

# State of California, County of Siskiyou

## Board of Supervisors Minutes, December 6, 2022

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 6<sup>th</sup> day of December 2022; there being present Supervisors Brandon Criss, Michael N. Kobseff, 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 Clerks Wendy Winningham and Taylor Brummett.

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 Siskiyou Power Authority. Supervisor Ogren led in the salute to the flag of the United States of America.

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

**County Administration - Natural Resources** - Presentation of an update re the Lower Klamath Hydroelectric Dam Decommissioning Project. Presentation and discussion only.

Deputy County Administrator Elizabeth Nielsen provided an update regarding the Klamath River dam removal process, including a history of the project, the Klamath River Renewal Corporation's (KRRC's) role in decommissioning the dams, the States of Oregon and California's participation in the process, Pacificorp designated a co-licensee in the transfer/decommissioning process, issuance of Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) and the recent Federal Energy Regulatory Commission (FERC) order that would allow for surrender of the operating license and for removal of the hydroelectric facilities.

Ms. Nielsen summarized the public outreach process and County efforts made to protect constituents and water users during this time and provided an overview of possible grant funding opportunities from the California Department of Fish and Wildlife and the efforts being made to create/fund a Project Manager position to coordinate with the State and KRRC with regard to mitigation efforts. Ms. Nielsen summarized the appeal and litigation processes that members of the public had inquired about and advised that the County set up a website and an email address ([Lkdinfo@co.siskiyou.ca.us](mailto:Lkdinfo@co.siskiyou.ca.us)) for members of the public to submit comments to the County/Board of Supervisors. In addition, Ms. Nielsen advised that the Board would conduct monthly special meetings, starting in January 2023, specifically for Klamath Dam Removal discussions.

Deputy County Clerk Wendy Winningham and County Counsel Edward J. Kiernan clarified and corrected a typographical error within the ZOOM meeting information provided on the meeting's online agenda.

The Chair opened this item to public comment.

Audience member Chrissy Reynolds requested that the County and Board make any and all efforts to protect the constitutional rights of those residents living around and below the dams. In addition, Ms. Reynolds shared concerns regarding the potential negative impact of dam removal on other local, endangered species.

Audience member David Everest voiced concerns regarding potential negative impacts associated with the planned removal of the Klamath River dams and suggested that the County participate in legal actions to prevent removal.

Audience member Richard Marshall appeared on behalf of the Siskiyou Water Users Association, presenting and summarized a six-page letter voicing concerns regarding the potential negative impacts on local endangered species following dam removal and the need for additional information regarding the EIR/EIS and the State's role in the decommissioning/removal process.

Audience member Susan Wallace appeared on behalf of the Klamath River Country Estates (KRCE) Association, voicing concerns regarding the potential negative impacts of dam removal on the residences within the KRCE Association (i.e. economic impacts, etc.).

Continued...

## **County Administration - Natural Resources – (continued)**

Audience member Coby Olsen voiced concerns regarding the negative impacts associated with dam removal in other areas, including the impacts to local river water and groundwater supplies.

Audience member Mark Fisher voiced concerns regarding the anticipated location(s) that workers on the Klamath Dam Removal Project would be housed, where equipment is to be stored and the potential negative impact of heavy equipment traveling the roads in/around Copco, Irongate and the dam removal locations.

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

Caller Loy Beardsmore shared support for the efforts being made by the County and the Board of Supervisors to address the dam removal process.

### **Presentations from the Public**

Audience member Melissa Strong voiced concerns regarding the condition of local homeless shelters and treatment of those who are homeless.

Audience member John Spezzano shared concerns regarding the current status of the County's building department, including delays in processing various permits.

Audience member Steve Radford shared concerns regarding the state and federal fire agencies' treatment of local wildfires and spoke in support of the County's Sheriff and Sheriff's Office.

Community Development Director Rick Dean and Assessor-Recorder Craig Kay appeared before the Board and provided information regarding conservation easements in relation to properties under Agricultural Preserve/Williamson Act contract.

Audience member Joseph Aguirre shared concerns regarding homelessness within the County and the need for change in how homelessness is handled.

### **Consent Agenda – Approved.**

At Chair Criss' request, item 6C, Calfire's request to appoint a new County Fire Warden, was pulled from the consent agenda for discussion.

At Supervisor Haupt's request, item 6D, Community Development's Resolution approving an application for funding and the execution of a grant agreement for the Slater Fire Home Replacement Program, was pulled from the consent agenda for discussion.

At Supervisor Ogren's request, item 6W, the Sheriff's addendum to the Memorandum of Understanding & Agreement with the City of Dorris, was pulled from the consent agenda for discussion.

