

# State of California, County of Siskiyou

## Board of Supervisors Minutes, November 2, 2021

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 2<sup>nd</sup> day of November 2021; there being present Supervisors Brandon Criss, Michael N. Kobseff, 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 Clerk Wendy Winningham. Supervisor Nancy Ogren was absent.

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 Siskiyou County Flood Control and Water Conservation District and County Service Area #4. County Counsel Edward J. Kiernan 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 resident Grace Bennett appeared before the Board, providing several Collier Interpretive and Information Center (CIIC) information brochures to members of the Board, advising that the Center would be closed temporarily. Ms. Bennett additionally advised of ongoing efforts to have the County Museum open five days a week and summarized the anticipated projects to update Hibbard Field utilizing a grant through the Public Works Department.

Pursuant to Assembly Bill 361 (AB361), participation in presentations from the public by various members of the public was provided via teleconference phone.

Caller Siskiyou Outdoor Recreation Alliance (SORA) representative Laurel Harkness appeared before the Board, providing an update regarding Senate Bill 2018 (SB 208) which includes a portion of Siskiyou County in the Sierra Nevada Conservancy. In addition, Ms. Harkness provided an overview of SORA projects and activities.

Caller Ginger Sammito thanked the County for efforts being made to with regard to the Big Springs area.

### **Consent Agenda – Approved.**

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

#### Agriculture

Approve agreement #21-0369-000-SA between California Department of Food and Agriculture and the Siskiyou County Agriculture Department to inspect all nursery stock at all producer/wholesale nursery locations within the County and enforce all laws and regulations pertaining to nursery stock. Term of agreement July 1, 2021- June 30, 2022 in the amount of \$65,671.00. Authorize Agricultural Commissioner to sign the agreement.

#### County Administration

Approve and authorize the chair to sign the drafted letter to Shasta-Trinity National Forest, Shasta McCloud Management Unit supporting the 2021 Guzzler Infrastructure Rehabilitation Replacement Project-Scoping.

#### County Administration

Approve the Termination of 2020 Project Delivery and Construction Agreement.

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## Consent Agenda – (continued)

### County Administration

Approve the contract with Robert Weidner to represent Siskiyou County regarding Public Land, Environmental and Natural Resources topics.

### County Administration - Personnel

Approve Resolution 21-150 amending the Siskiyou County position allocation list to delete Fiscal Technician I, 1.0 FTE, create Fiscal Technician III, 1.0 FTE, delete Nurse Case Assistant, 1.0 FTE, create Senior Public Health Nurse, 1.0 FTE, create Social Worker II, 1.0 FTE, in Health and Human Services Agency, create Health Educator, 1.0 FTE, create Project Coordinator, 1.0 FTE, create Senior Public Health Nurse, 1.0 FTE, in Public Health, delete Personnel Assistant I, 1.0 FTE, create Management Analyst I – Confidential, 1.0 FTE, delete Fiscal Assistant – Confidential, 1.0 FTE, create Management Analyst II, 1.0 FTE, effective November 14, 2021.

### County Administration - Personnel

Approve Resolution 21-151 authorizing the creation of a temporary collateral position and associated job class specifications for Assistant Department Heads, Appointed Department Heads and Elected Department Heads, effective November 14, 2021.

### Community Development - Planning Division

Approve the 4<sup>th</sup> addendum to the Abbott & Kindermann, Inc. contract, to increase compensation and authorize the Board Chair to execute the addendum.

### District Attorney

Addendum to increase rate to \$750 per medical examination and extend term of Sexual Assault Response Team contract with Abigail McClain-Smith, RN, through June 30, 2025.

### General Services

Accept the Prop 68 grant funds. In addition, respectfully request the Chair to execute Hibbard Field Deed Restriction, Memorandum of Understanding and Access Agreement between Siskiyou County Flood Control and Water Conservation District and County of Siskiyou and authorize the Auditor to establish budget.

### Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Second Addendum to Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Santa Rosa Behavioral Healthcare Hospital.

### Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Teach, Inc.

### Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Memorandum of Understanding between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Partnership Health Plan of California (PHC).

### Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign Amendment No. 01 To Master Administration Services Agreement between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Partnership Health Plan of California.

### Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Willow Glen Care Center for the term of July 1, 2021 through June 30, 2023 contract with Willow Glen Care Center to provide long term residential care for certain adults, at the rates identified in Exhibit A, for the term July 1, 2021 through June 30, 2023.

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**Consent Agenda – (continued)**

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the First Amendment to Grant Agreement between Siskiyou County Health and Human Services Agency Public Health Division and County Medical Services Program Governing Board, for the term of the Amendment through September 30, 2023.

Health and Human Services - Social Services Division

Approve and the Chair sign the Resolution 21-152 amending policies for providing General Assistance to indigent persons in Siskiyou County, effective immediately.

Health and Human Services - Social Services Division

Approve and the Chair sign the County System Improvement Plan, February 2020 through January 2025, for submission to the State of California.

Butte Valley Irrigation District

It is moved by Supervisor Criss, seconded by Supervisor Kobseff, and passed by the following vote to appoint Kenneth Elwood and Steve Lutz to the Board of Directors of Butte Valley Irrigation District, each as to a four-year term in lieu of election pursuant to Elections Code §10515 on this 19<sup>th</sup> day of October, 2021. Ayes Criss, Kobseff, Valenzuela and Haupt; Noes none; Absent Ogren; Abstain none.

Scott Valley Irrigation District

It is moved by Supervisor Criss, seconded by Supervisor Kobseff, and passed by the following vote to appoint Mark A. Hurlimann and James L. Morris to the Board of Directors of Scott Valley Irrigation District, each as to a four-year term in lieu of election pursuant to Elections Code §10515 on this 2<sup>nd</sup> day of November, 2021. Ayes Criss, Kobseff, Valenzuela and Haupt; Noes none; Absent Ogren; Abstain none.

Transfer of Funds - Public Health HPP Supplemental - \$331. Resolution 21-153 adopted.

Transfer of Funds - Probation - \$16,000. Resolution 21-154 adopted.

Transfer of Funds - Planning - \$2,800. Resolution 21-155 adopted.

Transfer of Funds - Planning Projects - \$10,000. Resolution 21-156 adopted.

**Public Requests** - First 5 Siskiyou Children and Families Commission - Discussion, direction and possible action re Proclamation of the 14th Annual "Read Across Siskiyou" event sponsored by First 5 Siskiyou Children and Families Commission. Proclamation adopted.

First 5 Siskiyou Children and Families Commission Executive Director Karen Pautz and First 5 Siskiyou Commissioner Michael Perry appeared before the Board and distributed promotional information packets to the Board and the Clerk.

Ms. Pautz provided an overview of the request, including a brief history of the "Read Across Siskiyou" events as an effort to prepare young children for school and summarized the book chosen to be read all over Siskiyou County on November 17, 2021.

Following discussion between members of the Board and Ms. Pautz regarding the annual event, Supervisor Kobseff read the Proclamation into the record.

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT to sign to adopt the 14<sup>th</sup> Annual Read Across Siskiyou Proclamation.

**Public Requests - Big Springs Irrigation District - Discussion, direction and possible action re request to appoint in Lieu of Election to the Big Springs Irrigation District, Woodrow N. Tannaci to a four year term pursuant to Elections Code §10515. Woodrow N. Tannaci appointed in lieu of election.**

Pursuant to Assembly Bill 361 (AB361), participation in this item by various members of the public was provided via teleconference phone.

Big Springs Irrigation District Secretary Lisa Faris participated via ZOOM/teleconference phone, providing an overview of the request for an appoint in lieu of election to the Big Springs Irrigation District.

It was moved by Supervisor Kobseff, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT, to appoint in lieu of election Woodrow N. Tannaci, for a full term, December 3, 2021 through December 5, 2025.

**Public Requests - Montague Water Conservation District - Discussion, direction and possible action re request to appoint in Lieu of Election to the Montague Water Conservation District, Divisions 1, 2 and 5, respectively; Keith B. Smith, Wayne A. Burch and Rex A. Houghton, to four year terms pursuant to Elections Code §10515. Keith B. Smith, Wayne A. Burch and Rex A. Houghton appointed in lieu of election.**

Pursuant to Assembly Bill 361 (AB361), participation in this item by various members of the public was provided via teleconference phone.

