

State of California, County of Siskiyou

Board of Supervisors Minutes, September 20, 2022

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 20th day of September 2022; there being present Supervisors Brandon Criss, Nancy Ogren, Ray A. Haupt 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. Supervisor Michael N. Kobseff was absent.

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 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 an invocation.

Roll Call

Supervisors Haupt, Criss, Ogren and Valenzuela were present. Supervisor Kobseff was absent.

Presentations from the Public

Director of Emergency Services Bryan Schenone appeared before the Board, providing an update regarding the recovery phase following recent local wildfires.

Community Development Director Rick Dean appeared before the Board, providing an update regarding Phase 1 and Phase 2 of recovery from the McKinney Fire, including information regarding the State's participation in the process.

Brief discussion followed regarding ongoing efforts to seek funding opportunities to rebuild the Klamath River community.

Health and Human Services – Social Services Project Coordinator Joan Hoy appeared before the Board and provided an update regarding a recent Local Assistance Center (LAC) event for those affected by the Mill and Mountain Fires.

Yreka resident Grace Bennett presented and summarized a one-page flyer from Friends of the Siskiyou County Museum, including information on upcoming local events. In addition, Ms. Bennett provided an update regarding the Collier Interpretive and Information Center (CIIC) activities and an update regarding work being done at the Hibbard Field.

Audience members Johnna Brooks and Jeff Leland presented and read into the record, a 12-page Declaration of Constitutional Default (related to the State of California) from representatives of the State of New California.

Participation in presentations from the public was provided via teleconference phone.

Caller Alice Rogers shared concerns regarding the previous presentation and the impact on the Board meeting schedule.

Public Hearings – Health And Human Services - Behavioral Health Division - Public hearing to consider adoption of the FY 22/23 Mental Health Services Act (MHSA) Annual Plan Update. Approved.

This was the time set for a public hearing to consider adoption of the FY 22/23 Mental Health Services Act Annual Plan Update.

Chair Criss opened the public hearing.

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

Health and Human Services Agency Director Sarah Collard provided an overview of the request, including an overview of programs added to the Mental Health Services Act (MHSA) Annual Plan following public participation and input.

Continued...

Public Hearings – Health And Human Services - Behavioral Health Division – (continued)

Ms. Collard advised that the Department was working with Yreka Police Department to add officers to provide homelessness services within the community, working to add a deputy to perform DARE Program services, assisting the Six Stones Wellness Center and expanding the homeless housing contract with Housing Tools. Ms. Collard requested that the date: August 16, 2022 be added to page 8 of the Annual Plan documentation.

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

Discussion followed between members of the Board and Ms. Collard regarding the process utilized to conduct public hearing and gather public feedback/input regarding the Annual Plan, efforts being made to increase public participation, various partnership opportunities and the pilot project to fund additional law enforcement officers to provide services/assistance to the local homeless population.

It was moved by Supervisor Ogren, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Criss voting YES and Supervisor Kobseff ABSENT to adopt the MHSA Annual Plan Update FY 2022-2023, with the date August 16, 2022 added to page eight (8) of the documentation. Once adopted, certificate(s) to be signed by County Mental Health Director and County Auditor.

Public Hearings – County Administration - Public hearing to consider adoption of the Fiscal Year 22/23 Adopted Budget, including the following:

This was the time set for a public hearing to consider adoption of the Fiscal Year 22/23 Adopted Budget.

Chair Criss opened the public hearing.

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

County Administrator Angela Davis briefly summarized the process for developing the Adopted Budget.

Deputy County Administrator Sherry Lawson provided an overview of the Adopted Budget, including a summary of changes incorporated following the adoption of the Recommended Budget (i.e. Personnel requests, etc.). Ms. Lawson advised that an Emergency Disaster Relief Fund, in the amount of \$500,000 was created to assist in responding to and mitigating costs to County departments associated with local emergencies/disasters.

Discussion followed between members of the Board and Ms. Lawson regarding the anticipated benefits associated with creation of the Emergency Disaster Relief Fund and the General Fund's total revenue and expense amounts.

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

Supervisor Haupt advised of the need for information related to fiscal and staffing trends (i.e. building permit statistics, etc.) prior to the next budget cycle.

Brief discussion followed regarding the need for creative thinking in the planning and development of future budgets and to include labor union representatives in the budget process/discussion.

It was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Criss voting YES and Supervisor Kobseff ABSENT to adopt Resolution 22-147 specifying the amount of appropriation approved in the Fiscal Year 2022-2023 Adopted Budget and approving all additions and deletions to the Recommended Budget for Fiscal Year 2022-2023, of which includes financing uses by unit, intrafund transfers by unit, transfers out by fund, appropriations for contingencies by fund, provisions for restricted and committed accounts by fund and purpose, and financing sources, in the amount of \$361,064,432; and adopt Resolution 22-148 amending the Siskiyou County Salary Schedule, Personnel Allocation list, and approve new class specifications; and adopt the County Statement of Allocated Positions and Salary Schedules.