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, that the following consent agenda is approved, and the Chair and/or clerk authorized to execute/record any necessary documents:

#### Assessor - Recorder

Approve the "California Assessors' Association Information Technology Authority" Joint Powers Agreement (JPA) agreement.

#### Auditor

Approve the Certification of Maintenance of Effort for Proposition 172 Public Safety funding for the 2022/23 fiscal year and authorize the Auditor-Controller to sign the certification.

#### Community Development

Adopt Resolution 22-187 approving an application for funding and the execution of a grant agreement and any amendments thereto, in the amount of \$404,669 of Community Development Block Grant Program Income for the Woodsmoke Reduction and Heating Replacement Program.

#### County Administration

Ratify letter to the United States Forest Service expressing support for the R5 Post-Disturbance Hazardous Tree Management Project - North Zone. Continued...

**Consent Agenda – (continued)**

County Administration

Approve letter to Modoc National Forest supporting the Medicine Lake Volcano Forest and Fire Restoration Project and authorize the Chair to sign.

County Administration - Personnel

Adopt Resolution P 22-188 amending the Siskiyou County Salary Schedule and Position Allocation List, regarding Air Pollution Control Specialist III, effective October 2, 2022, Animal Shelter Coordinator, approve new job classifications and create new FTEs for Psychiatric Aide I, Psychiatric Aide II - create (2) 1.0 FTEs, Community Health Worker - create (2) 1.0 FTEs and Probation Program Coordinator - create (1) 1.0 FTE, delete Staff Services Analyst I (1.0 FTE) and create Transportation Services Worker (1.0 FTE) effective December 11, 2022.

County Clerk

Approve Addendum One of the Master Service Agreement with CivicPlus, LLC and authorize the Chair to sign.

County Library

Approve the Zip Book grant application and accept awarded funds; authorize Auditors Office to establish budget.

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 Siskiyou Community Resources Collaborative, a Non-Profit Corporation.

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 Etna Police Activity League for the term 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 Happy Camp Community Action, Inc.

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 Karuk Tribe Housing Authority.

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 Lotus Educational Services for the term of the agreement is July 1, 2022 to 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 Tiny, Mighty, and Strong.

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 BHC Heritage Oaks Hospital, Inc. for the term of July 1, 2022 to June 30, 2025.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Letter of Agreements between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Partnership Healthplan of California, BHC Alhambra Hospital.

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**Consent Agenda – (continued)**

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 Youth Empowerment Siskiyou, a California Non-Profit Corporation.

Health and Human Services - Public Health Division

Approve and authorize the purchase of the Ritter M11 Tabletop Autoclave with Printer Steam (Fixed asset/Equipment).

Health and Human Services - Social Services Division

Approve and the Chair sign this Resolution 22-207 to authorize the Siskiyou County Health and Human Services Agency, Social Services Division, to accept the allocations for the Transitional Housing Program and the Housing Navigator and Maintenance Program. Allow the County Auditor to establish a budget once funds are received.

Probation

Approve Second Addendum to contract with Tehama County to extend the term to July 1, 2020 through June 30, 2021.

Sheriff

Approve the Sheriff's Office's application for funding the 22/23 Boating Safety and Enforcement Financial Aid Program with the California Department of Boating and Waterways. Authorize the Sheriff to sign any documents required and operate the program per State guidelines and the Board to adopt the Resolution 22-189.

Transfer of Funds - Animal Shelter - \$8,000. Resolution 22-190 adopted.

Transfer of Funds - Road Department - \$2,106. Resolution 22-191 adopted.

Transfer of Funds - ELC Detection - \$6,075. Resolution 22-192 adopted.

**Cal Fire** - Appoint Darryl Laws to the position of County Fire Warden, effective December 6, 2022. Approved.

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

County Administrator Angela Davis provided a brief overview of the request to appoint new Calfire Unit Chief Darryl Laws as County Fire Warden.

Chief Laws appeared before the Board, summarizing his time/experience with Calfire.

Following discussion between members of the Board and Chief Laws regarding Chief Laws' local upbringing and background as a firefighter, it was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint Darryl Laws to the position of County Fire Warden, effective December 6, 2022.

Members of the Board congratulated Chief Laws on the appointment.

**Community Development** - Adopt Resolution approving an application for funding and the execution of a grant agreement and any amendments thereto from the 2021-2022 funding year of the state CDBG, in the amount of \$853,340 for the Slater Fire Home Replacement Program. Resolution 22-193 adopted.

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

Supervisor Haupt suggested the need to additional public outreach regarding the Slater Fire Home Replacement Program.