Montague Water Conservation District Office Manager Lisa Faris participated via ZOOM/teleconference phone, providing an overview of the request for various appoints in lieu of election to the Montague Water Conservation District.

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT, to appoint in lieu of election Keith B. Smith – Division 1, Wayne A. Burch – Division 2 and Rex A. Houghton – Division 5, for full terms, December 3, 2021 through December 5, 2025.

**Board of Supervisors' Requests - Board of Supervisors - Review status of Proclamation of Local Health Emergency by the County Health Officer in relation to various health hazards resulting from various wildfires in the County, dated August 19, 2021; action to extend or terminate. Proclamation extended; updated Emergency Proclamation to come back before the Board at a later date.**

It was moved by Supervisor Kobseff and seconded by Supervisor Valenzuela to extend the Proclamation of Local Health Emergency by the County Health Officer in relation to various health hazards resulting from various wildfires in the County.

Community Development Director Rick Dean appeared before the Board, advising that two of the three wildfires listed in the Proclamation were no longer needed within the Proclamation and requested continuance of the local health emergency due to the River Complex.

Discussion followed between members of the Board, Mr. Dean and County Counsel Edward J. Kiernan regarding the impacts associated with the River Complex fire, the anticipated need to continue the health emergency until summer and the need to draft a new Proclamation to reflect that change in facts.

The Chair called for the question and following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT the motion to extend the Proclamation carried.

Mr. Kiernan advised that a new Proclamation would come back before the Board at a later date.

**Board of Supervisors' Requests** - Board of Supervisors - Review status of local emergency related to drought as declared by Resolution 21-48, adopted on April 6, 2021; action to extend or terminate local emergency. Local emergency extended.

Supervisor Haupt provided a brief overview of the request and shared concerns whether the local emergency was needed due to recent rainfall within the County.

Discussion followed between members of the Board regarding the current state-wide drought conditions, the low water level at Lake Siskiyou and the negative impacts associated with the State Water Board's irrigation curtailment orders in the Scott and Shasta Valleys.

The Chair opened the item to public comments.

Pursuant to Assembly Bill 361 (AB361), participation in this item by various members of the public was provided via teleconference phone.

Caller Ginger Sammito spoke in support of extending the local emergency due to drought, sharing concerns regarding the ongoing low water levels in the County.

Further discussion of this item was continue to later in the meeting.

Later in the meeting, following the State Water Resources Control Board's presentation/discussion item, it was moved by Supervisor Haupt, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT, to extend the local emergency related to drought as declared by Resolution 21-48.

**Health and Human Services** - Public Health Division - Presentation of an update re COVID-19 and vaccinations as they pertain to Siskiyou County. Presentation only.

Pursuant to Assembly Bill 361 (AB361), participation in this item by various County staff was provided via teleconference phone.

Director of Public Health Shelly Davis participated via ZOOM/teleconference phone, providing an overview of various declining COVID-19 statistics, including current cases, hospitalized and deaths. Ms. Davis additionally provided statistics related to COVID-19 and influenza vaccination/immunization and COVID-19 testing efforts in various areas of the County.

**County Clerk** - Discussion, direction and possible action regarding appointments in lieu of election of eligible persons to various Special Districts pursuant to Elections Code §10515. Various appointments in lieu of election made; remaining vacancies continued to November 9, 2021.

County Clerk/Registrar of Voters Laura Bynum provided an overview of the request, advising of various Special District positions for which persons filed Declarations of Candidacy, including one short-term position on the Hornbrook Community Services District. It was moved by Supervisor Haupt, seconded by Supervisor Kobseff, and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT, to appoint in lieu of election John Moody, for a short-term, December 3, 2021 through December 1, 2023.

Ms. Bynum advised of one full-term position on the Butte Valley Fire Protection District, although the Clerk's Office had not received letters of interest in serving from the incumbent Patricia Cacka-Williams.

Chair Haupt advised that the Butte Valley Fire Protection District appointment in lieu of election was continued to November 9, 2021.

Ms. Bynum advised of three persons who filed Declarations of Candidacy for the full-term positions on the Copco Lake Fire Protection District. It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT, to appoint in lieu of election Patricia Kelly Utz, Patricia A. Grieb and Tori L. Belongie, for full-terms, December 3, 2021 through December 5, 2025. Continued...

