

# State of California, County of Siskiyou

## Board of Supervisors Minutes, September 3, 2024

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 3<sup>rd</sup> day of August 2024; there being present Supervisors Brandon Criss, Ed Valenzuela, Michael N. Kobseff, Nancy Ogren and Ray A. Haupt, County Administrator Angela Davis, County Counsel Natalie E. Reed 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 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, In Home Supportive Services Public Authority and Siskiyou Power Authority. 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**

County Counsel Natalie E. Reed advised of technical difficulties with the online agenda for today's meeting and access to associated backup materials. Ms. Reed further advised that the agenda was properly posted within the requested 72-hour timeframe and that the Board could discuss or choose to continue various items on the agenda to the next regular meeting of September 17, 2024. Ms. Reed recommended opening the public hearings and then continuing them to September 17<sup>th</sup>.

Siskiyou Economic Development Council (SEDC) representatives Tonya Dowse, Kory Hayden and Gillies Robertson appeared before the Board.

Ms. Dowse provided a brief overview of upcoming SEDC activities.

Ms. Hayden provided an overview of two upcoming no cost workshops that will be available to local agricultural producers.

Mr. Robertson provided an overview of California Department of Food and Agriculture (CDFA) grant opportunities that can be accessed by local agricultural producers for the Healthy Soils practices.

Supervisor Kobseff suggested that the SEDC reach out to the First 5 Children and Families Commission for possible teaching opportunities for children regarding local agriculture and availability of food products.

County Administrator Angela Davis advised of the availability of the hard-copy agenda packet that members of the public could review in the Board Chambers.

**Consent Agenda** – Various consent items continued to September 17, 2024.

At Chair Kobseff's request, items 5C, County Administration's informational only item re Participation Agreement with the City of Redding as the Administrative Entity for the NorCal Continuum of Care, 5D, County Administration's opposition letter to California Senator Alex Padilla re the designation of Medicine Lake Highlands (Sattitla) as a National Monument, 5E, County Administration's contract with Belfor USA Group, Inc. for various repairs related to the Community Development building fire and 5Q, Transfer of Funds - Solid Waste Disposal - \$1,000,000, were pulled from the consent agenda for discussion.

Chair Kobseff advised that, due to technical difficulties associated with the online agenda and associated backup materials, the remainder of the consent agenda items were continued to the September 17, 2024 meeting agenda as follows:

Auditor

Adopt Resolution setting tax rate for 2024/2025 fiscal year as \$1.00 per hundred dollars of appraised valuation and setting FY 2024/2025 debt rates.

Continued...

**Consent Agenda – (continued)**

Auditor

Adopt Resolution setting Gann expenditure limitations for 2024-2025 at \$70,267,715.75.

County Clerk

Adopt Resolution updating the Conflict of Interest Code, designating members and employees in all County Departments, Special Districts and School Districts.

County Counsel

Adopt Resolution amending Subsection 2(B) and Subsection 3(A)(2) of Resolution 03-92 setting forth amended procedures for zoning and other administrative hearings, with regard to the Order of Presentation set forth in public hearing protocol and Presentation of Evidence for administrative zoning/land use hearings.

District Attorney

Adopt Resolution authorizing the District Attorney's Office to apply for, accept, and manage the Victim Witness Assistance Program grant in the amount of \$313,605 for the term October 1, 2024 through September 30, 2025.

Facilities Management - Communications

Approve addendum to Site License Agreement with Top Sites, Inc. for a repeater on Antelope Ridge, replacing various Exhibits and increasing the monthly rent by \$400, thereby amending the rent schedule as specified in the addendum.

Health and Human Services - Behavioral Health Division

Approve request to accept two \$25 Amazon gift cards (\$50 total), from Iris Telehealth to make purchases of supplies for Siskiyou Crossroads Program.

Health and Human Services - Public Health Division

Approve Intergovernmental Agreement regarding transfer of public funds with California Department of Health Care Services, to transfer up to maximum funding of \$71,991 for the period January 1, 2023 through December 31, 2023.