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 adopt Resolution 22-193 approving an application for funding and the execution of a grant agreement and any amendments thereto in the amount of \$853,340 of Community Development Block Grant Program Income for the Slater Fire Home Replacement Program.

**Sheriff** - Approve addendum to the Memorandum of Understanding (MOU) & Agreement to provide law enforcement services with the City of Dorris increasing the agreement by \$219,252 to a total not to exceed \$877,008 and extending the term through June 30, 2023. Approved.

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

Supervisor Ogren requested information regarding the term and funding for the addendum with the City of Dorris.

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

Caller Sheriff Jerimiah Larue briefly summarized the ongoing process to develop the addendum to the Memorandum of Understanding (MOU) and to negotiate a new three year MOU with the City of Dorris. Sheriff Larue advised that the City and Department continue to work toward an updated MOU.

It was moved by Supervisor Ogren, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to approve 1st Addendum to the Agreement for Law Enforcement Services between the Sheriff's Office and the City of Dorris, to extend the terms through June 30th, 2023.

**Public Requests** - Rural County Representatives of California (RCRC) - Presentation of a Powerpoint re a Strategic Plan from the Rural County Representatives of California. Presentation and discussion only.

Supervisor Kobseff introduced Rural County Representatives of California (RCRC) President and Chief Executive Officer (CEO) Patrick Blacklock.

Mr. Blacklock appeared before the Board and presented a powerpoint presentation regarding the RCRC's Strategic Plan, including advocacy efforts to assist rural counties in the areas of equitable access (i.e. broadband, housing, health services, healthy communities (i.e. forest and water resiliency, infrastructure, etc.) and advocacy efforts made at state and federal levels. Mr. Blacklock summarized various programs, including the Golden State Finance Authority and the Golden State Connect Authority, to provide benefit housing and internet connectivity in rural counties and provided an overview of associated funding opportunities.

Brief discussion followed between members of the Board and Mr. Blacklock regarding the challenges facing rural counties with regard to high speed internet services.

Continuing the powerpoint, Mr. Blacklock summarized the Zero Emission Vehicles (ZEV) initiative for electric vehicle preparedness efforts, the Rural alliance, Inc. (RAI) to advocate understanding of rural California amongst policymakers and the public, the Golden State Natural Resources related to forest resiliency (i.e. development of forest resources into commercial wood pellets) and the Environmental Services Joint Powers Authority (ESJPA) providing advocacy and technical assistance related to recycling and hazardous waste management.

Further discussion followed regarding RCRC's assistance in development of a solar project in Weed and the benefits associated with the RAI educational program.

The Chair opened the item to public comment.

Audience member Steve Radford shared concerns regarding the countries that California forest products/wood pellets would be shipped.

Mr. Blacklock advised that commercial wood pellets would be shipped to the United Kingdom and other European countries primarily.

**Community Development/Office of Emergency Services** - Discussion, direction and possible action re request to reaffirm continuation of the Proclamation of Local Health Emergency by the County Health Officer associated with the health and safety issues caused by the destruction of structures from the 2022 McKinney, Mill and Mountain wildland fires. Local emergency proclamation continued.

Office of Emergency Services Director Bryan Schenone provided an overview of the request to continue the Proclamation of Local Health Emergency by the County Health Officer. Continued...

## **Community Development/Office of Emergency Services – (continued)**

It was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to Reaffirm to continue for an additional 30 days the subject proclamation by the County Health Officer associated with the health and safety issues caused by the destruction of structures from the 2022 McKinney, Mill and Mountain wildland fires.

Mr. Schenone provided an update regarding post-fire activities to clean up areas impacted by recent wildfires and introduced Disaster Services Coordinator Owen Cabo Dal Molin who would be assisting in those efforts.

Discussion followed between members of the Board, Ms. Schenone and Community Development Director Rick Dean regarding the potential impacts associated with the 100-year flood plain requirements on rebuilding efforts along the Klamath River and other burned areas and associated with future removal of the Klamath River Dams.

The Chair opened this item to public comments.

Audience member Steve Radford spoke in support utilizing a grandfather clause to assist in rebuilding homes after the recent wildfires.

**Public Hearings** - Community Development - Planning Division - Public hearing for the first reading of the Kidder Creek Orchard Camp zone change ordinance. Public hearing continued to December 13, 2022.

This was the time set for a public hearing for the first reading of the Kidder Creek Orchard Camp zone change ordinance.

Chair Criss opened the public hearing.

Chair Criss advised that the Community Development Planning Division requested that this item be continued to the December 13, 2022 Board meeting.

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 continue the public hearing for the first reading of the zone change ordinance to December 13, 2022.

