



CITY OF ELY

501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2430 - Fax (775) 289-1463

ELY MUNICIPAL UTILITIES BOARD REGULAR MEETING AGENDA

PLEASE NOTE: THE 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 BOARD OR TO AID IN THE EFFICIENCY AND EFFECTIVENESS OF THE MEETINGS.

August 9, 2018 8:00 a.m. – Ely Volunteer Fire Hall - 499 Mill Street - Ely, Nevada.

1. OPENING ACTIVITIES:

MEETING CALLED TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

2. 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. **Comments during Discussion Items will 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.

- [May 10, 2018](#)
- [June 14, 2018](#)
- [July 12, 2018](#)

PUBLIC COMMENT

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.

PUBLIC COMMENT

C. NEW BUSINESS

1. Councilman Carson – Kerry Sprouse of *KERRYCO, LLC* and Dean Day of *Day Engineering* – [Discussion/For Possible Action](#) – Authorization from the Municipal Utilities Board and Ely City Council for *KERRYCO, LLC* to extend the City’s eight inch (8”) water main south 900 feet from the vicinity of the Public Safety Building to Madison Avenue at *KEERYCO, LLC*’s expense.

PUBLIC COMMENT

2. Board Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Approval to write off previous balance owed by Elizabeth Jefferson 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.

PUBLIC COMMENT

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 by the prior owner, Guy L. Sturlin Trustee, of \$14.32; this property is owned by *Gateway Accommodations, LLC*, business owner David Sturlin.

PUBLIC COMMENT

4. Board Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Write off previous balance owed by Guy L. Sturlin Trustee 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.

PUBLIC COMMENT

5. Councilman Carson – [Discussion/For Possible Action](#) – Write off previous balance owed by *Federal Home Loan Corp.* of \$909.70, including penalties in the amount of \$259.70, for 390 S. 1st East St., Lund, Nevada, APN 006-035-04; the current owner is Shawn Hamilton.

PUBLIC COMMENT

6. Councilman Carson – [Discussion/For Possible Action](#) – Refund half of previous balance owed by Lionel Hastings of \$845.00, for 33 Seventh Street, McGill, Nevada, APN 004-031-28 to Randy Lee, the current owner, who paid balance of \$845.00 on 1-4-18.

PUBLIC COMMENT

7. 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.

PUBLIC COMMENT

8. Board Members – City Attorney Odgers – Discussion/For Possible Action – Authorization from the Utility Board/City Council to send certified mail to the following businesses that their water will be turned off for failure to comply with the City of Ely’s Backflow Prevention Program, established pursuant to NAC 445A.67185, after having being advised on or about April 12, 2017 in writing, certified mail, return receipt requested, that installation of backflow prevention devices was required, that they needed to complete the process in 2017, that they have not completed the requirements, and setting the date for these businesses to comply before water is turned off, whether additional extensions of time will be authorized and if so, what the process will be utilized to request additional time: *Aldo-3 Enterprises, LLC*, 1603 Aultman Street, Ely, NV owner, Luis Tristan; *R&R Properties and Management*, 1000 South Pioche Highway, and 1011 South Pioche Highway, Ely, NV, owner Michael Rowley; *Green Mountain Apartments*, 195 15th Street and 9th Street and *Avenue C Annex*, Ely, NV, owner Masoud M. Moattar; *White Pine Motel*, 1301 Aultman Street, Ely, NV, owner Masoud M. Moattar; and *Katherine Enterprises*, 900 Avenue M, Ely, NV, owners Masoud M. Moattar and Roberta Virginia Thornton.

PUBLIC COMMENT

4. CITY DEPARTMENT REPORTS

- **BOARD MEMBERS**
- **COUNCILMAN CARSON**
- **CITY WATER OPERATOR**
- [CITY WATER/SEWER LEADMAN](#)
- [CITY WASTE WATER TREATMENT PLANT LEADMAN](#)
- [CITY LANDFILL LEADMAN](#)
- **CITY ADMINISTRATOR**
- **CITY ATTORNEY**
 - ❖ [Liens Report](#)
- [CITY ENGINEER](#)

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

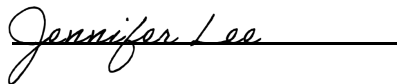
** Open session – Action/Discussion – Personnel**

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 <http://www.ascr.usda.gov/complaintfilingcust.html> 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 Administrator 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 <http://www.elycity.com/>

I, Jennifer Lee, Deputy City Clerk, did cause to be posted on **August 3, 2018** at **8:00 a.m.** five (5) notices of the Ely 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, the U.S. Post Office located at 2600 Bristlecone Avenue and the White Pine County Sheriff's Office located at 1785 Great Basin Boulevard. The meeting notice is also posted on the City of Ely's website at <http://www.elycity.com> and the State of Nevada Public Notices website at <http://notice.nv.gov>.

A handwritten signature in cursive script that reads "Jennifer Lee". The signature is written in black ink and is positioned above a solid horizontal line that extends to the right.