

LEGALS

Board of Supervisors' Room, Humboldt County Courthouse January 2, 2024

The Board of Supervisors of Humboldt County, Iowa met at 8:30 a.m. on the 2nd day of January, 2024 with the following members present: Lee, Loney, Pedersen, Reimers, and Underberg.

Moved by Reimers and seconded by Pedersen to approve the amended agenda for January 2, 2024. All voting aye.

Moved by Underberg and seconded by Reimers to approve the minutes from the December 27, 2023. All voting aye.

Chairperson, Loney opened the meeting up for public concerns. No one was present to speak, so the Board continued with their regular meeting.

Moved by Lee and seconded by Reimers to approve the hire of Shelly Renken as Auditor's Office Clerk at the wage of \$20 per hour, effective immediately. All voting aye.

Moved by Pedersen and seconded by Reimers to appoint Dave Lee as Chairperson and Erik Underberg as Vice-Chairperson. All voting aye.

Moved by Underberg and seconded by Pedersen to utilize Robert's Rules of Order to conduct the meetings of the Board of Supervisors. All voting aye.

Moved by Loney and seconded by Reimers to set the following for the Board of Supervisors meetings commencing at 8:30 a.m. All voting aye.

JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
Monday, 01/08	Monday, 02/05	Monday, 03/04	Monday, 04/01	Monday, 05/06	Monday, 06/03
Monday, 01/15	Monday, 02/12	Monday, 03/11	Monday, 04/08	Monday, 05/13	Monday, 06/10
Monday, 01/22	Tuesday, 02/20	Monday, 03/18	Monday, 04/15	Monday, 05/20	Monday, 06/17
Monday, 01/29	Monday, 02/26	Monday, 03/25	Monday, 04/22	Tuesday, 05/28	Monday, 06/24
		Monday, 04/29			

JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
Monday, 07/01	Monday, 08/05	Tuesday, 09/03	Monday, 10/07	Monday, 11/04	Monday, 12/02
Monday, 07/08	Monday, 08/12	Monday, 09/09	Monday, 10/14	Tuesday, 11/12	Monday, 12/09
Monday, 07/15	Monday, 08/19	Monday, 09/16	Monday, 10/21	Monday, 11/18	Monday, 12/16
Monday, 07/22	Monday, 08/26	Monday, 09/23	Monday, 10/28	Monday, 11/25	Monday, 12/23
Monday, 07/29		Monday, 09/30		Monday, 12/30	

2024 Board of Supervisors Meetings
Moved by Loney and seconded by Pedersen to approve the official Humboldt Courthouse hours and legal holidays as follows: with all voting aye.

The Courthouse Hours shall be 8:00 a.m. – 4:30 p.m., Monday through Friday.

2024 Holiday Closing Schedule - For Humboldt County Offices	2024 Committee Appointments
Monday	Underberg
Friday	Lee
Monday	Underberg
Thursday	Reimers; alternate Lee
Monday	Reimers
Thursday	Underberg
Monday	Pedersen
Thursday	Loney
Friday	Underberg
Tuesday	Underberg
Wednesday	Pedersen; alternate Lee
	Loney
	Reimers
	Pedersen
	Pedersen & Lee
	Pedersen; alternate Reimers
	Pedersen
	Pedersen; alternate Lee
	Underberg
	Loney
	Lee & Pedersen
	Alternate Pedersen
	Lee
	Pedersen & Underberg
	Lee; alternate Reimers
	Loots, Pedersen
	Loney; alternate Lee
	Lee & Underberg
	Underberg; alternate Lee
	Loney
	Pedersen
	Loney

The Internal Revenue Service (IRS) has announced the standard mileage rate for the 2024 year for business use of an automobile to be 67 cents per mile. Moved by Underberg and seconded by Pedersen to set the mileage reimbursement rate at 62 cents per mile and raise the per diem for meals from \$70 to \$75 per day including tip. All voting aye.

Moved by Reimers and seconded by Loney to appoint The Humboldt Independent as the official newspaper for Humboldt County for calendar year 2024. All voting aye.

