

CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

April 10, 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 5:00 P.M., 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 Public Works Director Mike Cracraft
- City Fire Chief Pat Stork
- City Attorney Chris Arabia
- City Engineer B.J. Almberg
- City Building Official Don Hendrickson
- 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; Eugene Harper; Wyatt Cox, KELY; Cody Odgers; Pat Robison; Mike Coster; and Lena Ocasio.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: April 10, 2025

Print name below

Jess Trask
Todd Fincher
Sam Brockman
Bill Wolf
Keith Carson
George Chachas
Shirley Bender
Tajinder Singh
Kathy Workman
Jason Hutchens

Print name below

2. PUBLIC COMMENT

Betsy K. Vogler
PO Box 150611
Ely, Nevada 89315

April 10, 2025

City of Ely and Municipal Utilities Board
501 Mill Street
Ely, Nevada 89301

RE: Comment regarding agenda item for April 10, 2025 meetings for consideration of deeding 420.4 acre feet of irrigation water rights to White Pine County

Dear Ely City Council and Municipal Utility Board Members:

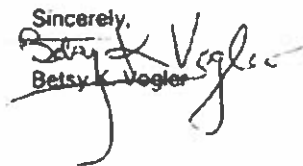
I am the current lessee of the Georgetown Ranch Property which is owned by the City of Ely. I just recently paid my second year rent of \$15,225. I have applied with the Natural Resource Conservation Service (NRCS) for assistance to improve the irrigation system at Georgetown Ranch in hopes to expand and improve the crop land. So far, it looks promising that I may be able to receive assistance through NRCS along with my own out-of-pocket expense to improve irrigation of the property.

As you know, all current irrigation at Georgetown Ranch occurs through ditches and flood irrigation, utilizing the City of Ely's surface water rights.

I am deeply concerned that the proposal to deed surface and underground irrigation water rights to White Pine County will have serious detrimental consequences on my existing lease, and impede my ability to irrigate and fully utilize the Georgetown Property. All but one of the water certificates proposed to deed to White Pine County are either surface water, spring water, or effluent wastewater from the water treatment plant. All of the surface water is used to irrigate Georgetown Ranch. If the surface and sewage treatment waters are deeded to White Pine County, I will suffer a huge loss with the investments I have already incurred for the property, and possibly lose any assisted funding I have applied for. This will severely impact my ranching operation, and cause financial impacts.

If White Pine County does drill a new well, will it be able to be used to supplement irrigation at Georgetown Ranch? That could be beneficial to my operation and lease, but I am concerned with deeding surface water rights to the county. This proposal needs more discussion and vetting prior to consideration.

I ask that you do not approve the proposed agenda item to deed surface and underground irrigation water rights to White Pine County. This would directly impact me, and be in direct violation of my lease for Georgetown Ranch.

Sincerely,

Betsy K. Vogler

George Chachas stated on your agenda item 8-1 you are to consider the approval of deeding 420.4-acre feet of irrigation water rights to White Pine County in exchange for 420.4-acre feet from White Pine County's industrial water rights in Steptoe Valley; that needs to be denied. You have a contract with the lessee at the Georgetown ranch, and the industrial allocation is not for anything but industrial use. The uses and exchanges are in no way similar. The rate peer is subsidizing the golf course now at an unprecedented rate. The Golf Course agreement with the County stipulates that the County will pay all costs; they are not doing that. City auditors have stated for years that you have to show the true cost of running all your entities including parks, cemetery, landfill, as well as the Golf Course. It appears you're trying to appease and subsidize the golfers as well as yourselves at the cost of everyday taxpayers. If you can't be fair and balanced, you people need to resign. You have forgotten your oath; public service, not self-service. On agenda item 8-2 you are to consider Resolution 2025-02. How will the improvement grant from the Nevada Division of Environmental Protection for completion of the Morley Avenue Water Upgrade Project mitigate the erosion problems that the City has caused along my property at 622 High Street. Every year it gets worse, and you need to address that mayor. On your agenda item 11B-6 you are to review the City Attorney's three-month trial period performance with a possible increase in annual salary. When Mr. Arabia was hired, there was no mention of a trial period that I recall, only that he wanted a salary of \$140,000 which is \$2,000

more than the local County District Attorney salary, which is \$123,678 and her responsibilities are considerably greater. I have nothing against Mr. Arabia, but the Council need to stop the reckless spending. Your management skills are pathetic at best. Small businesses are struggling. Who are you guys talking to? Where are you getting all this money? On your agenda item 11B-8 regarding the Georgetown Ranch survey I didn't see a request for proposals from other surveyors, why is that? I need some answers, Mr. Mayor. Thank you.

