

# State of California, County of Siskiyou

## Board of Supervisors Minutes, March 1, 2022

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 1<sup>st</sup> day of March 2022; there being present Supervisors Brandon Criss, Michael N. Kobseff, Ray A. Haupt, Nancy Ogren and Ed Valenzuela, County Administrator Angela Davis, County Counsel Edward J. Kiernan, and County Clerk and ex-Officio Clerk of the Board of Supervisors Laura Bynum by Deputy County Clerk Wendy Winningham.

The meeting was called to order by Chair Criss. 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 No. 5. Supervisor Ogren led in the salute to the flag of the United States of America. Supervisor Ed Valenzuela was present at 9:07a.m.

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

### **Presentations from the Public**

Yreka resident Louise Gliatto spoke in support of the Board's support letter for Assembly Bill 1725 (AB1725) as an effort to combat illegal cannabis grows in the County. In addition, Ms. Gliatto suggested that the Board send letters to local legislators to support and/or co-author the Bill.

**Consent Agenda** – Approved.

At Supervisor Haupt's request, item 5C, County Counsel's addendum to general retainer agreement with Olson Remcho, LLP was pulled from the consent agenda for discussion.

At Supervisor Criss' request, item 5D, County Counsel's Resolution thanking Dennis Tanabe for his service to the County on the occasion of his retirement, was pulled from the consent agenda for discussion.

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

#### Agriculture

Approve addendum extending the term to September 30, 2023 and increasing Wolf Management Services and Expertise contract with Patrick Griffin in the amount of \$30,000 for a NTE amount of \$80,000, FY 21/22 \$20,000.00 and FY 22/23 \$10,000.

#### County Administration

Approve the letter to Assembly Member Thurston Smith expressing support for Assembly Bill 1725 Illegal cultivation of cannabis and authorize the Chair to sign.

#### General Services - Communications

Approve the lease addendum and authorize Auditor to establish budget.

#### Health and Human Services - Public Health Division

Approve and authorize the purchase of the 40' High Cube storage container (Fixed asset/Equipment).

#### Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the County Medical Services Program Governing Board Local Indigent Care Needs (LICN) Grant Agreement for the term February 1, 2022 through May 1, 2025, in the amount of \$1,203,700 and authorize the Auditor to establish budget appropriation and set expenditures per the agreement guidelines.

Continued...

**Consent Agenda – (continued)**

Sheriff

Approve the agreement between Siskiyou County and the Paradise Police Department pertaining to assistance provided under the law enforcement mutual aid plan for reimbursement of services on the Lava Fire.

Transfer of Funds - Planning - \$1,000. Resolution 22-46 adopted.

Transfer of Funds - Environmental Health - \$8,037. Resolution 22-47 adopted.

Transfer of Funds - Crisis CoAg COVID-19 Response - \$9,000. Resolution 22-48 adopted.

Transfer of Funds - HR 1424 Title III - \$673,870. Resolution 22-49 adopted.

**County Counsel** - Approve addendum to General Retainer Agreement with Olson Remcho, LLP (Fairchild Medical Center litigation proceedings), substituting a new Exhibit "A" to reflect the current rates for attorneys and staff. Approved.

This item was pulled from the consent agenda at Supervisor Haupt's request. Supervisor Haupt recused himself from discussion of this item and left the Board Chambers.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Kobseff, Ogren and Criss voting YES, Supervisor Haupt RECUSED and Supervisor Valenzuela ABSENT, to approve the third addendum to professional services retention agreement with Olson Remcho, LLP, that amend Exhibit "A" and authorize the Board Chair to execute same.

Supervisor Haupt returned to the Board Chambers.

Supervisor Valenzuela was present for the Board meeting at 9:07a.m.

**County Counsel** - Adopt Resolution of the Board of Supervisors thanking Dennis Tanabe for his service to the County on the occasion of his retirement. Resolution 22-45 adopted.

This item was pulled from the consent agenda at Chair Criss' request. Chair Criss advised that the item was pulled from the consent agenda to allow Supervisor Valenzuela's participation.

