

COLIN BAENZIGER & ASSOCIATES
EXECUTIVE RECRUITING

Section 7

Joseph “Joe” M. Kerby

*Islamorada Village Manager
Candidate Report*

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Cover Letter and Resume

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March 4, 2022

Colin Baenziger & Associates
2055 South Atlantic Avenue, Suite 504
Daytona Beach Shores, FL 32118

Mr. Baenziger,

I am responding to your recruitment seeking a Village Manager for Islamorada, Florida. I am an experienced City/County Manager who thrives on improving the organizations and communities that I serve. I have a proven record which is a result of my strong administrative knowledge and leadership experience combined with my excellent communication skills and a collaborative approach to solving problems.

As you can see by my attached resume, I have a diverse skill set and have had a wide range of advancement opportunities. I started my career working for the City of Colorado Springs/Colorado Springs Utilities where I was able to advance quickly and learn the many different facets of City government. During my tenure with the City of Colorado Springs I gained experience in public housing, parks, utilities, and administration. When I left the City of Colorado Springs after 18 years of service I was serving as a Senior Manager within the organization. I then decided to transform my career by pursuing a profession in City/County Management for smaller communities.

I am presently the County Administrator for Benton County, Oregon. Corvallis, which is the County seat, is home to Oregon State University which consists of a student body of approximately 25,000 students. Previously, I served as the County Manager for La Plata County and Montrose County, Colorado which are considered premier tourist destinations within the State of Colorado. I understand what it takes to balance the needs and wants of the residents with the impacts that tourism creates upon a local community. In addition to my professional interest in Islamorada, my personal passions of scuba diving and sailing are also motivating factors.

I have over 19 years of direct leadership experience as a City/County Manager in communities of all shapes and sizes. Islamorada is a very exciting opportunity and being able to serve in such a world class community would be the honor of a lifetime. I have worked diligently to expand my leadership knowledge and skills in order that I may have the greatest positive impact in the communities I serve.

I enjoy a very stable and productive relationship with the current governing body that I serve. I am well respected in my organization and community. Despite these factors, my wife and I are unhappy with our current situation and have decided to pursue a position in a community that aligns more closely with our outdoor recreational lifestyle. The last five rainy winters in Oregon have left us greatly missing the sun and blue sky that we previously had grown accustomed to.

I appreciate the opportunity to be considered for this position. Due to the public nature of my present position, I am requesting that you keep my application confidential at this time. Thank you for your consideration and I look forward to hearing from you.

Sincerely,

Joseph (Joe) M. Kerby

JOSEPH M. KERBY

6207 SW Quietcreek Drive
Corvallis, Oregon 97333
970-596-2003
E-mail: jmkerby64@gmail.com

PROFESSIONAL EXPERIENCE

County Administrator, Benton County
Corvallis, Oregon
August 2017 to present

I am responsible for the overall operations of Benton County and serve as its Chief Executive Officer. Benton County consists of approximately 700 square miles with a population of approximately 100,000 residents served by approximately 650 employees. Areas of responsibility include Administration, Tax Assessment and Collections, Records, Engineering, Public Works, Public Communications, Facilities Management, Fairgrounds, Finance, Risk Management, Health (including 6 Federally Qualified Health Centers), Human Resources, Parks and Natural Areas, Information Technology, Community Planning and Development and Juvenile Justice. I report directly to the Board of Commissioners and am responsible for the overall leadership of the County. Responsibilities include working with local, state, and federal agencies in various capacities. I am accountable for negotiating various types of agreements and contracts to include services, major capital projects, and intergovernmental agreements. I am accountable for an overall budget of approximately \$155 million annually. The County is a combination of both rural agriculture as well as urban centers. Corvallis which is the County seat also serves as the home of Oregon State University which educates approximately 25,000 students annually. I work closely with the administration of Oregon State University on a myriad of topics.

County Manager, La Plata County
Durango, Colorado
June 2012 to July 2017

I served in the capacity of the Chief Executive Officer of the County. I was responsible for the management and oversight of the entire County. La Plata County consists of approximately 1,800 square miles with a population of over 58,000 residents served by approximately 450 employees. Areas of responsibility included Administration, Engineering, Emergency Management, Public Works, Public Communications, Facilities Management, Fairgrounds, Finance, Human Services, Human Resources, Information Technology, Veteran Affairs, Community Planning and Development, and Weed Management. I reported directly to the Board of County Commissioners while at the same time worked collaboratively with 5 other elected officials representing the following operations: Sheriff's Office, Clerk and Recorder, Treasurer, Assessor, Coroner, Surveyor and District Attorney. I was responsible for the overall leadership of the County under the direction of the Board of County Commissioners. Responsibilities included working with local, federal, and state governments in various capacities. I was accountable for negotiating various types of agreements and contracts to include services, major capital projects, and intergovernmental agreements. I developed and managed an overall budget of approximately \$75 million annually. La Plata County (Durango) is a premier tourist destination due to its abundance of outdoor recreational activities. As a result, I worked extensively with the Bureau of Land Management, National and State Forest Service. In addition, I was involved with securing more than \$6 million in grants. I served as a member of the Durango/La Plata County Airport Commission overseeing a commercial aviation airport which experiences approximately 200,000 enplanements annually. I also contributed to regional collaboration as a board member of the Southwestern Council of Governments. I

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successfully managed the County through one of its greatest financial challenges in its history. Property taxes declined 50% in the last 5 years which equates to a revenue loss of \$15 million. I was instrumental in negotiating an intergovernmental land use agreement with the City of Durango. In addition, I participated in the leadership and implementation of Transitional Area Development Land Use Standards.

City Manager, City of Delta

Delta, Colorado

May 2010 to June 2012

I was responsible for the overall operations of the City of Delta. I was accountable for oversight of approximately 100-160 employees. I reported to the City Council and was accountable for all facets of the city operations to include Facilities/Fleet Services, Human Resources, Purchasing, Public Works, Police, Parks and Recreation, Golf Course Operations, Electric Generation and Distribution, Water Distribution, Wastewater Collection and Treatment, Solid Waste, General City and Utilities Administration, Finance and Customer Service. I managed an annual budget of approximately \$26 million. I developed proposed policies, procedures, and ordinances for a wide range of topics for Council review and approval. I actively worked with federal, state, and county officials regarding a myriad of issues. I had primary responsibility for negotiating Electric and Water supply contracts. I oversaw all facets of Human Resource operations and planning, organizing, directing, monitoring, and evaluating all City Operations. I was responsible for negotiating an electric wind power contract, the purchase of parks and open space, and for the oversight of the design, financing, and right of way acquisition for a highway transportation bypass project (which is the largest infrastructure project in the history of the City). I was also a member of the All-Points Transit Board, a regional public transportation provider.

Deputy County Manager, Douglas County

Castle Rock, Colorado

September 2009 to May 2010

Douglas County consists of a population of 300,000 people served by over 1,100 employees. It is one of the ten largest counties in the State of Colorado. I reported directly to the County Manager and shared significant responsibility in leading the organization. I was primarily responsible for Finance, Human Resources, Organizational Development, Facilities, Fair Grounds and Events Center, Information Technology, and Risk Management. I also had secondary responsibility for Public Works, Open Space, Regional Parks and Trails, Community Justice Services, and Human Services. Douglas County facilities consisted of over one million square feet of space and the annual organizational budget was approximately \$250 million. The County, also, provided over 13,000 acres of open space. I was responsible for managing the implementation of "Policy Governance" as well as "Balanced Score" methodologies to streamline our governance process and to evaluate our success in serving our citizens. I served in the capacity of County Manager in his absence. I also worked directly with the Board of County Commissioners and provided direct support for their initiatives. I left this position to return to the western slope of Colorado.

County Manager – Montrose County

Montrose Colorado

May 2006 to September 2009

I performed in the capacity of the Chief Executive Officer of the County and was responsible for management and oversight of the entire County. Montrose County consists of 2,200 square miles with an approximate population of 42,000 residents served by approximately 400 employees. My areas of responsibility included Administrative Services, Commercial Airport, Engineering, Emergency Management, Public Works, Public Affairs, Facilities Management, Fairgrounds, Finance, Health and Human Services, Human Resources, Information Technology,

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Veteran Affairs, Community Planning and Development and Weed Management. I reported directly to the Board of County Commissioners while at the same time working in conjunction with the other elected officials representing the following operations: Law Enforcement, Clerk and Recorder, Treasurer, Assessor, Coroner, Surveyor and District Attorney. As a result, I was responsible for the overall leadership of the County under the direction of the Board of County Commissioners. My responsibilities included working with local, federal, and state governments in varied capacities. I was also responsible for contract negotiations of all types to include services, major capital projects, and intergovernmental agreements. I was responsible for an overall budget of approximately 46 million. Montrose County is a premier tourist destination due to its abundance of outdoor recreational activities and Black Canyon of the Gunnison National Park. As a result, I worked extensively with the National Park Service, Bureau of Land Management, National and State Forest Service. Montrose County was one of the fastest growing Counties in the United States at the time. As a result, I spent a great deal of time working on transportation, land use, infrastructure, affordable housing, and other growth-related issues. I played a key role in the passage of a ballot initiative which provided County Government with some limited relief from the well-known Taxpayers Bill of Rights (TABOR) revenue limitations law. I played a significant role in the passage of two new voter approved sales taxes in November of 2007. I also actively worked on the implementation of growth impact fees as well as a comprehensive facilities master planning study. I was involved with securing \$4 million in grants within several years. I participated in a year long process of updating our County Wide Master Plan. Under my direction, Montrose County took the lead on conducting a Regional Public Transportation Feasibility Study.

City Manager – City of Iola

January 2005 – May 2006

Iola, Kansas

I was responsible for the overall operations of the City of Iola. I was accountable for oversight of approximately 160 employees. Served at the pleasure of the City Commission (Council) and was responsible for all facets of the City operations to include Human Resources, Purchasing, Public Works, Police, Fire/EMS, Parks and Recreation, Electric Generation and Distribution, Water Treatment and Distribution, Wastewater Collection, Solid Waste, Natural Gas Distribution, and General City and Utilities Administration, Finance and Customer Service. I managed an annual budget of approximately \$24 million. I also lead economic development activities directed at retaining and attracting new businesses and industry to include companies such as Russell Stover Candies and Gates Rubber Company. Develop proposed policies, procedures, and ordinances for a wide range of topics for Commission review and approval. I actively worked with Federal, State, County, and various association officials regarding a myriad of issues to include the Environmental Protection Agency, Kansas Department of Transportation, Kansas Department of Health and Environment, Kansas Department of Commerce, League of Kansas Municipalities, Kansas Municipal Utilities Association, Kansas Municipal Energy Agency, Kansas Municipal Gas Agency. I was instrumental in the creation of the Kansas Electric Power Pool. I was responsible for grant writing and administration. I had primary responsibility for negotiating Electric, Natural Gas and Water supply contracts. I was also responsible for planning, organizing, directing, monitoring, and evaluating all City Operations. Negotiated a new Natural Gas purchase contract, a new Electric Power Supply contract, completed a national search for a new chief of police, finalized the construction of a new \$10.8 million-dollar water treatment plant and negotiated with several large commercial retailers to expand their operations in our community.

