



CITY OF ELY

501 Mill Street Ely, Nevada 89301

City Hall (775) 289-2430

Cityofelynv.gov

ELY MUNICIPAL UTILITIES BOARD REGULAR MEETING

May 12, 2022 8:00 a.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Chairman 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
Vice Chairman Dale Derbidge
Member Ken Ross
Member Sherrie Marquez
Member Greg Rivero

City Officials and staff present:

Councilman Kurt Carson
City Clerk Jennifer Lee
City Treasurer/HR Director Janette Trask
City Engineer BJ Almberg
City Attorney Leo Cahoon
City Public Works Supervisor Mike Cracraft
City Administrative Assistant Patti Cobb
City Fire Chief Stork (Zoom)

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below): None

2. PUBLIC COMMENT

George Chachas stated on your agenda item 3-C you are to consider the waiver of commercial fees to deposit metal at the City Landfill from May 13th through May 31st. The Board should consider the removal of fees permanently for commercial as well as residential for the disposal of metal. The City needs to encourage year around cleanup not just the fifteen day period. I want to remind you the City benefits from the scrap metal sales. Mr. Chachas stated ongoing concerns regarding if Mt. Wheeler Power was notified to remove power poles during the construction on Murry Street to accommodate ADA requirements; the billing for his property at 490 High Street; The Notice and Order related to 842 Aultman Street and who made the

complaint; his requested list of RVs permitted in the City; his request for the expense he incurred at 681 Parker for a sewer problem; and requesting equal protection under the law.

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: Vice Chairman Derbidge Second by: Member Ross Vote: Unanimous

1. Discussion/For Possible Action –Minutes.
 - April 14, 2022

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.

The following email was read into the record:

Jennifer Lee

From: Frederick Partey <Frederick.Partey@us.kghm.com>
Sent: Wednesday, May 11, 2022 4:30 PM
To: Jennifer Lee
Cc: Amanda Hilton
Subject: Utility Board Meeting- 05/12/2022

Hello Jennifer,

I will not be able to attend tomorrow's 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.

About 10,794 gpm is being pumped, 4,927 gpm is going into Gleason Creek and the rest is going to the mill for ore processing. The RW-7P- Temporary system will ship out to Robinson Mine on Friday afternoon 5/13 as well as the Shroud. Robinson can confirm that Boart Longyear's push and pull rig is available to Mob to site (RW-7P) to start the pull of the old system and push the new temporary system starting from 5\23.

Please let me know if the utility board has any questions.

Thanks,

Frederick

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Robinson Mine
4232 West White Pine County Rd 44
Ruth, NV 89319 USA
www.kghm.com

Chairman O'Flaherty stated this is good timing before the summer months start.

C. NEW BUSINESS

1. Councilman Carson – Discussion/For Possible Action – Recommendation to approve waiver of commercial fees to deposit metal at City Landfill May 15, 2022 thru May 31, 2022 to encourage commercial property owners to clean up their property.

Councilman Carson stated it worked really well last year and I would like to do it again this year with your permission.

Vice Chairman Derbidge stated we had this same question last year. Why do you charge people for bringing metal in there? Maybe it should be brought to the City Council.

Councilman Carson stated we can take it to the floor for sure, but the way I look at it is the money we generate from selling the metal pile helps offset the shipping of tires. It is so expensive to ship the tires and we don't really separate it as an earmark, but that is what it offsets.

Member Ross stated so there is a fee for dumping tires, and that doesn't cover the cost?

Councilman Carson stated we still haven't caught up with inflation, shipping, and the fuel has gone up so much.

Vice Chairman Derbidge stated the point is I think we can get more metal. People can take metal to J & M for free and if I am a business and I take it to the Landfill I get charged.

Councilman Carson stated correct. We can definitely put it on the agenda and talk about it.

Chairman O'Flaherty agreed it would be a good idea for Kurt to put on the Council agenda. The other thing is, did the BLM ever show any interest in getting the Greenup Grant back again?

City Clerk Lee stated I am working on that grant, and it is due the 25th of this month.

Chairman O'Flaherty stated good, that was a big benefit too and part of the reason we had this policy in place was because we had supplement funding coming from the Bureau of Land Management.

City Clerk Lee stated just to clarify it is only offsetting residential fees.

Vice Chairman Derbidge recommended approval to waive commercial fees to deposit metal at City Landfill May 15, 2022 thru May 31, 2022 to encourage commercial property owners to clean up their property and to place on the Council Agenda for permanent removal of those fees. Member Ross seconded the motion. The motion carried unanimously.

2. Board Members – City Clerk Lee– Discussion/For Possible Action – Recommendation to remove past due utility fee penalties up to the amount of \$6,671.79 from 8400 North SR 892, Ely, Nevada at the request of property owner, Donald and Sandra Garrett.

City Clerk Lee stated the Garretts acquired this property on October 7, 2021 and they did not build up the debt. This year they did pay off the principal balance and are requesting the penalty waiver as has been done in the past.

Member Ross recommended removal of past due utility fee penalties up to the amount of \$6,671.79 from 8400 North SR 892, Ely, Nevada at the request of property owner, Donald and Sandra Garrett. Member Marquez seconded the motion. The motion carried unanimously.

George Chachas stated I just wanted to remind you that I am not being treated the same. At 490 High Street there was a charge of \$741.00 for outside water and capital improvements and there's no such animal. My billing is wrong, and I don't have any problem with you considering this, but I want equal consideration.

