

State of California, County of Siskiyou

Board of Supervisors Minutes, August 10, 2021

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 10th day of August 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 Flood Control and Water Conservation District. Deputy County Administrator Elizabeth Nielsen led in the salute to the flag of the United States of America.

Off-agenda item – County Counsel – Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), one case. Added to the closed session agenda.

County Counsel Edward J. Kiernan provided a brief overview of the request to add an item, not on the posted agenda, to the closed session and requiring Board input prior to the next regular Board meeting.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Ogren, Valenzuela and Haupt voting YES, to consider an item not on the posted agenda regarding conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), one case.

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), four cases, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), one case, commenced at 8:35a.m., concluded at 10:05a.m., with no action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 10:05a.m., with no reportable action taken. In addition, Mr. Kiernan advised that Supervisor Valenzuela stepped out of closed session from 9:48a.m. to 9:51a.m., and that Supervisor Kobseff stepped out from 9:51a.m. to 9:53a.m.

Invocation - Siskiyou County Sheriff Chaplain Keith Bradley provided an invocation.

Presentations from the Public

Audience member Susan Miller spoke in support of freedom of choice for all state workers and healthcare workers with regard to vaccine mandates.

Audience member Gavin Bryan spoke in support of freedom of choice for all state workers and healthcare workers with regard to vaccine mandates.

Audience member Jill Harris spoke in support of freedom of choice for all state workers and healthcare workers with regard to vaccine mandates.

Audience member Randy Deala spoke in support of freedom of choice for all state workers and healthcare workers with regard to vaccine mandates, sharing concerns regarding the potential lack of healthcare workers who may leave their jobs.

Continued...

Presentations from the Public – (continued)

Audience member Matt Rokes spoke in support of freedom of choice for all state workers and healthcare workers with regard to vaccine mandates and support for a letter from the Board of Supervisors to the Governor in opposition to the vaccine mandate.

Audience member Courtney Hanson spoke in support of freedom of choice for all state workers and healthcare workers with regard to vaccine mandates and support for informed consent.

Audience member Lori Williamson-Dixon spoke in support of freedom of choice for all state workers and healthcare workers with regard to vaccine mandates and in support of informed consent.

Audience member Don MacIntosh voiced opposition to the COVID-19 vaccines and the State's vaccine mandates.

Audience member Daniel Simon presented and summarized a one-page letter, sharing concerns regarding the County Clerk's use of the Dominion Voting System for processing election results.

Audience Ron Hittinger voiced opposition to the COVID-19 vaccine and the Governor's vaccine mandates.

Audience member Louise Gliatto spoke with regard to the Board's draft letter to the Governor regarding vaccine mandates, suggesting the removal of language concerning the option to receive COVID testing as that option was no longer available to healthcare and State workers. Ms. Gliatto presented a two-page document regarding AB 327 for freedom from medical tyranny.

Audience member Dr. John Tribble spoke in opposition to the Governor's COVID-19 vaccine mandates, sharing concerns regarding the potential negative impacts associated with healthcare workers leaving their jobs.

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 Jonathan Dixon shared concerns regarding the potential for those people vaccinated for COVID-19 to still spread the virus.

Caller Vicki Gold shared concerns regarding the COVID-19 vaccines and concerns regarding upcoming Senate Bill (SB) 10 that would negatively impact agricultural areas.

Caller Ginger Sammito voiced concerns regarding the criminal activity taking place within the County (concerning illegal cannabis cultivation).

Caller Charlene Watkins spoke in support of the efforts being made by the County and Sheriff concerning illegal cannabis and shared concerns regarding the State's vaccine mandates.

Community Development Director Rick Dean appeared before the Board and provided an update regarding the efforts being made to address the Public Trust Doctrine, advising of an upcoming agenda item set for the September 21, 2021 Board meeting.

Klamath National Forest Supervisor Rachel Smith appeared before the Board, providing an update on various wildfires currently burning within the County.

County Fire Warden Phil Anzo appeared before the Board, providing an update regarding efforts to work with local National Forests on the various wildfires currently burning within the County.

Brief discussion followed between members of the Board, Mr. Anzo and Ms. Smith regarding the processes for removing forest materials during firefighting operations, the benefits associated with utilizing unified command to be proactive in attacking wildfires and the various partnerships utilized to fight fires.

Consent Agenda – Approved.

At County Administrator Angela Davis' request, items 7A and 7B, County Administration's letter to Governor Gavin Newsom re vaccinations/testing mandate for State employees/health care workers and a Resolution declaring intent to sell certain County-owned real property referred to as the Railroad Park Property; 7F, Office of Emergency Services' Resolution proclaiming a local emergency related to the River Complex/Antelope Fire; and 7I, Public Health's request to continue the Local Health Emergency Proclamation for hazards resulting from local wildfires, were pulled from the consent agenda for discussion.