City Manager – City of Neodesha, Kansas

8/2002 – 1/2005

Neodesha, Kansas

As City Administrator, I was responsible for the overall operation of the City of Neodesha. I was responsible for oversight of approximately 50-75 employees depending on the time of the year. I reported directly to the City Commission (Council) and responsible for all facets of the city operations to include Public Works, Airport Operations, Police, Fire/EMS, Parks and Recreation, Human Resources, Museum, Public Facilities, Electric Generation and Distribution, Water and Wastewater Treatment, Distribution and Collection, Solid Waste, Natural

Gas Distribution, and general City and Utilities Administration, Finance and Customer Service. I was responsible for an annual budget of approximately \$9 million dollars and was responsible for the City's Industrial Park to include maintenance, upkeep, and economic development. I developed proposed policies, procedures, and ordinances for a wide range of topics for Commission review and approval. Actively work with Federal, State and County officials regarding various issues to include the Environmental Protection Agency, Kansas Department of Transportation, Kansas Department of Health and Environment, Kansas Department of Commerce and Housing, Kansas Municipal Utilities, Kansas Municipal Energy Agency, and the Kansas Municipal Gas Agency. I was also responsible for negotiating Electric, Natural Gas and Water supply contracts. I was instrumental in working towards a remediation and reuse agreement regarding community contamination resulting from a previous refinery site. Responsible for grant writing and administration and achieved a Grant Administrators Certification. I was accountable for planning, organizing, directing, monitoring, and evaluating all City Operations.

City of Colorado Springs/Colorado Springs Utilities

1981-2002 (*Approximately 18 years of increasingly responsible service in various positions within the organization. Career goal was to gain experience in areas throughout the organization to ultimately be promoted to a Senior Manager position within the organization. Organization consisted of approximately 2,000 employees and community consisted of approximately 350,000 residents*)

Support Services/Business Solutions Senior Manager (last position held with City of Colorado Springs Utilities)

1998-2002

As a Senior Manager in the Customer Care Department, I was responsible for the Support Services /Business Solutions Division. Our goal was to provide internal professional support to the other operating divisions within Customer Care. Provided support to the following divisions: Meter Reading, Utilities Locating, Utilities Development, Customer Field Services, Customer Service Call Center, Billing and Field Representatives, Customer Engineering, Credit and Collections. Targeted areas of responsibility included management and operation related to budget development and monitoring, business continuity/disaster recovery, records management, facilities operations, implementation and marketing of non-regulated products and services, analytical and special projects, benchmarking, administrative coordination, long range planning and forecasting, financial analysis, safety, communications, training activities, and customer information system administration. I was responsible for oversight and coordination of approximately \$16 million annual Operations and Maintenance budget and a \$4 million-dollar Capital Budget. I was accountable for managing a staff of approximately 40 people. I was actively involved in contractor and vendor relationships and contract negotiations while being responsible for all aspects of Facilities Management for two separate Facilities. I also managed a total of approximately 160,000 square feet of space to include warehousing, office space, customer facilities, training areas etc. Total occupancy of both facilities consisted of approximately 700 employees. Specific responsibilities included:

- Scheduled and assigned work, reviewed work performance, and provided leadership and guidance.
- Planned, implemented, and managed customer service delivery strategies, programs, policies, and procedures.
- Participated on task forces and committees to develop strategic and tactical plans. I participated on the Activity Based Management Team, Financial Accounting System Management Team, Marketing Advisory Team, Strategic Planning Team, and Facilities Service Level Management Team.
- Preparation and administration of the annual division budget and reviewing and monitoring expenditures.
- Determined performance objectives and developing staff to improve competency and professionalism.
- Coordinated divisional/departmental activities with other departments, divisions, or sections to resolve internal and external customer issues and concerns.
- Project Management responsibilities for projects ranging from Technical System Implementations to all types of Facility Capital Projects.
- Project Manager for the Customer Relationship Management (CRM) Initiative

PROFESSIONAL INVOLVEMENT

Imagine Corvallis Action Network Board Member
Durango/La Plata County Airport Commission Board Member
Southwest Council of Governments Board Member
All Points Transit Board of Directors
Colorado Canyons Association Board of Directors
Member of the Association of Colorado County Administrators
Member of the International City/County Managers Association
Advisory Board Member for Regional Hospice Care
Member of the Delta and Iola Rotary Club

EDUCATION

Webster University Master of Arts in Business/Minor in Computer Resource Management	01/94 - 12/96
University of Colorado (UCCS) Bachelor of Arts in Sociology/Minor in Gerontology	01/83 - 12/85

CERTIFICATIONS

University of Colorado (Denver Campus) Currently pursuing Certified Public Manager (CPM) Certification	1 course left to complete
Rocky Mountain Leadership Program	2010
Kansas Municipalities Leadership Program	2003 – 2005
Kansas Environmental Leadership Program	2003
Community Development Block Grant Administrator Training & Certification	2003
Dale Carnegie Course Graduate (I received numerous class awards)	2001
Federal Public Housing Manager Certification	1994
Certificate of Gerontology (1 st student to receive certification at UCCS)	1985

Candidate Introduction

Joseph Kerby

EDUCATION

Master of Arts in Business, Webster University, Colorado Springs, Colorado
Bachelor of Arts in Sociology, University of Colorado, Colorado Springs, Colorado
Certified Public Manager (CPM) Candidate, University of Colorado, Denver Colorado (I am currently finishing my last course which will result in achieving the CPM certification)

EXPERIENCE

County Administrator, Benton County, Oregon	2017 - present
County Manager, La Plata County, Colorado	2012 - 2017
City Manager, Delta, Colorado	2010 - 2012
Deputy County Manager, Douglas County, Colorado	2009 - 2010
Montrose County Manager, Montrose, Colorado	2006 - 2009
City Manager, Iola, Kansas	2005 - 2006
City Manager, Neodesha, Kansas	2002 - 2005
Support Services/Business Solutions Senior Manager, City of Colorado Springs, Colorado	1998 - 2002
Numerous front line and managerial positions, City of Colorado Springs, Colorado	1981 - 1997

BACKGROUND

Benton County is in Western, Oregon and is home to Oregon State University. The County is a combination of both rural and urban landscapes consisting of a population of just under 100,000. Corvallis is the County seat and is home to Oregon State University which is a large University consisting of approximately 28,000 students. The University is a major employer and serves as a significant economic engine for the region. Benton County is in the mid-Willamette Valley which has a regional population of 350,000 with a significant number of jobs related to agriculture, manufacturing, technology and higher education. Benton County is also home to a Hewlett Packard (HP) Technology Campus which provides another significant source of jobs. Corvallis is located approximately 45 minutes due East of the Pacific Coast and serves as a major corridor for tourism. Three major State Highways intersect in Benton County with the Interstate 5 corridor being 10 miles to the East which serves as the main Interstate Highway that travels through California, Oregon and Washington. The State Capital is in Salem which is a 40-mile drive from Benton County.

Benton County consists of approximately 600 employees who provide a myriad of services to our residents. I have direct oversight of 12 Department heads as well as numerous administrative staff. We have a biennial budget of approximately \$360,000,000 inclusive of all funds. Our Capital budget for this biennium is \$25,000,000. I recently led the negotiations and

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acquisition of a new 53,000 square foot building which will serve as the County seat and will provide a centralized location for most of our county services. In addition, we also have undertaken our Criminal Justice System Improvement Project which is intended to be a total programmatic and facility overhaul of our current justice system. If approved by voters, this project will conservatively result in approximately \$100,000,000 worth of new facilities including a correctional facility, behavioral health crisis center, courthouse, and law enforcement center.

The three most significant issues facing the County other than COVID19 are:

- Growth/Development/Infrastructure – Benton County has been experiencing significant growth over the last 5 years. For years growth was stifled due to voter approved annexations which often resulted in residents voting down any growth-related annexations. The Oregon State Legislature passed legislation 3 years ago which eliminated voter approved annexation laws. This meant that annexations could be approved through a land use process resulting in a decision by a local Planning Commission versus being approved by voters. This has led to many more annexations being approved which has resulted in new residential subdivisions throughout the County.
- Homelessness – Due to many social factors the number of homeless people has increased dramatically over the last 10 years. Housing prices on the West Coast have outpaced the ability of many people to both work and live in our community. More than half of our county employees reside outside of the County due to the cost of housing and the added burden of high property taxes. Benton County has partnered with the City of Corvallis and has hired a new Homeless Coordinator position that will support the work of a new City/County homeless task force that was recently formed that will focus on developing a 10-year strategy for addressing homelessness. This is a joint City/County collaboration in conjunction with a host of non-profits throughout our community.
- Criminal Justice System Improvements – Benton County for many years has struggled to provide the facilities and programming necessary to operate a 21st century criminal justice system. Our jail population has outgrown our ability to house and provide restorative services to offenders. A considerable number of offenders are cited and released without being incarcerated due to our jail being dramatically undersized for our population. We have recently completed an entire assessment of our current system and have identified a preferred alternative for moving forward which consists of new programming and facilities. We have now entered programmatic development as well as the facility design stage to include a new courthouse, jail, and law enforcement center. This is a multi-year project which has involved significant public engagement that will hopefully result in achieving voter support to fund the innovative programs and facilities.

Joseph Kerby

GENERAL, MANAGEMENT STYLE AND EXPERIENCE

As you can see by my resume, I have had many advancement opportunities in my career. I completed an 18-year career with the City of Colorado Springs in the position of a Senior Manager. During my years of service in Colorado Springs I became experienced in municipal operations to include parks, utilities, housing, information systems, business solutions, accounting and finance, and general operations. The City of Colorado Springs consisted at that time of over 2,000 employees serving a population of 350,000 and was one of the fastest growing communities in the United States.

I chose to then transition my career to be of service to smaller and mid-size communities in the capacity of a City/County Manager. Since that time, I have served communities of many shapes and sizes ranging in population from 3,000 to 300,000. I have had many advancement opportunities due to my collaborative management style combined with my strong desire to serve the public and transform communities. I have served in 3 smaller rural communities consisting of 3,000, 6,000 and 9,000 residents respectively. These communities, as well as others I have served, are considered very rural and in most cases were located 3 to 5 hours from larger communities.

I have served in some of the fastest growing areas of the Country. I am uniquely qualified as I have served as both a City, County, and Utility Manager. I have a sincere interest in being Islamorada's next Village Manager. I am keenly interested in the opportunity to lead a community that is a key tourist destination in the State of Florida. I would draw from my experience serving in other tourist-oriented communities in Colorado that are also heavily impacted by second home ownership. Islamorada would be an opportunity that would provide me the chance to lead a premier tourist community in the State of Florida. In addition, my personal passions consist of scuba diving and sailing and Islamorada's ideal location in the Florida Keys will provide me immediate access to a water wonderland. I desire the opportunity to take on the challenges Islamorada is facing and look forward to being a responsible caretaker and environmental steward of the Florida Keys. I have the necessary experience in tourist related destinations to effectively balance the negative impacts of tourism with maintaining the quality of life enjoyed in Islamorada.