**County Administration** - Presentation re proposed Youth Art Project for ages 0 - 18 years. Presentation only.

County Administrator Angela Davis provided an overview of the request, advising of plans to promote a program to highlight art works from children, ages 0-18 years, and locate those artworks in the County's Government Center lobby. Ms. Davis advised that Public Information Officer Ali Kutzer would be working with local schools to promote the project.

Supervisor Haupt requested that those submissions be forwarded to Congressman Doug LaMalfa's Office.

**County Administration** - Presentation of an update on American Rescue Plan Act (ARPA) projects and compliance reporting. Presentation and discussion only.

Deputy County Administrator Sherry Lawson provided an overview of the request, including a summary of the various projects identified to utilize American Rescue Plan Act (ARPA) funding. Ms. Lawson additionally summarized the process utilized by the County's ARPA committee to identify the various projects and approve the funding request.

Brief discussion followed between members of the Board and Ms. Lawson regarding plans to retain a structural engineer to consult on facility/building repairs, various projects identified on the list and funding approval deadline of June 2024 with spending to be completed in 2026.

**County Administration** - Discussion, direction and possible action re request to approve a one-time retention bonus in the amount of \$500 per eligible employee, using Local Assistance and Tribal Consistency Fund (LATCF) funds. Approved.

Deputy County Administrator Sherry Lawson provided an overview of the request to provide a one-time \$500 retention bonus to eligible County employees from funding the county receive from the Local Assistance and Tribal Consistency Fund (LATCF).

Following brief discussion between members of the Board and Ms. Lawson regarding participation by County staff and a Board of Supervisors' representative on the committee to review possible LATCF funding projects, 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 approve a one-time retention bonus in the amount of \$500.00 per eligible employee, using LATCF funds, to be disbursed on December 16, 2022.

**County Administration – Personnel** - Discussion, direction and possible action re Resolutions regarding certain terms and conditions of employment for Confidential employees, Appointed Department Heads, Elected Department Heads and Assistant Department Heads, providing a one-time \$500 retention bonus to eligible employees and regarding standby pay for employees in Assistant Department Head classifications, effective December 11, 2022. Resolutions 22-194, 22-195, 22-196 and 22-197 adopted.

Deputy County Administrator Melissa Cummins provided an overview of the request, including the provision of a one-time \$500 retention bonus for eligible employees and revising the provision of Stand-by pay for certain Assistant Department Heads.

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 adopt Resolutions 22-194 (Confidential employees), 22-195 (Appointed Department Heads), 22-196 (Elected Department Heads) and 22-197 (Assistant Department Heads).

**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 and other qualified appointees as detailed in the agenda packet. Two appointments in lieu of election were made to the Happy Camp Fire Protection District.

Deputy County Clerk Wendy Winningham provided an overview of the request to make appointments in lieu of election to the Tennant Community Services District (CSC) and the Happy Camp Fire Protection District (FPD). Ms. Winningham advised that it came to the Clerk's attention following the November 1, 2022 Board meeting that three appointments in lieu of election made to the Happy Camp Fire Protection should have been to full-term positions rather than short-term. In addition, Ms. Winningham advised that the Happy Camp FPD now had two short-term positions available to be filled and that local residents Pedro Damian Torres and Justina Harrison were both eligible and willing to fill the remaining positions.

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 appoint in lieu of election to the Happy Camp Fire Protection District, Pedro Damian Torres and Justina Harrison, for short terms, December 3, 2022 through December 6, 2024.

Ms. Winningham advised that the three positions appointed in lieu of election to the Happy Camp Fire Protection District on November 1, 2022 would reflect full-terms, December 3, 2022 through December 4, 2026.

Supervisor Criss advised that he had no appointments in lieu of election to make for the Tennant CSD as the District currently had a quorum. No appointments in lieu of election were made.

**Public Hearings - Community Development - Planning Division -** Continued public hearing for the second reading of an Ordinance reclassifying land in the unincorporated community of Yreka from Prime Agricultural (AG-1) to light industrial (M-M) on APN 013-120-230 and Heavy Industrial (M-H) on APN 013-230-330; Township 36 North, Range 7 West, Section 36, MDB&M, for the Goodwin Zone Change (Z-21-02) and Use Permit (UP-21-06) Project and adopt Resolution to approve the Goodwin Use Permit (UP-21-06), make all required findings under the California Environmental Quality Act CEQA), including adopting a Mitigated Negative Declaration (MND) and Adopting a Mitigation Monitoring Report Program (MMRP). Ordinance 22-20 and Resolution 22-198 adopted.