Health and Human Services - Public Health Division

Approve grant agreement with California Department of Public Health for the California HIV Surveillance Program, in an amount not to exceed \$21,935 for the term July 1, 2024 through June 30, 2029.

Health and Human Services - Public Health Division

Adopt Resolution 24- authorizing the acceptance of the allocation award under the Project Empowerment Tier 2, No. 24-10049 for County of Siskiyou, for a total allocation of \$600,000 for the period July 1, 2024 through June 30, 2028.

Health and Human Services - Social Services Division

Approve addendum to contract with California Department of Social Services for certain adoption services, deleting and replacing Exhibit A, Scope of Services with new Exhibits A, A-1 and A-2 and increasing the compensation by \$116,505 to a total not to exceed \$992,215.

Health and Human Services - Social Services Division

Approve agreement with California Department of Social Services to provide legal consultation and representation associated with Resource Family Approval Program for the term July 1, 2024 through June 30, 2027.

Sheriff

Adopt Resolution authorizing the Siskiyou County Sheriff, or designee, to accept monetary donations on behalf of Siskiyou County for department and public benefit to be deposited in a separate account for gifts without declaration of purpose, for use at the discretion of the Sheriff, in alignment with permissions set forth in Government Code 25355.

**County Administration** - Informational item only, no action required - Participation Agreement with the City of Redding as the Administrative Entity for the NorCal Continuum of Care, with the County to pay a total not to exceed \$29,403.94 for FY 24/25. Continued to September 17, 2024.

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

County Administrator Angela Davis provided an overview of the Participation Agreement for Administrative Entity for the NorCal Continuum of Care (COC), which was recently transferred from Shasta County to the City of Redding. Ms. Davis advised that the item was before the Board as an informational item and that no action was needed.

Discussion followed between members of the Board and Ms. Davis regarding the potential sharing among participating agencies and confidentiality of the Client Consent Form-Release of Information, possible negative impacts to clients' health information, individuals' health information privacy under Health Insurance Portability and Accountability Act (HIPAA) Rules and potential negative impacts associated with data breaches.

Ms. Davis advised that she would research additional information regarding protection/safety of clients' health information as part of the Participation Agreement for the next Board meeting.

Chair Kobseff advised that this item was continued to September 17, 2024.

**County Administration** - Approve letter to California Senator Alex Padilla voicing opposition to the designation of Medicine Lake Highlands (Sattitla) as a National Monument. Amended letter approved.

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

Deputy County Administrator Elizabeth Nielsen appeared before the Board.

Supervisor Criss requested that the letter be copied to the Shasta-Trinity, Modoc and Klamath National Forests and the Forest Service's Region 5 headquarters.

Following brief discussion between members of the Board and Ms. Nielsen regarding the need to track the status of the legislation and the need for the County to be involved in the process, it was moved by Supervisor Criss, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Criss, Ogren and Kobseff voting YES to approve the letter in opposition to the efforts to designate the Medicine Lake Highlands (Sattitla) as a National Monument and authorize the Chair to sign.

**County Administration** - Approve contract with Belfor USA Group, Inc. for various repairs related to the Community Development building arson fire that occurred in spring 2024, in an amount not to exceed \$980,000, with work to be completed 180 calendar days from September 3, 2024 start date. Approved.

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

Deputy County Administrator – Personnel and Risk Management Hayley Hudson appeared before the Board and provided an overview of the request to approve a sole source contract with Belfor USA Group, Inc. for repairs to the Community Development building that was damaged by an arson fire. Ms. Hudson advised that the project had not been completed and spoke in support of utilizing the same contractor chosen via the sole source process to complete the needed repairs.

It was moved by Supervisor Haupt, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Criss, Ogren and Kobseff voting YES to approve the contract between the County and Belfor USA Group, Inc., and authorize the Auditor to establish budget as necessary.

**Transfer of Funds** - Solid Waste Disposal - \$1,000,000. Resolution 24-137 adopted.

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

General Services Director Joy Hall appeared before the Board and provided an overview of the request.

It was moved by Supervisor Valenzuela, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Criss, Ogren and Kobseff voting YES to adopt Resolution 24-137, Transfer of Funds, Solid Waste Disposal, in the amount of \$1,000,000.