I am a very collaborative leader. I work well with governing bodies, department heads, employees, and members of the public. I am very approachable and thrive on leading, managing and solving problems for the betterment of the community I serve. I truly practice employee and community engagement and am well known throughout my organization for having an open and forthright approach to problem solving. I am inclusive, thoughtful, a strategic thinker, and yet practical. I maintain high expectations and believe local government should be responsive to the needs of its citizens by demonstrating accountability. Integrity and ethical decision making are hallmarks of my leadership style. I have an unsurpassed work ethic and set the tone for the organization as it relates to professionalism, results orientation, and

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continuous improvement. I assume positive intent when working with others and always treat people with dignity and respect.

My practical leadership style attempts to strike a balance between process and results. I do not believe they are mutually exclusive. Done correctly a smart leader knows when more of a process orientation is required while other times the delivery of results is of the utmost importance. I believe, however, that the ends do not justify the means and that everyone needs to be treated with dignity and respect and that process does matter. If the process is well thought out often the desired results are achieved. However, I constantly apply a continuous improvement lens by using the “Plan, Do, Check, Act” framework.

I am a respected leader throughout my organization. I am a very employee-oriented manager who is forthright, communicative, and very focused on problem solving. I strive to provide employees with the support and resources they need to serve the public effectively. Staff would describe me as an engaged manager who strives to maintain positive relationships with employees and union representatives. They would also share that I like to get things done and at times can pursue too many projects at once. A local newspaper described me as “a person who quietly worked consensus with articulation and experience without throwing bombs. Besides the big county sales tax initiative that addressed long overdue infrastructure needs and law enforcement upgrades, Joe worked diligently to improve relations with county employees and members of the city’s leadership team. He set the tone for the county in a culture of openness and working as a team.”

My governing body would describe me as professional, engaged, and articulate with a laser focus on the best interest of the community and organization. They would describe me as open, accessible, genuine and someone who can solve complex problems and is not afraid to tackle difficult issues. They would share that I am a calculated risk taker and am well respected throughout the community. In addition, my governing body would say that I value organizational development and that I am focused on innovation and organizational efficiency. Recently, I was described as “a real gem” by one of my County Commissioners.

I have many attributes that people find of immense value. I am strategic, collaborative, compassionate, confident but not arrogant, and possess a results-oriented management style. I hold honesty, integrity and ethics in high regard and strive to uphold ethical decision making at every opportunity. I have a sense of humor that adds a light heartedness to the work environment which people enjoy and thrive in.

While I have many positive attributes there are several areas for growth and development. Due to my results orientation, I thrive on getting things done. This results at times in unsustainable multi-tasking and stretching resources too far. In other words, I have been guilty of pursuing too many projects and/or initiatives at once. Due to my passion for public service and strong work ethic, I struggle with maintaining a good work/life balance and must continually monitor how many hours I am dedicating to public service.

Joseph Kerby

I monitor my performance by annually setting organizational and personal goals with my governing body. I then report out on progress towards these goals during a monthly “goal setting” meeting that I host with the governing body. Once organizational goals are determined, I then use the performance management system to align the goals of department heads with those of the organization. I then meet quarterly with each department head to review progress toward the goals, and we realign as needed. In setting organizational and personal goals we strive to define “measurable” criteria by which to determine our progress using the “SMART” goal process. This ensures that goals are specific, measurable, attainable, relevant, and time bound.

My proudest achievement involves two sales tax initiatives that I was instrumental in developing with a citizens committee. These two ballot initiatives were approved by voters at the same election to increase funding for transportation infrastructure as well as public safety services. This was a legacy accomplishment, and these sales taxes produce significant revenue annually which have stabilized and expanded the revenue streams for transportation and public safety.

I am a successful leader and manager and yet not everything I have been involved in has resulted in positive outcomes. One such example is a failed attempt at updating the land use development regulations in La Plata County, Colorado. The regulations were 20+ years old and in significant need of updating. I drafted and proposed a project to undertake this effort. It was supported by the governing body, and we began to move forward in an expeditious manner. This process subsequently failed due to the inability to effectively resolve political differences between the urban and rural residents. A major lesson I learned from this was that getting the community engagement process correct can be more important than achieving the end result.

I have had the honor of working with many different employees from all walks of life. My experience is that most employees want to be successful and that assuming positive intent in all situations is the best approach. Treating others with dignity and respect is a hallmark of my management style. I have had the unfortunate experience of terminating employees during my career. I take every personnel action very seriously and strive to provide clear expectations, support, and accountability. The best outcomes are achieved by doing everything possible to set others up for success by cultivating the spirit of collaboration and cooperation. I focus on developing teamwork and I hold everyone responsible for contributing to the success of our community. I consider the termination of an employee very seriously and ensure every employee is provided “due process.” I always feel heavy hearted throughout the termination process and yet recognize that not every person is a good fit for our team and/or organization.

The position of Village Manager for Islamorada comes with numerous challenges. First is continuing to address the affordable housing crisis. Second, is working to minimize the negative aspects of tourism related to vacation rentals and traffic. Third, is addressing the impending buildout capacity of the community whereby in 2023 no more building permits may be issued. In addition, water quality, stormwater management, climate change, and the ability

Joseph Kerby

to attract and retain quality employees are other challenges that the future Village Manager will need to address. Fortunately, I have experienced many of these same challenges in other communities I have served and have been able to actively and collaboratively problem solve by bringing employees and community members together to address these challenges. I am an active listener and would initially focus my time in Islamorada on getting to know the council, the department heads, and the community. Listening, learning and the development of priorities with the city council would be my initial focus.

I pride myself on being highly regarded in the organizations and communities I serve. I focus on establishing open, forthright, and responsive communication with the local media. I make it a point to cultivate an open and trustworthy relationship with all media partners to the greatest degree possible. While the position of City/County manager comes with the role of being open to criticism, I am proud of my background and credibility and believe there is nothing that would embarrass my current or future employer. I am also confident that any potential future employer would not be contacted by any local activists that I have worked with in the past to provide negative input relative to my selection.

I am also known to be a significant supporter of active employee and community engagement using social media. I purposefully do not actively use public social media in my personal life to avoid any confusion with my professional persona. However, I do actively support the use of social media through my work as a City/County manager and rely significantly on our community engagement staff to utilize all major social media platforms to advance the communication strategy of the organization. I have regularly hosted Coronavirus response employee town hall meetings via the Go to Meeting technology platform as well as engaging twice a month in town hall meeting platforms two discuss topics of interest to employees. In Islamorada, I would apply these similar strategies for employees and community members alike.

While I am actively engaged and focused on my leadership role in the community, I also enjoy numerous passions in my personal life. These passions include spending time with my family, camping, travel, biking, sailing and scuba diving. It is the pursuit of these passions that in part fuels my interest in Islamorada.

SIX ADJECTIVES OR PHRASES THAT WOULD USE TO DESCRIBE MYSELF

I like to consider myself as someone who is professional, trustworthy, motivated, collaborative, caring, and driven by a passion for public service.

Joseph Kerby

REASON FOR LEAVING CURRENT POSITION

I am highly regarded by my current governing body, and they provide to me a competitive salary and benefits package. Despite these factors, I have tried to position myself to continue to grow and develop in my career. I am uniquely qualified to lead Islamorada into the future due to my experience as a City, County and Utility manager. I possess the knowledge and experience to lead Islamorada into the future while at the same time understand ways to minimize the negative aspects arising from growth and tourism. I am also very experienced working in rural communities and much prefer the rural lifestyle. My experience in leading organizations and communities in premier tourist destinations will also be an added benefit to Islamorada.

I look forward to being an instrumental part of the Islamorada team. Thank you for your consideration.

CURRENT SALARY

I currently earn approximately \$220,000 annually and receive a lucrative retirement and vacation package.

CB&A Background Checks

**Background Check Summary for
JOSEPH "JOE" M. KERBY**

Criminal Records Checks:

Nationwide Criminal Records Search	No Records Found
County	
Benton County, OR	No Records Found
La Plata County, CO	No Records Found
Delta County, CO	Not Available*
Douglas County, CO	Not Available*
Montrose, County, CO	Not Available*
State	
Oregon	No Records Found
Colorado	No Records Found

Civil Records Checks:

County	
Benton County, OR	No Records Found
La Plata County, CO	No Records Found
Delta County, CO	Not Available*
Douglas County, CO	Not Available*
Montrose, County, CO	Not Available*
Federal	
Oregon	No Records Found
Colorado	No Records Found

Motor Vehicle

Oregon	No Records Found
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Credit

Excellent

Personal Bankruptcy

No Records Found

Sex Offender Registry

Not Listed

Education

Confirmed

Employment

Confirmed except for:
Benton County, OR 2017 - Present

Social Media

Nothing of Concern Found

* Records are only available in this state for the past seven years and the candidate worked there prior to that period.

**Background Check Summary for
JOSEPH "JOE" M. KERBY**

Under the Fair Credit Reporting Act, 15 U.S.C. 1681-1681Y, credit and bankruptcy information are very sensitive and should not be used in the consideration of hiring. The information is included for each candidate because we do not want you to be surprised if third parties raise what they consider to be a concern. Also, some states have limited the reporting to seven years, so any records older than that will not be available in those states. In addition, motor vehicle reports are limited to three to seven years, depending on the state.

**Background Check Summary for
JOSEPH "JOE" M. KERBY
Personal Disclosure**

Personal Disclosure Questionnaire

Name of Applicant: Joseph M Kerby or Joseph Michael Kerby

The following questions are designed so that we will be able to make full disclosure to our client concerning your background. Please answer them honestly. Cutting corners or misrepresenting your past will result in you being eliminated from all further searches conducted by this firm. We understand that frivolous charges are sometimes made and that charges do not mean you were guilty. We also understand that you may have been wronged and needed to seek compensation. The bottom line is that we want to be certain that our client is fully informed. If you have any questions, please contact us for clarification.

Please explain any yes answers on a separate sheet of paper.

