

# State of California, County of Siskiyou

## Board of Supervisors Minutes, May 2, 2023

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 2<sup>nd</sup> day of May 2023; 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 Clerk Wendy Winningham.

The meeting was called to order by Chair Valenzuela. Pursuant to AB23, the Clerk announced that the Board members receive no additional compensation for sitting as members of the Siskiyou County Flood Control and Water Conservation District, County Service Area 3 and County Services Area 4. Supervisor Criss 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**

There were no presentations from the public.

### **Consent Agenda – Approved.**

At Supervisor Kobseff's request, item 5A, County Administration's Resolution establishing a policy for negotiation of tax sharing agreements made pursuant to Revenue and Taxation Code Section 99 and item 5H, General Services' Assignment of Rights and Assumption of Obligations under fuel service agreement for the Siskiyou County Airport between the County and Vali Aviation, LLC from Eagle's Nest Aviation Services, LLC, were pulled from the consent agenda for discussion.

At Supervisor Ogren's request, item 5B, County Administration's Resolution in support of the CSAC 'AT HOME' Plan was pulled from the consent agenda for discussion.

At Supervisor Haupt's request, item 5G, County Clerk's Resolution authorizing the Elections Office to not print the list of proponents and opponents of local measures on County ballots for all future elections, was pulled from the consent agenda for discussion.

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

County Administration  
Ratify the letter in support of AB 1448.

County Administration  
Ratify the letter in support of SB 753.

County Administration  
Ratify the letter in support of SB 820.

County Administration - Personnel  
Approve new job class specifications for Solid Waste Site Attendant and Transportation Commission Program Manager, effective May 14, 2023; adopt Resolution P 23-74 amending the Siskiyou County Salary Schedule and Position Allocation List regarding Solid Waste Site Attendant, Transportation Commission Program Manager (1.0) FTE, Institutional Cook and Jail Food Services Manager range adjustments, effective May 14, 2023.

Health and Human Services - Behavioral Health Division  
Approve and authorize the Chair to sign the First Addendum to our Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Thomas Milam MD, Inc. DBA Iris Telehealth Medical Group for the term of July 1, 2022 through June 30, 2024.

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**Consent Agenda – (continued)**

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the First Addendum to the Contract for services between Siskiyou County Health and Human Services Agency – Public Health Division and Catherine Olivolo for the term of the contract through June 30, 2026, in the amount NTE \$200,000.00.

Office of Emergency Services

Approve the Siskiyou County Office of Emergency Services receiving the 2022 Homeland Security Grant for \$116,808 and authorize the Auditor-Controller to create an activity code and establish budget as outlined in the grant guidance.

Transfer of Funds - County Library - \$7,000. Resolution 23-75 adopted.

Transfer of Funds - Emergency Services - \$101,808. Resolution 23-77 adopted.

Transfer of Funds - Human Services - \$10,000. Resolution 23-76 adopted.

Transfer of Funds - Public Health Department - \$141,717. Resolution 23-78 adopted.

Transfer of Funds - Public Health Department - \$11,903. Resolution 23-79 adopted.

Transfer of Funds - Public Health COVID-19 HPP Supplemental - \$9. Resolution 23-80 adopted.

Transfer of Funds - Solid Waste Disposal - \$2,000. Resolution 23-81 adopted.

Transfer of Funds - Siskiyou Transit and General Express - \$99,860. Resolution 23-82 adopted.

**County Administration** - Adopt Resolution establishing a policy for negotiation of tax sharing agreements made pursuant to Revenue and Taxation Code Section 99 for city annexations or detachments. Resolution 23-83 adopted.

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

In response to Supervisor Kobseff, Deputy County Administrator Elizabeth Nielsen appeared before the Board and summarized the process for determining the County and city percentage/portion of the tax base related to city annexations and detachments of property.

Following brief discussion between Supervisor Kobseff and Ms. Nielsen regarding proposed tax base percentages related to annexations/detachments, those percentages related to increment (improvements on the property) and the anticipated process to seek Board input/approval for proposals outside of the Resolution's recommended policies, it was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to approve the Resolution 23-83 and authorize the Chair to sign.

