

State of California, County of Siskiyou

Board of Supervisors Minutes, November 1, 2022

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 1st day of November 2022; there being present Supervisors Brandon Criss, Michael N. Kobseff, Nancy Ogren, 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.

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 Siskiyou Power Authority. Supervisor Ogren 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

Chair Criss advised that Senator Brian Dahle's District Director Bruce Ross was attending today's meeting.

Office of Emergency Services Director Bryan Schenone appeared before the Board and provided an update regarding ongoing recovery efforts being made following the summer's recent wildfires. Mr. Schenone summarized the efforts being made to predict potential risks associated with upcoming wet weather events on the Klamath River and local burned areas.

Brief discussion followed between members of the Board and Mr. Schenone regarding the process associated with removing fire/burn debris and the need to be cognizant of the differences in abatement for burned areas located on private versus public lands.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to drought declared by Resolution 22-74, adopted on April 5, 2022; action to extend or terminate local emergency. Local emergency extended.

In response to Chair Criss, Office of Emergency Services Director Bryan Schenone requested continuation of the local emergency.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss to extend the local emergency related to drought declared by Resolution 22-74.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to Mud Creek Debris Flows declared by the Director of Emergency Services on July 27, 2022; action to extend or terminate local emergency. Local emergency extended.

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 to extend the local emergency related to Mud Creek Debris Flows declared by the Director of Emergency Services.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to McKinney Fire burn scar and debris flows declared by the Director of Emergency Services; action to extend or terminate local emergency. Local emergency extended.

It was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss to extend the local emergency related to McKinney Fire burn scar and debris flows declared by the Director of Emergency Services.

Presentations from the Public

Hornbrook resident John DeKleine appeared before the Board and shared concerns regarding the building permit process, advising that he had yet to receive a permit for a project on his property.

Continued...

Presentations from the Public

In response to Supervisor Haupt, County Administrator Angela Davis provided an update regarding recent discussions with the Building Department, advising that additional staff positions were being added to help alleviate backlog in the Department.

In-Home Supportive Services (IHSS) caregiver Misty Clifford appeared before the Board and spoke in support of the Service Employees International Union (SEIU) and the County negotiating toward increased wages and funding to provide training on various issues to IHSS workers.

SEIU representative Marissa appeared before the Board speaking in support of the local IHSS workers and their request for increased wages and funding for training.

IHSS caregivers Cynthia Seaver and Diahna Lofton appeared before the Board and spoke in support of the County negotiating with the Union toward increased wages and funding for training.

In response to Chair Criss, Deputy County Administrator/Personnel-Risk Management Melissa Cummins advised that the County was in active negotiations with the Union.

Consent Agenda – Approved.

At Supervisor Haupt's request, item 5F, Health and Human Services - Behavioral Health Division's contract with TEACH, Inc., was pulled from the consent agenda for discussion.

At Supervisor Kobseff's request, item 5D, the County Library's Zip Books Program grant was pulled from the consent agenda for discussion, and item 5L, the Sheriff's addendum to Memorandum of Understanding and Agreement with the City of Tulelake was pulled from the consent agenda for discussion.

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, that the following consent agenda is approved, and the Chair and/or clerk authorized to execute/record any necessary documents:

County Administration

Approve Ms. Cummins, Melissa Cummins, Deputy CAO – Personnel and Risk Management Officer to act as the Interim Executive Director for the Siskiyou County Local Transportation Commission (SCLTC) effective October 19, 2022, and until appointment of a successor to the position.

County Administration

Approve the letter of support (of the 2-1-1 dialing code) and authorize the Chair to sign.

County Administration - Personnel

Adopt Resolution P 22-181 amending the Siskiyou County Salary Schedule and Position Allocation List as detailed in the attached Resolution effective October 16, 2022, and November 13, 2022.

General Services - Airports

Authorize the Chair to retroactively execute the Ground Lease Agreement between the County of Siskiyou and Nelson Harding for the term of July 11, 2022 through July 10, 2052.

Health and Human Services - Behavioral Health Division

Approve and authorize the chair to sign the agreement with the Board of State & Community Corrections and the STD 213 Standard agreement. Resolution 22-150, was ratified and approved by the Board of Supervisors, authorized the Acceptance of the Proposition 47 Grant Award from the Board of State & Community Corrections and authorized the Auditor to establish budget appropriations and set expenditures per the grant guidelines.