**County Clerk – (continued)**

Ms. Bynum advised that no one declared candidacy for the two short-term positions on the Copco Lake Fire Protection District, and those positions were continued to November 9, 2021.

Ms. Bynum summarized the two full-term positions on the Dunsmuir Fire Protection District, advising that the Clerk's Office was notified that Shirley Mei and Robert Hubbard were interested in continuing on the District Board. It was moved by Supervisor Valenzuela, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT, to appoint in lieu of election Shirley Mei and Robert Hubbard to full-terms, December 3, 2021 through December 5, 2025.

Ms. Bynum summarized the two full-term positions on the Gazelle Fire Protection District, advising that no one declared candidacy for the positions.

Following brief discussion between members of the Board, Ms. Bynum and audience member Elizabeth Nielsen regarding the current incumbents and Ms. Nielsen's interest in continuing on the District Board, it was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT, to appoint in lieu of election Elizabeth Nielsen, for a full-term, December 3, 2021 through December 5, 2025.

The remaining appointment in lieu of election for the Gazelle Fire Protection District was continued to November 9, 2021.

Ms. Bynum summarized the three full-term positions on the Grenada Fire Protection District, advising that no one declared candidacy for the positions. The appointments in lieu of election were continued to November 9, 2021.

Ms. Bynum summarized the two full-term positions on the Hornbrook Fire Protection District, advising that no one declared candidacy for the positions. The appointments in lieu of election were continued to November 9, 2021.

Ms. Bynum advised of two persons who filed Declarations of Candidacy for the full-term positions on the Scott Valley Fire Protection District. It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT, to appoint in lieu of election Kathleen M. Williams and Larry R. Alexander, for full-terms, December 3, 2021 through December 5, 2025.

Ms. Bynum summarized the two full-term positions on the Grenada Sanitation District, advising that no one declared candidacy for the positions. The appointments in lieu of election were continued to November 9, 2021.

Ms. Bynum advised of two persons who filed Declarations of Candidacy for the full-term positions on the Happy Camp Sanitation District. It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT, to appoint in lieu of election Gary Hahn and Robert A. Ronsse, for full-terms, December 3, 2021 through December 5, 2025.

Ms. Bynum summarized the two full-term positions and one short-term position on the Callahan Water District, advising that no one declared candidacy for the positions. The appointments in lieu of election were continued to November 9, 2021.

Ms. Bynum summarized the two full-term positions on the Sawyers Bar Water District, advising that the Clerk's Office was notified that Fred Ehmke and Paul Liotsakis were interested in continuing on the District Board. It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT, to appoint in lieu of election Fred Ehmke and Paul Liotsakis to full-terms, December 3, 2021 through December 5, 2025.

**County Clerk** - Discussion, direction and possible action re first reading of an ordinance amending Title 2, Chapter 12, Section 2-12.101 of the Siskiyou County Code regarding County Clerk fees and direct the Clerk to schedule a public hearing for the second reading of the ordinance. First reading approved; public hearing for second reading scheduled on December 7, 2021.

County Clerk Laura Bynum provided an overview of the request, advising that Assembly Bill 128 (AB 128) increased various vital record fees, which would increase the cost of a confidential marriage license by one dollar (\$1.00).

It was moved by Supervisor Valenzuela, seconded by Supervisor Haupt to introduce, waive, and approve the first 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 and direct the Clerk to schedule a public hearing for the second reading of the ordinance on December 7, 2021. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT, the motion carried.

**County Counsel** - Hold a hearing and consider any protests to proposed lien amounts for unpaid administrative fines pursuant to Chapter 10.14 of the Siskiyou County Code; Consider protests, then confirm, discharge or modify the proposed lien amounts; Discussion, direction and possible action re a Resolution certifying the amount of liens sought to be collected from property owners for unpaid administrative fines pursuant to Siskiyou County Code §10-14.100. Resolution 21-157 adopted.

Pursuant to Assembly Bill 361 (AB361), participation in this item by various members of the public was provided via teleconference phone.

Deputy County Counsel William Carroll appeared before the Board and provided an overview of the request, advising that this item was continued from October 19, 2021 to consider one remaining proposed lien related to Citation Number 21-0044-01 – Tulip Her, in the amount of \$30,500. Mr. Carroll further advised of receiving information from the US Postal Service that the citation notification letter was delivered on April 23, 2021 as addressed to Ms. Her's address in Fresno CA and if the letter were delivered to a different address that would have been noted at the time of delivery. Mr. Carroll introduced Ms. Her's Attorney who was participating via ZOOM/teleconference phone.