Moved by Reimers and seconded by Loney to approve the Board of Supervisors 2024 Committee Appointments with corrections as follows. All voting aye.

2024 Committee Appointments	Appointed Jan 1st	Term Until
911 Commission	Underberg	
Bill Payer & Representative Payee	Lee	
Board of Health - Public Health	Lee	
Building Families	Underberg	
Central Iowa Juvenile Detention Center	Reimers; alternate Lee	
Community & Family Resources (CFR)	Reimers	
Concerned Citizens	Underberg	
County Health Insurance Committee	Pedersen	
Daycare Advisory Commission (Kiddie Cats)	Loney	
Decategorization	Underberg	
Department of Human Services Governance	Underberg	
Emergency Management Commission (EMA)	Underberg	
Enterprise Zone Commission	Pedersen; alternate Lee	
Heart of Iowa Regional Housing Trust Fund	Pedersen; alternate Lee	
HIPAA Committee	Loney	
Humboldt County Advisory (UDMO)	Reimers	
Humboldt County Development Association	Pedersen	
Humboldt County Housing Development	Pedersen & Lee	
Humboldt County Landfill Commission	Pedersen; alternate Reimers	
Iowa Drainage District Association (IDDA)	Pedersen	
Iowa Governmental Health Care Plan Comm	Pedersen; alternate Lee	
LEPC	Underberg	
Ministerial Association/Hunger Task Force	Loney	
Moffitt Animal Shelter	Lee & Pedersen	
North Central Iowa Regional Landfill	Alternate Pedersen	
MIDAS Executive Regional	Lee	
Public Safety Commission (LEC)	Pedersen & Underberg	
Region V HAZMAT Team	Lee; alternate Reimers	
Region V Transportation Advisory Committee	Loots, Pedersen	
Rolling Hills Mental Health	Loney; alternate Lee	
Safety & Security Committee	Lee & Underberg	
Second Judicial District Correctional Service	Underberg; alternate Lee	
Small Business Development	Loney	
Supported Employment Admissions	Pedersen	
Workforce Development (JTPA)	Loney	

Moved by Loney and seconded by Underberg to approve appointment of Tate Satern to the Conservation Board for the term of five years. Voting aye, Loney, Pedersen and Underberg. Voting nay, Lee and Reimers.

Conservation Board	Appointed Jan 1st	Term Until
Tate Satern	2024	12/31/2029
Will Spellmeyer	2023	12/31/2028
Bob Rasmussen	2022	12/31/2027
Mary Miner	2021	12/31/2026
T.C. Loving	2020	12/31/2025

Moved by Underberg and seconded by Pedersen to approve the Public Health Board as follows. All voting aye. Public Health Board

Appointed Jan 1st	Term Until
Deanne Nervig	2023 12/31/2026
Thad Naeve	2023 12/31/2026
Dr. Cody Olson	2023 12/31/2026
Dave Lee	2022 12/31/2025
Linda Lynch	2022 12/31/2025

Moved by Reimers and seconded by Loney to approve the Planning & Zoning Board as follows. All voting aye.

Planning & Zoning	Appointed Jan 1st	Term Until
Kevin Cordray	08/15/22	12/31/27
Luke Erpelding	04/01/22	12/31/27
Dave Hundertmark	01/02/22	12/31/27
Chris Wergeland	01/01/21	01/01/26

OPEN POSITION - TO BE FILLED
Ben Loots (Advisory Position)

Moved by Underberg and seconded by Loney to approve the Veterans Affairs Commission as follows. All voting aye.

Appointed Jan 1st	Term Until
Dean Ewoldt	2023 12/31/2026
Dave Lee	2022 12/31/2025
Kurt Paepfer	2021 12/31/2024

Moved by Underberg and seconded by Loney to approve the following to the Eminent Domain Board per Chapter 6B.4 2018, Code of Iowa. All voting aye.

