



CITY OF ELY

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

ELY MUNICIPAL UTILITIES BOARD REGULAR MEETING

January 9, 2025, 8:00 a.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Chairman O’Flaherty called the regular meeting of the Municipal Utilities Board to order at 8:00 a.m., led in the Pledge of Allegiance, and asked for Roll Call.

Members present:

- Chairman John O’Flaherty
- Member Ken Ross
- Member Sherrie Marquez
- Member Tom Stagg

Members absent:

- Vice Chairman Dale Derbidge

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: January 9, 2025, Regular Meeting

Print name below

Print name below

Kyle Tate
George Shachas

2. PUBLIC COMMENT

George Chachas stated I see on the January 3, 2025, Contract Change Order request for O’Flaherty Plumbing, an additional \$43,844.00. Some of that amount, \$30,279.00, is for Cal Ranch for a fire line and water replacement. I don't see anything on the change order to address the damage to my property along the project. I want to know who inspected it and approved what was done. I remind you again, you need to review the City Title VI Plan which covers compliance with federal anti-discrimination regulations. On your agenda item 3C-2 you are to consider accepting the Bell Avenue Water Main Upgrade Project, CDBG Funded Project 22/PF/04. Previously on May 23, 2024, I presented a letter and a map layout of the different lots that I own that are affected by the Bell Avenue project. Most of the properties have not been properly addressed. Meter pits are located one-hundred or more feet away from the lots to be served. Service lines have been taken out as reported in my letter and have not been put back in. The fence along my property on Bell Avenue has been damaged. Is the contractor going to address the issue, or is the City? I'm not going to trench a hundred or more feet to run water lines to my properties. You ran water lines and added meter pits to others, and I want equal consideration and protection under the law, it appears you hired a lame engineer with an axe to grind. Continuously, you have left me with problems at additional properties including 710 Avenue G, 729,733, and 745 Great Basin Boulevard. The City needs an engineer that is not prejudiced against ethnic minorities and Veterans. At 2291 South Street you put in a meter pit and water lines it appears, and I want the same consideration. The same with 2280 South Street; if you can run water lines and put meter fits in front of those properties, you can darn sure give me the same consideration. It's a federal project with federal monies. All I'm asking for is equal protection. I wanted to make sure that you referenced my letter, all of you should have gotten it dated May 23, 2024.

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: Member Marquez Second by: Member Stagg Vote: 3 ayes and 1 abstention from Member Ross as he was not in attendance at the December 12, 2024, meeting.

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

B. OLD BUSINESS

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

Robinson Nevada Mining Company Environmental Manager Kyle Tate stated we currently have mining activities being performed in both the Ruth and Liberty Pits.

To help facilitate those mining activities our dewatering efforts at the South Block currently consist of approximately 5,495 GPM being pumped and of that water approximately 2,000 GPM is currently going to Gleason Creek, and the rest is going to the mill to facilitate ore processing needs. In regards to RW-7P, that well was down from November 22, 2024, to December 18, 2024; downhole failure occurred with that pump and motor. The critical spare infrastructure was installed, and that system was placed back into operation and reporting to the distribution system on December 23, 2024. Currently, we're seeing about 1,100 GPM reporting from 7P.

Chairman O'Flaherty asked do we have an extra pump and motor?

Robinson Nevada Mining Company Environmental Manager Kyle Tate stated we do. We have an extra pump and motor, and we are also working on additional backup systems as we transition into the drilling for another replacement well this year.

C. NEW BUSINESS

1. Board Members – City Engineer Almberg – Discussion/For Possible Action – Recommendation to approve Change Order Number 1 to the Bell Avenue Water Main Upgrade Project contract for a net increase of \$43,844.00.

Chairman O'Flaherty stated I will disclose I do have a conflict of interest with this item so will be abstaining and not voting.