- 1. Have you ever been charged or convicted of a felony?
Yes No
- 2. Have you ever been accused of or have been involved in a domestic violence or abuse incident?
Yes No
- 3. Have you ever declared bankruptcy or been an owner in a business that did so?
Yes No
- 4. Have you ever been the subject of a civil rights violation complaint that was investigated or resulted in a lawsuit?
Yes No
- 5. Have you ever been the subject of a sexual harassment complaint that was investigated or resulted in a lawsuit?
Yes No
- 6. Have you ever been charged with driving while intoxicated?
Yes No
- 7. Have you ever sued a current or former employer?
Yes No
- 8. Please list all your social media accounts (Facebook / Instagram / LinkedIn / Twitter, etc.) and your personal web page if you have one.
LinkedIn - Joe Kerby - set to private
Facebook - Joe Kerby Corvallis, Oregon - not active
Twitter - @jmk_kerby
- 9. Is there anything else in your background that, if made public, would cause you, our client or our firm embarrassment if it came to light through the press or any other mechanism?
Yes No
- 10. Please provide a list of any lawsuits in which you are or have been a party either as plaintiff or defendant.
N/A

Attested to: Joseph M Kerby
Joseph Michael Kerby
Signature of Applicant

Please email this form via PDF DOCUMENT to Lynelle@cb-asso.com or via fax to (561) 621-5965 no later than 5:00 PM PST 09/07/2021.
(Note: Please be sure to sign the form with your actual signature if you are sending Fax or PDF Document)

CB&A Reference Notes

**Reference Notes
Joseph Kerby**

Gary Ellis – Former Commissioner, Montrose County, CO 970-596-1999

Mr. Kerby was hired in 2006. Mr. Ellis came into office in 2007. They worked together in this capacity until September of 2009 and had a close working relationship.

One of the saddest moments of Mr. Ellis's tenure was when Mr. Kerby left Montrose County. Mr. Ellis has such confidence in Mr. Kerby's abilities. Not only in running the daily operations but also the way he treated people and his moral compass. He is a man of integrity who can be trusted and his departure left a void.

When the County started earning impact fees Mr. Kerby hired a very qualified person to manage the resources and she is still with the County. He assesses people well and knows how to treat them to get the most out of them. He works well with other agencies.

When the Commission was contemplating a course of action that was fraught with risk Mr. Kerby was very respectful but asked if they had considered all the possible consequences. He had much experience and saw things that they did not. He was very gracious but felt it was his responsibility to warn them. They listened to him and either lightened their course of action or took a different tactic.

While the County had employed Assistant County Managers in the past, they did not have one when Mr. Kerby was hired. He asked if they would allow him to hire one so that he could focus on the larger issues. He had an eye on the organization to increase its efficiency. They wanted to implement a 2% sales tax increase for public safety but because of Colorado law, it had to be by the vote of the people. The prior Commission had tried for an increase in 2005 and were not successful. Mr. Kerby guided the process. He appointed a citizen's committee to examine the issues and make recommendations. Because the idea came from the citizens, and not the County, it was accepted by the community. Also, when he does budgets, he prepares one budget in anticipation of it passing but a second budget in case it does not pass. He is very efficient.

Seventy percent of their public lands belong to the BLM and residents felt they could not access the land easily. Mr. Kerby held meetings with them and studied state statute and law. When they met with other elected bodies, there was never any tension from Mr. Kerby although at times the Commissioners were at odds with each other. He was good at facilitating the discussion and kept everything on an even keel while bringing them to an agreement.

Montrose County did not have a good relationship with the City of Montrose when Mr. Kerby was hired. He felt they should as Montrose was the largest city in the county. He wanted the County personnel to work well with their counterparts at the city, County Attorney to City Attorney and so on. He recognized that they had opportunities to save taxpayer dollars by working together on projects, however, he encountered resistance from the Board. He continued to meet with the City Manager to build a relationship so that they could trust each other when a crisis occurred. He attended their meetings and gave reports to the Council. He was great at sharing information with them.

Reference Notes
Joseph Kerby

When they asked Mr. Kerby to look at something or make a report, he took the hours needed to do it well. He started the budget process in June by meeting with department heads and mapping out the budgets and the projected income. He kept the Commission aware of the progress so they knew what was happening and could easily see where they could give and take. They worked very closely on items of priority.

One Commissioner was notified that he was under a recall effort. Mr. Ellis and another Commissioner had a different view from the Commissioner under recall on the Airport and were going to make it public by talking to the media about it. Mr. Kerby told them that he could not support their actions as it was not fair to the Commissioner facing a recall. They realized that they were reacting from a political perspective. Mr. Ellis has always appreciated the advice, and also the very kind and respectful way that it was offered. Mr. Ellis had complete faith that Mr. Kerby would let them know if they were going down the wrong path, he alerted them to possible issues and always did the right thing.

Mr. Kerby is a very stable and balanced person. He resigned from Montrose County to go to Douglas County. The integrity with some Commissioners was not where it should have been and Mr. Kerby did not want to compromise his own personal integrity. Mr. Ellis never heard anyone complain about Mr. Kerby.

Mr. Ellis would hire Mr. Kerby in a heartbeat. They had two managers after him. Mr. Kerby was the bright flower and working with him was a happy time. The County made progress and he developed relationships with everyone concerned. Work was enjoyable with him at the helm. He was a great manager for Montrose County and has only accrued more experience since he left. He was such a stabilizing and positive influence for the County.

Words or phrases used to describe Joseph Kerby:

- Integrity,
- Honesty,
- Genuinely decent person who cares about others,
- Conscientious,
- Trustworthy,
- Represented the County well,
- Understood his role, and
- Great at keeping them apprised.

Strengths: Retains the best employees possible and empowers them to success, works through the issues, good interpersonal skills, represented the County well, never created any issues, provided the best results for the tax payers.

Weaknesses: He was very committed to his work and had a hard time walking out the door at the end of the day. He was good at delegating but kept some things close. He perhaps should spend more time with his family.

Reference Notes
Joseph Kerby

Kip Turner – Former Airport Director, La Plata County, CO 970-401-2683

Mr. Turner has known Mr. Kerby since 2013. Mr. Kerby is one of the best managers that Mr. Turner has ever worked for. Mr. Kerby listened to the staff and the Commissioners. He went the extra mile to ensure he understood what was discussed and the best route for community. One city manager in the County was difficult for everyone to work with but Mr. Kerby handled him better than anyone else did, which earned him the respect of Mr. Turner. They only know each other professionally but everything Mr. Turner has seen in Mr. Kerby has been first class.

Mr. Kerby hired several people who were outstanding. Airports always come with a great deal of controversy and Mr. Kerby made good decisions to benefit the County and the region, even when he had to make difficult decisions. He implemented safer and more compliance measures for the airport and in other divisions in the County.

While Mr. Kerby is a little bit of a change agent, he maintains operations at a high performance level and goes out of his way to make sure he has the inside track from all of the team working under him. He held good meetings with his department heads, listened to their input, and made recommendations based on their feedback unless he realized he needed to go in a different direction and then he explained why. He will not continue a poor trend just because it has always been done that way, he wants everything to work well.

They ran in many of the same circles and Mr. Kerby was very visible in the community. Everyone knew him and liked him. He was easy to get along with and represented the County's interests well. He was better at keeping the staff informed than many of the supervisors that Mr. Turner has worked with. Mr. Turner has been an airport Director for over twenty years and puts Mr. Kerby at the top of his list of supervisors.

The County was always in the black when Mr. Kerby was in charge and never encountered any financial difficulties. He was always responsive and when he could not personally oversee a matter, he delegated it to someone on his executive team. He responds very well under stress. He really listens to what others have to say, and will let them vent, but then responds assertively in a manner that allows the message to be delivered.

They were looking at a terminal expansion or a relocation of their commercial terminal and it was going to cost \$65 million dollars. The project was controversial to those who did not want more airplanes flying overhead. Mr. Kerby took the lead on the effort because it was going to require a vote of the people. He was very much out front and did a great job. He created the right pathways to get the message out and was the circuit that connected all the parts together for the right discussions. Nothing in his background or conduct would concern an employer

Mr. Turner would not think twice about hiring Mr. Kerby and would also not hesitate to work for him again. Everyone that they worked with appreciated and respected him. He was the glue that held it all together while moving the organization forward. Any organization would be fortunate to have him at their helm.

Reference Notes
Joseph Kerby

Words or phrases used to describe Joseph Kerby:

- Listens well,
- Energetic,
- Caring,
- Passionate,
- Visionary, and
- Focused to the task.

Strengths: Really listens to others. Has a passion for the job that you can see in his work.

Weaknesses: He was very patient with the city manager who was aggressive and difficult. He continued to turn the other cheek and press forward with the mission. At the time Mr. Turner wished he had taken a stronger approach with this manager, but in hindsight it might have been the right tactic to use.

David Hornbacher – Director, Colorado Springs Utility, CO 303-250-6212

Mr. Hornbacher has known Mr. Kerby since the 1990s. Mr. Hornbacher interviewed Mr. Kerby for a position in the Colorado Springs Utility. The interview was a great experience and Mr. Kerby was by far the most prepared candidate that Mr. Hornbacher has ever seen. Working with Mr. Kerby was an amazing experience and they have remained friends.

Mr. Kerby is thoughtful and thorough. He has a great depth of experience, he is very talented and dedicated. He has a strong work ethic and the ability to make things happen. He is great to work with and empowers his management team so cohesively that they are top shelf.

Mr. Kerby managed the budget for the utility which had 1,500 employees and did a billion dollars in business. He does what is necessary and is very dedicated. He works with and builds relationships with those both internal and external. He is an astute and seasoned manager who has overcome many challenges over the years in both prosperous and difficult economic times. He has successfully navigated every issue.

Airports are an interesting component to a community and Mr. Kerby has experience with them. Building strong teams is part of his success. The employees he hired were gifted and talented, but they also had personalities that were easy to work with, connect to, and they worked hard to achieve the goals. They worked together on a shared resource model with several different work groups. They found pathways for employees to explore and rekindle other skills to advance in the organization and to develop personally.

Mr. Kerby's presence enhances the performance level of an organization and has certainly overcome some challenging situations especially on the project side. He has done very well at

Reference Notes Joseph Kerby

navigating the issues, but his focus is primarily on increasing performance of the overall organization. He does not invoke change for change's sake but is astute in building an organization to better deliver services to the community. He is a change agent who uses a thoughtful approach to take an organization to the next level.

As an ambassador to the community Mr. Kerby worked with the public. He integrated into the fabric of the community. He attended a Memorial Day event and was so proud of the staff that it was almost overwhelming. Employees really appreciated working for him because connection is important to him. Though Durango County is very expansive, he still drove to the various communities to meet with their management teams. He worked cohesively with the cities.

Colorado Springs Utility is the largest utility in the state of Colorado. Mr. Kerby assigned several people to lead their complex budget process. They did much of the prework in preparing for budget sessions and preparing workbooks specific to different management areas. The workbook had key elements and helped them to understand the process. The team also sent emails on how the process worked and what needed to be done. The team was accessible and Mr. Kerby was readily available and approachable. He handled the complexities the budget process for a large organization very well and always met his commitments.

In difficult situations Mr. Kerby works longer hours to ensure that he managed everything to the best of his abilities. He is strong and calm under fire. He has experienced stress in budgeting, economics, public safety, and more. He worked extensively with the Sheriff's department in La Plata. He effectively managed every situation, even the most difficult ones.

