

# State of California, County of Siskiyou

## Board of Supervisors Minutes, April 4, 2023

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 4<sup>th</sup> day of April 2023; 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 Valenzuela. 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. Office of Emergency Services Director Bryan Schenone 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**

There were no presentations from the public.

### **Consent Agenda – Approved.**

At Chair Valenzuela's request, item 5A, Community Development's master subscription agreement with Brightly Software, Inc., 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, Criss, Ogren and Valenzuela voting YES, that the following consent agenda is approved, and the Chair and/or clerk authorized to execute/record any necessary documents:

#### Community Development

Approval of the contract with Design Path Studios in order to have pre-approved ADU building plans to make the permit process more efficient.

#### County Administration

Approve the letter revised letter to Malin Community Service Club and authorize the Chair to sign.

#### County Administration

Approve the letter to the National Fish and Wildlife Foundation for the Shasta River Fish Passage and Instream Enhancement Project and authorize the Chair to sign.

#### County Administration

Approve the letter to the National Fish and Wildlife Foundation for the Huseman Ditch Pipeline and Water Efficiency Improvement Project and authorize the Chair to sign.

#### County Administration

Approve the letter to US Department of Energy Secretary PacifiCorp's application to DE-FOA-0002740 and authorize the Chair to sign.

#### County Administration

Receive the Siskiyou County Livestock Pass Program: 2022 Annual Report.

#### County Administration

Approve the request for project revision for the Forest Health Grant, McKinley Scott Fuel Reduction Project and authorize the Chair to sign.

#### County Administration - Office of Emergency Services

Approve the First Addendum to the lease agreement with Aum Sai Hospitality, a Limited Liability Corporation, d.b.a. Townhouse Motel to extend the term to November 30, 2023.

Continued...

**Consent Agenda – (continued)**

County Administration - Personnel

Authorize County Administration to execute the side letters between the County of Siskiyou and the Organized Employees of Siskiyou County Professional Unit, Siskiyou County Correctional Peace Officer Association, and Organized Employees of Siskiyou County – Miscellaneous Unit for the effective dates outlined in each side letter.

County Administration - Personnel

Authorize County Administration to execute all side letters between the County of Siskiyou and the Deputy Sheriffs Association for referral and hiring incentives effective March 22, 2023, and rural area premium pay effective April 16, 2023.

County Administration - Personnel

Approve request to create Civil Service Coordinator – 1.0 FTE and accounting change related to District Attorney Investigator – 1.0 FTE, effective April 16, 2023, by adopting Resolution P 23-58.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the First addendum to our Master Service agreement with Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Social Solutions Global, Inc, for the term of April 1, 2022 to March 31, 2025.

Health and Human Services - Social Services Division

Ratify the MOU (with Partnership HealthPlan of California) and authorize the Board of Supervisors Chair to execute the MOU.

Health and Human Services - Social Services Division

Ratify and approve the amendment, authorize acceptance of the additional grant award, authorize the Board of Supervisors Chair to execute the amendment to the subrecipient agreement, and authorize the Auditor to establish budget appropriations.

Sheriff

Approve the Sheriff to accept the funds allocated to the Siskiyou County Sheriffs Office to use towards officer wellness and mental health from 2023-2025. Allow the Auditor to create a new fund and establish appropriations as needed.

Sheriff

Approve the Memorandum of Understanding between the Courthouse and the Sheriff's Office. Ratify the Sheriffs signature and allow the Auditor to make any necessary appropriations.

Transfer of Funds - Agriculture Commissioner/Sealer - \$21,097. Resolution 23-59 adopted.

Transfer of Funds - American Rescue Plan Act/Road Department - \$510,190. Resolution 23-60 adopted.

Transfer of Funds - Community Development Department - \$5,857. Resolution 23-61 adopted.

Transfer of Funds - Community Development Department - \$172,000. Resolution 23-62 adopted.

Transfer of Funds - Public Health - \$404,487. Resolution 23-63 adopted.

Transfer of Funds - Public Health Department - \$28,053. Resolution 23-64 adopted.

Transfer of Funds - Solid Waste Disposal - \$40,000. Resolution 23-65 adopted.

**Community Development** - Approve master subscription agreement with Brightly Software, Inc., to provide software services in the Building, Planning and Environmental Health Divisions, in an amount not to exceed \$76,690.57, for a term expiring February 28, 2026. Continued to April 18, 2023.

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

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### **Community Development – (continued)**

Community Development Director Rick Dean requested additional time to work with the vendor for changes to the current contract.