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the agreement between California Department of Health Care Service and Siskiyou County Health and Human Services Agency Public Health Division for the Intergovernmental Transfer funding.

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Consent Agenda – (continued)

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the First Addendum to the Contract for Services between Siskiyou County Health and Human Services Agency – Public Health Division and Les Hall for the amount not to exceed \$81,090.90, for the term of the contract through June 30, 2021.

Office of Emergency Services

Approve Resolution 22-182 authorizing the County Administrator, Deputy County Administrator, Director of Emergency Services, or the Auditor-Controller to take any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-awarded through the State of California.

Probation Department

Approve the Fourth Addendum to the contract with Kitt Murrison, Ph.D., to extend the term of the contract to June 30, 2023.

Transfer of Funds - Sheriff - \$445,161. Resolution 22-183 adopted.

Transfer of Funds - Disaster Relief - \$363,774. Resolution 22-184 adopted.

Transfer of Funds - Building Department - \$440,980. Resolution 22-185 adopted.

County Library - Approve application to the California State Library for the Zip Books Program grant and accept awarded funds, in the amount of \$17,753 for Fiscal Year 2022-2023. Continued to December 6, 2022.

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

Supervisor Kobseff requested additional information regarding the grant application.

Participation in this item by County staff was provided by teleconference phone.

Brief discussion followed between Supervisor Kobseff and County Librarian Michael Perry regarding certain terms and conditions specified in the grant application and the need for clarification related to the grant requirements.

Later in the meeting, County Administrator Angela Davis requested that this item be continued to December 6, 2022 to allow the County Librarian to bring additional information to the Board.

Health and Human Services - Behavioral Health Division - Approve FY 22/23 contract with TEACH, Inc., to provide Prevention and Early Intervention services to at risk populations, in an amount not to exceed \$164,928. Approved.

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

Following brief discussion between Supervisor Haupt and Health and Human Services Agency Director Sarah Collard regarding the Target Population identified in the contract and processes utilized with regard to health records of minors, it was moved by Supervisor Haupt, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Teach, Inc.

Sheriff - Approve addendum to Memorandum of Understanding and Agreement with the City of Tulelake for dispatch and records services, increasing compensation by \$9,880 to a total not to exceed \$39,520 and extending the term through June 30, 2023. Approved.

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

Participation in this item by County staff was provided by teleconference phone.

In response to Supervisor Kobseff, Sheriff Jeremiah LaRue advised that the Department's costs associated with providing dispatch services was being met within the addendum. Continued...

Sheriff – (continued)

In addition, Sheriff LaRue advised of ongoing efforts being made to better capture all of the costs associated with providing various law enforcement services to local jurisdictions.

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to approve 1st Addendum to the Agreement for Dispatch & Records Services between the Sheriff's Office and the City of Tulelake, to extend the terms through June 30th, 2023.

Public Requests - First 5 Siskiyou - Discussion, direction and possible action re Proclamation of the 15th Annual "Read Across Siskiyou" sponsored by First 5 Siskiyou Children and Families Commission. Approved.

First 5 Siskiyou Children and Families Commission Executive Director Karen Pautz appeared before the Board and provided an overview of the request and the 15th annual "Read Across Siskiyou event". In addition, Ms. Pautz introduced Rhianna Ramshaw who spoke about her experiences as a member of First 5 and the importance and benefits associated with early literacy opportunities.

Discussion followed between members of the Board and Ms. Pautz regarding the annual event, the book entitled: 'My Tail's NOT Tired!' that would be read to children county-wide on Wednesday, November 9th, the types of screenings (i.e. for dyslexia and other learning concerns) provided to children, efforts made toward prevention in children 0-5 years of age and the source of funding (tobacco tax) for the First 5 statewide.

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 for the Board to sign and adopt the 15th Annual Read Across Siskiyou Proclamation.

Public Requests – Pacificorp - Presentation re Pacific Power's grid design and system hardening activities in Siskiyou County. Presentation and discussion only.

PacifiCorp Regional Manager Todd Andrus appeared before the Board and introduced Wildfire Mitigation Delivery Director Kevin Schiedler to provide a powerpoint entitled: 2022 Wildfire Mitigation Plan Update.