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

Councilwoman Elliott moved to approve the agenda as presented. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ **CITY CLERK**

City Clerk Lee stated the Nevada Department of Environmental Protection (NDEP) required a full application for our Morley water upgrades instead of just a letter. I completed that submission last week, with the help of B.J., Mike, and Janette. After the approved Resolution is sent in, the board for financing water projects will consider our application May 21st with possible award on August 20th. I have been working on our security cameras RFP. We have got the legal publishing ready for next week's paper, and I'll be reviewing the entire package with Mike. Over the last two days the Environmental Protection Agency (EPA) has notified me that we can submit reimbursement requests for our pre-award EA and current design costs for Central Ely. Once we receive one of those draws, then our design engineer on that project will resume work.

➤ **CITY ENGINEER**

City Engineer Almberg stated we have two major things going on. Obviously the Aultman Street construction keeps us very busy running up and down the street all day dealing with that stuff, and the other one is our Morley Avenue CDBG project and all the other little things in between.

➤ **CITY ATTORNEY**

City Attorney Arabia stated I just wanted to mention that the Verizon thing with the lease of that space is still ongoing, but they have made their account current as there had been some kind of a mix up and we hadn't been getting paid in like two plus years.

5. NNRy FOUNDATION REPORT



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 • E-mail: info@nnry.com

Monthly Operations Report for March 2025

1. Locomotive Status – Updated
 - a. Locomotives in service: 55, 93, 109, 204, 310, 801, Wrecking Crane A & Rotary B.
 - b. Locomotive 81 is out-of-service with running gear and boiler issues. The staff and volunteers have done incredible work on Locomotive 81. The Federal Railroad Administration was here and passed all of the boiler repairs.
 - c. Locomotive 40 is out of service for her heavy repairs. We have started on her repairs; she will be out of service until 2025.
 - d. Locomotives out of service needing moderate repairs: #201 and #802
 - e. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309 and Rotary Snowplow B (for boiler overhaul.)
 - f. Locomotives out of service needing heavy repairs #80 and the military locomotives.
3. Rolling Stock Status – Updated
 - a. Passenger equipment in service: #07, #08, #09, Flatcar #23, Baggage/RPO #20, Outfit Car #06.
 - b. Passenger Coach S, painting is complete. Next issue is rebuilding the coach steps and lettering the car.
 - c. Passenger equipment out of service: #10, #2 and #05 needing heavy repairs.
 - d. Caboose in service: #3 and #22 are operational.
 - e. 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 open.
5. Ridership and Ticket Sales – Updated
 - a. In March we carried 248 passengers, this was an decrease of 4% compared to the previous year.
 - b. So far this year we have carried 627 passengers, this was an increase of 19% compared to the previous year.
 - c. Since operations began in 1987, we have carried 380,735 passengers.
6. Economic Impact – The average non-gaming & gaming daily expenditure per overnight visitor \$170. Economic impact for February 2025 was 193 x \$170 = \$42,160.

Award Winning Destination

- Best Adrenaline Rush in Rural Nevada – 2020
- Best Historic Railroad of the West – 2023, 2022
- Best Museum in Rural Nevada – 2022, 2020, 2017, 2016, 2014, 2013, 2010, 2009, 2008
- Trip Advisor Certificate of Excellence – 2024, 2023, 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

Economic impact year to date was 627 x \$170 = \$106,590
 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:
 - a. Our Facebook views was 1,806,797
 - b. Our Facebook reach last month was 721,675
 - c. We have 135,200 page likes.
 - d. 202,437 people follow our page.

8. Doodlebug

We have amended our 2025 train schedule to include the Doodlebug. The biggest change is how we present our train rides to the public. Starting now we have dropped the name diesel excursion and instead refer to our routes by either the Robinson Canyon (towards Ruth) or the Valley Vista (on the HiLine towards McGill). The reason for this change is that if the presold tickets is less than 30, then we will use the Doodlebug rather than the excursion train. This change is illustrated on the August 2025 public calendar.

