

State of California, County of Siskiyou

Board of Supervisors Minutes, October 4, 2022

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 4th day of October 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 Siskiyou County Flood Control and Water Conservation District and County Service Area No. 4. Supervisor Haupt led in the salute to the flag of the United States of America.

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

Presentations from the Public

Local resident John DeKleine appeared before the Board, voicing concerns regarding his inability to move forward with a project at his property due to the lengthy process to obtain a permit from the Building Department.

Mr. DeKleine's contractor John Spezzano appeared before the Board and reiterated Mr. DeKleine's concerns regarding the lengthy process to obtain a building permit in Siskiyou County and the lack of contact from the department regarding those concerns.

Supervisor Haupt advised of his upcoming plans to discuss/review the Building Department permits, processes, etc.

Consent Agenda – Approved.

At Supervisor Haupt's request, item 5A, County Administration's agreement with Olson Remcho, LLP was pulled from the consent agenda for discussion.

At Supervisor Criss' request, item 5D, County Counsel's letter to the State Water Resources Control Board, North Coast Regional Water Quality Control Board and California Department of Fish and Wildlife was pulled from the consent agenda for discussion.

At Supervisor Ogren's request, item 5M, the Sheriff's addendum to Memorandum of Understanding and agreement with the City of Dunsmuir was pulled from the consent agenda for 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, that the following consent agenda is approved, and the Chair and/or clerk authorized to execute/record any necessary documents:

County Administration

Approve Ms. Davis, Director of Public Health to enter into a professional services contract with the County of Del Norte for consultation services pertaining to the jail and juvenile hall facilities medical program and approve staff to prepare a letter of response.

County Administration - Personnel

Adopt Resolution P 22-152 amending the Siskiyou County Salary Schedule, Position Allocation List and Creation of new job classification as detailed in the attached Resolution effective October 2, 2022.

Continued...

Consent Agenda – (continued)

General Services - Airports

Ratify the grant applications and adopt Resolution 22-153 authorizing the County Administrator to execute any documents necessary to obtain financial assistance with the FAA Airport Improvement Program grants on behalf of the County of Siskiyou for the Siskiyou County Airport PMMP & ALP. Authorize staff to receive the funding for the PMMP & ALP and to apply and accept State Match Grants. Authorize the auditor's staff to establish the budget.

General Services - Airports

Approve the Second Addendum with Eagle's Nest Aviation Services, LLC.

General Services - Airports

Approve the Assignment of Rights and Assumption of Obligations (Eagle's Nest Aviation Services, LLC and Vali Aviation, LLC).

General Services - Airports

Authorize the Chair to retroactively execute the Agreement for Emergency use of Facilities between the County of Siskiyou and CALFIRE for the term of July 1st 2022 through June 30th 2025.

General Services - Airports

Authorize the Chair to retroactively execute the Agreement for Emergency Use of Facilities between the County of Siskiyou and CALFIRE for the term of July 1st 2022 to June 30th 2025.

General Services - Communications

Approve the contract to move forward with the project to update the Harvey Jones Butte repeater.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the First Addendum to the Contract between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and North American Mental Health Services, to add Telemedicine Nursing Support Services.

Health and Human Services - Social Services Division

Approve and the Chair sign the addendum to reduce the amount of the Contract for Services between Siskiyou County Health and Human Services Agency and the University of California at Davis, for the effective term of July 1, 2022 through June 30, 2023.

Transfer of Funds - County Library - \$1,500. Resolution 22- 154 adopted.

Transfer of Funds - Emergency Services - \$133,017. Resolution 22- 155 adopted.

Transfer of Funds - Office of Emergency Services - \$500,000. Resolution 22- 156 adopted.

Transfer of Funds - Risk Management - Liability - \$25,000. Resolution 22-157 adopted.

Transfer of Funds - Behavioral Health - Local MHSA - \$250,433. Resolution 22-158 adopted.

Transfer of Funds - Behavioral Health - Local MHSA - \$59,434. Resolution 22-159 adopted.

Transfer of Funds - Behavioral Health - Local MHSA - \$941,851. Resolution 22-160 adopted.

Transfer of Funds - Behavioral Health - Local MHSA - \$16,400. Resolution 22-161 adopted.

Transfer of Funds - Behavioral Health - Local MHSA - \$30,400. Resolution 22- 162 adopted.

Transfer of Funds - Behavioral Health - Local MHSA - \$591,601. Resolution 22- 163 adopted.