It was moved by Supervisor Criss, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Ogren, Valenzuela and Criss voting YES, to approve Resolution 22-45 honoring Dennis Tanabe upon his retirement.

**Public Requests** - First 5 Siskiyou Children & Families Commission - Discussion, direction and possible action re Proclamation proclaiming April as Child Abuse Prevention and Sexual Assault Awareness Month and April 2-8, 2022 as Week of the Young Child in Siskiyou County. Proclamation adopted.

First 5 Siskiyou Children & Families Commission (First 5) Executive Director Karen Pautz and Siskiyou Domestic Violence and Crisis Center (SDVCC) Executive Director Carla Charraga appeared before the Board and provided an overview of the efforts made to create a Collaborative Proclamation between the Siskiyou Child Abuse Prevention Council, First 5 and Siskiyou Domestic Violence and Crisis Center.

In addition, Ms. Charraga presented members of the Board with pins, keychains and water bottles to show support for April as Child Abuse Prevention and Sexual Assault Awareness Month and April 2-8, 2022 as Week of the Young Child in Siskiyou County.

Supervisor Kobseff read the Proclamation into the record.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Ogren, Valenzuela and Criss voting YES, to adopt the April 2022 Siskiyou Child Abuse Prevention Council Collaborative Proclamation by publicly reciting it and having each Supervisor sign it.

**Public Requests** - County Medical Services Program - Presentation re County Medical Services Program (CMSP) Connect to Care and other CMSP programs as they relate to County residents. Presentation only.

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

County Administrator Angela Davis provided a brief overview of the request and introduced County Medical Services Program (CMSP) Executive Director Kari Brownstein, who participated via ZOOM/teleconference phone.

Ms. Brownstein presented a powerpoint concerning the CMSP Governing Board, including a history of the CMSP, the participating counties, the CMSP Governing Board members, the various CMSP benefits programs (CMSP, Path to Health and Connect to Care by CMSP) and those county residents who are eligible to participate in those programs. Ms. Brownstein introduced Director of Finance and Administration Meegan Forrest, who participated via ZOOM/teleconference phone.

Ms. Forrest continued the powerpoint, including an overview of the various CMSP grant programs (Local Indigent Care Needs, COVID-19 Emergency Response, Health Systems Development and Specialty Care Access grants) and the Healthcare Workforce Development loan repayment programs to strengthen healthcare workforce in CMSP counties.

Continuing the powerpoint, Ms. Brownstein summarized CMSP financing programs, pre-Affordable Care Act and post-Affordable Care Act and the staff/resources available to CMSP counties.

**Natural Resources** - Approve letter to State of California and the Klamath River Renewal Corporation re anticipated adverse impacts associated with the proposed Klamath River Dam Removal Project. No action taken, dropped from the agenda.

Deputy County Administrator Elizabeth Nielsen requested continuation of this agenda item to March 15, 2022 to allow for receipt of public comments.

Supervisor Kobseff suggested that the item be dropped with a new agenda item to come before the Board on the 15<sup>th</sup>.

Following brief discussion between members of the Board and County Counsel Edward J. Kiernan regarding the suggestion, it was consensus of the Board to take no action and drop the item from the agenda.

**General Services** - Discussion, direction and possible action re Memorandum of Understanding by and between the County of Siskiyou and the cities of Dunsmuir, Weed, Mt. Shasta, Yreka, Montague, Fort Jones, Etna, Dorris and Tulelake for the establishment of an Edible Food Recovery Program consistent with California Code of Regulations, Title 14, Division 7, Chapter 12 Short-lived Climate Pollutants. Continued to March 15, 2022.

General Services Director Joy Hall requested continuation of this agenda item to March 15, 2022 as the second reading of an ordinance related to the Edible Food Recovery Program would be heard on the 15<sup>th</sup>.

This item was continued to March 15, 2022.

**General Services** - Discussion, direction and possible action re Resolution authorizing submittal of application for payment programs and grant programs and related authorization to CalRecycle related to implementation of SB 1383 regulatory requirements. Resolution 22-50 adopted.

