

# State of California, County of Siskiyou

## Board of Supervisors Minutes, June 15, 2021

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 15<sup>th</sup> day of June 2021; there being present Supervisors Brandon Criss, Michael N. Kobseff, Ray A. Haupt, Nancy Ogren and Ed Valenzuela, County Administrator Angela Davis, County Counsel Edward J. Kiernan, and County Clerk and ex-Officio Clerk of the Board of Supervisors Laura Bynum by Deputy County Clerk Wendy Winningham.

The meeting was called to order by Chair Haupt. 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. 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**

Local resident Chrissie Reynolds presented and summarized a 21-page informational packet and spoke in support of Siskiyou County becoming a 'constitutional county'. In addition, Ms. Reynolds spoke on behalf of several Copco Lake residents, sharing concerns regarding recent Board approval of a Memorandum of Understanding (MOU) with the Klamath River Renewal Corporation (KRRRC) with regard to the Klamath dam removal project, including concerns regarding potential impacts to ingress/egress during the dam removal project.

Siskiyou Water Users President Richard Marshall shared concerns regarding recent Board approval of a Memorandum of Understanding (MOU) with the Klamath River Renewal Corporation (KRRRC) with regard to the Klamath dam removal project, including concerns regarding potential impacts to residents of the Copco Lake area with regard to ingress/egress during the dam removal project. Mr. Marshall further shared concerns that a public hearing should have been conducted prior to approval of the MOU.

Organized Employees of Siskiyou County (OESC) representative Matt Rokes presented and summarized a one-page letter of concerns regarding the County's Recommended budget proposal, which contained increases for various management level positions. Mr. Rokes suggested the County conduct a review of pay and job duties for Countywide positions.

Local resident Gwen Kraft presented and summarized a 19-page packet of information, sharing concerns regarding the integrity of the Dominion Voting System.

Local resident Jim Corcoran shared concerns regarding the integrity of the Dominion Voting System and voiced opposition to proposed increase in salaries for certain County positions in the Recommended budget proposal. Mr. Corcoran advised of the need to increase code and law enforcement funding and resources.

Local resident Jeff Deutscher shared concerns regarding recent Board approval of a Memorandum of Understanding (MOU) with the Klamath River Renewal Corporation (KRRRC) with regard to the Klamath dam removal project, advising of the need to conduct a public hearing prior to approval.

Local resident Susan Wallace shared concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters, speaking in opposition to its use.

Klamath River Country Estates (KRCE) representative Ann Noel spoke in support of the County's emergency proclamation associated with illegal cannabis cultivation, and advised of the need to increase funding/resources for the County's code and law enforcement efforts.

Local resident Louise Gliatto shared concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters.

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## **Presentations from the Public – (continued)**

Montague Mayor Tiffanie Lorenzini thanked Supervisor Criss for assistance he provided to the City with regard to their drinking water permit.

Local resident Susan Nation shared concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters, speaking in opposition to use of the system.

Kirsher, Winston and Boston Attorney Adam Sanders, representing Planning Commission Appellant Lisa Sirois, invited members of the Board to tour/view the property that was the subject of her Planning Commission Appeal prior to the appeal hearing.

Local resident Rick Dowdy spoke in support of the County becoming a 'constitutional county' and advised of the need for a public hearing regarding the Memorandum of Understanding (MOU) with the Klamath River Renewal Corporation (KRRC) with regard to the Klamath dam removal project.

Copco Lake Fire Protection District Fire Chief Francis Gill shared concerns regarding recent Board approval of a Memorandum of Understanding (MOU) with the Klamath River Renewal Corporation (KRRC) with regard to the Klamath dam removal project, including concerns regarding potential impacts to residents of the Copco Lake area with regard to ingress/egress of emergency services during the dam removal project.

Local resident Joe Ortega shared concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters, advising of recent efforts that garnered signatures of people opposed to use of the Voting System.

Local resident Annette Mommer shared concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters, speaking in opposition to the County's use of the system.

Local resident Johnna Brooks shared concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters, advising of recent efforts that garnered signatures of people opposed to use of the Voting System.

Pursuant to California Governor Newsom's Executive Order N-08-21, June 11, 2021, participation in presentations from the public by various members of the public was provided via teleconference phone.

Caller CJ Prohaska shared concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters, speaking in opposition to the County's use of the system, and concerns regarding proposed salary increases for certain County positions in the Recommended budget proposal.

Local resident Ginger Sammito shared concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters, speaking in opposition to the County's use of the system, and concerns regarding proposed salary increases for certain County positions in the Recommended budget proposal.

Caller John Hill shared concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters, speaking in opposition to use of the system, and concerns regarding proposed salary increases for certain County positions in the Recommended budget proposal.

Mt. Shasta resident Jeff Leland spoke in support of the County becoming a 'constitutional county' and in opposition to the Dominion Voting System used by the Siskiyou County Registrar of Voters.