Transfer of Funds - Behavioral Health - Local MHSA (PEI) - \$20,000. Resolution 22-164 adopted.

Transfer of Funds - Behavioral Health - Local MHSA (CSS) - \$20,000. Resolution 22-165 adopted.

Transfer of Funds - Behavioral Health - Local MHSA (PEI-DARE Officer) - \$20,000. Resolution 22-166 adopted.

Continued...

Consent Agenda – (continued)

Transfer of Funds - Sheriff - \$116,600. Resolution 22-167 adopted.

Transfer of Funds - Sheriff - \$80,700. Resolution 22- 168 adopted.

County Administration - Approve addendum to General Retainer Agreement with Olson Remcho, LLP (Fairchild Medical Center litigation proceedings), increasing compensation by \$105,000, to a total not to exceed \$290,000. Approved.

This item was pulled from the consent agenda at Supervisor Haupt's request. Supervisor Haupt recused himself from consideration of this item and left the Board Chambers.

It was moved by Supervisor Ogren, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Valenzuela, Ogren and Criss voting YES, Supervisor Haupt RECUSED and Supervisor Kobseff ABSENT, to approve the Fourth Addendum to the Professional Services Retention Agreement with Olson Remcho, LLP, that increases compensation \$105,000 to a total NTE \$290,000.

County Counsel - Approve request to ratify letter to the State Water Resources Control Board, North Coast Regional Water Quality Control Board and California Department of Fish and Wildlife expressing renewed request for Cannabis Priority Watershed Status and Immediate Inspection and Enforcement Attention for the Shasta River Watershed. Approved.

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

Local resident Louise Gliatto appeared before the Board, presenting and summarizing a one-page Petition requesting that Governor Newsom declare a State of (a manmade) Emergency due to the illegal cannabis cultivation and associated organized crime activities within the County. Ms. Gliatto advised that the signed Petition would be forwarded to the Governor and other elected State officials.

Local resident Sheila Meamber appeared before the Board, presenting and summarizing two one-page letters, addressed to State Assembly member Megan Dahle and to State Senator Brian Dahle, requesting that Governor Newsom declare a State of (a manmade) Emergency due to the illegal cannabis cultivation and associated organized crime activities within the County.

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 ratification of the letter to the Water Board.

Sheriff - Approve addendum to Memorandum of Understanding and agreement to provide law enforcement services with the City of Dunsmuir, increasing the compensation by \$416,000, to a total not to exceed \$1,664,000 and extending the term through June 30, 2023. Approved.

This item was pulled from the consent agenda at Supervisor Ogren's request. Supervisor Ogren shared concerns regarding the need to update the Memorandum of Understanding (MOU) to correct various County contacts' information in the document. Supervisor Ogren additionally advised of the need to review the rates for reimbursement to the County for the services provided.

County Administrator Angela Davis advised that the Sheriff was listening to the meeting via ZOOM.

Participation in this item by various County staff was provided by teleconference phone.

Sheriff Jeremiah Larue summarized the various contact information that was updated within the addendum to the MOU and advised that the Department would be working with the City toward a new contract for the next fiscal year.

It was moved by Supervisor Valenzuela, 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 1st Addendum to the Agreement for Law Enforcement Services between the Sheriff's Office and the City of Dunsmuir, to extend the terms through June 30th, 2023.

Public Requests - California Department of Transportation (Caltrans) - Presentation re highway connectivity projects and an update concerning the Hwy 97 wildlife crossing proposal. Presentation and discussion only.

California Department of Transportation (Caltrans) District 2 Environmental Planner Wesley Stroud, Biologist Eric Wilson and Environmental Planner Davis Ferguson appeared before the Board. Each summarized their experience and work history with Caltrans.

Mr. Stroud presented a powerpoint presentation entitled: Caltrans Environmental Into the Future, including an overview of various wildlife connectivity projects, the types of wildlife crossings (over a highway and under a highway) and the California Environmental Quality Act (CEQA) process related to wildlife mitigation projects.

Discussion followed between members of the Board and Mr. Stroud regarding the anticipated timeframe and funding process related to a proposed wildlife crossing project on Highway 97 near Grass Lake. Additional discussion followed regarding the need to consider and/or evaluate other potential locations for wildlife crossing/mitigation efforts, including Highway 3 in Scott Valley.

Mr. Stroud continued the powerpoint, including an overview of various priority areas for wildlife crossings and or mitigation in District 2 and the State and the possible use of fiber-reinforced polymers (FRPs) to construct an over-the-highway wildlife crossing structure.