General Services Director Joy Hall provided an overview of the request to adopt a Resolution that would allow the General Services Department to submit an application for grant funding related to Senate Bill 1383 (SB 1383).

Supervisors Haupt, Kobseff and Ogren voiced opposition to SB 1383 and the negative impacts to the County associated with the unfunded mandates put in place by the Bill.

Supervisor Valenzuela advised of the inability of the State to treat smaller, rural counties differently from larger, urban counties with respect to the Bill and associated requirements. Continued...

## **General Services – (continued)**

In response to Supervisor Criss, Ms. Hall advised that she was not aware of any other California counties' opting out of an ordinance required concerning the Edible Food Recovery Program. In addition, Ms. Hall advised of receiving letters from eight of the nine incorporated cities in the County, requesting that the County apply for the grant funding, and that the majority of local grocery stores had contracts in place with foodbanks to take donated excess edible food.

In response to Supervisor Criss, Ms. Hall shared concerns that the deadline to submit an application for grant funding was currently due, and that continuing this agenda item to March 15<sup>th</sup> would be too late. Additionally, Ms. Hall provided an overview of the anticipated services and equipment that the grant funding would be utilized for the County and the participating local cities.

Lengthy discussion between members of the Board and Ms. Hall regarding the options available to General Services with regard to the use of grant funds, the potential negative impacts to local cities should the County opt out of the Program, the planned purchase of various equipment with the grant funding and the County's anticipated role of enforcing entity for the Program.

Supervisor Kobseff advised that he would receive input from other counties concerning SB 1383, when the Rural County Representatives of California (RCRC) Environmental Services Joint Powers Authority (ESJPA) meets later in the month.

County Administrator Angela Davis advised that there was a clause in the Resolution allowing the Board to rescind the grant submission authorization at any time.

The Chair opened the item to public comments.

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

Dorris City Administrative Officer Melissa High spoke in support of the County adopting the Resolution to allow application for grant funding.

Local resident Holly Hansard appeared before the Board, shared concerns regarding the State forcing the County to comply with SB 1383.

Local resident Louise Gliatto shared opposition to the Resolution and the County applying for the grant funding.

In response to Supervisor Kobseff, Ms. Hall advised that it was for one-time and not ongoing, grant funding.

It was moved by Supervisor Valenzuela and seconded by Supervisor Criss to adopt the Resolution.

Following brief discussion between members of the Board and County Counsel Edward J. Kiernan regarding the agenda item's recommended motion and Board members' continued opposition to the State's mandate, and following a roll call vote with Supervisors Valenzuela, Ogren and Criss voting YES, Supervisor Haupt voting NO and Supervisor Kobseff ABSTAINING the motion to adopt Resolution 22-50 authorizing submittal of application for payment programs and grant programs and related authorization to CalRecycle related to implementation of SB 1383 regulatory requirements carried.

Discussion followed between members of the Board, Mr. Kiernan and Ms. Hall regarding the need to invite input from local grocery store and restaurant representatives, the anticipated processes related to the Program's fines/penalties, local cities' processes related to the Program, the potential for the County to receive a fine of \$10,000 per day for not complying with the Bill and the need for input/information from a Calrecycle representative on March 15<sup>th</sup> when the Edible Food Recovery Ordinance will be considered.

**County Administration** - Discussion, direction and possible action re Employment Agreement Amendment #1 with County Counsel Edward J. Kiernan, for the term March 1, 2022 through February 28, 2026, at the base salary amount of \$200,000, increasing as detailed in Amendment #1; and associated Resolution amending the Siskiyou County salary schedule to set County Counsel salary range, effective March 6, 2022 and February 5, 2023. Approved; Personnel Resolution P 22-51 adopted.

County Administrator Angela Davis provided an overview of the request to approve Amendment #1 to employment agreement with County Counsel Edward J. Kiernan and to adopt a Resolution to revise the County Counsel position's salary effective March, 2022 and February, 2023.