Mt. Shasta resident Beverly Harlan shared concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters, speaking in opposition to the County's use of the system, and concerns regarding proposed salary increases for certain County positions in the Recommended budget proposal.

Fort Jones resident Tom McCulley shared concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters, speaking in opposition to the County's use of the system. Mr. McCulley referenced a two-page document, including costs per ballot counted by Dominion, that an audience member presented on his behalf.

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## **Presentations from the Public – (continued)**

County resident Ron Hammar shared concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters, speaking in opposition to the County's use of the system, and concerns regarding proposed salary increases for certain County positions in the Recommended budget proposal.

Local resident Joey Russell thanked the Board and County for the efforts made to address illegal cannabis cultivation in the County and spoke in support of increasing code and law enforcement funding and resources.

Local resident Charlene Watkins spoke in support of increasing code and law enforcement funding and resources to address illegal cannabis cultivation.

Mt. Shasta resident Alice Rogers voiced support for the County Clerk/Registrar of Voters and the security of the local elections system, and encouraged those in attendance and online to check out the election processes that are in place.

Local resident Anne Marsh voiced concerns regarding a draft ordinance to be considered by the Board at a later meeting, with regard to setting copy charges/fees related to Public Records Act (PRA) requests. In addition, Ms. Marsh shared concerns regarding the Siskiyou County Registrar of Voters' ability to approve a contract with Dominion Voting System.

Local resident Jennifer Dickinson shared concerns regarding recent Board approval of a Memorandum of Understanding (MOU) with the Klamath River Renewal Corporation (KRRRC) with regard to the Klamath dam removal project, and an upcoming agenda item regarding an ordinance approving a franchise agreement with Pacificcorp.

Local resident Sheila Meamber voiced concerns regarding illegal cannabis cultivation in the County, and spoke in support of increasing code and law enforcement funding and resources.

Local resident Nick Joslin shared concerns regarding the negative impacts associated with agricultural irrigation water diversions from the Shasta River.

Supervisor Kobseff requested additional information from Mr. Joslin regarding Shasta River flow measurements.

Local resident Vicki Gold shared concerns regarding a draft ordinance to be considered by the Board at a later meeting, with regard to setting copy charges/fees related to Public Records Act (PRA) requests, and concerns regarding the Dominion Voting System used by the Siskiyou County Registrar of Voters.

Audience member Dean Harris voiced concerns regarding the integrity of the Dominion Voting System used by the Siskiyou County Registrar of Voters, speaking in opposition to use of the system.

## **Consent Agenda – Approved.**

At Chair Haupt's request, item 5A, County Administration's Resolution declaring certain county-owned real property as surplus, and item 5Q, Agriculture's contract with Patrick Griffin for wolf management and expertise services, were pulled from the consent agenda for discussion.

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

### District Attorney

Authorize the District Attorney's Office to apply for, accept and manage the Victim Witness Assistance Program grant, in the amount of \$299,824 for Fiscal Year 21/22, the Board of Supervisors adopt and sign Resolution 21-79, and authorize Jennie Ebejer, Auditor-Controller to establish appropriations for Victim Witness Assistance Program.

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**Consent Agenda – (continued)**

General Services - Airports

Authorize General Services Director to execute all documents to secure funding and authorize staff to accept the funds upon approval by Caltrans.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Laura's Law Resolution 21-80 stating that no voluntary mental health programs serving adults or children will be reduced as a result of the implementation of the Assisted Outpatient Treatment program.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health and Human Services Agency, Behavioral Health Division, and Gatehouse Media dba Siskiyou Daily News.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the 2<sup>nd</sup> addendum to Contract for Services between Siskiyou County Health and Human Services Agency, Behavioral Health Division, and Victor Treatment Centers, Inc.

Health and Human Services - Public Health Division

Authorize acceptance of the California Department of Public Health and County of Siskiyou Health and Human Service Agency Public Health Division Grant Agreement number 17-10353, A02 for FY 2020-21 and authorize the Chair to sign and authorize the Auditor to establish budget appropriation.

Health and Human Services - Public Health Division

Approve and authorize the purchase of the CleanSpace Respirator Charging and Storage Station (fixed asset/equipment) and miscellaneous Respirator accessories.

Health and Human Services - Public Health Division

Approve and authorize the purchase of the Deck-Over Trailer (fixed asset/equipment).

Health and Human Services - Public Health Division

Approve and authorize the purchase of the Enclosed trailer for Mercy Mt. Shasta (fixed asset/equipment).

Health and Human Services - Social Services Division

Approve and the Chair to sign the new Contract between County of Siskiyou through the Health and Human Services Agency and Redwood Toxicology Laboratory Inc. for the full term July 1, 2020 through June 30, 2022.

Office of Emergency Services

Approve the Siskiyou County Office of Emergency Services receiving the 2020 Emergency Management Preparedness Grant and authorize the County Auditor to establish budget per grant guidelines.

Sheriff

Approve contract between A & P Helicopters, Inc. and Siskiyou County Sheriff's Office for helicopter services, in the amount not to exceed \$70,000 FY 21/22.

