



# CITY OF ELY

501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430  
[Cityofelynv.gov](http://Cityofelynv.gov)

## ELY CITY COUNCIL REGULAR MEETING

December 12, 2024, 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Mayor Robertson called the regular meeting of the Ely City Council to order at 5:00 P.M. Mayor Robertson led in the Pledge of Allegiance and asked for Roll Call.

Members present:

- Mayor Nathan Robertson
- Councilman Terrill Trask
- Councilwoman Melody Van Camp
- Councilwoman Samantha Elliott
- Councilman Dennis Perea
- Councilwoman Jerri Lynn Williams-Harper

City Officials and staff present in the building or via video conference:

- City Clerk Jennifer Lee (joined by Zoom at 5:08)
- City Treasurer-HR Director Janette Trask
- City Public Works Director Mike Cracraft
- City Engineer B.J. Almberg
- City Fire Chief Pat Stork
- City Building Official Don Hendrickson
- City Attorney Shain Manuele
- City Municipal Court Judge Mike Coster (joined by Zoom at 5:15)
- City Administrative Assistant Patti Cobb (joined by Zoom at 5:08)

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below) and the following people attended via video conference: Geri Wopschall, Eugene Harper, Paula Carson, Pat Robison, Phil Herring, and William Horne.

### ELY CITY COUNCIL ATTENDANCE LIST

DATE: DECEMBER 12, 2024

Print name below

MARTY WESTLAND  
DALE DEBIOSE  
Janet Van Camp  
George Chachas  
Dean Reynolds  
Bill Hobert  
DAVID R. HALLER  
Melody Camp  
Dean Day  
Kyle Rosevear  
BUZZ ROSEVEAR  
RAYSON PICKENS  
KRESTINA PICKENS

Print name below

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## 2. PUBLIC COMMENT

Ely Resident Dale Derbidge stated I'm here to comment on New Business agenda item number 13. At this morning's Municipal Utility Board meeting I was informed that the New Business agenda, item 13, was not required to be on the Board's agenda because of federal regulation. Items like this have always been brought before the Utility Board and just because it was not required, doesn't mean it shouldn't have been discussed in the Utility Board meeting. Item 2.5 of the Request for Statement of Qualification states that "an evaluation team comprised of city of Ely staff shall review the RSOQ's." The Mayor is an elected official; he's not a staff of the City. Also, Mayor Robertson has been employed by Day Engineering and should have disqualified himself. The evaluation team needs to be reselected to review the Statement of Qualifications, because the team you had did not meet the federal regulations. The agenda item is not time sensitive and there's time to do this correctly. The agenda item needs to be tabled tonight. The easiest way to compare the two companies is to compare the last water project that Day Engineering did for the City versus Basin Engineering: Parker Avenue for Day Engineering and Murry Street for Basin Engineering. Did both pass the State inspections one hundred percent? If so, that should be the deciding factor. Thank you.

12/12/2024

Re: Engineering Firm Selection

Dear Council Members and Mayor:

My name is Marty Westland. I served on the Ely City Council from 2011 to 2015. I want to share my experience with Dean Day.

Twelve years ago this month, Dale Derbidge and I were on a conference call with Dean. He was in Valdez, Alaska, and we were asking him about problems with the Parker Street Water Project. Dean had resigned as the City Engineer, and had failed to complete certain State required documents. In fact, several deficiencies were exposed when Ely began the Center Street project.

To summarize, Mr. Day admitted that he had made several errors in his management of the Parker project. This resulted in a water line and about thirty meter pits that were laid too shallow. The Nevada State Division of Environmental Protection did not approve the changes Mr. Day had made to the original plans. They wrote us a nasty letter. Mercifully, we did not have to dig up the entire project, but City crews spent a bunch of time and money deepening lines and installing deeper meter pits to prevent freezing problems. It was a very unfortunate mess. All because our City engineer allowed contractors to violate the design plans.

The person who should be especially sensitive to this mess is Mayor Robertson. He was employed by Dean when the Parker Project was built. More recently, I believe that Day Engineering has done work for our Railroad Foundation on some street crossings here in town. The Mayor should recognize the ethical ramifications of his relationship with Day Engineering and his involvement in past and recent projects.

My advice would be to direct your Utility Board, aided by other neutral professionals who are familiar with water projects, to evaluate the firms that are offering to perform this big Federal Project. Then they can make their recommendations to you, the Council. I expect that even you Members of the Council are a bit nervous about making such an important, technical decision.

I do not expect you to blindly trust what I say. But everything I have said is preserved in the minutes of our meetings and supporting documents. I can dig most of it out of my own files. Additionally, I am a Professional Engineer, Licensed in the State of Montana, and I realize how important it is to choose the right engineer for your project.

Sincerely,

Marty Westland, P.E. 6254E,MT.

Regular Meeting of the Ely City Council August 22, 2013

August 22, 2013  
From: Marty Westland  
To: Ely City Council

**A Brief History of the Parker Avenue Water Project:**

June, 2011 City Engineer Dean Day submits his plans to the State (NDEP).

July 20, 2011 NDEP approves plans with minor notations.

Bids for project were solicited and subsequently opened on August 9, 2011:  
Reck Brothers bid \$250,800; Carson Unlimited bid \$338,042; and JCR bid \$353,000. The Engineer's estimate was \$299,000.

On August 16, 2011 Reck Brothers were allowed to withdraw their bid (without forfeiture of their bid bond) and the bid was awarded to Carson Unlimited, less \$31,800 of paving requirement.

On August 26 and November 17 the Council approved an aggregate time extension of four weeks for this project.

The project was completed on October 19, 2011.

June 8, 2012 Dean Day announces his resignation.

November 30, 2012 work on the Center St. project reveals deficiencies in the Parker Ave. project.

December 21, 2012 and February 4, 2013 phone calls to Dean Day confirm that no completion letter or as built drawings for the Parker Ave. project were ever done.

February 19, 2013 Dean Day submits a letter of Certification and as built plans to the City and State. These documents confirm inadequate inspection and significant deviations from approved plans.

March 14, 2013 the Council votes to take no steps toward filing an errors and omissions claim with the City's insurance carrier regarding this project.

Cont'd from Pg. 1.

March 15, 2013 Council members receive the March 13, 2013 letter from the NDEP that specifically denies special exceptions for deviation from the approved plans, and advises the City to "...make appropriate plans for possible early replacement."

Continued attempts by Councilman Westland to bring this issue back to the Council have been denied by the City Attorney.

Councilman Setterstrom asked B.J., would you be willing to express your feelings on this?