When the Doodlebug is shown that will be the train for that trip. This is shown on Mondays while Tuesdays, Wednesdays and Thursdays could be either the Doodlebug or the Excursion Train.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 10:00A Star Train P 4:30P Star Train 7:15P Star Train	2 10:00A Star Train P 4:30P Star Train 7:15P Star Train
3 11:30A Star Train 1:30P Star Train	4 9:30A Star Train V 1:00P Star Train	5 9:30A Valley Vista	6 9:30A Robinson Cyn	7 1:00P Robinson Cyn V 4:30P Robinson Cyn 7:15P Star Train	8 10:00A Star Train P 4:30P Star Train 7:15P Star Train	9 10:00A Star Train P 1:00P Star Train 4:30P Star Train
10 11:30A Star Train 1:30P Star Train	11 9:30A Star Train V 1:00P Star Train	12 9:30A Valley Vista	13 9:30A Robinson Cyn	14 1:00P Robinson Cyn V 4:30P Robinson Cyn 7:15P Star Train	15 10:00A Star Train P 4:30P Star Train 7:15P Star Train	16 10:00A Star Train P 1:00P Star Train 4:30P Star Train
17 11:30A Star Train 1:30P Star Train	18 9:30A Star Train V 1:00P Star Train	19 9:30A Valley Vista	20 9:30A Robinson Cyn	21 1:00P Robinson Cyn V 4:30P Robinson Cyn 7:15P Star Train	22 10:00A Star Train P 4:30P Star Train 7:15P Star Train	23 10:00A Star Train P 1:00P Star Train 4:30P Star Train
24 11:30A Star Train 1:30P Star Train	25 9:30A Star Train V 1:00P Star Train	26 9:30A Valley Vista	27 9:30A Robinson Cyn	28 1:00P Robinson Cyn V 4:30P Robinson Cyn 7:15P Star Train	29 10:00A Star Train P 4:30P Star Train 7:15P Star Train	30 10:00A Star Train P 1:00P Star Train 4:30P Star Train
31 11:30A Star Train 1:30P Star Train	9:30A Star Train V 1:00P Star Train	9:30A Valley Vista	9:30A Robinson Cyn	1:00P Robinson Cyn V 4:30P Robinson Cyn 7:15P Star Train	10:00A Star Train P 4:30P Star Train 7:15P Star Train	10:00A Star Train P 1:00P Star Train 4:30P Star Train

9. BOG050
Promotion



Starting 2025, we are offering a Buy One Get One 50% of ticket purchase promotion - BOG050. Our trains rarely sell out which means we always have unsold seats. The BOG050 promotion is designed to fill those seats. Here's how it works:

BOG050 Train Ticket Promotion – Buy One, Get One 50% Off!

Take advantage of our **BOG050** offer: Buy one train ticket and get a second ticket for **50% off** when booking a ride on a different train!

Terms & Conditions:

- The **BOG050** promotion allows one individual to purchase a full-price train ticket and receive **50% off** a second ticket of equal or lesser value for a different train ride.
- The offer applies **only to tickets purchased for two different trains for the same person.**
- Customers who have already purchased a ticket can still claim the **BOG050** discount on a new ticket, as long as the second train departs within 72 hours of the first.
- This promotion can be combined with a member's discount but cannot be used with any other offers or discounts.
- Tickets are **subject to availability** and are sold on a **first-come, first-served basis.**
- **No rain checks.** All sales are final—no refunds or exchanges.
- This promotion may end at any time without prior notice.

Don't miss this chance to experience twice the adventure for less! 🚂 🎫

6. REPORTS

➤ **COUNCILMAN PEREA**

Councilman Perea stated I just would like to thank Janette for humoring the new guy and all the peppering of budget questions and whatnot for the last week or two.

➤ **COUNCILWOMAN ELLIOTT**

Councilwoman Elliott stated at the Local Emergency Planning Committee (LEPC) meeting we approved submittal of a grant, and I will attend the Tree Board meeting tomorrow morning. Lastly, there was a letter sent in from an anonymous taxpayer and Engineer Almberg and I went down North Street, and just kind of assessed that road. As it looks right now, and B.J. can kind of give more of his engineering standpoint, the road looks pretty good from the middle, but there were some bad parts towards the edge, so might need a little bit of attention here soon. There is nothing that we can really do right at this minute and that's where we are at with that letter that came in,

➤ **COUNCILWOMAN VAN CAMP**

Councilwoman Van Camp stated I attended the Pool Pact seminar on budgeting and finance. I attended the Municipal Utility Board meeting this morning, but there wasn't a quorum. I am the Vice Chair for the White Pine Public Museum, and I have an update on the White Pine Public Museum funding. At the September 24, 2024 Council meeting the Council granted the Museum \$30,000 from the Community Service Funds for our mining display and at this time we have downsized this project, and we would like to redirect this funding to the construction of a new fence, which is in a state of collapse the minute they move the sidewalks out front.