Sheriff

Accept the donation of the kennel and deployment system from the K-9 Association, in the amount of \$5,304.50; authorize the Department to pay for installation of the kennel and deployment system, in the amount of \$2,760; authorize payment for the purchase/install of the light bar, in the amount of \$719.41 which includes a 9% tax rate; and authorize the payment for the purchase of the truck vault, in the amount of \$3,265.42 which includes a 9% tax rate.

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## **Consent Agenda – (continued)**

Siskiyou Modoc Regional Department of Child Support Services

Approve the Twelfth Addendum to the building lease agreement with between County of Siskiyou (Siskiyou Modoc Regional Department of Child Support Services) and Davis, Davis & Lange.

Transfer of Funds - Public Guardian/Administrator - \$220. Resolution 21-81 adopted.

Transfer of Funds - Sheriff - \$2,760. Resolution 21-82 adopted.

Transfer of Funds - Public Health - HPP Base - \$16,060. Resolution 21-83 adopted.

Transfer of Funds - Public Health - HPP Base - \$1,361. Resolution 21-84 adopted.

Transfer of Funds - Airports - \$10,900. Resolution 21-85 adopted.

**County Administration** - Adopt Resolution declaring certain county-owned real property identified as APNs 030-320-070, 030-320-080, 030-320-110, and 014-940-020 as surplus to the needs of the County in order to facilitate the disposal of that property referred to as the Railroad Park property near Dunsmuir CA. Resolution 21-86 adopted.

This item was pulled from the consent agenda at Chair Haupt's request. In response to Chair Haupt, Project Coordinator Elizabeth Nielsen advised of the need to make one revision to the Resolution's title, to correct APN 030-320-110 to 030-380-110.

It was moved by Supervisor Valenzuela and seconded by Supervisor Kobseff to approve resolution declaring certain county-owned property, referred to as the Railroad Park property, as surplus to the County's needs, and authorize the Chair to sign the resolution. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to adopt Resolution 21-86 carried unanimously.

**Agriculture** - Approve addendum to contract with Patrick Griffin for wolf management and expertise services, extending the term through September 30, 2022 and increasing the contract by \$10,000, to a total not to exceed \$50,000. Approved.

This item was pulled from the consent agenda at Chair Haupt's request. In response to Chair Haupt regarding the status of wolf issues in the County, Agricultural Commissioner Jim Smith advised that a breeding pair of wolves was located within the County and it was unknown whether the pair had offspring. In addition, Mr. Smith advised that he would request an update from Mr. Griffin to be brought back before the Board at a future date.

It was moved by Supervisor Haupt and seconded by Supervisor Kobseff to approve addendum increasing compensation under contract for Wolf Management Services and Expertise with Patrick Griffin extending the term, and increase the amount to \$10,000. Contract not to exceed \$50,000. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

### **Presentations from the Public**

County resident Melissa Whetstine voiced concerns regarding proposed salary increases for certain County staff positions within the Recommended budget, advising of the need to increase funding for law enforcement services.

**Off-Agenda item – County Administrator's Office – Letter to the State Board of Forestry and Fire Protection regarding proposed revisions to the State minimum fire safe regulations. Letter approved.**

County Counsel Edward J. Kiernan provided an overview of the request to add an item not on the posted agenda, advising that the item came to staff's attention after the posting of the agenda on June 10, 2021, advising that the deadline to provide a comment letter to the State Board of Forestry and Fire Protection regarding proposed revisions to the State minimum fire safe regulations was June 22, 2021, prior to the next regularly scheduled Board meeting.

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**Off-Agenda item – County Administrator’s Office – (continued)**

It was moved by Supervisor Kobseff and seconded by Supervisor Haupt to consider an item not on the posted agenda regarding a letter to the State Board of Forestry and Fire Protection regarding proposed revisions to the State minimum fire safe regulations. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

Later in the meeting, Project Coordinator Elizabeth Nielsen provided an overview of the proposed letter, including language in support of comments made by the California State Association of Counties (CSAC) and Rural County Representatives of California (RCRC).

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES to approve the letter.

**County Clerk -** Informational presentation re first amendment to Voting Systems and Managed Services Agreement with Dominion Voting Systems, Inc., extending the term through June 30, 2025, (total amount not to exceed \$1,151,319.68 for the term September 8, 2015 through June 30, 2025). Presentation and discussion only.

County Clerk Laura Bynum provided an overview of the amendment to the contract with Dominion Voting Systems, Inc. to add various services for an additional four years, advising that the total contract not to exceed amount of \$1,151,319.68 was for a ten-year term (September 2015 through June 2025). Ms. Bynum further advised that the State of California had certified three voting systems for elections Statewide, with Dominion being one of those certified systems, and that copies of the State’s certifications were available for inspection.

Discussion followed between members of the Board and Ms. Bynum regarding California Elections Code requirements associated with the election result certification process, the requirement that a manual tally (audit) of the ballots be done following an election, the manual tally results that have matched Dominion’s machine results 100% and the Clerk’s Election Observer Program that allows public involvement in the election process.

