



CITY OF ELY

501 Mill Street Ely, Nevada 89301

City Hall (775) 289-2430

Cityofelynv.gov

ELY MUNICIPAL UTILITIES BOARD REGULAR MEETING

April 13, 2023, 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 8:00 a.m., led in the Pledge of Allegiance and asked for Roll Call.

Members present:

Chairman John O’Flaherty
Vice Chairman Dale Derbidge
Member Greg Rivero
Member Sherrie Marquez

Members absent:

Member Ken Ross

City Officials and staff present:

City Clerk Jennifer Lee
City Treasurer-HR Director Janette Trask
City Public Works Supervisor Mike Cracraft
City Attorney Leo Cahoon
City Engineer B.J. Almberg
City Water/Sewer Leadman Siemer
Administrative Assistant Patti Cobb

City Officials and Staff absent:

Councilman Kurt Carson

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 ongoing concerns regarding his request for reimbursement for the sewer problem he took care of at his property located at 681 Parker Avenue; the billing for his property at 490 High Street; his request for copy of the contracts for Murry Street Phase II and III; the installation of water taps and sewer connections for his property located at 729 and 733 Great Basin Boulevard; the alleged damage done at 745 Great Basin Boulevard by Q & D Construction; and if the City ever collected in full for water, sewer and landfill services from the Historical Railroad when they owned the White Pine Trailer Park.

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

A. CONSENT AGENDA

Moved by: Vice Chairman Derbidge Second by: Member Rivero Vote: Unanimous

1. Discussion/For Possible Action –Minutes.
 - March 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.

City Clerk Lee read the following email into the record:

Jennifer Lee

From: Frederick Parthey <Frederick.Parthey@us.kghm.com>
Sent: Wednesday, April 12, 2023 4:31 PM
To: Jennifer Lee
Cc: Amanda Hilton
Subject: Utility Board Meeting- 4/13/2023

Hello Jennifer,

I will not be able to attend tomorrow 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 10,723 gpm is being pumped, 3,620 gpm is going into Gleason Creek and the rest is going to the mill for ore processing. RW-7P- is delivering 1,169 gpm into the city water system.

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

Thanks,

Frederick Parthey (PhD, PMP)
Senior Manager Environmental
Resources-KGHMI
T +1 775 289 7040
C +1 775 293 5261
frederick.parthey@us.kghm.com



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

Chairman O’Flaherty stated I guess I am confused because last time I looked at Gleason Creek it was dry.

City Public Works Supervisor Cracraft stated they have started pumping down Gleason Creek again.

C. NEW BUSINESS

1. Board Members – City Engineer Almborg - Discussion/For Possible Action – Recommendation to award bid for construction of Landfill South Run-On Ditch PWP# WP-2023-163.

City Engineer Almborg stated we received four bids back and reviewed the following Bid Tabulation:



CITY OF ELY
LANDFILL SOUTH RUN-ON DITCH, PWP# WP-2023-163
BID OPENING & REQUIRED DOCUMENTS CHECKLIST

April 10, 2023

| BID ITEMS CHECK LIST | KIRCH CONSTRUCTION | DIRT WORKS | RECK BROTHER | GREAT BASIN ENG & CONSTRUCTORS |
|--|--------------------|------------|--------------|--------------------------------|
| BID PROPOSAL | YES | YES | YES | YES |
| BID BOND, CERTIFIED CASHIERS CHECK, CASH | YES | YES | YES | YES |
| EXPERIENCE OF QUALIFICATIONS | YES | YES | YES | YES |
| DESIGNATION OF SUBCONTRACTORS | YES | YES | YES | YES |
| DESIGNATION OF SUBCONTRACTORS - 5% LIST | YES | YES | YES | YES |
| DESIGNATION OF SUBCONTRACTORS - 1% LIST | YES | YES | YES | YES |
| AFFIDAVIT OF NON-COLLUSION | YES | YES | YES | YES |
| ADDENDUM #1 | YES | YES | YES | YES |
| ADDENDUM #2 | YES | YES | YES | YES |

| BASE BID BIDDING SCHEDULE | UNIT | AMOUNT | KIRCH CONSTRUCTION | | DIRT WORKS | | RECK BROTHER | | GREAT BASIN ENG & CONSTRUCTORS | |
|----------------------------------|------|--------|--------------------|---------------------|--------------|---------------------|---------------|----------------------|--------------------------------|----------------------|
| | | | UNIT PRICE | BID AMOUNT | UNIT PRICE | BID AMOUNT | UNIT PRICE | BID AMOUNT | UNIT PRICE | BID AMOUNT |
| 1 MOBILIZATION / DEMOBILIZATION | LS | 1 | \$ 6,000.00 | \$ 6,000.00 | \$ 37,400.00 | \$ 37,400.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 66,063.97 | \$ 66,063.97 |
| 2 DRAINAGE DITCH AND ACCESS ROAD | LS | 1 | \$ 79,500.00 | \$ 79,500.00 | \$ 44,400.00 | \$ 44,400.00 | \$ 125,000.00 | \$ 125,000.00 | \$ 157,839.38 | \$ 157,839.38 |
| TOTAL BID PRICE | | | | \$ 85,500.00 | | \$ 81,800.00 | | \$ 135,000.00 | | \$ 223,934.35 |