➤ **MAYOR ROBERTSON**

Mayor Robertson stated I'd like to thank Nevada Department of Transportation (NDOT) and everybody who's been working on our Main Street Project. I know it's been a big project, it's going to continue to be a big project, and there's a lot that goes into that

coordination and I appreciate the work they're doing here locally. I did spend some time in Carson City the week before last and will be going again next week. I have been discussing with various legislators issues about our C-tax, some matters relating to our municipal court including the bail hearing requirements and some other things with reference to that. We are working to support the Governor's Housing Bill as we think that's a really great thing with reciprocity and those kinds of things. I would like to thank the Clerk's office and the Treasurer's office for all their work on these grants that are constantly shifting and a moving target, they do a great job.

B. NEW BUSINESS

2. Mayor Robertson - White Pine County Sheriff Henriod and Dispatch Supervisor Sami Blackham - Discussion/For Possible Action - Approval of Proclamation Celebrating National Public Safety Telecommunicators Week.

*City of Ely Proclamation
Celebrating National Public Safety Telecommunicators Week
April 13-19, 2025*

Whereas, emergencies can occur at any time which require Sheriff Fire and/or Emergency Medical Services; and,

Whereas, when an emergency occurs the prompt response of Law Enforcement, Firefighters and Emergency Medical Technicians is critical to the protection of life and preservation of property; and,

Whereas, Professional Telecommunicators are the single vital link for our law enforcement officers, firefighters, and emergency medical technicians by monitoring their activities by radio, providing them accurate and up to date information and ensuring their safety; and,

Whereas, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services and are not as visible as the people who arrive at the scene of emergencies; and,

Whereas, Public Safety Telecommunicators of the White Pine County Sheriff's Office have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and,

Whereas, each dispatcher has shown compassion, understanding and professionalism during the performance of their job in the past year; and

***NOW THEREFORE, BE IT PROCLAIMED,** by the Council of the City of Ely, Nevada, on behalf of the people of Ely, declares the week of April 13 through 19, 2025, to be National Public Safety Telecommunicators Week in Ely, in honor of the men and women whose diligence and professionalism keep our city and citizens safe.*

Signed this 10th day of April, 2025.

Nathan Robertson, Mayor _____

Councilman Trask moved to approve the Proclamation Celebrating National Public Safety Telecommunicators Week. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

7. 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 II Liquor License to Tajinder Singh d.b.a. *The Village Liquor Mart*, located at 501 Nevada Northern Railway, Ely, Nevada.

Councilwoman Elliott moved to approve a Class II Liquor License to Tajinder Singh d.b.a. *The Village Liquor Mart*, located at 501 Nevada Northern Railway, Ely, Nevada. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

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

1. Mayor Robertson – City Engineer Almberg – Discussion/For Possible Action – Approval to deed 420.4 ac-ft/acre (AFA) Irrigation Water Rights to White Pine County associated with APN 010-424-04, to be used for irrigation on the Golf Course, in exchange for 420.4 AFA from White Pine County's Industrial Water Rights in Steptoe Valley.

City Engineer Almberg stated to answer that letter coming from our lessee, I feel that this is actually going to be a benefit. This is a situation where the question being raised is why are we transferring some of our surface waters? The reason that we are transferring our surface waters is because that's the law, and because our underground water rights out there are actually supplemental to the surface waters. So, the first water to be used has to be surface water, and then you can use your underground water to supplement that in case it's not what you actually have the right to divert. In this circumstance, most of the time, we don't have the amount of surface water that they have the right to divert, so they can always come and turn that well on to do it. Currently, the City's well out there is dilapidated and basically doesn't provide enough and right now it's not actually functioning. You can come in and re-equip it with the pump and everything else, but it's not going to be as productive as a new production well would be. Yes, the lessee has a lot of the surface water rights that they use now that actually come from the Mine dewatering. There's a lot of water that's flowing here and that is to their benefit.

Mayor Robertson asked, “would this prevent them from using the surface?”

City Engineer Almberg stated no, this won't prevent them from using the surface water. We're not moving all of the surface water; we are only moving the small percentage that's on this little parcel and so I don't believe they'll have any impact. We realize that the goal of this is to be able to use the underground water to supplement that water that's not always there. What is set up in this agreement is the intention that when the County drills this well to irrigate the back nine with these underground water rights, there will be a T with a meter going to the Ranch and a meter going to the irrigation for the Golf Course. With that being said, the agreement would be that if eighty percent (80%) of the water went to the Golf Course this month and twenty percent (20%) went to the Ranch, then the lessee is responsible for just twenty percent (20%) of that power bill for that month. I believe, ultimately it will be of extreme benefit to whoever the lessee is further on down the road, because eventually the Mine is going to quit dewatering and then that ranch is going to be much tougher to operate. All the water rights on the ranch currently being irrigated are not being moved. We're moving maybe five percent (5%) of what the City has for water rights out there for their surface waters. In my opinion this is a huge benefit to both parties. It will be a benefit to the County saving them money by only paying power costs instead of buying, in a sense, pretreated water. It's a benefit from our side because we now have our largest user off of our system during the busiest and our heaviest use and so that makes us a much safer water system from the standpoint of, we now have redundancy. If we have a well go down during the summer without them on there, I feel that we would easily be able to provide water for all of our citizens. I have talked to the State, and they are in support and feel it will benefit both parties.