Supervisor Kobseff suggested a competitive bid process to secure a voting system contractor for future elections. Supervisors Valenzuela and Ogren spoke in support of the suggestion.

Further discussion followed regarding the need for a Request for Proposal (RFP) process (competitive bid process), the process and number of people required by law to complete a ballot hand tally, the increased costs and time that processing paper ballots by hand would entail and California State laws that require every county in the State to use a certified voting system.

Ms. Bynum voiced concerns that a change in the vendor providing current voting system services would be disruptive as the Clerk’s Office was preparing for an upcoming Gubernatorial recall election, in addition to a special district election in November. Ms. Bynum advised that Dominion representative Steven Bennett was available via ZOOM/teleconference phone should the Board have questions.

In response to Supervisor Haupt, Deputy County Counsel Dana Barton advised that the County Clerk as the elections official would have the authority to put out an RFP for a voting system vendor and that the County Clerk/Registrar of Voters is exempt from the procedures set forth in Siskiyou County Code with regard to the purchase of election supplies or contracts that a law/statute charges the election office with purchasing.

In response to Supervisor Chair Haupt, Ms. Bynum advised of efforts being made to reach out to the other three voting system vendors with no response to date.

Supervisor Haupt requested development of a comparison of the various costs associated with prior elections (those utilizing the Dominion system and previous voting systems), including assistance from the Auditor’s Office.

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## **County Clerk – (continued)**

Further discussion followed regarding the process for determining the number of voting precincts within the County, the California laws associated with polling locations and poll workers and the ability of voters to have their ballots delivered to poll locations or to the Elections Office by someone other than the voter.

The Chair opened the item to public comments.

Local resident Daniel Simon presented and summarized an 11-page packet of information, sharing concerns regarding the certification process for voting system machines, the machines' hardware and requested a delay in approval of the Dominion Voting Systems, Inc. contract to allow additional public comments.

Local resident Chrissie Reynolds spoke in support of Siskiyou becoming a constitutional county.

**Health and Human Services - Public Health Division** - Presentation of an update re COVID-19 and vaccinations as they pertain to Siskiyou County. Presentation and discussion only.

Director of Public Health Shelly Davis appeared before the Board to provide an update regarding the status of COVID-19 in the County. Ms. Davis advised that the State removed the Blueprint for a Safer Economy, Stay-at-Home orders and the requirement that fully vaccinated persons wear masks, effective June 15, 2021. Ms. Davis further advised that various State mandates remained in effect, including the requirement that masks be worn in certain situations. Ms. Davis summarized statistics related to ongoing vaccination efforts, including the decreased need to provide mass vaccination clinics and the number/percentage of partially and full vaccinated County residents.

Discussion followed between members of the Board and Ms. Davis regarding Health Insurance Portability and Privacy Act (HIPAA) rules concerning the status of vaccinated persons, various State Department of Public Health reporting requirements, the efforts being made to continue providing vaccinations and the State's SnapNurse team to provide mobile vaccination access.

**General County Fire** - Presentation of the 2020 Annual Report of Siskiyou County Fire Departments, including response totals for fire, medical and other emergency responses. Presentation only.

County Fire Warden Phil Anzo, Deputy Fire Warden Darryl Laws and South Yreka Fire Chief Bernie Paul appeared before the Board.

Mr. Anzo provided an overview of the 2020 Annual Report, advising of the efforts being made to provide fire protection services in areas struggling to recruit/retain volunteer firefighters. In addition, Mr. Anzo advised of the ability of General County Fire to generate revenue through an equipment rental process.

Mr. Laws continued an overview of the 2020 Annual Report, including a summary of various services provided by the Yreka Interagency Command Center (i.e. 24/7 dispatch services, 911 call dispatch) and statistics related to the response to incidents in 2020.

Mr. Paul provided an overview of the status of various volunteer fire companies, including an update regarding equipment, volunteers, training efforts and various fire safe project work.

**Closed Session** - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), one case, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), two cases, conference with real property negotiators pursuant to Government Code §54956.8, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), four cases, Personnel pursuant to Government Code §54957, commenced at 12:01p.m., concluded at 1:42p.m., with action taken.

## **Report On Closed Session**

County Counsel Edward J. Kiernan announced that closed session concluded at 1:42p.m., with the following reportable action taken.

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

In addition, Mr. Kiernan advised that Supervisor Kobseff was not present for discussion of item 12E, Conference with real property negotiators pursuant to Government Code §54956.8, property description: parcel on Foothill Dr., Yreka, CA, APN #053-651-820, agency negotiator: Angela Davis for Siskiyou County, negotiating parties: Elizabeth Matsumoto, Rural Communities Housing Development Corporation, instructions to negotiator will concern both price and terms of payment.

With regard to item 12B, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Dilevon Lo, et al., v. County of Siskiyou, et al., United States District Court, Eastern District of California, Sacramento Division, Case No. 2:21-CV-00999-KJM-DMC, Mr. Kiernan advised that the Board authorized by a 5/0 vote to offer defense of that matter. Motion was made by Supervisor Criss and seconded by Supervisor Kobseff and the firm that is authorized to represent the County is Spinelli Donald and Nott. The principal attorney involved is Scott Donald.