It was moved by Supervisor Valenzuela, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Ogren, Valenzuela and Criss voting YES, to approve County Counsel Ed Kiernan's Employment Agreement-Amendment #1 effective March 1, 2022, which contains amended terms and conditions of employment and adopt Salary Resolution P 22-51 which amends the Siskiyou County Salary Schedule for the position of County Counsel.

**Board of Supervisors' Requests** - Board of Supervisors - Presentation of a Resolution thanking Dennis Tanabe for his service to the County on the occasion of his retirement. Presentation only.

County Counsel Edward J. Kiernan provided a brief overview of the request to present a Resolution to Deputy County Counsel Dennis Tanabe on the occasion of his retirement. Mr. Kiernan thanked Mr. Tanabe for his years of service.

Health and Human Services Agency Director Sarah Collard, Deputy Director of Social Services Division Susan Cervelli and Deputy County Counsel Dana Barton thanked Mr. Tanabe for his efforts to support and guide staff in various County offices.

Supervisor Ogren read the Resolution thanking Dennis Tanabe for his service to the County on the occasion of his retirement into the record.

Members of the Board presented the Resolution to Mr. Tanabe.

**Public Hearings** - Community Development - Planning Division - Public hearing to consider Resolution approving the Michigan-CA Timber Company, LP Boundary Line Adjustment (BLA-21-22) project on APNs 015-420-200 and 015-420-230. Resolution 22-52 adopted.

This was the time set for a public hearing to consider a Resolution approving the Michigan-CA Timber Company, LP Boundary Line Adjustment (BLA-21-22) project on APNs 015-420-200 and 015-420-230.

Assistant Planner Shelley Gray provided an overview of the request, advising that Board approval was needed to allow a minor boundary line adjustment for the property which was zoned Timber Production Zone (TPZ). Ms. Gray additionally advised that the Planning Commission recommended approval of the boundary line adjustment and exempt from the California Environmental Quality Act (CEQA) pursuant to the 'common sense exemption'.

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

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

It was moved by Supervisor Haupt and seconded by Supervisor Kobseff to determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to the "common sense exemption" in accordance with Section 15061(b)(3) of the CEQA Guidelines, and approve the Michigan-CA Timber Company, LP Boundary Line Adjustment (BLA-21-22) based on the recommended findings and subject to the recommended conditions of approval. Following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, the motion to adopt Resolution 22-52 carried unanimously.

**Public Hearings** - Community Development - Planning Division - Continued public hearing for the first reading of an ordinance reclassifying land adjacent to Dunsmuir Municipal-Mott Airport from Rural Residential Agricultural (R-R) to Planned Development (P-D) on APN: 037-410-230; Township 40 North, Range 4 West, Section 35, MDB&M for the Purvis Zone Change (Z-21-07). First reading approved; public hearing continued to March 15, 2022 for the second reading.

This was the time set for a continued public hearing for the first reading of an ordinance reclassifying land adjacent to Dunsmuir Municipal-Mott Airport from Rural Residential Agricultural (R-R) to Planned Development (P-D) on APN: 037-410-230; Township 40 North, Range 4 West, Section 35, MDB&M for the Purvis Zone Change (Z-21-07), having been introduced on February 1, 2022 and continued on February 15, 2022.

Senior Planner Rachel Jereb provided an overview of the request to approve a zone change, advising that recording of a required aviation easement (aviation easement) had been approved/recorded and that the ordinance first reading could move forward. Ms. Jereb further advised that the Planning Commission recommended approval of project and that the project was exempt from the California Environmental Quality Act (CEQA) pursuant to the 'common sense exemption'.

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

The Chair opened the item to public comment and no public comments were received.

Discussion followed between members of the Board, Ms. Jereb and Ms. Winningham regarding the various allowable uses compliant with Zone B of the Airport Land Use Compatibility Plan and timing related to a second reading of the ordinance.

It was moved by Supervisor Valenzuela, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to introduce, waive, and approve the first reading of the proposed Purvis rezoning to amend Zoning District Map 10-6.205-526; and direct the Clerk to schedule a continued public hearing on adoption of the CEQA exemption and a second reading of the ordinance amending Zoning District Map 10-6.205-526 on March 15, 2022.

