

State of California, County of Siskiyou

Board of Supervisors Minutes, May 16, 2023

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 16th day of May 2023; there being present Supervisors Michael N. Kobseff, Nancy Ogren and Ray A. Haupt, 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. Supervisors Ed Valenzuela and Brandon Criss were absent.

The meeting was called to order by Vice Chair Kobseff. 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 No. 3 and County Service Area No 4. Supervisor Haupt led in the salute to the flag of the United States of America.

Invocation - Siskiyou County Sheriff Chaplain Jim Jacobsen provided an invocation.

Presentations from the Public

Klamath River Country Estates (KRCE) representative Susan Wallace appeared before the Board, providing an update regarding the KRCE's recent interaction with Klamath Mitigation Fund (KMF) and Klamath River Renewal Corporation (KRRRC) representatives concerning the potential impacts associated with dam removal to the KRCE's property/assets.

Consent Agenda – Approved.

At Vice Chair Kobseff's request, item 5T, various Transfers of Funds were pulled from the consent agenda.

At Supervisor Haupt's request, item 5K, Probation's FY 23/24 agreement for placement of juveniles with County of Tehama and item 5Q, the Sheriff's modification of grant or agreement with the USDA Forest Service for the cooperative law enforcement services agreement were pulled from the consent agenda for discussion.

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

Agriculture

Approve agreement between Siskiyou County Department of Agriculture and Shasta Valley Resource Conservation District for the control of noxious weeds on the "Azalea Project".

Behavioral Health Services Board

Approve and authorize the Chair to sign the Resolution 23-90 of the Siskiyou County Board of Supervisors proclaiming Mental Health Awareness Month for May 2023.

Community Development

Approve the Brightly contract as it extends terms of service for three years. Brightly supplies the Community Development Department with the software to run all building and planning permitting, code cases and environmental health inspections. This software also facilitates our customer facing portal through our website.

County Administration - Personnel

Approve new class specification of Transportation Commission Executive Director and adopt Resolution P 23-91 amending the Siskiyou County Salary Schedule and Position Allocation List, regarding Accountant/Auditor III (1.0) FTE, Attorney II – Confidential (1.0) FTE, Attorney IV – Confidential (1.0) FTE, Behavioral Health Services Specialist II (1.0) FTE, Payroll Specialist (1.0) FTE, Transportation Commission Program Manager (1.0) FTE, and Transportation Commission Executive Director (1.0) FTE, effective May 28, 2023.

Continued...

Consent Agenda – (continued)

County Library

Approve and ratify the submission of the Zip Book grant in an amount not to exceed \$25,000 and authorize the Auditor to establish budget for the awarded amount.

District Attorney

Approve second addendum to extend term of contract between Siskiyou County District Attorney and TransUnion Risk and Alternative Data Solutions, Inc., for nationwide person search through June 30, 2026, and replace Exhibit A pricing schedule.

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the Governing Board Resolution 23-92 with the State of California – Health and Human Services Agency – California Department of Public Health (CDPH), Maternal, Child and Adolescent Health (MCAH) Division, State General Fund (SGF), Expansion Funding for the California Home Visiting Program (CHVP), State Fiscal Year (SFY) 2023-2024 for the purposes of implementing or expanding an approved home visiting model(s)/, authorize the County Administrator to act on behalf of the County to execute any and all program award documents as outlined in Section 2 of the Resolution and authorize the Auditor to establish budget appropriation and set expenditures per the agreement amendment guidelines, for the allocation of \$429,698.00, with spending authority through June 30, 2024.

Local Child Care Planning Council

Approve Local Planning Council (LPC) Child Care Priorities as presented.

Probation

Approve the Fifth Addendum to the contract with Kitt Murrison, Ph.D. to extend the term of the contract to June 30, 2024.

Probation

Approve the Contract between J. Reid McKellar, Ph.D. and Siskiyou County Probation to provide psychological evaluations for minors for the term of July 1, 2023, through June 30, 2024.