Supervisor Kobseff briefly explained his recusal from discussion of item 12E.

**Public Works - Road Division** - Discussion, direction and possible action re request to appoint Fred Lucero, P.E., P.L.S. from Pace Engineering, as the interim Road Commissioner effective June 19, 2021 and direct the Clerk to schedule a public hearing on July 6, 2021 to appoint a permanent Road Commissioner pursuant to Streets & Highways Code §2006(a). Approved.

Interim Director of Public Works Melissa Cummins provided an overview of the request to appoint Fred Lucero, P.E., P.L.S. from Pace Engineering, to serve as Interim Road Commissioner for the County, and to set a date for a public hearing to appoint a permanent Road Commissioner.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to authorize the appointment of Fred Lucero as the interim Road Commissioner effective June 19, 2021 and to authorize the Clerk to schedule a noticed public hearing for July 6, 2021 to appoint a permanent Road Commissioner pursuant to the requirements set forth in Streets & Highways Code Section 2006(a).

**County Counsel** - Discussion, direction and possible action re proposal from the law firm of Prentice Long to provide the County with Code Enforcement legal services related to cannabis. County Counsel directed to pursue a contract with Prentice Long LLC for Code Enforcement services related to cannabis cultivation.

County Counsel Edward J. Kiernan provided an overview of the request to retain the Prentice Long Law Firm to provide services related to Code Enforcement and cannabis cultivation in the County.

Following brief discussion between members of the Board and Mr. Kiernan regarding previous successful efforts by the Firm in Trinity County and the anticipated costs associated with the contract, it was moved by Supervisor Kobseff and seconded by Supervisor Haupt to direct County Counsel to pursue a contract with the Firm of Prentice Long LLC for Code Enforcement services with respect to illegal cannabis cultivation. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

**County Administration** - Discussion, direction and possible action re second reading of an Ordinance amending Chapter 8 of Title 2 of the Siskiyou County Code regarding the County Purchasing System. Second reading approved; Ordinance 21-10 adopted.

Project Coordinator Elizabeth Nielsen provided an overview of the request, advising of the anticipated process to update the County's Purchasing Policy to incorporate purchasing limits detailed in the ordinance.

Pursuant to California Governor Newsom's Executive Order N-08-21, June 11, 2021, participation in this item by members of the public was provided via teleconference phone.

County resident Anne Marsh spoke in opposition to the proposed ordinance, advising that an update to the County's Purchasing Policy should take place prior to adoption of the ordinance. Continued...



## **County Administration – (continued)**

Following discussion between members of the Board, Ms. Nielsen and County Administrator Angela Davis regarding the anticipated process for updating the County's Purchasing (Procurement) Policy, it was moved by Supervisor Kobseff, seconded by Supervisor Haupt to approve the second reading and adopt the ordinance entitled "An Ordinance of the County of Siskiyou Amending Chapter 3 of Title 7 Section 7-3.03. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

**Board of Supervisors' Requests - Supervisor Michael N. Kobseff / Natural Resources - Discussion and possible direction re proposal to provide Federal government relations services related to the drought crisis in the Klamath Basin, prepared by Bob Weidner and Ryan Serote. Consensus to proceed with developing a one-year contract.**

Project Coordinator Elizabeth Nielsen provided an overview of the request and the proposal to provide federal government coordination/relations services related to the Klamath Basin drought/water crisis in Siskiyou, Modoc and Klamath counties. Ms. Nielsen advised of possible funding to assist with initial annual costs in the amount of \$10,000, which would be shared between the three counties. Ms. Nielsen requested input with regard to developing a contract related to the proposed services.

Following discussion between members of the Board and Ms. Nielsen regarding the proposed initial costs, the potential annual retainer costs following the first year and the need for additional work to determine issues relevant to each county, it was the consensus of the Board to direct staff to proceed with developing a contract for one-year.

**Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to the proliferation of illegal cannabis cultivation as declared by Resolution 20-18, adopted on January 21, 2020; action to extend or terminate local emergency. Local emergency extended.**

It was moved by Supervisor Kobseff and seconded by Supervisor Valenzuela to extend the local emergency related to the proliferation of illegal cannabis cultivation as declared by Resolution 20-18.

In response to Chair Haupt, Sheriff Jeremiah LaRue advised that he had not heard from the State with regard to the County's emergency declaration. In addition, Sheriff LaRue suggested additional information that could be included in the emergency declaration.

The motion maker revised the motion to include direction to staff to revise the emergency Resolution including the Sheriff's suggestions, for consideration by the Board at a later date. The second concurred.

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

**Appointments - County Clerk - Appointment of three members to the scheduled vacancies on the Siskiyou County Planning Commission for representatives of Supervisorial Districts 1, 2 and 4, with terms ending June 30, 2025. Blair Hart (District 1), Tony Melo (District 2) and Dusty Veale (District 4) appointed.**

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that incumbents Blair Hart, Tony Melo and Dusty Veale were interested in re-appointment to the Planning Commission.