**County Administration** - Adopt Resolution in support of the CSAC 'AT HOME' Plan related to the Coalition for Accountability to make meaningful progress on homelessness. Resolution 23-84 adopted.

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

At Supervisor Ogren's request, Health and Human Services Agency Director Sarah Collard summarized the Department's various homelessness programs, associated grant funding opportunities and partnerships for addressing homelessness in the County.

Discussion followed between members of the Board and Ms. Collard regarding the potential number of homeless individuals/families that could be accommodated in local facilities, various challenges associated with limited Department staff to facilitate the current and upcoming programs, the need to support local homeless persons (build capacity) and the potential hazards (wildfire, etc.) associated with homeless camps around the County.

It was moved by Supervisor Valenzuela, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to approve the Resolution 23-84 and authorize the Chair to sign.

**County Clerk** - Adopt Resolution authorizing the Elections Office to not print the list of proponents and opponents of local measures on County ballots for all future elections. No action taken.

This item was pulled from the consent agenda at Supervisor Haupt's request. Supervisor Haupt requested information regarding the costs associated with listing proponents/opponents on County ballots.

Deputy County Clerk Wendy Winningham advised of the need to correct a typographical error in the first paragraph, correcting the date from 2002 to 2022.

Later in the meeting, County Clerk Laura Bynum appeared before the Board. Ms. Bynum provided an overview of Assembly Bill 1416 (AB 1416) that requires the listing of proponents and opponents of those measures on election ballots and Election Code §9170 that allows opting out of the requirement.

Supervisors Haupt and Kobseff shared concerns regarding the need to identify those entities supporting or opposing local measures placed before voters.

Following discussion between members of the Board and Ms. Bynum regarding the potential doubling of the costs associated with printing ballots with the additional information, only four California counties that are not opting out of the requirement, the inability of the Clerk to require that proponents/opponents reimburse the County for increased printing costs, the limited availability of news outlets to inform the public of upcoming measures and the estimated per ballot costs associated with the listing requirement, no action was taken.

**General Services – Airports** - Approve Assignment of Rights and Assumption of Obligations under fuel service agreement for the Siskiyou County Airport between the County and Vali Aviation, LLC from Eagle's Nest Aviation Services, LLC. Approved.

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

In response to Supervisor Kobseff, Transportation Services Coordinator Steven Serdahl appeared before the Board, advising that a similar request related to the Fixed Base Operator (FBO) at the Weed Airport had been completed recently. Mr. Serdahl provided a brief overview of the request to for Vali Aviation, LLC to assume the fuel operations at the Siskiyou County Airport from Eagles Nest Aviation Services, LLC.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to authorize the Chair to execute the Assignment of Rights and Assumption of Obligation under the Fuel Service Agreement for Siskiyou County Airport between the County of Siskiyou and Vali Aviation.

**Public Requests** - Klamath National Forest - Presentation re management projects within the County, upcoming fire season preparations, opportunities for utilization of the Master Stewardship Agreement, the Sierra Nevada Conservancy and Grayback Road. Presentation and discussion only.

Shasta-Trinity (Shasta-T) National Forest Supervisor Rachel Birkey, Shasta-T District Ranger Carolyn Napper and Klamath National Forest (KNF) Deputy Supervisor Kristen Sexton appeared before the Board.

Ms. Birkey distributed and presented an eight-page powerpoint presentation entitled: Wildfire Crisis Strategy, including an overview of the national strategy to significantly reduce wildfire risks by utilizing science-based forest treatments. Ms. Birkey summarized the legislation that initiated the 10-year strategy and the various types of wildfire strategy landscapes, advising that there were projects selected within the Klamath River Basin (KRB), which includes five National Forests.

Ms. Sexton and Ms. Napper continued the powerpoint, including an overview of four projects situated in the KNF and their associated readiness level (planning stage, etc.) and two projects situated in the Shasta-T.

