

State of California, County of Siskiyou

Board of Supervisors Minutes, March 29, 2022

The Honorable Board of Supervisors of Siskiyou County, California, met in special session this 29th day of March 2022; 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 Criss. Supervisor Ogren led in the salute to the flag of the United States of America. Supervisor Kobseff provided an invocation.

Presentations from the Public

There were no presentations from the public.

Closed Session - Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(d)(2), one case, commenced at 2:01p.m., concluded at 2:47p.m., with no action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 2:47p.m., with no reportable action taken.

County Administration / County Counsel - Discussion, direction and possible action re an urgency ordinance of the County of Siskiyou repeal and replace Section 2-23.01 of Chapter 23 of Title 2 of the Siskiyou County Code regarding County Auditor-Controller. Urgency Ordinance 22-07 adopted.

County Counsel Edward J. Kiernan provided an overview of the request, advising that Government Code Section 56945(b) and Business and Professions Code §5081.1 detailed the equivalency standards for the position of Auditor. Mr. Kiernan shared concerns that in 2010, the California State Legislature repealed Business and Professions Code §5081.1 and failed to address Government Code Section 56945(b) cross reference to Section 5081.1, a non-existent Code section. Mr. Kiernan advised that the urgency ordinance was being brought forward to allow for possible write-in candidates for the County's Auditor-Controller position at the upcoming election.

County Administrator Angela Davis recommended approval of the urgency ordinance in order to repeal County Code Section 2-23.01 of Chapter 23 of Title 2 and replace with the following language:

"Section 2-23.01 – Qualifications – Effective March 29, 2022, no person shall hereafter be elected or appointed to the office of County Auditor unless the person is a resident and registered voter of the county in which the duties of the office are to be exercised at the time Nomination Papers are issued".

Brief discussion followed between members of the Board and Mr. Kiernan concerning the revision that would open up the County's Auditor-Controller position to eligible write-in candidates.

The Chair opened the item to public comment.

There were no public comments.

It was moved by Supervisor Valenzuela and seconded by Supervisor Criss to adopt an Urgency Ordinance, which repeals in its entirety Siskiyou County Code, Title 2, Chapter 23, Section 2-23.01 and hereby replace and adopt to read as follows: Section 2-23.01 – Qualifications - Effective March 29, 2022, no person shall hereafter be elected or appointed to the office of County Auditor unless the person is a resident and registered voter of the county in which the duties of the office are to be exercised at the time Nomination Papers are issued.

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County Administration / County Counsel – (continued)

Following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, the motion to adopt Urgency Ordinance 22-07 carried unanimously.

Mr. Kiernan advised that the Legislature was aware of the cross-reference to a non-existent Code Section related to Auditor qualifications and that the Board of Supervisors could possibly repeal/revise those qualifications, via an Ordinance, at a later date.

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