



CITY OF ELY

501 Mill Street Ely, Nevada 89301
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Cityofelynv.gov

ELY MUNICIPAL UTILITIES BOARD REGULAR MEETING

October 24, 2024, 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 Ken Ross

Members absent:

Member Sherric Marquez

City Officials and staff present:

City Clerk Jennifer Lee
City Treasurer/HR Director Janette Trask
City Engineer B.J. Almberg
Administrative Assistant Patti Cobb

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below): Lena Ocasio - USDA

MUNICIPAL UTILITIES BOARD ATTENDANCE LIST

DATE: October 24, 2024, Regular Meeting

Print name below

George Chachias

Print name below

2. PUBLIC COMMENT:

George Chachas stated on your agenda item 3C-1 you are to consider the White Pine County Youth Centers Will-Serve to connect the water line for its temporary safe housing duplex to the existing buildings water line at 399 1st Street; that needs to be denied. The City has a policy requiring every structure to have its own line. The city has set precedents in the past when they litigated against Ilma Blackmore that had property in which two houses shared the same sewer and water connection that had been that way before she purchased the property and was grandfathered in. However, the City forced her to establish two separate connections. The City cannot discriminate in any federally funded or assistant public utility. On your agenda item 3C-2 you are to consider the recommendation to remove past the utility penalty fees in the amount of \$7,409.39. I'm not against the write-off, but I want equal protection and consideration under the law. Recently I purchased the property at 827 Avenue D and tried to change the billing to me and at the same time pay for any landfill fee that was due. I was denied, because I did not have the deed at the time. I received a letter from Mayor Robertson, dated October 17, 2024, stating that I have to pay in full the back billing of \$114.11 before I can apply and receive the outstanding penalty balance of \$4.27 to be waived. I remind you again that I paid for my property at 490 High Street, as instructed in the letter from City Clerk Jennifer Lee, dated November 25, 2019, and I did not get the same consideration. The City to date has failed to reimburse me for the overpayments that I made at the old Ely Grade school at 622 High Street. You wrote off the back billing for young Tom Bath when he bought the hotel, and I want the same consideration. The City gave property owners at 790 Avenue I a \$4,000.00 or more write-off. It was an employee error to justify the write-off even though the utilities were used for years.

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

A. CONSENT AGENDA

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

Administrative Assistant Cobb stated I attest these minutes are an accurate representation of the September 12, 2024 meeting as I have transcribed them from the Zoom recording.

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

1. Discussion/For Possible Action –Minutes.
 - September 12, 2024

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.

Ely Municipal Utilities Board – Regular Meeting – October 24, 2024

City Clerk Lee read the following into the record:

Jennifer Lee

From: Kyle Tate <Kyle.Tate@us.kghm.com>
Sent: Wednesday, October 23, 2024 1:40 PM
To: Jennifer Lee
Subject: Utility Board Meeting 10/24/2024

Good Afternoon Jennifer,

I will not be available to attend tomorrow's utility board meeting. I am providing this email to serve as an update on "Old Business" Item B 1: Ruth Pit development and water mitigation efforts within the City of Ely.

Robinson continues to mine from both the Ruth and Liberty pits. The following is a breakdown of fresh water dewatering efforts from the South Block:

Approximately 6,568 gpm is being pumped, 1,785 gpm is going into Gleason Creek and the rest is going to the Mill for ore processing. RW-7P is delivering approximately 1,059 gpm into the city water system.

Please let me know if there are any questions or concerns.

Thanks,

Kyle Tate
Manager – Environmental Services



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C. NEW BUSINESS

- I. Board Members – City Engineer AlMBERG – Discussion/For Possible Action – Recommendation to approve White Pine County Youth Center's Will-Serve Application to connect the water line for its Temporary Safe Housing Duplex in APN 001-163-07 to the existing building's water line at 399 First Street.

City Engineer AlMBERG stated you have the running calculation based on the number of services and connections we have, and we are in good shape for this. They have paid for both the water and sewer connection; I recommend approval.

City Clerk Lee stated for the record, after the Utility Board made the recommendation to allow them to connect to the existing water line for the other building, the Council did approve that. This is just formalizing it because they did submit an application and paid for the Will-Serve.

Vice Chairman Derbidge moved to recommend approval of White Pine County Youth Center's Will-Serve Application to connect the water line for its Temporary Safe Housing Duplex in APN 001-163-07 to the existing building's water line at 399 First Street. Member Ross seconded the motion. The motion carried unanimously.

PUBLIC COMMENT:

George Chachas stated this is a new application, and you have to treat everybody the same. They can't piggyback. That's discrimination and the Council should know better. They're the ones as well as the previous board that went after Mrs. Blackmore. It is wrong; they need their own separate connection.

2. Board Members – City Clerk Lee – Discussion/For Possible Action – Recommendation to remove past due utility fee penalties up to the amount of \$7,409.39 from 5 N. Sixth Street, McGill, Nevada at the request of Property Owner, Ralph Jones.

City Clerk Lee stated Mr. Jones paid the Landfill fees in full on the 17th of this month, which were \$2,178.32 and he's requesting a waiver of the penalties in the amount of \$7,409.39.

Vice Chairman Derbidge moved to recommend approval to remove past due utility fee penalties up to the amount of \$7,409.39 from 5 N. Sixth Street, McGill, Nevada at the request of Property Owner, Ralph Jones. Member Ross seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ **CITY CLERK**

City Clerk Lee stated this coming Friday, November 1st, the Central Ely Sewer Engineering Request for Qualifications will be released. The EPA notified us that because it was long ago that the City submitted that request for engineering, back in 2012, that a separate one has to be released for this project. We will be receiving those proposals with a possible acceptance by the Council on December 12th.

➤ **CITY ENGINEER**

City Council Report (10/24/24)

- Wrapping up paperwork on the completed City Slurry Project.
- Bell Ave CDBG construction is ongoing.
 - Completed the main connection in Campton Street. This was the major connection of the project.
- Working on Landfill Quarterly monitoring report.
- Assisting City Hall with CDBG applications for new projects.
- Coordinating with the railroad on some drainage on North Street and the railroad crossing.
- Morley CDBG project SHPO is complete. Now working on getting the EA into CDBG for approval.

5. PUBLIC COMMENT

George Chachas stated on October 16, 2024, I observed City crews working in front of JCR. I'm assuming putting in utilities and I'd like a copy of the permits they took out. I had to take permits out when I had to repair in front of my store, and I want to see what those folks paid the City to connect those water lines. Mr. Chachas stated ongoing concerns regarding remedies regarding alleged code violations on his property located at 710, 729, 733, and 745 Great Basin Boulevard suffered by the NDOT Project; the drainage from the Bath property onto his property at 622 High Street; concerns in regard to the property located at 582 North Highway that Mr. Ramsey is proposing an RV Park; and wants to know if asphalt is in the budget for the recent Bell Avenue Project.

City Clerk Lee stated the next meeting is scheduled for November 14, 2024.

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 **8:16 a.m.**



Attest



Chairman