Ms. Sexton provided an overview of the plans for 2024, advising that the wildfire crisis strategy was a number one priority for the National Forest system.

Ms. Napper provided an overview of various projects and opportunities to be provided by the Master Stewardship Agreement with the County and the Sierra Nevada Conservancy funding opportunities to implement projects on forestlands in the County.

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**Public Requests - Klamath National Forest – (continued)**

Ms. Birkey and Ms. Sexton provided an update regarding various forest road projects in the KNF and Shasta-T, including Pilgrim Creek Road, Everitt Memorial Highway and Grayback Road and each summarized the staffing and equipment anticipated for the 2023 fire season. Ms. Birkey additionally provided an overview of the national wildfire potential outlook, from May to August 2023.

Discussion followed between members of the Board, Ms. Birkey, Ms. Sexton and Ms. Napper regarding possible benefits associated with partnering with the North Coast Resource Partnership (NCRP) on various vegetation management projects, the status of Pilgrim Creek and Esperanza Roads near McCloud, coordination efforts between national, state and local fire personnel and firesafe councils, the need to address vegetation management on non-forest lands next to managed forest lands, the Klamath Basin coordinator position, the anticipated processes for implementing the various identified projects, the differences between stewardship agreements and good neighbor coordination, fire management policies and the importance of Grayback Road as ingress/egress for Happy Camp and down river residents.

**Public Works - Road Department - Discussion, direction and possible action re an Urgency Ordinance reducing a speed limit and thereby amending Section 3-4.609 of Article 6 of Chapter 4 of Title 3 of the Siskiyou County Code regarding a speed limit change on County Road A-12 from 55mph to 45mph. Urgency Ordinance 23-03 adopted.**

Public Works Director Tom Deany appeared before the Board, presenting and summarizing a one-page map of the length of County Highway A-12, near Big Springs Elementary School, proposed for a lower speed limit. Mr. Deany additionally provided an overview of the traffic study/speed survey results, recommending adoption of the Urgency Ordinance, which would reduce the speed along the road section from 55mph to 45mph.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to approve and adopt Urgency Ordinance 23-03 amending Section 3-4.609 to reduce speed limit on County Road A12 (6K01) from 55mph to 45mph from eastbound at post mile 7.27 and westbound at post mile 8.52.

**County Administration - Discussion, direction and possible action re a request from the City of Mt. Shasta to pursue an associated joint jurisdiction Enhanced Infrastructure Financing District (EIFD). Presentation and discussion only.**

County Administrator Angela Davis provided a brief overview of the request, including the definition of an Enhanced Infrastructure Financing District (EIFD) to provide Tax Increment Financing (TIF) through various means, including a joint city/county agreement or sole jurisdiction. Ms. Davis introduced Mt. Shasta City Manager Todd Juhasz to summarize the city's request to partner with the County in an EIFD.

Mr. Juhasz appeared before the Board, providing an overview of the TIF/EIFD process and various vacant sites/properties located in Mt. Shasta that could benefit from EIFD funding. Mr. Juhasz spoke in support of the city and county partnering as a method to fund infrastructure on various sites, which could then be sold to become property tax generating properties.

Discussion followed between members of the Board and Mr. Juhasz regarding the shorter timeframe in which infrastructure could be funded should the city and county partner in an EIFD (3 years versus 8 years), the potential funding options and associated timeframes for properties to become revenue generating, the history of various vacant Mt. Shasta properties and the selling difficulties associated with lack of infrastructure on those vacant properties.

Members of the Board shared concerns regarding the need for additional information, including possible fiscal impacts, associated with an EIFD and support for County staff researching the issue further.

It was the consensus of the Board to direct staff to research/analyze the City of Mt. Shasta's request further and provide a report back to the Board.

Mt. Juhasz recommended that County staff review the EIFD summary prepared by Kosmont Companies.