**Appointments** - County Clerk - Appoint one member to the scheduled vacancy on the Law Library Advisory Board, for a one-year term ending December 31, 2022. Matthew Kane appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that incumbent Matthew Kane was interested in reappointment.

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint Matthew Kane to the Law Library Advisory Board for a one-year term ending December 31, 2022.

**Appointments** - County Clerk - Appoint three members to the Local Child Care Planning Council, for two-year terms ending February 28, 2024. Ana Fisher, Carla Charraga and Ronya Merel appointed as Discretionary Appointee, Community Representative and Consumer, respectively.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that incumbents Ana Fisher, Carla Charraga and Ronya Merel were interested in reappointment and that the Local Child Care Planning Council (LPC) recommended their reappointment. In addition, Ms. Winningham advised that local resident Holly Hansard was interested and working with the LPC Coordinator on eligibility requirements.

It was moved by Supervisor Valenzuela, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint Ana Fisher as Discretionary Appointee, Carla Charraga as Community Representative and Ronya Merel as Consumer, to the scheduled vacancies on the Local Child Care Planning Council, for two year terms ending February 28, 2024.

**Appointments** - County Clerk - Appoint one member to the scheduled vacancy on the Far Northern Coordinating Council, for a two- or three-year term ending in February 2024 or 2025. Continued to a later date.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that the Clerk's Office had not received any letters of interest in serving on the Far Northern Coordinating Council. In addition, Ms. Winningham advised that the current incumbent was ineligible to serve another term pursuant to the Council's bylaws.

This item was continued to a later date.

**Appointments** - County Clerk - Appoint one member to the unscheduled vacancy on the PSA 2 Area Agency on Aging Advisory Council, for a four-year term effective the date of appointment. Continued to a later date.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that the Clerk's Office had not received any letters of interest in serving on the PSA 2 Area Agency on Aging Advisory Council and requested continuation.

This item was continued to a later date.

**Appointments** - County Clerk - Appoint three members and one alternate member to the scheduled vacancies and five members to the unscheduled vacancies on the Behavioral Health Services Board, for terms ending December 31, 2022, 2023 and 2024. Victoria Juene Kennedy and Lise Rogers appointed. Remaining vacancies continued to a later date.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that incumbent Victoria Juene Kennedy and local resident Lise Rogers were interested in serving on the Behavioral Health Services Board.

It was moved by Supervisor Ogren, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to appoint Victoria Juene Kennedy and Lise Rogers to the scheduled vacancies on the Siskiyou County Behavioral Health Services Board, for terms ending December 31, 2024.

The remaining scheduled and unscheduled vacancies were continued to a later date.

**Minute Approval** - January 18, 2022. Approved.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to approve the January 18, 2022 minutes as presented.

### **Board and Staff Reports**

Deputy County Clerk Wendy Winningham advised that the recommended date to publish and budget/public hearing notice for the FY 22/23 Recommended Budget would be May 25, 2022 rather than June 1, 2022 as previously discussed on February 15, 2022.

Supervisor Kobseff advised of his attendance at a Family Farm Alliance meeting in Reno, Nevada.

Supervisor Haupt advised that he would be participating in an upcoming Congressional panel review related to forest fires and associated policies, and attending an upcoming American Forest Resource Council (AFRC) conference.

Supervisor Valenzuela advised of his participation in a National Association of Counties (NACo) meeting and a meeting in Sacramento related to homelessness and housing.

**Closed Session** - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), two cases, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), three cases, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(d)(2), one case, 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 11:30 a.m., concluded at 2:03 p.m. with no action taken.

**Report On Closed Session**

County Counsel Edward J. Kiernan announced that closed session concluded at 2:03 p.m., with no reportable action taken. In addition, Mr. Kiernan advised that Supervisor Haupt stepped out of closed session from 1:28 p.m. to 1:30 p.m. and that Supervisor Valenzuela stepped out from 1:36 p.m. to 1:39 p.m.

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

Attest:  
Laura Bynum, County Clerk

\_\_\_\_\_  
Brandon A. Criss, Chair

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