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to appoint Blair Hart to the scheduled vacancy on the Siskiyou County Planning for Supervisorial District 1, for a term ending June 30, 2025.

It was moved by Supervisor Valenzuela, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to appoint Tony Melo Hart to the scheduled vacancy on the Siskiyou County Planning for Supervisorial District 2, for a term ending June 30, 2025.

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**Appointments - County Clerk – (continued)**

It was moved by Supervisor Ogren, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to appoint Dusty Veale to the scheduled vacancy on the Siskiyou County Planning for Supervisorial District 4, for a term ending June 30, 2025.

**Appointments - County Clerk -** Appointment of three members to the unscheduled vacancies on the Copco Fire Protection District, with terms ending December 3, 2021, to establish a quorum. Patricia Grieb, Patricia Utz and Tori L. Belongie appointed to create a quorum.

Deputy County Clerk Wendy Wunningham provided an overview of the request, advising that local residents Patricia Grieb, Patricia Utz, and Tori L. Belongie were willing and eligible to serve on the Copco Lake Fire Protection District Board. In addition, Ms. Wunningham advised that all five of the District's positions will be up for election in November 2021.

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to appoint Patricia Grieb, Patricia Utz and Tori L. Belongie to the unscheduled vacancies on the Copco Fire Protection District for short-terms ending December 3, 2021, to establish a quorum.

Appointments - County Clerk - Appointment of one member to the scheduled vacancy on the Siskiyou Resource Conservation District, with a term ending November 26, 2022. Continued to a later date.

Deputy County Clerk Wendy Wunningham provided an overview of the request, advising that there were no letters of interest in serving on the District Board received by the County Clerk's Office.

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

Appointments - County Clerk - Appointment of one member to the unscheduled vacancy on the Mt. Shasta Recreation and Parks District, for a short-term ending June 30, 2022. Continued to a later date.

Deputy County Clerk Wendy Wunningham provided an overview of the request, advising that there were no letters of interest in serving on the District Board received by the County Clerk's Office.

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

**Minute Approval - May 7, 2021. Approved.**

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to approve the May 7, 2021 minutes as presented.

**Public Hearings - County Administration -** Public hearing to consider adoption of the Fiscal Year 2021-2022 Recommended Budget as presented, of which includes but not limited to; County Department budgets, Committed Accounts, Fixed Assets, Capital Improvements, Contribution to Others, Statement of Salaries; adoption of a Resolution amending the Siskiyou County Salary Table and Position Allocation List; reclassification of Deputy Director of Emergency Services to Director of Emergency Services and, due to reclassification of Deputy Director of Emergency Services to Director of Emergency Services, appointment of Bryan Schenone as the Director of Emergency Services. Recommended budget approved; Resolution 21-87 adopted.

This was the time set for a public hearing to consider adoption of the Fiscal Year 2021-2022 Recommended Budget, including but not limited to: County Department budgets, Committed Accounts, Fixed Assets, Capital Improvements, Contribution to Others, Statement of Salaries; adoption of a Resolution amending the Siskiyou County Salary Table and Position Allocation List; reclassification of Deputy Director of Emergency Services to Director of Emergency Services and, due to reclassification of Deputy Director of Emergency Services to Director of Emergency Services, appointment of Bryan Schenone as the Director of Emergency Services.

Chair Haupt opened the public hearing.

Continued...

## **Public Hearings - County Administration – (continued)**

County Administrator (CAO) Angela Davis summarized the Recommended budget process, introducing the County's budget team, and provided an overview of the requested actions to adopt/approve the budget. Ms. Davis additionally summarized various minor revisions to the verbiage in the draft Resolution amending the Siskiyou County Salary Table and Position Allocation List, and summarized the CAO's process to consider General Fund departments' budgets. Ms. Davis advised of an initial budget deficit in the amount of \$4.8 million and the CAO's request that each General Fund department reduce their budget requests an additional 10% to decrease the deficit. Ms. Davis further provided an overview of the anticipated process to phase in a reorganization of County Administration's Office including proposed reclassification of three positions to Deputy County Administrator and the fiscal impact of those proposed changes. Ms. Davis summarized the Resolution to amend the County Salary Table and Position Allocation List as required by CalPERS and California Government Code and advised of anticipated changes to the County's health insurance plans and advised of costs savings associated with upcoming plans to move various General Fund departments into the old County Courthouse when the Courts vacate to their new building.

In response to Chair Haupt, Deputy County Clerk Wendy Winingham provided the names of those people who submitted comments/correspondence regarding the Recommended Budget, including Diana Gwaltney, Louise Gliatto, Betty Kreeger and Mason McCoy.