Consent Agenda – Approved.

At Supervisor Haupt's request, item 6A, Agriculture's contract with Patrick Griffin for wolf management services, was pulled from the consent agenda for discussion.

Continued...

Consent Agenda – (continued)

At Supervisor Criss' request, item 6I, Behavioral Health Services' Resolution authorizing the acceptance of the Proposition 47 grant award from the Board of State and Community Corrections, was pulled from the consent agenda for discussion.

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

Agriculture

Approve agreement #22-1130-000-SA between California Department of Food and Agriculture and Siskiyou County Department of Agriculture for FY22/23 Nursery Inspections and Authorize the Agricultural Commissioner to sign the agreement.

County Administration

Approve the Purchasing Policy and Procedures as amended.

District Attorney

Authorize the District Attorney's Office to apply for, accept and manage the County Victim Services (XC) Program grant in the amount of \$136,826 from 1/1/23 to 12/31/23; adopt and sign the attached Resolution 22-149; and authorize Diane Olson, Auditor Controller to establish appropriations for County Vic. Ser. grant.

District Attorney

Approve First Addendum to increase rate to \$911 per medical examination and extend term of Sexual Assault Response Team contract with Denise Wheeler, RN, through June 30, 2025.

Health And Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Northern Valley Catholic Social Services for the term of July 1, 2021 through June 30, 2023.

Health And Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and James Coles dba Housing Tools for the term of July 1, 2022 through June 30, 2023.

Health And Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and California Mental Health Services Authority (CalMHSA) for the term commencing on final execution to March 18, 2029.

Public Works

Approve and sign this contract for Evans Building & Excavating, Inc. to make the needed updates to Hibbard Baseball Field.

Sheriff

Approve the agreement between the Siskiyou County Sheriff's Office and Siskiyou Joint Community College District not to exceed \$120,000.00 for the period July 1st, 2022 through June 30th, 2023. Authorize the chair to sign.

Sheriff

Approve the first addendum to the MOU for law enforcement services between the City of Montague and the Sheriffs Office for the term July 1st, 2022-June 30th, 2023. Authorize the Chair to sign.

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Consent Agenda – (continued)

Sheriff

Adopt Resolution 22-151 to retire canine "Aron" and approve transfer of terms specified in the attached agreement authorizing handler, LT Tharsing, to purchase and transfer ownership of canine for \$1.00 upon retirement effective October 2nd, 2022.

Agriculture - Approve contract with Patrick Griffin to provide Wolf management services, at the rates specified in Exhibit A, for the term October 1, 2022 through June 30, 2027. Approved.

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

In response to Supervisor Haupt, Agricultural Commissioner Jim Smith advised that there had been an increase in livestock depredation from wolves and other predators.

Discussion followed between members of the Board and Ms. Smith regarding the California Department of Fish and Wildlife's lack of progress toward a depredation reimbursement program for livestock producers, possible reimbursement to producers that would come from a non-profit group, the current status of wolves and other predators within the County and plans for a wolf update before the Board from Mr. Griffin.

It was moved by Supervisor Haupt, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Criss voting YES and Supervisor Kobseff ABSENT, to approve 5 year rate contract for Wolf management services with Patrick Griffin, October 1, 2022 thru June 30, 2027.

Health And Human Services - Behavioral Health Division - Adopt Resolution authorizing the acceptance of the Proposition 47 grant award from the Board of State and Community Corrections to implement Project Base Camp homeless shelter located in Yreka, in an amount not to exceed \$2,595,948, for the term September 1, 2022 through June 1, 2026. Resolution 22-150 adopted.

This item was pulled from the consent agenda at Chair Criss' request. Chair Criss opened the item to public comment.

Yreka Mayor Duane Kegg presented and summarized a one-page letter supporting the County's Proposition 47 grant application in an effort to address homelessness in Yreka and the County.

Following discussion between members of the Board, Mr. Kegg and Health and Human Services Agency Director Sarah Collard regarding possible locations to site a homeless shelter and the ongoing efforts to identify funding opportunities to address homelessness, it was moved by Supervisor Ogren, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Criss voting YES and Supervisor Kobseff ABSENT, to ratify and approve the grant proposal, approve and authorize the Chair to sign the Resolution, 22-150 Authorizing the Acceptance of the Proposition 47 Grant Award from the Board of State & Community Corrections and the STD 213 Standard Agreement, designate the HHSA Director to execute Appendix B to the Standard Agreement, and authorize the Auditor to establish budget appropriations and set expenditures per the grant guidelines.