Mayor Robertson stated this is a proposal we are pitching to the County, because they obviously haven't had this in front of them. Is part of that proposal going to include the requirement that they offer to sell some of this water to our lessee, because they're putting

in the well and they're paying for the well or is that something they've already discussed and are aware of.

City Engineer Almborg stated that's a part of this agreement that the water will be used by White Pine County and the City for their irrigation water, and it talks about splitting the proportion of the monthly power bill to pump that. These are the highlights of what I believe is a great situation for both parties. If the County approves it, my assumption is at that point we would have our attorney draft a true agreement based on the bullet points, and then both parties would then agree.

Mayor Robertson stated, so that the Council is aware, what you are voting on tonight is to send this proposal to the County for their consideration and we would have to draw up an agreement.

Councilwoman Van Camp stated I would like to disclose my sister is a County Commissioner.

Councilman Trask moved to approach White Pine County on this proposal of deeding 420.4 ac-ft/acre (AFA) Irrigation Water Rights to White Pine County associated with APN 010-424-04, to be used for irrigation on the Golf Course, in exchange for 420.4 AFA from White Pine County's Industrial Water Rights in Steptoe Valley. Councilwoman Elliott seconded the motion. The motion carried unanimously.

Mayor Robertson asked, "can you reach out to the lessee to address those concerns she has about the water rights?"

City Engineer Almborg stated absolutely.

- 2. Board Members – City Clerk Lee – Discussion/For Possible Action – Approval of Resolution 2025-02, A Resolution Granting Approval to Apply for a Capital Improvements Grant from the Nevada Division of Environmental Protection for Completion of the Morley Avenue Water Upgrades Project.

City Clerk Lee stated a required component for the application was a resolution. I communicated in writing with the representative that was helping me with the application, and he stated, if I just sent over a draft, and then the minutes from the previous meeting where it was discussed, that then the approved resolution could be submitted right after our next regular meeting. So that is what this is.

CITY OF ELY

Resolution Number 2025-02

A RESOLUTION GRANTING APPROVAL TO APPLY FOR A CAPITAL IMPROVEMENTS GRANT FROM THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION FOR COMPLETION OF THE MORLEY AVENUE WATER UPGRADES PROJECT.

Whereas, the City of Ely’s Engineer has determined construction costs for the Morley Avenue Water Upgrades Project have increased 20%; and

Whereas, Governor Lombardo’s Executive Budget to the Nevada State Legislature contains a request for \$33.9 million in funding for the Capital Improvements Grant Program (CAP); and

Whereas, the Community Development Block Grant (CDBG) Advisory Committee deemed the proposed Morley Avenue Water Upgrades a project of immediate need to correct long-standing low water pressure issues; and

Whereas, the City of Ely needs to prevent potential health issues due to deteriorating water lines installed before 1986; and

Whereas, construction costs for the Morley Avenue Water Upgrades Project are expected to exceed the City of Ely’s Community Development Block grant (CDBG) and budgeted funding; and

Whereas, the City of Ely will be unable to finish the Morley Avenue Water Upgrades Project if it does not obtain outside funding, but can supplement that funding with a small percentage of additional matching dollars; and

Whereas, the City of Ely can meet the conditions of a CAP grant for the Morley Avenue Water Upgrades Project as it will be “shovel ready” in October 2025 and the CAP funds can be spent within three years of signing the grant agreement.

Now, Therefore, Be It Resolved, that the City of Ely will apply for a Capital Improvements Grant in order to complete the Morley Avenue Water Upgrades Project.

AYES: _____
 NAYS: _____
 ABSTAIN: _____

INTRODUCED AND PASSED this 10th day of April 2025

APPROVED:

ATTESTED TO BY:

NATHAN ROBERTSON, MAYOR

JENNIFER LEE, CITY CLERK

Councilwoman Williams-Harper moved to approve Resolution 2025-02, A Resolution Granting Approval to Apply for a Capital Improvements Grant from the Nevada Division of Environmental Protection for Completion of the Morley Avenue Water Upgrades Project. Councilman Perea seconded the motion. The motion carried unanimously.

9. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE CITY TREE BOARD.