PSA 2 Area Agency on Aging

Adopt Proclamation proclaiming May 2023 as Older Americans Month in Siskiyou County.

Public Works - Road Department

Approve and sign first addendum with Lawrence & Associates, Inc. and Siskiyou County Public Works for corrective action maintenance, groundwater and soil-gas monitoring budget, Tulelake District Shop, 647 Main Street, Tulelake, California.

Public Works - Road Department

Approve and sign third addendum with Pace Engineering, Inc. and Siskiyou County Public Works to provide Municipal Engineering Services for Siskiyou County.

Public Works - Road Department

Approve and adopt Resolution 23-93 certifying maintained mileage within the County of Siskiyou.

Public Works - Road Department

Approve and adopt Resolution 23-94 authorizing the Director of Public Works to execute all CalTrans Local Agency Agreements including the 2022/2023 Federal Apportionment Exchange Program and State Match Program.

Siskiyou Arts Council

Adopt Resolution 23-95 SCAC 2023-24.

Siskiyou-Modoc Regional Department of Child Support Services

Approve the Memorandum of Understanding between Shasta County DCSS and SMRDCSS through June 30, 2024, with the option of two additional one-year term renewals.

Continued...

Transfer of Funds – 1) County Library - \$1,200; 2) Juvenile Probation - \$11,000; and 3) General County Fire - \$287,163. Continued to June 6, 2023.

This agenda item was pulled from the consent agenda.

Vice Chair Kobseff advised that this item (various transfers of funds) were continued to the June 6, 2023 agenda, as at least four Board members were needed for the approval.

Probation - Approve FY 23/24 agreement for placement of juveniles with County of Tehama, at the rates specified in the agreement. Approved.

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

In response to Supervisor Haupt, Chief Probation Officer Mike Coley summarized the current status and number of Siskiyou County youth being housed in Tehama County.

It was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT to approve agreement between Siskiyou County Probation and County of Tehama for the placement of Juveniles for the term of July 1, 2023, through June 30, 2024.

Sheriff - Approve modification of grant or agreement with the USDA Forest Service for the cooperative law enforcement services agreement, increasing the funding in the amount of \$2,289.86 for the term detailed in the documentation. Approved.

This item was pulled from the consent agenda at Supervisor Haupt's request. Supervisor Haupt shared concerns regarding the impact of the agreement on County resources and the reimbursement process associated with the agreement.

Later in the meeting, Undersheriff James Randall appeared before the Board.

Following discussion between Supervisor Haupt and Mr. Randall regarding the need to review the reimbursement process for the services provided by the Sheriff's Office on Federal lands in order to properly capture the County's costs, it was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT to approve the Sheriff's Office to sign and enter a modification of grant or agreement with the Forest Service for the federal fiscal year 22/23 for reimbursable supplies. Allow the Auditor to make appropriations as needed.

Presentations from the Public

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

Caller Lauren Sweezey requested that the Board terminate the County's emergency drought declaration, due to the amount of water received in the Shasta and Scott Valleys this winter.

Health and Human Services Agency - Presentation of an update on current operations and activities within the Department. Presentation and discussion only.

Health and Human Services Agency Director Sarah Collard appeared before the Board, presenting a powerpoint presentation concerning the various Health and Human Services' Divisions. Ms. Collard summarized each Division, including each Division's programs administered, the impacts of new legislative initiatives and the successes and challenges for each.

Discussion followed between members of the Board and Ms. Collard regarding the potential negative impacts associated with various upcoming changes to the Behavioral Health crisis intervention process, Department staffing and budget shortfalls, the need for information/statistics related to fentanyl and other drug usage in the County, including emergency responses, potentially negative impacts associated with parental consent for children in the Child Protective Services (CPS) Division and the efforts being made to address homelessness in the County.

Presentations from the Public

Yreka High School teacher David Smith appeared before the Board, advising that he and his senior Year Book class were attending the Board meeting as part of their curriculum.

