



CITY OF ELY

501 Mill Street Ely, Nevada 89301

City Hall (775) 289-2430

Cityofelynv.gov

ELY MUNICIPAL UTILITIES BOARD REGULAR MEETING

February 13, 2025, 8:00 a.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Vice Chairman Derbidge called the regular meeting of the Municipal Utilities Board to order at **8:05 a.m.**, led in the Pledge of Allegiance, and asked for Roll Call.

Members present:

Vice Chairman Dale Derbidge

Member Ken Ross

Member Sherrie Marquez

Members absent:

Chairman John O’Flaherty

Member Tom Stagg

City Officials and staff present:

Councilwoman Melody Van Camp

City Clerk Jennifer Lee

City Treasurer/HR Director Janette Trask

Public Works Director Mike Cracraft

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):

MUNICIPAL UTILITIES BOARD ATTENDANCE LIST

DATE: February 13, 2025, Regular Meeting

Print name below

And Van Camp
George Chachas

Print name below

2. PUBLIC COMMENT

George Chachas stated on your agenda item 3C-1 you are to consider the approval of special water rates for the Golf Course; that proposal needs to be denied. The taxpayer pays significantly now, subsidizing the golf course. The County needs to be creative, to increase play and increase fees. Accountants have always stated that the County or City must show the true cost of running the Golf Course or any other facility, to do otherwise is malfeasance. On your agenda. 3C-3 you are to consider the removal of past due utility fee penalties up to the amount of \$964.52 from 1 Dorchester Street, in Ruth, Nevada. I'm requesting a copy of the letter that was given to Tina Templer, outlining the terms requested of her to write off penalties and interest on her property. I'm requesting a copy of the letter as allowed by the Nevada Open Meeting Law. On your agenda. Item 3C-4 you are to consider the removal of past due utility fee penalties up to the amount of \$560.42 from 15 Sunshine Street in Ruth, Nevada. I'm requesting a copy of the letter that was given to Tina Templer outlining the terms requested of her consideration to write off penalties and interest on her property. I'm requesting a copy of the letter as allowed by the Nevada Open Meeting. Law. Thank you.

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 affirm I have listened to the official recording of the Utility Board meeting for January 9, 2025, and the minutes reflect the meeting accurately.

Moved by: Member Marquez Second by: Member Ross Vote: Unanimous

1. Discussion/For Possible Action –Minutes.

- January 9, 2025

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 into the record:

Utility Board Meeting 2/13/2025

From Kyle Tate <Kyle.Tate@us.kghm.com>
Date Wed 2/12/2025 7:31 PM
To Jennifer Lee <CityClerk@cityofelynv.gov>

Good Evening 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 freshwater dewatering efforts from the South Block:

Approximately 6,565 gpm is being pumped. Of that, 1,987 gpm is going into Gleason Creek and the rest is going to the Mill for ore processing. RW-7P is delivering approximately 1,070 gpm into the city water system.

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

Thank you,

Kyle Tate
Manager – Environmental Services



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C. NEW BUSINESS

1. Councilwoman Van Camp – Discussion/For Possible Action – Consideration and possible recommendation for approval of White Pine County's request for the following terms through October 31, 2025 for provision of water services to the White Pine County Golf Course, to include, modify or exclude the following: 1. Water usage period begins April 1st through October 31st; 2. Ruth rate applied per monthly allotment amounts outlined in Monthly Allotment chart for an annual total of 62 million gallons, with monthly allotments not carrying over; and 3. Water used over monthly allotment billed at current City of Ely water rates. The City Public Works Director monitors the City's water tank levels and well operations, so he will notify the White Pine County Parks & Building Maintenance Superintendent if Golf Course watering needs to be temporarily reduced to maintain fire protection for the community, irrespective of terms for the provision of water services to the White Pine County Golf Course.

Councilwoman Van Camp stated I would like to disclose my sister, Janet Van Camp, is a Commissioner for White Pine County. The Golf Course is the biggest user of City water, and its treated water. If the well was up and going, they would be using irrigation water, which would be better and cheaper for the Golf Course. I looked over those three years of numbers, and it seems like the Golf Course keeps using more and more water, and after three years of an agreement they've done nothing. So, my opinion is the County should get that well done. Are we going to sit here year after year and give the County yet one more agreement to extend this issue. The longer you wait on doing something like this with this well, the price keeps going up. Look at Aultman Street, that deal was several years ago, and now it's several million dollars more. The longer the County waits to address this issue, the more money it's going to be to drill a well.

