

# State of California, County of Siskiyou

## Board of Supervisors Minutes, October 20, 2020

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 20<sup>th</sup> 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 Siskiyou County Flood Control and Water Conservation District and County Service Area No. 4. Supervisor Valenzuela 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.

There were no public comments related to the Consent Agenda.

At Chair Kobseff's request, item 4B, County Administration's letter to the City of Yreka re the Foothill Property, was pulled from the consent agenda for discussion.

It was moved by Supervisor Criss, seconded by Supervisor Nixon 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 Administration

Authorize the ratification of the Administrative Services Agreement and Amendment No. 1 between the County of Siskiyou and Navia Benefit Solutions and authorize the Board Chair to execute the County of Siskiyou Flexible Benefits Plan Amendment One, effective October 18, 2020 between the County of Siskiyou and Navia Benefit Solutions.

#### District Attorney

Approve addendum to extend term of contract between Siskiyou County District Attorney and Thomson Reuters for legal software services through September 6, 2023, and increase funding by Twenty-seven Thousand Two Hundred Sixty-three and no/100 (\$27,263.00) to a total of Fifty-two Thousand Two Hundred Sixty-two and No/100 dollars (\$52,262.00).

#### Health and Human Services - Public Health Division

Approve and authorize the Chair to sign Amendment 2 between Siskiyou County Health and Human Services Agency – Public Health Division and Health Management Associates, Inc., to extend the term of the contract through December 31, 2020 and authorize the Auditor to establish budget appropriation as outlined in the Amendment.

#### County Museum

Approve the County Museum's effort to pursue the IMLS "Inspire! Grants for Small Museums" grant to catalog and scan the Museum's photo collection and authorize the Museum to pursue the grant application, to receive approval from both the Auditor and County Administrative Officer before submission, to authorize the Auditor to establish budget.

Transfer of Funds - Pleasant Valley Fire Zone - \$1,057. Resolution 20-156 adopted.

**Off-Agenda – County Administrator** – CARES Act contract with Kronos. Approved.

County Counsel Edward J. Kiernan provided a brief overview of the request to add an urgency item to the agenda regarding a contract with Kronos from that came to the County Administrator's attention after the posting of the agenda and requiring action/direction prior to the next regular Board meeting.

Continued...

### **Off-Agenda – County Administrator – (continued)**

It was moved by Supervisor Nixon and seconded by Supervisor Haupt to add an urgency item not on the posted agenda regarding a contract with Kronos. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES the motion carried unanimously.

Later in the meeting, County Administrator Angela Davis provided an overview of the request, advising that a module in the County's Kronos system was in need of updating to allow for tracking of COVID-19 activities and CARES Act funding. Ms. Davis further advised that additional contracts related to CARES Act funding may be needed prior to the next Board meeting and requested authorization to process/sign those, if necessary.

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

Following discussion between members of the Board, Ms. Davis and Auditor-Controller Jennie Ebejer regarding the anticipated process for utilizing the updated Kronos module and anticipated timing for the contract(s) to be ratified, it was moved by Supervisor Nixon and seconded by Supervisor Valenzuela authorize the County Administrator to process and sign a contract with Kronos and possibly other COVID/CARES Act related contracts, for tracking of COVID-19-related activities with the contract(s) to be brought back before the Board for ratification. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

**County Administration** - Approve letter to the City of Yreka declaring the County's intent to sell a portion of the property known as Foothill Property, located on Foothill Drive, Yreka and identified as APN #053-642-580. Amended letter to the City of Yreka approved.

This item was pulled from the consent agenda at Chair Kobseff's request.

Project Coordinator Elizabeth Nielsen provided an overview of the request, advising that the draft letter to the City of Yreka had been amended as the City was interested in purchasing another of the Foothill Property parcels identified as APN 053-651-760, and summarized the letter amendments.

Following discussion between members of the Board and Ms. Nielsen regarding the location and specifics related to the additional parcel, it was moved by Supervisor Nixon and seconded by Supervisor Valenzuela to approve the amended letter to the City of Yreka 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.

### **Presentations from the Public**

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

County resident Ginger Sammito shared concerns regarding the need for increased regulatory action from the County with regard to the groundwater usage for cannabis cultivation in the Big Springs and other areas of the County.

Concerned citizen Jennifer Dickinson voiced concerns regarding the ongoing extraction of groundwater for cannabis cultivation and the possibility that the Board would not be considering a second reading of an ordinance amending Chapter 8 of Title 5 of the Siskiyou County Code relating to standards for (water) wells (on the current agenda).

**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. Dropped from the agenda.

Chair Kobseff advised that this item was dropped from the agenda.

**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.

Chair Kobseff advised that this item was dropped from the agenda.