General Services – Airports - Discussion, direction and possible action re Resolution establishing month to month rental rates for aeronautical and non-aeronautical assets at Siskiyou County Airports. Resolution 23-96 adopted.

Deputy Director of General Services Steven Serdahl appeared before the Board, providing an overview of the request to establish month-to-month rates for various aeronautical and non-aeronautical assets at County airports.

Following discussion between members of the Board and Mr. Serdahl regarding the anticipated process to utilize the rates identified in the Resolution for future airport leases (i.e. ground, hangar, agriculture, etc.), it was moved by Supervisor Ogren and seconded by Supervisor Haupt to authorize the Chair to execute the Resolution of the Board of Supervisors of the County of Siskiyou establishing month to month rates for aeronautical and non-aeronautical assets at Siskiyou County airports. Following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT the motion to adopt Resolution 23-96 carried.

County Administration - Discussion, direction and possible action re employment agreement with Natalie Reed for appointment as County Counsel, for salary in the amount of \$214,240 per annum, for the term May 17, 2023 through May 16, 2027. Approved.

County Administrator Angela Davis appeared before the Board and provided an overview of the request to appoint Assistant County Counsel Natalie Reed to the position of County Counsel as current County Counsel Edward J. Kiernan was leaving the County. Ms. Davis requested that the Board approve Ms. Reed's appointment to the position and waiver of the County's Personnel Rules Section 3.1 (Recruitment).

It was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT to appoint Ms. Natalie Reed to the position of County Counsel effective May 17, 2023 through and including May 16, 2027; approve the employment agreement, by and between Ms. Reed and the County of Siskiyou and waive the County's Personnel Rules Section 3.1 (Recruitment).

Public Works/County Administration - Discussion, direction and possible action re amendment to Memorandum of Understanding with the Klamath River Renewal Corporation (KRRC) to address impacts on county roads/bridges from implementation of KRRC's Definite Plan. Approved.

Public Works Director Tom Deany appeared before the Board and provided an overview of the request to approve an amendment to the Memorandum of Understanding (MOU) with the Klamath River Renewal Corporation (KRRC) to address impacts on county roads/bridges from implementation of KRRC's Definite Plan. Mr. Deany summarized various details in the amendment related to the timing and funding for roadway work on Copco, Ager and Ager Beswick Roads.

Klamath River Country Estates (KRCE) representative Susan Wallace appeared before the Board and shared concerns regarding markings on the Copco area roadways. Ms. Wallace voiced support for the various maintenance efforts being made to the damaged roads.

Discussion followed between members of the Board, Mr. Deany and County Administrator Angela Davis regarding the anticipated process for the Public Works Department and KRRC's contractors to patch/repair the Copco area roads, language in the MOU related to KRRC's contractors timely response to road damage reports, the need to clarify the meaning of 'prompt' response, plans that will allow emergency vehicle passage during the road work and the anticipated process to re-route the MOU/amendment to both parties with regard to the verbiage 'prompt' response.

It was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT to approve the first amendment to the MOU, and authorize the County Administrator, or her designee, to sign the MOU in substantially the same form, with direction to staff to report back to the Board of the definition of 'prompt' response in the MOU language.

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. Local emergency terminated.

County Administrator Angela Davis requested termination of the local emergency related to drought.

Following discussion between members of the Board and Ms. Davis regarding the need to notify the State of the drought emergency termination, it was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT to terminate the local emergency related to drought as declared by Resolution 22-74.

It was moved by Supervisor Haupt and seconded by Supervisor Ogren to direct staff to draft a letter to the California Governor requesting removal of Siskiyou County from the State's drought declaration.