Caller Attorney James Raza Lawrence, representing Tulip Her, shared concerns that there was no signature on the certified mail receipt, advising that the citation notification letter was delivered to a neighbor of Mr. Her. In addition, Mr. Lawrence advised that Ms. Her had no knowledge of the citation as she did not live on the property at the time of the incident (as testified during the October 19, 2021 Board meeting). Mr. Lawrence requested that Ms. Her be given an opportunity to correct any deficiencies.

Discussion followed between members of the Board and Mr. Carroll regarding the County's citation notification process and the ongoing issue of illegal cannabis cultivation in the County.

County Counsel Edward J. Kiernan advised that the request before the Board currently was to consider a possible lien on the property for the administrative fines that were issued and not to consider the Citation (a notice of administrative fines related to illegal cultivation of marijuana).

Following further discussion regarding Siskiyou County's cannabis cultivation regulations in comparison to other California counties and the proof/evidence before the Board concerning service of the citation notification letter, it was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT to adopt Resolution 21-157 approving the proposed lien.

**Community Development/County Counsel** - Discussion, direction and possible action re first reading of an ordinance amending Section 95 of Chapter 14 of Title 10 of the Siskiyou County Code regarding abatement by owner or occupant, to impose a fine for failure to abate cannabis in the method directed by Code Enforcement. First reading approved; public hearing for second reading scheduled on December 7, 2021.

Community Development Director Rick Dean provided an overview of the request to modify County Code §10-14-095, related to cannabis cultivation, to remove language suggesting cannabis to be abated may be relocated off the property and to establish a fine of \$5,000 (or \$3,000 for smaller cultivations) for failure to abate as instructed by Code Enforcement. Mr. Dean advised that there are no permitted offsite facilities in Siskiyou County for abated cannabis plants to be taken and that the suggested fine of \$5,000 related to cultivations over 50 plants and the \$3,000 fine for those of 50 plants or less.

Discussion followed between members of the Board, Mr. Dean and County Counsel Edward J. Kiernan regarding the process utilized to develop fines for 50 plants or more, the twelve allowable cultivated cannabis plants as set in the Siskiyou County Code and potential modification of the fines to read: \$5,000 for cultivations in the size of thirteen (13) cannabis plants or more.

It was moved by Supervisor Kobseff, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT to introduce, waive, and approve the first reading of an ordinance amending Section 10-14.095 regarding abatement by owner or occupant, modifying the fine to read: \$5,000 for cultivations in the size of thirteen (13) cannabis plants or more; and direct the Clerk to schedule a second reading of the ordinance on December 7, 2021.

**Natural Resources** - Presentation of an update by consultants to the Tulelake Groundwater Sustainability Agency (GSA) re the final draft of the Tule Lake Subbasin Groundwater Sustainability Plan. Presentation and discussion only.

Pursuant to Assembly Bill 361 (AB361), participation in this item by various members of the public was provided via teleconference phone.

Chair Haupt briefly summarized the agenda item.

MBK Engineers representative Kyle Knutson participated via ZOOM/teleconference phone, presenting a powerpoint presentation regarding the efforts to create a Groundwater Sustainability Plan (GSP) for the Tule Lake Subbasin. Mr. Knutson summarized the public release and Plan adoption timeline, advising that adoption of the GSP by each Groundwater Sustainability Agency (GSA), which includes the Tulelake Irrigation District (Lead Agency), the City of Tulelake, and Modoc and Siskiyou Counties, was required prior to January 31, 2022. Mr. Knutson continued the powerpoint, including an overview of the Plan area, the relevant geology in the basin and the network of groundwater wells that will be used for monitoring sustainability efforts. Mr. Knutson provided an overview of the creation of water budgets, sustainable management criteria, a summary of various projects and management actions and plan implementation, which included estimated costs and schedules and timelines related to reports, evaluations and a 5-year plan update.

Discussion followed between members of the Board and Mr. Knutson regarding anticipated recharge of domestic water wells, recharge through the local irrigation canals and possible information related to volcanic soils at the Medicine Lake Highlands.