George Chachas stated on your agenda item 3C-2 you are to consider allowing the White Pine High School welding instructor to remove metal from the Landfill. I don't have a problem with that; however, I want the same consideration to remove metal. I have suffered countless break-ins on my properties, and I could use some of the material. Law enforcement, and the judicial system have not given me any consideration even when the culprits are identified. On your agenda item 3C-4 you are to consider possible removal of past due penalties from 827 Avenue D. At your meeting held on October 24th, 2024, you considered a similar consideration for Ralph Jones, and I asked for a copy of that letter of consideration, and the terms requested of Mr. Jones. To date I have not received anything. I want that letter as allowed by the Nevada Open Meeting law, Mr. Mayor. On your agenda item 8B-2 the reallocation of \$10,000 or more needs to be denied as that is not a City or a Railroad function; the County is addressing those concerns. You

have yet to reimburse me for the sewer issue at 681 Parker that I paid for, when, in fact, it was the City's responsibility. You need to address the issues with sewer, water, landfill, curb and gutter, and sidewalks within the City. The water issues are on a different platform altogether, not the City's concern. On your agenda item 8B-13 the Council as a whole should have reviewed all applicants and all applications should be opened at a regularly scheduled City Council meeting. You need to stop the sweetheart deals. You have to be open and above board, and it doesn't appear that you're doing that. It was done in the past and for some reason you're changing things, Mayor, and it doesn't look good.

**3. Mayor – Discussion/For Possible Action – Approval of Agenda, including removal of agenda items.**

Councilwoman Van Camp moved to approve the agenda as presented. Councilman Trask seconded the motion. The motion carried unanimously.

**4. CITY DEPARTMENT REPORTS**

➤ **CITY CLERK**

City Clerk Lee stated the conference has been very beneficial. There are definitely some actionable items for my office, and I look forward to sharing them all with you.

➤ **CITY ENGINEER**

**City Council Report (12/12/24)**

- Prepared package for RCAC rate study
  - Results to be used for our negotiations w/RNMC Well Agreement.
- Bell Ave CDBG construction is complete.
  - Looking to finalize, accept, and closeout project meeting next month.
- Aultman NDOT project was awarded. Will start in the spring.
- Working with Fire Chief to input fire flow test results into GIS data base.
  - Will create color shaded fire flow map.
- Completed NV Law Excavation training requested by Jennifer Lee.
- Morley CDBG project EA FONSI is out for publication and comment period.
- Working on wastewater Catex.

## 5. NNRV FOUNDATION REPORT

Mayor Robertson stated I will disclose that I am a part-time employee of the Foundation, but I don't vote and this is not a voting item.

### NEVADA NORTHERN RAILWAY NATIONAL HISTORIC LANDMARK



#### Nevada Northern Railway Foundation

A Nevada 501 (c) 3 Non-Profit Corporation  
Depot: 1100 Avenue A, Ely, Nevada 89301  
Mailing Address: PO Box 150040, Ely, Nevada 89315  
Voice: (775) 289-2085 • Web: [www.nnry.com](http://www.nnry.com) • E-mail: [info@nnry.com](mailto:info@nnry.com)

#### Monthly Operations Report for November 2024

1. Locomotive Status – No change
  - a. Locomotives in service: #93, #109, 204, 310, 801, Wrecking Crane A & Rotary B.
  - b. Locomotive 81 is out-of-service with running gear and boiler issues. The staff and volunteers have done incredible work on Locomotive 81. The Federal Railroad Administration was here and passed all of the boiler repairs.
  - c. Locomotive 40 is out of service for her heavy repairs. We have started on her repairs; she will be out of service until 2025.
  - d. Locomotives out of service needing moderate repairs: #201 and #802
  - e. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309 and Rotary Snowplow B (for boiler overhaul.)
  - f. Locomotives out of service needing heavy repairs #80 and the military locomotives.
3. Rolling Stock Status – No Change
  - a. Passenger equipment in service: #07, #08, #09, Flatcar #23, Baggage/RPO #20, Outfit Car #06.
  - b. Passenger Coach 5 in for painting.
  - c. Passenger equipment out of service: #10, #2 and #05 needing heavy repairs.
  - d. Caboose in service: #3 and #22 are operational.
  - e. Caboose out service: #5 and #6. Caboose #6 needs a 50-year waiver.
4. Track Status – No change
  - a. Keystone Branch is open.
  - b. Adverse Branch is open.
  - c. Museum Branch is open.
5. Ridership and Ticket Sales – Updated
  - a. In November, we carried 683 passengers, this was an increase of 5% compared to the previous year.
  - b. This year to date we have carried 12,786 passengers, this was a decrease of 15% compared to the previous year.
  - c. Since operations began in 1987, we have carried 377,491 passengers.
6. Economic Impact – The average non-gaming & gaming daily expenditure per overnight visitor \$170.  
Economic impact for November 2024 was  $683 \times 80\% \times 170 = \$92,888$ .  
Economic impact year to date was  $12,786 \times 80\% \times 170 = \$1,738,896$

#### Award Winning Destination

Best Adrenaline Rush in Rural Nevada – 2020  
Best Historic Railroad of the West – 2023, 2022  
Best Museum in Rural Nevada – 2022, 2020, 2017, 2016, 2014, 2013, 2010, 2009, 2008  
Trip Advisor Certificate of Excellence – 2023, 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014  
Best Place to Take the Kids in Rural Nevada - 2020, 2019, 2018, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007

These numbers only reflect the economic impact of our train passengers and does not include visitors who did not ride the train.

7. Social Media: Our reach on social media continues to expand:
  - a. Our Facebook views was 1,747,247.
  - b. Our Facebook reach last month was 627,967.
  - c. We have 135,300 page likes.
  - d. 199,900 people follow our page.
8. Santa's Reindeer Flyer – We have 35 Santa Reindeer Flyer trains scheduled for this year. Volunteers and staff have done an outstanding job on decorating the depot, the train and of course the North Pole!



**6. REPORTS**

➤ **COUNCILWOMAN WILLIAMS-HARPER**

Councilwoman Williams-Harper stated School District Superintendent Young has invited some State legislators and people from the City Council and County Commission to tour the schools tomorrow and to talk about how we can perhaps find dollars to provide better buildings and things for our kids.

➤ **COUNCILMAN PEREA**

Councilman Perea stated I would just like to say I got to spend some time with Mr. Almberg and Mr. Cracraft, and I just wanted to let them know that I appreciate the tutoring I've been getting from them on a lot of these issues.

➤ **COUNCILWOMAN VAN CAMP**

Councilwoman Van Camp stated I was invited to a Tree Board meeting in November, and I attended that. I also attended the November Natural Resource Advisory Committee meeting. Topics that were discussed were the transmission lines, the solar, sage grouse, and the pumped storage. It was also noted that White Pine County had a bumper crop of pine nuts this year. The best of all is the State Parks reported the completion of the Cave Lake Project, and they were just waiting for the okey dokey from the State; that is starting to fill. I attended this morning's Municipal Utility Board meeting. I would also like to thank Patti for all her technical help and B.J. Almberg and Mike Cracraft for doing a little bit of refreshing, since it's been a few years.

➤ **MAYOR ROBERTSON**

Mayor Robertson stated there is elected official training being offered by the Nevada League of Cities the first part of January. If anybody is interested in that, please see Clerk Lee, and we'll make sure that gets scheduled and taken care of. Thank you to everybody, including our City crews, who have been helping with the community Christmas decorations and certainly Mount Wheeler Power for donating the electricity. That's always nice of them every year and we appreciate that.

