

**Dakota County Board of Equalization  
Emergency Meeting**

Wednesday, March 18, 2019 at 1:00 p.m.  
County Board Meeting Room, First Floor  
Dakota County Courthouse, Dakota City, Nebraska

Vice-Chair Gill called the emergency meeting to order at 1:02 p.m. with the Pledge of Allegiance. Present were Albenesius, Gill, Hohenstein, Gomez. Absent: Rohde. Also present was Jeff Curry, Assessor, Kim Watson, County Attorney, and Joan Spencer, County Clerk as Board Secretary. The Open Meetings Act location was noted for all citizens present.

The agenda for this meeting was as follows:

CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
ROLL CALL – Excused Absence

A current copy of the *Open Meetings Act* is posted on the west wall near the entrance of the County Board Meeting Room and is available for review by all citizens in attendance.

*The Dakota County Board of Equalization reserves the right to adjust the order of items on this agenda if necessary.*

1. NEW BUSINESS

- a. Closed Session for the purpose of discussing pending litigation negotiation regarding a counter offer on Tax Equalization and Review committee (TERC) hearings Case Nos: 17C 0085 & 18C 0093 – Cherry Ridge LP, South Sioux City, Nebraska.
- b. Board to approve or disapprove Dakota County Attorney to accept counter offer settlement agreement in TERC Case Nos. 17C 0085 & 18C 0093 – Cherry Ridge LP, South Sioux City, Nebraska.

2. ADJOURNMENT

Vice-Chair Gill stated the reason for the emergency meeting was to approve or deny the counter offer settlement agreement with Cherry Ridge per Tax Equalization and Review Commission negotiations.

Board Member Gomez moved, seconded by Board Member Albenesius, to convene in closed session for the purpose of pending litigation negotiations for Tax Equalization and Review Commission (TERC) hearings Case Nos: 17C 0085 & 18C 0093 – Cherry Ridge LP, South Sioux City, Nebraska. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- absent. UNANIMOUS MOTION CARRIED at 1:05 p.m. Vice-Chair Gill re-stated the reason for the closed session.

Board Member Gomez moved, seconded by Board Member Albenesius, to reconvene in open session. ROLL CALL VOTE: Gill yes, Hohenstein- yes, Gomez- yes, Rohde- absent, Albenesius- yes. UNANIMOUS MOTION CARRIED at 1:30 p.m.

Board Member Gomez moved, seconded by Board Member Hohenstein, to accept the recommendation of the Assessor and approve the Dakota County Attorney to accept the counter offer in the settlement agreement in TERC cases Case No: 17C 0085– Cherry Ridge LP, South Sioux City, Nebraska. ROLL CALL VOTE: Hohenstein- yes, Gomez- yes, Rohde- absent, Albenesius- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Vice-Chair Gill adjourned the March 18, 2019, Emergency Board of Equalization meeting at 1:32 p.m.

County Board of Equalization

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Janet Gill, Vice-Chair

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Date signed

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Joan Spencer, County Clerk

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Date

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Date entered in book