

State of California, County of Siskiyou

Board of Supervisors Minutes, October 6, 2020

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 6th day of October 2020; there being present Supervisors Brandon Criss, Michael N. Kobseff, Ray A. Haupt, Lisa L. Nixon and Ed Valenzuela, County Administrator Angela Davis, County Counsel Edward J. Kiernan, and County Clerk and ex-Officio Clerk of the Board of Supervisors Laura Bynum by Deputy County Clerk Wendy Winningham.

The meeting was called to order by Chair Kobseff. Pursuant to AB23, the Clerk announced that the Board members receive no additional compensation for sitting as members of the Flood Control and Water Conservation District. Supervisor Haupt led in the salute to the flag of the United States of America.

Invocation - Siskiyou County Sheriff Chaplain Keith Bradley provided the invocation.

Consent Agenda – Approved.

At Supervisor Haupt's request, items 3A and 3B, County Administration's letters to President Trump regarding wildfires, forest management and COVID-19 and item 3J, Personnel's Resolution approving deletion/creation of certain positions were pulled from the consent agenda for discussion.

It was moved by Supervisor Criss, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, that the following consent agenda is approved, and the Chair and/or clerk authorized to execute/record any necessary documents:

County Library

Ratify the original grant application and accept the California Library Literacy Services (CLLS) funds as revenue and allow Auditor to establish the appropriation, if approved.

General Services - Airports

Authorize the Chair to execute the Hangar Land Lease between the County of Siskiyou and Don and Judy Mackintosh for the term of July 1, 2020 through June 30, 2050.

General Services - Airports

Authorize the Chair to execute the Hangar Land Lease between the County of Siskiyou and the 2014 Ronald L. Knight Management Trust for the term of July 1, 2020 through June 30, 2050.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the contract for services between Siskiyou County Health and Human Services Agency, Behavioral Health Division, and Siskiyou Community Resource Collaborative for the term of July 1, 2020 to June 30, 2021.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the contract for services between Siskiyou County Health and Human Services Agency, Behavioral Health Division, and First 5 Siskiyou Children & Families Commission for the term of July 1, 2020 to June 30, 2021.

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the agreement between California Department of Health Care Services and Siskiyou County Health and Human Services Agency, Behavioral Health/Public Health Divisions for the Intergovernmental Transfer funding covering periods July 1, 2019 through June 30, 2020 through December 31, 2020.

Continued...

Consent Agenda – (continued)

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the Governing Board Resolution 20-147 with Heluna Health - US Centers for Disease Control and Prevention (CDC) Epidemiology and Laboratory Capacity (ELC) Coronavirus Aid Relief, and Economic Security Act (CARES) 2020 Emerging Issues Project funding under the award for FY 2020 through FY 2022, ratify the grant application and approve the grant agreement, authorize the County Administrator to act on behalf of the County to execute any and all program award documents as outlined in Section 2 of the Resolution and authorize the Auditor to establish budget appropriations and set expenditures per the award guidelines.

Public Works

Authorize the Chairperson to sign the Resolution 20-148 approving application(s) for Per Capita Grant Funds.

Mt. Shasta Recreation and Parks District

Approve the Resolution 20-149 for a temporary loan in the amount of \$175,000 to the Mt. Shasta Recreation and Parks District, which loan shall be repaid to the County on or before April 10, 2021.

Transfer of Funds - Road Department - \$400,000. Resolution 20-150 adopted.

Transfer of Funds - Road Department - \$20,000. Resolution 20-151 adopted.

Transfer of Funds - Road Department - \$7,122. Resolution 20-152 adopted.

Transfer of Funds - District Attorney - Worker's Comp - \$69,459. Resolution 20-153 adopted.

Transfer of Funds - Planning Projects - \$6,500. Resolution 20-154 adopted.

County Administration - Approve letter to President Donald J. Trump, a follow up to his September 14, 2020 visit to California - catastrophic wildfire and forest management. Approved.

This item was pulled from the consent agenda at Supervisor Haupt's request. Supervisor Haupt spoke in support of the letter, advising that White House representatives continue to be engaged with the County regarding local wildfire efforts. In addition, Supervisor Haupt presented and briefly summarized a one-page Stanford study related to the negative impacts of wildfire smoke to children.