**County Clerk - Registrar of Voters** - Presentation of an update re the November 3, 2020 General Election and associated activities.

County Clerk-Registrar of Voters Laura Bynum provided an update on the upcoming Presidential General Election, advising that there would be poll locations open on November 3<sup>rd</sup> for those persons interested in voting in person. Ms. Bynum recommended that voters bring their Vote By Mail (VBM) ballot (as all voters would receive such ballot per the Governor's Executive Order) to the polls and summarized the anticipated process for accepting those surrendered ballots and issuing a poll ballot.

Ms. Bynum advised of the County's approximate 29,400 registered voters at the October 19<sup>th</sup> close of registration, and provided an overview of the current 22% return rate for VBM ballots and the Clerk's Office's process for verifying those returned ballots. Ms. Bynum advised that the Clerk's Office and the Weed City Hall were drop off locations for VBM ballots, in addition to the ability to take ballots over the counter at the Clerk's Office. Ms. Bynum further advised that the Ballottrax system was available for local voters to sign up for, and advised of the change in poll location in Happy Camp to the elementary school.

Discussion followed between members of the Board and Ms. Bynum regarding the definition of VBM and absentee ballots, the ongoing efforts being made to inform the public of the upcoming election process, and the provisional and same-day voter registration ballot processes.

**County Clerk - Registrar of Voters** - Discussion, direction and possible action re appointments in-lieu of election to various Special Districts pursuant to Elections Code §10515, for persons who filed declarations of candidacy as outlined in the agenda packet. Various appointments in lieu of election made.

County Clerk/Registrar of Voters Laura Bynum provided an overview of the request, advising of various Special District positions for which persons filed Declarations of Candidacy (identified as Exhibit A of the agenda packet). It was moved by Supervisor Criss and seconded by Supervisor Nixon to appoint in lieu of election the following persons who filed a Declaration of Candidacy as follows:

Norman Macintosh and Carol L Cupp to the Lake Shastina Community Services District, for full-terms, December 4, 2020 through December 6, 2024.

Christine Richey and Michael Rorke to the McCloud Community Services District, for full-terms, December 4, 2020 through December 6, 2024.

Virgil G Hardy to the South Yreka Fire Protection District, for a full-term, December 4, 2020 through December 6, 2024.

Stephen Adams, Robyn Conwell and David J. Raymond to the Tennant Community Services District, for full-terms, December 4, 2020 through December 6, 2024.

Larry D Leurs to the Tennant Community Services District, for a short-term, December 4, 2020 through December 2, 2022.

Clinton Singleton to the Montague Fire Protection District, for a full-term, December 4, 2020 through December 6, 2024.

Paula Rosetto to the Weed Recreation and Parks District, for a full-term, December 4, 2020 through December 6, 2024.

Veronica Rivera to the Weed Recreation and Parks District, for a short-term, December 4, 2020 through December 2, 2022.

John F Crawford to the Tulelake Irrigation District, Division 1, for a full-term, December 4, 2020 through December 6, 2024.

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**County Clerk - Registrar of Voters – (continued)**

Ms. Bynum summarized various letters of interest that the Clerk's Office received from persons interested in serving on various Special Districts for which Declarations of Candidacy were not filed.

It was moved by Supervisor Haupt and seconded by Supervisor Nixon to appoint in lieu of election John Barnett, Tim Zink and Kathleen M. Toland to the Happy Camp Community Services District, for full-terms, December 4, 2020 through December 2, 2024. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

Ms. Bynum summarized letters of interest in serving on the Happy Camp Fire Protection District, advising of those persons who were eligible to serve and additionally, that local resident Gabe Garrison submitted a letter but was not eligible (not living within the District boundaries).

It was moved by Supervisor Haupt and seconded by Supervisor Kobseff to appoint in lieu of election Alan Dyar and Randy White to the Happy Camp Fire Protection District, for full-terms, December 4, 2020 through December 6, 2024 and to appoint in lieu of election Perdita Poe to the Happy Camp Fire Protection District, for a short-term, December 4, 2020 through December 2, 2022. 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 appoint in lieu of election Jess Bray to the Montague Fire Protection District, for a full-term, December 4, 2020 through December 6, 2024. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

Ms. Bynum advised that the Clerk's Office had not received any letters of interest in serving on the Mt. Shasta Fire Protection District. Brief discussion followed between members of the Board and Ms. Bynum regarding the need for additional information regarding the current incumbents on the Special District Board.

Chair Kobseff advised that the request to appoint in lieu of election for the Mt. Shasta Fire Protection District was continued to later in the meeting.

