

State of California, County of Siskiyou

Board of Supervisors Minutes, July 12, 2022

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 12th day of July 2022; there being present Supervisors Brandon Criss, Michael N. Kobseff, Ray A. Haupt, Nancy Ogren 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 Criss. 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, County Service Area No. 4 and In Home Supportive Services Public Authority. Detective Mireya Masson led in the salute to the flag of the United States of America.

Invocation - Siskiyou County Sheriff Chaplain Jim Howe provided an invocation.

Presentations from the Public

Agricultural Commissioner Jim Smith appeared before the Board and provided an update regarding recent bear and mountain lion activity within the County. Mr. Smith voiced concerns regarding the potential negative impacts associated with the Fish and Wildlife Department's handling of predatory animals and suggested a future agenda item to discuss the issue.

Audience member Lynn Beach appeared before the Board, sharing concerns regarding Dominion Voting machines and sharing support for the Humboldt County Election Transparency Project.

Public Requests - Deputy Sheriff's Association - Presentation to the Board re the current state of the Union. Presentation and discussion only.

Deputy Sheriff's Association (DSA) representatives Detective Mireya Masson and Deputy Sheriff Mike Johnson appeared before the Board. Mr. Johnson provided an overview of the request, sharing concerns regarding the negative impacts associated with recent labor negotiations between the DSA and the Board on DSA members' moral and staffing in the Sheriff's Office. Mr. Johnson additionally shared concerns regarding the number of staff that have left the County for employment elsewhere. Mr. Johnson requested that the Board read/review a recently released fact finding report concerning DSA members' overpayment due to an Auditor error.

Ms. Masson voiced concerns regarding the labor negotiation process and concerns regarding proposed termination of compensation for participation in Sheriff's special teams.

The Chair opened the item to public comments.

Audience member Jeffery Edgerly appeared before the Board, sharing concerns regarding the negative impacts associated with increased crime, etc. due to reduced law enforcement staff and speaking in support of the Deputies and their union.

Sheriff Sergeant Louis Mero voiced support for the DSA and concerns regarding the negative impacts associated with reduced law enforcement members in the County.

Deputy Sheriff Richard Ortiz appeared before the Board, voicing support for the DSA and their requests related to pay/compensation.

Sheriff Sergeant Sam Kubowitz appeared before the Board, voicing concerns regarding the negative impacts associated with reduced law enforcement staffing and shared support for the DSA and their requests related to pay/compensation.

Local resident Shawn Gordon appeared before the Board, voicing concerns regarding the negative impacts associated with reduced law enforcement staffing and shared support for the DSA and their requests related to pay/compensation.

Continued...

Public Requests - Deputy Sheriff's Association – (continued)

Lieutenant Ben Whetstine appeared before the Board, voicing concerns regarding the negative impacts associated with reduced law enforcement staffing and the County's contracted labor negotiator.

Audience member Karen Cabron appeared before the Board, voicing support for the DSA and their requests related to pay/compensation.

Undersheriff James Randall appeared before the Board, voicing concerns regarding the impacts associated with reduced staffing, the need to utilize Deputies to assist/staff at the Jail, the loss of law enforcement staffing to local jurisdictions and voiced support for the Deputies' requests.

Sheriff Jeremiah Larue appeared before the Board and voiced concerns regarding the impact of the loss of law enforcement and dispatch staff and requested the Board's assistance in navigating the labor negotiation process.

Local resident Holly Hansard suggested elimination of the Dominion Voting machines in order to increase pay/compensation for the County's deputies. In addition, Ms. Hansard encouraged the Board to view a video entitled: 2000 Mules.

Discussion followed between members of the Board, DSA representative Detective Levi Machado and County Administrator Angela Davis regarding the required rules of engagement associated with labor negotiations, the recently released fact finding report and the current status of impasse in the negotiations.

Consent Agenda – Approved.

At Supervisor Haupt's request, item 5B, County Administration's letters to the Klamath National Forest in support of projects in the 2022 Schedule of Proposed Action (SOPA) was pulled from the consent agenda for discussion.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss 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 Chair of the Board to sign the letter for submission with the responses to the Civil Grand Jury.