It was moved by Supervisor Haupt and seconded by Supervisor Kobseff to approve the letter to President Donald J. Trump and authorize the Chair to sign. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

County Administration - Approve letter to President Donald J. Trump requesting Federal assistance to counties impacted by COVID-19 and wildfire. Approved.

This item was pulled from the consent agenda at Supervisor Haupt's request. Supervisor Haupt spoke in support of the letter, advising that White House representatives continue to be engaged with the County regarding local wildfire efforts.

It was moved by Supervisor Haupt and seconded by Supervisor Kobseff to approve the letter to President Donald J. Trump and authorize the Chair to sign. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

Personnel - Adopt Resolution amending the Siskiyou County position allocation list, authorizing deletion of one Code Enforcement Officer and creation of one Associate Planner or Assistant Planner in Community Development and creation of one Health Educator, one Health Assistant and one Staff Services Analyst II in Public Health, effective October 18, 2020. Resolution 20-155 adopted.

This item was pulled from the consent agenda at Supervisor Haupt's request.

Continued...

Personnel – (continued)

Discussion followed between Supervisor Haupt and Community Development Director Rick Dean regarding the status of Code Enforcement Officer positions within Community Development, the request to delete one Code Enforcement Officer position and the Community Development Block Grant (CDBG) funding that supports another Code Enforcement Officer position.

It was moved by Supervisor Haupt and seconded by Supervisor Valenzuela to approve Resolution authorizing the deletion of (1) Code Enforcement Officer, the creation of (1) Associate Planner or Assistant Planner, creation of (1) Health Educator, creation of (1) Health Assistant, and the creation of (1) Staff Services Analyst II, effective October 18, 2020. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion to adopt Resolution 20-155 carried unanimously.

The Chair opened the item up for public comment.

Pursuant to California Governor Newsom's Executive Order N-29-20 on March 17, 2020, participation in this agenda item from various members of the public and County staff was provided via teleconference phone.

Mt. Shasta resident Raven Stevens shared concerns regarding the potential negative impacts associated with reducing the number of Code Enforcement Officer positions and the ongoing groundwater issues within the County.

Etna resident Anne Marsh voiced concerns regarding the addition of an Associate or Assistant Planner position versus adding clerical staff in the Community Development Department.

County Counsel Edward J. Kiernan recommending a re-vote on the issue following the public comments received.

It was moved by Supervisor Haupt and seconded by Supervisor Nixon to approve Resolution authorizing the deletion of (1) Code Enforcement Officer, the creation of (1) Associate Planner or Assistant Planner, creation of (1) Health Educator, creation of (1) Health Assistant, and the creation of (1) Staff Services Analyst II effective October 18, 2020. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion to adopt 20-155 carried unanimously.

County Administration/County Clerk - Swearing In Ceremony for recently appointed Sheriff-Coroner Jeremiah LaRue. Presentation only.

Prior to the presentation, the Chair opened this item for public comments and no public comments were received.

Members of the Board adjourned to the front lawn of the Courthouse.

County Clerk Laura Bynum swore in newly appointed Sheriff-Coroner Jeremiah LaRue.

Sheriff Chaplain Keith Bradly provided a dedication and members of the Board and Sheriff LaRue provided comments concerning the appointment to Sheriff.

Presentations from the Public

County Counsel Edward J. Kiernan commented concerning the recent Public Health Officer Order related to immunizations and public healthcare workers, advising the County Counsel's Office was working with the Public Health Department concerning the Order.

In house

Local healthcare worker Laurie Williamson Dixon shared concerns regarding the potential negative impacts (i.e. loss of jobs, etc.) associated with the Public Health Officer's mandated flu vaccine/immunization Order for local healthcare workers.

Continued...

Presentations from the Public

Pastor Justin Brown shared similar concerns regarding the Public Health Officer's immunization Order.

Concerned citizens Ruth Rose and Lee Joe Eagle Clark shared concerns regarding the impact of Public Health Officer's Order on public freedoms.

Local healthcare workers Emily Nelson and Jenny Fisher shared concerns regarding the Public Health Officer's mandated flu vaccine/immunization Order.

Pursuant to California Governor Newsom's Executive Order N-29-20 on March 17, 2020, participation in this agenda item from various members of the public and County staff was provided via teleconference phone.

Mt. Shasta resident Nazar shared concerns regarding the Public Health Officer's Order, and various environmental issues, including the headwaters at the Mt. Shasta City Park.

