

State of California, County of Siskiyou

Board of Supervisors Minutes, December 13, 2022

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 13th 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 County Service Area 4. Supervisor Haupt led in the salute to the flag of the United States of America.

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), one case, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(d)(2), on case, commenced at 9:10 a.m. and concluded at 9:33 a.m. with no reportable action.

Report On Closed Session – County Counsel Edward Kiernan reported that closed session commenced at 9:10 a.m. and concluded at 9:33 a.m., with no reportable action.

Invocation - Siskiyou County Sheriff Chaplain

Presentations from the Public

There were no presentations from the public.

Consent Agenda - Approved

Supervisor Haupt requested item 7B, Natural Resources letter to the Natural Resources Conservation Service be pulled from the consent agenda.

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

County Administration

Approve letter to Senator John Laird providing feedback to the Sierra Nevada Conservancy Bill Proposal, Senate Bill 208, Dahle.

County Administration - Personnel

Adopt Resolution P22-208 amending the Siskiyou County Position Allocation List, regarding deleting Correctional Deputy positions (5) 1.05 FTEs, creating Deputy Sheriff II positions – Five (5) 1.0 FTEs, and deleting Behavioral Health Nurse II - 1.0 FTE, effective December 25, 2022.

Health and Human Services Agency, Social Services Division

Approve Memorandum of Understanding with Partnership Health Plan, and any subsequent amendments or other documentation, to administer the Housing and Homelessness Incentive Program grant in an amount up to \$2,143,812, authorize the County Administrator or designee to execute the MOU and authorize the Auditor to appropriate budget.

Probation

Approve agreement with Shasta County Probation for placement of juvenile court wards at the Shasta County Juvenile Rehabilitation Facility for the term November 1, 2022 through June 30, 2023 in an amount not to exceed \$20,000.

Continued . . .

Consent Agenda – Continued

Probation

Approve the Memorandum of Understanding between Siskiyou County Superior Court and Siskiyou County Probation Department for Drug Court case management services for the term July 1, 2022 through June 30, 2025.

Public Works

Approve FY 22/23 Local Transportation Fund Claim in the amount of \$1,255,620; \$613,866 for Public Transit and \$641,754 for Streets and Roads and authorize the Auditor to adjust the budget for the Road Department.

Treasurer - Tax Collector

Approve the sale of various tax-defaulted properties via Chapter 7 Sale or Chapter 7 Sealed Bid Sale, at the minimum bids set pursuant to Section 3698.5 of the California Revenue & Taxation Code, and authorize the Tax Collector to re-offer any unsold properties at a subsequent sale for a price that stimulates competitive bidding.

Transfer of Funds - Public Health - \$162,200. Resolution 22-209 adopted.

Transfer of Funds - Plant Acquisition - \$3,200. Resolution 22-210 adopted.

Transfer of Funds - No Cost Center - \$8,277. Resolution 22-211 adopted.

County Administration - Natural Resources - Approve letter to the Natural Resources Conservation Service (NRCS) requesting that the NRCS complete a Preliminary Investigation Feasibility Report for a potential Public Law 566 water storage project in Siskiyou County, within Scott Valley. Approved.

This item was pulled from the consent agenda as requested by Supervisor Haupt.

Deputy County Administrator Elizabeth Neilson provided an overview of edits to the letter requested by the Farm Bureau.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried following a roll call vote with Supervisors Haupt, Kobseff, Ogren, Valenzuela and Criss voting YES to approve letter to the Natural Resources Conservation Service (NRCS) requesting that the NRCS complete a Preliminary Investigation Feasibility Report for a potential Public Law 566 water storage project in Siskiyou County, within Scott Valley with the edits outlined by Ms. Neilson and authorize the Chair to sign.

Public Hearings - Community Development - Planning Division - Continued public hearing for the first 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 and adopting a Resolution to Approve Kidder Creek Orchard Camp Use Permit Application (UP-11-15), Approve the Project's Environmental Impact Report and Adopt Project Alternative Number 4 (Reduces Occupancy), and Adopt a Mitigation and Monitoring Reporting Plan. Referred back to the Planning Commission.

This was the time set for a continued public hearing for the first 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 and adopting a Resolution to Approve Kidder Creek Orchard Camp Use Permit Application (UP-11-15), Approve the Project's Environmental Impact Report and Adopt Project Alternative Number 4 (Reduces Occupancy), and Adopt a Mitigation and Monitoring Reporting Plan, having been continued from December 6, 2022.

