

**KENOSHA COUNTY**  
**BOARD OF SUPERVISORS**

**RESOLUTION NO. 12**

Subject: To Place an Advisory Referendum on the November 2018 Ballot on Addressing the Dark Store Loophole	
Original <input type="checkbox"/> Corrected <input type="checkbox"/> 2nd Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>	
Date Submitted:	Date Resubmitted:
Submitted By: Chair Daniel Esposito	
Fiscal Note Attached <input type="checkbox"/>	Legal Note Attached <input type="checkbox"/>
Prepared By: Dan Esposito	Signature:

WHEREAS, the Kenosha County Board of Supervisors has previously passed a Resolution 17-30, on August, 2017, calling on the Wisconsin State Legislature and Governor to support legislation proposed to address the Dark Store loopholes; and

WHEREAS, this was done in recognition of the fact that national chain stores are utilizing arguments that assessed values of new stores should be based on comparisons to sales of vacant stores in abandoned locations which, when accepted by courts, have resulted in significant reductions in assessed values, often requiring municipalities to refund tax revenue back to the stores; and

WHEREAS, these reductions in assessed values have resulted in a shifting of the tax burden to local business and homeowners; and

WHEREAS, passage of the resolution was further done in an effort to protect homeowners and local businesses from having even more of the property tax burden shifted to them; and

WHEREAS, Wisconsin State Statute 59.52(25) allows for a county board to conduct a county-wide referendum for advisory purposes; and

WHEREAS, such a county-wide referendum on the issue of Dark Stores would provide guidance to the state legislature as to the will of the Kenosha County electorate on this issue; and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors does resolve to conduct a county-wide advisory referendum, to be held with the November 2018 general election, to advise the State of Wisconsin as to the level of support within the Kenosha County population for addressing the Dark Store loopholes; and

BE IT FURTHER RESOLVED that said advisory referendum read as follows:

*Should the state legislature enact proposed legislation that closes the Dark Store loopholes, which currently allow commercial retail properties to significantly reduce the assessed valuation and property tax of such properties, resulting in a substantial shift in taxes levies against other tax paying entities, such as residential home owners, and/or cuts in essential*

*services provide by an affected municipality?*

BE IT FURTHER RESOLVED that the Corporation Counsel's Office shall fulfill its statutory obligations with respect to drafting an explanation of the above referendum question and that the Clerk be directed to place said question and explanation on the November 6, 2018 ballot.

Respectfully submitted,

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Chair Daniel Esposito

Approved by:

Legislative Committee:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Excused</u>
<hr/> Gabe Nudo, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> Andy Berg, Vice-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> Dayvin Hallmon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> Boyd Frederick	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> John Franco	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> Zack Rodriguez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> Mark Nordigian	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>