In response to Deputy County Clerk Wendy Winningham, Mr. Dean requested that the item be continued to the next regular Board meeting date versus dropping from the agenda.

The Chair advised that this item was continued to April 18, 2023.

**Off-agenda item** – Consider public employee performance evaluation for the position of County Counsel. Item added to the closed session agenda.

County Counsel Edward J. Kiernan provided an overview of the request to add an item, which may need to be acted upon prior to the next regularly scheduled Board meeting, to the closed session agenda.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to add an item not on the posted agenda with regard to considering public employee performance evaluation for the position of County Counsel to the closed session agenda.

**Sheriff** - Presentation of an update on current operations and activities within the Sheriff's Office. Presentation and discussion only.

Sheriff Jeremiah Larue and Sergeant Mike Johnson appeared before the Board.

Sheriff Larue presented a powerpoint presentation concerning the Sheriff's Office, including an overview of the various services, special investigations and special teams provided by the Office (i.e. Communications Dispatch, Major Crimes, Search and Rescue (SAR)). Sheriff Larue advised that Sergeant Johnson would provide information regarding Search and Rescue.

Sergeant Johnson continued the powerpoint, summarizing 2022 statistics related to SAR and the various services provided by SAR volunteers (i.e. emergency incident command, evidence searching, etc.). Sergeant Johnson distributed and summarized a flyer for the SAR annual Tri-Tip Dinner to help fund equipment purchases.

Discussion followed between members of the Board, Sheriff Larue and Sergeant Johnson regarding the various types of SAR calls, rescue efforts on Mt. Shasta, the minimal budget/funding available for SAR, possible funding opportunities to assist replace failing/older equipment, the need to research possible reimbursement/funding for volunteer efforts provided during wildfire and other local emergencies similar to how volunteer fire departments are reimbursed, the availability of Title III federal funding, the efforts being made to address hard drug issues in the County, the potential negative impacts associated with future state/federal legislation concerning K-9s and guns, the staffing levels and morale in the Sheriff's Office and the efforts being made to recruit and hire to fill vacant positions.

**Community Development** - Discussion, direction and possible action re request to re-ratify Proclamation of Local Health Emergency by the County Health Officer associated with the health and safety issues caused by the destruction of structures from the 2022 McKinney, Mill and Mountain wildland fires for another 30 days. Request to re-ratify approved.

Community Development Director Rick Dean provided an overview of the request to extend a current local health emergency proclamation.

It was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to re-ratify for an additional 30 days the subject proclamation of local health emergency that was proclaimed by the Siskiyou County Health Officer associated with the health and safety issues caused by the destruction of structures from the 2022 McKinney, Mill and Mountain wildland fires.

**County Clerk** - Discussion, direction and possible action re setting a hearing date/time to consider an appeal filed by Luis Sinibaldi on the decision of the Siskiyou County Planning Commission on March 15, 2023, re the Sinibaldi/Mendoza Use Permit (UP-22-04). Appeal/public hearing set for May 2, 2023 at 1:30p.m.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that the Appellant requested an appeal hearing be held as soon as possible and that the Appellant would not be available the week of April 17-21, 2023. Ms. Winningham provided potential meeting/hearing dates for the Board to consider.

Discussion followed between members of the Board and Ms. Winningham regarding a possible hearing date of May 2, 2023, the potential amount of time needed for the hearing, a 1:30p.m. hearing start time and the process for distributing appeal packets to members of the Board, staff and the appellant.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to set an appeal hearing on May 2, 2023 at 1:30p.m. to consider an appeal filed by Luis Sinibaldi on the decision of the Siskiyou County Planning Commission on March 15, 2023, re the Sinibaldi/Mendoza Use Permit (UP-22-04).

**County Clerk** - Discussion, direction and possible action re Board of Supervisors regular meeting scheduled for July 4, 2023. July 4, 2023 Board meeting canceled; no replacement meeting was scheduled.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that the regular Board meetings were set by Resolution to either the first and third Tuesday of each month except for being the first and second Tuesdays in July, August, November and December.

Following discussion between members of the Board and Ms. Winningham regarding a previously scheduled July 25<sup>th</sup> special Klamath Dam Board meeting and the need to officially cancel the July 4<sup>th</sup> meeting, it was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to cancel the July 4, 2023 regular Board meeting with no replacement meeting date set.

**Public Hearings** - Community Development - Public hearing to consider two Resolutions approving the rescission and re-entry of existing Williamson Act contracts and approving an amendment to an Agricultural Preserve under Application APA-22-08 and finding the project exempt from CEQA for the Lava Lakes Ranch Williamson Act project located on Highway A-12 east of the community of Grenada. Resolutions 23-66 and 23-67 adopted.

