

State of California, County of Siskiyou

Board of Supervisors Minutes, December 5, 2023

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 5th day of December 2023; there being present Supervisors Brandon Criss, Michael N. Kobseff, Nancy Ogren, Ray A. Haupt and Ed Valenzuela, County Administrator Angela Davis, County Counsel Natalie E. Reed 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. Deputy County Clerk Wendy Winningham 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

Deputy County Administrator Elizabeth Nielsen appeared before the Board, advising that a Resolution requiring all wildfires within the County be managed through full suppression efforts that the Board requested to be considered on the December 5th agenda, still required outreach and additional work. Ms. Nielsen advised that the item would be brought back before the Board at a later date.

Consent Agenda – Approved.

At Chair Valenzuela's request, item 5E, County Administration's County Mobile Use Policy, was pulled from the consent agenda.

At Supervisor Haupt's request, item 5C, County Administration's letter to the United States Forest Service expressing support for Scott River Watershed Council's application for grant funding, 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:

County Administration

Ratify the support letter to the State Water Resources Control Board providing comments regarding the November 7, 2023 release of Preliminary Draft Emergency Regulations for the Scott and Shasta Rivers.

County Administration

Ratify letter to the National Marine Fisheries expressing support for Scott River Watershed Council's application for grant funding for the Mid French Creek Comprehensive Restoration Project.

County Administration

Approve first addendum to the contract with PACE Engineering and authorization for the Auditor to establish budgets as necessary.

County Administration

Approve the addendum (CKM Environmental) and authorize the Chair to sign.

County Administration - Personnel

Adopt Resolution P 23-212 approving the County of Siskiyou Salary Schedule for the period effective December 10, 2023, through December 21, 2024.

General Services - Airports

Authorize the Chair to execute the Airport Ground Lease between the County of Siskiyou and Matthew Altes for the term of November 1, 2023 through October 31, 2028.

Continued...

Consent Agenda – (continued)

General Services - Airports

Authorize the Chair to execute the Airport Hanger Lease between the County of Siskiyou and Tristan Branson for the term of May 1, 2023 through April 30, 2023.

General Services - Facility

Approve approve the contract with ExhibitOne (E1) and for the Auditor to establish budget.

General Services - Facility

Award the Public Works Contract to S &B James Construction Management Co. and authorize the Board Chair to sign the Contract; please authorize the County Auditor's office to establish a budget for the Public Works Contract.

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.

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the Contract for Services between Dr. William E. Lofthouse and Siskiyou County Health and Human Services Agency, Public Health Division for the term of November 30, 2023, through June 30, 2024.

Public Defender

Approve the Public Defender's request to extend the term of the BSCC Indigent Defense Grant Program through June 30, 2024 and to re-establish budget and authorize the CAO to sign the Standard Agreement.

Sheriff/Jail

Approve and authorize the Chair Board to sign the MOU between the Siskiyou County Sheriff/Jail and California Health and Recovery Solutions, P.C. ("CHRS).

Sheriff

Approve and ratify the Sheriff's Office application and authorize the Sheriff's Office to accept any resulting award. Allow the Auditor to make budget appropriations.

Transfer of Funds - Public Defender - \$5,000. Resolution 23-213 adopted.

Transfer of Funds - Public Health - \$136,000. Resolution 23-214 adopted.

Transfer of Funds - Zero Cost - \$1,007. Resolution 23-215 adopted.

County Administration - Approve the Siskiyou County Mobile Use Policy, effective December 5, 2023. Dropped from the agenda.

This item was pulled from the consent agenda at Chair Valenzuela's request and then the item was dropped from the agenda.

County Administration - Ratify letter to the United States Forest Service expressing support for Scott River Watershed Council's application for grant funding for the French Creek Community and Forest Health Resiliency Project.

This item was pulled from the consent agenda at Supervisor Haupt's request. Supervisor Haupt advised that his question related to the previous agenda item that had been dropped.

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 ratify the support letter.

Public Requests - Caltrans District 2 - Presentation of an update re work being done within Siskiyou County. Presentation and discussion only.

Caltrans Project Manager Catherine Low appeared before the Board.

Continued...