At Supervisor Kobseff's request item 7E, County Administration's Resolution requiring that Unified Command be invoked between the United States Forest Service, Cal Fire and the County of Siskiyou was pulled from the consent agenda for discussion.

After the consent agenda was approved, Supervisor Haupt requested to reconsider item 7L, Natural Resources' comment letter to the Shasta-Trinity National Forest regarding proposed fee increase.

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 remove item 7L from the consent agenda for discussion in order to discuss possible revisions to the comment letter.

It was moved by Supervisor Kobseff, seconded by Supervisor Criss 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:

County Administration

Approve the Master Services agreement with All Season's Moving and Storage, Inc., dba: Hemsted's Moving and Storage, and provide authority for the County Administrator, or her designee, to approve departmental requests to utilize the agreement as needed during the term of the contract.

County Administration

Approve the Master Services agreement with AccuSource, and provide authority for the County Administrator, or her designee, to approve departmental requests to Inc., to provide background screening services for County departments as needed, utilize the agreement as needed during the term of the contract.

Dunsmuir Recreation and Parks District

Approve the Resolution 21-113 for a temporary loan, in the amount of \$50,000 to the Dunsmuir Recreation and Parks District, which loan shall be repaid to the County on or before April 10, 2022.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the third addendum to contract for services between Siskiyou County Health and Human Services Agency, Behavioral Health Division, and Crestwood Behavioral Health, Inc.

Health and Human Services – Social Services Division

Approve and the Chair to sign the contract for services between Siskiyou County Health and Human Services Agency and the California Department of Social Services for the term July 1, 2021 through June 30, 2023.

Health and Human Services - Social Services Division

Ratify and approve the grant application, authorize acceptance of the grant award, authorize the Board of Supervisors Chair to enter into and execute a subrecipient agreement, and authorize the Auditor to establish budget appropriations.

Recorder

Approve the Permittium LLC "User License agreement for an online vital records request application" as submitted, with the Chair authorized to sign.

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Consent Agenda – (continued)

Siskiyou Fire Safe Council

Approve letter of support for the Coordinators Grant Opportunity.

Transfer of Funds - Sheriff - \$250. Resolution 21-114 adopted.

County Administration - Approve letter to Governor Gavin Newsom stating opposition to the July 26, 2021, vaccination and testing mandate for State employees and health care workers. Approved.

This item was pulled from the consent agenda at County Administrator Angela Davis' request.

Supervisor Haupt suggested modifying the draft letter to remove the testing requirement portion and revising the mandate effective date.

Discussion followed between members of the Board, County Counsel Edward J. Kiernan and Deputy County Administrator Elizabeth Nielsen regarding the mandate effective date, suggested language to add to the letter concerning the potential negative impacts to State and healthcare workers' livelihoods and the need for additional time to modify the draft letter to be brought back later in the meeting.

Supervisor Valenzuela spoke in opposition to the draft letter.

Later in the meeting, it was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Ogren and Haupt voting YES, and Supervisor Valenzuela voting NO to approve the draft letter to Governor Newsom regarding his July 26, 2021 vaccination mandate, adding language with regard to the State Public Health Officer Order of August 5, 2021.

County Administration - Adopt Resolution declaring the Board of Supervisors' intent to sell certain County-owned real property identified as APNs 030-320-070, 030-320-080, 030-380-110, and 014-940-020, commonly referred to as the Railroad Park Property, advertise the property for sale and approve bid form and draft property sale agreement. Resolution 21-115 adopted.

This item was pulled from the consent agenda at County Administrator Angela Davis' request.

Deputy County Administrator Elizabeth Nielsen provided and summarized minor typographical corrections needed within page two of the Resolution and the attached Notice Inviting Proposals and the Bid to Purchase County Property.

It was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to approve the Resolution 21-115 to advertise for sale the Railroad Park Property, and approve the big form and draft property sales agreement as amended.

County Administration - Adopt Resolution requiring that Unified Command be invoked between the United States Forest Service, Cal Fire and the County of Siskiyou, to respond to any wildfires in Siskiyou County. Resolution 21-116 adopted.

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

Supervisor Kobseff suggested the addition of language that Unified Command be invoked for all fires starts on Federal lands.

Supervisor Haupt suggested that when a community is at risk would be the time to invoke Unified Command rather than for all fire starts on Federal lands.

Discussion followed between members of the Board and County Counsel Edward J. Kiernan regarding the benefits associated with invoking Unified Command, the potential negative impacts when firefighting efforts are delayed and possibly adding language that the County opposes fire management in certain areas.