Mr. Schiedler presented the powerpoint on grid hardening activities, summarizing recent achievements (i.e. covered conductor lines installed, transmission/distribution poles replaced with non-wood alternatives and expulsion equipment replaced with non-expulsion equipment).

Brief discussion followed between members of the Board and Mr. Schiedler regarding the various replacement equipment.

Continuing the powerpoint, Mr. Schiedler provided an overview of the areas focused on to mitigate/decrease Public Safety Power Shutoff (PSPS) impacts and the efforts being made to scope/research undergrounding of utilities in certain locations versus overhead utilities.

Further discussion followed, including Mr. Andrus, regarding the County's available 20A credits, the process necessary for those credits to be utilized for underground utilities and the processes utilized by PacifiCorp to prune and/or clear trees/limbs away from overhead power lines.

Agriculture - Discussion, direction and possible action re draft letter to the California Wildlife Conservation Board (WCB) re the banning of herbicides from conservation plans by the WCB. Approved.

Agricultural Commissioner Jim Smith appeared before the Board, sharing concerns regarding the California Wildlife Conservation Board (WCB) consideration of a proposal to ban the use of certain pesticides on lands under conservation easement and/or owned by the WCB. Mr. Smith requested approval of a comment letter voicing opposition to the proposal.

Discussion followed between members of the Board and Mr. Smith regarding the potential negative impacts of a pesticide ban on properties within the County and the need to copy the letter to Senator Brian Dahle and Assembly member Megan Dahle.

Continued...

Agriculture – (continued)

Further discussion followed regarding the need for clarification whether WCB conservation lands are included in the County's integrated pest management plan, the benefits associated with the use of pesticides by the County's Agriculture Department to private and wildland properties and various WCB/conservation properties in the County.

It was moved by Supervisor Criss, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, that the Board of Supervisors sign and send public comment letter to the Wildlife Conservation Resources Board, including that the letter be carbon-copied to Senator Brian Dahle and Assembly Member Megan Dahle.

Agriculture - Presentation of an update re wolf activity in the County. Presentation and discussion only.

Agricultural Commissioner Jim Smith appeared before the Board and introduced wolf liaison/consultant Patrick Griffin.

Mr. Griffin appeared before the Board, providing various short trail/game camera videos indicating wolf activity in various locations around Siskiyou County, including the Little Shasta and Grass Lake areas. Mr. Griffin shared concerns regarding the negative impacts associated with wolves being in the same landscape as (close proximity to) cattle. Mr. Griffin advised that local ranchers were in attendance should the Board have questions or request public comments.

Discussion followed between members of the Board, Mr. Griffin and Mr. Smith regarding the State's efforts to develop a compensation plan for the costs associated with direct loss (of livestock) and possible pay for the impacts associated with wolves' presence around livestock, the approximate number of verified wolf kills and associated compensation from the State and anticipated resumption of state wolf committee meetings.

In response to Supervisor Ogren, Mr. Griffin advised that the County's trappers and one State Fish and Wildlife biologist are responsible for investigating possible wolf/predator kills in the County.

Lengthy discussion followed regarding the timing associated with the reporting of and locating possible depredation, the current local wolf pack consisting of 15 animals, the lack of tools to mitigate losses, concerns regarding non-functioning collars currently in place on wolves, the negative impacts associated with the lack of successful captures to collar the animals, the use of DNA to identify wolves' ancestry, the benefits associated with developing a capacity study for wolves, the Wolf Plan development process, anticipated funding sources for management/detection of wolves at the State level, the need to include/interact with the County's Range Advisory Board (grazing panel) with regard to wolf management issues, the need for examples from other areas of the country on their interaction with wolves in the landscape, the impact of the State's Endangered Species Act (ESA) on wolf populations and the need for legislative assistance with the local wolf issue.

The Chair opened the item to public comment.

Little Shasta rancher Susan Hart voiced concerns regarding the negative impacts of wolves' interaction with local livestock herds and requested resources/assistance for the ranchers and property owners who are battling to offset the financial and emotional impacts of wolves around their livestock.

Supervisor Criss spoke in support of State Fish and Wildlife representatives providing a presentation to the Board at a later date.

County Administration – Personnel - Discussion, direction and possible action re first reading of an ordinance amending Chapter 3 of Title 7 Section 7-3.03 of the Siskiyou County Code regarding the duties and qualifications of the Director of the Department of Public Works. First reading approved; public hearing for the second reading set on December 6, 2022.