Presentations from the Public

Supervisor Criss advised that County staff may receive an email that appears to be from him, although the emails are a scam/spam.

General Services - Solid Waste Division - Discussion, direction and possible action re first reading of an Ordinance amending gate fees at various Siskiyou County solid waste facilities. First reading continued to October 4, 2022.

Project Coordinator Amanda Kimball provided an overview of the request, providing an overview of input received from local commercial waste haulers following the last Board meeting and discussion of this issue. Ms. Kimball advised that she had not heard back from local cities regarding the proposed ordinance amending gate fees at various solid waste facilities. Ms. Kimball further advised that the commercial waste haulers requested that the County slow the process to increase the gate fees in order for the haulers to present updated contracts to the local jurisdictions and state/federal government agencies that they serve.

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General Services - Solid Waste Division – (continued)

Discussion followed between members of the Board and Ms. Kimball regarding the possible options for increasing the gate fees to assist the current facility operator and the associated timing of the increase and suggested increase in fees charged for public use of local solid waste facilities in an effort to distribute the increased costs fairly (i.e. set a fee for disposal of waste currently free of charge).

In response to Supervisor Haupt, Ms. Kimball suggested increasing the fees associated with tire disposal and battery disposal, in order to offset the current facility operator's increased costs.

Further discussion followed, including County Administrator Angela Davis, regarding the impacts associated with increasing tonnage to \$90/ton, up from the current \$75/ton, the status of the Request for Proposals (RFP) process for a facility operator, the timeframe associated with the County and local jurisdictions adopting updated ordinances and the effective date for increased fees.

The Chair opened the item to public comment.

Yreka Transfer LLC representative Karen Eller voiced concerns regarding the potential negative financial impacts should the ordinance be adopted and effective soon. Ms. Eller requested enough time to notify Yreka Transfer customers, including local jurisdictions, large retailers and government agencies of the potential for cost increases for their services.

Discussion followed regarding the future requirement (in 2026) that collection for green wastes be provided to solid waste facility customers, the increased costs associated with disposal of electronic waste (E-waste) and household batteries, the current provision of an annual fuel surcharge increase of \$2/ton and the need to specify suggested changes to various fees prior to adopting the ordinance first reading.

It was moved by Supervisor Valenzuela to introduce, waive, and approve the first reading of the Ordinance of the County of Siskiyou amending Gate fees at the various Siskiyou County Solid Waste Facilities and direct the Clerk to schedule the second reading and public hearing on the ordinance as soon as possible.

In response to Deputy County Clerk Wendy Winningham, Supervisor Valenzuela advised that the motion also included the following: increase Tonnage from \$73.00 to \$90.00, Cubic yards from \$8.40 to \$10.00, Cubic Yards for when the scales are not working \$32.70 to \$38.90, increase the Bag and Cans by \$2 and start charging for Electronic, Universal Waste and batteries.

Lengthy discussion followed, including County Counsel Edward J. Kiernan, regarding the need to correct a typo on the draft ordinance on page 3 to change 7.5 to 7.50 (suggested cost per residential tire sized 17.5" to 24.5" with rim), the different types of solid waste disposal facilities in the County, the current \$73/ton that will increase to \$75/ton effective in October and the potential cost increases should the \$73/ton be increased to \$80/ton (rather than \$90/ton).

The motion died for lack of a second.

Ms. Winningham summarized correspondence that the Clerk's Office received related to this item from: Scott Valley Disposal, John Smith Sanitation, Inc., Siskiyou County Disposal Company and Yreka Transfer LLC.

Discussion followed, including Ms. Winningham, regarding the potential impact of increased gate fees on various solid waste disposal facilities in the County, the areas those facilities provide services to, the ordinance adoption timeframes, the required process to publish a notice of public hearing for the second reading of the ordinance, the impact of increasing the tonnage fee to \$80/ton versus \$90/ton to other fees within the draft ordinance (i.e. cubic yards, cubic yards when the scales are not working), suggested increases to the bag and can fees and setting a fee for disposal of items currently not charge for (i.e. electronics, universal waste and batteries).

It was moved by Supervisor Ogren to introduce, waive, and approve the first reading of the Ordinance of the County of Siskiyou amending Gate fees at the various Siskiyou County Solid Waste Facilities and direct the Clerk to schedule the second reading and public hearing on the ordinance as soon as possible, increasing Tonnage from \$73.00 to \$80.00, Cubic yards from \$8.40 to \$10.00, Cubic Yards for when the scales are not working \$32.70 to \$38.90, increase the Bag and Cans by \$2 and start charging for Electronic, Universal Waste and batteries.

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General Services - Solid Waste Division – (continued)

Ms. Kimball advised that changing the tonnage fee from \$90/ton would impact the fees listed on the agenda worksheet for cubic yards and cubic yards when the scales are not working.