Etna resident Anne Marsh and County resident Nick Joslin voiced opposition to the Public Health Officer's immunization Order.

Health and Human Services - Behavioral Health Division - Discussion, direction and possible action re Memorandum of Understanding with Rural Communities Housing Development Corporation to develop and provide property management services under the No Place Like Home (NPLH) Program, with a term effective upon closing of the NPLH permanent loans for the Development and continuing as outlined in the Memorandum of Understanding. Approved.

Health and Human Services Agency Director Sarah Collard provided a brief overview of the request, including an overview of the funding received for the No Place Like Home (NPLH) Program and process for selecting a Developer for the project. Ms. Collard advised that Rural Communities Housing Development Corporation (RCHDC) representatives Beth Matsumoto and Ryan LaRue were participating via teleconference phone.

Mr. LaRue presented a powerpoint presentation including an overview of the RCHDC, a summary of various supportive housing/low income projects and an overview of the benefits associated with providing permanent supportive housing, associated crisis services and a stable environment to certain local community members (homeless, in need of mental health and other crisis services).

Ms. Matsumoto provided an overview of the Memorandum of Understanding between the County and Rural Communities Housing Development Corporation, including the County's and Developer's anticipated roles and responsibilities. In addition, Ms. Matsumoto continued the powerpoint, including an overview of the proposal to develop a housing project on Foothill Drive in Yreka and a summary of the anticipated 'next steps' for the project.

Discussion followed between members of the Board, Ms. Collard and Mr. LaRue regarding the development/maintenance term associated with the housing project, the anticipated continuation of support services from Health and Human Services, available funding sources, the local community members the project would serve, the selection processes for potential housing clients, other housing options the Department provides to clients, the Developer's responsibilities related to maintaining the property/housing development and the availability of additional development housing for low/moderate income level individuals and families.

The Chair opened the item for public comments.

Pursuant to California Governor Newsom's Executive Order N-29-20 on March 17, 2020, participation in this agenda item from various members of the public was provided via teleconference phone.

Mt. Shasta resident Raven Stevens spoke in support of the proposed project.

Continued...

Health and Human Services - Behavioral Health Division – (continued)

It was moved by Supervisor Criss and seconded by Supervisor Nixon to approve and authorize the Chair to sign the Memorandum of Understanding between Siskiyou County Health and Human Services Agency, Behavioral Health Division, and Rural Communities Housing Development Corporation. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

County Administration - Discussion, direction and possible action re acceptance of Letter of Intent from the Rural Communities Housing Development Corporation expressing interest in purchasing a portion of County-owned surplus property referred to as The Foothill Property, APN 053-651-820 and associated Exclusive Right to Negotiate Agreement.

Project Coordinator Elizabeth Nielsen provided an overview of the request, advising that the Rural Communities Housing Development Corporation was interested in purchasing a portion of the County's Foothill Property, located in Yreka for possible development of a No Place Like Home (NPLH) housing project in conjunction with the Health and Human Services Agency. In addition, Ms. Nielsen advised that the City of Yreka provided a letter to the County stating that the City did not view the proposed NPLH as a barrier to the City's planned project development.

Discussion followed between members of the Board, Ms. Nielsen, Assistant County Counsel Natalie Reed and Rural Communities Housing Development Corporation (RCHDC) representative Ryan LaRue regarding the status of an appraisal of the Foothill Property and the RCHDC's request for exclusive rights, including the associated advantages and possible problems/issues.

Further discussion followed, including County Counsel Edward J. Kiernan regarding other options, rather than an exclusive right to negotiate agreement, the additional time needed for the Appraiser to complete the property appraisal, the specifics related to property ownership and purchase negotiations as related to the NPLH grant application process and associated timeframes, an option for RCHDC to purchase the property by a specific date, the previous history related to marketing of the Foothill Property, the ongoing efforts being made to market the County's surplus properties and the County's required notification processes regarding the availability of surplus properties for 'public good' purposes.

Supervisor Nixon spoke in support of staff working with the developer to draft an agreement for the property to be purchased by June of 2021.

The Chair opened the item to public comment.

Pursuant to California Governor Newsom's Executive Order N-29-20 on March 17, 2020, participation in this agenda item from various members of the public was provided via teleconference phone.

Mt. Shasta resident Nazar suggested recommendations for the County related to COVID-19.