- 1. Council Members – Tree Board Chairman Wolf – Discussion/For Possible Action – Approval of Proclamation Declaring April 25, 2025 Arbor Day in the City of Ely, with a tree planting to be held in coordination with the White Pine County School District.



* * * OFFICIAL PROCLAMATION * * *

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

WHEREAS Arbor Day is now observed throughout the nation and the world, *and*

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Nathan Robertson, Mayor of the City of Ely, do hereby proclaim April 25, 2025 as ARBOR DAY in the City of Ely, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and*

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED THIS 11th day of April, 2025

Mayor Nathan Robertson



Councilman Trask moved to approve of Proclamation Declaring April 25, 2025 Arbor Day in the City of Ely, with a tree planting to be held in coordination with the White Pine County School District. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

10. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A WORK SESSION ON THE CITY OF ELY’S FISCAL YEAR 2026 BUDGET.

- 1. Council Members – City Treasurer Trask – Discussion/For Possible Action – Review of tentative budget for the fiscal year ending June 30, 2026, with possible Council recommendations subject to approval of final budget.

City Treasurer Trask gave a review of the tentative budget for the fiscal year ending June 30, 2026; a copy is on file at City Hall.

Mayor Robertson stated we did a lot of work on trying to find a way to make these very governmental forms a little bit more digestible, not only for the Council, but for the public that looks at that as well. I think we've made some really good inroads, and we will see what we can continue to do there. Another thing I'd like to note on this budget is working with some of the officials and making sure they know the City's job isn't to hoard money. We've been looking at other projects and I think the City has done really well over the past five or six years in being responsible, saving money and getting the money that we're due. We also need to send that money out into the community as projects and making sure our equipment's updated and making sure that employees are

getting paid a fair market wage and I think we've been making a lot of good inroads there as well.

City Treasurer Trask stated our capital projects in the past have been a lot of equipment, and now we are looking at doing some projects.

Mayor Robertson stated the Public Works Director has identified some great park projects to kind of start sprucing up some of our parks and other things that the community uses, and we want to make sure that that's going that way.

THE MAYOR WILL RECESS THE BUDGET WORK SESSION OF THE CITY OF ELY AND RECONVENE THE REGULAR CITY COUNCIL MEETING.

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

A. CONSENT AGENDA

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.

MOTION: Move to approve the Consent Agenda item 11A-1 Minutes and 11A-2 Bills.

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

1. Discussion/For Possible Action – Minutes.
 - March 27, 2025
2. Discussion/For Possible Action – Bills.
 - March 27, 2025
 - April 3, 2025

B. NEW BUSINESS CONTINUED

1. Mayor Robertson – Discussion/For Possible Action – Confirmation of Mayoral appointment of Matt Hibbs as Municipal Court Judge.

Mayor Robertson stated this isn't something that happens every day. We did a lot of research on this and as backup documentation to this item you will notice there is NRS 266.405, which discusses how NRS dictates that that should happen. We also have section 1-6-1 from Ely Municipal Code which talks about that, it's mostly a mirror of NRS, but these are mayor appointed with the advice and consent of the City Council. You've got the City's pay range for this position. When Judge Coster decided to tender his resignation, I spent some time sitting down with our Chief Judge in the area, Judge Dobrescu, discussing his recommendations on this position and who could fill this kind of position. He counseled that former law enforcement was a common and a good option, and certainly lawyers are a good option. This is kind of an odd position in that it isn't full time; it's necessary, but is usually takes less than forty hours a work week to do. It kind of limits who's available to do that kind of thing, as it also requires that the person who fills the position doesn't have other positions that they have to do. In looking for someone who's kind of the Goldilocks in having the time, the desire, and the skill set certainly isn't the easiest thing, but I was surprised we were able to come up with a short list of five people who fit those descriptions. However, three of those were not interested in the position and two of them were. One of them was more recently retired, and I felt like he would have more conflicts, because he had only retired from law enforcement less than a year ago. Therefore, I think a lot of the people that came before the court were probably people he would have already interacted with, and would have had to recuse himself and then, of course, the nominee that I've brought forward tonight, Matt Hibbs, who has who expressed interest and has worked in this field for a long time. He's here tonight and I'm going to ask him to come up and present his past work experience and then take any

questions from the Council that you may have for him. I've interviewed him and discussed at length the issues of the court. I've also talked to court staff, law enforcement, and I've run these names past a lot of people, and Matt Hibbs has come back resoundingly as someone that people think highly of and has done a lot of work in our community. I got the recommendation time and time again that they felt he would do a wonderful job in this position. Mr. Hibbs, if you wouldn't mind coming forward introducing yourself and talking a little bit about your past work experience that kind of makes you qualified for this.

