

Guest Opinion

I Robert Armstrong: Boulder County roads held hostage to a tax increase

By I Robert Armstrong

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Last week, the Boulder County Commissioners denied a request to place on the ballot a proposal by a citizen group that would require that \$5.5 million be set aside from the annual county budget to repair roads across the county, including incorporated towns and cities. They hid behind a staff opinion that do so might break the law. The annual county budget is north of \$400 million and the county has huge reserves on top of that.

The citizen group, BoCo FIRM's ballot proposal, if enacted, simply directs the commissioners to transfer \$5.5 million each year from their cash on hand, cash in the bank and investment accounts to fund an account to fix the roads. Staff claimed that this requirement breaks the law. But the commissioners approved a \$988,492 general fund appropriation from TABOR reserves to the county road and bridge fund. One is left to wonder what is a legal transfer and what is not.

The county also claimed that the BoCo FIRM solution would illegally impose restrictions on future commissioners. This claim is almost laughable. The commissioners routinely execute contracts, issue bonds, hire employees, put issues on the ballot, etc. that obligate and control the discretion and decisions of future commissioners. Staff also claimed that a vote of the citizens that would control the action of future commissioners is illegal. We can only guess that staff has never heard of Colorado's Amendment 23, which requires the state legislature to do exactly what staff said was illegal.

BoCo FIRM requested the opportunity to reword the ballot and submit it for county consideration before the Sept. 9 deadline. But the county declined, saying that it would not accept any more issued for consideration. It seems that the County Commissioners will not consider any solution to this problem that does not involve new tax revenue. The obligation to fix the roads was historically met by the county in the distant past, but now they want to engage in "road ransom," abandoning the responsibility for the infrastructure in favor of the commissioners' spending priorities and generating more tax revenue. Abandonment of county obligations, unless taxes are raised is a pattern that might spread to more than just roads. Please think about this in November when you cast your ballot for county commissioner. And please vote *no* on the special new road tax that is on the ballot to address an obligation that is well within the county budgetary means.

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