During the recession the oil and gas industry was strongly affected, and every government has controversy around budget constraints. Mr. Kerby has also handled challenging personnel issues. He took an employee through some corrective action because they were unwilling to take accountability and move forward. Years later the employee approached him and thanked him for the respect and grace with which he handled the situation. Though she could not see it at the time, the process was a positive experience for her and her career.

Mr. Kerby builds a strong working relationship with the elected officials and is skillful at working with various personalities when elections change the makeup of the Board. Nothing in his background or conduct would concern a reasonable person. He resigned to pursue his dream of becoming a manager.

Mr. Kerby is an exceptional manager. Mr. Hornbacher would hire him without hesitation and would love to work for him in any role. Being around him is a pleasant experience, he helps others to grow. Any community will benefit from his broad and deep skillset, he absolutely shines.

Reference Notes
Joseph Kerby

Words or phrases used to describe Joseph Kerby:

- Personable,
- Approachable,
- Dedicated to the community and the staff,
- Passionate,
- Inspirational,
- Enjoyable to work with and for, and
- Phenomenal breadth of experience.

Strengths: People skills, management, leadership, committed and passionate, makes a difference.

Weaknesses: He works too many hours but it does not affect the quality of his work.

Alan Belt – Former Commissioner, Montrose County, CO 970-209-1349

Mr. Belt was one of the three commissioners that hired Mr. Kerby in 2006. Mr. Kerby walked into a very difficult situation as they were in a lawsuit with a person who has extensive resources. Mr. Kerby did an outstanding job. He was a steady hand who worked well with everyone. He made suggestions to the Commission and they came to depend on his wisdom.

The job required Mr. Kerby to hire several key employees and Mr. Hill never found any fault with his selections. Mr. Kerby made good decisions. When the situation called for innovation, he did well and found different ways to tackle recurring problems. He can be a change agent when needed and he keeps the organization performing at a high level. He rallies the organization around the vision of the elected body while managing the processes to create the desired results.

Commissioners met regularly with Mr. Kerby. Outside of these meetings he was very forthcoming and just wanted to do what he could to make the organization better. Part of that was talking to the Commissioners on a regular basis about the issues and keeping them informed of potential problems. He was always out in the community to represent the organization and he was very well respected by the public.

The County was trying to pass a sales tax which is always unpopular. Mr. Kerby was a key member of a stakeholders group that they identified as movers and shakers. They felt this group could be very effective in selling the increase. He did a wonderful job working with them and the effort succeeded in large part due to his efforts.

Reference Notes Joseph Kerby

While he was not a micro manager, Mr. Kerby spent time with the finance and human resource managers to keep tabs on the organization and make sure everything was working well. Prior to his arrival they were close to being bankrupt and his careful financial management was an asset.

In stressful situations Mr. Kerby always keeps a cool head. When the Commissioners started to become angry, he was the first one to take a step back and calm the situation down.

In addition to the lawsuit mentioned earlier, Mr. Kerby adeptly handled some very sensitive issues. For example, the former County Manager was involved in a lawsuit with the local newspaper. The Commission always had a great deal of confidence in Mr. Kerby.

Mr. Kerby's background is clear of anything that would embarrass or concern an employer. He left for a better opportunity. Managers by nature occasionally have people who are angry with them but those with an objective opinion have a very positive opinion of Mr. Kerby.

One of the best decisions that Commission made was to hire Mr. Kerby. He was an excellent manager. Working with him was a joy and they missed his talents after he left.

Words or phrases used to describe Joseph Kerby:

- Intelligent,
- Hard working,
- Personable,
- Team player,
- Leadership, and
- Builds confidence in others.

Strengths: Very calm, analytical, very good at finding solutions to problems, wise.

Weaknesses: At times he may have been too nice, though not to the extent that people walked all over him.

Chuck Rehfeldt – Community Activist, Montrose County, CO 970-240-9024

Mr. Rehfeldt lives in Montrose County. The road to their neighborhood was decrepit and the County was responsible for plowing and maintaining it as an extension of the main route. Residents had lived with this road for almost three decades and it was starting to crumble. The homeowners were upset and Mr. Rehfeldt suggested they talk to the County. They met with Mr. Kerby and he found the resources to fix the road. They worked together on other issues as well, like matters related to the hospital.

**Reference Notes
Joseph Kerby**

Also, residents felt that tax dollars were not being used well as they could be. Mr. Rehfeldt researched the matter and was able to encourage the Commissioners to better utilize their tax dollars. Mr. Kerby was always responsive and helpful when Mr. Rehfeldt needed information.

Mr. Kerby was a good Manager. He was very communicative, well organized, and showed concern for residents. He explained state statutes and how they controlled County functions, as well as the legal process, so residents could understand the situation.

When given a situation Mr. Kerby tries to find the right course of action. He is a good student who studies the issues and makes good decisions. He frequently attended community meetings, he was friendly and talked to everyone. He has a good memory. He is someone you can go to when you have an issue and he will help you.

Mr. Rehfeldt cannot recall anything controversial that pertains to Mr. Kerby. He is a good person. They had a regular community function every weekend. Mr. Kerby was always there but not in a political way. He wanted to know how the store owners were doing, what the conditions of the streets were, and to build connections with the residents.

If Mr. Rehfeldt could hire Mr. Kerby, he would. Mr. Kerby was an effective manager even when working with Commissioners who wanted their driveways repaired instead of using the resources to fix community roads. He really tried to prevent the special favors. He responded to every issue and was very likeable.

Words or phrases used to describe Joseph Kerby:

- Discerning,
- Honest,
- Person of good character,
- Resourceful, and
- Reliable, and
- Dependable.

Strengths: Very personable in a genuine way, really listened, good person.

Weaknesses: None identified.

**Roger Zalneraitis – Former Director, La Plata County Economic Development Alliance,
CO 970-749-3399**

Mr. Zalneraitis was over economic development during Mr. Kerby's entire tenure. They met at the open house when Mr. Kerby was a candidate for the position. The County first offered the job to someone else who failed the background check, and then they hired Mr. Kerby.

Reference Notes
Joseph Kerby

Mr. Kerby's job performance was great. He was open to finding solutions and could have the difficult conversations. He tries to work out solutions that benefit both parties. He does very well at hiring personnel. His decisions were almost always good and if he made a mistake, he admitted it which was appreciated. For example, the County had an agreement that one party would do so much of a project and then the County would do the next part. However, the County were not able to complete their side of the agreement due to matters outside their control. He was very upfront and apologetic and learned not to make those sorts of agreements in the future. He maintains the organization at a high level.

Mr. Kerby was out in the community quite a bit and he worked very well with the public. They met once a month and when something came up, for good or for bad, he always let them know. During their monthly meeting he gave them a solid rundown on key items so that Mr. Zalneraitis had a well rounded understanding of what the County was deliberating at the time.

A coal mine was going through a difficult permitting process and both sides were frustrated with the actions of their lawyers. Mr. Kerby told Mr. Zalneraitis that if he could just meet with the General Manager of the mine, they could work things out. The General Manager expressed the same sentiment to Mr. Zalneraitis so he arranged a meeting. They spent about 90 minutes together and came out of the meeting with an agreement that broke the impasse. This incident was one of the best things Mr. Zalneraitis ever saw happen between the County and a business.

Mr. Kerby managed the County through a difficult financial period and brought them to a stable position. He helped develop the plan to achieve a good financial picture. He was very responsive and if the matter was important, he called back immediately.

County issues are often controversial but nothing happened that related to Mr. Kerby personally, he follows the law and is ethical. La Plata County is particularly difficult to work for. Mr. Zalneraitis does not know for sure but wonders if Mr. Kerby resigned because the environment.

Mr. Zalneraitis would hire Mr. Kerby and found him enjoyable to work with. Mr. Zalneraitis stepped over the line once and then apologized. Mr. Kerby accepted the apology and moved on. They maintained a good friendship during his tenure.

Words or phrases used to describe Joseph Kerby:

- Friendly,
- Quiet,
- Thoughtful,
- Steady,
- Transparent, and
- Engaged.

**Reference Notes
Joseph Kerby**

Strengths: Mediation, willingness to listen to others, very open, very nice.

Weaknesses: Perhaps he could have been more firm than he was, but La Plata County was a very difficult environment to work in.

Diane Sorenson – Former Finance Director, La Plata County, CO 970-210-9161

Ms. Sorenson worked for Mr. Kerby from 2013 to 2017. Mr. Kerby makes good decisions both when hiring personnel and in general. He is a combination of being innovative and maintaining a high performance level in the organization. He truly loves to think about new ideas and new projects and finds ways to better the organization.

In the community Mr. Kerby was visible and perceived very well by residents. One of his strengths is keeping everyone informed. He is a leader who rallies the organization around the goals of the elected officials.

Increasing property tax must be accomplished through a vote of the people in Colorado. The County needed to educate the community because taxes had not been raised in 35 years and they needed additional revenue. Mr. Kerby put together an impressive team and the outreach to the citizens was such that she had never seen before. While they did not get the approval they sought, the residents still have not approved an increase to this day. He led the team on a very impressive project.

Mr. Kerby provides open and honest communication with the public. He relies on his finance people for their expertise but was always interested in the budget and finance. He was in her office regularly seeking information and communicating with her. He was timely in completing his work. He handled stress really well and guided the staff through stressful situations.

Mr. Kerby has not been involved in anything controversial. He resigned for personal reasons. Ms. Sorenson is not aware of anyone who would disagree with the statements in this reference.

Ms. Sorenson would hire Mr. Kerby. He is truly her favorite Manager of all that she has worked with in her entire career. He is exceptional.

Words or phrases used to describe Joseph Kerby:

- Hard working,
- Honest,
- Ethical,
- Visionary, and
- Leadership.

Reference Notes
Joseph Kerby

Strengths: Communication is impressive. Fair and honest.

Weaknesses: He works very hard and expects much of the staff. The limitations of others is not his first thought. However, he is fair and open to communication. As long as the staff communicates their needs, he will work with them.

Bob Hill – Former County Attorney, Montrose County, CO 970-209-5856

Mr. Hill worked with Mr. Kerby from 2006 to 2009. They were in lateral positions within the hierarchy, but they worked together quite a bit. Mr. Kerby did a great job. As far as Mr. Hill could tell Mr. Kerby brought good employees into the organization. His decisions were good, he was one of the better Managers during Mr. Hill's tenure.

To some degree Mr. Kerby fits every category. He is innovative, a change agent, and he maintains operations at a high level. The County had many squeaky wheels in the community, in terms of the residents, and he handled them well.

The County was a small jurisdiction and they all worked closely together. Mr. Kerby was a leader in making sure that goals were met, but he also handled the day to day management. During his tenure they were able to pass a sales tax which added significant funding to the County budget and he was instrumental in the process. He did well in stressful situations.

To Mr. Hill's knowledge, nothing controversial exists in Mr. Kerby's background. He left Montrose to work for another County in Colorado. Everyone Mr. Hill knows would agree with the statements in this reference.

Mr. Hill would hire Mr. Kerby. He was a good Manager for La Plata.