Public Requests - Caltrans District 2 – (continued)

Ms. Low provided an eight-page powerpoint presentation and a two-page map that indicated the various projects located within Siskiyou County. Ms. Low summarized an associated list of those projects, including the status of those projects and their associated costs. Ms. Low additionally provided an overview of the public notification and contact process through various social media platforms and the Caltrans District 2 website. Ms. Low summarized upcoming public outreach activities, including Open House events in McCloud and Happy Camp and upcoming workshops.

Discussion followed between members of the Board and Ms. Low regarding the status of the Yreka Rehab Project, including the current condition of the roadway, upcoming 2024 projects, the outreach efforts being made to merchants affected by road work and closures, Caltrans' processes related to incorporating public comments into upcoming projects, the public complaint process, upcoming projects to install broadband and the need for a future agenda item related to broadband in the County.

General County Fire - Discussion, direction and possible action re request to authorize donation of a 1998 Ford Horton Ambulance, Asset Number 922535, to the McCloud Community Service District. Approved.

County Fire Warden Darryl Laws appeared before the Board and provided an overview of the request, including the anticipated use of the ambulance.

It was moved by Supervisor Criss, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to approve the donation and instruct staff to complete necessary documentation.

Assessor-Recorder - Presentation re specific areas of Williamson Act property valuation and valuation under non-renewal of Agricultural Preserve contracts. Presentation and discussion only.

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

Assessor-Recorder Craig Kay and Appraiser Julie Brown appeared before the Board. Mr. Kay presented and summarized a seven-page packet of information, including an overview of the Williamson Act and the process utilized to develop valuation for properties within Agricultural Preserve/Williamson Act Contract and an overview of the process utilized to develop valuation for properties in a Non-renewal status.

Discussion followed between members of the Board, Mr. Kay and Ms. Brown regarding the original intent of the Williamson Act to minimize urban sprawl and keep agricultural properties in production, the negative impacts associated with the State no longer subsidizing the County's property tax losses associated with Williamson Act properties, the valuation process utilized when Williamson Act properties are sold, Williamson Act properties in the County that may not comply with Williamson Act authorized ag uses, the differences in taxing Williamson Act and Timber Harvest zoned properties, the Planning Department's efforts being made to 'clean up' properties currently under Williamson Act contracts, possible costs associated with title searches related to Williamson Act properties, the need for information related to Williamson Act properties owned by tax exempt non-profit entities and the coordinated efforts being made between the Assessor and the Planning Department.

Supervisor Haupt requested information regarding yield tax with regard to TPZ (Timber Harvest Zone) properties.

Supervisor Valenzuela requested a future agenda item regarding tax exempt entities and property owners with regard to Williamson Act/Agricultural Preserve properties.

Supervisor Ogren advised of the need to inform potential Williamson Act property owners of the responsibilities associated with properties under Williamson Act/Agricultural Preserve.

Supervisor Criss returned to the Board Chambers.

General Services – Airports - Presentation of an update re the operations at the various Siskiyou County Airports. Presentation and discussion only.

General Services Deputy Director Steve Serdahl and Transportation Manager Angie Stumbaugh appeared before the Board, presenting a powerpoint presentation concerning the County's airports. Continued...

General Services – Airports – (continued)

Mr. Serdahl summarized issues at each airport (i.e. needed repair/maintenance work, revenue earned, anticipated project timeframes, etc.), including Butte Valley, Scott Valley, Weed, Siskiyou and Happy Camp Airports.

Discussion followed between members of the Board, Mr. Serdahl and Ms. Stumbaugh regarding the Weed Airport's Automated Weather Observing Station (AWOS) system installation project and associated funding, plans to update the Weed Airport's Airport Infrastructure Plan (AIP), the increased asphalt costs affecting the local airports, concerns regarding the length and width of the Siskiyou County Airport's runways as determined by the Federal Aviation Administration (FAA) and the benefits associated with a longer runway length/width for supporting efforts to fight wildfires.

Mr. Serdahl summarized the process for determining the Siskiyou County Airport's Critical Aircraft, which could negatively impact FAA funding for future runway/taxiway reconstruction. Mr. Serdahl advised that the recent purchase of a Virtower Airport Operations Tracking System would assist the Department in determining a Critical Aircraft for the Airport.