| ALTERNATE-A BIDDING SCHEDULE | UNIT | AMOUNT | KIRCH CONSTRUCTION | | DIRT WORKS | | RECK BROTHER | | GREAT BASIN ENG & CONSTRUCTORS | |
|------------------------------|------|--------|--------------------|--------------------|--------------|---------------------|--------------|---------------------|--------------------------------|---------------------|
| | | | UNIT PRICE | BID AMOUNT | UNIT PRICE | BID AMOUNT | UNIT PRICE | BID AMOUNT | UNIT PRICE | BID AMOUNT |
| A1 CLEARING & GRUBBING | LS | 1 | \$ 4,000.00 | \$ 4,000.00 | \$ 58,400.00 | \$ 58,400.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 17,072.42 | \$ 17,072.42 |
| TOTAL BID PRICE | | | | \$ 4,000.00 | | \$ 58,400.00 | | \$ 10,000.00 | | \$ 17,072.42 |

| ALTERNATE-B BIDDING SCHEDULE | UNIT | AMOUNT | KIRCH CONSTRUCTION | | DIRT WORKS | | RECK BROTHER | | GREAT BASIN ENG & CONSTRUCTORS | |
|------------------------------|------|--------|--------------------|---------------------|--------------|---------------------|--------------|---------------------|--------------------------------|----------------------|
| | | | UNIT PRICE | BID AMOUNT | UNIT PRICE | BID AMOUNT | UNIT PRICE | BID AMOUNT | UNIT PRICE | BID AMOUNT |
| B1 GEOTEXTILE FABRIC | LS | 1 | \$ 10,100.00 | \$ 10,100.00 | \$ 29,400.00 | \$ 29,400.00 | \$ 7,500.00 | \$ 7,500.00 | \$ 107,024.10 | \$ 107,024.10 |
| B2 RIPRAP | LS | 1 | \$ 30,000.00 | \$ 30,000.00 | \$ 42,400.00 | \$ 42,400.00 | \$ 65,000.00 | \$ 65,000.00 | \$ 91,608.24 | \$ 91,608.24 |
| TOTAL BID PRICE | | | | \$ 40,100.00 | | \$ 71,800.00 | | \$ 72,500.00 | | \$ 198,632.34 |

| | | | | | | | | | | |
|----------------------------------|--|--|--|----------------------|--|----------------------|--|----------------------|--|----------------------|
| OVERALL PROJECT BID PRICE | | | | \$ 129,600.00 | | \$ 212,000.00 | | \$ 217,500.00 | | \$ 439,597.11 |
|----------------------------------|--|--|--|----------------------|--|----------------------|--|----------------------|--|----------------------|

BID TABULATION IN ORDER OF LOWEST OVERALL PROJECT BID PRICE TO THE HIGHEST

BASE BID PRICE FOR DIRT WORKS IS LOWER THAN THAT OF KIRCH CONSTRUCTION

City Engineer Almborg stated the lowest bid was received from Kirch Construction based out of Reno for \$129,600.00, which is for the base bid and alternate A and B and is everything we requested. Their bid is quite a bit lower than the others but was close to our engineering estimate for that portion of the ditch project. There was also a section in the bid packet to provide three references of projects done in the past. We reached out and talked to all three of the references provided by Kirch Construction for those projects and they all had good things to say. The money we provided in the budget for this was \$300,000.00 and the reason for that amount was when we started this project one of the things that was going to happen was the run-off ditch and there was a lower pond that it

ran into. We have reengineered to go over one draw to where it won't run into the shops, so we do not need that run-off pond which decreases the amount needed. It is my recommendation that we award the bid to Kirch Construction as they were the lowest and responsible bidder.

Vice Chairman Derbidge moved to Recommend awarding the bid for construction of Landfill South Run-On Ditch PWP# WP-2023-163 to Kirch Construction. Chairman O'Flaherty seconded the motion. The motion carried unanimously.

2. Board Members – City Clerk Lee – Discussion/For Possible Action – Recommendation for approval to remove past due utility fee penalties up to the amount of \$296.43 from 17 First Street, McGill, Nevada at the request of Property Owner, David Harris.

City Clerk Lee stated this item through item six have all been inherited debts by the current owners. The current owners have paid the principal in full and are asking for the past due utility fee penalties to be waived.

Member Rivero moved to recommend approval to remove past due utility fee penalties up to the amount of \$296.43 from 17 First Street, McGill, Nevada at the request of Property Owner, David Harris. Member Marquez seconded the motion. The motion carried unanimously.

3. Board Members – City Clerk Lee – Discussion/For Possible Action – Recommendation for approval to remove past due utility fee penalties up to the amount of \$632.06 from Major Place/R.V. Park, Ely, Nevada at the request of Property Owner, T & T.C. LLC.