Agricultural Commissioner James Smith shared concerns regarding the Agriculture budget, requesting additional funding to assist the Department in meeting a 5-year maintenance of effort (certain effort must be made to utilize unfunded gas tax program monies) and to assist the Nursery Certification Program in bringing in funding. Mr. Smith requested approval to purchase trailers to haul ATVs used by the Department's predator trappers, a replacement meter to test electrical meters within the County and three required eyewash stations due to new pesticide testing regulations. In addition, Mr. Smith requested overtime funding be restored for Animal Control staff who work during emergency situations (i.e. fire season).

Discussion followed between members of the Board, Mr. Smith and Ms. Davis regarding reimbursement of overtime efforts during fire season that is designated to the General Fund and not the specific department, the CAO's request that General Fund Departments reduce their budget requests an additional 10%, the need for certain equipment in the Ag Department and the potential negative impacts associated with the reduced Ag and Animal Control budgets.

Supervisor Haupt advised that he would research Federal Government reimbursements meant for specific County departments.

Treasurer-Tax Collector Wayne Hammar voiced concerns regarding proposed salary increases in Administration and the Auditor's Office, requesting that the same be considered for other County departments to assist with retention and recruitment efforts.

Discussion followed between members of the Board, Mr. Hammar and Ms. Davis regarding staffing in the Treasurer-Tax Collector's Office, the various revenue contracts secured by the Department and rising costs that the County has no control over.

Sheriff Jeremiah LaRue advised of efforts being made to research grant funding to assist the Sheriff's Department in increasing staff to provide 24/7 law enforcement coverage, voicing concerns regarding the potential negative impacts associated with decreasing the budget.

Further discussion followed regarding efforts being made to fill staffing vacancies and increase recruitment efforts, the need for additional information from the Sheriff should recruitment efforts need Board assistance, anticipated benefits associated with an added Community Service Officer position, ongoing efforts to secure grant funding and the work needed to address illegal cannabis grows in the County.

Community Development Director Rick Dean summarized challenges in various Divisions in the Community Development Department.

Discussion followed regarding the future of Community Development fees and revenue efforts, the time lines associated with issuing/processing building permits, the impact of Slater Fire permitting process on those time lines and the current wait time for building permits.

Continued...

**Public Hearings - County Administration – (continued)**

Auditor-Controller Jennie Ebejer provided an update regarding the Department's staffing level, advising of the need to conduct a salary survey related to various positions. Ms. Ebejer shared concerns regarding parity issues and the impact on staff in that Office.

County Fire Warden Phil Anzo summarized the potential for County Service Area 4 (CSA4) equipment to be rented out to the State of California as a potential revenue source and provided an overview of efforts being made to purchase equipment as needed.

Discussion followed regarding possible General County Fire funding to support firefighter recognition to match the County's funding, the benefits gained from using volunteer firefighting staff, and efforts made to work on the McCloud Zone of Increased Benefit (ZIB).

The Chair opened the item up to for public comments.

County resident Susan Wallace shared concerns regarding the need to better fund the County's Code Enforcement staffing to combat illegal cannabis grows in the County.

Copco Lake resident Chrissie Reynolds shared concerns regarding the need to create/increase fees for illegal activities to provide County revenue opportunities.

County resident Louise Gliatto voiced concerns regarding the struggle in securing/hiring Code Enforcement Officers in the County.

Hornbrook resident Ann Noel suggested that the County create or increase penalties and fees related to illegal cannabis cultivation in order to provide revenue similar to those efforts by the Klamath River Country Estates (KRCE).

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

Discussion followed between members of the Board and Ms. Davis regarding the anticipated budget revisions that would come before the Board during Adopted Budget in September, the anticipated process to adjust salaries through the labor negotiation process, support for merit-based pay increases, the clerical staff support for the Board that is provided by the CAO's Office, the need for an assessment of salaries and disparity associated with staff salaries, the benefits associated with an Assistant County Administrator position (can step up in the absence of a CAO), the benefits associated with a Community Service Officer position, the need to address mandated need to purchase specific equipment (i.e. eyewash stations) and succession planning in the CAO's Office.

It was moved by Supervisor Criss and seconded by Supervisor Kobseff to adopt the FY 2021/2022 Recommended County Budget as presented, of which includes but not limited to; County Department Budgets, Committed Accounts, Fixed Assets, Capital Improvements, Contribution to Others, Statement of Salaries and; adopt Resolution 21-87 amending the Siskiyou County Salary Table and Siskiyou County Position Allocation List and; and due to reclassification of the position of Deputy Director of Emergency Services to Director of Emergency Services, appoint Bryan Schenone as the Director of Emergency Services, with revisions to the Resolution to change 'NEW' to 'CHSD01' (Child Support section) on page 3 and change 'ADD' to 'CREATE' on page 4 (Inmate Health section). Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

**Public Hearings - General Services / County Counsel -** Public hearing to consider written protests or objections received by the Clerk to the granting of an electric utility franchise to Pacificorp with regard to electrical distribution and transmission lines and related appurtenances for a 15-year term. Board approved moving forward with the first reading of the franchise ordinance, as no signed, written protests were received.

