

Following Backlash, Jeffco Commissioners Drop Plan to Legislate Beltway

Last week I described the effort by Jefferson County's Board of Commissioners to introduce legislation which would create an authority with "super eminent domain" powers to complete the beltway from northeast of Highway 36 through Jeffco and Golden to connect with C-470.

This Monday, that effort was killed by the Commissioners themselves, following quite a backlash from the public and from legislators who considered the proposal a massive overreach and an unwarranted gutting of long established local powers.

Commissioner Don Rosier told me at press-time (Tuesday) that the Governor and CDOT requested that they drop the proposal and return to the negotiating table.

Prior to this short-lived effort, the Commissioners had essentially given up forcing a beltway through Golden and had created a public

highway authority to secure private investors for a toll-road north of Golden connecting Highway 93

and Highway 128 but leaving gaps south through Golden and between Highway 128 and the beltway's current end east of the Boulder Turnpike.

(Nevertheless, the Commissioners and the highway authority continue to promote their toll road as "completing the beltway," and the press has generally picked up on that inaccurate and lame phraseology.)

The proposed legislation was perceived by toll road critics (including myself) as a desperate last ditch effort to get the beltway completed, since negotiation with Golden to drop its opposition to the toll road backfired and even led to Golden filing suit against the use of contaminated Rocky Flats land for part of the right-of-way.

An equally questionable strategy (already in place) for establishing the "privately funded" toll road has been the use of Jeffco Open Space funds (from sales tax revenue) to facilitate purchase of the 300-foot right-of-way through Rocky Flats. Here's how it was explained to me Tuesday by Assistant County Administrator Kate Newman:

The County gave \$1.225 million in *general* funds to the toll road authority, which put those funds into escrow to buy the 300-foot right-of-way. Meanwhile, the County put \$5.1 million of *Open Space* funds into escrow as its contribution to the purchase of another parcel (Section 16) to be deeded over to US Fish & Wildlife, but *that* fully-funded transaction only closes when and if the authority closes on the right-of-way purchase. I wouldn't be surprised if this comingling of purposes were to trigger another lawsuit, this time over the misuse of Open Space funds.

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