It was moved by Supervisor Nixon and seconded by Supervisor Valenzuela to appoint in lieu of election Marie L. Hunter to the South Yreka Fire Protection District, for a full-term, December 4, 2020 through December 6, 2024. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

Ms. Bynum advised that the Clerk's Office had not received any letters of interest in serving on the Tulelake Multicounty Fire Protection District. Brief discussion followed between members of the Board and Ms. Bynum regarding the need to continue the request in order to provide additional information regarding the District's current incumbents.

It was moved by Supervisor Kobseff and seconded by Supervisor Nixon to appoint in lieu of election Jeffrey Williams to the Weed Recreation and Parks District, for a full-term, December 4, 2020 through December 6, 2024. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

Later in the meeting, Deputy County Clerk Wendy Winningham advised that Robert Ashworth was an incumbent for the Mt. Shasta Fire Protection District and that there was one vacant position as well. In addition, Ms. Winningham advised that the appointment in lieu of election for the Tulelake Irrigation District would be Modoc County's responsibility.

It was moved by Supervisor Valenzuela and seconded by Supervisor Kobseff to appoint in lieu of election Robert Ashworth Mt. Shasta Fire Protection District, for a full-term, December 4, 2020 through December 6, 2024. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

There were no public comments received.

**Community Development** - Discussion, direction and possible action re first reading of an ordinance amending Section 3-13.301 of Article 1 of Chapter 13 of Title 3 of the Siskiyou County Code regarding the permit required for groundwater extractions for use outside the basin from which it was extracted. Continued to November 10, 2020.

Deputy Director of Planning Kirk Skierski provided a brief overview of the request to amend the County Code by removing an exemption for transporting bottled water outside of the basin that it was extracted, for the groundwater basins listed in the California Department of Water Resources (DWR's) Bulletin 118. Mr. Skierski requested continuation of the item to November 10, 2020.

It was moved by Supervisor Kobseff and seconded by Supervisor Valenzuela to continue the agenda item to November 10, 2020.

Discussion followed between members of the Board, Mr. Skierski, Assistant County Counsel Natalie Reed and Project Coordinator Elizabeth Nielsen regarding the permitting and environmental review processes associated with water bottling permits, the condition of groundwater basins in the County that are listed on the DWR's Bulletin 118, additional groundwater basins located in the County, the need for information related to the potential impact of the amendment on existing water bottling facilities located in the County and adjudicated water rights areas and the anticipated no-impact of the amendment on local Community Services Districts' operations or on streamfed/springfed water sources.

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

The Chair called for the question and, following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion to continue the item carried unanimously.

**Community Development - Planning Division** - Discussion, direction and possible action re Resolution adopting revisions to the County's Housing Rehabilitation Program Guidelines for the Community Development Block Grant (CDBG). Resolution 20-157 adopted.

Assistant Planner Shelley Gray provided an overview of the request, advising of the efforts made to update the County's Housing Rehabilitation Program guidelines, including incorporation of the State's guidelines.

Discussion followed between members of the Board, Ms. Gray and Community Development Director Rick Dean regarding the potential for Housing Rehabilitation Program funding to assist the Happy Camp community to rebuild following the Slater Fire, the need for additional information regarding the applicability of the Housing Rehab grant funds, the process used to update the guidelines, the status of the current Community Development Block Grant (CDBG) program, Program Income (PI) program and associated projects and the ongoing efforts to identify a contractor to administer the CDBG program.

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

It was moved by Supervisor Nixon and seconded by Supervisor Haupt to approve the Resolution adopting revisions to the County's Housing Rehabilitation Program Guidelines for the Community Development Block Grant (CDBG). Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion to adopt Resolution 20-157 carried unanimously.

**Treasurer-Tax Collector** - Discussion, direction and possible action re Voluntary Collection Agreement with HomeAway.com, Inc., for the collection of Transient Occupancy Tax and Siskiyou County Tourism Improvement District taxes on various online rental platforms in the unincorporated areas of the County, effective December 1, 2020. Approved.

Treasurer-Tax Collector Wayne Hammar provided an overview of the request, advising of the efforts made to develop the voluntary collection agreement with HomeAway.com.

Discussion between members of the Board and Mr. Hammar regarding the potential amount of Transient Occupancy Tax (TOT) and Tourism Business Improvement District (TBID) revenue the agreement could secure.

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### **Treasurer-Tax Collector – (continued)**

It was moved by Supervisor Nixon and seconded by Supervisor Haupt to approve the Voluntary Collection Agreement with HomeAway, Inc. for the collection of Transient Occupancy Tax and Siskiyou County Tourism Board Improvement District tax on their various online rental platforms in the unincorporated areas of Siskiyou County. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

There were no public comments concerning this issue received.