Matt Hibbs reviewed the following work history:

Employment history of Matt Hibbs.

04/19/2018 to present; Retired, doing honey do's.

04/19/2006 – 04/18/2018; Sergeant of the Ely office of the Nevada Department of Public Safety Parole and Probation. The Ely office covered the Counties of Eureka, Lincoln and White Pine.

07/01/1996 - 04/18/2006; Sergeant of the Ely office of the Nevada Department of Public Safety Investigation Division (formerly known as NDI). The Ely office primarily worked narcotic investigations in Eureka, Lincoln and White {Pine Counties.

07/08/1989 – 07/01/1996; Nevada Department of Prisons (now NV Dept of Corrections). My last rank was Sergeant before going to NVPS -ID.

I was also on the White Pine County School District Board of Trustees for 14 years.

I am currently on the McGill town council.

Matt Hibbs stated my wife, and I volunteer at the Kinnear Library in McGill. I am the secretary/treasurer at the Elks Lodge, and as the treasurer I do the treasurer's report. Most of my experience, especially in the courts, was at the District Court level because we dealt with felonies at NDI. Well, that's what I call them, or DPS and Investigation division. I wrote over a hundred search warrants that had to go through either at that time Ron Nieman, Justice Court, or Judge Papez, Hoyt, or Dobrescu upstairs. But in parole and probation we dealt with them constantly, because they're the ones who put the conditions on the probation first. We would write the Pre-sentence Investigation Reports (PSI) which gives recommendations to the judge of what sentence should be, or if a probation, what conditions are rewritten. I do understand that part of it, but the things that I'm really going to need to learn are the background stuff such as administrative fees and how that gets taken care of. I know Linnea does all of that right now, but as the judge, I would be responsible in the long run and that's going to be my big learning curve. I have run for Justice of the Peace a couple times. I am interested in the position because it is in the legal system. I like this community, and I want to be involved in it and help out. It's a necessary evil to have a municipal judge as opposed to just having everything go through Justice Court.

Mayor Robertson stated I also pointed out to each of the people that I talked to that in the American Justice System, Municipal Court Judges, and Supreme Court Justice in the Federal Government both don't require legal background. I don't appoint obviously Supreme Court justices, but the State of Nevada has contemplated these kinds of requirements, and they do require some training that Mr. Hibbs would be taking for

appointed judges with a non-legal background. I would like to point out for the Council and public that we did get an offer from the Justice of the Peace to perform as the judge for the Municipal Court Judge. I felt like I would be putting a nominee to do the job before you rather than ask you to come and do an agreement with the Justice Court, merely because I think that we would then be the Justice of the Peace's second job rather than the primary job, and not that he wouldn't have time, or isn't well qualified to do it by any means, but I have a strong feeling about the City performing functions that it can and should be performing for the community. Again, we had quite an applicant pool, and if we hadn't, we'd be having a different conversation. My recommendation is that we start Mr. Hibbs off at \$20,000 annually. He won't be needing the City health insurance, and obviously he's already retired from PERS, so we won't be doing that. We will be revisiting that a year from this July, because he will then have been past the limitation in social security, and we can revisit his pay at that time. I also discussed having Judge Coster retain the title of Judge Pro Tempore so that if there were any conflicts that came across Mr. Hibbs's desk, there would be someone to kind of fill in, and Judge Coster graciously agreed to do that.

Councilman Trask moved to confirm the Mayoral appointment of Matt Hibbs as Municipal Court Judge with an annual salary of \$20,000.00. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

3. Mayor Robertson – Discussion/For Possible Action – Approval of Interlocal Agreement for Weekend and Holiday Bail Hearings by and between White Pine County, City of Ely and the Justice Court of Ely Township Number One.

Mayor Robertson stated this is an agreement in reference to the weekend bail hearing issue. One thing I wanted to note in this agreement that I did discuss with the Attorney before the meeting tonight was there's a clause that says no retroactive pay in section 2.1, but my initial understanding was that these funds were available as of January 18th and would like that clarified that the agreement reflects this is effective as of the term date of January 18th.

Councilman Trask moved to approve the Interlocal Agreement for Weekend and Holiday Bail Hearings by and between White Pine County, City of Ely and the Justice Court of Ely Township Number with the provision that Section 2.1 is corrected so that it starts with the term date, specified as January 18, 2025, of the agreement. Councilwoman Elliott seconded the motion.

Councilwoman Van Camp stated I would like to disclose my sister, Janet Van Camp, is a member of the White Pine County Commission.

The motion carried unanimously.