Planning Director Hailey Lang provided an overview of the agenda item, advising it is two-part project; a zone change and use permit. Ms. Lang advised that the Planning Commission recommended reducing the requested occupancy down to 622, that the expansion would occur over 20 years and would revoke all use permits and combine under the new use permit. Ms. Lang further advised that an Environmental Impact report was prepared which includes several mitigations and that there was a revised staff report.

Continued . . .

Public Hearings - Community Development - Planning Division (Continued)

Deputy County Clerk Wendy Winningham provided an overview of correspondence received by the Clerk's Office and public hearing notices that were returned as undeliverable.

Chair Criss advised of a letter received from Murry Taylor.

Kidder Creek Orchard Camp Director Andy Warken summarized the camp and what the camp provides to youth and local families, sharing support of the proposed project.

Mark Freudenberg shared support of the proposed project and summarized benefits of the camp.

Paul Bollard, consultant for Kidder Creek Orchard Camp advised he was available for questions and that the Environmental Impact Report was prepared based on 800+ campers and will not be as significant with the reduction in permitted occupancy.

Christine Fear, resident on Kidder Creek Loop Road shared concerns regarding the amount of people the project will expand to and the amount of traffic it would generate.

Mike Fear shared concerns about the amount of water that would be consumed, impacts to water flow and impacts to wildlife due to increased traffic.

Michelle Rush, South Kidder Creek Loop resident shared concerns regarding residential buildout into timber land, impacts to the road, and the increase in water consumption with the increase in occupancy.

Kim Downey, Food Service Manager at Kidder Creek Orchard Camp shared her experience with employees at the camp, benefits of the camp and her support of the project.

George Martin, Greenview resident shared concerns over the anticipated expansion and referenced the Scott Valley Plan only allowing for "small" businesses.

Tim Lloyd, Site Manager at Kidder Creek Orchard Camp advised efforts to expand the camp started 15 years ago and his opinion that expansion can be implemented without a negative impact on the community.

Dee Jones, South Kidder Creek Loop resident shared concerns regarding fire, water and potential impacts to groundwater supply.

Melinda Perlman, resident near the project site, shared concerns that the EIR is not complete, the project did not comply with the Scott Valley Area Plan, wildfire and mitigations for traffic noise.

Marcia Waldow, South Kidder Creek Loop shared support of the camp, but shared concerns regarding impacts to rural living, including increased traffic.

Chris Cummings, Civil Engineer who prepared water studies, advised he was available for any questions.

Glen Pearson, who prepared the groundwater/surface water analysis advised he was available for any questions.

Craig Thompson shared positive impacts of the camp, including working at the camp as summer staff, full-time staff and now a member of the camp's Board of Directors.

Mike Romberger, President of Mt. Herman Association provide an overview of Association, advising that the camp does not generate a profit and the desire to impact more kids who could attend the camp.

Barry Barnhart, Assistant Office of Education Superintendent confirmed Superintendent of Schools elect Allan Carver's support of the outside education, impacts to students and efforts to expand outdoor school.

Loren Chilson, Traffic Engineer, advised he was available for any questions.

Drew Travis, Fort Jones resident, shared support of the camp and the benefits it provides.

Dana Ayres, Ranch Manager at Kidder Creek Orchard Camp shared an experience of one camper and the positive impacts of the camp.

Stephanie Williams, South Kidder Creek Loop resident shared concerns regarding fire and water and requested the Board consider the residents in the area.

Continued...

Public Hearings - Community Development - Planning Division - (Continued)

Murray Taylor shared concerns regarding fire, including ingress/egress to the project site

Roberto Arambula shared concerns regarding impacts to neighboring properties.

Pam Malmberg advised her family was a founding family of Kidder Creek, commenting that traffic would only be for drop off/pickup days and the county road was built to carry up to 2,500 cars a day. Ms. Malmberg shared support of the project.

Chris Loogman shared support of the camp and the benefits and impacts to families who attend the camp.

Susan Freudenberg shared support of expansion and encouraged those with concerns to review the documents.

John Hesler shared comments regarding the CEQA and EIR process, speaking in support of the project.

Marsha Burch, Keep Scott Valley rural representative spoke in opposition to the EIR, stating a full EIR was not completed and concerns of the project being consistent with the General Plan or the Scott Valley Plan.

Chrissie Reynolds shared support of local residents to the project and opposition to the project.

Anne Marsh shared concerns regarding traffic that would be generated by day use not being included in the EIR, and impacts that are not being considered.

Mr. Warken provided a proponent rebuttal, recapped stating there is a consent that the camp is good for families and kids, but there are concerns as to what size of the camp would be best. Mr. Warken advised that there have been no legal significant impacts that would cause the project to not move forward and advised of plans and mitigations in place.

