

# CITY OF ELY

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

## ELY MUNICIPAL UTILITIES BOARD REGULAR MEETING

May 13, 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 8:00 a.m., led in the Pledge of Allegiance and asked for Roll Call.

Members present:

- Chairman John O’Flaherty
- Member Dale Derbidge
- Member Ken Ross
- Member Jeremy Lilly

City Officials and staff present:

- City Clerk Jennifer Lee
- City Treasurer-HR Director Janette Trask
- City Administrative Assistant Patti Cobb
- Public Works Supervisor Mike Cracraft
- City Engineer BJ Almberg
- City Fire Chief Pat Stork
- City Attorney Shain Manuele

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: May 13, 2021

Print name below

George Chachas  
\_\_\_\_\_  
\_\_\_\_\_

Print name below

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**2. PUBLIC COMMENT**

George Chachas stated ongoing concerns regarding a utility billing audit; the billing at his property on 490 High Street; where the 490' of 16-inch steel pipe went after completion of the Murry Street Project; concerns of squatters' RVs; whether a city utility was put on private property on Avenue A; and the Golf Course should pay the same rate as other businesses. The Golf Course was not billed properly due to duct tape being found in the water meter; the meter was intentionally sabotaged, and they need to pay the average use when the meter was functioning properly. The auditors have stated in the past that you must show the true cost of doing business. The City of Ely cannot discriminate in any federally-funded or assisted utility and the City of Ely needs to be paid. Why has the water not been shut off due to non-payment?

**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 Derbidge Second by: Member Ross Vote: unanimous

1. Discussion/For Possible Action –Minutes.

- April 8, 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.
2. City Clerk Lee read the following email into the record.

**Jennifer Lee**

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**From:** Frederick Parthey <Frederick.Parthey@us.kghm.com>  
**Sent:** Wednesday, May 12, 2021 11:14 AM  
**To:** Jennifer Lee  
**Cc:** Amanda Hilton  
**Subject:** Utility Board Meeting- 5/13/2021

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 10,554 gpm is being pumped, RW-7P account for 1,512 gpm, which is sent to the City of Ely
2. About 3,678 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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PMP)  
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**KGHM**

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Ruth, NV 89319 USA  
[www.kghm.com](http://www.kghm.com)

## C. NEW BUSINESS

1. Mayor Robertson – City Fire Chief Stork – Discussion/For Possible Action – Recommendation to grant approval for Garden State Fireworks to perform a firework display at the City of Ely Landfill August 22, 2021.

City Fire Chief Stork stated this was brought to me by Garden State Fireworks. They want to do the fireworks on the end of the landfill, which will be a good place as the fallout will be in a place that is easy to access with it being during the hottest time of year. This item is asking for permission to use the property to set off the fireworks, they are one of the biggest, reputable firework companies in the United States.

Chairman O’Flaherty asked has Thomas at the Landfill agreed to this?

City Fire Chief Stork stated yes he will get with Public Works Supervisor Cracraft to get Garden State Fireworks access. They are a reputable company so I don’t think there will

be a problem with them locking things up when the show is over. There will be fire apparatus in the area for the show.

Member Derbidge moved to recommend the approval for Garden State Fireworks to perform a firework display at the City of Ely Landfill August 22, 2021. Member Ross seconded the motion. The motion carried unanimously.

George Chachas stated my concern is how close it will be to the animals at the City Corrals. Was the Corral Association contacted to inform them of the event and asked if they have any concerns? The animals can be affected by the sounds and I would like to hear feedback from those people before you proceed with the event.

Chairman O’Flaherty stated it will be about the same distance as previous fireworks from the corrals and there were no adverse effects; so hopefully there will not be in this case.

2. Council Members- City Attorney Manuele – Discussion/For Possible Action – Recommendation to approve removal of past due utility fee penalties up to the amount of \$2,420.92 from 35 Avenue R, McGill, Nevada at the request of property owner, Robert Pratt acting on behalf of Moriah Enterprises, Inc., due to the property never having a livable structure.

City Attorney Manuele stated there is not a livable structure on this property and should have not been billed. The previous City Attorney Caroline Townsend did the majority of the research on the property.

Member Lilly recommended the approval of removal of past due utility fee penalties up to the amount of \$2,420.92 from 35 Avenue R, McGill, Nevada. Member Derbidge seconded the motion. The motions carried unanimously.

3. Board Members – City Clerk Lee – Discussion/For Possible Action – Recommendation to approve removal of past due utility fee penalties up to the amount of \$584.37 from 236 Fay Avenue #2., Ely, Nevada at the request of the property owners, Caleb and Brandi Sumrall.

City Clerk Lee stated the Sumrall’s have paid the landfill charges due in full and are requesting the penalties be waived. They purchased this property at a County tax sale and inherited the debt.

Member Ross moved to recommend the approval of removal of past due utility fee penalties up to the amount of \$584.37 from 236 Fay Avenue #2., Ely, Nevada. Member Lilly seconded the motion. The motion carried unanimously.

George Chachas stated I am not against this but I want to remind you that when I bought my property at 490 High Street I paid the penalties and interest and yet I am still being billed. I want equal protection under the law.

#### 4. CITY DEPARTMENT REPORTS

Chairman O’Flaherty stated I see on the reports that there is an open position at the landfill, and I see that we have one lien release.

➤ City Engineer

City Engineer Almberg stated on the Aultman Street project we have decided to upgrade some water line crossings that were not included in the original design because they started leaking when work was being done close to them. After the project was released, we found out that NDOT is going to participate because our improvements were older than their right of way; our expenses were cut in half due to NDOT paying half. I have coordinated with the City Treasurer to pay for those additional crossings; they are at Avenue G, Avenue H, and Campton Street. I was approached by a property owner with property on Great Basin Boulevard to install water and sewer connections during the construction on an empty lot. I let them know that the City of Ely or NDOT would not pay for that, but they could work with a contractor to get them placed while the road is already tore up. I told him that we will not issue him a Will-Serve at this time as it is a commercial property and we don’t know what type of building will be going in there. We completed all the mainline on East Aultman Street and when the water was turned on one of the back properties that was not on Aultman Street had a line that was disconnected, so Carl’s crew remedied the problem. I have been helping compile information for the PORTER Group to hopefully receive earmarked money for local projects.

Member Derbidge asked when is the completion date for the Murry Street project?

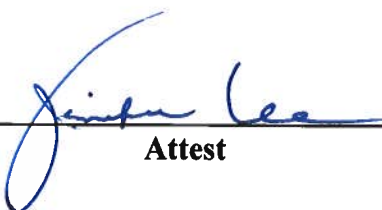
City Engineer Almberg stated the due date for the completion of the Murry Street project is the beginning of next week, but they did get a couple of days for weather. I think they are going to be running about a week behind schedule.

#### 5. PUBLIC COMMENT

George Chachas stated ongoing concerns regarding a utility billing audit; the billing at his property on 490 High Street; not being reimbursed for taking care of the sewer problem at 681 Parker; and doing the City’s billing in house; and that the water line upgrade to the old Charter School should have been the responsibility of the developer and not the City.

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

Chairman O’Flaherty adjourned the regular meeting of the Municipal Utilities Board at 8:24 a.m.

  
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Attest

  
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Chairman