Mr. Serdahl continued the powerpoint, including the status of the Happy Camp Airport that was closed to the public in May 2022, and advised that the Special Use Permit with the US Forest Service would expire at the end of 2028. Mr. Serdahl further advised that the Forest Service indicated that at the expiration of the land use agreement, the land would need to be returned to its original state (i.e. removal of runway, taxiway and apron).

Further discussion followed regarding the various revenue received from the airports in 2023, the status of the upcoming Weed Airport taxiway project, including associated funding resources, plans for the Department's Consultants Kimley Horn to present to the Board in 2024, efforts being made to gather additional information regarding the Happy Camp Airport and potential payback of certain airport funding.

Supervisor Haupt full disclosure information with regard to the costs associated with closure of the Happy Camp Airport.

Additional discussion followed regarding the status of hangar rentals at the Siskiyou County Airport, the need for information regarding expenses at the local airports and the status of the Scott Valley Airport with regard to fire season usage.

Health and Human Services - Behavioral Health Division - Discussion, direction and possible action re FY 23/24 contract with Youth Empowerment Siskiyou (YES) to provide certain prevention, outreach and access/linkage services for at risk populations, at the rates specified in Exhibit A. Approved.

Health and Human Services Agency Director Sarah Collard appeared before the Board, advising that this item that was continued from the November 14, 2023 agenda. Ms. Collard summarized the Scope of Services that will be provided by the non-profit Youth Empowerment Siskiyou (YES), focusing on children, transition-age youth, adults and older adults.

Discussion followed between members of the Board and Ms. Collard regarding the services that could be provided to outlying areas of the County, YES that is located in Yreka, other service providers that would accommodate other areas of the County with services tailored to those communities and various mental health services events anticipated for May of 2024.

Supervisor Haupt shared concerns regarding the need for details on age appropriate events in the contract.

It was moved by Supervisor Valenzuela, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Criss, Ogren and Valenzuela voting YES and Supervisors Haupt and Kobseff voting NO, to approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Youth Empowerment Siskiyou.

Health and Human Services - Social Services Division - Discussion, direction and possible action re contract with JoncoWest, LLC to provide janitorial services at 818 South Main Street, 2060 Campus Drive, and 912 South Main Street, Yreka and 1107 Ream Avenue, Mount Shasta, at the rates specified in Exhibit A, for the term December 6, 2023 through June 30, 2028. Approved.

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

Health and Human Services Agency Director Sarah Collard and Deputy Director of Administration Services Kirk Hendricks appeared before the Board, providing an overview of the request and advising that the contract now included a total not to exceed amount of \$744,049.90 for the term of the contract.

Discussion followed between members of the Board, Mr. Hendricks and Ms. Collard regarding the anticipated annual contract costs, the annual increase that would be determined by the Consumer Price Index (CPI) with a maximum of 5%, the anticipated process for tracking and notifying the Board of the annual increase and the need for information to the Board of the annual increases.

Deputy County Clerk Wendy Winningham advised that the Clerk's Office received a 15-page email correspondence from Joshua Jones that was forwarded to the Board and Human Services.

Jones Janitorial, LLC representative Joshua Jones appeared before the Board, presenting a 28-page bid proposal packet and sharing concerns regarding the County's consideration of a contract from an out of the area vendor. Mr. Jones additionally voiced concerns regarding the JoncoWest contract's inaccurate cost sheet in Exhibit A1 and the potential for the County to set a precedent by approving a contract and not utilizing local preference.

Ms. Collard advised that with the Department being federally funded, local preference in the bid process was not allowed.

Further discussion followed, including Chief Deputy County Counsel Dana Barton regarding Human Services' training on and use of the County's procurement policy, County Counsel's support during the bid review process, the Department's bid notification letter, the Department's anticipated process for review of a vendor's performance and possible method to resolve issues or terminate the contract.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Ogren and Valenzuela voting YES and Supervisor Criss RECUSED, to approve and the Chair to sign the contract for Janitorial Services between the Siskiyou County Health and Human Services Agency and JoncoWest for the term beginning December 5, 2023 through June 30, 2028.

Supervisor Criss returned to the Board Chambers.

County Counsel - Discussion, direction and possible action re first reading of an Ordinance repealing Chapter 39 of Title 2 of the Siskiyou County Code entitled "Copy fees for Public Record Act requests". First reading approved; public hearing for the second reading scheduled on January 2, 2024.