Following further discussion, including Deputy County Administrator Elizabeth Nielsen and Office of Emergency Services Director Bryan Schenone (via teleconference phone) regarding the status of irrigation water allocations/deliveries for Tulelake and the Klamath Project, the need to call attention to the abundance of snow/rain/water brought into the area in 2023, the potential for a manmade/political drought in the area and efforts being made to draft emergency declarations related to the Tulelake/Klamath Project and Scott Valley irrigation curtailments, the Vice Chair called for the question. Following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT the motion to direct staff to draft a letter to the Governor with the Chair or Vice Chair authorized to sign carried.

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.

Klamath River Country Estates (KRCE) representative Susan Wallace requested continuation of the local emergency, reporting on the status of upcoming growing season and associated negative impacts.

County Administrator Angela Davis advised that the Sheriff requested continuation of the local emergency.

Following discussion between members of the Board and Ms. Davis regarding the need for additional information regarding the impacts associated with marijuana and other illicit drugs, it was moved by Supervisor Ogren, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT to extend the local emergency related to the proliferation of illegal cannabis cultivation as declared by Resolution 20-18.

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. Local emergency extended.

Community Development Director Rick Dean reported on the status of the cleanup efforts for properties affected by the McKinney fire, advising that the majority of cleanup work had been completed.

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

Office of Emergency Services Director Bryan Schenone requested extension of the proclamation, sharing concerns regarding possible negative impacts associated with melting snow and rain runoff.

It was moved by Supervisor Haupt and seconded by Supervisor Ogren to extend the local emergency related to McKinney Fire burn scar and debris flows declared by the Director of Emergency Services.

Following discussion between members of the Board, Mr. Dean and Mr. Schenone regarding the need for information regarding watershed recovery plans and coordinated efforts related to debris flow, the Vice Chair called for the question and following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT, the motion carried.

Appointments - County Clerk - Appointment of one member to the unscheduled vacancy on the Tennant Community Services District, for a short-term ending December 6, 2024. No action taken.

Deputy County Clerk Wendy Winningham provided an overview of the request for the Board of Supervisors to make an appointment to fill a vacancy on the Tennant Community Services District. Continued...

Appointments - County Clerk – (continued)

Ms. Winningham advised that the Board would need to make an appointment no later than May 16th and that the Clerk's Office had not received any letters of interest in filling the vacant position.

No action was taken.

Minute Approval - April 18 and 25 and May 2, 2023. Approved.

It was moved by Supervisor Ogren, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT to approve the April 18, April 25 and May 2, 2023 minutes as presented.

Public Hearings - County Clerk - Public hearing for the second reading of an Ordinance amending Title 2, Chapter 12, Section 2-12.101 of the Siskiyou County Code regarding County Clerk fees with regard to Confidential Marriage Licenses. Ordinance 23-05 adopted.

This was the time set for a public hearing for the second reading of an Ordinance amending Title 2, Chapter 12, Section 2-12.101 of the Siskiyou County Code regarding County Clerk fees with regard to Confidential Marriage Licenses, having been introduced on April 18, 2023.

Vice Chair Kobseff opened the public hearing.

Deputy County Clerk Wendy Winningham provided an overview of the request to bring the County Clerk's fees in line with State fees related to issuance of Confidential Marriage Licenses.

In response to the Vice Chair, Ms. 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 Ogren and seconded by Supervisor Haupt to introduce, waive, and approve the second reading of the Ordinance of the County of Siskiyou Amending Title 2, Chapter 12, Section 2-12.101 of the Siskiyou County Code regarding the County Clerk Fees. Following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT the motion to adopt Ordinance 23-05 carried.

Public Hearings - Community Development - Public hearing to consider Resolutions approving rescission and re-entry of existing Williamson Act Contract and an amendment to an existing Agricultural Preserve under Application APA-22-11 and finding the project exempt from CEQA for the Crawford Williamson Act contract rescission and reentry project. Resolutions 23-97 and 23-98 adopted.

This was the time set for a public hearing to consider Resolutions approving rescission and re-entry of existing Williamson Act Contract and an amendment to an existing Agricultural Preserve under Application APA-22-11 and finding the project exempt from CEQA for the Crawford Williamson Act contract rescission and reentry project.

