slurry work and if it is in the redevelopment area, they can take that money from there instead of the Road Fund. It is a really important thing, and some of the people in the Redevelopment District say they need a roof on their house, they can come to the Redevelopment Agency and get a really low percentage loan; it's almost like the Revolving Loan Fund. I really look forward to the budgeting process on getting the work enforced.

Councilwoman Elliott stated I like what Terrill is saying and I know Kyle has been here a couple of times and talked about façade improvement. I think Tourism and Recreation, Mainstreet, and the Chamber of Commerce all coming together and doing matches to incentivize the business owners for the business aspect is a good idea, but I do like the housing aspect too. If a resident wants to put in \$500.00 into their own property than maybe the City can match that because then they have skin in the game. I think we should incorporate those other agencies to make our downtown more appealing.

Mayor Robertson asked what if we made a motion, if the Council is willing, to consolidate the ideas with a pro forma budget to come back at the next meeting and have another discussion on that.

Councilman Trask stated I think it would work if we established a percentage for each area and then for the future if we kept the grant program, we could go by that or always change it to fit the projects.

City Treasurer/HR Director Trask stated I think for the next agenda the item needs to be not the dollar amount, but the different ideas so it will give us a better idea of how you would want to split the money and how we are going to go about it whether that is grants or loan for infrastructure, façade, or whatever.

Councilman Trask moved to compile ideas regarding use of Redevelopment Area funds, including residential property, commercial property, façade improvement, and infrastructure improvement in the Redevelopment area with direction to City Treasurer Trask to develop an implementation plan including total Redevelopment Area funding to be expended. Councilwoman Elliott seconded the motion. The motion carried unanimously.

10. Council Members – City Treasurer/HR Director Trask – Discussion/For Possible Action – Ideas regarding use of Community Service funds set aside for housing, including assistance to owners of vacant properties to improve their properties, with direction to City Treasurer Trask to develop an implementation plan including total Community Service funding to be expended.

City Treasurer/HR Director Trask stated I threw this one on here because when I was being talked to about the Redevelopment Funds, it was brought up about the areas outside of the Redevelopment Area. I thought the \$500,000.00 that was committed to housing out of the Community Service Funding might be an option to use. One of the ideas thrown at me was letting people use this money as a grant or loan to tear down old houses that aren't livable anymore to free up land in the City or any other ideas you may have.

Councilman Alworth stated good idea. I know on the housing thing; I went to the County Commission Meeting yesterday and the Park Avenue Project and 17<sup>th</sup> Street Project was a total embarrassment. They gave these extensions, and they haven't done anything at all. I don't know what the crystal ball is, but they do have deadlines. You are right that is one of the only areas within the City where there are places for housing. I would hold off using housing funding because I will give you an example; On Belfort Avenue if that property gets sold you cannot have a house unless you have water and sewer. There is about three hundred feet that we need to put in water and sewer so that funding could be used to put in the water and sewer line.

City Treasurer/HR Director Trask stated we have \$660,000.00 committed to the twenty percent for the earmarked funding and it is my understanding that we have been given a waiver. Would you consider recommitting that money to something like this project?

Mayor Robertson asked, "This project being helping people address vacant homes?"

Councilman Trask stated I don't think it is the Community Service Funds that are the issue, we just don't want to pay for the cleanup. Is that what you are saying Jim?

Councilman Alworth stated that's on the homeowner, and we have ordinances that they have to do that and if they don't do it we can take ownership of it.

City Treasurer/HR Director Trask stated if we don't want to tear them down then just because some of them are non-livable, I don't think we have the authority to tell them to tear it down. I know it has been discussed that in a lot of these places the people that lived there have passed away and the people that have inherited them don't live here. It could be an incentive to fix it up so it is livable and maybe could be sold.

Mayor Robertson stated I think at this point we are in the process of dealing with the Belfort property so if we could put a pin in it and do one housing thing at a time and not get to many irons in the fire.



Councilwoman Elliott stated I think this is one we can categorize and come back at a later date and do the same thing we are doing with the redevelopment funds.

Councilman Alworth moved to leave the \$500,000.00 Community Service Funds set aside for housing as is at this time. Councilwoman Elliott seconded the motion. The motion carried unanimously.

**Mayor Robertson recessed the Regular Ely City Council Meeting at 6:30 p.m.**

**Mayor Robertson reconvened the Regular Ely City Council Meeting at 6:36 p.m.**

12. Council Members – City Clerk Lee – Discussion/For Possible Action - Approval of Business Impact Statement regarding proposed rule to add Chapter 16 “Mobile Vendors” to Title 3 of the Ely City Code to regulate mobile vendors by licensure and providing other matters relating thereto.



## CITY OF ELY

501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430  
Cityofelynv.gov

### Business Impact Statement

**RE: Business Impact Study completed on proposed ordinance adding Chapter 16 “Mobile Vendors” to Title 3 of the Ely City Code to regulate mobile vendors by licensure; and providing other matters relating thereto.**

On July 13, 2023, the following item was placed on the City Council Agenda:

1. Councilman Alworth – Discussion/For Possible Action – Approval of First Reading of Ordinance 752, Bill No. 2023-06, proposed ordinance adding Chapter 16 “Mobile Vendors” to Title 3 of the Ely City Code to regulate mobile vendors by licensure; and providing other matters relating thereto.

