



## **RESOLUTION No. \_\_\_\_\_**

### **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

#### **RESOLUTION MAKING FINDINGS, AND ACCEPTING THE APPEAL BY LEROY BAKELMUN, ET AL (APPELLANTS) TO THE PLANNING COMMISSION'S ACTIONS ON NEWMONT USA LIMITED'S APPLICATIONS U14-009, MGT14-015 AND EIS14-012, AND SCHEDULING THE APPEAL FOR A PUBLIC HEARING**

WHEREAS, on September 24, 2015, the Planning Commission considered and approved an Application (U14-009), Management Plan (MGT14-015) and a Mitigated Negative Declaration (EIS 14-012) by Newmont Mine pertaining to mining operations on property located at 12509 Allison Ranch Road (collectively "Application"); and

WHEREAS, pursuant to Section L-II 5.12.D of the Nevada County Land Use and Development Code, a final decision of the Planning Commission is appealable to the Board of Supervisors within 10 days after the date of the date of the decision; and

WHEREAS, on October 5, 2015, Leroy Bakelmun, on behalf of himself and Appellants Sally Ka, Maxwell Ka, Jason Peterson, Zora Biagini, Judith Connolly, Katheryn Connolly, Wils Riley, Ken Robinson, Sabrina Robinson, Susanne Runion, Daren Runion, Tom Hollenbeck, Susan Hollenbeck, Deon Jonutz, Lisa Jonutz and Brandon Jonutz (Appellants) filed an appeal of the Planning Commission's decisions.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors, of the County of Nevada that:

1. The Appellants are interested parties who have standing to file the appeal; and
2. The appeal was timely filed; and
3. To the extent the Appellants are appealing the Planning Commission's approval of the Use Permit (U14-009), the Management Plan (MGT14-015), and the adoption of the Mitigated Negative Declaration (EIS 14-012) as it relates to those approvals, the appeal as presented satisfies the minimum requirements set forth in Section L-II 5.12.F of the County's Land Use and Development Code; and
4. The Appellants' appeal of the Planning Commission's approval of the Use Permit (U14-009), Management Plan (MGT14-015) and adoption of the Mitigated Negative Declaration (EIS 14-012) as it relates to those approvals, is hereby accepted and the Clerk of the Board is directed to schedule a public hearing on the appeal for November 10, 2015, at 1:30 p.m.