Deputy County Administrator Melissa Cummins provided an overview of the request to modify the duties and qualifications for the County's Public Works Director, advising that California Senate Bill 207 (SB 207) authorizes the Board of Supervisors to transfer the duties of county road commissioner to the County's Public Works Director.

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County Administration – Personnel – (continued)

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt 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 Ordinance amending Chapter 3 of Title 7 Section 7-3.03 of the Siskiyou County Code in its entirety and direct the Clerk to schedule a public hearing on, and second reading of the Ordinance on December 6, 2022.

Public Hearings - General Services - Public hearing for the second reading of an ordinance of the County of Siskiyou amending gate fees at various Siskiyou County solid waste facilities. Ordinance 22-18 adopted.

This was the time set for a public hearing for the second reading of an ordinance of the County of Siskiyou amending gate fees at various Siskiyou County solid waste facilities, having been introduced and continued on October 4, 2022.

Project Coordinator Amanda Kimball provided an overview of the request to increase certain gate fees at Siskiyou County solid waste facilities.

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

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

Supervisor Kobseff voiced concerns regarding the proposed fees for disposal of E-waste, the \$1/household battery fee and the potential for those batteries to be thrown in the trash rather than turned in and paid for at a local solid waste facility.

Discussion followed between members of the Board and Ms. Kimball regarding plans to address green waste opportunities during negotiations for an operator for local transfer stations, the need to also address green waste in the ordinance, concerns regarding the proposed fee to dispose of (recycle) household batteries, the need to reactivate the County's household battery recycling program, the costs associated with disposing of household batteries, concerns regarding the lack of staff to collect household batteries from local jurisdictions and possible sites within County departments to collect recyclable household batteries.

It was moved by Supervisor Criss, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Valenzuela, Ogren and Criss vote YES and Supervisor Kobseff voting NO, to introduce, waive, and approve the second reading of the Ordinance of the County of Siskiyou amending Gate fees at the various Siskiyou County Solid Waste Facilities and adopt the Ordinance 22-18 as presented.

Public Hearings - Community Development - Planning Division - Public hearing for the first reading of an Ordinance reclassifying land in the unincorporated community of Yreka from Prime Agricultural (AG-1) to light industrial (M-M) on APN 013-120-230 and Heavy Industrial (M-H) on APN 013-230-330; Township 36 North, Range 7 West, Section 36, MDB&M, for the Goodwin Zone Change (Z-21-02) and Use Permit (UP-21-06) Project. First reading approved; public hearing continued to December 6, 2022 for second reading.

This was the time for a public hearing for the first reading of an ordinance reclassifying land in the unincorporated community of Yreka from Prime Agricultural (AG-1) to light industrial (M-M) on APN 013-120-230 and Heavy Industrial (M-H) on APN 013-230-330; Township 36 North, Range 7 West, Section 36, MDB&M, for the Goodwin Zone Change (Z-21-02) and Use Permit (UP-21-06) Project.

Chair Criss opened the public hearing.

Deputy County Clerk Wendy Winningham briefly summarized the order of presentation.

Planning Director Hailey Lang presented a powerpoint overview of the request to rezone certain properties from Prime Agricultural to Light Industrial and Heavy Industrial zoning for operation of a concrete and asphalt recycling plant. Ms. Lang advised that the project also included a Use Permit for the recycling facility and that it was not anticipated that the plant would operate on a daily basis, but would operate on an 'as needed' basis. Ms. Lang summarized the process to confirm that the soils were not suited to Prime Agricultural zoning, summarized the California Environmental Quality Act (CEQA) process and the process related to the Initial Study/Mitigated Negative Declaration.

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Public Hearings - Community Development - Planning Division – (continued)

Continuing the powerpoint, Ms. Lang provided an overview of mitigation measures added to the project and correspondence that was received from the California Department of Fish and Wildlife (CDFW) and the County Public Works Department. In addition, Ms. Lang summarized public comments that the Department received with regard to dust/air/noise pollution and zoning consistency.

Brief discussion followed between members of the Board and Ms. Lang regarding the CDFW, Public Works and public comments.

Ms. Lang recommended approval of the project.

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

Project Proponent Paul Goodwin appeared before the Board and spoke in support of the proposed project.