The motion made was as follows:

Councilman Carson moved to approve the First Reading of Ordinance 752, Bill No. 2023-06, proposed ordinance adding Chapter 16 “Mobile Vendors” to Title 3 of the Ely City Code to regulate mobile vendors by licensure; and providing other matters relating thereto. Councilwoman Elliott seconded the motion. The motion carried unanimously.

### Request for Comment:

On July 21, 2023, a Request for Comment letter pursuant to NRS 237.080 was sent out by Mayor Robertson to forty-two current businesses in the City of Ely that this change may affect in adverse or beneficial ways for their input. The letter requested that recipients submit data or arguments to the City of Ely as to whether the proposed rule will impose a direct and significant burden upon a business or directly restrict the formation, operation or expansion of the business. The following input was gathered and provided to the City Council with packet material for the August 17, 2023, meeting and made public through the City of Ely Website. The material can also be requested from the City of Ely as a Public Information Request.

### In Favor and Opposed Comments:

- There were no letters received in favor or opposed to the unanimous Council decision made on July 13, 2023.

### Estimated Economic Effects:

The proposed rule provides that mobile vendors will pay a mobile vendor surcharge, in addition to their normal business licensing fee, for the privilege of being licensed to conduct business

The City of Ely is an equal opportunity provider and employer.

throughout the city without brick-and-mortar obligations such as property taxes and snow clearing. It is unlikely that the proposed rule will impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business.

**Methods Considered to Reduce the Impact of the proposed Rule:**

There were no impacts reported.

**Estimated Cost of Enforcement:**

The estimated cost to the City of Ely for enforcement of this proposed rule is \$0.

**Fees:**

The proposed mobile vendor surcharge is \$50.00 annually.

**Federal, State and Local Standards:**

The proposed rule complies with federal, State, and local standards.

I am certifying that, to the best of my knowledge or belief, the information contained in the statement was prepared properly and is accurate.



Jennifer Lee  
City Clerk

**Conclusion:**

The City Council feels it is in the best interest of the City of Ely to adopt the proposed ordinance adding Chapter 16 “Mobile Vendors” to Title 3 of the Ely City Code to regulate mobile vendors by licensure; and providing other matters relating thereto. The Council has come to this determination after listening to many public comments, reading written correspondence, visiting one on one with business owners, and reviewing the Business Impact Study.

\_\_\_\_\_  
Nathan Robertson  
Mayor

\_\_\_\_\_  
Date

Councilman Alworth moved to approve and accept the Business Impact Statement regarding proposed rule to add Chapter 16 “Mobile Vendors” to Title 3 of the Ely City Code to regulate mobile vendors by licensure and providing other matters relating thereto. Councilman Carson seconded the motion. The motion carried unanimously.

13. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval of Water and Sewer Assistance Program Vendor Agreement amendment between the State of Nevada Department of Health and Human Services Division of Welfare and supportive Services (DWSS), and Energy Assistance Program-Water Assistance and Sewer Program (EAP-WSAP).

City Clerk Lee stated this is an extension of their grant funding.

Councilman Carson moved to approve the Water and Sewer Assistance Program Vendor Agreement amendment between the State of Nevada Department of Health and Human Services Division of Welfare and supportive Services (DWSS), and Energy Assistance Program-Water Assistance and Sewer Program (EAP-WSAP). Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

14. Council Members – City Clerk Lee – Discussion/For Possible Action – Review and approval of Cooperative Agreement between the City of Ely and the Nevada Department of Transportation (NDOT) in connection with NDOT’s Ely Downtown Renovation Project.

City Attorney Cahoon stated I have reviewed the agreement and I do not see any issues with it. It appears sound to me, and I would recommend approval.

Councilwoman Elliott moved to approve the Cooperative Agreement between the City of Ely and the Nevada Department of Transportation (NDOT) in connection with NDOT's Ely Downtown Renovation Project. Councilman Alworth seconded the motion. The motion carried unanimously.

15. Council Members – City Treasurer/HR Director Trask – Discussion/For Possible Action – Acceptance of City Hall cleaning proposal; the applicant is Hulings Enterprises.

City Treasurer/HR Director Trask stated we put this out for bid, and I will say I underbudgeted for it. I budgeted \$4,000.00 for it which was \$1,000.00 from each fund. It will be an additional \$650.00 from each fund if this is accepted. The \$6,500.00 equates to \$126.92 a week for this company to come in and do basic cleaning.

Councilwoman Elliott asked how many times a week will they come?

City Treasurer/HR Director Trask stated one.

Mayor Robertson asked what cleaning tasks will they be doing?

City Treasurer/HR Director Trask stated it will be vacuuming of the upstairs and downstairs, cleaning the bathrooms, mopping, emptying all trash, and cleaning windows downstairs at least once a month.

Councilman Alworth asked what day of the week will they be cleaning?