The Chair opened the item to public comments.

Local resident Sheila Meamber appeared before the Board, sharing concerns regarding the difficulty in controlling the types of wildlife utilizing a wildlife crossing, specifically wolves.

Local resident Debbie Bacigalupi appeared before the Board, voicing concerns regarding the efforts being made to benefit wildlife through rewilding of America, the potential for predators to easily target deer, elk and other animals utilizing a wildlife crossing and the potential for the taking of private property by eminent domain in creating these types of projects.

Participation in this item by various members of the public was provided by teleconference phone.

Caller Nick Joslin spoke in support of the proposed project designed to benefit wildlife and provide safe passage in/around highways/roadways.

Further discussion followed regarding the cooperative efforts made during development of wildlife crossing and/or mitigation projects (not using the eminent domain process), the data used to determine wildlife crossing priorities, the anticipated public participation process and the need to consider projects to benefit/improve wildlife habitat areas and minimize wildlife movement onto roadways.

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 approved; public hearing for second reading set on November 1, 2022.

Project Coordinator Amanda Kimball provided an overview of the request, advising of the various changes made to fees within the ordinance following previous consideration of the item.

The Chair opened the item to public comments and none were received.

Deputy County Clerk Wendy Winningham advised that the Clerk's Office received correspondence from the City of Tulelake which shared concerns regarding a previously suggested increase in the tonnage fee to \$90/ton.

Discussion followed between members of the Board and Ms. Kimball regarding the anticipate effective date of the ordinance fees, the possibility of locating a drop off/pick up location in Scott Valley for Electronic (E)-waste, the ongoing effort to work through the Request For Proposal (RFP) process to secure a transfer station operator and the need to consider a green waste program during RFP discussions.

Continued...

General Services - Solid Waste Division – (continued)

It was moved by Supervisor Valenzuela, 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 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 on November 1, 2022.

Public Hearings – Community Development - Planning Division - Public hearing to consider adopting a Resolution for proposed changes to Siskiyou County's Guidelines for establishing and administering Agricultural Preserves and Williamson Act Contracts. Continued to November 1, 2022.

This was the time set for a public hearing to consider adopting a Resolution for proposed changes to Siskiyou County's Guidelines for establishing and administering Agricultural Preserves and Williamson Act Contracts.

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

Vice Chair Valenzuela opened the public hearing.

County Counsel Edward J. Kiernan requested that this item be continued to November 1, 2022 to allow the Community Development Department and County's Counsel's Office additional time to review and finalize the various changes to the County's Guidelines for establishing and administering Agricultural Preserves and Williamson Act Contracts.

The Vice Chair opened the item to public comments and none were received.

It was the consensus of the Board to continue this item to November 1, 2022.

Public Hearings – Community Development - Planning Division - Public hearing to consider the Woodson Agricultural Preserve Amendment and Williamson Act Contract Rescission and Reentry project (APA-22-03) for property located near the community of Macdoel, CA. Continued to November 1, 2022.

This was the time set for a public hearing to consider the Woodson Agricultural Preserve Amendment and Williamson Act Contract Rescission and Reentry project (APA-22-03) for property located near the community of Macdoel, CA.

Chair Criss remained recused from consideration of this item.

Vice Chair Valenzuela opened the public hearing. The Vice Chair opened the item to public comments and none were received.

It was the consensus of the Board to continue this item to November 1, 2022.

Public Hearings – Community Development - Planning Division - Continued public hearing to consider proposed amendments to two agricultural preserves and rescission of a portion of two Williamson Act contracts with subsequent reentry in order to consolidate all property under one preserve and one contract for property located east of the community of Macdoel, CA, for the Matthew and Audrey Parsons Trust Agricultural Preserve Amendment and Williamson Act contract rescission and reentry project (APA-22-02). (Continued from August 2, 2022)

This was the time set for a continued public hearing to consider proposed amendments to two agricultural preserves and rescission of a portion of two Williamson Act contracts with subsequent reentry in order to consolidate all property under one preserve and one contract for property located east of the community of Macdoel, CA, for the Matthew and Audrey Parsons Trust Agricultural Preserve Amendment and Williamson Act contract rescission and reentry project (APA-22-02), having been continued from August 2, 2022.

Chair Criss remained recused from consideration of this item.

Vice Chair Valenzuela called the continued public hearing to order.

Assistant Planner Bernadette Cizin provided an overview of the request, summarizing an option that could possibly allow the property owners to maintain their firewood business on the property and remain in Agricultural Preserve (Ag Preserve) and under a Williamson Act (WA) Contract. Continued...