County Counsel Natalie E. Reed provided an overview of the request to repeal a section of the County Code related to charging copy fees for Public Record Act requests, as the County was not utilizing the section. Ms. Reed additionally advised that other counties had encountered challenges from the American Civil Liberties Union (ACLU) to similar fees.

Following brief discussion regarding the costs allowed under the Public Record Act, it was moved by Supervisor Criss, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Criss, Ogren and Valenzuela voting YES and Supervisor Kobseff voting NO, to introduce, waive, and approve the first reading of an ordinance repealing Chapter 39 of Title 2 of the Siskiyou County Code Regarding Fees for Public Records Requests; and direct the Clerk to schedule a public hearing on, and second reading of, the ordinance on January 2, 2024.

Appointments - County Clerk - Appointment of one member to the scheduled vacancy on the County Service Area #3 (CSA3) Advisory Committee, Member-At-Large representative for a term ending January 10, 2026. Continued to December 12, 2023.

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

Continued...

Appointments - County Clerk – (continued)

Ms. Wunningham requested continuation of the item to December 12th, as the Clerk's Office had not heard from the incumbent nor received any letters of interest in serving on the CSA3 Advisory Committee.

The Chair advised that this item was continued to December 12, 2023.

Appointments - County Clerk - Appointment of one member to the vacancy on the Superior California Economic Development District (SCEDD), Public Member, for an unspecified term. Tonya Dowse appointed.

Deputy County Clerk Wendy Wunningham provided an overview of the request, advising that the Superior California Economic Development District (SCEDD) recommended appointment of Siskiyou Economic Development representative Tonya Dowse to fill Siskiyou County's Public Member vacancy. Ms. Wunningham additionally advised that the Clerk's Office received confirmation from Ms. Dowse that she was willing to serve as Siskiyou County's representative.

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 appoint Tonya Dowse to the scheduled vacancy on the Superior California Economic Development District Executive Committee, Public Member representative, for an unspecified term.

Appointments - County Clerk - Appointment of one member to a scheduled vacancy on the Shasta Valley Resource Conservation District, for a term ending November 26, 2026. Michael Luiz appointed.

Deputy County Clerk Wendy Wunningham provided an overview of the request, advising that incumbent Michael Luiz was interested and eligible for reappointment to the Shasta Valley Resource Conservation District.

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 appoint Michael Luiz to the scheduled vacancy on the Shasta Valley Resource Conservation District, for a short term ending November 26, 2026.

Appointments - County Clerk - Appointment of one member to an unscheduled vacancy on the Siskiyou Resource Conservation District, for a term ending November 26, 2026.

Deputy County Clerk Wendy Wunningham provided an overview of the request, advising that the Clerk's Office had not received any letters of interest in filling the vacancy.

The Chair advised that this item was continued to a later date.

Minute Approval - November 7 and 14, 2023. Approved.

It was moved by Supervisor Criss, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to approve the November 7, 2023 minutes as presented.

It was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss and Ogren voting YES and Supervisor Valenzuela ABSTAINING, to approve the November 14, 2023 minutes as presented.

Public Hearings - County Counsel - Public hearing for the second reading of an Ordinance of the County of Siskiyou amending Sections 1-5.09 and 1-5.13 of the Siskiyou County Code regarding imposition of property liens. Ordinance 23-11 adopted.

This was the time set for a public hearing for the second reading of an Ordinance of the County of Siskiyou amending Sections 1-5.09 and 1-5.13 of the Siskiyou County Code regarding imposition of property liens, having been introduced on November 14, 2023.

The Chair opened the public hearing.

Assistant County Counsel William Carroll appeared before the Board and provided an overview of the request. Continued...

Public Hearings - County Counsel – (continued)

In response to 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, the public hearing was declared closed.

It was moved by Supervisor Haupt, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Criss, Ogren and Valenzuela voting YES and Supervisor Kobseff voting NO, to introduce, waive the second reading of, and adopt an Ordinance 23-11 amending Sections 1-5.09 and 1-5.13 of the Siskiyou County Code Regarding imposition of property liens.

Public Hearings - County Counsel - Public hearing for the second reading of an Ordinance of the County of Siskiyou amending Section 10.14.100 of the Siskiyou County Code regarding amount of administrative fines and imposition of property liens. Ordinance 23-12 adopted.