Ely Municipal Utilities Board – Regular Meeting – January 9, 2025

City Engineer Almborg reviewed Change Order Number 1 to the Bell Avenue Water Main Upgrade Project:

CITY OF ELY
CONTRACT CHANGE ORDER

Change Order Number: 1
Date: January 3, 2025
Location: Ely, White Pine, Nevada

Contract for: Bell Avenue Water Main Upgrade Project, PWP # WP-2024-125, CDBG Funded Project 22/PF/04, City of Ely, 501 Mill Street, Ely, Nevada 89301
Owner: City of Ely, 501 Mill Street, Ely, Nevada 89301
To Contractor: O'Flaherty Plumbing & Heating, 965 Pioche Highway, Ely, Nevada 89301

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes	DECREASE	INCREASE
12-inch Water Main to tie-in location	\$ 0.00	\$ 12,240.00
6-inch Water Main – fire line Cal Ranch	\$ 0.00	\$ 6,000.00
Water Service – 2291 South Street	\$ 0.00	\$ 4,998.00
Water Service – Exist. Lot Sta. 14+80	\$ 0.00	\$ 7,773.00
Type-II Base	\$ 0.00	\$ 837.00
12-inch Isolation Valve Campton St. – Water Dept. Requested	\$ 0.00	\$ 7,732.00
Replace Cal Ranch Water Meter – Water Dept. Requested	\$ 0.00	\$ 24,279.00
Water Service – C&B Auto, Actual Location	\$ 3,515.00	\$ 0.00
Pit Run Gravel Backfill	\$ 16,500.00	\$ 0.00
TOTALS:	\$ 20,015.00	\$ 63,859.00

NET CHANGE IN CONTRACT PRICE: \$ 43,844.00

Justification:

1. Additional costs associated with field adjustments and changes needed during construction upon exposing of existing water system.
2. Additional Improvements Requested by the City Water Department.
3. Increase in Contract Completion Date is due to the BABA requirements and extended time taken to deliver these materials, and additional time for unforeseen construction obstacles.

Original amount of the Contract: Four Hundred Eighty Thousand, Three Hundred Forty Nine Dollars and No Cents (\$ 480,349.00)

Total of previous change orders: 0

Contract total before this change order: Same as Original

Contract will be increased by: Forty Three Thousand, Eight Hundred Forty Four Dollars and No Cents (\$ 43,844.00)

Contract total including this and previous change orders will be: Five Hundred Twenty Four Thousand, One Hundred Ninety Three Dollars and No Cents (\$ 524,193.00)

The Contract period provided for completion will be increased to completion by November 22, 2024. This document will become a supplement to the contract and all provisions will apply hereto.

City of Ely, City Council

Mayor

O'Flaherty Plumbing & Heating

John O'Flaherty, President

City Engineer Almborg stated there was a situation where we made our tie in down near Great Basin Boulevard based on our existing as built. We thought the connection would be closer, but it actually ended up being forty feet down the road. The 6-inch fire line is some additional information that came in based on our as built, and the existing condition was a little bit different than what we anticipated, so it took an additional twenty feet of pipe to get it connected. On South Street we ran into a service to a house that we did not anticipate. We thought that service was a little bit further down the road, but when we actually excavated, we came across it. So, we reinstalled the service to that house. We've installed every service back that was on that roadway.

There was a 12-inch valve on Campton Street that we had no intention of replacing it. During the project we were informed this valve wasn't functioning great. The City actually provided the valve to keep the project rolling and the contractor then reimbursed the City with that valve to put back in their stock. Cal Ranch has always had a meter over there. The Water Department said there were some issues with that meter and to replace it and so we made an agreement with the contractor to replace it. Additional documentation was handed out and City Engineer Almberg stated this is what the contractor provided to us. We basically work through this to get to our final number. In here it justifies his hours, his cost, his equipment, and everything else associated with this project to support those numbers. The net change order here is an increase of \$43,844.00, with those deducts that he did not do as a part of that contract as well.