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 Introduce, waive, and approve the first reading of an ordinance to rezone APN 013-120-230 from AG-1 to M-M and to rezone APN 013-120-330 from AG-1 to M-H, approve the Mitigated Negative Declaration in accordance with Section 15074 of the CEQA Guidelines and direct staff to file a Notice of Determination and continue the public hearing to December 6, 2022 for the second reading.

Public Hearings - Community Development - Planning Division - Continued public hearing for the second reading of an ordinance reclassifying approximately 691 acres of land south and west of the community of Grenada, from Prime Agricultural (AG-1) and Non-Prime Agricultural, 40 acre minimum (AG-2-B-40) to Timberland Production District (TPZ) on APNs 022-010-200 and 022-010-220; Township 43 North, Range 7 West, Section 1, MDB&M, for the Dobson Zone Change (Z-21-08) Project. Ordinance 22-19 adopted.

This was the time set for a continued public hearing for the second reading of an ordinance reclassifying approximately 691 acres of land south and west of the community of Grenada, from Prime Agricultural (AG-1) and Non-Prime Agricultural, 40 acre minimum (AG-2-B-40) to Timberland Production District (TPZ) on APNs 022-010-200 and 022-010-220; Township 43 North, Range 7 West, Section 1, MDB&M, for the Dobson Zone Change (Z-21-08) Project, having been introduced on October 18, 2022.

In response to Chair Criss, Deputy County Clerk Wendy Winningham briefly summarized the order of presentation.

Assistant Planner Bernadette Cizin provided an overview of the request to approve the proposed project and adopt the associated ordinance.

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

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

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to determine the project exempt from CEQA in accordance with Section 15264; and waive the second reading of the draft ordinance amending Zoning District Map 10-6.205-250; and adopt the draft ordinance 22-19 amending Zoning District Map 10-6.205-250.

Public Hearings - Community Development - Planning Division - Public hearing to consider a Resolution related to Vacation Rental Analysis and associated policy recommendations. Continued to January 17, 2023.

This was the time set for a public hearing to consider a Resolution related to Vacation Rental Analysis and associated policy recommendations.

Chair Criss opened the public hearing.

Continued...

Public Hearings - Community Development - Planning Division – (continued)

Planning Director Hailey Lang requested continuation of the public hearing to January 2023 in order for staff to gather additional information requested by the Planning Commission.

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 continue the public hearing to January 17, 2023.

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

Appointments - County Clerk - Appointment of five members to the scheduled vacancies on the Siskiyou County Range Advisory Board, for terms ending July 28, 2023 and July 28, 2024.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that incumbents Caroline Luiz, Greg Kuck, Mark Coast, Gary Rainey and Jim Morris were interested in reappointment to the Advisory Board.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint Gary Rainey and Jim Morris to the scheduled vacancies on the Siskiyou County Range Advisory Board, for terms ending July 28, 2023; and appoint Caroline Luiz, Greg Kuck and Mark Coats to the scheduled vacancies on the Siskiyou County Range Advisory Board, for terms ending July 28, 2024.

Minute Approval - October 18, 2022. Approved.

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

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), one case, 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, initiation of litigation pursuant to Government Code §54956.9(d)(4), two cases, commenced at 12:26p.m., concluded at 2:17p.m., with action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 2:17p.m., with reportable action taken.

With regard to item 14E, Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), two cases, Mr. Kiernan advised that the Board approved settling a matter rather than bringing suit. The contents of that will be made once the settlement is finalized. The motion was made by Supervisor Haupt and seconded by Supervisor Ogren. Supervisor Kobseff abstained and it was approved to settle the matter 4/0.

Public Hearings - Community Development - Planning Division - Public hearing to consider a Resolution approving the rescission and re-entry of existing Williamson Act Contracts under Application APA-22-04 for property located on Facey Bingham Road, south and east of the City of Etna, CA, APNs: 023-410-090 and 023-410-100; for the Jopson Williamson Act Contract Rescission and Reentry (APA-22-04) Project. Resolution 22-186 adopted.

Chair Criss recused himself from consideration of items related to Agricultural Preserves/Williamson Act Contracts and left the Board Chambers.

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Public Hearings - Community Development - Planning Division – (continued)

Vice Chair Valenzuela opened the public hearing.