**Public Hearings** - Community Development - Public hearing to consider Resolutions naming three unnamed private roads as "Joy Place", "Gene Court" and "Lilly Loop" in Supervisorial District 5, for the project located south of the City of Etna, CA. Resolutions 23-85 (Joy), 23-86 (Gene), 23-87 (Lilly) adopted.

This was the time set for a public hearing to consider Resolutions naming three unnamed private roads as "Joy Place", "Gene Court" and "Lilly Loop" in Supervisorial District 5, for the project located south of the City of Etna, CA.

The Chair opened the public hearing.

Assistant Planner Shelley Gray appeared before the Board, providing an overview of the request to name three unnamed roads located on the JH Ranch property in Scott Valley and recommending that the roads be named in order to meet State fire safe regulations.

In response Chair Valenzuela, 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.

It was moved by Supervisor Haupt and seconded by Supervisor Criss to approve Resolutions naming three unnamed private roads in Supervisorial District 5 - "Joy Place", "Gene Court", and "Lilly Loop", with the Chair authorized to sign the Resolutions. Following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, the motion to adopt Resolutions 23-85 (Joy Place), 23-86 (Gene Court) and 23-87 (Lilly Loop) carried unanimously.

**Public Hearings** - Community Development - Continued public hearing for discussion, direction and possible action re presentation of a vacation rental analysis report and identified policy recommendations. Continued to July 11, 2023.

This was the time set for a continued public hearing for discussion, direction and possible action re presentation of a vacation rental analysis report and identified policy recommendations, having been continued from March 21, 2023.

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

Planning Director Hailey Lang appeared before the Board, reporting on her attendance at a recent McCloud Community Services District (CSD) meeting, summarizing various comments received with regard to the County's vacation rental analysis (from the CSD and public), including concerns regarding possible loss of CSD grant funding if too many homes in McCloud become second homes/vacation rentals, limited amount of vacation rental off-street parking, increased garbage and the suggested 10% cap on the number of vacation rental permits in McCloud as too high. Ms. Lang additionally summarized concerns after discussing vacation rentals with the McCloud Chamber of Commerce staff. Ms. Lang advised that, following review of the County's Williamson Act Guidelines, the rental of units on property in a Williamson Act contract would need to be tied to the agricultural use of the property and that the type of vacation rentals being discussed/analyzed/regulated were un-hosted rentals where the homeowner is not in the home at the time of the rental. Ms. Lang further advised that recent State legislation prohibits short-term (vacation rentals) on Accessory Dwelling Units (ADUs).

Ms. Lang requested input with regard to processing current vacation rental Use Permits (grandfather in or set a sunset date for conversion to an Activity Permit).

Grenada Gardens representative Mike Burstein appeared before the Board, presenting and summarizing a letter requesting that current County restrictions on short-term rentals be lifted, in order that Grenada Gardens residents' families to stay locally when visiting family members.

McCloud resident Darlene Mathis appeared before the Board, sharing concerns regarding the suggested 10% cap on vacation rental permits and the potential negative impacts associated with an increasing number of vacant and short-term rental homes.

McCloud resident Angelina Cook appeared before the Board, sharing concerns regarding the suggested 10% cap on vacation rental permits.

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

Supervisor Ogren spoke in support of increasing workforce housing in the County's Housing Element development process.

Supervisor Kobseff suggested that the vacation rental moratorium remain in place in McCloud until additional research can be done with regard to the short-term rental permit cap.

Supervisor Valenzuela spoke in support of the 2.5 acre minimum remaining in place for the South County region.

In response to Supervisor Valenzuela, Ms. Lang clarified the process related to determining the percentage of vacation rentals, the community vacancy rates and the cap on the number of permits issued.

Discussion followed between members of the Board and Ms. Lang regarding the anticipated process for reviewing permits issued to property owners versus permits issued on the property (land), a potential process to phase in holders of current Use Permits into the new Activity Permit system and the possible need to modify Williamson Act Guidelines concerning compatible uses (to include short-term rentals).