City Treasurer Trask stated this project, as it sits now on my books under the expense, is already \$20,000.00 over and now we're going to have this overage of \$43,000.00 plus, not to mention I'm sure there's still a bill coming from B.J. to finish up this project. The problem as a finance person that I'm having is this happens regularly. We have some big federal grants coming through and we don't know what we're going to end up spending. We're already spending money on these grants that we haven't been reimbursed for yet. There's a cash flow issue here that I worry about, because money is flying out and not coming back in. There are additional expenses, and I think there needs to be a better process put in place for these overages before they happen that we are now on the line to pay.

Member Ross moved to recommend approval of Change Order Number 1 to the Bell Avenue Water Main Upgrade Project contract for a net increase of \$43,844.00. Member Stag seconded the motion. The motion carried with 3 ayes and 1 abstention from Chairman O'Flaherty.

2. Board Members – City Engineer Almberg – Discussion/For Possible Action – Recommendation to accept the Bell Avenue Water Main Upgrade Project PWP#WP-2024-125, CDBG Funded Project 22/PF/04.

Chairman O'Flaherty stated I will disclose I do have a conflict of interest with this item so will be abstaining and not voting.

City Engineer Almberg stated this is the final acceptance of the project. After this change order, we'll finish up the paperwork, and we'll work with Jennifer to get this project closed out through CDBG.

Member Ross moved to recommend acceptance of the Bell Avenue Water Main Upgrade Project PWP#WP-2024-125, CDBG Funded Project 22/PF/04. Member Marquez seconded the motion. The motion carried with 3 ayes and 1 abstention from Chairman O'Flaherty.

PUBLIC COMMENT

George Chachas stated the waterlines on the west end were taken out when Washington Federal's water line was put in. When I saw my water lines coming out, Dave Miller from Basin engineering was there, and I asked him specifically, why are you taking out my services? He said we thought they were abandoned. I said no, they're not they're going to my lots right behind Washington. Federal; put them back in and that hasn't been done. I'm not going to dig a hundred feet to put in a meter pit on those properties back there that should have been part of this project. You're increasing it fine. You considered others along the way, especially Cal Ranch and all I'm asking for is consideration and equal protection under the law. I want it addressed. I'm not going to let this go.

Chairman O'Flaherty stated just to clarify George's comment, any water line that was intercepted on the project was reestablished.

4. CITY DEPARTMENT REPORTS

➤ CITY CLERK

City Clerk Lee stated regarding the Central Ely Project Selection of Qualifications (SOQ) for the engineer as stated in the Council's agenda item, the “final selection” of the Central Ely Sewer Upgrade Project’s engineer was to be “based solely on the average of the [Council’s] interview score”; this is from the City’s Consultant Selection Procedures for federal-aid programs. Each member of the SOQ Evaluation Team signed ‘No Conflict of Interest’ statements prior to being provided submissions, so federal regulations were met, and the selection process was done correctly. Commencement on the design for our Central Ely Sewer Upgrade was time sensitive as our award only gives us until December 31, 2026, to finish.

➤ CITY ENGINEER

City Council Report (1/9/25)

- Working with City Building Official on MWP Excavation Permit.
- Had a meeting with NDOW and the Trap Club for their building and obtaining a Certificate of Occupancy.
 - NDOW is looking for additional funding to assist in the completion and Trap Club is looking for Contractors to volunteer services to get the construction completed.
- Aultman NDOT project is getting going. We have begun reviewing submittals and will be attending startup meetings.
- Received fire flow info from Fire Chief to input results into GIS data base.
 - Will create color shaded fire flow map.
- Began working on Central Ely Earmark project.

5. PUBLIC COMMENT

George Chachas stated ongoing concerns regarding the penalty write off he received for his property at 827 Avenue D requesting a letter stating any credit and be reflected on the billing; reimbursement for the sewer problem he took care of at his property located at 681 Parker Avenue; and concerns with the individual putting in a mobile home park at 582 N. Highway regarding zoning, and water and sewer connections.

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

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

Chairman O’Flaherty adjourned the regular meeting of the Municipal Utilities Board at **8:27 a.m.**



Attest



Vice Chairman

