



CITY OF ELY

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

ELY MUNICIPAL UTILITIES BOARD REGULAR MEETING

October 14, 2021 8:00 a.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Chairman John O’Flaherty called the regular meeting of the Municipal Utilities Board to order at 8:01 a.m., led in the Pledge of Allegiance and asked for Roll Call.

Members present:

- Chairman John O’Flaherty
- Member Ken Ross

Members absent:

- Member Dale Derbidge

City Officials and staff present:

- Councilman Kurt Carson
- Councilman Ed Spear
- City Clerk Jennifer Lee
- City Treasurer/HR Director Janette Trask
- City Administrative Assistant Patti Cobb
- City Engineer BJ Almberg
- City Attorney Leo Cahoon
- City Public Works Supervisor Mike Cracraft

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below).

MUNICIPAL UTILITIES BOARD ATTENDANCE LIST

DATE: October 14, 2021

Print name below

Ed Spear
George Chachas

Print name below

2. PUBLIC COMMENT

Councilman Spear stated I question if we can hold this meeting with not having a quorum.

City Attorney Cahoon responded in saying a quorum can consist of two people if there is a simple majority. There are three members with two vacancies currently and you don't count vacancies when you are considering a quorum.

George Chachas stated I have the same concern on the quorum and ongoing concerns regarding sewer connections to his property on Great Basin Boulevard; his discussion with the Building Official regarding the inspection of Great Basin Boulevard and the ADA compliance; the storm drain that was to be installed at the corner of Avenue C and 7th Street that has not been put in yet; if utilities have been paid in full for the Golf Course, Northern Nevada Railway, and Garnet Mercantile; and if Mt. Wheeler Power has been contacted about the power poles where the new city water and sewer lines are going in.

3. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE UTILITY BOARD.

A. CONSENT AGENDA

MOTION: Move to approve the Consent Agenda item 3A-1 Minutes.

Moved by: Member Ross Second by: Chairman O'Flaherty Vote: Unanimous

1. Discussion/For Possible Action –Minutes.
 - August 12, 2021

B. OLD BUSINESS

1. Board Members – *Robinson Nevada Mining Company* (RNMC) representative – Discussion only – Update to the Utility Board on the *Robinson Nevada Development*, Ruth Pit Development and water mitigation efforts within the City of Ely.

Administrative Assistant Cobb read the following email into the record:

Jennifer Lee

From: Frederick Parthey <Frederick.Parthey@us.kghm.com>
Sent: Wednesday, October 13, 2021 5:03 PM
To: Jennifer Lee
Cc: Amanda Hilton
Subject: Utility Board Meeting- 10/14/2021

Hello Jennifer,

I will not be able to attend tomorrow morning Utility Board meeting, I am by this email providing you an update on "Old Business" Item B 1. *Ruth Pit development and water mitigation efforts within the City of Ely.*

Robinson continue to mine from the Ruth pit complex, here is the breakdown of fresh water dewatering effort from the South block.

1. About 10,908 gpm is being pumped, RW-7P account for 1,783 gpm, which is sent to the City of Ely
2. About 4,801 gpm is going into Gleason Creek
3. The rest is going to the mill for ore processing.

Let me know if you have any questions.

Thanks,

Frederick

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Robinson Mine
P.O. Box 382, 4232 West White Pine County Rd 4,
Ruth, NV 89319 USA
www.kghm.com

Chairman O’Flaherty stated I was under the impression they were pumping around 1,400 gpm. It looks like they have increased their production. Last meeting, they were producing 1,105 gpm from RW-7P. I imagined the water table dropping and not increasing.

C. NEW BUSINESS

1. Board Members - Councilman Carson - Councilman Spear – Discussion/For Possible Action – Recommendation of approval to move forward with mandatory trash pickup.

Councilman Carson stated I don’t have a plan yet, but the more we talked about this item the more complex it got. I didn’t want to tie up City staff and attorneys if it is not the pleasure of the Utilities Board or the City Council to move forward. I wanted to hear what your thoughts might be at this point.

Chairman O’Flaherty stated I personally have my garbage picked up. I do that because it is a convenience to me, a low cost, and I believe it is respectful of health issues. I know where my children live in larger cities trash pickup is mandatory. Unfortunately, we live in rural Nevada and I think you are going to get some pushback. Would this only pertain to the City?

Councilman Carson stated that is one of the logistics we are having a stumbling block over is separating the City from the County. My thought process behind this is it would help the landfill by reducing traffic, reducing risk at the landfill. If made mandatory the volume of the pickup would go up and maybe the cost per resident would go down; it would be a savings for the residents that are getting it picked up now.

Chairman O’Flaherty stated it is good to talk about it. I don’t personally have an issue with it, but I do believe you are going to get pushback.

Member Ross stated when I grew up, we would stack it up in the garage and when we had a truckload, we would haul it to the landfill; I have been doing this my whole life. I tried City pickup and it is costly and when they don’t pick up because their truck goes down it still piles up. I am wondering what brought this about?

Councilman Carson stated it is a lot of things, but you just said the key thing in that you stored up your trash. I work in McGill and Ruth all day long and you watch people store it up and then when they haul it to town it blows all over the highways and makes a mess. I think it would make a lot of things better if we had mandatory pickup.

Member Ross stated I would like to see the proposed costs.

Councilman Carson stated that will be the straw that breaks the camel’s back. If the cost is too high, I wouldn’t want to do it either. I am hoping to lower the cost if we have the whole City having their garbage picked up.