**County Administration** - Discussion, direction and possible action re request to appoint an authorized Delegate to attend a conference of North State representatives on October 29, 2020 to discuss COVID-19 related issues and the reopening of the economy. Supervisor Kobseff appointed to attend the conference.

Project Coordinator Elizabeth Nielsen provided an overview of the request, advising of an upcoming conference to discuss COVID-19 to be held on October 29, 2020.

Supervisor Kobseff advised of his willingness to attend the upcoming conference.

Following discussion between members of the Board, Ms. Nielsen and County Administrator Angela Davis regarding previous conference call and discussions that have taken place regarding COVID-19 and possible subjects/issues to discuss with the group, it was moved by Supervisor Nixon and seconded by Supervisor Haupt to appoint Supervisor Kobseff to attend the October 29, 2020 conference and consider the topics outlined in the agenda worksheet.

The Chair opened this item for public comments and no public were received.

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 request to appoint a member of the Board of Supervisors to serve on the Cradle to Careers for Siskiyou (C2C4S) Executive Committee. Supervisor Kobseff appointed to serve on the C2C4S Executive Committee.

Project Coordinator Elizabeth Nielsen provided an overview of the request, including a summary of the efforts made to establish the Cradle to Careers for Siskiyou (C2C4S) group and the request for a representative from the Board of Supervisors to be a member of the group's Executive Committee.

Following discussion between members of the Board and Ms. Nielsen regarding the establishment of the group following a grant award from the McConnell Foundation and the possible subjects to be discussed by the group, it was moved by Supervisor Nixon and seconded by Supervisor Haupt to appoint Supervisor Kobseff to serve on the C2C4S Executive Committee. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

There were no public comments related to this item received.

**Appointments - County Clerk** - Appoint one member to the scheduled vacancy on the PSA 2 Area Agency (AAA) on Aging Advisory Council, for a four-year term from the date of appointment. Heather Solus appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that County resident Heather Solus was interested in serving on the PSA 2 AAA Advisory Council.

There were no public comments received.

It was moved by Supervisor Valenzuela and seconded by Supervisor Nixon to appoint Heather Solus to the scheduled vacancy on the PSA 2 Area Agency on Aging Advisory Council for a four-year term from date of appointment (term ending October 20, 2024). Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

**Appointments - County Clerk -** Appointment of one member to the unscheduled vacancy on the Hornbrook Community Services District, for a short-term ending December 3, 2021. Reagan Duncan appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request to fill a vacancy on the Hornbrook Community Services District (CSD), advising that Hornbrook residents Reagan Duncan and Randall Scheimer were interested and eligible to serve on the District Board.

There were no public comments related to this item received.

It was moved by Supervisor Haupt and seconded by Supervisor Nixon to appoint Reagan Duncan to the unscheduled vacancy on the Hornbrook Community Services District, for a short-term ending December 3, 2021. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

**Minute Approval -** August 11, 2020 and September 28, 2020. Approved.

There were no public comments related to this item received.

It was moved by Supervisor Nixon and seconded by Supervisor Valenzuela to approve the August 11, 2020 minutes as presented. Following a roll call vote with Supervisors Criss, Valenzuela, Nixon and Kobseff voting YES and Supervisor Haupt ABSTAINING, the motion carried.

It was moved by Supervisor Nixon and seconded by Supervisor Valenzuela to approve the September 28, 2020 minutes as presented. Following a roll call vote with Supervisors Criss, Haupt, Valenzuela, Nixon and Kobseff voting YES, the motion carried unanimously.

### **Presentations from the Public**

Auditor-Controller Jennie Ebejer provided an update regarding efforts being made with the Department of Finance to include the County in FY 21/22 budget to backfill lost revenue due to the Slater Fire.

**Closed Session -** Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), one case, 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 10:38a.m., concluded at 12:30p.m., with no action taken.

### **Report On Closed Session**

County Counsel Edward J. Kiernan advised that closed session concluded at 12:30p.m., with no reportable action taken.

Mr. Kiernan additionally advised that Supervisor Kobseff left the Board Chambers at 10:55a.m., returning at 10:58a.m.; Supervisor Criss recused himself and left the Board Chambers at 12:04p.m., returning at 12:16p.m., and left the Board Chambers at 12:25p.m., returning at 12:30p.m. The agenda item that Supervisor Criss recused himself from was 12C, 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.

### **Presentations from the Public**

Siskiyou Golden Fair Chief Executive Officer Cliff Munson reported on efforts being made at the State and County levels to potentially transition County fair operations to a different type of governance model, including a potential Joint Powers Authority (JPA).

### **Board and Staff Reports**

There were no board or staff reports given.

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

Attest:  
Laura Bynum, County Clerk

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Michael N. Kobseff, Chair

By: \_\_\_\_\_  
Deputy

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