Following brief discussion between members of the Board, it was moved by Supervisor Nixon and seconded by Supervisor Criss to direct staff to work with the developer to draft an agreement for the property to be purchased by June of 2021 (versus drafting an exclusive right to negotiate agreement) to be brought back before the Board at a later date. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

Community Development/County Counsel - Discussion, direction and possible action re an Urgency Ordinance amending Chapter 8 of Title 5 of the Siskiyou County Code regarding standards for wells. Continued to October 20, 2020.

Chair Kobseff advised that this item was continued to October 20, 2020 at Assistant County Counsel Natalie Reed's request.

Public Hearings - Community Development - Planning Division - Public hearing for the second reading of an ordinance amending Chapter 8 of Title 5 of the Siskiyou County Code relating to standards for (water) wells. Continued to October 20, 2020.

This was the time set for a public hearing for the second reading of an ordinance amending Chapter 8 of Title 5 of the Siskiyou County Code relating to standards for (water) wells, having been introduced on September 15, 2020.

Chair Kobseff opened the public hearing, advising that the public hearing was continued to October 20, 2020.

Appointments - County Clerk - Appointment of one Delegate and an Alternate from the Board of Supervisors, to the California State Association of Counties (CSAC) Board of Directors for the 2020/2021 Association year. Supervisors Valenzuela and Criss appointed Delegate and Alternate members, respectively for 2020/2021.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that Supervisors Valenzuela and Criss served as Delegate and Alternate to the California State Association of Counties (CSAC) Board of Directors for the 2019/20 Association year.

It was moved by Supervisor Kobseff and seconded by Supervisor Haupt to appoint Supervisor Valenzuela as member (Delegate) and Supervisor Criss as Alternate to the California State Association of Counties (CSAC) Board of Directors for 2020/2021. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to imminent threat of wildfire as declared by Resolution 19-159, updated and adopted on December 10, 2019; action to extend or terminate local emergency. Local emergency extended.

It was moved by Supervisor Haupt and seconded by Supervisor Nixon to extend the local emergency related to imminent threat of wildfire as declared by Resolution 19-159. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

The Chair opened the item for public comment.

Pursuant to California Governor Newsom's Executive Order N-29-20 on March 17, 2020, participation in this agenda item from various members of the public was provided via teleconference phone.

Mt. Shasta resident Nazar shared concerns regarding the headwaters at the City of Mt. Shasta.

Following County Counsel Edward J. Kiernan requested a re-vote on the agenda item and following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to the proliferation of illegal cannabis cultivation as declared by Resolution 20-18, adopted on January 21, 2020; action to extend or terminate local emergency. Local emergency extended.

It was moved by Supervisor Nixon and seconded by Supervisor Haupt to extend the local emergency related to the proliferation of illegal cannabis cultivation as declared by Resolution 20-18.

The Chair opened the item for public comment and there were no public comments received.

Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

Minute Approval - August 4, 2020 and September 1, 8 and 15, 2020. Approved. August 11, 2020 continued to a later date.

It was moved by Supervisor Valenzuela and seconded by Supervisor Criss to approve the August 4, 2020 minutes as presented. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

It was moved by Supervisor Criss and seconded by Supervisor Haupt to approve the September 1, 2020 minutes as presented. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

It was moved by Supervisor Criss and seconded by Supervisor Nixon to approve the September 8, 2020 minutes as presented. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

It was moved by Supervisor Nixon and seconded by Supervisor Haupt to approve the September 15, 2020 minutes as presented. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela and Nixon voting YES and Supervisor Kobseff ABSTAINING, the motion carried.

Chair Kobseff advised that the August 11, 2020 minutes were continued to a later date at Deputy County Clerk Wendy Winningham's request.

Public Hearings - Community Development - Planning Division - Continued public hearing for the second reading of an ordinance reclassifying 10.6 acres of land southeast of the Community of Happy Camp, from Timberland Production District (TPZ) to Rural Residential Agricultural, 2.5-acre minimum parcel size (R-R-B-2.5) on a portion of APN 016-290-021; Township 16N, Range 8E, Section 18, HB&M, for the Palomar Enterprises, Inc. Zone Change Project (Z1501). Ordinance 20-17 adopted.