In response to Chair Valenzuela, Deputy County Clerk Wendy Winningham advised that the Clerk's Office received correspondence concerning this item from: Angelina Cook, Shelley Cain/McCloud Elementary School, Darlene Mathis and Sarah Dhillon.

Following brief discussion, including Ms. Winningham, regarding the need to continue the public hearing to allow staff to work on and incorporate the Board's input concerning McCloud's concerns, the public hearing was continued to July 11, 2023.

Supervisor Criss returned to the Board Chambers.

**Public Hearings - Community Development - Continued public hearing to consider the second reading of an Ordinance reclassifying land in the unincorporated community of Greenview from Timber Production Zone (TPZ) to Rural Residential (R-R) on APN 025-370-380; Township 42 North, Range 10 West, Section 01, MDB&M; adopt Resolution to approve the Kidder Creek Orchard Camp Use Permit application (UP-11-15), approve the project's Environmental Impact Report and adopt Project Alternative Number 4 (Reduced Occupancy) and adopt a Mitigation and Monitoring Reporting Plan for the Kidder Creek Orchard Camp Zone Change (Z-14-01) and Use Permit (UP-11-15) project. Second reading approved; Ordinance 23-04 and Resolution 23-88 adopted.**

This was the time set for a continued public hearing consider the second reading of an Ordinance reclassifying land in the unincorporated community of Greenview from Timber Production Zone (TPZ) to Rural Residential (R-R) on APN 025-370-380; Township 42 North, Range 10 West, Section 01, MDB&M; adopt Resolution to approve the Kidder Creek Orchard Camp Use Permit application (UP-11-15), approve the project's Environmental Impact Report and adopt Project Alternative Number 4 (Reduced Occupancy) and adopt a Mitigation and Monitoring Reporting Plan for the Kidder Creek Orchard Camp Zone Change (Z-14-01) and Use Permit (UP-11-15) project, having been introduced on April 18, 2023.

The Chair opened the continued public hearing.

Planning Director Hailey Lang appeared before the Board, summarizing various mitigations and conditions added to the Kidder Creek Orchard Camp (KCOC) Use Permit project, related to fire suppression, local enforcement of the Permit, phased in occupancy maximums, domestic groundwater well usage and adherence to fire codes 4290 and 4291. Ms. Lang additionally provided an overview of the proposed zone change Ordinance.

In response to the Chair, Deputy County Clerk Wendy Winningham advised that the Clerk's Office received correspondence concerning this item from: Betsy Stapleton, Michael Stapleton, Anne Marsh, Melinda Perlman and Jennifer Buckman/Bartkiewicz, Kronick and Shannahan, PC.

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## **Public Hearings - Community Development – (continued)**

Scott Valley resident Michael Stapleton appeared before the Board, presented a one-page copy of North Coast Regional Water Quality Control Board email and shared concerns regarding the potential negative impacts associated with the proposed occupancy maximum numbers for the KCOC project.

Mr. Stapleton further voiced concerns regarding the potential for the KCOC project to become problematic similar to the JH Ranch.

Audience member Brenda Phillips appeared before the Board, presenting and summarized a one-page letter expressing concerns regarding the proposed KCOC fire evacuation plans and the proposed use of 2014 State fire 4290/4291 standards.

Audience member Freda Walker appeared before the Board, presenting and summarizing a letter from Albert Wagner expressing concerns regarding the KCOC project's potential violation of the Scott Valley Area Plan (SVAP).

Local resident Dee Jones appeared before the Board, voicing concerns regarding proposed maximum occupancy of 622, advising that Kidder Creek neighbors did not support the proposal and requested that the Board reconsider the maximum occupancy numbers.

Audience member Melinda Perlman appeared before the Board, voicing concerns regarding the project, including lack of a second emergency escape route from the area and the need to lower the occupancy maximum.

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

Caller Anne Marsh voiced concerns regarding the need for clarification regarding the maximum daily occupancy and for annual reviews of the Use Permit versus a five-year review.