**7. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE MUNICIPAL UTILITIES BOARD.**

1. Board Members – Councilwoman Van Camp – Discussion/For Possible Action – Approval to purchase from the unused Landfill budgeted Capital Expenditures a new 1-ton full size, standard cab, long bed truck in the amount of \$46,463.25.

Councilwoman Van Camp stated the Municipal Utilities Board recommended approval.

Councilwoman Elliott moved to approve purchasing from the unused Landfill budgeted Capital Expenditures a new 1-ton full size, standard cab, long bed truck in the amount of \$46,463.25. Councilman Perea seconded the motion. The motion carried unanimously.

2. Councilwoman Williams-Harper – Discussion/For Possible Action – Approval for the White Pine High School Welding Instructor to remove metal from the Landfill to be used in class.

Councilwoman Van Camp stated the Municipal Utilities Board recommended approval.

Councilman Trask moved to approve for the White Pine High School Welding Instructor to remove metal from the Landfill to be used in class. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

3. Board Members – City Engineer Almberg – Discussion/For Possible Action - Approval to relinquish Bureau of Land Management (BLM) Right-of-Way grant N-046992 as the need to construct two water tanks at this location no longer exists.

Councilwoman Van Camp stated the Municipal Utilities Board recommended approval.

Councilman Perea stated I had a conversation with B.J. and as I understand it, these things are hard to get back. We don't believe that we're going to have a need for it in the future, but what is the fee to keep it?

City Engineer AlMBERG stated I surely can see if there is a cost associated with keeping this. As I expressed in the letter I don't know if we would ever have a need for it that I can envision today. The date of that application was prior to the construction of our two water tanks we have up there.

Councilman Perea moved to approve relinquishing Bureau of Land Management (BLM) Right-of-Way grant N-046992 as the need to construct two water tanks at this location no longer exists. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

4. Board Members – City Clerk Lee – Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$6.05 from 827 Avenue D, Ely, Nevada at the request of Property Owner, George Chachas.

Councilman Trask moved to approve the removal of past due utility fee penalties up to the amount of \$6.05 from 827 Avenue D, Ely, Nevada at the request of Property Owner, George Chachas. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

## **8. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL.**

### **A. CONSENT AGENDA**

Mayor Robertson disclosed my husband is a member of the Volunteer Fire Department and is not treated any differently than any of the others so I will not be abstaining, and I also don't vote.

Councilwoman Van Camp stated I would like to disclose my granddaughter is an employee of the City of Ely Fire Department.

**MOTION:** Move to approve the Consent Agenda item 8A-1 Minutes and 8A-2 Bills.

Moved by: Councilwoman Elliott Second by: Councilwoman Williams-Harper Vote: Unanimous

1. Discussion/For Possible Action – Minutes.
  - November 13, 2024
  - November 14, 2024
2. Discussion/For Possible Action – Bills.
  - November 14, 2024
  - November 26, 2024
  - December 5, 2024

**B. NEW BUSINESS**

1. Mayor Robertson – Discussion/For Possible Action – Approval of Proclamation Honoring Bill Holt for his dedicated volunteer work at the Nevada Northern Railway.

Mayor Robertson read the following Proclamation into the record:

**CITY OF ELY PROCLAMATION**

honoring  
*William (Bill) Hohlt*

WHEREAS, for twenty-one years, William Hohlt has been a dedicated volunteer at the Nevada Northern Railway National Historic Landmark; and

WHEREAS William Hohlt has provided exemplary leadership as the Chief Conductor of the railroad; and

WHEREAS, in his role as Chief Conductor, William Hohlt has trained countless volunteers and staff in the safe operation of the railroad; and

WHEREAS, Chief Conductor William Hohlt has introduced thousands of visitors to Ely and highlighted the significance of preserving this national treasure; and

WHEREAS, William Hohlt exemplifies the noble endeavor of leaving a place better than he found it, inspiring us all to follow his example; and

WHEREAS, the residents of the City of Ely, through the Ely City Council, wish to recognize William Hohlt for his enduring legacy of volunteerism and the positive impact he has made on our community.

NOW, THEREFORE, BE IT PROCLAIMED, by the Council of the City of Ely, Nevada, on behalf of the people of Ely, that December 14, 2024, is hereby declared:

*“William (Bill) Hohlt Day”*

in the City of Ely, Nevada, and all citizens are encouraged to join in thanking Bill for his dedicated service to our community and his role as an ambassador for the Nevada Northern Railway National Historic Landmark. We extend our best wishes to him for the future.

**IN WITNESS WHEREOF, I have hereunto set my hand.**

\_\_\_\_\_  
Nathan Robertson – Mayor

Councilwoman Van Camp stated Bill is a past member of the White Pine Museum and has been wonderful to us.

Mayor Robertson stated he certainly serves in a lot of capacities in our community, and we do appreciate his commitment and service.

Councilman Trask moved to approve the Proclamation honoring William Bill Hohlt and declare December 14, 2024, William (Bill) Hohlt Day in the City of Ely. Councilwoman Elliott seconded the motion. The motion carried unanimously.

2. Mayor Robertson – Great Basin Water Network (GBWN) Executive Director Kyle Roerink – Discussion/For Possible Action – Approval to reallocate \$10,000 in 45G tax monies, previously committed to Nevada Northern Railway Foundation legal expenses, as a donation to the Great Basin Water Network to research water permit transfers in Steptoe Valley approved by the Nevada Division of Water Resources, which research will be presented to the Ely City Council following its completion.



Executive Director of the Great Basin Water Network Kyle Roerink stated we've worked in White Pine County for thirty-five years or so. The birth of our organization was fighting the SNWA Pipeline, and we care very much about due process rights and the protection of private property rights, as it relates to water resources in our communities here in White Pine County. We even have Supreme Court precedent, as it relates to due process protections for water resources in Nevada, and I think what we're dealing with now some of you may have seen we had put out a study in August. We had sent it to the Federal Energy Regulatory Commission (FERC), and we used a USGS model to gauge what type of impacts could be inflicted on the community if there were certain amounts of pumping in certain areas dealing with certain projects that we've all been dealing with as a community that are groundwater related, and the elephant in the room being the Pump Storage project. I think, most importantly, what matters here is, what are we doing to make sure that as a community we are defending private property rights which are water rights, the due process rights that are associated with having a water right and the City of Ely has multiple water rights, that when we use the USGS model, the City of Ely's water rights could be impacted as well as many other members of the community. I think it's incumbent upon us to do whatever we can to ensure that we are protecting our due process rights of citizens and ensure that we are protecting the private property rights of citizens. There's a couple of things that our longtime legal counsel said they could investigate and do just technical research on to come up with a game plan moving forward. Our organization, we're a small nonprofit, as it relates to this fight. We have spent tens of thousands of dollars just to get the knowledge that we have so far, and we would appreciate any help. Considering your rights at Lackawanna Spring and a few others throughout the community, it's really important that we make these investigations, and get you all some more insights into what's at stake.