This was the time set for a continued public hearing for the second reading of an ordinance reclassifying land in the unincorporated community of Yreka from Prime Agricultural (AG-1) to light industrial (M-M) on APN 013-120-230 and Heavy Industrial (M-H) on APN 013-230-330; Township 36 North, Range 7 West, Section 36, MDB&M, for the Goodwin Zone Change (Z-21-02) and Use Permit (UP-21-06) Project, having been introduced on November 1, 2022.

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

Planning Director Hailey Lang appeared before the Board, providing an overview of the request to adopt a zone change Ordinance and a Resolution approve a Use Permit and Mitigated Negative Declaration and Mitigation Monitoring Report Program.

In response to Ms. Winningham and County Counsel Edward J. Kiernan, Ms. Lang advised that the Ordinance contained a typographical error in the title with regard to APN 013-230-230, which should read APN 013-230-330.

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

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

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to introduce, waive, and adopt the second reading of an Ordinance 22-20 to rezone APN 013-120-230 from AG-1 to M-M and to rezone APN 013-120-330 from AG-1 to M-H; adopt a Resolution 22-198 approving the Goodwin Use Permit 21-06 and associated Mitigated Negative Declaration with a Mitigation Monitoring and Reporting Program.

**Public Hearings - County Administration -** Public hearing for the second reading of an ordinance amending Chapter 3 of Title 7 Section 7-3.03 of the Siskiyou County Code regarding the duties and qualifications of the Director of the Department of Public Works. Ordinance 22-21 adopted.

This was the time set for a public hearing for the second reading of an ordinance amending Chapter 3 of Title 7 Section 7-3.03 of the Siskiyou County Code regarding the duties and qualifications of the Director of the Department of Public Works, having been introduced on November 1, 2022.

The Chair opened the public hearing.

Deputy County Administrator Melissa Cummins provided an overview of the request.

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, the public hearing was declared closed.

It was moved by Supervisor Haupt, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to introduce, waive, adopt and approve the second reading of the Ordinance 22-21 amending Chapter 3 of Title 7 Section 7-3.03 of the Siskiyou County Code regarding the duties and qualifications for the Director of the Department of Public Works.



**Public Hearings - Community Development - Planning Division - Public hearing for the first reading of an ordinance reclassifying land northeast of the City of Weed from Non-Prime Agricultural (AG-2) to Highway Commercial (C-H) on APN's 019-080-060, 019-080-080, and 019-080-090 Township 43 North, Range 3 West, Section 9, MDB&M, for the Hickey Zone Change (Z-22-04) Project. First reading approved; public hearing continued for the second reading on December 13, 2022. 2<sup>nd</sup> on 12/13**

This was the time set for a public hearing for the first reading of an ordinance reclassifying land northeast of the City of Weed from Non-Prime Agricultural (AG-2) to Highway Commercial (C-H) on APN's 019-080-060, 019-080-080, and 019-080-090 Township 43 North, Range 3 West, Section 9, MDB&M, for the Hickey Zone Change (Z-22-04) Project.

The Chair opened the public hearing.

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

Senior Planner Rachel Jereb appeared before the Board, providing an overview of the request to change zoning on property located outside of the City of Weed from Non-Prime Agricultural to Highway Commercial. In addition, Ms. Jereb recommended that the project be consider exempt under the California Environmental Quality Act (CEQA) common sense exemption.

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

There were no public comments received.

It was moved by Supervisor Criss, seconded by Supervisor Kobseff 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 proposed Hickey rezoning to amend Zoning District Map 10-6.205-297; and direct the Clerk to schedule a continued public hearing on adoption of the CEQA exemption and a second reading of the ordinance amending Zoning District Map 10-6.205-297 on December 13, 2022.

**Public Hearings - Community Development - Planning Division - Public hearing for the first reading of an ordinance reclassifying land in the unincorporated area of Fort Jones from Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80) to Rural Residential Agricultural, 40-acre minimum parcel size (R-R-B-40) on APNs: 023-270-110, 023-270-310, 023-270-390, and 024-190-140; Township 43 North, Range 8 and 9 West, Section 25 and 30, MDB&M, for the Blais Zone Change (Z-22-01) project. First reading approved; public hearing continued for the second reading to December 13, 2022.**

This was the time set for a public hearing for the first reading of an ordinance reclassifying land in the unincorporated area of Fort Jones from Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80) to Rural Residential Agricultural, 40-acre minimum parcel size (R-R-B-40) on APNs: 023-270-110, 023-270-310, 023-270-390, and 024-190-140; Township 43 North, Range 8 and 9 West, Section 25 and 30, MDB&M, for the Blais Zone Change (Z-22-01) project.