Mr. Kiernan advised of the need for the specific fees, impacted by the suggested change in the tonnage fee, to be noted and on record prior to the Board considering the motion.

Further discussion followed regarding the various fees that would need modification due to the tonnage fee of \$80/ton, the formula utilized to determine those affected fees and the potential impact of raising the tonnage fee to \$80/ton from \$75/ton for the waste facility operator and waste haulers.

Ms. Kimball advised that, in order to take into account the suggested change in the tonnage fee from \$90 to \$80, any of the fees specified as \$8.60 in the draft ordinance would become \$9.40, fees specified as \$75 would become \$80, items previously 'no charge' would be specified as \$2/item and the fees for tire disposal would remain as listed in the draft ordinance (with the typo: 7.5 corrected to 7.50).

Supervisor Ogren withdrew her previous motion.

It was moved by Supervisor Ogren seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Ogren and Criss voting YES, Supervisor Valenzuela voting NO and Supervisor Kobseff ABSENT to continue the first reading of the draft ordinance to October 4, 2022 with proposed changes to the ordinance language as follows: tonnage set at \$80, fees specified as \$8.60 change to \$9.40, fees specified as \$75 change to \$80, items previously 'no charge' will contain a fee, fees for tire disposal remain as listed in the draft ordinance with the typo on page 3 correcting 7.5 to 7.50.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to Mud Creek Debris Flows declared by the Director of Emergency Services on July 27, 2022; action to extend or terminate local emergency. Local emergency extended.

It was moved by Supervisor Criss, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Criss voting YES and Supervisor Kobseff ABSENT to extend the local emergency related to Mud Creek Debris Flows declared by the Director of Emergency Services on July 27, 2022.

Appointments - County Clerk - Appoint one member to the scheduled vacancy on the Far Northern Coordinating Council, for a two- or three-year term ending in February 2024 or 2025. Ginger Moyles appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that the Far Northern Regional Center recommended County resident Ginger Moyles to serve on the Far Northern Coordinating Council.

It was moved by Supervisor Valenzuela, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Criss voting YES and Supervisor Kobseff ABSENT to appoint Ginger Moyles to the scheduled vacancy on the Far Northern Coordinating Council, for a two year term ending February 3, 2024.

Appointments - County Clerk - Appointment of one member to an unscheduled vacancy on the Henley-Hornbrook Cemetery District for a term ending January 5, 2026. Jaron Shellner appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising Hornbrook resident Jaron Shellner was interested and eligible to serve on the Cemetery District Board.

It was moved by Supervisor Haupt, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Criss voting YES and Supervisor Kobseff ABSENT to appoint Jaron Shellner to the unscheduled vacancy on the Henley-Hornbrook Cemetery District for a term ending January 5, 2026.

Appointments - County Clerk - Appointment of two members to the scheduled vacancies on the Henley-Hornbrook Cemetery District for terms ending January 1, 2024. Continued to a later date.

Chair Criss advised that this item was continued to a later date at the Clerk's request.

Appointments - County Clerk - Appointment of one member to the scheduled vacancy on the Mayten Fire Protection District for a term ending August 15, 2026. Richard Solus appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising incumbent Richard Solus was interested in re-appointment to the Fire Protection District Board.

It was moved by Supervisor Criss, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Criss voting YES and Supervisor Kobseff ABSENT to appoint Richard Solus to the scheduled vacancy on the Mayten Fire Protection District for a term ending August 15, 2026.

Appointments - County Clerk - Appointment of one member to the Public Health Solid Waste Hearing Panel, Public-At-Large position, for a term ending September 12, 2026. Steven D. Neill appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising Yreka resident Steven D. Neill was interested in serving on the Public Health Solid Waste Hearing Panel.

It was moved by Supervisor Ogren, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Criss voting YES and Supervisor Kobseff ABSENT to appoint Steven D. Neill to the scheduled vacancy on the Public Health Solid Waste Hearing Panel, Public-At-Large position, for a four-year term ending September 12, 2026.

Board and Staff Reports

Supervisor Valenzuela reported on his attendance at the Rural County Representatives of California (RCRC) annual meeting in Napa, California.

Supervisor Ogren reported on her attendance at the Rural County Representatives of California (RCRC) annual meeting in Napa, California.

Supervisor Haupt advised of speaking at a Siskiyou Patriots and Conservative Womens Forum and reported on his attendance at a California Licensed Foresters meeting.

Supervisor Criss advised of attending the Tulelake-Butte Valley Fair and a Volcanic Legacy Scenic Byway meeting. Supervisor Criss further advised that the OreCal RC&D would conduct an upcoming conference for non-profits.

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), three cases, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), one case, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), one case, commenced at 12:26p.m., concluded at 1:36p.m., with no action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 1:36p.m., with no reportable action taken.

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