This was the time set for a public hearing to consider two Resolutions approving the rescission and re-entry of existing Williamson Act contracts and approving an amendment to an Agricultural Preserve under Application APA-22-08 and finding the project exempt from CEQA for the Lava Lakes Ranch Williamson Act project located on Highway A-12 east of the community of Grenada.

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

The Chair opened the public hearing.

Assistant Planner Bernadette Cizin appeared before the Board, providing an overview of the request to remove property from an existing agricultural preserve and bring it under one Williamson Act contract. Ms. Cizin additionally requested that the project be considered exempt under CEQA, Open Space exemption.

Deputy County Clerk Wendy Winningham advised that no correspondence had been received at the Clerk's Office.

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

It was moved by Supervisor Kobseff and seconded by Supervisor Ogren 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 approving the rescission & reentry of the applicable Williamson Act contract; and adopt the attached Resolution approving the amendment of the existing Agricultural Preserve and establish a new Agricultural Preserve. Continued...

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

The Chair called for the question and the motion to adopt Resolutions 23-66 (amendment) and 23-67 (rescission/reentry) carried, following a roll call vote with Supervisors Haupt, Kobseff, Ogren and Valenzuela voting YES and Supervisor Criss RECUSED.

**Public Hearings - Community Development - Public hearing to consider Resolution approving the rescission and re-entry of existing Williamson Act contracts under Application APA-22-06 for the Costello Williamson Act project located near the Town of Fort Jones. Resolution 23-68 adopted.**

This was the time set for a public hearing to consider Resolution approving the rescission and re-entry of existing Williamson Act contracts under Application APA-22-06 for the Costello Williamson Act project located near the Town of Fort Jones.

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

The Chair opened the public hearing.

Assistant Planner Bernadette Cizin appeared before the Board, providing an overview of the request to remove property from an existing agricultural preserve and bring it under one Williamson Act contract. Ms. Cizin further advised that one of the subject parcels was under the minimum parcel size to be included and that the property owner was informed that a Notice of Non-renewal for that parcel would be issued no later than September 2023 (to allow the applicant to apply for a Boundary Line Adjustment to increase the parcel size or merge two parcels if so desired).

Deputy County Clerk Wendy Winningham advised that there had been no correspondence received by the Clerk's Office.

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

Discussion followed between members of the Board and Ms. Cizin regarding the processes associated with issuing Notices of Non-renewal, the recommended September 2023 deadline to bring the substandard parcel into the minimum parcel requirements, possible impacts should the September 2023 deadline be changed to an earlier or later date and the process for taxing land versus structures under Williamson Act contract.

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 CEQA Guidelines section 15317, Open Space Easements or Contracts; and adopt the attached resolution approving the rescission and reentry of the applicable Williamson Act contract; and direct staff to bring back before the Board a recommendation for Notice of Non-Renewal for the substandard parcel.

Supervisor Valenzuela shared concerns regarding the lengthy process associated with this request.

The Chair called for the vote and the motion to adopt Resolution 23-68 carried, following a roll call vote with Supervisors Haupt, Kobseff and Ogren voting YES, Supervisor Valenzuela voting NO and Supervisor Criss RECUSED.

Supervisor Criss returned to the Board Chambers.

**Public Hearings - Community Development - Public hearing to consider Resolutions declaring the Board's intent to name three unnamed private roads as "Joy Place", "Gene Court" and "Lilly Loop" in Supervisorial District 5 and to set the time and date for a public hearing on the proposed road names, for the project located south of the City of Etna, CA. Resolutions 23-69 (Joy Place), 23-70 (Gene Court) and 23-71 (Lilly Loop) adopted.**

This was the time set for a public consider Resolutions declaring the Board's intent to name three unnamed private roads as "Joy Place", "Gene Court" and "Lilly Loop" in Supervisorial District 5 and to set the time and date for a public hearing on the proposed road names, for the project located south of the City of Etna, CA.

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

The Chair opened the public hearing.

Assistant Planner Shelley Gray appeared before the Board and provided an overview of the request to set a hearing to consider naming three unnamed roads in Supervisorial District 5.

Discussion followed between members of the Board and Ms. Gray regarding the location of the roads, the need to name the roads to identify the property for emergency service and fire response, the County not being required to maintain the property and upcoming public hearing process.