4. Mayor Robertson – Discussion/For Possible Action – Approval of Letter of Concern to be sent to Congressman Amodei, Senator Cortez Masto, and Senator Rosen regarding the impact of recent federal workforce directives on Great Basin National Park.

Councilwoman Williams-Harper moved to approve letter of Concern to be sent to Congressman Amodei, Senator Cortez Masto, and Senator Rosen regarding the impact of recent federal workforce directives on Great Basin National Park. Councilman Perea seconded the motion. The motion carried unanimously.

5. Mayor Robertson – Discussion/For Possible Action – Retroactive approval to send a letter in support of the two Minor New Source Review (“MNSR”) permit applications submitted by Deseret Generation and Transmission Co-operative (“Deseret”) currently under consideration by the U.S. Environmental Protection Agency (the “EPA”).

Mayor Robertson stated Mount Wheeler Power sent this over after our last meeting and had a deadline that the comments needed to be in by April 3rd so that predated this meeting, but I felt that the letter needed to go in anyway. Mount Wheeler Power is a member of the Deseret Co-Op, which does this generation. Getting the permits extended

on these generating stations keeps energy costs low here in our area rather than them having to go find new power sources or costly upgrades or new plants.

Councilman Trask moved to retroactively approve sending a letter in support of the two Minor New Source Review (“MNSR”) permit applications submitted by Deseret Generation and Transmission Co-operative (“Deseret”) currently under consideration by the U.S. Environmental Protection Agency (the “EPA”). Councilwoman Van Camp seconded the motion. The motion carried unanimously.

6. Mayor Robertson – Discussion/For Possible Action – Review of City Attorney Chris Arabia’s three-month trial period performance with possible increase in annual salary.

Mayor Robertson stated he's been having some difficulties in the housing market and personally would feel better if he had another thirty days. We discussed a thirty-day extension on the probation period for him to kind of arrange this a little bit better before he had the review if the Council doesn't have any qualms with that.

City Attorney Arabia stated people had warned me about the difficulty with the rental market. I have made some efforts that haven't really been successful, and this date snuck up on me a little bit. I don't want to come before you and ask you for a salary increase until I'm one hundred percent sure that I have all that stuff in order, and I'm hoping that I can get it resolved. I figured for the moment that this would be the best way to proceed.

Councilwoman Elliott moved to approve a thirty-day extension on the Probation Period Performance Evaluation of City Attorney Arabia. Councilman Trask seconded the motion. The motion carried unanimously.

7. Council Members – Building Official Hendrickson – Discussion/For Possible Action – Approval of Interlocal Agreement for Shared Building Department Services between White Pine County and the City of Ely.

White Pine County Interim County Manager Jasen Hutchens stated I made a bit of mistake with the version that got approved through the District Attorney, so I will have to bring this back to the County Commission meeting for approval, so I might recommend just tabling that.

Mayor Robertson stated I was notified of that, and discussed it with Building Official Hendrickson and the City Attorney, and my recommendation would be that we table this pending an approval from the County Commission of a new version.

Councilwoman Elliott moved to table the approval of the Interlocal Agreement for Shared Building Department Services between White Pine County and the City of Ely. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

8. Council Members – City Clerk Lee – Discussion/For Possible Action - Approval to accept Rosevear Surveying & Consulting’s proposal for a Georgetown Ranch survey.

City Clerk Lee stated on February 27th the City Council approved that this go forward as a Request for Proposal (RFP). That was legally noticed, and we received one proposal from Rosevear Surveying & Consulting, so I recommend approval.

Councilman Trask moved to accept Rosevear Surveying & Consulting’s proposal for a Georgetown Ranch survey. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

12. PUBLIC COMMENT

George Chachas stated at your Council meeting, March 13th 2025 in your report on business licenses you had the Great Basin Vista RV Park at 730 Avenue C. listed as Mobile RV Park. I have a real problem with that. It used to be the Apache Trailer Park and because of zoning those people were put out of business. This selective enforcement has got to stop. That license should not have been issued until the zoning was proper. At the Golden Gate gas station there is

not a safety fence between the RV park and the working Railroad. Mr. Chachas stated ongoing concerns regarding Code violations by members of the Planning Commission, some City Council Members, some County Commissioners and staff; RV's permitted throughout the City and if they are paying utilities; 582 Highway North 93 property hooking up to City sewer, water, and has not put in a fire hydrant; and the drainage off of the Bath property draining onto his property at 622 High Street causing erosion.

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

Councilwoman Williams-Harper moved to adjourn the regular meeting of the Ely City Council at **6:08 p.m.** Councilwoman Elliott seconded the motion. The motion carried unanimously.



MAYOR



ATTEST