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County Administration – (continued)

It was moved by Supervisor Haupt and seconded by Supervisor Kobseff to approve the Resolution for Unified Command between the United State Forest Service, CAL FIRE, and the County for all current and future fires, with the addition of the following language in the eighth paragraph: whenever a fire is within the influence of a “Community at Risk”.

The Chair opened the item to public comment.

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 Charlene Watkins spoke in support of the Resolution requiring Unified Command be invoked.

The Chair called for the question and, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to adopt Resolution 21-116 carried unanimously.

County Administration - Office of Emergency Services - Adopt Resolution proclaiming a local emergency and requesting that the Governor proclaim a State of Emergency (River Complex and Antelope Fire). Resolution 21-117 adopted; Proclamation approved.

This item was pulled from the consent agenda at County Administrator Angela Davis’ request.

Ms. Davis provided an overview of the request, advising of the need to add language to the Resolution with regard to waiving the County procurement policy when procuring services and/or supplies that are needed/required during an incident. In addition, Ms. Davis requested ratification of the Director of Emergency Services’ Proclamation effective August 10, 2021.

Following discussion between Supervisor Haupt and Ms. Davis clarifying that the Resolution and Proclamation include the McCash and other local wildfire currently active in the County, 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 adopt Resolution 21-117 and approve the associated Proclamation.

Health and Human Services – Public Health Division - Approve ratification and continuance of a Proclamation of Local Health Emergency by the County Health Officer concerning health hazards resulting from local wildfires. Proclamation approved/ratified.

This item was pulled from the consent agenda at County Administrator Angela Davis’ request.

Ms. Davis advised of the need to revise the language in the Proclamation regarding the timeframe for reaffirmation, changing ‘from 14 days’ to read: ‘from 30 days’.

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to approve and ratify the continued Proclamation of Local Health Emergency by the County Health Officer as executed by Dr. Aaron Stutz on July 28, 2021.

Natural Resources - Approve letter to the Shasta-Trinity National Forest, providing comments on proposed Developed Recreation Fee increase. Revised letter approved.

After the consent agenda was approved, Supervisor Haupt requested to reconsider item 7L, Natural Resources’ comment letter to the Shasta-Trinity National Forest regarding proposed fee increase.

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 remove 7L from the consent agenda for discussion in order to make revisions.

Following brief discussion between members of the Board, Deputy County Administrator Elizabeth Nielsen and County Counsel Edward J. Kiernan regarding opposition to the National Forest’s proposed fee for entry onto Federal (public) lands and the need for further discussion of the issue, this item was continued to later in the meeting.

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Natural Resources – (continued)

Later in the meeting, Ms. Nielsen summarized the revised letter, which included language concerning the Board's opposition to a general entrance fee on public lands.

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, to approve the letter with the revision as discussed.

Public Requests - Great Northern Services - Presentation re the City of Montague's completion of a comprehensive Community-Inspired Resilience Plan. Presentation and discussion only.

Great Northern Services (GNS) Executive Director Marie-Josée Wells and Planning Facilitator and Development representative Di Strachan appeared before the Board, providing a brief overview of the various services provided to local communities by GNS.

Ms. Strachan distributed and summarized a 47-page booklet regarding the Community-Inspired Resilience Plan for Montague, including the definition of resilience (the capacity for a community to recover from a disaster) and the strategy for including community members and leaders in resilience planning efforts. Ms. Strachan advised that Supervisor Criss participated in Montague's resilience planning process.

Supervisor Criss spoke in support of GNS' efforts to facilitate the process, advising that the final product could assist the City in future grant opportunities.

Ms. Strachan further summarized the process to engage community members and the goals and priorities developed in the process.

Discussion followed between members of the Board, Ms. Wells and Ms. Strachan regarding the benefits and opportunities GNS can provide for resilience planning in incorporated jurisdictions and in the unincorporated areas of the County and the government and non-governmental entities that could benefit from participating in resilience planning training.

Probation - Discussion, direction and possible action re Juvenile Justice Realignment Plan Attestation, review of the Plan and acceptance of the allocation in the amount of \$250,000. Approved.

Chief Probation Officer Mike Coley appeared before the Board and provided an overview of the request, advising that the Board was being asked to attest to creation of a Realignment Subcommittee (formed under the County's Multiagency Juvenile Justice Coordinating Council). Mr. Coley additionally advised that the Subcommittee had reviewed the Juvenile Justice Realignment Plan as required, and summarized ongoing efforts to develop a plan to provide custody, care and supervision for youth that would no longer be committed to the State Division of Juvenile Justice.