Mayor Robertson stated one of the main cruxes of why this is here before the Council is that these rights have the potential to impact City water rights, and we want to make sure because there has been some clouded doubt as to whether or not the State may or may not have done this transfer of water rights into this basin correctly, this research would just clear up whether that was or whether that wasn't. As Kyle so aptly pointed out, water is important here, and it's certainly important to the City of Ely. This isn't a lawsuit or legal action of any kind, it's merely research to make sure the I's been dotted and the t's have been crossed. Are there any questions of Mr. Roerink on this?

Councilman Perea stated there is a lot of passion behind this. Will the research be impartial?

Executive Director of the Great Basin Water Network Kyle Roerink stated absolutely. I think the folks who will be conducting the research served White Pine County really well for a lot of years; they have the track record here. I think folks who have met Simeon Herskovets in the past know that he is a man of unimpeachable integrity, and he's delivered for the County and the people of this community before, and I think he holds that duty very closely.

Councilman Perea stated I appreciate it for our conversation. I am just trying to figure it out, being new to the discussion, trying to make sure we're looking at impartial data to make decisions.

Executive Director of the Great Basin Water Network Kyle Roerink stated I have been wanting to come to this body for a while and thank you all for the commitments that that you all have been making. To be up here now and asking you all of this, I just want to express gratitude, no matter what you do there.

Councilwoman Williams-Harper stated because this is a significant sum I guess my question would be how we can make sure this information would get out to the community so they could really understand what it is and why you're doing what you're doing. I agree it's probably something that's needed, but I want to make sure citizens really understand what it is you're doing.

Executive Director of the Great Basin Water Network Kyle Roerink stated I have a couple of what a hydrologist calls a drawdown scenario and what it is are some maps that we have modeling and data that show your rights being harmed.

Mayor Robertson asked would you be willing to do an op-ed on this process? This information will be coming back to the City Council for review.

Executive Director of the Great Basin Water Network Kyle Roerink stated if there's a way to do an op-ed or any other type of public facing communication to help disseminate the message of you all as elected officials, are taking an action to ensure the protection of your property rights we're happy to.

Councilwoman Williams-Harper stated it could be a lunchtime thing, an evening thing or something, but I just need to make sure that everyone knows if they want to come and hear about it or talk about it, because we know we have people on both sides of the fence, and I just want to make sure they understand why this is important.

Mayor Robertson stated I agree. I think the majority of the outreach is going to have to happen after we know whether or not there is an issue which is this part of the step. Once we find out the data that you bring back it's then incumbent upon the Council to kind of decide what we do with the information?

Executive Director of the Great Basin Water Network Kyle Roerink stated I think, doing another public facing event following some other public meetings that were recently passing through town. I think people heard about them, and probably wanted more bites at that apple, and so if we can provide another apple for folks in the community, I would be happy to work with whomever to create a public forum and for whoever wants to come. I would just like to add one caveat, because I think there could be a scenario where there would be a report that would absolutely be all public facing, and then there might be something that you might all want to have privileged. Just considering the nature of what is being researched, I would just want to make sure that if there is information that you all wouldn't want to have disclosed once it was in your person, you know, like we have the opportunity to certainly make sure that there is a public facing report, but then also something that if there were privileged information.

Mayor Robertson stated any information that comes to this Council has to be given to the public.

Councilwoman Williams-Harper moved to approve reallocating \$10,000 in 45G tax monies, previously committed to Nevada Northern Railway Foundation legal expenses, as a donation to the Great Basin Water Network to research water permit transfers in Steptoe Valley approved by the Nevada Division of Water Resources, which research will be presented to the Ely City Council following its completion and full disclosure of the information to our citizens by receiving the same information in some sort of public facing Forum. Councilwoman Elliott seconded the motion. The motion carried unanimously.

3. Mayor Robertson – Discussion/For Possible Action – Acknowledgement of White Pine County District Attorney Office's termination of the Interlocal Agreement to Provide Prosecutor Services as of December 31, 2024.

Councilwoman Van Camp stated I would like to disclose my sister is a White Pine County Commissioner.

Mayor Robertson stated I will note that the County Commission already approved this action. I spoke with Melissa Brown, and they are down people in their office, and this has just become an untenable extra thing that they've been doing. She graciously agreed to continue this through the end of this month. We have some other options on the agenda today.

Councilman Trask moved to acknowledge White Pine County District Attorney Office's termination of the Interlocal Agreement to Provide Prosecutor Services as of December

31, 2024. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

4. Mayor Robertson – Discussion/For Possible Action – Interview of City Attorney candidate Chris Arabia, including discussion regarding requested employment terms, with possible appointment as City Attorney.

Mayor Robertson stated I've had a sit-down conversation with Mr. Arabia as have two of the council members, and the HR Director, reviewing his application. Tonight is the Council's opportunity to ask him any questions they have and discuss whether or not you would be willing to affirm a mayoral appointment of Mr. Arabia.

Councilwoman Van-Camp asked how many days a week would you be able to be here in person?

Mr. Arabia stated I will be here for all the Council meetings. I have to testify in a federal trial the third week of January and that can't be avoided, but as far as long term is concerned, I will be here for Council meetings, and for Criminal Court. I think it will be a good fit and if it turns out that it is once we get started, I'll get a house here or a residence. That's kind of what the plan is.

Mayor Robertson stated we discussed a trial period where that would be the case. Would you be here in Ely two to three days a week, and then remote the rest of the time, or what were you contemplating?

Mr. Arabia stated it's hard to say. This would be my number one priority. I'm in the process of, assuming this goes through, withdrawing from the criminal cases that I have. I think it would be at least two or three. I've been living in the Rurals for about eight years now, and I had the opportunity to spend a good deal of time in Ely last year and I liked it. I live in Pahrump now, but I don't see any issues. I think this would be a good job for me and a good opportunity.

Mayor Robertson asked as far as the length of the trial period, is three months sufficient?

Mr. Arabia stated I think that both sides would know in that amount of time and I'm confident that it's going to be a good fit.

Mayor Robertson stated the big outstanding question is certainly the question of salary and your request would be for \$160,000, as I understand it?

Mr. Arabia stated yes.

Councilwoman Williams-Harper stated I would prefer we not start at our cap.

Mayor Robertson stated at least not for the trial period as discussed with one other council member. Would you be willing to do \$140,000 for the three trial months and have a discussion at the end of that time?

Mr. Arabia stated yes, I think that is a very fair idea.

Councilwoman Williams-Harper moved to confirm Mayoral appointment of Chris Arabia as the City Attorney with start date to be January 6, 2025, with a three-month trial period and starting annual salary of \$140,000. Councilwoman Elliott seconded the motion. The motion carried with 4 ayes and 1 nay from Councilwoman Van Camp.

5. Mayor Robertson – Discussion/For Possible Action – Confirmation of Mayoral appointment of Dean Reynolds as a City of Ely representative on the Regional Planning Commission to fulfill a term expiring December 31, 2026.