Appoint the following members to the Eminent Domain Board to serve as members of a compensation commission as per Chapter 6B.4 2018, Code of Iowa: Appoint the following members to the Eminent Domain Board to serve as members of a compensation commission as per Chapter 6B.4 2018, Code of Iowa:

Owner-Operator of Agricultural Property:	George Hanselman – LuVerne Gary Strachan - Humboldt
Alvin John Berte – Livermore Tom Hundertmark – Rutland	Gaylen Engstrom – Renwick Randy Pedersen – Renwick
Owner of City or Town Property:	Harley Friesleben – Renwick Billie Scott – Livermore
Jim Crabtree – Humboldt Jerry Haverly – Humboldt Kirk Whittlesey – Humboldt	Billy Fort – Dakota City Steve Samuels – Humboldt

Real Estate Salesperson or Broker:	Madelyn Riles – Humboldt Marlene Thompson – Humboldt
Joshua Harklau – Humboldt Dan Scholl – Humboldt Chris Wergeland – Humboldt	Joshua Harklau – Humboldt Judy Oberhelman – Renwick Kevin Skow – Humboldt Mandy Zwiemel – Humboldt

Persons with knowledge of Property Values by Reason of Occupation:	David Hundertmark – Rutland Corey Matson – Humboldt Martin Zaugg – Ottosen
David Boswell – Humboldt Corey Matson – Humboldt	Linda Fallesen – Humboldt Thad Naeve – Humboldt
	David Hundertmark – Rutland Brian Skow – Humboldt

Moved by Underberg and seconded by Loney to approve the County Personnel Policy Committee as follows. All voting aye.

County Personnel Policy Committee
Assessor, Attorney, Auditor, Auditor's Payroll Deputy, Conservation Director, Recorder, Sheriff
Secondary, Roads Engineer, Safety Director, Treasurer
Moved by Loney and seconded by Pedersen to appoint Erik Underberg as Weed Commissioner for 2024. All voting aye.

Moved by Underberg and seconded by Reimers to appoint Dr. Benjamin Paul as Medical Examiner for 2024. All voting aye.

Moved by Underberg and seconded by Pedersen to appoint Kyle Bissell as Emergency Management Coordinator. All voting aye.

Moved by Reimers and seconded by Loney to appoint Wilson Echevarria as Veterans Affairs Director for 2024. All voting aye.

Moved by Pedersen and seconded by Underberg to adopt the following resolution. The Chairperson called the question with all voting aye. Whereby the Chairperson declared the resolution duly adopted to-wit:

RESOLUTION #2024-01 - 01

Authorize County Engineer to execute certificate of completion and final acceptance in connection with Farm-to-Market and Federal or State aid Construction Projects

BE IT RESOLVED, by the Board of Supervisors of Humboldt County, Iowa, that Ben Loots, the County Engineer of Humboldt County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications in connection with all Farm-to-Market and Federal or State aid construction projects in this county.

Dated at Dakota City, Iowa, this 2nd day of January, 2024.

Attest:

/s/ Dave Lee Trish Erickson
Dave Lee, Chairperson
Trish Erickson, Auditor
Humboldt County Board of Supervisors

Moved by Loney and seconded by Reimers to adopt the following resolution. The Chairperson called the question with all voting aye. Whereby the Chairperson declared the resolution duly adopted to-wit:

RESOLUTION #2024-01 - 02

Authorize County Engineer to Close Roads
WHEREAS, the Humboldt County Board of Supervisors is concerned about tort liability involved during construction and maintenance of the Secondary Road System, and;

WHEREAS, they are further interested in accommodations for the traveling public, adjacent landowner, and related users during construction maintenance operations.

THEREFORE, BE IT RESOLVED, the Humboldt County Engineer is hereby authorized to temporarily close sections and erect the proper closing signs on the Secondary Road System when necessary, because of construction, maintenance, or natural disaster during 2024.

Dated at Dakota City, Iowa, this 2nd day of January, 2024.