Vice Chairman Derbidge stated the history of the water problems at the Golf Course. Was they had two wells out there, then the City drilled a well and it turned out to be on County property, not on City property. When they drilled a well and turned it on the first time the two wells at the Golf Course went dry. That was the City's problem that took away the water from the Golf Course and that's what started all this. The City had to trade land with the County and the engineering out there was not very good. I know the County had planned to drill a well, and it got tied up in a protest so it's not like the County is not doing anything.

City Engineer Almberg stated what's going on out there at the well is years ago, when the Mine drilled the well it wasn't ever meant to be for the Golf Course. Golf Course Well is probably not the best name for it, it just happened to get that name because it is adjacent to the Golf Course. Years ago, they drilled this well and when they tested the well the County said their wells were impacted. At that point in time the City had 6-P and 7-P up and running. They were pumping about 6,000 gallons a minute out of here, and so you had so much water overrunning the tanks that the City allowed the County to receive water off of the City system for free. The County had a benefit for quite a few years where they did not pay a water bill at all. The reason the City reinstated the billing for the Golf Course is because 6-P had dried up and 7-P was only pumping approximately 1,200 gallons a minute and so we were no longer overflowing our tanks and to keep up with the demand the City had to start operating other City wells around the community to make up for that water difference and that's what started this. The County asked for the discounted rate that Ruth had always received from the City of Ely. The city then agreed to this discounted rate that the town of Ruth was paying for the water, but a part of that agreement was that the County was to drill a well to stop using our water system because they are the largest user of our water in our highest demand time of the year. The County's water right application has been protested and it's going through a protest period at the State. Even if the county was ready to do that, they couldn't necessarily drill it today. In a sense, the City is helping to subsidize their new well, because of the savings that could be banked for their own well.

Councilwoman Van Camp asked, "could this protest go on for a couple of years?"

City Engineer Almberg stated it has already been probably a year and a half or so and I am anticipating that within the next year, or something it will go through. It is just the nature of the situation, and it is a process.

Vice chairman Derbidge stated the City also has to take some responsibility for ruining the water at the Golf Course; that's my personal feeling. We didn't have any problems with the water out there until you drilled the so-called Golf Course well.

City Engineer Almberg stated I can't say the City was the cause of this situation. It's a situation that during the pumping time there may have been some drawdown and different things that went on during their pump test. I think the City has worked with the County through this situation. However, irrigation water would be much better and much cheaper for the Golf Course than City water. I believe the Mine would benefit in the long term to help with this, and the reason I've always said that is because the mine currently pays for all of our power bills for the pumping, and a part of that increased power cost is to pay for the Golf Course water that's being used.

Vice Chairman Derbidge asked, "What does it cost to treat or chlorinate the water?"

City Treasurer Trask stated every time I get a purchase order from Carl for the chlorine, we are paying over \$4,000 to \$5,000 each time we order it. We budget about \$50,000 annually for it, but with the prices going up, we are probably under budgeted. The one nice thing in my opinion having the contract is we have a little more control over how much water they are dumping on the Golf Course.

Vice Chairman Derbidge stated the County has never said they didn't want to drill a well. They were going to drill the well, and then the protests came, and they were stopped.

City Engineer Almberg stated they couldn't do anything without the water right and so it wasn't like they missed their window of getting it done before the protest. They had to go through this process. I just wanted it to be clear that it wasn't that they were dragging their feet, they didn't have the permit or the rights and once they went forward with that, now there's a protest.

Member Marquez moved to recommend approval of White Pine County's request for the following terms through October 31, 2025 for provision of water services to the White Pine County Golf Course, to include: 1. Water usage period begins April 1st through October 31st; 2. Rate applied per monthly allotment amounts outlined in Monthly Allotment chart for an annual total of 62 million gallons, with monthly allotments not carrying over; and 3. Water used over monthly allotment billed at current City of Ely water rates with recommendation that the savings White Pine County will have with the reduced rate be directed towards drilling the new well and a deadline be established once the protest has ended to have the new well in place. The City Public Works Director monitors the City's water tank levels and well operations, so he will notify the White Pine County Parks & Building Maintenance Superintendent if Golf Course watering needs to be temporarily reduced to maintain fire protection for the community,

irrespective of terms for the provision of water services to the White Pine County Golf Course. Member Ross seconded the motion. The motion carried unanimously.