Mayor Robertson stated Mr. Reynolds was running for City Council and ran a good race.

He lives in our community and also serves in a number of ways and was willing to serve in this capacity. We've had an opening for a month or more, so I would appreciate confirmation of the appointment of Mr. Reynolds to the Regional Planning Commission.

Councilwoman Van Camp moved to confirm the Mayoral appointment of Dean Reynolds as a City of Ely representative on the Regional Planning Commission to fulfill a term expiring December 31, 2026. Councilman Perea seconded the motion. The motion carried unanimously.

6. Mayor Robertson – Discussion/For Possible Action – Acceptance of Councilwoman Samantha Elliott’s resignation from the Redevelopment Advisory Committee.

Councilman Trask moved to accept Councilwoman Samantha Elliott’s resignation from the Redevelopment Advisory Committee. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

7. Mayor Robertson – Discussion/For Possible Action – Confirmation of Mayoral appointment of Councilwoman Melody Van Camp as a member of the Redevelopment Advisory Committee.

Councilwoman Williams-Harper moved to confirm the Mayoral appointment of Councilwoman Melody Van Camp as a member of the Redevelopment Advisory Committee. Councilman Trask seconded the motion. The motion carried unanimously.

8. Mayor Robertson – Discussion/For Possible Action – Selection of a member of the City Council to be a signatory on the City of Ely accounts at the First National Bank of Ely.

Mayor Robertson stated as you may recall Councilman Alworth was the City signer for the Council and with his term ending, we need to have someone else be the signatory.

Councilman Trask moved to select Council Member Van Camp to be a signatory on the City of Ely accounts at the First National Bank of Ely. Councilwoman Elliott seconded the motion. The motion carried unanimously.

9. Councilwoman Elliott – Discussion Only – Update on Porter Group efforts on the City of Ely’s behalf to secure federal and State funding.

## Activity Report for The City of Ely

### FOR THE MONTH OF November 2024

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#### Appropriations Requests

- The following projects were submitted to the Appropriations Committee for consideration in the Senate:
  - First Responder Communication Equipment Upgrade Project - \$5,000,000
  - Fire Station Solar Panel Project - \$375,000
  - Historic Ely City Hall Renovation Project - \$3,525,000
  - Water Meter Project - \$4,051,000
    - Total of \$12,951,000
- The following project has been accepted by the Senate Appropriations Committee:
  - First Responder Communication Equipment Upgrade Project - \$5,000,000
- Continuing to push additional projects to be included as we work through the appropriations process.

#### Additional Grants

- Arranged meeting with FRA to determine next steps for the CRISI Grant.
  - Grant was not funded due to concerns around the NEPA process/ environmental unknowns.
  - Following up with Mark Bassett to determine next steps, including if EA study from 2002 can simply be updated to current standards.

#### Additional Activities

- Provided federal updates on variety of topics important to the City of Ely, including pending action in the House and Senate, potential legislative updates, and updates on grant award announcements.

Councilman Trask stated they gave us an update on CRISI Grant and how we can move forward and hopefully in the next go around be successful.

Mayor Robertson stated the Council will have an agenda item at the next meeting to determine which applications we want to make, if any at all, for this upcoming round of Community Project Funding. The thought is at the moment that we reapply with two projects that we've applied for before, and kind of just let things simmer, but we'll have that discussion at the next City Council meeting.

10. Councilwoman Williams-Harper – Discussion Only – White Pine Chamber of Commerce monthly report on community activities.

Mayor Robertson stated I will disclose the White Pine Chamber of Commerce CEO is my husband, but I don't vote, and this is not a voting item.

White Pine Chamber of Commerce CEO Shadrach Robertson reviewed the following report:



**White Pine Chamber of Commerce**

636 Aultman St. Ely, NV. 89301

775-289-8877

WhitePineChamber.com

**Ely City Council Report - December 12, 2024**

**The White Pine Chamber wants to begin by Thanking the Public Works, Water Department and City Crews that supported this entire community by devoting two days putting up the Christmas Tree. The Chamber of Commerce is incredibly grateful to Mike Cracraft and each and every person that helped in this Herculean Effort.**

**For the final White Pine Chamber of Commerce report of 2024, we totaled just over 1200 out-of-area visitors at our Downtown location since June of this year. The support from the city ensured those visitors were given personalized service while supporting the over 200 chamber member businesses and organizations with way-finding, event promotion, tourism attractions, and recommendations to White Pine's top amenities and assets.**

**White Pine County has nothing new to report in terms of Unemployment information- The Department of Employment Training and Rehabilitation has not released the statistics for November as of this report. However, our County has held steady as having had the lowest rate of unemployment for the duration of 2024.**

**Thank you to The Mayor, City Council and City of Ely Staff for allowing us to present to you all year in these reports. Additionally, your support has been appreciated. The White Pine Chamber is looking forward to a very busy 2025, as we are getting ready to roll out additional Benefits Programs to our Members and the business community, such as Health Care Plans, 401k options, and a new foundation that will seek to support community development and education opportunities.**

**On Saturday - Our members, the Ely Volunteer Fire Department will be out and about in the City for their annual House-to-House doing community welfare checks and fundraising for equipment and training, as well as raffling off over \$1000 in prize money.**

**The White Pine Community Choir Association is also hosting their annual Fezziwig Ball and everyone should attend that on Saturday evening at the Ely Centennial Fine Arts Center.**

**Thank you and have a Merry Christmas.**

11. Council Members – City Fire Chief Stork – Discussion/For Possible Action – Approval of Memorandum of Understanding (MOU) between City of Ely and Operating Engineers

Local Union No. 3 regarding the modification of Exhibit A of the Collective Bargaining Agreement (CBA) to evenly split the 5% wage rate increase and apply it equally between two employees jointly assuming the EMS Coordinator position with this Memorandum having a term of one (1) year from the date of execution.

City Fire Chief Stork stated this is going to be just a one-year MOU that we're going to introduce. Currently, we have one employee who is doing this. This will allow us to transition this over to another employee. During the time they're doing the training we are going to split that wage between the two of them, because they'll be sharing duties. At the end of the one year that'll get transferred over to the other employee and this will basically expire.

Councilwoman Van Camp stated I would like to disclose that my granddaughter is an employee of the Ely Fire Department.

Councilman Trask moved to approve the Memorandum of Understanding (MOU) between City of Ely and Operating Engineers Local Union No. 3 regarding the modification of Exhibit A of the Collective Bargaining Agreement (CBA) to evenly split the 5% wage rate increase and apply it equally between two employees jointly assuming the EMS Coordinator position with this Memorandum having a term of one (1) year from the date of execution. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

12. Council Members - City Fire Chief Stork – Discussion/For Possible Action – Approval of the Cooperative Agreement for Emergency Medical Services between the City of Ely and the Duckwater Shoshone Tribe, effective January 1, 2025.