This was the time set for a public hearing for the second reading of an Ordinance of the County of Siskiyou amending Section 10.14.100 of the Siskiyou County Code regarding amount of administrative fines and imposition of property liens, having been introduced on November 14, 2023.

The Chair opened the public hearing.

Assistant County Counsel William Carroll appeared before the Board and provided an overview of the request regarding administrative fines and property liens related to cannabis grows.

In response to 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, the public hearing was declared closed.

It was moved by Supervisor Criss, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Criss, Ogren and Valenzuela voting YES and Supervisor Kobseff voting NO, to introduce, waive the second reading of, and adopt an Ordinance 23-12 amending Section 10-14-100 of the Siskiyou County Code regarding administrative civil penalties.

Public Hearings - Public Works - Public hearing for the second reading of an Ordinance amending Title 3 "Public Safety", Chapter 4 "Traffic" of the Siskiyou County Code to add Article 16 "Off-Highway Vehicles" Sections 3-4.1601 through 3-4.1603 regarding the authorized combined use of certain unpaved county roads with motor vehicles and Off-Highway Vehicles (OHV). Ordinance 23-13 adopted.

This was the time set for a public hearing for the second reading of an Ordinance amending Title 3 "Public Safety", Chapter 4 "Traffic" of the Siskiyou County Code to add Article 16 "Off-Highway Vehicles" Sections 3-4.1601 through 3-4.1603 regarding the authorized combined use of certain unpaved county roads with motor vehicles and Off-Highway Vehicles (OHV), having been introduced on November 14, 2023.

The Chair opened the public hearing.

Public Works Director Tom Deany appeared before the Board and provided an overview of the request to adopt an ordinance allowing certain Off-Highway Vehicles (OHV) to use unpaved county roads.

In response to 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, the public hearing was declared closed.

In response to County Counsel Natalie E. Reed regarding the findings being made with regard to Vehicle Code Section 38206, the unpaved county roads, the California Highway Patrol (CHP) Commissioner's approval of the road segments and installation of Department of Transportation approved signage prior to the Ordinance effective date, Mr. Deany confirmed that the conditions detailed by Ms. Reed had been met.

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

Continued...

Public Hearings - Public Works – (continued)

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to introduce, waive, and approve the second reading and adopt Ordinance 23-13, adding Article 16 "Off-Highway Vehicles" Sections 3-4.1601 through 3-4.1603 to Chapter 4, Title 3 of the Siskiyou County Code.

Closed Session – Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), two cases, commenced at 11:26 a.m., concluded at 12:13 p.m., with action taken.

Report On Closed Session

County Counsel Natalie E. Reed announced that closed session concluded at 12:13 p.m., with reportable action taken.

With regard to item 13B, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: United States of America v. Thomas A. Tindall, et al., United States District Court, Eastern District of California, Sacramento Division, Case No. 2:23-cv-02533, Ms. Reed advised that it was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried with a unanimous vote of YES to authorize defense of the suit.

Board and Staff Reports

Supervisor Haupt advised of his attendance at multiple meetings regarding the Williamson Act, a California Licensed Foresters meeting and a monthly meeting with California Fish and Wildlife staff with Supervisor Kobseff.

Supervisor Ogren advised of her attendance at PacifiCorp California Wildfire Advisory meeting, a California Rifle & Pistol Association (CRPA) dinner, along with Supervisors Haupt and Kobseff, a Yreka City Council meeting where city utility rates were discussed, the Yreka Holiday Parade and a Collier Interpretive and Information Center (CIIC) meeting. In addition, Supervisor Ogren advised of her attendance at a California Licensed Foresters meeting.

Supervisor Criss advised of his attendance at a meeting regarding the McCloud central exit alternatives, a Tiny Mighty Strong fundraiser, the Tulelake Christmas Tree Lighting and advised of efforts being made to address minimal staffing at the Butte Valley Ambulance Service. Supervisor Criss additionally advised of his attendance at the annual McCloud Chamber of Commerce meeting.

Supervisor Valenzuela advised of his attendance at the California State Association of Counties (CSAC) annual meeting.

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

Attest:
Laura Bynum, County Clerk

Ed Valenzuela, Chair

By: _____
Deputy