



CITY OF ELY

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

ELY MUNICIPAL UTILITIES BOARD REGULAR MEETING

December 14, 2023, 8:00 a.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

The Ely Municipal Utilities Board meeting can also be accessed via video conference/teleconference. Please call City Hall or email CityClerk@cityofelynv.gov if you have questions regarding accessing the meeting.

Link: <https://zoom.us/j/9771306332> **Meeting ID:** 977 130 6332

Please Note: If you log on and experience difficulty hearing the meeting, please also call the toll-free numbers.

Dial by your location: +877-853-5247 US Toll-free
+888-788-0099 US Toll-free

THE MUNICIPAL UTILITIES BOARD MEMBERS MAY ADDRESS AGENDA ITEMS OUT OF SEQUENCE, COMBINE TWO OR MORE AGENDA ITEMS FOR CONSIDERATION, REMOVE AN ITEM OR DELAY DISCUSSION AT ANY TIME TO ACCOMMODATE PERSONS APPEARING BEFORE THE UTILITIES BOARD MEMBERS OR TO AID IN THE EFFICIENCY AND EFFECTIVENESS OF THE MEETINGS.

1. OPENING ACTIVITIES:

MEETING CALLED TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

2. PUBLIC COMMENT: In accordance with Nevada Revised Statutes 241.020, **public comment at the beginning of Municipal Utilities Board meetings is narrowed to agenda items only.** The public comment period at the close of Municipal Utilities Board meetings is for any matter relevant to or within the authority of the Public Body. Comments not exceeding three (3) minutes in length will be accepted from the general public in attendance. If any are made, there may be discussion upon those comments. No vote, decision, or action may be taken upon matters raised under this item until it is formally placed on the agenda. **Comments during Discussion Items will not be accepted from the General public.** “Section 7.05 of the Nevada Open Meeting Law Manual indicates that the Public Body may prohibit comment if the content of the comments is a topic that is not relevant to or within the authority of the Public Body or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers”.

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

A. CONSENT AGENDA (These items may be approved in one motion by the Board as its first action of business under For Discussion/Possible Action items.) Approval of the Consent Agenda approves each of these items. Board Members may remove any item from the Consent Agenda by notifying the Board Chair.

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

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.
 - [November 9, 2023](#)

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.

C. NEW BUSINESS

1. Councilman Carson – Discussion/For Possible Action – Recommendation to approve Resolution 2023-12, establishing that the City’s water operators will determine responsibility for water or sewer line issues and verify that repairs performed in public rights-of-way by licensed contractors are correct prior to backfilling, subject to confirmation by the City Director of Public Works.
2. Councilman Carson – [Discussion/For Possible Action](#) – Recommendation to approve a Memorandum of Understanding with Eastern Nevada Climbers Alliance for the stewardship of recreational climbing activities on City property known as the Hercules Gap, APN 010-270-07 and APN 101-270-09.
3. Councilman Alworth – Discussion/For Possible Action – Review of research and history on the installation of the White Pine County Industrial Park Sewer Lift Station and discussion on possible revisions on the City’s standard operating procedures of accepting utility system additions and ideas regarding continued operation/repair of said sewer lift station.
4. Board Members – City Clerk Lee – City Engineer Almberg – [Discussion/For Possible Action](#) – Recommendation of Prioritizing and final Selection of CDBG project(s) for the 2024-2025 Program Year application submission; the City’s eligible projects include [Morley Avenue Water-Sewer Project](#) for \$895,500.00; [Stevens-Orson Sewer Project](#) for \$637,400.00; [Central Ely Drainage Improvement Project](#) for \$426,700.00; and [7th St. Drainage Improvement Project](#) for \$251,600.00.

5. Board Members – City Clerk Lee – Discussion/For Possible Action – Recommendation for approval to remove past due utility fee penalties up to the amount of \$3,513.73 from 37 Second Street, McGill, Nevada at the request of Property Owner, Robert Cluck and Radu Dumitrescu.
6. Board Members – City Clerk Lee – Discussion/For Possible Action – Recommendation for approval to remove past due utility fee penalties up to the amount of \$124.90 from 15 Keystone Street, Ruth, Nevada at the request of Property Owner, William Peters.

4. CITY DEPARTMENT REPORTS

- BOARD MEMBERS
- COUNCILMAN CARSON
- CITY PUBLIC WORKS DIRECTOR
- CITY WATER OPERATOR
- CITY WATER/SEWER LEADMAN
- CITY LANDFILL LEADMAN
- CITY CLERK
 - ❖ Liens
 - ❖ Lien Releases
- CITY ATTORNEY
- CITY TREASURER / HR DIRECTOR
- CITY ENGINEER

5. PUBLIC COMMENT: Comments not exceeding three (3) minutes in length will be accepted from the general public in attendance. If any are made, there may be discussion upon those comments. No vote, decision, or action may be taken upon matters raised under this item until it is formally placed on the agenda. “Section 7.05, of the Nevada Open Meeting Law Manual indicates that the Public Body may prohibit comment if the content of the comments is a topic that is not relevant to or within the authority of the Public Body or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers”.

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

• * Open session – Action/Discussion – Personnel** The meeting may be closed by appropriate motion for the purpose of discussion on any matter allowed under N.R.S. 241.031 and 241.033, (1) nothing contained in this chapter prevents a public body from holding a closed meeting to consider the character, alleged misconduct, professional competence or physical or mental health of a person/employee. (2) A public body may close a meeting upon a motion, which specifies the nature of the business to be considered. (3) This chapter does not: (a) Apply to judicial proceedings. (b) Prevent the removal of any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical. (c) Prevent the exclusion of witnesses from a public or private meeting during the examination of another witness. (d) Require that any meeting be closed to the public. (e) Permit a closed meeting for the discussion of the appointment of any person to public office or as a member of a public body. (4) The exception provided by this section, and electronic communication, must not be used to circumvent the spirit or letter of this chapter in order to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory powers. In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA’s TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in

languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; Fax: (202) 690-7442; or Email: program.intake@usda.gov.

For access to the public packet, contact the City Clerk at 501 Mill Street, Ely, Nevada 89301 or call (775) 289-2430; all packet material is posted in the agenda's hyperlinks or under "Minutes" / "Other" on the City's website at <https://www.cityofelynv.gov/>. I, Jennifer Lee, City Clerk, did cause to be posted on **December 11, 2023**, by **9:00 a.m.** four (4) notices of the Municipal Utilities Board agenda in said City of Ely to wit: Posted at the doors or bulletin boards of City Hall located at 501 Mill Street, White Pine County Library located at 950 Campton Street, White Pine County Courthouse located at 801 Clark Street and the U.S. Post Office located at 2600 Bristlecone Avenue. The meeting notice is also posted on the City of Ely's website at <https://www.cityofelynv.gov/> and the State of Nevada Public Notices website at <https://notice.nv.gov>.