**Public Requests** - State Water Resources Control Board - Presentation from the State Water Resources Control Board re clarification of recent curtailment orders sent to municipalities and households in Scott and Shasta Valleys, and how these orders pertain to water users. Presentation and discussion only.

Pursuant to Assembly Bill 361 (AB361), participation in this item by various members of the public was provided via teleconference phone.

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## **Public Requests - State Water Resources Control Board – (continued)**

State Water Resources Control Board Deputy Director Division of Water Rights Erik Ekdahl participated via ZOOM/teleconference phone and presented a powerpoint presentation concerning the Scott and Shasta River Emergency Drought Regulations (i.e. curtailment orders). Mr. Ekdahl provided an overview of each type of curtailment order recently issued to water users in the Scott River and Shasta River watersheds, including for surface water rights, appropriative water rights and for landowners outside municipal areas. Mr. Ekdahl advised that the purpose of curtailment orders was to maintain minimum stream flow (in each river) for fishery resources and advised of the prohibition for livestock watering that was in place in certain tributaries in the Shasta Valley from September to January. Mr. Ekdahl additionally advised that the curtailments were temporarily suspended due to recent rainfall in both watersheds and summarized the method for evaluating and determining if/when curtailments could be required. Continuing the powerpoint, Mr. Ekdahl advised that the State Water Resources Control Board would continue to evaluate flows and forecasts to manage curtailments as needed and work with local leaders in both watersheds on potential future cooperative solutions.

The Chair opened the item to public comments.

Caller Chrissie Reynolds voiced concerns regarding the negative impacts associated with the anticipated removal of dams on the Klamath River.

Caller Richard Marshall spoke in support of Bulletin 83 and the Klamath Compact as methods to provide water security in Siskiyou County and requested Water Board assistance in completing water storage projects in the County.

In response to Chair Haupt, Mr. Ekdahl responded to Mr. Marshall's comments/questions related to Bulletin 83 and the impact of 'leaky ditches' on stream flow in the rivers.

In addition, caller California State Water Resources Control Board representative Erin Ragazzi advised that the emergency regulations were not related to the Klamath River Dam project.

Audience member Nick Jenner shared concerns regarding the negative impacts associated with the curtailment order on local farmers/ranchers/families and requested clarification concerning 'leaky ditches' and possible petitions for use over the minimum for humans and livestock watering amounts.

In response to Chair Haupt, Mr. Ekdahl advised of the increased amount of water following the curtailments on the water levels in the Shasta River and in Scott Valley groundwater table. Mr. Ekdahl further advised of the need to continue investigating the timing for groundwater recharge in the Scott Valley, and the uncertainty of positive groundwater increase by allowing water to flow through 'leaky ditches'.

Supervisor Haupt advised of the need for data from the Water Board associated with groundwater recharge (i.e. timing of curtailments, flood irrigation, etc.).

Local farmer Scott Murphy appeared before the Board, advising of the need to allow the Scott Valley 'sponge' to fill during times of abundant water, rather than cutting off irrigation water.

Audience member Donna Farnam provided comments from Clint Isbell, who was unable to attend the meeting, speaking in support of the Water Board working with local stakeholders and water rights holders toward water sustainability and not penalize legal water users.

Scott Valley resident Bernard Dowling voiced concerns regarding the inability of legal rights holders to use their property rights and questioned which entity would enforce the emergency regulations.

In response, Mr. Ekdahl summarized the Agency's process for reaching out to violators informally prior to applying stronger enforcement efforts and advised that there would be no surprise property inspections (not allowed to enter private property without permission). In addition, Mr. Ekdahl advised of the Water Board's ongoing efforts to protect the water of the people of California, especially during the worst drought in the State.

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## **Public Requests - State Water Resources Control Board – (continued)**

Discussion followed between members of the Board and Mr. Ekdahl regarding the Agency's authority with regard to intervening in adjudicated water rights, the potential for the emergency regulations/curtailment orders to continue in order to meet flow requirements for fisheries and anticipated rescission of the emergency regulations/orders should the river flows be sufficient.

At Chair Haupt's request, a video taken on October 22, 2021 provided by Scott Valley resident Lauren Swezey was projected which showed a section of the Scott River quickly filling following a recent rainstorm.