Words or phrases used to describe Joseph Kerby:

- Trustworthy,
- Loyal,
- Helpful,
- Friendly,
- Courteous, and
- Kind.

Strengths: Getting people together and talking, facilitating the kinds of discussions that go on in government.

Weaknesses: He may have been too easy going.

**Reference Notes
Joseph Kerby**

Drew Gorgey – Former County Manager, Garfield County, CO 970-987-1238

Mr. Gorgey was the Manager for Garfield County while Mr. Kerby was the Manager for La Plata. Everything that Mr. Gorgey knows about Mr. Kerby is solid and strong.

Mr. Kerby maximizes the opportunity for managers under him and pushes them in a proper way. He is calm and experienced. He had a program for a while that he called Joe with Joe, which was an invitation to sit down with him at coffee on a regular basis, and was an open door for everyone including citizens, elected officials, and line level staff. He carved out time in his schedule to meet one on one to gather information he could use to benefit the organization.

Mr. Kerby makes good decisions. He is constantly pushing an organization to innovate and reinvent. He has good financial skills. He has been very responsive. While no one is immune to stress, he handles it well.

They interact in professional associations. The ACCA (Association of Colorado County Administrators) was a subset of the CCI (Colorado Counties Incorporated) but the CCI voted the ACCA out which was, in the end, the best outcome because they could fund and govern themselves. Mr. Gorgey was President when this change occurred, and Mr. Kerby was a member of the association but did not hold a position of leadership which made his contribution even more relevant. He was supportive and helped move the entire organization forward. He was interested in the future of the group and advised the leadership in a positive way. He kept them performing well. He is very well admired in Benton County, they have gone out of their way to keep him there by giving him raises and what not, and Oregon is a state that is not starving for talent. He is just that good.

Mr. Kerby has not been involved in anything that might concern an employer should the press dig into his past. Somewhere you may find someone with a less favorable opinion of him than the one expressed in this reference, but Mr. Gorgey does not know anyone in particular.

Mr. Gorgey would hire Mr. Kerby and recommends him without hesitation. Whoever hires him will have a good, solid professional, and committed manager.

Words or phrases used to describe Joseph Kerby:

- Professional,
- Strong and committed leader,
- Experienced,
- Coveted,
- Positive,
- Innovative, and
- Thoughtful.

Reference Notes
Joseph Kerby

Strengths: Real student of management and leadership, constantly tries to develop his staff, incredibly calm, able to navigate the politics, depth and breadth of experience, effective communicator, ethical, dedicated family man, good friend.

Weaknesses: He seems low energy because he does not run around the room being a politician. To some his calmness can come across as indifference but this is a mistake and they are underestimating his strengths and leadership qualities.

**Dave Larson – Member, Citizens Committee for Funding Our Future, Montrose County,
CO 970-209-6192**

Mr. Larson met Mr. Kerby in 2006. Mr. Larson was the Chairman of a citizen’s driven committee to gain extra funds for the County and they were successful in passing a few sales tax measures. Much of their success came from working closely with the County, Mr. Kerby, and his staff. Mr. Kerby was hands off when needed but provided the necessary information.

The County Commissioners and employees always gave positive feedback about Mr. Kerby. He was good to work with and brought everyone into the process that needed to be there. He liked to have consensus before moving forward. He waits until he hears from everyone in the group before he speaks and shares his thoughts. At times he did not respond as quickly to emails as desired, but he was busy and was always good about returning the call at some point.

When Mr. Kerby first came to town, he began attending their committee meetings. At one of the first meetings he attended, a group of citizens were in an uproar and were disruptive to the committee. He took the citizens to another room to listen to their concerns. He defrayed their concerns while allowing the committee to do their work. He jumped right in to assist them, even though he did not know them yet, which was greatly appreciated.

After the tax measures were passed, the community was very confused on how it was going to be implemented. One tax was specific to roads and bridges, and one was for public safety but could also be used for the Sheriff. Mr. Kerby put together a committee of County representatives and employees, and one non-county elected official. The committee developed the procedures to handle the processing of the tax and the funds. Mr. Kerby hired someone on a temporary basis to manage the implementation of these new processes, which lasted about ten months.

Montrose residents do not typically approve sale tax measures, but they were able to pass two in the same year, it was truly exciting. When Mr. Kerby was working on La Plata County, he called Mr. Larson because La Plata was trying to pass similar tax measures and Mr. Larson’s committee had been successful. While the measures did not pass in La Plata, Mr. Kerby pulled on the strengths of their committee in Montrose.

Reference Notes
Joseph Kerby

Mr. Kerby resigned a short time after an election that changed two of the three elected officials, he was not comfortable with the direction of the new Board. Mr. Larson does not know anyone who would disagree with the statements in this reference.

Mr. Larson is not aware anything in Mr. Kerby's past that would embarrass an employer. Mr. Larson was hired as the Assistant County Manager after Mr. Kerby left which helped him better understand Mr. Kerby's role. Mr. Larson would hire Mr. Kerby.

Words or phrases used to describe Joseph Kerby:

- Brought groups together to make decisions,
- Receptive to feedback,
- Personable,
- Soft spoken,
- Comes across well to a group,
- Good listener.

Strengths: Communication, team player.

Weaknesses: He did not make quick decisions and liked to work through committee review. Sometimes you need to just say yes or no, but he was working for elected officials and had to get their approval which may have been a reason he managed the way that he did.

Prepared by: Lynelle Klein
Colin Baenziger & Associates

Section 7

CB&A Internet Research

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Pilomath News (OR)

February 8, 2022

Benton County Offices, Commissioners Reopen at Kalapuya Building

Author: *Philomath News*

The Benton County Assessor’s Office, Records & Elections Department and the Benton County Board of Commissioners’ Office all recently relocated to the Kalapuya Building, which is located at 4500 SW Research Way in Corvallis. The Assessor’s Office reopened for in-person services on Jan. 18. The Records & Elections Department moved from the historic Courthouse in downtown Corvallis and reopened for in-person services on Jan. 25. Both of those offices are located on the building’s second floor. The commissioners left their downtown Corvallis location on Fifth Street and reopened to in-person services on Jan. 31 on the building’s first floor in the main lobby.

The relocation moves those services closer to Philomath residents. The distance from Philomath City Hall to the Kalapuya Building is 3.7 miles. With the exception of the new physical address, contact information for those three entities, including phone numbers and email addresses, remain unchanged. The first three department moves complete Phase I renovations of the Kalapuya Building, which began in June 2021, the county reported. Phase II construction is on track to be completed in June. Upon completion, the Finance, Information Technology, Human Resources, Community Development and Environmental Health departments are scheduled to move into the Kalapuya Building.

In December 2019, County Administrator **Joe Kerby** first proposed the acquisition of a facility in Corvallis to co-locate county public services, and in January 2020, the Board of Commissioners approved the purchase of the 4500 Research Way building, which has since been renamed the Kalapuya Building. “The relocation of county departments begins to address initial reasons for the county’s purchase that included addressing critical space needs and the centralizing of customer services in a convenient and accessible location,” county officials said in a press release. “The Kalapuya Building will also provide improved community member access and service to the public; it is located within a quarter mile of the county’s Sunset Building, and the physical size of the facility advances the county’s vision of a one-stop-shop customer service center.”

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Albany Democrat-Herald (OR)

August 30, 2021

Benton County offices open for business, closed to public access

Author/Byline: Mid-Valley Media

Beginning Monday, Benton County will close lobbies and meeting spaces to public access until further notice.

Lobby closures do not apply to the community health centers of Benton and Linn counties. County services continue to be available online or over the phone, and in some cases, in person by appointment. Board of Commissioners meetings and advisory committee meetings will remain open to the public and are available online through GoToMeeting.

These service adjustments are made in response to an increase in COVID-19 cases and a rise in hospitalizations throughout the county and the entire state.

"Benton County is once again implementing risk reduction measures in order to protect our community by limiting the spread of COVID-19," said County Administrator **Joe Kerby**. "Since the beginning of the pandemic, Benton County has sought to find adaptable solutions that enable us to build a resilient organization and provide the best service possible to our community."

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Albany Democrat-Herald (OR)

August 17, 2021

Corvallis, Benton County set up 4th meeting on homelessness

Author/Byline: Jim Day

City of Corvallis and Benton County officials met for 130 minutes Tuesday in a virtual work session on homelessness. It was the third such meeting since the Home, Opportunity, Planning and Equity Advisory Board (HOPE), which includes city and county participation, issued a series of 12 recommendations to address the homeless challenge earlier this spring. And it won't be the final joint meeting, either. The Corvallis City Council, the Benton County Board of Commissioners and city and county staffers agreed to meet on Sept. 2 for another update.

Matters for further review include efforts to find shelter/camping space for the homeless this winter and hire the staffing to make the project succeed. **Joe Kerby**, administrator for Benton County, identified project management, communications and grant writers as the key staffers needed. Councilors and commissioners offered a wide range of space solutions, including the Benton County Fairgrounds, hotels and motels and possible use of designated city parks.

It was the "this winter" piece that drove much of the discussion. Several elected officials, led by Ward 2 Corvallis Councilor Charles Maughan, expressed frustration that more progress had not been made given we already are in the middle of August. "I'm trying not to be too emotional here," Maughan said, "but when I was reading the packet for this meeting I was very disappointed. I was hoping for solutions and we got history. We need immediate action. We need to figure out what to do, find a solution and take action. It doesn't have to be perfect." A sticking point during the discussions was whether focusing on the short-term issue of this winter's shelter program would hinder the ability of the city and county to make headway on some of HOPE's longer-term recommendations.

All of the wrangling took place with the specter of the current COVID spike looming out there. A table included in the meeting packet noted that current shelter capacity of 154 individuals is 68 below full because social service providers have had to reduce the number of people they can accommodate due to social distancing guidelines. A prime example of the challenge the officials faced was the discussion of using the fairgrounds for a shelter or a managed camp. Corvallis councilors praised it as a far better option than the city parks and Oregon Department of Transportation and railroad property that was used in the past year-plus. County Commissioner Pat Malone, who serves as the liaison to the fair board, noted the challenge of working around the sheer number of events the fairgrounds regularly hosts. And Kerby noted that the car camping experiment that occurred there earlier in the pandemic produced a series of safety and security issues.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Albany Democrat-Herald (OR)

January 17, 2021

Corvallis council to discuss building facade, camping, vaccine

Author: Jim Day

[CB&A Note: Only the information relevant to **Joseph Kerby** is listed below.]