This was the time set for a public hearing to consider written protests or objections received by the Clerk to the granting of an electric utility franchise to Pacificorp with regard to electrical distribution and transmission lines and related appurtenances for a 15-year term.

Chair Haupt opened the public hearing.

Continued...

**Public Hearings - General Services / County Counsel – (continued)**

Assistant County Counsel Natalie Reed appeared before the Board.

Pursuant to California Governor Newsom's Executive Order N-08-21, June 11, 2021, participation in this item by various members of the public and County staff was provided via teleconference phone.

General Services Director Jason Ledbetter participated via teleconference phone.

Ms. Reed provided an overview of the request, advising that this was the opportunity for members of the public to submit written protests to the County granting an electric utility to Pacificorp for a 15-year terms.

In response to Chair Haupt, Deputy County Clerk Wendy Winningham advised that the Clerk's Office had not received any written protests to the proposed electric utility franchise.

The Chair opened the item to public comments.

County resident Bob Rice suggested that the County, acting as the Flood Control and Water Conservation District, and shared concerns that the proposed ordinance did not include payment from the utility company for the development (production) of electricity/power (only contains payment for the transmission of power/electricity).

County resident Richard Marshall shared concerns regarding the process utilized by Pacificorps to calculate gross receipts, advising that Pacificorps' gross receipts were increasing although the payment amount to the County was not. Mr. Marshall spoke in support of the County requiring an outside audit of Pacificorps' gross receipts and subsequent payment to the County. In addition, Mr. Marshall advised of the need to better utilize the County's various airports to increase revenues.

Mr. Ledbetter advised that he was aware of Mr. Rice's research, which was brought to County Counsel's attention.

Ms. Reed advised that the ability of the County to grant franchise rights for utility rights of way was based on the Franchise Act of 1937 and that using the Flood District would not be appropriate. Ms. Reed further advised that, as no written protests had been received, the Board could proceed with setting a first reading of the ordinance and that the audit suggestion could be further discussed.

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

It was moved by Supervisor Valenzuela and seconded by Supervisor Kobseff that, being as there were no signed, written protests received, to proceed with introduction and the first reading of the ordinance granting Pacificorps a 15-year electric utility franchise.

Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

**Public Hearings - General Services / County Counsel - Public hearing for first reading of an ordinance granting an electric utility franchise to Pacificorp with regard to electrical distribution and transmission lines and related appurtenances for a 15-year term. First reading and public hearing continued to July 13, 2021.**

This was the time set for a public hearing for the first reading of an ordinance granting an electric utility franchise to Pacificorp with regard to electrical distribution and transmission lines and related appurtenances for a 15-year term.

Chair Haupt opened the public hearing.

Assistant County Counsel Natalie Reed appeared before the Board, advising that Pacificorps representative Todd Andrus was available via teleconference. Ms. Reed provided a brief overview of the proposed ordinance granting an electric utility franchise to Pacificorps, suggesting that continuance of the first reading could be necessary, in order to incorporate revised ordinance language with regard to the County requiring an outside audit of Pacificorps' gross receipts.

Continued...

## **Public Hearings - General Services / County Counsel – (continued)**

Pursuant to California Governor Newsom’s Executive Order N-08-21, June 11, 2021, participation in this item by various members of the public and County staff was provided via teleconference phone.

Pacificorps representative Todd Andrus advised that he had not received/reviewed suggested language revisions with regard to the outside audit requirement.

Ms. Reed recommended that the public hearing be continued to allow County and Pacificorps staff to address revised ordinance language with regard to an outside audit.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to continue the public hearing for the first reading of the ordinance granting an electric utility franchise to Pacificorps with regard to electrical distribution and transmission lines and related appurtenances for a 15-year term to July 13, 2021.

**Public Hearings - County Administration – Personnel - 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 Director of the Department of Public Works Director qualifications. Ordinance 21-11 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 Director of the Department of Public Works Director qualifications, having been introduced on May 18, 2021.

Chair Haupt opened the public hearing.

Personnel Manager Melissa Cummins provided an overview of the request to adopt an ordinance for Public Works Director qualifications.

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

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

It was moved by Supervisor Criss and seconded by Supervisor Kobseff to introduce, waive, and approve the second reading and adopt the ordinance entitled “An Ordinance of the County of Siskiyou Amending Chapter 3 of Title 7 Section 7-3.03 of the Siskiyou County Code Regarding the Director of the Department of Public Works Director Qualifications”.

Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to adopt Ordinance 21-11 carried unanimously.

**Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), one case, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), two cases, conference with real property negotiators pursuant to Government Code §54956.8, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), four cases, Personnel pursuant to Government Code §54957, commenced at 5:16p.m., concluded at 5:35p.m., with no action taken.**

## **Report On Closed Session**

County Counsel Edward J. Kiernan announced that closed session concluded at 5:35p.m., with no reportable action taken. In addition, Mr. Kiernan advised that item 11G, Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of County Counsel, was dropped from the agenda.

## **Board and Staff Reports**

There were no board or 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

\_\_\_\_\_  
Ray A. Haupt, Chair

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