Deputy County Clerk Wendy Winningham advised that there had been no correspondence received by the Clerk's Office.

There being no public comments, 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, Criss, Ogren and Valenzuela voting YES, to approve the Resolution(s) 23-69, 23-70 and 23-71 declaring the Board's intent to name the unnamed private roads in Supervisorial District 5, as "Joy Place", "Gene Court", and "Lilly Loop" with the Chair authorized to sign the resolutions and with direction to Staff to set and notice the Public Hearing on May 2, 2023 at 9:00 a.m. or as soon thereafter as may be heard on the proposed road names.

### **Presentations from the Public**

Participation in presentations from the public was provided via teleconference phone.

Caller Chrissy Reynolds from Copco Lake voiced concerns regarding the Klamath Mitigation Fund processes with regard to compensation for impacts associated with Klamath River Dam removal efforts and requested that the Board consider holding a public hearing in Copco Lake on the issue.

**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.**

Office of Emergency Services Director Bryan Schenone appeared before the Board, requesting extension of the drought declaration for another month.

Discussion followed between members of the Board, Mr. Schenone and Deputy County Clerk Wendy Winningham regarding the County's current drought conditions, out-of-date drought statistics listed in Resolution 22-74, the need for additional information regarding removing certain County locations from the drought declaration in a new Resolution/Declaration, the extension timeframe identified in the current declaration and possible negative impact of ending the drought declaration in the Butte Valley.

It was moved by Supervisor Kobseff, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Kobseff, Criss, Ogren and Valenzuela voting YES and Supervisor Haupt voting NO, 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 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.**

In response to Supervisor Kobseff, Sheriff Jeremiah Larue advised that of ongoing efforts to update the current declaration related to cannabis to update/revise the statistics identified in the Resolution/Declaration.

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

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

Office of Emergency Services Director Bryan Schenone appeared before the Board, requesting termination of the local emergency.

In response to Supervisor Haupt, Mr. Schenone advised that a new emergency declaration would be developed should there be debris flows impacting the area once the weather warms up.

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to terminate the local emergency related to Mud Creek Debris Flows declared by the Director of Emergency Services on July 27, 2022.

**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.

Office of Emergency Services Director Bryan Schenone appeared before the Board, requesting extension of the declaration related to the McKinney Fire burn scar.

Following discussion between members of the Board, Mr. Schenone and Community Development Director Rick Dean regarding the status of snowpack and culverts within the burn scar area and the processes and timeframes associated with property cleanup in the area, it was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to extend the local emergency related to McKinney Fire burn scar and debris flows declared by the Director of Emergency Services.

**Minute Approval** - March 21 and 28, 2023. Approved.

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

**Closed Session** - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), three cases, conference with labor negotiators pursuant to Government Code §54957.6, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(d)(2), consider public employee performance evaluation for the position of County Counsel one case, commenced at 10:45a.m., concluded at 11:55a.m., with no action taken.

### **Report On Closed Session**

County Counsel Edward J. Kiernan announced that closed session concluded at 11:55a.m., with no reportable action taken.

### **Board and Staff Reports**

Supervisor Criss advised of his attendance at a Farm Bureau dinner and advised that the County was working on Esperanza Road in the Mt. Shasta Forest area.

Supervisor Ogren advised of her attendance at a Conservative Republican luncheon, the Grenada Athletics dinner, Hospice Art Auction event, Yreka City Council meeting, a ZOOM meet/greet meeting between Economic Development Council (EDC) and North Coast Resource Partnership and the Farm Bureau dinner. Supervisor Ogren additionally advised of meeting with California Highway Patrol (CHP) Commander Stacey Barr, a meeting regarding the wolf grant program and Firefighter of the Year dinner. Supervisor Ogren advised of plans to attend the California State Association of Counties (CSAC) Legislative Conference in Sacramento.

Supervisor Kobseff advised of his attendance at a Farm Bureau dinner, the Weed Chamber of Commerce Chinese auction and Firefighter of the Year dinner.

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

Supervisor Haupt advised of his attendance at several meetings with staff concerning emerging topics in the County, the Farm Bureau dinner, an American Forest Resource Council of Northern California coordinating group with the Klamath National Forest, a Pheasants Forever presentation with Supervisor Kobseff and the Firefighter of the Year dinner. Supervisor Haupt further advised of plans to attend an American Forest Resource Council conference in Washington State.

Supervisor Valenzuela advised of plans to attend the upcoming CSAC Legislative Conference.

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

Attest:  
Laura Bynum, County Clerk

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Ed Valenzuela, Chair

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