The League of Women Voters of Corvallis is hosting a pair of virtual 7 p.m. "know your city" forums on successive Thursdays. Jan. 21 will feature Corvallis' Shepard and Benton County Administrator **Joe Kerby**, who will discuss city and county services and who to call with questions. To participate go to <https://us02web.zoom.us/j/85713541985>. On Jan. 28, water issues will be the topic, with Tom Hubbard, water utility manager, on hand to discuss Corvallis systems. To participate go to <https://us02web.zoom.us/j/86589947882>.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Corvallis Gazette-Times (OR)

October 2, 2020

Benton County placed on COVID-19 watch list

Author: Bennett Hall

A resurgence of COVID-19 could force Benton County to institute more restrictive measures to stem the spread of the disease. Gov. Kate Brown announced on Wednesday that both Benton and Clatsop counties had been placed on the state watch list. The list, which already included Malheur County, puts extra scrutiny on jurisdictions that have experienced rapid community spread of COVID-19. Other counties have been placed on the watch list only to be taken off after seeing case rates improve, but some have had to return to restrictions on business operations and public gatherings that were in place during the early days of the coronavirus pandemic.

In July, for instance, a sharp spike in new infections prompted Brown to return Umatilla County to stay-at-home status roll back Morrow County from Phase 2 to Phase 1 of the state's reopening framework. Benton County Administrator **Joe Kerby** said he doesn't expect that to happen here, noting that being placed on the state watch list is not a punitive step but rather a signal to take action. "I don't think we're in danger of being rolled back to a previous phase, but we all need to be more vigilant as far as (preventative) measures are concerned," he said.

Kerby stopped short of saying the county would implement new restrictions such as making limits on social gatherings mandatory but said he would discuss the state designation with the Benton County Board of Commissioners at the group's meeting on Tuesday. As of Friday, Benton County had recorded 341 cases of COVID-19 and six deaths from the disease since the pandemic started.

A county is placed on the watch list when it experiences a sporadic case rate of more than 50 per 100,000 population over a two-week period and has had more than five sporadic cases in that time. Sporadic cases are those that can't be traced to a specific source, indicating that the novel coronavirus is spreading within the community, according to the Oregon Health Authority. "It indicates we can't trace all our cases back to known outbreaks or previous cases," said Charlie Fautin, deputy director for public health with the Benton County Health Department. "This is what contact tracing is all about – investigation."

Fautin said the county came close to landing on the watch list after the Fourth of July, when public health officials saw a post-holiday surge in infections, which he attributed to people getting together to celebrate and socialize. The same thing happened after Labor Day, Fautin said, but this time there were two consecutive weeks when the county topped the threshold with 55 cases, or 58.3 per 100,000 population, triggering the watch list designation.

While Oregon State University's reopening "definitely had an effect," Fautin said, it doesn't explain all the sporadic cases because it came during the second week of the surge. Counties

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

remain on the watch list for a minimum of three weeks and stay there until their sporadic case rate drops below those thresholds.

The designation also triggers additional support from OHA, including increased monitoring and communication, technical assistance and resources such as epidemiological support, case investigation and help with contact tracing. Fautin said the county was already taking steps to beef up its public health work force even before the designation was issued. Following an emergency hire several weeks ago, the county had 15 people trained to do COVID-19 case investigation. Altogether, those positions add up to a little over seven full-time spots, on top of 27 staff who are trained to do contact tracing.

On Thursday, the county began the process to hire seven more full-time case investigators. Now, thanks to being placed on the state watch list, more help is on the way in the form of temporary staffing. "We anticipate getting mutual aid from the state and at least one other county to assist us until the new hires are on board and working at full capacity," Fautin said.

In the meantime, he added, if Benton County residents want to avoid the need for more restrictions, they need to be extra careful about precautionary measures such as hand-washing, mask-wearing and maintaining at least 6 feet of social distancing. "If the numbers are going up, that means caution is going down," Fautin said. "This has already started the conversation about what we may need to do."

Internet – Newspaper Archives Searches
Joseph M. Kerby
(Articles are in reverse chronological order)

Albany Democrat-Herald
May 21, 2020

Corvallis, Benton County look to open more facilities

Author: Jim Day

Corvallis and Benton County continue to move forward on steps to reopen facilities in line with state orders on coronavirus recovery. County offices will reopen to the public at 8 a.m. Tuesday, said County Administrator **Joe Kerby** in a press release. Members of the public will face “check-in” stations in the entry way of each county facility. The stations will have hand sanitizer and face masks available. Face masks will be required for both members of the public and employees. Individuals who feel sick or have symptoms will not be admitted and will be requested to conduct business with the county via email or telephone.

“The safety of county employees is our top priority,” **Kerby** said. “We spent the past two weeks preparing our offices to reopen. Although the doors to our county buildings are open to the public we do have limited staffing, and limited space in some of our lobbies. We encourage calling before arriving so appointments can be set up if necessary.”

The city of Corvallis, meanwhile, made a series of announcements about reopening during its weekly remote COVID-19 briefing. Here is a look at what is new:

- Tennis courts and pickleball courts will open Friday for singles play only.
- Residents can reserve city picnic shelters beginning with June 1. Gatherings will be limited to 25 people and all participants must be Benton County residents.
- Permanent restroom facilities at Riverfront, Willamette and MLK parks will reopen June 1, although the porta-potties at those facilities will remain in place at least temporarily.
- Corvallis City Manager Mark Shepard said that the city has received strong interest from the community for reopening softball leagues. Shepard said that such a move could occur as early as June 14.
- No dates were available for the reopening of City Hall and other city offices. Shepard said that by June 1 there might be a couple of facilities that will open by appointment only. “We’re still working on our plans,” Shepard said. “We want to be phased and cautious. We need to make sure sneeze guards and plexiglass are in place. There are lot of details to be worked out: masks, barriers, which doors can be open.”
- In response to a question from a councilor Shepard said that it will be “quite awhile” before the city starts scheduling meetings of its advisory boards and commissions. During the pandemic only the City Council and bodies whose work requires public hearings have held sessions. Shepard said that a lot of city staffers that usually support the work of boards and commissions have been reassigned to the emergency operations center to work on virus-related projects.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Corvallis Gazette-Times (OR)

January 21, 2020

Board OKs plan to finance building

Author: Bennett Hall

Benton County took another step toward acquiring a new office building Tuesday when the Board of Commissioners voted 3-0 to authorize up to \$10 million in debt financing. The board voted unanimously on Jan. 6 to buy a two-story, 54,000-square-foot building at 4500 SW Research Way in Corvallis for \$7.1 million. The sale is scheduled to close Feb. 14.

Remodeling costs are estimated to run \$1.5 million to \$2 million. The county will buy the building with cash on hand but will refinance the purchase either by issuing bonds or taking out a bank loan. Tuesday's vote allows the county to move ahead with the acquisition while it evaluates which financing option makes the most sense.

The financial services firm Fiserv, which currently occupies 60% of the building under a lease agreement, will remain as a tenant until at least Sept. 30, 2021, but will vacate the premises no later than September 2027. Lease revenues, which currently amount to \$550,000 a year, will partially cover the debt service on the purchase. Fiserv once occupied the entire building but has downsized its Corvallis operations from about 300 employees to 70 today. However, the Brookfield, Wisconsin-based company has about 250 employees working remotely in Oregon. The Fiserv building is within walking distance of the Sunset Building, which houses several county departments. Both are served by Corvallis Transit System buses.

County Administrator **Joe Kerby**, who brought the purchase proposal to the board, told the commissioners in a previous meeting that it would allow the county to replace "a labyrinth of facilities" and consolidate numerous public-facing county services in one compact location. "This is a long-term investment," he said during the board's Jan. 7 meeting. "This is not just about our needs right now but also about our needs 10 to 15 years from now."

Internet – Newspaper Archives Searches*Joseph M. Kerby**(Articles are in reverse chronological order)*

Business View Magazine

July 14, 2019

Benton County, Oregon- Focused on criminal justice reform

Business View Magazine interviews **Joe Kerby**, Benton County’s Administrator, as part of our focus on best practices of municipal jurisdictions. Benton County comprises 679 square miles in Oregon’s Willamette Valley, 90 miles south of Portland and 40 miles north of Eugene, with a population now surpassing 90,000. The county was named after Thomas Hart Benton, a U.S. Senator who advocated American control over the Oregon Country. The county was created out of lands originally inhabited by the Klickitat, who rented it from the Kalapuyas for use as hunting grounds.

Perfectly placed in the Willamette Valley, Benton County has easy access to urban areas with ample opportunities for outdoor recreation and cultural activities. Corvallis is the major community, county seat, and home to Oregon State University (OSU). Agriculture, lumber, wood products, and some printing technology research and development form the economic base of the County, along with Oregon State University. A substantial portion of the nation’s research in forestry, agriculture, engineering, education, and the sciences takes place at OSU.

Since 1972, Benton County has been an Oregon “Home Rule” County, meaning that voters have full control over the county’s governance structure. The Board of Commissioners oversees all functions of county government services and acts as executives (overseeing county operations), as legislators (setting county ordinances), and also fills a quasi-judicial role (in land use matters). With a 2019-21 total budget of approximately \$311.2 million, Benton County provides a breadth of services through its 14 departments.

Joe Kerby, Benton County’s County Administrator, is responsible for managing the day-to-day operations of the County and about 500 County employees. **Kerby**, who was hired in 2017, reports directly to the County’s three commissioners. Here, he talks about the County’s economic activities, and, most importantly, about one of its most serious, current challenges: “Of the 36 counties in the state of Oregon, Benton County is one of the smallest from a square mile perspective,” **Kerby** begins. “There are about 60,000 residents within the city limits of Corvallis, the County seat. The other 30,000 reside in the unincorporated areas of the County so we have both urban as well as rural areas. Benton is a combination of both agricultural and industrial industry. OSU has 5,000 employees. We also have a Hewlett-Packard facility in the community that used to employ several thousand people, though they’ve cut back that work force. So we have some industry, some agriculture, and the large university. Our community is very environmentally sensitive and progressive.

“One of the major challenges Benton County has had over the years relates to our criminal justice system. The County has gone to the voters three times in the last 15 to 20 years, asking them to buy into expanding and/or constructing a new jail facility and a new courts facility. Our courthouse was constructed 1888. It’s still in operation today, and is actually the oldest

Internet – Newspaper Archives Searches***Joseph M. Kerby****(Articles are in reverse chronological order)*

courthouse still in use for its original purpose in the state of Oregon, possibly the West Coast. We use it daily, but I would say it's functionally obsolete. Though it's an icon in the community, and probably one of the most strikingly beautiful courthouses you'll ever see in terms of design, it really creates many challenges for us."

"Immediately adjacent to the courthouse is an 8,000-square-foot jail facility – not a facility that we are proud of by any means. It resembles a concrete bunker inside and out, and it's very small. When it was constructed back in 1976, it was intended to be a temporary facility until a new jail could be constructed and yet it's still here after those many years. We have 40 beds there, but our average daily population far exceeds that, so we have to rent beds in other communities to house many of our inmates. "In 2017, the Board of Commissioners heard that before the community would get on board to spend money, they wanted the County to take a more systematic approach to looking at the criminal justice system as a whole. The County heard that feedback and launched a criminal justice system assessment.