This was the time set for a continued public hearing for the second reading of an ordinance reclassifying 10.6 acres of land southeast of the Community of Happy Camp, from Timberland Production District (TPZ) to Rural Residential Agricultural, 2.5-acre minimum parcel size (R-R-B-2.5) on a portion of APN 016-290-021; Township 16N, Range 8E, Section 18, HB&M, for the Palomar Enterprises, Inc. Zone Change Project (Z1501), having been introduced on September 15, 2020.

Senior Planner Rachel Jereb provided an overview/staff report on the project, and recommended Board approval.

In response to Chair Kobseff, Ms. Jereb and Deputy County Clerk Wendy Winningham advised that no correspondence related to the item had been received.

There being no public comments, the public hearing was declared closed.

It was moved by Supervisor Haupt and seconded by Supervisor Nixon to adopt the ordinance hereby taking the following actions: adopt the Initial Study/Mitigated Negative Declaration (SCH# 2020060602); and waive the second reading of the draft ordinance amending Zoning District Map 10-6.205-159; and adopt the draft ordinance amending Zoning District Map 10-6.205-159 reclassifying 10.6 acres from Timberland Production District (TPZ) to Rural Residential Agricultural, (R-R-B-2.5). The Clerk read the ordinance title into the record. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion to adopt Ordinance 20-17 carried unanimously.

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), four cases, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), two cases, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(d)(2), two cases, commenced at 12:15p.m., concluded at 1:10p.m., with action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 1:10p.m., with the following reportable action taken:

With regard to item 11G, Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(d)(2), two cases, Mr. Kiernan advised that the Board voted to move forward with a settlement on a claim, not a suit, with the Siskiyou County Historical Society, motion was made to move forward with the settlement by Supervisor Haupt, seconded by Supervisor Criss, Supervisor Valenzuela voted YES, Supervisor Kobseff voted NO and Supervisor Nixon recused herself. A copy of the settlement will be available upon request once it is finalized.

Public Hearings - Community Development - Planning Division - Public hearing for the first reading of an ordinance amending Chapter 6 of Title 10 of the Siskiyou County Code by adding Agritourism definitions and renumbering adjacent sections, and by adding Agritourism uses, administrative processes, and authority for permit fees, Text Amendment Project (Z-1703).

This was the time set for a public hearing for the first reading of an ordinance amending Chapter 6 of Title 10 of the Siskiyou County Code by adding Agritourism definitions and renumbering adjacent sections, and by adding Agritourism uses, administrative processes, and authority for permit fees, Text Amendment Project (Z-1703).

Supervisor Criss recused himself from consideration of this item and left the Board Chambers.

Chair Kobseff opened the public hearing.

Deputy Director of Planning Kirk Skierski provided an overview of the request, including the new definitions for Agritourism Property, Agritourism Farmstay, and Agritourism: Levels I and II. Mr. Skierski requested Board input with regard to the guest limits applicable for Levels I and II (30 guests) and Farmstay (20 guest limit). Mr. Skierski provided a staff report, advising that zoning would be amended to include Agritourism accessory uses (i.e. farm stands, petting zoos, etc.), allowed on properties 10 acres minimum size and deemed working farms/ranches. Mr. Skierski provided a history of the Agritourism project, including associated public workshops that were conducted. Mr. Skierski summarized various modifications to the Agritourism proposal following the public workshops, advising that Farmstay properties were increased to 80-acre minimum parcel size and summarized various public comments received with regard to the project, in support as well in opposition.

In response to Chair Kobseff, Deputy County Clerk Wendy Winningham advised that the Clerk's Office received correspondence related to this item from Anne Marsh (nine page email) and Che'usa Wend (one page email).

Pursuant to California Governor Newsom's Executive Order N-29-20 on March 17, 2020, participation in this agenda item from various members of the public was provided via teleconference phone.

Scott Valley resident Anne Marsh shared opposition to the proposal with regard to applicability to the Scott Valley Area Plan (SVAP), the need for California Environmental Quality Act (CEQA) involvement in the process, the need for increased nearby property owner notifications and permitting of activities through the Use Permit process (including Planning Commission approval). In addition, Ms. Marsh shared concerns that the letters from concerned citizens received during Planning Commission meetings/workshops should have been included in the current agenda item.

There were no public comments received.