**Public Hearings** - County Clerk - Public hearing to consider a Resolution decreasing the number of members on the Shasta Valley Cemetery District Board of Trustees from five to three at the District's request. Resolution 24-138 adopted.

This was the time set for a public hearing to consider a Resolution decreasing the number of members on the Shasta Valley Cemetery District Board of Trustees from five to three at the District's request.

Chair Kobseff opened the public hearing.

Deputy County Clerk Wendy Winningham provided an overview of the Cemetery District's request to reduce their membership from five to three District members/trustees.

Shasta Valley Cemetery District Chair Rory McNeil appeared before the Board, speaking in support of the District's request and the benefits associated with a smaller district board.

In response to Chair Kobseff, Ms. Winningham advised that the Clerk's Office had not received any correspondence related to this item.

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

It was moved by Supervisor Ogren, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Criss, Ogren and Kobseff voting YES to adopt Resolution 24-138 decreasing the number of members on the Shasta Valley Cemetery District Board of Trustees from five to three.

**Appointments** - County Clerk - Appointment of one member to the unscheduled vacancy on the Shasta Valley Cemetery District, for a term ending January 5, 2026. Dropped from the agenda.

Deputy County Clerk Wendy Winningham advised that pursuant to the Resolution adopted in the previous agenda item, this and one other vacant position on the Shasta Valley Cemetery District Board of Trustees had been eliminated and that action on this item was not necessary.

Chair Kobseff advised that the item was dropped from the agenda.

**County Administration – Personnel** - Discussion, direction and possible action re Resolution adopting the comprehensive Memorandum of Understanding with the Deputy Sheriffs' Association and implementing the provisions thereof, for the term commencing September 15, 2024 and ending September 25, 2027; associated Resolution amending the Siskiyou County Salary Schedule, effective January 5, 2025, September 28, 2025 and September 27, 2026. Resolution P 24-139 (MOU) and P 24-140 (salary) adopted.

Deputy County Administrator – Personnel and Risk Management Hayley Hudson appeared before the Board and provided an overview of the request, including specifics related to the updated Memorandum of Understanding (MOU) and amended Salary Schedule. Ms. Hudson advised that the Siskiyou County Correctional Peace Officers Unit and Deputy Sheriff's Association (DSA) had merged and were now both under the DSA.

It was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Criss, Ogren and Kobseff voting YES to adopt Resolution P 24-139 regarding the Memorandum of Understanding between the County of Siskiyou and Deputy Sheriffs' Association, effective September 15, 2024; and adopt Resolution P 24-140 amending the Siskiyou County Salary Schedule as outlined in the attached resolution.

**County Administration – Personnel** - Discussion, direction and possible action re Resolution adopting the comprehensive Memorandum of Understanding with the Siskiyou County Probation and Juvenile Peace Officers' Association and implementing the provisions thereof, for the term commencing September 15, 2024 and ending September 25, 2027; and associated Resolution amending the Siskiyou County Salary Schedule, effective September 29, 2024, September 28, 2025 and September 27, 2026. Resolutions P 24-141 (MOU) and P 24-142 (salary) adopted.

Deputy County Administrator – Personnel and Risk Management Hayley Hudson appeared before the Board and provided an overview of the request, including specifics related to the updated Memorandum of Understanding (MOU) and amended Salary Schedule.

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

It was moved by Supervisor Ogren, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Criss, Ogren and Kobseff voting YES to adopt Resolution P 24-141 regarding the Memorandum of Understanding between the County of Siskiyou and Siskiyou County Probation and Juvenile Peace Officers' Association, effective September 15, 2024; and adopt Resolution P 24-142 amending the Siskiyou County Salary Schedule as outlined in the attached resolution.

**Board of Supervisors' Requests** - Board of Supervisors - Review status of local emergency related to impacts resulting from Lower Klamath Dam removal declared by Resolution 24-51, adopted on March 26, 2024; action to extend or terminate local emergency. Local emergency extended.