3. Council Members – City Attorney Cahoon – Discussion/For Possible Action – Recommendation to approve Joint Development and Beneficial Use Agreement between the City of Ely and Cody Bliss, Cody Coombs, and Ben Noyes for the 18.83-acre Georgetown Ranch section.

City Attorney Cahoon stated this is for a five-year term and there is no automatic renewal, but at the end of the five years the City will have the ability to enter into a renewal upon mutual agreement of the parties.

Chairman O'Flaherty stated everything was advertised in the paper and so forth?

City Attorney Cahoon stated correct.

Chairman O'Flaherty stated there were multiple bids and this was the highest bid?

City Attorney Cahoon stated yes, there were multiple bids, and this was the highest.

Vice Chairman Derbidge moved to recommend the approval of the Joint Development and Beneficial Use Agreement between the City of Ely and Cody Bliss, Cody Coombs, and Ben Noyes for the 18.83-acre Georgetown Ranch section. Member Marquez seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ CITY ENGINEER

City Engineer AlMBERG stated we started the environmental assessments for our CDBG Central Ely Sewer Project and Bell Avenue Water Project. We have decided we are going to expand the scope of our Central Ely Sewer one to cover the area of our sewer earmark down in that area. We will encompass it all in one instead of having to do one

for each project. The Murry Street Sewer Project is our current CDBG project. The contractor got notice to proceed on May 6th and we have been going through their submittals. I think the work will start on that as soon as their materials arrive. We did complete all of our submittals into our State Revolving Loan Fund that we needed as part of the earmark for the Central Ely Sewer Project. This year they went to electronic format, and we were able to get that all completed, finalized, and signed off on yesterday. Leo had contacted me about the RNMC agreement that we are working through, so I gathered information and spent some time with him trying to get him up to speed since he hasn't been here since the beginning and pointed out some things the committee has been concerned about. I am there to support him anyway I can. As Jennifer updated, RW-7P will be shipped this week and then be installed shortly. We have been coordinating with NDEP on the water sampling they requested with this temporary pump that is going in the ground and we have a conference with them today to go over the exact procedures they want to see.

Chairman O'Flaherty stated just for clarification on this B.J. this is not the permanent pump just a temporary?

City Engineer AlMBERG stated correct. This is a temporary pump that was worked through a waiver to be installed temporarily since the permanent pump had a long lead time.

Chairman O'Flaherty asked will the performance of the temporary pump be sufficient?

City Engineer AlMBERG stated yes, it is all equivalent and the only difference was it is not necessarily NSF certified and so that is the part of the water sampling once we get it installed and flushed, they want sampling done before we turn it to the system. We also worked with the State on the permanent placement, so we don't really have to deal with them again for any type of approval. They already know this well is going in for a short time and will be backed up with the permanent one.

Chairman O'Flaherty asked what is the lead time on the permanent pump?

City Engineer stated I have not heard an update on the permanent one. At the time they were ordered they were saying it was a sixteen-week lead time.

Chairman O'Flaherty asked are they going to order a backup one as well?

City Engineer AlMBERG stated yes.

Vice Chairman Derbidge asked does the back up pump have to be certified to?

City Engineer AlMBERG stated they are identical pumps. I want to update you on well usage as we come into summer and with 7P being down and North Street Well being

down. We are closely monitoring this daily with our Scada System and close contact with Carl and Mike on anything we need to do to keep our tanks full. At this point in time our tanks are staying very full and no issues with our demand. To help you understand as far as our capacity, just for this part of May I went back and compiled all of our run times associated with these wells so you can get a general idea of how we are doing. The 10th Street and Avenue M well for the last eleven days has averaged about twenty percent of run time. The 17th and Avenue M well, which is our largest well in the community is running at forty-eight percent the first part of this month so there is still a lot of capacity left there. The Terrace well, which is very beneficial to us because every time it runs it basically pumps water that we don't have to pump out of our Murry Booster Station. The Terrace Well has ran at about fifty-nine percent the first part of the month. The Golf Course Well is the only well we have up and running full time. 17th and Avenue M is on about once a day to help fill up our two biggest courthouse tanks. I just wanted to update everyone on where we are with the situation of our wells, and we are actually in very good shape at this time, and we anticipate 7-P back online long before our demands come up.

Chairman O'Flaherty asked when did the Golf Course Well go back in operation?

City Engineer AlMBERG stated it was about three weeks ago and it is running smoothly and sounds great.

Chairman O'Flaherty asked on the Murry Street Phase III project we are not seeing any delay as far as materials?

City Engineer AlMBERG stated we have not got any word back from them that there are any delays that they are running into at this point in time.

5. PUBLIC COMMENT

George Chachas stated ongoing concerns regarding his request for reimbursement for the sewer problem that he took care of at 681 Parker; the City ever collecting in full for water, sewer and landfill services from the Historical Railroad when they owned the White Pine Trailer Park; collecting in full from Garnett Mercantile; the recent NDOT project on Great Basin Boulevard stating his property did not get a new meter pit, nor did his brother's property; the damage he alleges Q & D caused when parking their vehicles over a curb stop; the sewer line he alleges the City paid a contractor to extend out to where the Charter School is located and it was a requirement of the developer; and his request for a list of permitted RVs in the City. On March 30, 2022 a family member of mine was given a Notice and Order for his rental property because the individual had a game room set up in the garage adjacent. The Building Inspector wanted water and sewer service there. I want to know who filed the complaint. When I asked for a copy of the complaint out of your office I get "not document responsive."

City Clerk Lee stated the next Municipal Utilities Meeting will be June 9, 2022.

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 **8:26 a.m.**



Vice Chairman



Attest