Assistant Planner Bernadette Cizin appeared before the Board, providing an overview of the request and a staff report detailing the proposal to remove certain property/parcels from a current Williamson Act contract consisting of seven separate property owners. Ms. Cizin advised that the amendment request would bring those parcels (approximately 640 acres) under a new Williamson Act contract for the Sommarstrom-Jopson Family Trust property owner.

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

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

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Ogren voting YES and Supervisor Criss RECUSED to determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15317, Open Space Easements or Contracts; and adopt the attached Resolution 22-186 approving the rescission and reentry of the applicable Williamson Act contract.

Public Hearings - Community Development - Planning Division – Continued public hearing to consider the Woodson Agricultural Preserve Amendment and Williamson Act Contract Rescission and Reentry project (APA-22-03) for property located near the community of Macdoel, CA. Continued to December 6, 2022.

This was the time set for a continued public hearing to consider the Woodson Agricultural Preserve Amendment and Williamson Act Contract Rescission and Reentry project (APA-22-03) for property located near the community of Macdoel, CA., having been continued from October 4, 2022.

Chair Criss was recused from consideration of this item.

Assistant Planner Bernadette Cizin provided a brief overview of the request to continue the public hearing to December 6, 2022 in order to give staff time to review how property parcels associated with the Agricultural Preserve and Williamson Act Contract were created.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Ogren voting YES and Supervisor Criss RECUSED, to continue the public hearing to December 6, 2022.

Public Hearings - Community Development - Planning Division – Continued public hearing to consider adopting a Resolution amending the rules for the establishment and administration of Agricultural Preserves and Williamson Act Contracts. Continued to December 13, 2022.

This was the time set for a continued public hearing to consider adopting a Resolution amending the rules for establishing and administration of Agricultural Preserves and Williamson Act Contracts, having been continued from October 4, 2022.

Chair Criss was recused from consideration of this item.

Planning Director Hailey Lang provided an overview of the request to amend the rules for establishing and administering Agricultural Preserves and Williamson Act Contracts, advising that the Department solicited input on the proposed amendments from the Agricultural Commissioner, County Counsel's Office, the Assessor's Office and Farm Bureau representatives. Ms. Lang summarized the various proposed amendments, including formation of a review committee to internally review ongoing Williamson Act issues, improved definitions of agricultural uses and compatible uses (including the addition of off-site wood sales), clarification of residential uses, definition of the processes/roles for enforcement and monitoring of contracts and the language added to clearly define the Williamson Act Contract non-renewal process.

In response to Supervisor Valenzuela, Ms. Lang advised that the annual loss in General Fund revenue from the Williamson Act program was estimated to be approximately \$535,000.

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

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Public Hearings - Community Development - Planning Division – (continued)

The Vice Chair opened the item to public comments.

Siskiyou County Farm Bureau President Ryan Walker appeared before the Board and spoke in support of the County continuing to administer the Agricultural Preserve/Williamson Act contract program and in support of the proposed amendments.

Supervisor Valenzuela advised of the need for the State to reinstate funding for the Program.

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

Discussion followed between members of the Board, Ms. Lang, Assistant Planner Bernadette Cizin and Community regarding Community Development's revised Ag Preserve/Williamson Act surveys, the anticipated process to form a review committee, the Ag Preserve process in relation to the County's General Plan and Scott Valley Plan, the parcel sizes associated with Ag Preserves/Williamson Act contracts, the process for addressing inconsistent uses, the possible impacts associated with water usage on properties within conservation easements and the Ag Preserve/Williamson Act contract program.

Supervisor Haupt requested additional information regarding water usage with regard to Conservation Easement properties and Williamson Act contracts from the Department.

Further discussion followed, including Deputy County Counsel William Carroll, regarding the Rules Section regarding commercial agricultural production uses, the need to research and possibly amend language related to timber harvest plans and current state laws, the proposed rules in relation to additional residential housing/structures on Ag Preserve/Williamson Act parcels that may have previously been utilized for farm labor and the need to add clarification language in various areas of the proposed Rules.

In response to Ms. Winningham, County Counsel Edward J. Kiernan recommended that the public hearing be re-opened should the Board be interested in continuing the public hearing to a later date.

Vice Chair Valenzuela reopened the public hearing.

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Ogren voting YES and Supervisor Criss RECUSED to continue the public hearing to December 13, 2022.

Chair Criss returned to the Board Chambers.