City Fire Chief Stork stated We have been running basically with no agreement for quite some time. It's been taxing on our service going out there. They really have no one else; Lund responds once in a while, so we approached them letting them know we have an agreement with the Ely Shoshone tribe. They have met with Janette, the Attorney, me, and they ran it through their tribal council. They are fine with the way everything is and at least this way we can recoup some of our expenses.

Councilwoman Van Camp stated I would like to disclose that my granddaughter is an employee of the Ely Fire Department.

Councilwoman Elliott moved to approve the Cooperative Agreement for Emergency Medical Services between the City of Ely and the Duckwater Shoshone Tribe, effective January 1, 2025. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

13. Council Members – City Clerk Lee – Discussion/For Possible Action – Review of Consultant Selection Procedures and technical review scores of Statements of Qualifications submitted for the Central Ely Sewer Upgrade Project, U.S. Environmental Protection Agency (EPA) Funded Project #97T10501, with interviews to be conducted of each proposer and final selection based solely on the average of the interview score.

Mayor Robertson stated 'd like to point out that I don't think we could have any more of an open process than doing this in a public meeting with the Council doing the selection. I will disclose that over a decade ago I was an employee of Day Engineering. Dean Day was an employee of the City and I think that distinction is important. I don't currently work for Day Engineering. Both of these applicants are duly licensed by the State of Nevada to do work in the State of Nevada, and both have a long track record of successful projects in this field. Shane, our city attorney, will be reading the questions, and will outline the rest of how this process goes.

City Attorney Manuele stated I want to read a memo from City Clerk Lee outlining the prior process on how we got here, and then I'll conduct the questioning.



## CITY OF ELY

501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430  
Cityofelynv.gov

December 6, 2024

Mayor Robertson and Ely City Council

**Subject:** Central Ely Sewer Upgrade RSOQ Consultant Selection Procedures

**Key Considerations:**

1. Submitted Statements of Qualifications (SOQs) were evaluated independently by each member of the technical review committee – consisting of the Public Works Director, City Treasurer, City Clerk and Mayor – on Company Experience, Key Personnel Experience, Project Approach, Availability/Capacity and Past Performance; Basin Engineering and Day Engineering scored within 5.75 points of each other, triggering City Council interviews for all firms within 10 points of the averaged winning score.
2. Final selection by the City Council will be based solely on the average of the interview scores.
3. Interview questions were developed by the technical review team members, in consultation with the City Attorney. The same questions will be asked of each proposer and no additional questions may be asked of any proposer. Each firm will provide a brief presentation and answer identical questions; Council Members' scoring will be averaged immediately afterward, and the Governing Body will select the winner as part of this agenda item.

Thank you.

J Lee  
Ely City Clerk

The City of Ely is an equal opportunity provider and employer.

City Attorney Manuele stated you will see that each of you has a matrix in front of you, and this matrix will be used to score as we interview each person. There will be a brief presentation at the start that can receive a total of ten points. I will then ask six questions. There won't be follow-up questions. We'll ask those questions, they will answer, and you will score based on fifteen points for each question, for a total of 100 possible points. Those matrixes will then be submitted to Deputy City Clerk Trask to be tallied, and the highest score will be awarded the bid. I'd also like to point out that this process, whether or not it's similar or different than previous processes, is the one approved by the federal government who is giving us these monies, so they get to determine how we do this, because we're taking the money from them.

Councilwoman Van Camp asked why didn't it go in front of the Municipal Utility Board?

City Attorney Manuele stated it is not outlined in the federal process that way.

Mayor Robertson stated we had to submit this whole process to them for approval. There was back and forth, and they basically gave us the boilerplate of how it's to be done and that's how we had to do it.

City Attorney Manuele stated I do think asking whoever's not being interviewed to step out just so there's no unfair advantage of hearing the questions or the answers from the other would be appropriate. We will start with Basin Engineering. B.J. you can go ahead and give a quick presentation if you'd like, and then I'll ask six questions.

B.J. Almberg with Basin Engineering stated thank you for allowing us to be here tonight. We have been fortunate to work for the City for many years, many of you for multiple years. I feel that you're aware of who we are and what we do so I wanted to use this time to explain a few points that separate us and uniquely qualify us for this project. First, I would like to provide a history of how we got here tonight. On June 22, 2021, the City of Ely had an opportunity to present this project to our Senate delegation. I was traveling at the time, and I stopped in Moab, Utah to participate in a zoom call so that I could present this project's costs and the need to the delegation on behalf of the City. This project became law March 15, 2022, so this has been a long process. In October of 2022, the preliminary grant implementation guidance was provided and released. This is both a learning experience from the EPA side, because this was new to them and new to us as well. In December of 2022, we submitted our category exclusion (CATX) for this project. In March of 2023 our staff completed the required EPA training for this project. In April 2023, our Community Grants Program implementation was released by the EPA, the final program. After reading that final document, it was evident we could potentially qualify for a cost waiver. We filed the cost share waiver in May of 2023, and it was approved in August of 2023. October of 2023, we received a notice that section 106 and a SHPO would need to be completed for this project. We completed that the same month and got it submitted back into them by the end of that month. October of 2024 this project was basically granted to the City of Ely. Basin Engineering and the City of Ely has committed a tremendous amount of work on this project to this point. Initial delays in this project were waiting for the implementation documents to provide guidance on how we proceed. This has been a learning process for both the EPA and the City of Ely, and we are now on our third EPA Officer for this project. Each time the EPA has changed, their officer has caused delays and additional work as we had to get the EPA officer up to speed of where we were actually at in this project. We sat face to face in Washington with our Senators expressing our frustration with these project delays and how we could assist and how they could assist us and also expressed at the same time some of our future projects and community needs. I believe my charisma and ability to eloquently express our needs has been a benefit in being successful with getting this project. A delay to this project that has a tight time frame to be designed, constructed, and completed to switch to a different engineer at this time would be very difficult. We are the only firm that is up to speed, has the required EPA training in place, and is ready to begin work tomorrow. Our office considered this project phase 3 of the Central Ely sewer upgrades. Phase one was a new project that was completed from the railroad tracks to Crawford Street and Phase two was a project that was picked up from there and went from Crawford to the intersection of Ruby and Parker Street. Basin Engineering completed all aspects of the prior two phases from planning, design, and completion. Both of those phases were a great success. How we intend on proceeding with this project is, I will complete all design for the project with additional staff work side by side proofing and finalizing design into a sheet set. Other staff will be dedicated to completing the project specifications, bid packet, and making sure that we meet all the EPA requirements. At completion, all phases will be passed around the office for peer review to make sure that we got everything correct. Secondly, I would like to note that we are a local business in every cinch. Every member of our staff is a resident of this community. One of the greatest things about this project is that it is federally funded, and this project provides a unique opportunity for economic gain for the community. In addition to the necessary upgrades, because Basin's employees are local, the financial benefits of this community would be even greater, as every dollar will circulate through this community via groceries, gas, property taxes, etcetera. Thank you.