Attest:

/s/ Dave Lee Trish Erickson
Dave Lee, Chairperson
Trish Erickson, Auditor
Humboldt County Board of Supervisors

Moved by Underberg and seconded by Reimers to adopt the following resolution. The Chairperson called the question with all voting aye. Whereby the Chairperson declared the resolution duly adopted to-wit:

RESOLUTION 2024-01 - 03

Construction Evaluation Resolution for Humboldt County
WHEREAS, Iowa Code section 459.304(3), sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2024 and January 31, 2025 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HUMBOLDT COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Dated at Dakota City, Iowa, this 2nd day of January, 2024.

Attest:

/s/ Dave Lee Trish Erickson
Dave Lee, Chairperson
Trish Erickson, Auditor
Humboldt County Board of Supervisors

Moved by Underberg and seconded by Reimers to adopt the following resolution. The Chairperson called the question with all voting aye. Whereby the Chairperson declared the resolution duly adopted to-wit:

RESOLUTION 2024-01 - 04

Authorize County Auditor to Issue Warrants
BE IT RESOLVED, by the Board of Supervisors of Humboldt County, Iowa, hereby authorize the Humboldt County Auditor, Trish Erickson, to issue warrants for fixed charges including, but not limited to freight, postage, utilities, telephone service, contractual services, insurance premiums, and invoices allowing discounts. Any prepayment of civil service fees submitted by the County Attorney's Office or County Sheriff's Office and emergency general assistance claims. These claims shall be audited and allowed at the next regular claim date. The County Auditor is further authorized to issue warrants for salaries and payrolls as approved by the Board of Supervisors, all according to Section 331.506 of the Code of Iowa.

Dated at Dakota City, Iowa, this 2nd day of January, 2024.

Attest:

/s/ Dave Lee Trish Erickson
Dave Lee, Chairperson
Trish Erickson, Auditor
Humboldt County Board of Supervisors

Moved by Underberg and seconded by Reimers to adopt the following resolution. The Chairperson called the question with all voting aye. Whereby the Chairperson declared the resolution duly adopted to-wit:

RESOLUTION 2024-01 - 05

Resolution Naming Depositories
BE IT RESOLVED, by the Board of Supervisors of Humboldt County, Iowa; that we do hereby designate the following named banks to be depositories of the County Officers funds in the amounts not to exceed the amount named opposite each said designated depositories and the County Officers are hereby authorized to deposit the County funds in amounts not to exceed the aggregate amounts stated for said banks as follows,

Dated at Dakota City, Iowa, this 2nd day of January, 2024.

Attest:

/s/ Dave Lee Trish Erickson
Dave Lee, Chairperson
Trish Erickson, Auditor
Humboldt County Board of Supervisors

Moved by Loney and seconded by Underberg to adopt the following resolution. The Chairperson called the question with all voting aye. Whereby the Chairperson declared the resolution duly adopted to-wit:

RESOLUTION 2024-01 - 05

Resolution Naming Depositories
BE IT RESOLVED, by the Board of Supervisors of Humboldt County, Iowa; that we do hereby designate the following named banks to be depositories of the County Officers funds in the amounts not to exceed the amount named opposite each said designated depositories and the County Officers are hereby authorized to deposit the County funds in amounts not to exceed the aggregate amounts stated for said banks as follows,

Dated at Dakota City, Iowa, this 2nd day of January, 2024.

Attest:

/s/ Dave Lee Trish Erickson
Dave Lee, Chairperson
Trish Erickson, Auditor
Humboldt County Board of Supervisors

Moved by Loney and seconded by Underberg to adopt the following resolution. The Chairperson called the question with all voting aye. Whereby the Chairperson declared the resolution duly adopted to-wit:

RESOLUTION 2024-01 - 06

Princt Election Official Compensation
WHEREAS, the Humboldt County Board of Supervisors in responsible for establishing the rate of compensation paid to Princt Election Officials;

NOW THEREFORE BE IT RESOLVED, that the County Auditor is hereby authorized to pay election officials, the hours as certified by said officials by claim or through the county payroll, as applicable to comply with state and federal payroll tax and reporting regulations for payment of election officials as follows for 2024:

Princt Election Officials: Chairperson/Co-chairperson	\$ 15.25 / hour
Princt Official\$ 14.25 / hour	
Runner	\$ 14.25 / hour

BE IT FURTHER RESOLVED that the above listed Election Officials be paid mileage at the current County mileage reimbursement rate for travel to and from training, voting locations and other incidental trips deemed necessary.