Discussion followed between members of the Board and Mr. Skierski regarding Community Development/Planning's notification processes to state/federal agencies, the Department's review authority for various types of planning permits, the need for Calfire review of certain types of proposals, the review process associated with determining whether a property is a 'working farm/ranch' and the use of Tehama County's agritourism rules as a model for Siskiyou County.

Continued...

Public Hearings - Community Development - Planning Division – (continued)

Supervisor Haupt shared concerns regarding the need for additional information related to the California Fish and Wildlife fees associated with CEQA review and the need for clarification regarding the definition of agritourism activities.

Further discussion followed, including Community Development Director Rick Dean and County Counsel Edward J. Kiernan regarding public concerns regarding the need for regulation of certain agricultural related activities, various specifics related to agricultural zoned properties, County Code versus Home Owners Associations (HOAs) rule/regulations, the process for identifying properties by using Assessor Parcel Numbers (APNs), potential impact of agritourism rules for property owners who lease a portion of their property to camping during certain times of the year (i.e. hunting season) and examples of various activities that would require planning permits under Agritourism rules/regulations.

Supervisors Haupt and Kobseff shared concerns regarding the potential negative impact of the Agritourism rules/regulations on annual Cattlemen, Future Farmers of America (FFA) and other educational tours of farm/ranch properties in the County.

Supervisor Valenzuela suggested that educational activities be exempt if possible.

Mr. Skierski advised that the Community Development/Planning Division could continue to determine those activities accessory and incidental to agriculture, with no changes to the current County Code versus adopting the Agritourism amendments.

Supervisors Nixon and Valenzuela shared support for the staff's efforts to draft the Agritourism amendment proposal.

Supervisors Haupt and Kobseff shared concerns regarding the increased bureaucracy associated negative impacts to local agriculture community.

It was moved by Supervisor Nixon and seconded by Supervisor Valenzuela to : Introduce, waive, and approve the first reading of the proposed Agritourism Zoning Text Amendment project (Z-1703) amending Chapter 6 of Title 10 of the Siskiyou County Code by adding Agritourism definitions and renumbering adjacent sections, and by adding Agritourism uses, administrative processes, and authority for permit fees; adopt the Initial Study/Mitigated Negative Declaration (SCH#2019029087) for the Agritourism Zoning Text Amendment project (Z-1703); adopt the Mitigation Monitoring Reporting Program for the Agritourism Zoning Text Amendment project (Z-1703); and direct the Clerk to schedule a continued public hearing for the second reading of the proposed Agritourism Zoning Text Amendment Ordinance. Following a roll call vote with Supervisors Valenzuela and Nixon voting YES, Supervisors Haupt and Kobseff voting NO and Supervisor Criss RECUSED, the motion failed for lack of a majority vote.

Board and Staff Reports

Supervisor Haupt reported on various conference/phone calls related to the President's visit to the County and the wildfire in Happy Camp.

Supervisor Criss reported on the North Coast Regional Partnership (NCRP) and projects that were moving forward.

Supervisor Valenzuela advised of ongoing meetings of the Rural Caucus related to the pandemic.

Supervisor Kobseff requested that the County Administrator and Community Development Director to discuss staffing needs following the wildfire in Happy Camp.

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), four cases, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), two cases, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(d)(2), two cases, commenced at 2:58p.m., concluded at 4:57p.m., with action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 4:57p.m., with the following reportable action taken:

With regard to item 11E, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), name of case: The People of the State of California v. The Heirs and Devisees of Kathleen Freeman A.K.A. Dixie Kathleen Freeman, et al., Siskiyou County Superior Court Case No. SCCVCV 20-787, Mr. Kiernan advised that the Board authorized County Counsel’s Office to defend the County in that lawsuit. The motion was made by Supervisor Nixon, seconded by Supervisor Kobseff and passed 5/0.

In addition, with regard to item 11F, Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), two cases, Mr. Kiernan advised that the Board authorized County Counsel’s Office to join in an existing lawsuit as an amicus if we are able to pair up with another entity planning on filing an amicus and authorized a small sum of money for purposes of doing so if necessary. Mr. Kiernan further advised that the motion was made by Supervisor Criss, seconded by Supervisor Kobseff which passed 5/0. The name of that case will be revealed if and when the County enters into the lawsuit as an amicus filer.

Adjournment - There being no further business to come before the Board of Supervisors, the meeting was adjourned.

Attest:
Laura Bynum, County Clerk

Michael N. Kobseff, Chair

By: _____
Deputy