The Chair opened the public hearing

Assistant Planner Shelley Gray appeared before the Board, providing an overview of the request to rezone property outside of the town of Fort Jones from Prime Agricultural to Rural Residential Agricultural to effect a proposed boundary line adjustment. In addition, Ms. Gray recommended the project be considered exempt under various California Environmental Quality Act (CEQA) exemptions.

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 were no public comments received.

In response to Supervisor Haupt, Ms. Gray advised that the project's applicant was requesting consolidating the Prime Agricultural soils into one parcel through the rezone and boundary line adjustment request.

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

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 Introduce, waive, and approve the first reading of the proposed Blais rezoning to amend Zoning District Map 10-6.205-323; and direct the Clerk to schedule a continued public hearing on adoption of the CEQA exemption and a second reading of the ordinance amending Zoning District Map 10-6.205-323 on December 13, 2022.

**Public Hearings - Community Development - Planning Division - Public hearing to consider adopting a Resolution to Revoke the Use Permit of Timberhitch Mine, (UP-7931) make all necessary findings required under the Siskiyou County Code and Determine the Project Exempt from the California Environmental Quality Act (CEQA). Resolution 22-199 adopted.**

This was the time set for a public hearing to consider adopting a Resolution to Revoke the Use Permit of Timberhitch Mine, (UP-79-31) make all necessary findings required under the Siskiyou County Code and Determine the Project Exempt from the California Environmental Quality Act (CEQA).

The Chair opened the public hearing.

Planning Director Hailey Lang appeared before the Board, providing an overview of the request, advising that the Planning Commission found that the mine operator was not financially able to reclaim the mine. Ms. Lang further advised that the County was now required to reclaim the site under the rules of the Surface Mining and Reclamation Act (SMARA). Ms. Lang further advised that the Planning Commission recommended revocation of the Use Permit (UP-79-31).

Community Development Director Rick Dean advised that the Planning Commission recommended that the County pursue recovery of the cost of the mine site cleanup to the fullest extent possible.

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, the public hearing was declared closed.

Following discussion between members of the Board, Ms. Lang and County Counsel Edward J. Kiernan regarding possible litigation related to the mine site or operator and the lack of a bond to cover the cost of reclamation, it was moved by Supervisor Criss, seconded by Supervisor Valenzuela to Adopt the recommended Resolution 22-199 revoking the use permit of Timbehiitch Mine (UP-79-31) and determining the project exempt from the California Environmental Quality Act pursuant to 14 CCR 15321, with the County to pursue recovery of the cost of the mine site cleanup to the fullest extent possible.

**Public Hearings - Community Development - Planning Division - Continued public hearing to consider adopting Resolutions approving the Rescission and Re-entry of existing Williamson Act Contracts and approving the amendments to three existing Agricultural Preserves under Application APA-22-03 for the Woodson Agricultural Preserve Amendment and Williamson Act Contract Rescission and Re-entry project (APA-22-03) for property located near the community of Macdoel, CA. Resolutions 22-200 and 22-201 adopted.**

This was the time set for a continued public hearing to consider adopting Resolutions approving the Rescission and Re-entry of existing Williamson Act Contracts and approving the amendments to three existing Agricultural Preserves under Application APA-22-03 for the Woodson Agricultural Preserve Amendment and Williamson Act Contract Rescission and Re-entry project (APA-22-03) for property located near the community of Macdoel, CA., having been continued from November 1, 2022.

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

Vice Chair Valenzuela opened the continued public hearing.

Assistant Planner Bernadette Cizin provided an overview of the request to rescind approximately 240 acres from and amend an existing Agricultural Preserve and Williamson Act contract, as one parcel was not legally created. Ms. Cizin advised that a new Ag Preserve/Williamson Act contract was not being created, although approximately 120 acres were being added. Ms. Cizin recommended that the project be found exempt from the California Environmental Quality Act (CEQA) open space easement exemption. Continued...

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

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

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

Discussion followed between members of the Board and Ms. Cizin regarding the acreage currently on the County's tax rolls, the process for the property owner to apply to include that acreage in an Agricultural Preserve/Williamson Act contract, the net increase of 160 acres within Agricultural Preserve/Williamson Act contract and the reason 120 acres were within non-renewal status.

Supervisor Valenzuela shared concerns regarding the increased number of acres that would now be within the Williamson Act contract program.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff and Ogren voting YES, Supervisor Valenzuela voting NO and Supervisor Criss RECUSED to determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15317, Open Space Easements or Contracts; and adopt the attached Resolution 22-200 approving the rescission and reentry of the applicable Williamson Act contract; and adopt the attached Resolution 22-201 approving the amendment of the existing Agricultural Preserves and establish a new Agricultural Preserve.