Deputy County Administrator Elizabeth Nielsen appeared before the Board and provided background information regarding the emergency declaration and County efforts being made to sample/monitor water quality in the Klamath River for heavy metals, including sampling the sludge runoff following dam removal activities. Ms. Nielsen shared concerns that recently the Governor's Office denied the County's request for a State of Emergency declaration and assistance with monitoring air and water quality due to dam removal activities. Ms. Nielsen advised that aluminum and iron (heavy metals) were found to be above drinking water standards in recent sediment sampling which were indicated in a Memo from the County's environmental consultant.

Discussion followed between members of the Board and Ms. Nielsen regarding concerns associated with limited baseline and pre-dam removal data, the consultant's inability to derive trends related to heavy metal concentrations post-dam removal, negative impacts associated with the recent increase in sediment released into the river, water wells in the Copco/Irongate area that have gone dry following dam removal, the need to continue to insist that the Klamath River Renewal Corporation (KRRRC) develop a permanent solution to the water well issue and the need to draft a letter asking about the status of the dam removal project when contractors are anticipated to leave the area by the end of the year.

Supervisor Valenzuela requested information regarding the percentage of water wells in the County that have gone dry versus the number of wells in the Copco/Irongate area.

It was moved by Supervisor Haupt, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Criss, Ogren and Kobseff voting YES and Supervisor Valenzuela voting NO to extend the local emergency related to impacts resulting from Lower Klamath Dam removal declared by Resolution 24-51.

**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.

Undersheriff James Randall appeared before the Board and summarized statistics (i.e. number of plants, amount of process marijuana, number of associated arrests, seizure of illegal pesticides, search warrants served) related to various operations held to address illegal cannabis cultivation within the County.

Discussion followed between members of the Board and Mr. Randall regarding the Sheriff's efforts being made to update the emergency proclamation with current statistics and concerns regarding the potential negative impacts associated with illegal and toxic pesticides being used on the landscape.

It was moved by Supervisor Criss, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Criss, Ogren and Kobseff voting YES to extend the local emergency related to the proliferation of illegal cannabis cultivation as declared by Resolution 20-18.

**Appointments** - County Clerk - Appointment of two members to the scheduled vacancies on the Mayten Fire Protection District, for terms ending August 15, 2028. Tim Louie and Caralee Scala appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that incumbents Tim Louie and Caralee Scala were interested in re-appointment.

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

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Criss, Ogren and Kobseff voting YES to appoint Tim Louie and Caralee Scala to the scheduled vacancies on the Mayten Fire Protection District, for terms ending August 15, 2028.

**Public Hearings - Community Development - Planning Division - Public hearing to consider two Resolutions, one approving an amendment to an existing Agricultural Preserve and one approving the rescission and re-entry of existing Williamson Act Contracts under Application APA-24-06 for the Griset Williamson Act Contract Rescission and Reentry project for property located on Harry Cash Road near the community of Big Springs. Continued to September 17, 2024.**

This was the time set for a public hearing to consider two Resolutions, one approving an amendment to an existing Agricultural Preserve and one approving the rescission and re-entry of existing Williamson Act Contracts under Application APA-24-06 for the Griset Williamson Act Contract Rescission and Reentry project for property located on Harry Cash Road near the community of Big Springs.

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

Chair Kobseff opened the public hearing.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Kobseff voting YES and Supervisor Criss RECUSED to continue this public hearing to September 17, 2024 due to technical difficulties associated with the online agenda and access to associated backup materials.

**Public Hearings - Community Development - Planning Division - Public hearing to consider two Resolutions, one approving an amendment to an existing Agricultural Preserve and one approving the rescission and re-entry of existing Williamson Act Contracts under Application APA-24-04 and a Resolution directing staff to issue a Notice of Non-Renewal for 4.2 acres under new Williamson Act Contract for the Barnes/Johnson Williamson Act Contract Rescission and Reentry project for property located on South State Highway 3 south of Etna and north of Callahan CA. Continued to September 17, 2024.**

This was the time set for a public hearing to consider two Resolutions, one approving an amendment to an existing Agricultural Preserve and one approving the rescission and re-entry of existing Williamson Act Contracts under Application APA-24-04 and a Resolution directing staff to issue a Notice of Non-Renewal for 4.2 acres under new Williamson Act Contract for the Barnes/Johnson Williamson Act Contract Rescission and Reentry project for property located on South State Highway 3 south of Etna and north of Callahan CA.