Supervisor Haupt advised of receiving comments on the proposed project and also advised of his support of the camp. Supervisor Haupt advised of asking for additional staff work and outside agencies to provide input on the proposed project, which is not yet completed.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried following a roll call vote with Supervisors Kobseff, Haupt, Ogren, Valenzuela and Cris voting YES to refer the proposed project back to the Planning Commission and have a complete record returned to the Board after their consideration.

The public hearing was closed.

Mr. Warken advised that any questions could be directed to those in attendance and Supervisor Haupt advised they were more technical questions and the uncertainty if they could be answered at this hearing.

Public Hearings - Community Development - Planning Division - Continued public hearing re Resolution Amending the Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts. Resolution 22-212 adopted.

This was the time set for a continued public hearing re a Resolution Amending the Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts, having been continued from November 1, 2022.

Supervisor Criss recused himself and left the Board Chambers.

Planning Director Hailey Lang provided an overview of the item, including a summary of edits and added language to the Resolution.

Siskiyou County Farm Bureau representative Ryan Walker advised that some ranches within the county absorb/purchase neighboring farms with established single family dwellings which are subsequently rented, and inquired if this would not be an allowable use for those properties in a Williamson Act contract. At the request of Supervisor Kobseff, Ms. Lang advised that it would be a compatible use.

Ray Dancer advised he was in attendance to comment on an agenda item regarding wood cutting, inquiring if it was agendized. Ms. Lang advised this Resolution would make the selling of wood on their property an allowable use.

Continued. . . .

Public Hearings - Community Development - Planning Division (Continued)

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

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried following a roll call vote with Supervisors Kobseff, Haupt, Ogren and Valenzuela voting YES and Supervisor Criss RECUSED to adopt Resolution 22-212 amending the rules for the establishment and administration of Agricultural Preserves and Williamson Act Contracts.

Public Hearings - Community Development - Planning Division - Continued public hearing to consider proposed amendments to two agricultural preserves and rescission of a portion of two Williamson Act contracts with subsequent reentry in order to consolidate all property under one preserve and one contract for property located east of the community of Macdoel, CA, for the Matthew and Audrey Parsons Trust Agricultural Preserve Amendment and Williamson Act contract rescission and reentry project (APA-22-02). Resolutions 22-213 and 22-214 adopted.

This was the time set for a continued public hearing to consider proposed amendments to two agricultural preserves and rescission of a portion of two Williamson Act contracts with subsequent reentry in order to consolidate all property under one preserve and one contract for property located east of the community of Macdoel, CA, for the Matthew and Audrey Parsons Trust Agricultural Preserve Amendment and Williamson Act contract rescission and reentry project (APA-22-02), having been continued from October 4, 2022.

Supervisor Criss recused himself and left the Board Chambers.

Assistant Planner Bernadette Cizin provided an overview of the proposed project, stating that the code enforcement issue on the property had been resolved and advised of typos in the Resolution.

There was no correspondence received.

Project Proponent Audrey Parsons appeared before the Board sharing concerns of only five people who have been able to obtain a business license to buy/sell firewood in the county, that taxes are paid on the firewood business that is on the property and that they only avenue for her to obtain a license is to obtain approval on this agenda item and then apply for a rezoning and use permit, asking that the fees be waived.

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

Following discussion between members of the Board and Planning Director Hailey Lang, it was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried following a roll call vote with Supervisors Haupt, Kobseff, Ogren and Valenzuela voting YES and Supervisor Criss RECUSED to determine the project is exempt from CEQA in accordance with Section 15317, Open Space Easements or Contracts; and adopt Resolution 22-213 approving the rescission and reentry of the applicable Williamson Act contract; and Adopt Resolution 22-214 approving amendment to the existing Agricultural Preserves and establishment of a new preserve, for property located east of the community of Macdoel, CA, for the Matthew and Audrey Parsons Trust Agricultural Preserve Amendment and Williamson Act contract rescission and reentry project (APA-22-02). Supervisor Criss returned to the Board Chambers.

Public Hearings - Community Development - Planning Division - Continued public hearing for the second 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. Ordinance 22-22-22 adopted.

This was the time set for a continued public hearing to consider 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), having been continued from December 6, 2022.

Continued. . .

Public Hearings - Community Development - Planning Division - Continued

Senior Planner Rachel Jereb advised that no correspondence had been received, recommending approval. There being no public comment, the public hearing was declared closed.

It was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried following a roll call vote with Supervisors Haupt, Kobseff, Ogren, Valenzuela and Criss voting YES, to determine the project exempt from CEQA in accordance with Section 15061 (b) (3), Section 15301 and Section 15305(a); and waive the second reading of the draft ordinance amending Zoning Sectional District Map 10-6..205-323; and adopt Ordinance 22-22, 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.