Questions asked by City Attorney Manuele:

1. How many licensed engineers are in your firm and how many years of experience does each one have?

B.J. Almberg stated I am the only licensed engineer in our firm. I have over twenty-six years of experience professionally as an engineer and over thirty years of experience in the profession. In addition to my thirty years of engineering I also have hands-on experience in civil construction. I worked for a civil contractor in high school and all through college, performing manual labor and operating and maintaining equipment so



I'm acutely aware of the ins and outs of the industry, both from an engineering and construction perspective. Additionally, our staff of highly qualified individuals includes Mr. Dave Miller who holds PhD's in engineering and mathematics and has over forty years of experience in civil and structural engineering. Mr. Charlie Hall holds a bachelor's degree in business administration and specializes in project management. He has over twenty-one years of experience in construction and project oversight. As the City's contracted engineer for the past twelve years the city has witnessed and directly benefited from Basin's professionalism and experience. Our technical staff has a combined total of over ninety years of experience, with the majority of which has been local. We have guided the City through successful sewer and water projects just like this one, including long term planning, funding, state and federal regulations, environmental assessments, design, construction project, and closeout. In fact, Basin's insight into the infrastructure needs helped identify the necessity of this project and our ability to professionally articulate that need to our delegation helped secure our funding to complete it. While I'm the only licensed engineer in our firm, our firm's quality and experience is unmatched. Basin's entire staff was born and raised in White Pine County, and we take great pride in providing quality service to our community.

2. Who are the employees who will be inspecting project construction and what are the qualifications of each of them?

B.J. Almberg stated as the engineer in charge of this project I will be responsible for recording all inspection activities as it relates to the construction. I personally will not be on site full time, but I will coordinate on site daily with our office staff that will oversee the construction on a full-time basis. At the end of every day, I coordinate with our onsite inspectors and discuss what transpired that day and what is scheduled for the next day. Mr. Charlie Hall is one of our main inspectors for this project. Charlie was born and raised in Ely and has over twenty-one years of experience in the construction and mining industry. His experience ranges from superintendent in managing construction crews to project engineering. Mr. Hall specializes in full project management utilizing PMI methodology to plan, execute, and manage projects. He has overseen construction projects throughout Nevada and managed large scale mining projects in Ely that include pumping systems, utility corridors, and building construction. The years of working on the construction side of projects makes Charlie an invaluable asset in monitoring the work and anticipating the contractors of where the contractors might try to reduce costs. Charlie can also understand and speak fluent Spanish which has been proven a critical skill, when communicating with crews on construction sites. Mr. David Miller will be another inspector for this project. Mr. Miller was born and raised in Ely and has over forty years of experience in the civil engineering field, ranging from mining and industrial to working for engineering and architectural firms, providing civil, structural and architectural design for commercial, residential and government clientele. David has been involved in the design and construction oversight of new streets, water, wastewater, storm drain systems, new potable water tanks, wells, pumps. houses, and new Commercial Buildings mine and mining facilities. Basin and our staff are highly qualified to oversee the construction of this project.

3. Should an inspection need arise for an engineer to be on site during construction, will that be possible and who will that be?

B.J. Almberg stated as the engineer in responsible charge I will always be up to speed of the status of the project and the construction based on how we manage the project and coordinate with our daily onsite personnel inspecting the work. I will be available on short notice and will be up to speed on the project before I arrive on site. We always make ourselves available during projects. We understand that the top priority is to keep the contractor and project moving forward. Our goal is to take the minimum time required to remedy and address a situation and many times those decisions are made in real time in the field. That said, although we want to keep the project moving, sometimes it is more important to take the extra time needed to make the right decision on the long-term success of the project.

4. What measures will your firm put in place to ensure quality control over this project?

B.J. AlMBERG stated our quality control comes through the thorough documentation of the project and start by walking the project and taking lots of before construction pictures. These become invaluable when dealing with a project during construction. Throughout the construction phase rigorous quality control measures will be implemented including daily inspection reports, daily photos, material verification, and verifying adherence to project specifications. These types of measures ensure that the project quality standards are met, and the City of Ely receives a project that is in substantial compliance with the plans and specifications. We're also monitoring the contractor personnel and equipment that are working on site and the work that they are completing. This information keeps the project on track, helps us with grant management and also helps us to justify any project change orders that may come down the road. Internally, our office implements our projects with overlapping responsibilities. All of our work is peer reviewed several times before making a final draft and our decision is made. This ensures mistakes do not get overlooked. It is always cheaper and easier to take the extra time needed upfront to minimize mistakes than to deal with mistakes during construction.

5. What actions will your firm take to ensure adequate communication with property owners located in the project area, City staff and contractors?

B.J. AlMBERG stated throughout the project we will have weekly meetings in our conference room with a contractor and City staff. The discussions will include project progress, timely issue resolution, and future project scheduling. We, as design engineers, are not responsible for the contractors' means and methods or scheduling of their project. The contractor's responsibility is outlined in the specifications identifying their public notification responsibilities. In the project specifications are names and numbers of entities that they are required to keep informed about the road closures, outages, etcetera, that may be going on with the project. Contractors are made aware of their requirements to keep the public, and everybody informed prior to construction. By consensus during these weekly meetings, it will determine which property owners and entities will need to be informed about how they will be impacted for the upcoming project schedules worked.

6. Does your firm specialize in certain types of civil work?

B.J. AlMBERG stated our firm practices a wide variety of civil work, but some of our main focuses are water and sewer resources. Many of the specialized services we provide are applicable to this project, including sewer design, environmental services, SHPO consultation, federal funding management, project inspection, and project management Basin has completed over thirty water and sewer projects in White Pine County. In the last recent years seventeen of those projects were for the city of Ely. We have planned design and overseen two other projects in the Central Ely area which we talked about earlier as a part of this, which I would consider phase one and two of this project. Phase one installed the new sewer from the railroad tracks to Crawford Street and concluded eight years ago with minimal change orders that actually resulted in a cost reduction for the project. Phase two installed the sewer from Crawford to the intersection of Ruby and Stevens and Parker and was completed early summer with no change orders to the contract price. In closing, I am confident, standing in front of you, to say that we are the most qualified firm for this project. Our background knowledge of the infrastructure and the current status of the project will allow us to complete this project within the limited grant window. Thank you.

Dean Day with Day Engineering stated we've been in business for thirty-five years in the State of Nevada and pretty much all we do is water and wastewater. We don't do much of anything else. The only other thing we probably do is sneak out and help the railroad every once in a while, but that's about the only thing we do that's not water and wastewater in the State of Nevada. We've worked in every county in the State of Nevada. Oftentimes we work in communities where they already have a city or county engineer, and they use us for the water and sewer stuff. Eureka County had us on a job, and they have a county engineer. Lander County has a county engineer, but they use us for their water and sewer stuff. That's what we specialize in is what we do so if we go broke doing that, we're not very good at it. We have been in business for a long time, and I used to be the city engineer a long time ago. I'm familiar with the City and with utilities in the City.