City Treasurer/HR Director Trask stated we would prefer Friday. You can also see this company is bonded and insured. They have contracts with NDOW, the Forest Service, and others so we would be giving her a key to come in so she could come in during the weekend.

Councilman Alworth asked how many employees do they have? Are they local?

City Treasurer/HR Director Trask stated two and I think the wife will be the main one cleaning, but not one hundred percent sure on that. They live in McGill and already have a City business license.

Councilman Alworth asked why do we need an outside janitorial service?

City Treasurer/HR Director Trask stated because there is discontentment with the hired help that is doing it now; regarding having to do the bathrooms in particular.

Councilwoman Elliott asked who does it now?

City Treasurer/HR Director Trask stated the employees.

City Clerk Lee stated all the female employees do it.

Councilman Alworth asked is this proposal for one year?

City Treasurer/HR Director Trask stated yes.

Councilman Alworth moved to accept the City Hall cleaning proposal from Hulings Enterprises effective October 1, 2023, for a one-year contract. Councilwoman Elliott seconded the motion. The motion carried unanimously.



16. Council Members – City Attorney Cahoon – Discussion/For Possible Action – Approval for the City of Ely to execute a “Settlement Participation Form” (Exhibit B) and a "Subdivision Settlement Participation Form" (Exhibit K), each containing releases, pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries ("One Nevada Agreement") previously agreed upon (by City of Ely in August 2021) for participation in settlements with 1) the State of Nevada and one (1) of the opioids distributor defendants (*Teva-Nevada Settlement*) and, 2) the State of Nevada and one (1) opioid manufacturer defendant (*Teva-Nevada Settlement*, as listed in Exhibit C to the One Nevada Agreement); and, Execution of an "Amendment No. 1 to One Nevada Agreement on Allocation of Opioid Recoveries" regarding a reduction in attorney's fees to the One Nevada Agreement for purposes of this settlement only.

City Attorney Cahoon stated this is another settlement agreement on the opioid litigation and I would recommend approval.

Councilman Trask moved to approve for the City of Ely to execute a “Settlement Participation Form” (Exhibit B) and a "Subdivision Settlement Participation Form" (Exhibit K), each containing releases, pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries ("One Nevada Agreement") previously agreed upon (by City of Ely in August 2021) for participation in settlements with 1) the State of Nevada and one (1) of the opioids distributor defendants (*Teva-Nevada Settlement*) and, 2) the State of Nevada and one (1) opioid manufacturer defendant (*Teva-Nevada Settlement*, as listed in Exhibit C to the One Nevada Agreement); and, Execution of an "Amendment No. 1 to One Nevada Agreement on Allocation of Opioid Recoveries" regarding a reduction in attorney's fees to the One Nevada Agreement for purposes of this settlement only. Councilman Carson seconded the motion. The motion carried unanimously.

17. Council Members – City Attorney Cahoon – Discussion/For Possible Action – Approval for the City of Ely to execute a “Settlement Participation Form” (Exhibit B) and a "Subdivision Settlement Participation Form" (Exhibit K), each containing releases, pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries ("One Nevada Agreement") previously agreed upon (by City of Ely in August 2021) for participation in settlements with 1) the State of Nevada and one (1) of the opioids distributor defendants (Walgreen Co., Walgreens Boots Alliance, Inc., Walgreen Eastern Co., Inc.) and, 2) the State of Nevada and one (1) opioid manufacturer defendant (Walgreen Co., Walgreens Boots Alliance, Inc., Walgreen Eastern Co., Inc. , as listed in Exhibit C to the One Nevada Agreement); and, Execution of an "Amendment No. 1 to One Nevada Agreement on Allocation of Opioid Recoveries" regarding a reduction in attorney's fees to the One Nevada Agreement for purposes of this settlement only.

City Attorney Cahoon stated this is another settlement agreement on the opioid litigation and I would recommend approval.

Councilwoman Elliott moved to approve for the City of Ely to execute a “Settlement Participation Form” (Exhibit B) and a "Subdivision Settlement Participation Form" (Exhibit K), each containing releases, pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries ("One Nevada Agreement") previously agreed upon (by City of Ely in August 2021) for participation in settlements with 1) the State of Nevada and one (1) of the opioids distributor defendants (Walgreen Co., Walgreens Boots Alliance, Inc., Walgreen Eastern Co., Inc.) and, 2) the State of Nevada and one (1) opioid manufacturer defendant (Walgreen Co., Walgreens Boots Alliance, Inc., Walgreen Eastern Co., Inc. , as listed in Exhibit C to the One Nevada Agreement); and, Execution of an "Amendment No. 1 to One Nevada Agreement on Allocation of Opioid Recoveries" regarding a reduction in attorney's fees to the One Nevada Agreement for purposes of this settlement only. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

## 10. PUBLIC COMMENT

No Public Comment

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

Councilwoman Elliott moved to adjourn the regular meeting of the Ely City Council at **6:46 p.m.** Councilman Trask seconded the motion. The motion carried unanimously.

  
\_\_\_\_\_  
**MAYOR**

  
\_\_\_\_\_  
**ATTEST**