County Administration

Approve the Proclamation and authorize all five Board members to sign.

County Administration - Personnel

Adopt Resolution P 22-113 delegating authority to the Deputy County Administrator – Personnel and Risk Management Officer or the County Administrator to submit applications or make determinations for disability retirement or industrial disability retirements for employees of the County of Siskiyou.

County Administration - Personnel

Adopt Resolution P 22-114 memorializing the medical contribution for employees covered by the Siskiyou County Correctional Peace Officer Association Memorandum of Understanding.

County Administration - Personnel

Adopt Resolution P 22-115 memorializing the medical contribution for employees covered by the Elected Department Head resolution effective January 1, 2023.

County Administration - Personnel

Ratify/adopt Resolution P 22-116 amending the Siskiyou County Position Allocation List to make revisions as detailed in the attached Resolution effective July 10, 2022.

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Consent Agenda – (continued)

County Clerk

Approval of requests from the cities of Dorris, Dunsmuir, Etna, Montague, Mt Shasta, Tulelake, Weed, Yreka and the Town of Fort Jones; as well as the Community Services Districts of Happy Camp, Tennant, Lake Shastina and McCloud, Fire Protection Districts of Happy Camp, Montague, Mt Shasta, South Yreka and Tulelake Multicounty, Weed Recreation and Parks District and Tulelake Irrigation District, to consolidate their election with the Statewide General Election and authorize the County Clerk to provide necessary election services.

Community Development

Approve the 2nd Addendum for Prentice Long Contract.

Dunsmuir Recreation and Parks District

Approve the Resolution 22-117 for a temporary loan in the amount of \$60,000 to the Dunsmuir Recreation and Parks District, which loan shall be repaid to the County on or before April 10, 2023.

General Services - Sanitation

Approve 5th Addendum with Scott Valley Disposal.

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the Third Addendum to Contract for Services between Harold's Cleaning and Siskiyou County Health and Human Services Agency, Public Health Division for the period of July 1, 2022 through June 30, 2025, with a total amount of the Contract not to exceed \$255,500.

Health and Human Services - Social Services Division

Approve and the Chair sign the Contract for Services between Siskiyou County Health and Human Services Agency and Siskiyou Child Care Council which is effective July 1, 2022 through June 30, 2023.

Public Works

Approve and sign this rate contract for Hunt & Sons, Inc. to supply Public Works with Lubricants and Solvents.

Public Works

Approve and sign the 2nd addendum between Pace Engineering, Inc. and Siskiyou County Road Department for services needed.

Sheriff

Approve and authorize Board Chair to sign Contract between Cordico and Siskiyou County Sheriff's Office.

Sheriff

Approve and authorize Board Chair to sign Contract between Chaplain Keith Bradley and Siskiyou County Sheriff's Office.

Sheriff

Accept the donation from Redding Police Department and allow the Auditor to allocate it to our inventory.

Sheriff

Approve and ratify the Sheriff to enter a contract with Axon Enterprises, Inc. for body camera and cloud evidence storage for the term July 1, 2022 - June 30, 2027. Allow the Auditor to make appropriations.

Sheriff

Approve the letter and authorize the Chair to sign.

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Consent Agenda – (continued)

Transfer of Funds - Planning - \$50,000. Resolution 22-118 adopted.

Transfer of Funds - Probation - \$2,718. Resolution 22-119 adopted.

Transfer of Funds - Sheriff - \$49,000. Resolution 22-120 adopted.

County Administration - Approve three letters to the Klamath National Forest in support of projects within the 2022 second quarter Schedule of Proposed Action (SOPA). Approved.

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

Supervisor Haupt shared concerns regarding the proposed reduction or elimination of aerial application of fire retardant to fight wildfires on National Forest lands and the potential negative impact to local communities most often affected by wildfires. Supervisor Haupt advised of the need to draw attention to the proposal.

Brief discussion followed between members of the Board regarding the need for a future agenda item to discuss the issue with CalFire and the US Forest Service.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to approve three letters of support for projects on the 2022 second quarter Schedule of Proposed Action (SOPA) and authorize the Chair to sign.

Presentations from the Public

Participation in presentations from the public by various members of the public was provided via teleconference phone.