We have a long history in Nevada but have also worked in Alaska. All we do is water and wastewater stuff, so we do a lot of it. We do work in water treatment plants, sewer treatment plants, and also work on water tanks, water pipelines, and sewer pipelines. That's basically what our firm's about, water and wastewater.

Questions asked by City Attorney Manuele:

1. How many licensed engineers are in your firm and how many years of experience does each one have?

Dean Day stated we have one civil engineer that lives in Ely that's got about forty years of experience; that would be me. We have another one that lives in Fallon, Marty Ugalde, and he has about thirty-two years of experience. We only have the two. We are well experienced, and our experience is mostly in water and wastewater. Those are the only two professional engineers that we have, but we hire a lot of people that we take on some really big jobs. We'll hire electrical engineers, mechanical engineers, architects, geotechnical engineers, and we will hire all kinds of things. I've got a job in Alaska where you have ten subs right now. We are able to take on jobs based on what the need and we're able to pick the team that is best suited for your project. We're not tied into any person or any sort of group, because we feel like we can pick the firm that would best serve your community.

2. Who are the employees who will be inspecting project construction and what are the qualifications of each of them?

Dean Day stated we have Bryson and Christina Pickens locally that can inspect our projects. They just finished up with sewer ponds we did in McGill. They're very qualified and have about twenty years of experience in testing. They do materials testing, compaction testing, proctors, and they do concrete testing. They do all that type of stuff locally so it's nice to have them involved in the job. In McGill we had a contractor that kind of threw a curve at us. They didn't have the superintendent we thought they'd had, and we ended up needing Bryson and Christine a lot more than we thought we would, and then it worked out really well. They were able to hold their feet to the fire and make sure the job got built properly.

3. Should an inspection need arise for an engineer to be on site during construction, will that be possible and who will that be?

Dean Day stated it just depends, like I said, we work all over the place. So, I'm normally available on pretty short notice. If not, Marty will come in from Fallon. I would say, a day's notice and we can be here and probably less than that if I'm around.

4. What measures will your firm put in place to ensure quality control over this project?

Dean Day stated the first thing that we do as an engineering firm is it starts with the design. It isn't all about the construction as you can knock off a lot of problems with the design. One of the things we do in our sewer projects for design is we no longer use SDR35 PVC sewer pipe, because SDR35 is thinner walled and we got to thinking about it and thought this is ridiculous spending a million dollars on something, and you've only got \$50,000 in the pipe. Why not spend \$60,000 on the pipe and get something really good so we use SDR26 sewer pipe, which is thicker. I don't know if you've ever seen SDR35 sewer pipe sitting on the ground, but it's not straight and the problem becomes when you're trying to grade it or align it. SDR26 sewer pipe has a thick enough wall where it stays pretty straight. We prefer to use it, and the thicker wall enables you to have a little more tolerance on the bedding, and it's not as critical. We know your project areas like Ogden Avenue, that ground is mud, and it is bad stuff. You don't want to lay your pipe in that, so you'll want to dig that out below the pipe, put in some decent material like some gravel underneath the pipe and bed the pipe carefully, and it may be that we'll have to backfill most of it in gravel, because it's so difficult to cut compaction on that silty clay. It's just nasty stuff. There are options other than digging up things and replacing them. If you want to go with a larger pipe like an eighteen-inch pipe there is pipe bursting. They have an instrument you can put down a pipe and expand, blow out

the pipe and drag another pipe through; probably wouldn't do that, but it's an option to go trenchless that way and you don't dig up the road. The services can also be connected with trenchless technology, and we do some of that, too, so that is an advantage with us. We do a lot of things because we've been to a lot of places and done a lot of things. In Valdez we're doing about four miles of twenty-inch, high density, polyethylene pipe and it is all directional drilled and quite a science. You go in at an angle and you go down, and most of the pipes thirty feet deep to keep the mud from perking up through the ground. Let me get back on track. What was the question?

City Attorney Manuele stated it was, how to ensure quality control over the product.

Dean Day stated during construction we'll have an inspection to make sure that the people are putting in the product properly and also, we'll have the ability to onsite, pull a compaction test whenever we want to. We'll have material samples done to where, if we feel there's a problem with compaction we can do a test right now, we don't have to call on somebody from Elko or wherever, we can get the job done. We have Bryson and Christine sitting on a contractor pretty tight for quality control and making sure that that's done properly.

5. What actions will your firm take to ensure adequate communication with property owners located in the project area, City staff and contractors?

Dean Day stated public notifications are important, but nobody reads the newspaper or listens to the radio; that's what we've discovered, at least. You've got to go door to door and put stuff on their door and try to make contact with as many people as you can to tell them what's going on and even then, you're going to miss a few, and there's going to be some complaining people that are going to be upset with you. That's kind of what we normally do is go door to door and try to make sure we contact everybody that's involved in the project explaining what's going to happen. Even if they're aware of it some people are still angry, but it comes with the territory.

6. Does your firm specialize in certain types of civil work?

Dean Day stated water and sewer.

**Mayor Robertson recessed the Regular City Council Meeting at 6:25 p.m.**

**Mayor Robertson reconvened the Regular City Council Meeting at 6:39 p.m.**

Mayor Robertson stated the Treasurer has averaged the total scores between the two firms. Basin Engineering had an average total score of 82.8 and Day Engineering had an average score of 68.5.

Councilwoman Elliott moved to select Basin Engineering as the Consultant for the Central Ely Sewer Upgrade Project, U.S. Environmental Protection Agency (EPA) Funded Project #97T10501, based solely on the average of the interview score. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

## 9. PUBLIC COMMENT

George Chachas stated I presented a map layout of the different lots that I own affected by the Bell Avenue Project on May 23rd, 2024. Some of the properties have not been properly addressed with meter pits located 100 or more feet away from the lots to be served. Who inspected the project? The fence along my property line on Bell Avenue was damaged, is the contractor going to address that, or is the City? I'm not going to trench 100 feet or more to run water lines to my properties. I want equal protection under the law. It appears you hired a lame engineer with an axe to grind. Consistently you have left me with problems at 710 Avenue G, 729,733, and 745 Great Basin Boulevard. The City needs to hire an engineer that is qualified and not prejudiced. I'm getting tired of this. On December 3rd City crews we're on private property, doing work for a private club, you can't do that. You might want to take a quick look at NRS 281.481; ethically you broke the law, and you need to address that. Mr. Chachas stated ongoing concerns regarding the Pine West Development at 701 East Aultman needing to

be fenced off for public safety; the permitting for 528 N. Highway 93; code violations not being addressed by the Planning Commission, some Council Members, and some Commissioners; and the drainage coming off the Bath property onto the west side of his property located at 622 High Street.

Bill Hohlt stated I would just like to thank the City Council for the honor bestowed upon me and anybody else that was involved. The best thing that ever happened to me was moving to Ely. Thank you.

**10. ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE CITY COUNCIL**

Councilman Trask moved to adjourn the regular meeting of the Ely City Council at **6:44 p.m.** Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.



\_\_\_\_\_  
**MAYOR**

  
\_\_\_\_\_  
**ATTEST**