**Public Hearings - Community Development - Planning Division - Public hearing to consider adopting Resolutions approving the Rescission and Re-Entry of Existing Williamson Act Contracts and approving an Amendment to Three Existing Agricultural Preserves under Application APA-21-05 for the Conrads Family Investments Williamson Act Rescission and Re-entry project. Resolution 22-202 and 22-203 adopted.**

This was the time set for a public hearing to consider adopting Resolutions approving the Rescission and Re-Entry of Existing Williamson Act Contracts and approving an Amendment to Three Existing Agricultural Preserves under Application APA-21-05 for the Conrads Family Investments Williamson Act Rescission and Re-entry project.

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

Vice Chair Valenzuela opened the public hearing.

Assistant Planner Bernadette Cizin provided an overview of the request to include 6.09 acres into Agricultural Preserve/Williamson Act contract and recommended that the project be considered exempt from the California Environmental Quality Act (CEQA).

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

Ms. Cizin advised that the Planning Department received a 'no objections' letter from the Agriculture Department as correspondence.

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

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Ogren voting YES and Supervisor Criss RECUSED to determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15317, Open Space Easements or Contracts; and adopt the attached Resolution 22-202 approving the rescission and reentry of the applicable Williamson Act contract; and adopt the attached Resolution 22-203 approving the amendment of the existing Agricultural Preserves and establish a new Agricultural Preserve.

**Public Hearings** - Community Development - Planning Division - Public hearing to consider adopting Resolutions approving the Rescission and Re-Entry of Existing Williamson Act Contracts and approving an Amendment to Two Existing Agricultural Preserves under Application APA-22-07 for the Stephen and Pamela Townley Williamson Act Rescission and Re-entry project. Resolutions 22-204 and 22-205 adopted.

This was the time set for a public hearing to consider adopting Resolutions approving the Rescission and Re-Entry of Existing Williamson Act Contracts and approving an Amendment to Two Existing Agricultural Preserves under Application APA-22-07 for the Stephen and Pamela Townley Williamson Act Rescission and Re-entry project.

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

Vice Chair Valenzuela opened the public hearing.

Assistant Planner Bernadette Cizin provided an overview of the request to rescind property from one Agricultural Preserve with multiple property owners and establish one Agricultural Preserve under one owner and recommended that the project be considered exempt from the California Environmental Quality Act (CEQA).

In response to the Vice Chair, Deputy County Clerk Wendy Winingham advised that the Clerk's Office had not received any correspondence related to this issue.

Ms. Cizin advised that the Planning Department received a 'no objections' letter from the Agriculture Department as correspondence.

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

It was moved by Supervisor Ogren, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Ogren voting YES and Supervisor Criss RECUSED to Determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15317, Open Space Easements or Contracts; and adopt the attached Resolution 22-204 approving the rescission and reentry of the applicable Williamson Act contract; and adopt the attached Resolution 22-205 approving the amendment of the existing Agricultural Preserves and establish a new Agricultural Preserve.

Chair Criss returned to the Board Chambers.

**Appointments - County Clerk** - Appointment of three members to the scheduled vacancies on the Shasta Valley Resource Conservation District, for terms ending November 26, 2026. Ryan Walker appointed; remaining vacancies continued to a later date.

Deputy County Clerk Wendy Winingham provided an overview of the request, advising that the Clerk's Office received a letter of interest in re-appointment from incumbent Ryan Walker.

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint Ryan Walker to the scheduled vacancy on the Shasta Valley Resource Conservation District, for a term ending November 26, 2026 and continue the two remaining vacancies to a later date.

**Appointments - County Clerk** - Appointment of three members to the scheduled vacancies on the Siskiyou Resource Conservation District, for terms ending November 26, 2026. Caroline Luiz appointed; remaining vacancies continued to a later date.

Deputy County Clerk Wendy Winingham provided an overview of the request, advising that the Clerk's Office received a letter of interest in re-appointment from incumbent Caroline Luiz.

It was moved by Supervisor Haupt, seconded by Supervisor Criss and carried, with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint Caroline Luiz to the scheduled vacancy on the Siskiyou Resource Conservation District, for a term ending November 26, 2026 and continue the two remaining vacancies to a later date.

Supervisor Haupt request clarification, from County Administration and/or Natural Resources, of the Siskiyou RCD being designated to coordinate on water projects within the County.

**Appointments - County Clerk** - Appointment of one member to the scheduled vacancy on the Public Health Solid Waste Hearing Panel, Technical representative, for a term ending December 1, 2026. Jose Hernandez appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that the Clerk's Office received a letter of interest from Professional Engineer Jose Hernandez, who was eligible to serve as Technical representative.