Discussion followed between members of the Board and Mr. Coley regarding the \$250,000 funding allocated to the County for the realignment efforts, the possibility that County general funds could be utilized should the allocated funds not be available to cover realignment costs, Tehama County's efforts to develop a similar plan and their ability to house Siskiyou County youth in the future.

County Administrator Angela Davis requested that the Board designate either the Chief Probation Officer or County Administrator to sign the County Attestation Form.

It was moved by Supervisor Kobseff, seconded by Supervisor Criss authorize the County Administrator to sign Juvenile Justice Realignment Block Grant County Attestation Form and authorize Auditor to establish appropriation for Juvenile Justice Realignment Block Grant under the County Administrator budget.

Ms. Davis requested the addition of 'or her designee' after County Administrator, to the motion (to allow the Form to be signed should Ms. Davis be unavailable).

Supervisor Kobseff amended his motion to include 'or her designee' and the second concurred.

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Probation – (continued)

Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to authorize the County Administrator, or her designee, to sign the Juvenile Justice Realignment Block Grant County Attestation Form and authorize Auditor to establish appropriation for Juvenile Justice Realignment Block Grant under the County Administrator budget, carried unanimously.

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, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, 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 catastrophic wildfire as declared by Resolution 21-77, adopted on June 1, 2020; action to extend or terminate local emergency. Resolution 21-118 continuing the declaration of a wildfire emergency adopted.

Deputy County Administrator Elizabeth Nielsen provided a brief overview of the request to extend the local emergency, advising of the need to revise/update the language in the Resolution due to currently burning wildfires.

Discussion followed between Deputy County Clerk Wendy Winningham, County Counsel Edward J. Kiernan and County Administrator Angela Davis regarding the process to update the emergency declaration via adoption of a Resolution.

It was moved by Supervisor Haupt and seconded by Supervisor Ogren to adopt a new, revised Resolution continuing the declaration of a wildfire emergency.

Following further discussion regarding the process to revise and adopt a new Resolution continuing the emergency declaration, Supervisors Haupt and Ogren withdrew their motion and second.

Later in the meeting, Mr. Kiernan advised that the Board could consider a revised Resolution under this agenda item.

Ms. Davis provided an overview of the language proposed to be added to the template language in Resolution 21-77, with regard to repealing and replacing Resolution 21-77, and adding language related to County opposition to managed fire response and the obligation to preserve public safety on page 2 of the Resolution.

It was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to adopt Resolution 21-118 carried unanimously.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to the Lava Fire as declared by Resolution 21-89, adopted on June 29, 2021; action to extend or terminate local emergency. Local emergency extended.

It was moved by Supervisor Kobseff and seconded by Supervisor Haupt to extend the local emergency related to the Lava Fire as declared by Resolution 21-89.

Following discussion between members of the Board and County Administrator Angela Davis regarding additional emergency declarations related to other local wildfires in the County, the Chair called for the question. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

Board and Staff Reports

Supervisor Valenzuela advised of plans to attend the California State Association of Counties (CSAC) meeting in Sacramento.

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Board and Staff Reports – (continued)

Supervisor Haupt reported on ongoing efforts to address wildfires in the County and shared concerns regarding possible water cutoff/curtailment in the Scott Valley.

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), four cases, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), one case, commenced at 1:28p.m., concluded at 2:20p.m., with no action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 2:20p.m., with no reportable action taken.

Off-Agenda Item – County Counsel – Discussion regarding proposed regulation of the Water Board for the Shasta and Scott Rivers. Added to the agenda. Staff to draft a comment letter to the Water Board with the Chair to sign.

County Counsel Edward J. Kiernan provided a brief overview of the request to add an urgency item, not on the posted agenda, regarding State Water Board regulations concerning the Shasta and Scott Rivers and requiring Board input/action prior to the next regular Board meeting.

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 consider an item not on the posted agenda regarding proposed regulation of the Water Board for the Shasta and Scott Rivers.

Mr. Kiernan advised that the deadline for the Board to submit comments and respond to the State Water Board’s emergency regulations impacting the Shasta and Scott Rivers was August 12, 2021.

It was moved by Supervisor Haupt and seconded by Supervisor Kobseff to authorize staff to prepare a letter to the State Water Board, with the Chair authorized to sign.

In response to Chair Haupt, Deputy County Administrator Elizabeth Nielsen summarized various comments that the letter would contain, including a copy of a previous County letter to the Water Board, comments addressing the negative impacts associated with reduced agricultural water deliveries, regulations related to water for stock (animals) and the models used in the Shasta and Scott Rivers and an overview of the proactive steps that local irrigators have taken to improve water in those rivers.

The Chair called for the vote and, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to authorize staff to prepare a letter to the State Water Board, incorporating the comments Ms. Nielsen summarized, with the Chair authorized to sign carried unanimously.

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