

From: Elbert County Tea Party <elbertteaparty@gmail.com>
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To: TEA PARTY CENTRAL <elbertteaparty@gmail.com>
Subject: Update on the Commissioners Rubbish Program

We're still having difficulty in getting a straight answer from our elected officials about this latest strong-arm move to impose a new Rubbish Ordinance in Elbert County. Although they reacted angrily in their emails and written responses online, and even an email from the Commissioners new on-site attorney, Alex, we still don't know exactly what they're up to and what this all means. They are very quick to scream "unfair", "not true", "inaccurate information", but just like last year with the water, that is not followed up with an clarification or answers to citizens questions. It makes it a bit difficult to determine what exactly is happening in this vacuum of information that we have seen from them time and time again.

What seems to have happened is that they voted to approve the ordinance on first reading, at least that is the language used in the meeting, though they never actually read it aloud. Now they go to 2nd reading, and if you read Alex's emails carefully, he talks about posting in a newspaper (10 days), and then allowing public comment, presumably at the next meeting or after they comply with the 10 day rule. Then he talks about "adoption" of the ordinance at that meeting. Trouble is, they should do all that before they vote to "approve" as they did last Wednesday. Now everything else is just formality to move the ordinance into effect. Don't know about you, but that seems a little backward to me. He's leaving out the argument they've used in this about this being an "emergency" and why did the Sheriff have to be involved to read it into the record? What is the emergency, either they see that rubbish has all of a sudden become an emergency, or they are going to argue that the fiscal need for this is an emergency. Either would be a stretch at best, at least in the real definition of "emergency". Something seems out of balance here. At the very least for me it raises Constitutional issues, property rights, illegal search and seizure and lack of due process (BOCC as the judge and jury), and more.....As we heard last Thursday, what appears to driving this "emergency" is their need for revenue, as stated in front of us by at the budget review meeting. Stay Tuned.....

Again, this is not confirmed due to the lack of information and clarity from our Commissioners on this important issue. It is very important for as many of us to show up on Wednesday, May 23, 2012 at the next BOCC Meeting, beginning at 9:00 a.m., in Kiowa. We need to insist that they reveal where this is going, what is it's purpose and goal, how can it be justified legally and do the citizens agree that an "emergency" exists to support this ordinance, and do the people want or feel a need for this ordinance. Isn't that process that describes "Transparency", something they have been claiming to embrace as of late?

Robert Rowland, Chairman
Elbert Tea Party/912
303-601-7608

The will of the people is the only legitimate foundation of any government, and to protect its free expression should be our first object.
Thomas Jefferson