2. Board Members – City Engineer Almberg – Discussion/For Possible Action – Approval of Guardian DB Services Will Serve Application for two water connections and one sewer connection at 825 Avenue E for new Forest Service Bunkhouse.

City Engineer stated this is for the new Forest Service Bunkhouse getting built down by the Forest Service Buildings. There are two water services; one is for fire protection and the other one is just the water service for the building. We don't have any fees for fire protection as that's just a safety issue. The fee that's associated with this is for the water service and the sewer connection.

Councilwoman Van Camp stated I read the will serve application and it was asked to do a reduction in fees or pay zero from the applicant.

City Clerk stated for clarification about a year ago, before their construction started, the Council issued a letter of support for the project, but even then, the Forest Service didn't request a waiver of the will serve fees and it was never considered by the Council. The Council just wrote a straightforward letter, saying this is a nice project for our community.

City Engineer Almberg stated they have paid all their fees.

Member Ross moved to recommend the approval of Guardian DB Services Will Serve Application for two water connections and one sewer connection at 825 Avenue E for new Forest Service Bunkhouse. Member Marquez seconded the motion. The motion carried unanimously.

3. Board Members – City Clerk Lee – Discussion/For Possible Action – Recommendation to remove past due utility fee penalties up to the amount of \$964.52 from 1 Dorchester Street, Ruth, Nevada at the request of Property Owner, Tina Templer.

City Clerk Lee stated Ms. Templer paid the fees due of \$1,152.56. The backup materials are in your packet, and she's requesting that waiver.

Member Marquez moved to recommend removal of past due utility fee penalties up to the amount of \$964.52 from 1 Dorchester Street, Ruth, Nevada at the request of Property Owner, Tina Templer. Member Ross seconded the motion. The motion carried unanimously.

4. Board Members – City Clerk Lee – Discussion/For Possible Action – Recommendation to remove past due utility fee penalties up to the amount of \$560.42 from 15 Sunshine Street, Ruth, Nevada at the request of Property Owner, Tina Templer.

City Clerk Lee stated the principal on this property was paid, and so she's asking for the fee waiver.

Member Ross moved to recommend removal of past due utility fee penalties up to the amount of \$560.42 from 15 Sunshine Street, Ruth, Nevada at the request of Property Owner, Tina Templer. Member Marquez seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ CITY CLERK

February 13, 2025

Subject: Grant Funding Update: Awarded and Applications

Key Considerations:

1. Here are updates for the City's awarded and potential grants:

- 1) CDBG: Morley - I received its Notice to Proceed and Authority to Use Grant Funds February 6th; Basin is working on the design/bid prep.**
- 2) Central Ely CPF: On January 29th, our EPA Grants Specialist responded to my reimbursement question with "Right now, we are waiting for guidance." On February 3rd, I received a Notice of Court Order stating: "Federal agencies cannot pause, freeze, impede, block, cancel or terminate any awards or obligations on the basis of the OMB Memo, or on the basis of the President's recently issued Executive Orders"; I sent our EPA Grants Specialist a copy that morning, but haven't heard back. I requested and received an invoice from Basin Engineering today for Central Ely design charges through January in the amount of \$33,253.75, which I forwarded today to our EPA Grants Specialist and Project Manager; in the email I asked for "an update on the release of our federal funding".**

Thank you.
J Lee, City Clerk

➤ CITY ENGINEER

City Council Report (2/13/25)

- **Aultman NDOT project has begun. We have begun reviewing submittals and will be attending startup meetings.**
- **Began working on Morley CDBG project.**
- **Working on completing NDOT Road Certification.**
 - **NDOT is requiring a full inventory of the roads being reported.**
 - **We are completing a field inventory with the GIS data collector and will provide the inventory in GIS Shape file format.**

5. PUBLIC COMMENT

George Chachas stated ongoing concerns regarding the sewer problem he took care of at his residence located at 681 Parker; the city paying for a water meter at Cal Ranch which is on private property and alleges that has nothing to do with the City service; selective enforcement needs to stop and states the Title VI Plan needs to be reviewed; his fence on Bell Avenue being damaged and wants to know who will be repairing that; the waterlines he alleges were there and would like them put back to his property on Bell Avenue; and the drainage off of the Bath property draining onto his property at 622 High Street causing erosion

City Clerk lee stated the next meeting will be March 13, 2025.

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

Vice Chairman Derbidge adjourned the regular meeting of the Municipal Utilities Board at **8:48 a.m.**



Attest



Vice Chairman