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To: TEA PARTY CENTRAL <elbertteaparty@gmail.com>
Subject: Important story developing in Elbert

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We have been carefully watching a developing situation that we first learned about last week at the BOCC meeting. A new "[Rubbish Ordinance](#)" suddenly appeared on the horizon and was brought up by the Commissioners for a first reading, which was done by the Sheriff's office, who has been designated to be the enforcement agent for this new ordinance. At first nothing seemed out of the ordinary other than some concerns about the ordinance itself, Constitutional foundation, property rights issues, motivation for doing this now, how far reaching will this be, who will determine what is "rubbish", who has the authority to enter our property, levy fines and the issue of the final determination being made by the BOCC and not a court of law. Given all those unanswered questions, several citizens asked if this would go to the traditional second reading and would there be a public comment period, where we could all ask our questions, hopefully get answers, and have input into our local government. The BOCC assured us that would be done, including Commissioner Schlegel assuring everyone of the public comment opportunity.

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Well, all is not as it seemed: We now learn that by using what appears to be a legal loophole of some sort, apparently with full knowledge the Commissioners new attorney, who was present, that they slipped the approval of this new ordinance in right under our noses, on the first reading. It is apparently now in effect and the Sheriff's office is prepared and authorized to seek out and issue citations to citizens on any violation they determine based on the complex language of this new ordinance.

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To further complicate matters, I was in attendance at a budget meeting last week with two of the Commissioners and their account as she reported to them on the first quarter of 2012. One of those commissioners commented, in front of me and another person that they needed to get this enforcement program in place and get that revenue stream going. Not a great motivation to go after our property rights and to seek out a revenue stream by force.

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This is more of the same, and we must put a stop this nonsense now. We will be pursuing this yet again, ill-advised decision by this BOCC on this new ordinance and will bringing more information to the citizens of Elbert County as it develops. The real issue is not even the ordinance itself, but the approach of using a lawyer's loophole to go around the citizens without living up their promise of open government and transparency.

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It astounds me that in spite of all the promises, all the begging from we citizens for a place at the table, a place we are legally and morally entitled to that we continue to see this kind of behavior from the sitting Board of County Commissioners. You can get more information about this new ordinance and [how it has been implemented in the latest edition of the Prairie Times](#).

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I encourage everyone to attend the next BOCC Meeting at 9:00 a.m. on Wednesday, May 23, 2012, at the old courthouse in Kiowa. It's only when we rally and declare our rightful place in these decisions that we will put an end to the lack of transparency, the lack of accountability. If ever there was a time for a new direction, it's now!!

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Robert Rowland, Candidate for Elbert County Commissioner District 1