



CITY OF ELY

501 Mill Street Ely, Nevada 89301
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ELY MUNICIPAL UTILITIES BOARD REGULAR MEETING AGENDA

July 12, 2018 8:00 a.m. – Ely Volunteer Fire Hall - 499 Mill Street - Ely, Nevada.

1. Vice-Chairman Holdaway called the regular meeting of the Municipal Utility Board to order at **8:02 a.m.**, led in the Pledge of Allegiance and asked for Roll Call.

Members present:

- Vice-Chairman Paul Holdaway
- Member Dale Derbidge
- Member Ken Ross

Members absent:

- Chairman John O’Flaherty

City Officials and Staff present:

- Councilman Kurt Carson
- Councilwoman Jolene Gardner
- City Administrator Robert Switzer
- City Engineer B.J. Almberg
- City Water/Sewer Leadman Carl Siemer
- Deputy City Clerk Jennifer Lee

Also in attendance: Members of the public signed in (appears below)



2. PUBLIC COMMENT

George Chachas stated ongoing concerns regarding bringing the utility billing back to City Hall; misbilling; reimbursement for curing the sewer problem at 681 Parker Avenue; the City paying for the water line upgrade extending from Love’s to the Charter School; and the Murry Street project 490 feet of pipe. On your agenda items 3C-2,3, and 4, you’re to consider possible write-off for numerous properties, however you do not list the previous owner or responsible party; that is not per Nevada Open Meeting Law and you have to be specific on your actions, including the people who owed the money prior to this individual making the request. You’ve yet to give me credit for years you’ve overcharged me. I am again requesting an itemized listed of those billings or properties that you have overcharged me and corrected, if any. At the last meeting I gave you a breakdown of billing on 490 High Street; Mr. Carson was good enough to do an investigation, I’ve got a list of corrections and supposedly, I owe \$55.26, down from \$936.12. I also showed that to Mr. Ken Ross - I can’t remember if I showed it to Mr. Holdaway – but now, within a week, I get a new billing: \$907.00 for 490 High Street. The water’s never been turned on! Not by me, not by the County and I bought it from tax sales.

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: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.

- June 14, 2018

There was not a quorum present from June 14, 2018, so there was no action on this item.

B. OLD BUSINESS

1. Board Members –*Robinson Nevada Mining Company (RNMC)* representative – Discussion/For Possible Action – Update to the Utility Board on the *Robinson Nevada* Development, Ruth Pit Development and water mitigation efforts within the City of Ely.

Frederick Parthey, *Robinson Nevada Mine* Environmental Manager, stated we continue to dewater the Ruth pit to continue mining. Starting Monday this week, the mill was down for maintenance for a couple of hours and we got the pump probably close to 9,000 into Gleason Creek for a period of time; however, when we got the storm warning, we cut that in half and were watching our gauges at the bridge to make sure that we didn't exceed what needs to go to Gleason Creek, that could cause problems for other folks that are downstream. Other than that, we've been pumping an average of 3,000 GPM to Gleason Creek and we expect that to continue.

C. NEW BUSINESS

1. Board Members – City Engineer AlMBERG – Discussion/For Possible Action – Approval of *Holiday Pine, LLC's* Will-Serve Application at 1505 East Aultman Street, Ely, Nevada (APN 002-261-05) for a 4" water main service and a sewer line servicing 640 new fixtures.

City Engineer AlMBERG reviewed the City of Ely Water/Sewer capacity tracking sheet he prepared, on file at City Hall, and stated we still have substantial capacity left.

Member Derbidge moved to recommend approval of *Holiday Pine, LLC's* Will-Serve application at 1505 East Aultman Street. Member Ross seconded the motion. The motion carried unanimously.

2. Board Members – City Attorney Odgers – Discussion/For Possible Action – Approval to write off previous balance owed by the prior owner of \$2,049.59, including penalties and lien fee, in the amount of \$1,035.71 for 45 South Nettie Avenue, Baker, Nevada, APN 005-113-05 AND to release the lien filed on the same. The current owner is *Gateway Accommodations, LLC*, business owner David Sturlin.

Member Derbidge asked was a lien filed on this property?

City Administrator Switzer stated not initially.

Member Derbidge stated if they didn't get title insurance, they would still be liable for the bill. I move to table this item until we have more information. Member Ross seconded the motion.

George Chachas stated when it's implied there was no structure there, that doesn't mean there wasn't a structure there prior.