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

Discussion followed between members of the Board, Ms. Lang, Mr. Dean and Mr. Schenone regarding the anticipated enforcement actions with regard to performance measures (mitigations/conditions placed within the Use Permit), the Use Permit application process that set use of the 2014 4290 standards, the anticipated use of current 4290 standards for construction of the secondary/egress road, the anticipated wildfire warning and evacuation processes to notify the public and camp, the language in the Use Permit concerning onsite occupancy and the various reviews and/or inspections planned for the project,

It was moved by Supervisor Haupt and seconded by Supervisor Kobseff to introduce, waive, and approve the second reading of the ordinance, changing the zoning of APN 025-370-380 from Timber Production Zone (TPZ) to Rural Residential (RR); and approve a resolution approving: (1) the Kidder Creek Orchard Camp use permit application, (2) certifying the project's Environmental Impact Report and adopt Project Alternative Number 4 (reduced occupancy), and (3) adopting a mitigation and monitoring reporting plan. Following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, the motion to adopt Ordinance 23-04 and Resolution 23-88 carried unanimously.

Supervisor Kobseff was excused for the remainder of the meeting and left the Board Chambers.

**Closed Session** - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), one case, Personnel pursuant to Government Code §54957, consider public employee appointment for the position of County Counsel commenced at 12:28p.m., concluded at 12:35p.m., with action taken.

### **Report On Closed Session**

County Counsel Edward J. Kiernan announced that closed session concluded at 12:35p.m., with reportable action taken.

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## **Report On Closed Session – (continued)**

With regard to item 12A, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Phillip Hoff, et al., v. County of Siskiyou, et al., United States District Court, Eastern District of California, Sacramento Division, Case No. 2:23-cv-00535, Mr. Kiernan advised that Supervisor Criss made the motion, Supervisor Haupt seconded it and the Board, by a vote 4/0, approved hiring counsel to defend the suit.

In addition, Mr. Kiernan advised that Supervisor Kobseff did not participate in closed session.

**Public Hearings - Board of Supervisors - Public hearing for an appeal filed by Luis Sinibaldi on the decision of the Siskiyou County Planning Commission on March 15, 2023 re the Sinibaldi/Mendoza Use Permit UP-22-04 project. Appeal denied; Resolution 23-89 adopted.**

This was the time set for a public hearing for an appeal filed by Luis Sinibaldi on the decision of the Siskiyou County Planning Commission on March 15, 2023 re the Sinibaldi/Mendoza Use Permit UP-22-04 project.

Chair Valenzuela opened the public hearing.

Assistant Planner Shelley Gray appeared before the Board and presented a powerpoint presentation regarding the Sinibaldi/Mendoza Use Permit UP-22-04 project, including an overview of the subject property and dwelling and the Planning Commission's reasons for denial (not compatible with neighboring properties and high likely threat to public health and safety. Ms. Gray summarized the potential public health and safety concerns with regard to ingress/egress into and from the property, the 18% slope of the road leading to the property, high wildfire impacts associated with touching tree canopy coverage and limited roadway maintenance during winter storms. Ms. Gray additionally advised that CalFire attempted to perform a 4290 inspection but was unable to access the property due to snow/ice and the 18% roadway grade.

Ms. Gray concluded the powerpoint presentation and was sworn in at 1:41p.m.

The Planning Department's packet was identified as Respondent Exhibit #1, a 56-page packet including Ms. Gray's Staff Report. The eight-page powerpoint presentation was identified as Respondent Exhibit #2.

In response to Chair Valenzuela, Deputy County Clerk Wendy Winingham summarized various correspondence received by the Clerk's Office regarding this item from: Pam Oakes, Craig and Cheryl Rosen, Chris and Valerie Yancey, Greg Nazareno, Karen Rogers and Pauli Robinson.

Audience member Bud Imlay appeared before the Board and was sworn in at 1:46p.m. Mr. Imlay testified regarding the process he utilizes for maintaining the private road during snow events.