City Clerk Lee stated for the record if the County wanted to enter into an agreement with the City on this; the current trash hauler does go out to Baker, McGill, Lund, and Ruth so that would be an option that would reduce everyone’s cost.

Councilman Carson stated there are a lot of things to work on and I didn’t want to waste anyone’s time if it was not the desire of the Council.

Chairman O’Flaherty stated I think it is important that it be brought to the City Council. Ken has one point of view and I have another, and I think that is what you need to explore.

George Chachas stated I am against mandatory trash pickup. I have rentals and I pay Ely Disposal to take care of those properties. If there is any storing of trash in excess, then you have a problem with enforcement. I am not seeing a buildup of trash, and if I have, I have reported it. I want to remind you that a few years ago there was a lawsuit brought

on by the citizens of Ely and McGill regarding mandatory pickup and it went all the way to the Supreme Court, and mandatory pick up was rejected. It cost the County a lot of money and I don't want to see it go back to that situation. If you have a problem with a storage of trash, then address the issue.

Councilman Spear stated this is not the first time this has come before the City Council. When I was on the Council back in, I believe 1987, we had an issue with the County not supporting the Ely landfill and they wanted to do their own landfill. They picked three sites and spent close to \$200,000.00 to select a site. The site they chose was Gleason Creek Site, which I thought was the worst site. We discussed mandatory pick up at that time because there were a lot of benefits to the City knowing what is going in the landfill. The landfill is rapidly filling up and I think mandatory pick up is inevitable. I think it is very preliminary but something we need to look at. I believe the City should not be on the hook for that closure which is \$3.4 million. We don't even have half of that in the closure fund and yet we continue to pile up all this stuff. I think the City needs to take a bold step and start worrying about the City residents and the County should be billing and collecting all the landfill fees for County residents as far as I am concerned. We should be billing the County and they pay us, or we shut them out and give them time to open their own landfill.

There was no action on this item.

2. Board Members – City Clerk Lee– Discussion/For Possible Action – Recommendation to remove past due utility fee penalties up to the amount of \$590.72 from 30 Avenue B, McGill, Nevada at the request of tenant/prospective buyer, James Stroud; property owner Sheryl Parmley is deceased.

City Clerk Lee stated this is a unique situation. The tenant did come into City Hall on August 5, 2021 and paid the principal balance due of landfill fees of \$1,081.45 and then on the 8th of October he came to City Hall and paid the \$74.00 in lien fees as there is a lien on this property. He is doing this in hopes of someday acquiring the property and he is requesting the penalties of \$590.72 be waived.

Chairman O'Flaherty stated I think we are very fortunate to get the original amount and I would support this.

Member Ross moved to recommend the removal of past due utility fee penalties up to the amount of \$590.72 from 30 Avenue B, McGill, Nevada. Chairman O'Flaherty seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ CITY CLERK

City Clerk Lee stated the two CDBG projects; Parker/Stevens Sewer upgrade and the Bell Avenue Water Pipeline project have both been submitted for eligibility. We were pleased that GOED did accept Nevada Rural Water's Income Survey and we should find out in the next few weeks if they are eligible to apply for in February.

➤ **CITY ENGINEER**

City Engineer AlMBERG stated we were requested to do budgeting for some projects that will possibly be funded by the American Rescue Plan Act (ARPA) funding. We met with Mike and some of the City staff to go over potential problem areas. We looked at it from the standpoint of through the PORTER Group we are trying to get earmarked money to do our main projects and looked at some projects that are taking up a lot of time with maintenance to use ARPA money for once we figure what the cost will be. We did meet with the County and the Mine to potentially get a well for the Golf Course irrigation system. Unfortunately, the prices are extremely high currently, so that project is on hold until that changes. The prices were based on the well drillers that the Mine currently uses up on their site. The Mine relayed all the information to the County and the County will be looking at some local well drillers to see if the price is better to do the project. We are compiling spreadsheets to show water usage regarding our ongoing negotiations with Robinson Nevada Mining Company (RNMC). I am waiting for some pumping information from RW-7P so that we can compile that and get that completed. The Terrace Well will be online, and we will start running it this winter in auto once a time delay is installed by SCADA. Based on our water usage right now we anticipate we can give the Murry Street boosters a break this winter and we would be able to keep up the Terrace Well. We are working on getting all the information together for the long-term life of the cemetery.

Chairman O’Flaherty stated can you give a Murry Street update?

City Engineer AlMBERG stated the intention is to pour the whole block of sidewalk tomorrow. As soon as the area dries up, they will start hauling material back into that area. There is a Regional Transportation Commission (RTC) meeting on Tuesday to get a better update and what their plan is going forward. The due date for that project is October 29,2021.

Chairman O’Flaherty stated do you find it unusual that RP-7 is pumping 1,800 gpm?

City Engineer AlMBERG stated it is up, because it has been pumping just under 1,500 gpm; I have not seen that on SCADA.

5. PUBLIC COMMENT

George Chachas stated ongoing concerns regarding the utility billing needing brought back to City Hall; the billing for his property at 490 High Street; he would like the same consideration as others and the discrimination to stop; the lack of access to the west end of his property to Town and Country on Great Basin Boulevard; acquiring a permit to park behind the sidewalk on his property on Great Basin Boulevard; and RV permitting.

City Clerk Lee stated there is an applicant, Greg Rivero, being considered tonight at the City Council Meeting for the open Municipal Utilities Board Position.

6. ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE MUNICIPAL UTILITIES BOARD

Chairman O’Flaherty adjourned the regular meeting of the Municipal Utilities Board at **8:30 a.m.**



Attest



Chairman