Member Derbidge's motion carried unanimously.

3. Board Members – City Attorney Odgers – Discussion/For Possible Action – Approval to close account number 2.9268.2 for 40 South Baker Avenue, Baker, Nevada, APN 005-113-04, as there is no longer a business or livable structure on this property AND to waive the remaining balance owed of \$14.32; this property is owned by *Gateway Accommodations, LLC*, business owner David Sturlin.

Member Derbidge moved to table this item. Member Holdaway seconded the motion.

George Chachas stated again, I believe this is not properly put on the agenda. Thirty days you're late, sixty days you're on notice, ninety days you're in small claims court.

Member Derbidge's motion carried unanimously.

4. Board Members – City Attorney Odgers – Discussion/For Possible Action – Write off previous balance owed of \$731.27, including penalties in the amount of \$235.77, for 55 East Carson Street, Baker, Nevada, APN 005-113-01. The current owner is *Gateway Accommodations, LLC*, business owner David Sturlin.

Member Derbidge moved to table this item. Member Ross seconded the motion.

George Chachas stated earlier Mr. Derbidge talked about whether these people did a title search; it doesn't matter. This item should have been taken care of years ago.

Member Derbidge's motion carried unanimously.

5. Councilman Carson – Discussion/For Possible Action – Direction to City staff and the Council Landfill liaison to meet with Paul Holdaway of *Outwest Excavation* regarding whether to continue the metal recycling contract or renegotiate the contract terms, pursuant to Article III Section 3.0. "Term" in current contract dated December 22, 2016.

Vice-Chairman Holdaway stated we don't have enough members to take care of this today.

4. CITY DEPARTMENT REPORTS

○ CITY ENGINEER

City Engineer Almberg stated we received a letter from the State; they're requesting us to do a discharge permit for water out of the Courthouse tanks, so we're working on getting that taken care of. We went to the last County Commission meeting for NDOT's Aultman Street project and their drainage improvements; that meeting went really well and everybody involved left satisfied. Based on the revisions that came out of that meeting at the request of the land owners, I turned information back over to NDOT. NDOT did make some preliminary revisions based on that meeting and then we met with NDOT Wednesday and they had no problems making those modifications; it actually makes easier construction. Later yesterday afternoon I also met with the affected landowners and they were happy with where NDOT had made their modifications. The reason that we went to the County Commission is because that's County right-of-ways that NDOT's trying to go through. Now I'll work to get in contact with NDOT and the DA's office to coordinate this easement and everything else. We're working on Aultman for our water and sewer project; on Wednesday when NDOT was still in town, we had a great meeting. NDOT does their plans differently than what we've always completed and they have line items for everything that's a pay item; they have agreed to make it easier for us to work on our sewer/water to go along with this project and pay items are very similar to what we've always done.

George Chachas asked are they going to put a drop inlet at Orson and Aultman? That property's been flooded more than once.

City Engineer Almberg stated I will check that.

5. PUBLIC COMMENT

George Chachas stated I purchased the property at 812 Bell Avenue; the property has been vacant for some time, the water has never been turned on in years and when I bought it, I did not turn on the water. I went to City Hall, told one of the staff I had purchased the property and gave them a letter instructing them where I wanted the billing sent to. I should have been billed strictly for landfill; I'm being billed \$66.70. You've got to bring the billing back to City Hall, so when you're notified of a situation you go to the computer, you enter the information and you don't have people like me coming at you at public meetings. Previously I asked for a copy of the check that Councilwoman Gardner got - \$5,000.00, \$10,000.00, whatever it was - for an encroachment on her property for a sewer, water or drainage line; Jennifer did some research from '95 to '96, but I don't think it was in that period. I believe Jim Alworth was the manager at the time and it may have been later. The Councilwoman will know how much she got. I took care of a sewer problem that was not my problem, the City's, and I'm out over \$3,000.00. You gave \$60,000.00

to a developer. There was no health issue; there was a health issue with me. I had family coming in and sewage backing up. You've yet to address the drainage coming off of 7th Street, 622 High Street; the State did do some modifications, but there's still rip rap along my property line. I have trouble doing general maintenance. Let's extend it. That water's going to come down there and possibly go into the basement of the school that I own. That was a federal project. When you do a federal project, one of the concerns that is addressed is ADA.

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

Vice Chairman Holdaway adjourned the regular Municipal Utilities Board meeting at **8:28 a.m.**

MAYOR

ATTEST

DRAFT