Caller Michael Huffman read from the Declaration of Shawn A. Smith in the Kari Lake, Plaintiff v. Katie Hobbs, Arizona Secretary of State, et al., Defendants case concerning the use of Dominion Vote machines in Arizona.

Audience members Alma Geib and Ben Madison appeared before the Board and read from the Declaration of Shawn A. Smith in the Kari Lake, Plaintiff v. Katie Hobbs, Arizona Secretary of State, et al., Defendants case concerning the use of Dominion Vote machines in Arizona.

Audience members Holly Hansard and Bill Schmidt shared concerns regarding the County's use of Dominion Voting machines. Ms. Hansard a one-page document regarding Jovan Hutton Pulitzer.

Audience member Daniel Simon presented a five-page packet, sharing concerns regarding the County's use of the Dominion Voting machines and sharing support for the Humboldt County Election Transparency Project.

Caller Alice Rogers voiced concerns regarding the comments made in support of the Declaration of Shawn A. Smith and associated conspiracy theories regarding the election.

Audience members Jeffrey Edgerly and Louise Gliatto spoke in support of the County using paper ballots to conduct future elections.

County Administration – Personnel - Informational presentation re Side Letter Agreements with the Organized Employees of Siskiyou County (OESC) Miscellaneous and Management Units pertaining to salary for Communications Dispatcher classifications in the Sheriff's Office, effective July 10, 2022. Presentation and discussion only.

Deputy County Administrator Melissa Cummins appeared before the Board, introducing Organized Employees of Siskiyou County (OESC) representative Matt Rokes.

Ms. Cummins provided an overview of the request, advising that the side letter agreements pertained to Communications Dispatcher salaries.

Sheriff Jeremiah Larue and Mr. Rokes briefly commented regarding the side letters agreement process.

County Administration – Personnel - Discussion, direction and possible action re Resolution regarding certain terms and conditions of employment for Elected Department Heads, effective July 12, 2022. Resolutions P 22-121 and P 22-122 adopted.

Deputy County Administrator Melissa Cummins appeared before the Board, and provided an overview of the request to approve salaries and benefits for Elected Department Heads. In addition, Ms. Cummins advised that certain benefits would not change or be effective until February, 2027 (following the next election cycle).

It was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to adopt Resolution P 22-121 regarding certain terms and conditions of employment for Elected Department Heads effective July 12, 2022.

It was moved by Supervisor Valenzuela, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to adopt Resolution P 22-122 amending the Siskiyou County Salary Schedule as detailed in the Resolution, effective July 24, 2022.

County Administration – Personnel - Discussion, direction and possible action re first reading of an ordinance amending Section 2-6.10 of Chapter 6 of Title 2 of the Siskiyou County Code regarding salary and benefits for the Siskiyou County Board of Supervisors. First reading of proposed ordinance was table to a later meeting date.

Deputy County Administrator Melissa Cummins appeared before the Board, and provided an overview of the request increase Board of Supervisor members' salaries and provide employee benefits similar to the Elected Department Head Unit. Ms. Cummins requested a correction to page five of the red-lined version (add an 's' to Supervisor on the bottom of page 5 of the ordinance red-lined version) and further advised that should this first reading be approved, the second reading could be on August 2nd and the ordinance would become effective October 2, 2022.

It was moved by Supervisor Valenzuela to table the proposed ordinance to a later meeting date following the completion of various labor negotiations.

Discussion followed between members of the Board regarding the proposed ordinance, the proposed benefit/salary amendments, ongoing labor negotiations with other County department units/unions and the suggested delay in approving the draft ordinance.

There were no public comments received regarding this item.

Supervisor Criss seconded Supervisor Valenzuela's motion to table the ordinance to a later date.

Following a roll call vote with Supervisors Kobseff, Valenzuela, Ogren and Criss voting YES and Supervisor Haupt voting NO, the motion to table the proposed ordinance to a later meeting date following the completion of various labor negotiations carried.

County Administration - Discussion, direction and possible action re first reading of an Ordinance amending Chapter 1 of Title 2 of the Siskiyou County Code adopting Sections 2-1.18 through 2-1.26 related to administration of County Airports. First reading approved; public hearing for second reading set on August 2, 2022.