Public Hearings - Community Development - Planning Division - Continued public hearing for the second 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. Ordinance 22-23 adopted.

This was the time set for a continued public hearing for the second 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, having been continued from December 6, 2022.

Senior Planner Rachel Jereb provided an overview of the proposed project.

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

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried following a roll call vote with Supervisors Haupt, Kobseff, Ogren, Valenzuela and Criss voting YES to determine the project exempt from CEQA in accordance with Section 15061(b)(3) and Section 15301; and waive the second reading of the draft ordinance amending Zoning Section District Map 10-6.205-297 and adopt Ordinance 22-23 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.

County Administration - Discussion, direction and possible action re Memorandum of Understanding between County, PacifiCorp, the California Department of Fish and Wildlife, and the Klamath River Renewal Corporation noting that the County will retain and PacifiCorp will fund an independent contractor to act as a Project Manager.

Deputy County Administrator Elizabeth Nielsen provided an overview of the request.

Chrissie Reynolds shared concerns regarding FERC, concerns regarding a recent meeting of the Klamath River Restoration Council and other signatories and the public not being invited.

It was moved by Supervisor Valenzuela, seconded by Supervisor Criss and carried following a roll call vote with Supervisors Haupt, Kobseff, Ogren, Valenzuela and Criss voting Yes to approve the Memorandum of Understanding between County, PacifiCorp, the California Department of Fish and Wildlife, and the Klamath River Renewal Corporation noting that the County will retain and PacifiCorp will fund an independent contractor to act as a Project Manager, authorize the County Administrator or designee to sign the MOU in substantially the same form, and authorize the Auditor's Office to establish accounting and budget.

Agriculture - Presentation re Apiaries from the Sis Q Bee Club.

Agriculture Commissioner Jim Smith introduced Jerry Heikura, President of the Sis Q Bee Club. Mr. Heikura presented a power point presentation on the status of bee apiaries in the county and presented hats and honey jars to members of the Board. Mr. Heikura continued the presentation; an overview of the Sis Q Bee Club, efforts to attract new members, parasites that impact bees, and outreach efforts. Continued . . .

Agriculture - Presentation re Apiaries - Continued

In response to Supervisor Kobseff, Mr. Heikura advised of impacts to bees this year, including lack of rainfall and wildfire smoke and timing of starting new colonies.

Mr. Smith thanked members of the Board for passing the bee Ordinance and advised of education and outreach efforts pertaining to bees.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to drought declared by Resolution 22-74, adopted on April 5, 2022; action to extend or terminate local emergency.

It was moved by Supervisor Kobseff seconded by Supervisor Ogren and carried following a roll call vote with Supervisors Haupt, Kobseff, Ogren, Valenzuela and Criss voting YES to extend the local emergency related to drought declared by Resolution 22-74, adopted on April 5, 2022.

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.

It was moved by Supervisor Valenzuela, seconded by Supervisor Ogren and carried following a roll call vote with Supervisors Haupt, Kobseff, Ogren, Valenzuela and Criss voting YES to extend local emergency related to the proliferation of illegal cannabis cultivation as declared by Resolution 201-18, adopted on January 21, 2020.

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

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

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to McKinney Fire burn scar and debris flows declared by the Director of Emergency Services; action to extend or terminate local emergency.

It was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried following a roll call vote with Supervisors Haupt, Kobseff, Ogren, Valenzuela and Criss voting YES to extend the local emergency related to McKinney Fire burn scar and debris flows declared by the Director of Emergency Services.

Board and Staff Reports

Supervisor Ogren advised of her attendance at the FFA diner, a Forest Service meeting in Macdoel, a RCRC meeting, collaboration with the City of Yreka and Behavioral Health for a warming shelter, attending the Yreka Night of Lights, the Siskiyou Women in Business gathering, the Siskiyou Conservative Republican Luncheon, NCRP quarterly meeting and a program at the YMCA.

Supervisor Valenzuela advised of attending a CSAC Officer Retreat following the annual CSAC meeting.

Supervisor Haupt advised of meetings regarding the Kidder Creek Orchard Camp and advised that January 10-12 is the Forest Vegetation Management Conference in Redding.

Supervisor Kobseff advised of attending a RCRC meeting.

Supervisor Criss advised attending the CSAC convention, a Bulldog basketball game, a Copco Town Hall meeting and the Butte Valley Parade.

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

Attest:
Laura Bynum, County Clerk

Brandon A. Criss, Chair

By: _____
Deputy