County Clerk - Registrar of Voters - Discussion, direction and possible action re appointments In-Lieu of Election to various Special Districts pursuant to Elections Code §10515, for persons who filed declarations of candidacy and other qualified appointees as detailed in the agenda packet. Various appointments in lieu were made; various requests continued to December 6, 2022.

Deputy County Clerk Wendy Winningham provided an overview of the request to appoint in lieu of election, persons who filed declarations of candidacy and/or other qualified appointees to various special districts.

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 in lieu of election to the Tennant Community Services District, Jodi A. Page, for a full term, December 3, 2022 through December 4, 2026.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint in lieu of election to the Lake Shastina Community Services District, Richard G. Thompson and Paula Mitchell, for full terms, December 3, 2022 through December 4, 2026.

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 in lieu of election to the South Yreka Fire Protection District, Craig Scott, Liz Bowles and Richard Greene, for full terms, December 3, 2022 through December 4, 2026.

Continued...

County Clerk - Registrar of Voters – (continued)

It was moved by Supervisor Ogren, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint in lieu of election to the South Yreka Fire Protection District, Kay L. Dye, for a short term, December 3, 2022 through December 6, 2024.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint in lieu of election to the Happy Camp Community Services District, Kathleen L. Purvis and John Barnett, for full terms, December 3, 2022 through December 4, 2026.

Ms. Winningham advised that the Clerk's Office received a letter of interest in appointment to the Montague Fire Protection District from John McKnight who was eligible to serve.

It was moved by Supervisor Criss, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint in lieu of election to the Montague Fire Protection District, John McKnight, for a full term, December 3, 2022 through December 4, 2026.

Ms. Winningham advised that the Clerk's Office had not received any letters of interest in serving on the Tennant Community Services District one for full term and one short term.

Chair Criss advised that the request to appoint in lieu of election to the Tennant Community Services District was continued to December 6, 2022.

Ms. Winningham advised that the Clerk's Office received a letter of interest in serving on the Mt. Shasta Fire Protection District from Laurel Harkness who was eligible to serve.

Following discussion between members of the Board and Ms. Winningham regarding the District Board's three full term positions and one short term position that were available to fill and current incumbents, it was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint in lieu of election to the Mt. Shasta Fire Protection District, Michael Hamilton, Richard Kliewer and Jack Miller, for full terms, December 3, 2022 through December 4, 2026.

It was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint in lieu of election to the Mt. Shasta Fire Protection District, Laurel Harkness, for a short term, December 3, 2022 through December 6, 2024.

Ms. Winningham advised that the Clerk's Office was informed that the Weed Recreation and Parks District incumbents were interested in reappointment.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint in lieu of election to the Weed Recreation and Parks District, Veronica Rivera, Susan Tavalero and Mark Mazzoni, for full terms, December 3, 2022 through December 4, 2026.

Ms. Winningham advised that the Clerk's Office had not received any letters of interest in serving on the Lake Shastina Community Services District, one full term. No action was taken regarding this position.

Ms. Winningham advised that the Clerk's Office received letters of interest in serving on the Happy Camp Fire Protection District from incumbents William Munton, Roberta Lantow and Erik Haskell, for three short term positions.

Following discussion between members of the Board and Ms. Winningham regarding the District Board's current membership and a possible additional interested person, it was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint in lieu of election to the Happy Camp Fire Protection District, William Munton, Roberta Lantow and Erik Haskell, for short terms, December 3, 2022 through December 6, 2024.

Continued...

County Clerk - Registrar of Voters – (continued)

Following brief discussion between members of the Board and Ms. Winningham regarding the Happy Camp Community Services District incumbents, it was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to appoint in lieu of election to the Happy Camp Community Services District, Kathleen Toland and Timothy Zink, for short terms, December 3, 2022 through December 6, 2024.

Brief discussion followed regarding the need to continue remaining requests to December 6, 2022.

Board and Staff Reports

Supervisor Haupt advised of his participation in a tour of the Slater Fire area in Happy Camp with Community Development Director Rick Dean.

Supervisor Valenzuela advised of his attendance at the Northern Rural Training and Employment Consortium (NoRTEC) quarterly meeting.

Supervisor Criss advised of his attendance at a Copco Town Hall meeting and the Copco October Fest, the McCloud Chamber annual meeting and the Siskiyou Cattlemens Dinner with Supervisors Haupt and Kobseff.

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