County Administrator Angela Davis provided an overview of the request revise the Siskiyou County Code with regard to administration of County airports.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to introduce, waive, and approve the first reading of the Ordinance amending Title 2 "Administration" Chapter 1 "Airports" of the Siskiyou County Code to add Sections 2-1.18 through 2-1.26, and direct the Clerk to schedule a public hearing on, and second reading of the Ordinance on August 2, 2022.

Public Hearings - Community Development - Planning Division - Public hearing for the second reading of an ordinance amending Sections 10-6.1601(n) and 10-6.1601(ac)(9) of the Siskiyou County Code regarding application fees and amending the Planning Fee Schedule, Article 16 (Continued from June 14, 2022). Ordinance 22-14 adopted.

This was the time set for a public hearing for the second reading of an ordinance amending Sections 10-6.1601(n) and 10-6.1601(ac)(9) of the Siskiyou County Code regarding application fees and amending the Planning Fee Schedule, Article 16, having been introduced on June 14, 2022.

Chair Criss opened the public hearing.

Community Development Director Rick Dean provided a brief overview of the request, advising that approval of the ordinance would allow the Department to 'pass-through' certain costs associated with Planning projects and to update Surface Mining And Reclamation Act (SMARA) language.

In response to Chair Criss, Deputy County Clerk Wendy Winningham advised that the Clerk's Office had not received correspondence related to this item.

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

It was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to introduce, waive the second reading and approve adoption of an Ordinance, 22-14, amending sections 10-6.1601(n) and 10-6.1601(ac)(9) regarding Planning Division pass through fees and minor SMARA code update respectively of the Siskiyou County Code.

Public Hearings - Community Development - Public hearing to consider Resolution directing staff to issue a Notice of Non-Renewal for Williamson Act Contract Nos. 71067, 95001 and 20-02-1, involving the following Assessor's Parcel Numbers: 041-120-060 (Davies-Pina), 041-132-260 (Macay), 041-120-020 (Zavala), 041-120-040 (Murrillo), 041-120-010 (Hochberg), 041-120-050 (Hain), 022-100-180, 022-110-120 (Giant Alliance Holdings LLC), 015-530-270, 015-530-100 and 015-550-220 (Golden Willow Ranch LLC). Resolution 22-123 adopted.

This was the time set for a public hearing to consider a Resolution directing staff to issue a Notice of Non-Renewal for Williamson Act Contract Nos. 71067, 95001 and 20-02-1, involving the following Assessor's Parcel Numbers: 041-120-060 (Davies-Pina), 041-132-260 (Macay), 041-120-020 (Zavala), 041-120-040 (Murrillo), 041-120-010 (Hochberg), 041-120-050 (Hain), 022-100-180, 022-110-120 (Giant Alliance Holdings LLC), 015-530-270, 015-530-100 and 015-550-220 (Golden Willow Ranch LLC).

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

Vice Chair Valenzuela opened the public hearing.

Deputy County Clerk Wendy Winningham briefly summarized the order of presentation.

Assistant Planner Bernadette Cizin appeared before the Board, providing an overview of the request, including a staff report detailing Planning staff's recommendation that the three Williamson Act Contracts, numbers 71067, 95001 and 20-02-1, not be renewed. In addition, Ms. Cizin recommended that the project be declared exempt under California Environmental Quality Act (CEQA) and requested adoption of the associated Resolution.

In response to the Vice Chair, Ms. Winningham advised that the Clerk's Office had not received correspondence related to this item.

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

It was moved by Supervisor Valenzuela, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Ogren voting YES and Supervisor Criss RECUSED to adopt the Resolution, 22-123, directing staff to issue a Notice of Non-Renewal to Williamson Act Contracts No. 71067, 95001 and 20-02-1, and hereby taking the following actions: the Board of Supervisors determine that the proposed issuance of Non-Renewals of Williamson Act contracts is categorically exempt under Section 15317 of the CEQA Guidelines; and authorize staff to process the Notice of Non-Renewals with any changes directed by the Board.

Continued...