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

Ms. Cizin advised that the Proponents were emailed this option and requested that the public hearing be continued to December 13, 2022 to allow Community Development to work with the property owners toward that option.

The Vice Chair opened the item to public comments.

Project proponent Audrey Parsons advised that the Proponents' goal was to maintain their firewood business and remain under Ag Preserve/WA Contract.

It was the consensus of the Board to continue this item to December 13, 2022.

Supervisor Criss returned to the Board Chambers.

Public Hearings – County Administration – Personnel - Public hearing for the second 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. Ordinance 22-16 adopted.

This was the time set for a second 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, having been introduced on September 6, 2022.

Chair Criss opened the public hearing

Deputy County Administrator Melissa Cummins provided an overview of the request to set salary and benefits for members of the Board of Supervisors.

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

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

It was moved by Supervisor Haupt, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES and Supervisor Kobseff ABSENT to introduce, waive, and approve the second reading and adopt the amendments to Chapter 6 of Title 2. Section 2-6.10 of the Siskiyou County Code Regarding the Salary and Benefits for County Supervisors and adopt Ordinance 22-16.

Appointments - County Clerk - Appointment of one member to the unscheduled vacancy on the PSA 2 Area Agency on Aging Advisory Council, for a four-year term effective the date of appointment. Linda Diane Smith appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that Linda Diane Smith was interested in serving on the PSA 2 Area on Aging Advisory Council. In addition, Ms. Winningham advised that members of the PSA 2 Executive Board and Advisory Council were asked, and some had responded, to provide input regarding the potential appointment/appointee.

It was moved by Supervisor Valenzuela, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Valenzuela and Criss voting YES, Supervisor Ogren voting NO and Supervisor Kobseff ABSENT to appoint Linda Diane Smith to the unscheduled vacancy on the PSA 2 Area Agency on Aging Advisory Council, for a four-year term effective October 4, 2022.

Appointments - County Clerk/Board of Supervisors - 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 2022/2023 Association year. Supervisors Valenzuela and Criss appointed Delegate and Alternate, respectively.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that Supervisors Valenzuela and Criss were appointed as Delegate and Alternate for the 2021/2022 Association year last October.

Continued...

Appointments - County Clerk/Board of Supervisors – (continued)

It was moved by Supervisor Haupt, 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 Supervisor Valenzuela as Delegate and Supervisor Criss as Alternate to the California State Association of Counties (CSAC) Board of Directors for 2022/2023.

Minute Approval - August 2, 9 and 16, 2022 and September 6 and 20, 2022. Approved.

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 approve the August 2 and 16, 2022 and September 6 and 20, 2022 minutes as presented.

It was moved by Supervisor Valenzuela, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Valenzuela, Ogren and Criss voting YES, Supervisor Haupt ABSTAINING and Supervisor Kobseff ABSENT to approve the August 9, 2022 minutes as presented.

Board and Staff Reports

County Administrator Angela Davis introduced the County’s new Public Information Officer (PIO) Ali Stillwell (Kutzer).

Brief discussion followed between members of the Board and Ms. Stillwell (Kutzer) regarding her background and experience.

Supervisor Haupt advised of attending, along with Supervisors Criss and Ogren, a recent fundraiser dinner to rebuild the Klamath River Community Hall following the McKinney Fire.

Supervisor Valenzuela reported on his attendance at a California State Association of Counties (CSAC) Finance Board meeting in Orange County.

Brief discussion followed between Supervisor Valenzuela and Ms. Davis regarding Supervisor Valenzuela’s efforts related to the Governor’s veto of Assembly Bill (AB) 1717 related to public works.

Supervisor Ogren advised of her attendance at a Rural County Representatives of California (RCRC) meeting and a recent fundraiser dinner to rebuild the Klamath River Community Hall. Supervisor Ogren further advised of upcoming events, including the Siskiyou Women in Business annual event and Apple Harvest Fest in McCloud, and briefly reported on an ongoing project related to Off-Highway Vehicles (OHV) and Siskiyou County Off Road Riders (SCORR).

Supervisor Criss advised of his attendance at a recent fundraiser dinner to rebuild the Klamath River Community Hall, a Public Health Services Fair in Tulelake, a Volcanic Scenic Legacy meeting and a Fire Chiefs Association meeting.

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), 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), one case, commenced at 11:08a.m., concluded at 12:12p.m., with no action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session 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