

April 17, 2018

TO THE HONORABLE CHAIRMAN AND MEMBERS  
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION FOR DARK STORE ADVISORY REFERENDUM**

WHEREAS, when a Big Box retailer gets a Dark Store tax break, residential homeowners, other businesses and other property owners are forced to pick up a greater share of the property tax levy, or needed services are forced to be cut. Over the past several months County, City and other Municipal Officials have been in contact with State Legislators, and have testified against the Dark Store tax loophole, stressing the need to oppose shifting the property tax burden from Dark Stores to other tax payer entities; and

WHEREAS, Wisconsin State Statute Section 59.52(25) provides for a County Board to conduct a county-wide referendum for advisory purposes, and reads in its entirety as follows: *“Advisory and contingent referenda. The board may conduct a countywide referendum for advisory purposes or for the purpose of ratifying or validating a resolution adopted or ordinance enacted by the board contingent upon approval in the referendum.”*, and

WHEREAS, an advisory Referendum would provide guidance to the State Legislature regarding the will of the Brown County electorate on this issue, and it is desirable for Brown County to hold such an advisory Referendum.

NOW THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors hereby authorizes and directs that a County-wide advisory Referendum be conducted, to be held with the November 2018 general election, that County staff and Officials take any and all action necessary to achieve this, and that the advisory Referendum question to be presented shall be as follows:

*“Question: 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 levied against other tax paying entities, such as residential home owners,*

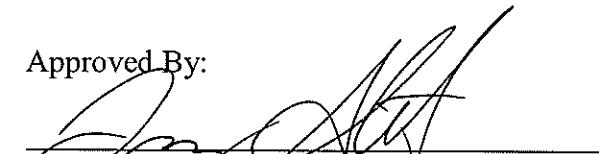
*and/or cuts in essential services provided by an affected municipality? ”, and*

BE IT FURTHER RESOLVED, that Corporation Counsel shall prepare a *Notice of Referendum* to be published by the Brown County Clerk in accordance with statutory requirements, that this Resolution and the Referendum shall be filed with the Brown County Clerk no later than 70 days prior to the election at which the question will appear on the ballot, and that any other necessary actions be taken to hold this Referendum as stated above.

Respectfully submitted,

EXECUTIVE COMMITTEE

Approved By:

  
\_\_\_\_\_  
TROY STRECKENBACH,  
COUNTY EXECUTIVE

Date Signed: \_\_\_\_\_

4/19/18

Authored by: Administration

Approved by: Corporation Counsel's Office

*Fiscal Note: This resolution does not require an appropriation from the General Fund. The associated expense of \$2,000 is budgeted for in the County Clerk's 2018 Advertising & Public Notice budget line.*

BOARD OF SUPERVISORS ROLL CALL # \_\_\_\_\_

Voice vote Taken

Motion made by Supervisor Sieber

Seconded by Supervisor Buckley

SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
SIEBER	1				
DE WANE	2				
NICHOLSON	3				
HOYER	4				
GRUSZYNSKI	5				
LEFEBVRE	6				
ERICKSON	7				
BORCHARDT	8				
EVANS	9				
VANDER LEEST	10				
BUCKLEY	11				X
LANDWEHR	12				
DANTINNE, JR	13				

SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
BRUSKY	14				
BALLARD	15				
KASTER	16				
VAN DYCK	17				
LINSSEN	18				X
KNEISZEL	19				
DESLAURIERS	20				
TRAN	21				
MOYNIHAN, JR.	22				
SUENNEN	23				
SCHADEWALD	24				
LUND	25				
BECKER	26				

Total Votes Cast 24  
 Motion: Adopted X Defeated \_\_\_\_\_ Tabled \_\_\_\_\_



305 E. WALNUT STREET, ROOM 120  
P.O. BOX 23600  
GREEN BAY, WI 54305-3600

**SANDRA L. JUNO**  
**COUNTY CLERK**

PHONE (920) 448-4016

FAX (920) 448-4498

juno\_sl@co.brown.wi.us

**RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD**

**DATE:** 04-02-2018  
**REQUEST TO:** Exec Comm; and County Board  
**MEETING DATE:** 04-09-2018; and 04-17-2018  
**REQUEST FROM:** David P. Hemery, Corp Counsel, per the Communication of Brown County Board Chairperson Patrick W. Moynihan, Jr.

**REQUEST TYPE:**  New resolution  Revision to resolution  
 New ordinance  Revision to ordinance

**TITLE:** RESOLUTION FOR DARK STORE ADVISORY REFERENDUM

**ISSUE/BACKGROUND INFORMATION:**

Resolution to issue advisory referendum asking the following question: *“Question: 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 levied against other tax paying entities, such as residential home owners, and/or cuts in essential services provided by an affected municipality?”*

**ACTION REQUESTED:**

To Approve

**FISCAL IMPACT:**

**NOTE:** This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.

1. Is there a fiscal impact?  Yes  No
  - a. If yes, what is the amount of the impact? \$2,000 \_\_\_\_\_
  - b. If part of a bigger project, what is the total amount of the project? \$ \_\_\_\_\_
  - c. Is it currently budgeted?  Yes  No
    1. If yes, in which account? \_\_\_100.019.014.5310\_\_\_\_\_
    2. If no, how will the impact be funded?

**X COPY OF RESOLUTION OR ORDINANCE IS ATTACHED**

14f