Vice Chair Kobseff opened the public hearing.

Assistant Planner Bernadette Cizin appeared before the Board, providing an overview of the request to bring certain property under multiple property owners under one Williamson Act contract for the Crawford Williamson Act amendment project. Ms. Cizin additionally advised that, during project review, one parcel was found to be substandard (under the 40 acre minimum) and that staff recommended and would bring a request for non-renewal before the Board prior to September 2023. Ms. Cizin further recommended that the project be consider exempt under CEQA.

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

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

Discussion between members of the Board and Ms. Cizin regarding the possible recommendation for non-renewal of the substandard parcel and the associated process.

Continued...

Public Hearings - Community Development – (continued)

It was moved by Supervisor Ogren, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT to determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15317, Open Space Easements or Contracts; adopt the attached Resolution 23-98 approving the amendment of the existing Agricultural Preserves and establish a new Agricultural Preserve, adopt the attached Resolution 23-97 approving the rescission and reentry of the applicable Williamson Act contract and direct staff to bring back before the Board a recommendation for Notice of Non-Renewal for the substandard parcel.

Public Hearings - Community Development - Public hearing to consider Resolution directing staff to issue a Notice of Non-Renewal for 87-acres under Williamson Act Contract No. 71036 for the Landon Williamson Act contract rescission and reentry (APA-22-10) project. Resolution 23-99 adopted.

This was the time set for a public hearing to consider a Resolution directing staff to issue a Notice of Non-Renewal for 87-acres under Williamson Act Contract No. 71036 for the Landon Williamson Act contract rescission and reentry (APA-22-10) project.

Vice Chair Kobseff opened the public hearing.

Assistant Planner Bernadette Cizin provided an overview of the request and the Landon Williamson Act contract amendment project to bring certain property under multiple owners under one Williamson Act contract. Ms. Cizin advised that, during project review evidence related to the property's commercial horse breeding/training Agricultural Use was needed and requested, but had not been provided to the Community Development Department. Ms. Cizin recommended issuance of a Notice of Non-Renewal for the subject 87 acres and that the project be consider exempt under CEQA.

In response to the Vice Chair, Deputy County Clerk Wendy Winningham advised that the Clerk's Office had not received any correspondence related to this item, although a public hearing notice letter sent to neighboring property owners had been returned as not deliverable by the Postal Service.

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

Following discussion between members of the Board and Ms. Cizin regarding the options/associated costs available to the property owner to cure the non-renewal and the non-renewal timeframe, it was moved by Supervisor Haupt and seconded by Supervisor Ogren to determine the issuance of a notice of non-renewal is exempt from CEQA in accordance with Section 15317, Open Space Easements or Contracts; and authorize staff to process the Notice of Non-Renewal with any changes as directed by the Board. Following a roll call vote with Supervisors Haupt, Ogren and Kobseff voting YES and Supervisors Criss and Valenzuela ABSENT, the motion to adopt Resolution 23-99 directing staff to issue a Notice of Non-Renewal carried.

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), two cases, commenced at 11:20a.m., concluded at 11:55a.m., with no action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 11:55a.m., with no reportable action taken.

Board and Staff Reports

Supervisor Ogren advised of her attendance at the Siskiyou Spring Fest in Yreka where she judged the chainsaw carving contest, reported on a Golden State Connect Authority JPA meeting and advised of an upcoming Rocky Mountain Elk Foundation dinner.

Supervisor Haupt advised that he taught classes at Etna High School and reported on his attendance at an Etna High School Ag Program Board of Directors meeting. Supervisor Haupt additionally advised of the passing of Bruce Courtright, a founder of the local firesafe council.

Supervisor Kobseff reported on his attendance at a Rural County Representatives of California (RCRC) meeting in Chico and advised that over 2700 new bills have been introduced at the legislature for 2023.

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