Appellant Luis Sinibaldi appeared before the Board and was sworn in at 1:49p.m. Mr. Sinibaldi testified regarding Appellant Exhibit #A, a 59-page packet of documents, including a phone call log of neighbors' complaint call and various email correspondence related to the road conditions during snow events. Mr. Sinibaldi additionally distributed and read into the record Appellant Exhibit #B, a one-page document entitled: Additional remarks in response to the Staff Report and Appellant Exhibit #C, a one-page aerial view color map indicating the subject property.

Hammond Ranch resident Tom Waring appeared before the Board and provided public comments regarding the subject property area that was created by a parcel map (versus a subdivision map) and the associated limitations with regard to access via property easements.

Local resident Pauli Robinson appeared before the Board and provided public comments regarding the potential negative impacts associated with limited emergency access during wildfire and/or snow/weather events.

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

Caller Karen Rogers shared concerns regarding the potential negative impacts associated with difficult emergency access during wildfire and/or snow/weather events.

Audience member Gary Ralls appeared before the Board and provided public comments in support of the Sinibaldi's appeal.

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## **Public Hearings - Board of Supervisors – (continued)**

Audience member Candace Green appeared before the Board and provided public comments in support of the Sinibaldi's Use Permit/appeal request.

Hammond Ranch resident Craig Rosen appeared before the Board and provided public comments in opposition to the Sinibaldi's Use Permit/appeal request.

Hammond Ranch resident Carmen Kinch appeared before the Board, providing public comments in opposition of the Sinibaldi's Use Permit/appeal request and sharing concerns regarding the increased, speeding traffic on Maple Drive.

Mount Shasta resident Danielle Muniz Cardenas appeared before the Board and provided public comment in support of the Sinibaldi's Use Permit/appeal request.

Appellant Joan Mendoza Sinibaldi appeared before the Board and provided public comment in support of the Use Permit/appeal request.

Local resident Greg Nazareno appeared before the Board, providing public comments and concerns regarding the use of his property's easement to access the Sinibaldi property/dwelling.

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

Caller Valerie Yancey shared concerns regarding the potential negative impacts associated with emergency access during wildfire and/or snow/weather events.

Caller Neil Heiman provided public comment in opposition to the Sinibaldi's Use Permit/appeal request.

Mr. Sinibaldi was provided with a rebuttal opportunity and testified from 2:48p.m. to 2:54p.m.

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

Discussion followed between members of the Board regarding the evidence and comments provided, concerns regarding non-compliant properties in the County that have been operating without proper permits and the inability of CalFire to complete a 4290 (ingress/egress) inspection required for Use Permit approval.

It was moved by Supervisor Haupt and seconded by Supervisor Ogren to deny the appeal of the Planning Commission's decision (uphold the Planning Commission's denial) and find that CEQA does not apply to projects which a public agency rejects or disapproves. Following a roll call vote with Supervisors Haupt, Criss, Ogren and Valenzuela voting YES and Supervisor Kobseff ABSENT, the motion to adopt Resolution 23-89 denying the Sinibaldi Use permit (UP-22-04) and determining the project exempt from CEQA carried.

**Health and Human Services Agency** - Presentation of an update on current operations and activities within the Department. Continued to a later date.

Chair Valenzuela advised that this item was continued to a later date.

**Community Development - Building Division** - Presentation of a demonstration of the Building Division's online portal for project submission and permit process tracking. Presentation and discussion only.

Community Development Director Rick Dean and Administrative Services Manager Lisa Flagg appeared before the Board.

Ms. Flagg accessed the SmartGov online permitting portal from the County's website, demonstrated how members of the public can access the portal and proceed to apply for various types of permits, including the Building Division, and to perform other tasks currently and in the future (i.e. submit payment, inspections requests, upload documents, etc.).

Discussion followed between members of the Board and Ms. Flagg regarding the benefits associated with use of the online portal and current shortfalls (required submission of paper/hard copies of backup documentation).

## **Board and Staff Reports**

There were no Board of Staff reports given.

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

Attest:  
Laura Bynum, County Clerk

\_\_\_\_\_  
Ed Valenzuela, Chair

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

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