Supervisor Criss was recused from consideration of this item and remained outside of the Board Chambers.

Chair Kobseff opened the public hearing.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Kobseff voting YES and Supervisor Criss RECUSED to continue this public hearing to September 17, 2024 due to technical difficulties associated with the online agenda and access to associated backup materials.

**Public Hearings - Community Development - Public hearing to consider adoption of revised Rules for the establishment and administration of the Siskiyou County Agricultural Preserve and Williamson Act Contracts (SP-24-03). Continued to September 17, 2024.**

This was the time set for a public hearing to consider adoption of revised Rules for the establishment and administration of the Siskiyou County Agricultural Preserve and Williamson Act Contracts (SP-24-03).

Supervisor Criss was recused from consideration of this item and remained outside of the Board Chambers.

Chair Kobseff opened the public hearing.

Continued...

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

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Kobseff voting YES and Supervisor Criss RECUSED to continue this public hearing to September 17, 2024 due to technical difficulties associated with the online agenda and access to associated backup materials.

Supervisor Criss returned to the Board Chambers.

**County Administration** - Discussion, direction and possible action re Resolution continuing the Board of Supervisors' declaration of a wildfire emergency which, if approved, will supersede and replace Resolution 21-118 adopted on August 10, 2021. Continued to September 17, 2024.

Chair Kobseff advised that, due to technical difficulties associated with the online agenda and access to associated backup materials, this item was continued to the September 17, 2024 meeting agenda.

**Minute Approval** - August 6 and 13, 2024. Continued to September 17, 2024

Chair Kobseff advised that, due to technical difficulties associated with the online agenda and access to associated backup materials, this item was continued to the September 17, 2024 meeting agenda.

## **Board and Staff Reports**

There were no Board or Staff Reports given.

**Closed Session** - Personnel pursuant to Government Code §54957, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), four cases, commenced at 10:07 a.m., concluded at 10:56 a.m., with action taken.

## **Report On Closed Session**

County Counsel Natalie E. Reed announced that closed session concluded at 10:56 a.m., with reportable action taken.

With regard to item 14B, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: David Fennell v. Shirley N. Weber, Ph.D., in her official capacity as Secretary of State of the State of California, et al., Sacramento County Superior Court, Case No. 24WM000124, it was moved by Supervisor Criss and seconded by Supervisor Kobseff and carried with a unanimous vote of YES to ratify Counsel's defense of this now resolved expedited suit.

With regard to item 14C, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Casey G. Lowe v. Natalie Reed in her capacity as Siskiyou County Counsel, et al., Siskiyou County Superior Court, Case No. 24cv07519, Ms. Reed advised that County Counsel recused herself, leaving the Board room at 10:07 a.m., returning at 10:12 a.m. In addition, Deputy County Administrator – Personnel and Risk Management Hayley Hudson provided the report out of closed session for this item, reporting that, following the County's filing of a Anti-SLAPP motion and demurrer in response to the Plaintiff's complaint, it was moved by Supervisor Valenzuela, seconded by Supervisor Ogren and carried with a unanimous vote of YES to authorize the Risk Manager to execute a settlement agreement whereby Plaintiff would dismiss his suit with prejudice, the Parties exchange mutual and other releases and waivers and each Party bearing their own costs and attorneys' fees.

With regard to item 14A, Personnel pursuant to Government Code §54957, consider the discipline, dismissal or release of a public employee, Ms. Reed advised that it was moved by Supervisor Haupt and seconded by Supervisor Ogren and carried with a unanimous vote of YES to issue a decision upholding in part and modifying in part a Cease and Desist Memorandum issued to a Behavioral Health employee by the Personnel Officer in relation to Personnel Rule 3.9.

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

Attest:  
Laura Bynum, County Clerk

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Michael N. Kobseff, Chair

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