Vice Chairman Derbidge moved to recommend approval to remove past due utility fee penalties up to the amount of \$632.06 from Major Place/R.V. Park, Ely, Nevada at the request of Property Owner, T & T.C. LLC. Member Rivero seconded the motion. The motion carried unanimously.

4. Board Members – City Clerk Lee – Discussion/For Possible Action – Recommendation for approval to remove past due utility fee penalties up to the amount of \$471.08 from 3 Second Street, McGill, Nevada at the request of Property Owner, Anne Ruckman and Steven Kaae.

Member Rivero moved to recommend approval to remove past due utility fee penalties up to the amount of \$471.08 from 3 Second Street, McGill, Nevada at the request of Property Owner, Anne Ruckman and Steven Kaae. Vice Chairman Derbidge seconded the motion. The motion carried unanimously.

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 \$368.17 from 15 Juniper Street, Ruth, Nevada at the request of Property Owner, Mauricio Garcia.

Vice Chairman Derbidge moved to recommend approval to remove past due utility fee penalties up to the amount of \$368.17 from 15 Juniper Street, Ruth, Nevada at the request of Property Owner, Mauricio Garcia. Member Rivero seconded the motion. The motion carried unanimously.

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 \$1,763.14 from 55 E. 400 N, Lund, Nevada at the request of Property Owner, Gubler Living Trust C/O Conan Gubler.

Member Rivero moved to recommend approval to remove past due utility fee penalties up to the amount of \$1,763.14 from 55 E. 400 N, Lund, Nevada at the request of Property Owner, Gubler Living Trust C/O Conan Gubler. Member Marquez seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ PUBLIC WORKS SUPERVISOR

Public Works Supervisor Cracraft stated I wanted to update you on the Landfill dozer. We got the pump in, and they are working on it today. B.J., Raul, and I have been working on getting the pumps and motors for the lift station and hopefully at next month's meeting we will be able to award the bid for those. We also want to recognize City Water/Sewer Leadman Carl Siemer's dedication. It doesn't matter if it is evenings, weekends, or holidays Carl is always ready to go for the sake of the water systems. The State of Nevada has also recognized him as the Rural Water Operator of the Year.

Chairman O'Flaherty stated I work closely with Mike and Carl, and I can attest Carl does an excellent job along with Mike.

➤ CITY ENGINEER

City Engineer Almberg stated on our CDBG projects for Bell Avenue and lower East Ely sewer lines we advertised our Finding of No Significant Impact (FONSI) and our Notice of Intent to request the release of funds (NOI) and we are now through the 30-day notice that was in the newspaper. We will now turn that paperwork back over to CDBG and then I believe CDBG has one more public comment period from the funding source to come back in. We have received nothing back on the notifications we put in the paper for both of those. I am estimating in about a month we will have approval to proceed with those two projects. We will probably not start these projects until the new fiscal year and will have to get approval from the Nevada Department of Environmental Protection (NDEP) on the water. We also have our applications submitted for this year's round of earmarks and based on our last conversation with PORTER Group we are anticipating in the next week or two we will have word if we are selected for the short list to go in with the budget. If the budget gets approved later in the year that is when we will receive final approval. We have been very busy working with Mike and the City crews trying to compile a plan to fix our roads after being beat up over this long, cold, and wet winter. We are trying to work with County crews to get as much done as we can this coming

summer to improve some of these roads. I also would like to commend Carl. I like working with Carl and he is always ready, willing, and able to go do the things he needs to do.

Chairman O’Flaherty asked have we experienced any flooding?

City Engineer Almborg stated no, Mike monitors the inlet behind JW Electric coming in from Gleason Creek and we really haven’t seen anything at this point in time. I know from the meetings we have been having that City crews are out there keeping all the inlets clear of debris in case the water does show up. The City and County have participated in working together to provide sandbags and a sand pile out at the Wastewater Treatment Plant for public use.

Chairman O’Flaherty stated it doesn’t appear anything is going to happen on Aultman Street with the Nevada Department of Transportation (NDOT) this year.

City Engineer Almborg stated not this year. The anticipated date for construction is a two-year cycle in 2024 and 2025.

Member Marques asked if finishing up Murry Street would be delayed due to so much damage on other streets?

City Engineer Almborg stated no, we are going to complete Murry Street from where we completed our last sewer project. It will be between 4th and 5th where we left off and go to Dickerson. It will be repaired and replaced this summer.

5. PUBLIC COMMENT:

George Chachas stated ongoing concerns regarding waived past due penalties in which he is not against, but wants equal protection; billing for his property located at 490 High Street; alleges he made an overpayment on his property at 622 High Street that he has not been reimbursed for by the City; his request for a complete list of RVs permitted in the City and if they are paying utilities; and claims the discrimination and selective enforcement needs to stop.

City Clerk Lee stated the next meeting is scheduled for May 11, 2023.

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 8:27 a.m.



Attest



Chairman