Audience member Theo Johnson voiced concerns regarding the Water Board's actions to provide water for fisheries that are detrimental to the residents of Scott Valley, advising of the need to allow the local Sustainable Groundwater Management Act (SGMA) process to be developed/implemented. Ms. Johnson additionally spoke in support of the efforts being made by local government and local citizens toward water sustainability.

In response, Mr. Ekdahl advised that the emergency regulations were an effort to balance the use of water resources for all water users and that the regulations did not pertain to the Klamath Dam Removal Project (i.e. the Scott/Shasta were not responsible for fisheries flows in the Klamath River).

State Water Resources Control Board legal counsel Marianna Aue, participating via ZOOM/teleconference phone, commented regarding the Water Board's authority to adopt emergency regulations and the anticipated process for lifting emergency regulations/orders in the spring should sufficient flow amounts be met.

California Fish and Wildlife representative Joe Croteau appeared before the Board, providing an overview of the impacts associated with drought conditions and low water levels on local salmon fisheries and efforts made to work with local landowners to provide minimum water flows for fish. In addition, Mr. Croteau advised of an ongoing project to create groundwater and high elevation lake water storage toward fish recovery.

Discussion followed between Supervisor Haupt and Mr. Croteau regarding the need to adapt to changing weather patterns that impact the timing of fish returns to local rivers and the need to work with community leaders toward fish recovery versus the state regulating recovery.

Lengthy discussion followed between members of the Board, Mr. Ekdahl and Mr. Croteau regarding the need for efforts toward water storage projects, various negative impacts of the Water Board's curtailment orders on local residents, the need to work cooperatively to have at least two Water Board members visit Siskiyou County regarding various water conservation efforts, current emergency regulations/order in the Shasta River watershed, the need to consider additional species impacted by the lack of water versus targeting salmonids only, the negative impacts associated with increased instream flows on groundwater supplies, various restoration and enforcement efforts and the need to credit conservation and fish restoration efforts being made by local landowners and the County.

**Closed Session** - Conference with labor negotiators pursuant to Government Code §54957.6, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), three cases, 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, initiation of litigation pursuant to Government Code §54956.9(d)(4), one case, commenced at 12:55p.m., concluded at 1:33p.m., with no action taken.

### **Report On Closed Session**

County Counsel Edward J. Kiernan announced that closed session concluded at 1:3p.m., with no reportable action taken. In addition, Mr. Kiernan advised that he stepped out of closed session while the Board discussed labor negotiations.

**County Administration/Board of Supervisors** - Discussion, direction and possible action to conduct an oral interview for the position of Auditor-Controller, consider offering the candidate appointment to fill the Auditor-Controller vacancy, conditioned on the candidate's satisfactory completion of a background investigation, and consider taking other appropriate action. Diane Olson appointed to the position of Auditor-Controller.

County Administrator Angela Davis provided a brief overview of the anticipated process for interviewing the candidate for the position of Auditor-Controller, as the current Auditor-Controller was retiring soon, advising of the recruitment held and that one candidate was qualified. Ms. Davis additionally summarized the process for the Board to discuss and possibly offer the candidate the appointment to fill the position, conditioned on satisfactory completion of a background investigation conducted by the County Administrator and reviewed by the Board.

Chair Haupt opened the interview process, advising Candidate Diane Olson that she could make an introductory statement to the Board prior to the interview.

Ms. Olson appeared before the Board, providing a brief history of her work experience and educational background.

Ms. Olson was interviewed by and answered various questions from members of the Board regarding her experience/familiarity with the Governmental Accounting Standards Board (GASB) and the Generally Accepted Accounting Principles (GAAP), administration/management of internal controls, experience/knowledge of various Special Districts, experience related to Payroll (knowledge of wage/hour laws and processing) and plans to provide communication with various public entities (cities, special districts, etc.).

Ms. Olson briefly made concluding remarks.

Discussion followed between members of the Board, Ms. Davis and County Counsel Edward J. Kiernan regarding the options available to the Board (make an appointment or open another recruitment), the anticipated process for a person appointed to fill an elected official's position to run in the next election and the need to include the condition on a satisfactory background check in the recommended motion.