It was moved by Supervisor Criss, seconded by Supervisor Ogren and carried, with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint Jose Hernandez, PE C90911, to the scheduled vacancy on the Public Health Solid Waste Hearing Panel, Technical position, for a four-year term ending December 1, 2026.

**Minute Approval** - November 1 and 10, 2022. Approved.

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 the November 1, 2022 and November 10, 2022 minutes as presented.

**Public Hearings** - Community Development - Planning Division - Public hearing to consider adopting Resolution approving the draft 2022-2030 Siskiyou County Housing Element. Resolution 22-206 adopted.

This was the time set for a public hearing to consider adopting Resolution approving the draft 2022-2030 Siskiyou County Housing Element.

Chair Criss opened the public hearing.

Planning Director Hailey Lang provided an overview of the request and introduced Housing Tools representative James Coles.

Mr. Coles appeared before the Board and presented a powerpoint presentation, including an overview of the timelines associated with developing an update to the County's General Plan Housing Element. Mr. Coles additionally summarized various mandated topics to be addressed within the Housing Element following legislative action taken (i.e. Accessory Dwelling Units (ADUs), Fair Housing assessment, etc.).

Discussion followed between members of the Board, Mr. Coles, Senior Planner Rachel Jereb, Community Development Director Rick Dean and County Counsel Edward J. Kiernan regarding potential impacts associated with the various mandates, the County's adequate sites inventory and needs assessment survey statistics, anticipated uses of ADUs and possible impact of mandates on the Scott Valley Area Plan.

Mr. Coles concluded the powerpoint, summarizing the next steps in the process after approval of the draft Housing Element.

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

In response, Ms. Jereb read a letter from Mica Dobush, stating support for efforts to develop 'tiny houses' or 'homes on wheels', into the record

The Chair opened the item to public comment.

Yreka City Manager Jason Ledbetter read a comment letter, stating support for efforts for the County to coordinate with local cities/jurisdictions on development of a multi-jurisdictional Housing Element, into the record.

Further discussion followed, including Mr. Ledbetter and Mr. Dean, regarding his request related to multi-jurisdictional housing element and clarification of the differences between ADUs and vacation rentals.

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

Discussion followed, including Deputy County Counsel William Carroll and County Counsel Edward J. Kiernan regarding the upcoming deadline to submit the draft Housing Element to the State Office of Housing and Community Development (HCD) for review and the process to approve the final Housing Element after that review.

Continued...

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

Following further discussion regarding the need to consider how the Element affects the Scott Valley Area Plan and the potential impacts associated with the unfunded mandates, it was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Kobseff, Valenzuela, Ogren and Criss voting YES and Supervisor Haupt ABSTAINING to adopt the recommended Resolution 22-206 approving the draft 2022-2030 Siskiyou County Housing Element.

**Board and Staff Reports**

County Administrator Angela Davis wished Supervisor Nancy Ogren a happy birthday.

**Closed Session -** 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 legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), five cases, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), one case, commenced at 1:10p.m., concluded at 2:50p.m., with action taken.

**Report On Closed Session**

County Counsel Edward J. Kiernan announced that closed session concluded at 2:50p.m., with the following reportable action taken:

With regard to item 14F, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Lee Hawj, et al., v. County of Siskiyou, et al., United States District Court, Eastern District of California, Sacramento Division, Case No. 2:22-cv-01978, Mr. Kiernan advised that on a 5/0 vote, it was moved by motion by Supervisor Kobseff, seconded by Supervisor Valenzuela, the Board approved the county to defend the suit.

In addition, Mr. Kiernan advised that with regard to item 14C, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Kevin Loynachan, et al., v. Darlene Smiley, in her official capacity as a law enforcement officer for Siskiyou County Sheriff's Office, et al., United States District Court, Eastern District of California, Sacramento Division, Case No. 2:22-cv-00841-WBS-JDP, Supervisor Ogren was recused from 2:11p.m., to 2:15p.m. With regard to item 14D, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), name of case: In the Matter of the License Surrender Proceedings for the Lower Klamath Project: Federal Energy Regulatory Commission proceedings: No P-2082-063 and 14803-001, Supervisor Criss stepped out from 2:18p.m. to 2:19p.m.

**Adjournment -** There being no further business to come before the Board of Supervisors, the meeting was adjourned in honor of former District 2 Supervisor LaVada Erickson's memory.

Attest:  
Laura Bynum, County Clerk

\_\_\_\_\_  
Brandon A. Criss, Chair

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