Dated at Dakota City, Iowa, this 2nd day of January, 2024.

Attest:

/s/ Dave Lee Trish Erickson
Dave Lee, Chairperson
Trish Erickson, Auditor
Humboldt County Board of Supervisors

Moved by Underberg and seconded by Loney to adopt the following resolution. The Chairperson called the question with all voting aye. Whereby the Chairperson declared the resolution duly adopted to-wit:

RESOLUTION 2024-01 - 07

Resolution for moratorium
WHEREAS, Humboldt County has previously enacted Humboldt County Zoning Ordinance #26 Regulating installation and development of Commercial Wind Energy Conversion Systems (CWECs), more commonly known as wind turbine; and

WHEREAS, Humboldt County has not previously enacted the regulating the installation and development of both private and commercial Solar Energy Systems, Pipeline Transmission Systems and Electrical Transmission Systems; and

WHEREAS, such regulations are designed to promote rights and safety of citizens and general public; and

WHEREAS, there are no current Commercial Wind Energy Conversion Systems, Commercial Solar Energy Systems in Humboldt County Iowa; and

WHEREAS, Humboldt County Board of Supervisors, Humboldt County Zoning and Planning Commission and Humboldt County Board of Adjustments desire to place a moratorium on the development of any new commercial wind energy systems, private and commercial pipeline transmission systems, commercial solar energy systems and commercial electrical transmission systems for a period of one year or until a new county Comprehensive Plan and Zoning Ordinance has been approved by the Humboldt County Board of Supervisors. This moratorium would prohibit such projects from being received, reviewed, considered, or developed by the Humboldt County Board of Supervisors, Humboldt County Zoning and Planning Commission and Humboldt County Board of Adjustments, and

WHEREAS, the Humboldt County Board of Supervisors desire to prohibit the application of all commercial wind energy conversion systems, private and commercial pipeline transmission systems, commercial solar energy systems and commercial electrical transmission systems for a period of one year or until the current process of creating a new Humboldt Comprehensive Plan and Zoning Ordinance has been completed and approved by the Humboldt County Board of Supervisors.

THEREFOR, BE IT RESOLVED, by the Humboldt County Board of Supervisors:

Humboldt County Iowa is hereby prohibited from receiving, reviewing, considering, or approving any application of any Commercial Wind Energy Conversion Systems, Private and Commercial Pipeline Transmission Systems, Commercial Solar Energy Systems and Commercial Electrical Energy Transmission Systems. This includes, but is not limited to prohibiting the Humboldt County Zoning and Planning Commission and Humboldt County Board of Adjustments from receiving, reviewing, considering, or approving any new application approving special use permits or variances, for Commercial any Commercial Wind Energy Conversion Systems, Private and Commercial Pipeline Transmission Systems, Commercial Solar Energy Systems and Commercial Electrical Transmission Systems development.

The approved moratorium shall be effective immediately upon passage. This moratorium will terminate in one year from ratification or at the approval and adoption of the new Humboldt County Comprehensive Plan and Zoning Ordinance.

Dated at Dakota City, Iowa, this 2nd day of January, 2024.

Attest:

/s/ Dave Lee Trish Erickson
Dave Lee, Chairperson
Trish Erickson, Auditor
Humboldt County Board of Supervisors

Moved by Pedersen and seconded by Underberg to recess as the Board of Trustees for Drainage. All voting aye.

Moved by Loney and seconded by Underberg to adjourn as the Board of Trustees for Drainage and reconvene as the Board of Supervisors. All voting aye.

Committee Reports:
Loney Iowa Workforce Development
Moved by Reimers and seconded by Loney to adjourn at 9:37 a.m. All voting aye.

Dave Lee, Chairperson
Humboldt County Board of Supervisors
Trish Erickson
Humboldt County Auditor

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