It was moved by Supervisor Haupt, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT to offer to the candidate the appointment to fill the Auditor-Controller vacancy, conditioned on the candidate's satisfactory completion of a background investigation conducted by the County Administrator and reviewed by the Board.

**Public Hearings** - Community Development - Public hearing to accept close-out report for the expenditure of \$99,072.82 in Community Development Block Grant (CDBG) Program Income for the public facility acquisition of the Hornbrook Community Center located at 15439 Hornbrook Road, Hornbrook CA. Presentation and discussion only.

This was the time set for a public hearing to accept close-out report for the expenditure of \$99,072.82 in Community Development Block Grant (CDBG) Program Income for the public facility acquisition of the Hornbrook Community Center located at 15439 Hornbrook Road, Hornbrook CA.

Chair Haupt opened the public hearing.

Deputy County Clerk Wendy Winningham provided an overview of the public hearing request.

Community Development Director Rick Dean appeared before the Board, providing a brief staff report and introducing Project Coordinator Kristen Lackey to provide an overview of the request.

Ms. Lackey provided an overview of the Community Development Block Grant (CDBG) program, advising that \$125,000 of the County's Program Income (PI) was approved for use for a public acquisition of the former Hornbrook Grange property for the Hornbrook Community Center Project. Continued...

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

Ms. Lackey further advised that the interest gained from various CDBG projects was set aside in the PI fund for use in other approved CDBG projects. Ms. Lackey introduced Hornbrook Community members Pat Miller and Beth Peterson to provide an update on the Community Center facility's progress.

Ms. Miller and Ms. Peterson provided an overview of the ongoing efforts to complete restoration of the building and the anticipated activities that are planned for use of the facility.

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

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

No action was required.

**Public Hearings - Community Development - Continued public hearing to discuss recommendations regarding the issuance of well permits within the Scott Valley Watershed as associated with the consideration of the Public Trust Doctrine. Public hearing continued to December 7, 2021.**

This was the time set for a continued public hearing to discuss recommendations regarding the issuance of well permits within the Scott Valley Watershed as associated with the consideration of the Public Trust Doctrine, having been continued from October 5, 2021.

Chair Haupt advised that the public hearing was continued to December 7, 2021 at Community Development Director Rick Dean's request.

**Minute Approval - Reconsideration of the September 7, 2021 minutes, September 21, 2021. Approved.**

Deputy County Clerk Wendy Winningham provided an overview of the request to reconsider the September 7, 2021 minutes, advising that an Off-agenda item was inadvertently left out of the document.

It was moved by Supervisor Haupt, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT to approve the September 7, 2021 minutes as follows:

September 7, 2021. Book 77, page 136

Add the following paragraph before Closed Session:

**Off-Agenda item – Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9(d)(2), one case. Item added to closed session agenda.**

Following a brief overview of the request to add an urgency item not on the posted agenda, 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 add an item not on the posted agenda to the closed session agenda.

It was moved by Supervisor Haupt, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela and Haupt voting YES and Supervisor Ogren ABSENT to approve the September 21, 2021 minutes as presented.

**Board and Staff Reports**

Supervisor Kobseff advised of his attendance at a Cattleman's Dinner and an Economic Development Council (EDC) event in McCloud.

Supervisor Valenzuela advised of his attendance at an Economic Development Council (EDC) Board meeting and reported on a Nortec meeting held in Chico CA.

Continued...

**Board and Staff Reports – (continued)**

Supervisor Criss advised of participating in the EDC meeting via ZOOM/teleconference phone and his attendance at the Cattleman’s Dinner. Supervisor Criss additionally advised of the opening of the Tulelake Veterans Park.

Supervisor Haupt advised of his attendance at a lunch meeting with the new Siskiyou Telephone Corporate Executive Officer, the League of Local Agencies (LOLA) dinner in Fort Jones, the Cattleman’s Dinner and various curtailment inspections in the Scott Valley.

**Closed Session** - Conference with labor negotiators pursuant to Government Code §54957.6, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), three cases, 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, initiation of litigation pursuant to Government Code §54956.9(d)(4), one case, commenced at 2:30p.m., concluded at 3:57p.m., with no action taken.

**Report On Closed Session**

County Counsel Edward J. Kiernan announced that closed session concluded at 3:57p.m., with no reportable action taken.

**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