Public Hearings - Community Development – (continued)

Supervisor Criss returned to the Board Chambers.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to drought declared by Resolution 22-74, adopted on April 5, 2022; action to extend or terminate local emergency. Local emergency extended.

It was moved by Supervisor Valenzuela and seconded by Supervisor Haupt to extend the local emergency related to drought as declared by Resolution 22-74.

Supervisor Haupt provided a brief update regarding the Scott Valley irrigation water curtailment orders, advising that enforcement of the orders had relaxed some due to recent weather/storms.

The Chair called for the question and the motion to extend the local emergency carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES.

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 Haupt, and seconded by Supervisor Kobseff, and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to extend the local emergency related to the proliferation of illegal cannabis cultivation as declared by Resolution 20-18.

Appointments - County Clerk - Appointment of two members to the scheduled vacancies on the Dunsmuir Recreation and Parks District, for terms ending June 30, 2026. William Newman and Stephen Cutting appointed.

Deputy County Clerk Wendy Wunningham provided an overview of the request, advising that incumbents William Newman and Stephen Cutting were interested in reappointment and eligible to serve on the District Board.

It was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting Yes, to appoint William Newman and Stephen Cutting to the scheduled vacancies on the Dunsmuir Recreation and Parks District, for terms ending June 30, 2026.

Appointments - County Clerk - Appointment of two members to the scheduled vacancies on the Mt. Shasta Recreation and Parks District, for terms ending June 30, 2026. Heather De Arton and John Courtney appointed.

Deputy County Clerk Wendy Wunningham provided an overview of the request, advising that incumbent Heather De Arton was interested in reappointment and eligible to serve on the District Board. In addition, Ms. Wunningham advised that local resident John Courtney was interested in serving and eligible as an active registered voter residing within the District.

It was moved by Supervisor Valenzuela, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting Yes, to appoint Heather De Arton and John Courtney to the scheduled vacancies on the Mt. Shasta Recreation and Parks District, for terms ending June 30, 2026.

Appointments - County Clerk - Appointment of one member to the unscheduled vacancy on the Modoc Siskiyou Community Action Agency (MSCAA) Board of Directors, for a term ending December 31, 2023. Continued to a later date.

Deputy County Clerk Wendy Wunningham provided an overview of the request, advising that the Clerk's Office had not received any letters of interested in serving on the Modoc Siskiyou Community Action Agency (MSCAA) Board of Directors. Ms. Wunningham requested that the item be continued.

Chair Criss advised that the item was continued to a later date.

Minute Approval - June 14, and June 21, and July 5, 2022. Approved.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren, and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to approve the June 14 and 21, and July 5, 2022 minutes as presented.

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), two cases, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), four 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), one case, conference with labor negotiators pursuant to Government Code §54957.6, commenced at 12:10p.m., concluded at 2:13p.m., with no action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 2:13p.m., with the following:

With regard to item 15C, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Siskiyou Hospital, Inc., dba Fairchild Medical Center v. County of Siskiyou, et al., Siskiyou County Superior Court Case No. SCCVPT 19-01501, Mr. Kiernan advised that Supervisor Haupt stepped out of the Board Chambers from 12:10-12:17.

With regard to item 15E, Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(d)(2), one case, Mr. Kiernan advised that Supervisor Ogren stepped out of the Board Chambers from 1:38-1:40.

Board and Staff Reports

Supervisor Haupt advised of his attendance at a Klamathon Community reunion event along with Supervisor Criss and various County staff.

Supervisor Valenzuela advised of his plans to attend an upcoming California State Association of Counties (CSAC)

Supervisor Ogren reported on her attendance at an Economic Recreation World Communities workshop, efforts made to assist the Siskiyou County Republican Women’s Club with cleaning up the Siskiyou Golden Fair flower garden and ongoing efforts to work on homelessness initiatives/project in Yreka.

Supervisor Criss advised of his attendance at a meeting with Mt. Shasta Forest Property Owners Association Executive Committee regarding various issues in the McCloud area. In addition, Supervisor Criss advised of attending a recent Sierra-Sacramento Valley EMS Agency JPA meeting.

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

Attest:

Laura Bynum, County Clerk

Brandon A. Criss, Chair

By: _____
Deputy