



**RESOLUTION #** 72-317

**TO: HONORABLE MEMBERS OF THE LA CROSSE COUNTY BOARD OF SUPERVISORS**

**ITEM #** 3-8

**BOARD ACTION**

Adopted:   
For: 27  
Against: -  
Abstain: -  
Abs/Excd: 2  
Vote Req: -  
Other Action: -

**EXECUTIVE COMMITTEE ACTION**

Adopted:   
For: 7  
Against: 0  
Abstain: 0  
Abs/Excd: 2

**RE: SUPPORTING EFFORTS TO CLOSE COMMERCIAL PROPERTY ASSESSMENT LOOPHOLES**

**WHEREAS**, homeowners in Wisconsin already pay 70% of the total statewide property tax levy; and

**WHEREAS**, the disproportionate burden is about to get much worse unless the Legislature addresses tax avoidance strategies that national chains like Walgreens, and big box establishments like Target and Lowe's are using across the country to gain dramatic reductions in their property tax bills at the expense of homeowners and other taxpayers; and

**WHEREAS**, a carefully-orchestrated wave of hundreds of lawsuits in Wisconsin is forcing assessors to slash the market value of thriving national retail stores, shifting their tax burden to local mom and pop shops and homeowners; and

**WHEREAS**, Walgreens and CVS stores in Wisconsin have argued in communities across the state that the assessed value of their property for property tax purposes should be less than half of their actual sale prices on the open market; and

**WHEREAS**, in many cases the courts have sided with Walgreens and CVS, requiring communities to refund tax revenue back to the stores; and

**WHEREAS**, there are over 200 Walgreens stores located in Wisconsin; and

**WHEREAS**, Target, Lowes, Meijer, Menards and other big box chains are using what is known as the "Dark Store Theory" to argue that the assessed value of a new store in a thriving location should be based on comparing their buildings to sales of vacant stores in abandoned locations for a different market segment; and

**WHEREAS**, the Indiana Legislature has on two occasions in the last two years overwhelmingly passed legislation prohibiting assessors from valuing new big box stores the same as nearby abandoned stores from a different market segment; and

**WHEREAS**, the Michigan State House overwhelmingly passed similar legislation in May of 2016.

**NOW, THEREFORE, BE IT RESOLVED** that La Crosse County does hereby urge the Governor and State Legislature to protect homeowners and main street businesses from having even more of the property tax burden shifted to them by passing legislation clarifying that:

1. Leases are appropriately factored into the valuation of leased properties; and
2. When using the comparable sale method of valuation, assessors shall consider as comparable only those sales within the same market segment exhibiting a similar

highest and best use rather than similarly sized but vacant properties in abandoned locations.

**FISCAL NOTE:** There is no direct cost impact to the County, since these tax avoidance strategies shift the property tax burden from national retailers to homeowners and small businesses without reducing the total amount of property taxes levied in a single year.

Date: MARCH 8, 2017  
[Signature]  
**EXECUTIVE COMMITTEE CHAIR**

Date: march 8, 2017  
[Signature]  
**RECORDING CLERK**

	Reviewed Only	Recommended	Not Recommended	
Co. Admin.	_____	_____	_____	Requested By: Monica Kruse Date Requested: March 1, 2017 Drafted By: Steve O'Malley
Fin. Director	<u>[Signature]</u>	<u>SO</u>	_____	
Corp. Counsel	<u>[Signature]</u>	_____	_____	
Board Chair	<u>[Signature]</u>	_____	_____	

Adopted by the La Crosse County Board this 16 Day of March, 2017

STATE OF WISCONSIN  
COUNTY OF LA CROSSE

I, Ginny Dankmeyer, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original resolution required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 16<sup>th</sup> day of March 2017.

[Signature]  
Ginny Dankmeyer, La Crosse County Clerk