"We hired CGL, a national firm that works in the criminal justice arena, primarily focusing on facilities that are needed to support criminal justice system – jails, work release centers, courthouses, etc. We also hired a project manager. We didn't have the internal capacity to lead this ourselves, hence CGL, but just as important, if not more so, we brought in an organization called Greater Oregon Behavioral Health as the project manager. Greater Oregon Behavioral Health specializes in behavioral health and justice integration. They worked very closely with CGL, helping us walk through this criminal justice system assessment.

"We took a view of what's going on relative to pretrial services, how are we managing a population in the jail, what we're doing to prevent folks from having to go to jail, and looking at the behavioral health aspects impacting our criminal justice system. We stepped back and went through about a year-and-a-half process. Throughout this process we had community engagement throughout via four to six public meetings where we sought feedback and provided updates. We just concluded Phase One and now we're beginning to embark on Phase Two. The ultimate outcome of the assessment was a report issued this January that identifies three scenarios recommended by a steering committee we put together, consisting of between 15-20 people representing community organizations, as well as members of the criminal justice system itself, from the district attorney to the sheriff.

"As of January, all three scenarios were vetted by the steering committee. One scenario focused heavily on facilities, corrections, and accountability; another focused more on the programmatic social services end of the spectrum; and the third, what we call our best practices scenario, was a combination of rehabilitation activities, prevention activities, and corrections and accountability. The Board leaned heavily in favor of the balance of both corrections accountability and programmatic/social service components.

"Phase Two begins focusing on the implementation of those best practices recommendations. It looks at creating a sobering center, creating a respite center for mental health issues related to those who come into contact with our criminal justice or law enforcement folks, and also on

Internet – Newspaper Archives Searches***Joseph M. Kerby****(Articles are in reverse chronological order)*

trying to have a jail that has additional capacity and room for programming activities. Right now, on any given day, about half of our jail population is housed in a community about three hours away from us, in a facility called NORCOR (Northern Oregon Regional Correctional Facility). We take our inmates there that we can't hold in our own facility because it has significant programming activities – mental health treatment, substance abuse treatment, parenting classes – a wider spectrum of program activities which our community believes is important as part of the criminal justice system. Unfortunately, our facility here does not have the capability to host any of those programs due to its limited size.

“The best practices scenario consists of substance abuse treatment, mental health treatment, respite care center, sobering center, transitional housing, pretrial services, work release center, electronic monitoring, in-custody mental health treatment, in-custody substance abuse treatment, in-custody education, GED prep, and cognitive behavioral therapy. We also are looking at a new 112-bed jail facility, almost three times the size of our current facility. We can then bring the inmates we've sent to NORCOR back to be housed here to serve their time in our Community Corrections Facility instead of a facility that's three hours away.”

Kerby adds that these proposed expenses will have to go to the voters for approval, which is part of the next phase. At a total investment relative to capital cost of about \$85 million for the new jail and a new courthouse, combined with a new law enforcement center to house all criminal justice components in one location, it will be a big yet hugely important ask. “The county doesn't have \$85 million to spend on this,” he laments. “We would not be able to pursue this project without being able to get voter support, so I anticipate that over the course of the next several years, we will be going to the voters. But prior to that, we are looking at some of the low-hanging fruit that is more programmatic in nature, for example the sobering center, the respite center, pretrial services so that we don't have to house all those inmates, but can use programs such as ankle monitoring instead.”

Kerby notes how serious the issue has become as the County is regularly required to do what they call “forced releases.” When the jail is full they have to stop accepting inmates. Because they don't have room, the jail staff has to decide who they're going to release from jail that otherwise would be staying to complete their sentences. “The number of those forced releases has continued to climb every year for at least the last five years, if not longer, so our system is overwhelmed and we are trying to find a systematic way of approaching it. It's not just about housing people but about helping them become more productive members of society.”

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Albany Democrat-Herald (OR)

July 12, 2019

Ex-Benton deputy files \$1M suit

Author: Bennett Hall

A former Benton County sheriff's deputy is suing the county and Sheriff Scott Jackson in federal court for \$1 million, claiming his civil rights were violated by allegedly improper and retaliatory disciplinary actions ending in the deputy's termination early this year. Jackson said he could not address the claims directly because of the pending lawsuit but asked for the community's patience while the case is being litigated in court (see box with this story for full statement).

The lawsuit was filed Wednesday in U.S. District Court in Eugene by Eric Konzelman, the same ex-deputy who filed a complaint in Benton County Circuit Court alleging that Jackson's purchase of a second home in Lincoln County violates the residency requirement of his job and disqualifies him from holding office. That court action is still pending. In the federal suit, Konzelman claims that his constitutional free speech and due process rights were violated, as well as state and federal protections against workplace retaliation. Konzelman, who had been with the Sheriff's Office full-time since 2007, was fired on March 8 for what an internal affairs investigation characterized as an improper arrest. In his 30-page civil complaint, Konzelman claims that while the arrest could have been handled better, the issues involved were minor and did not warrant termination.

He also takes issue with internal investigations that resulted in disciplinary action against him. All of these actions, the lawsuit claims, were in retaliation for Konzelman's role in a short-lived effort to challenge Jackson's leadership of the Sheriff's Office. "They've ruined his ability to be a police officer," said Konzelman's attorney, Dan Thenell of the Thenell Law Group in Portland. "This is one of the worst examples of retaliation I've ever seen." In June 2017, the suit claims, Konzelman and several other members of the deputies' union approached Sgt. David Peterson about running against Jackson in the 2018 election. There was also some discussion about holding a vote of no confidence in the sheriff. In the end, Peterson decided not to run, the no confidence vote was never held and a Facebook page created to support the campaign was taken down before ever going live.

According to the lawsuit, union leaders informed the sheriff that some members were taking steps to challenge his leadership, resulting in investigations of Peterson and the late Brent Iverson, who died due to a medical issue on May 27. In connection with those investigations, the lawsuit states, Konzelman was interviewed in February 2018 about his role in the creation of the never-launched Facebook page the previous June. Due to the passage of time, he told the interviewer, he was unable to remember some of the details of his involvement.

The next month, Konzelman was notified that he was now under investigation in regard to the truthfulness of his statements during the February interview, and he was placed on administrative

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

leave. The investigator determined there was insufficient evidence to conclude Konzelman had been untruthful or had intended to deceive anyone in the earlier interview, the lawsuit states. In the meantime, the Sheriff's Office had notified the Benton County district attorney that "there may be Brady Law issues regarding Sheriff's Office deputies," according to the lawsuit. Under a Supreme Court decision in a 1963 case called *Brady v. Maryland*, prosecutors must disclose anything that could help the defendant in a criminal case, including information bearing on the credibility of government witnesses.

In May, the lawsuit states, the DA's Brady Review Committee concluded that Konzelman had violated a Sheriff's Office general order regarding truthfulness — despite the fact that the internal investigation found insufficient evidence to support that claim — and that this information would have to be disclosed in cases where Konzelman was called as a witness. That determination, the lawsuit claims, caused serious harm to Konzelman's law enforcement career. In November, Konzelman filed an unfair labor practices complaint against the county, claiming that the disciplinary actions against him were retaliatory in nature. The complaint also named the union for failing to stick up for him against the Sheriff's Office.

The investigation that ultimately cost Konzelman his job had to do with his arrest of a minor accused of attempted burglary. Konzelman concluded there was probable cause to take the young man into custody while he did additional investigation. The suspect was released a little over 24 hours later and no charges were filed, but the young man's mother filed a complaint with the Sheriff's Office. The internal investigation concluded that, while Konzelman may have had sufficient probable cause to make the arrest, he erred by failing to notify the suspect's mother of his arrest and by failing to conduct a thorough investigation.

Those conclusions, the lawsuit alleges, are not sufficient to support Konzelman's termination. Rather, the suit claims, the Sheriff's Office was punishing him for supporting a challenge to the sheriff's leadership and for filing the labor complaint. It also alleges that the earlier investigations stemmed from union activities that are protected under the First Amendment. "There is sufficient information and belief to allege that it was defendant Jackson's policy to harass, ostracize, and investigate individuals in the Benton County Sheriff's Office if they reported unlawful or unconstitutional activities or presented an electoral threat to Sheriff Jackson," the complaint states. "It's completely inappropriate to investigate Eric Konzelman for being involved in a Facebook page related to his union activities," Thenell added in an interview. "You cannot investigate people for union or political activities, and that is exactly what they have done."

Benton County Administrator **Joe Kerby** and District Attorney John Haroldson declined to comment on the pending lawsuit.

The lawsuit seeks at least \$1 million for back wages, lost earning potential and harm to reputation, plus attorney's fees. It also asks for an unspecified amount of compensatory and punitive damages for "mental pain and suffering, humiliation, worry, anxiety, fear" and other harm. The case has been assigned to U.S. District Judge Michael McShane. Jackson and the county have three weeks to file their response to the complaint.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Albany Democrat Herald
September 9, 2018

County hires facilitator to clear the air on homeless plan

Author: Andy Cripe

After a bruising community debate over plans to site a seasonal homeless shelter in downtown Corvallis, Benton County is bringing in a professional facilitator in an effort to build consensus on a long-range strategy for addressing homelessness in the area. Ari Basil-Wagner of Greater Oregon Behavioral Health Inc., who has been leading project management and community engagement on a county-funded needs assessment of the local criminal justice system, will take the lead on the effort to find common ground on the homelessness issue. Under terms of a contract signed Friday, GOBHI will “facilitate a dialogue” among the major stakeholders, including city and county officials; the Housing Opportunities Action Council, the umbrella group formed to carry out the joint city-county 10-year plan to address homelessness; the United Way, which employs the HOAC project manager; downtown business owners and residents; social service agencies; and the Unitarian Universalist Fellowship of Corvallis, the current operator of the men’s cold weather shelter.

Specific goals include:

- Develop an agreement for mitigating impacts from the 2018-19 men’s cold weather shelter.
- Develop an agreement for a long-term plan, including siting and service provision for a men’s shelter and co-located services.
- Initiate actions to advance the 10-year plan to address homelessness and discuss the most effective structure for implementing those strategies, including a review of HOAC’s role.

The project is expected to take about four months to complete. The contract calls for the county to pay up to \$22,050 for GOBHI’s services. The city is expected to share the cost, according to Benton County Administrator **Joe Kerby**. “We have a good partnership with the city of Corvallis, and we think it’s in both our interests to have some additional expertise and resources in the field,” he said, adding that Basil-Wagner is “uniquely qualified” to provide it. “She has a specific knowledge, expertise and skill set that I would say lends itself to helping with this conversation.”

The Housing Opportunities Action Council and its project manager, Shawn Collins, have come under harsh criticism for their handling of the shelter issue, but **Kerby** said HOAC has “done a great job” and that the goal of the contract is not to do away with the organization. “It will be doing some soul-searching with HOAC and the city and county in better identifying roles going forward,” he said. “I think Ari will be holding up a mirror to ask, are things being done in the most effective way possible? We need to solve these issues and move past them so we can continue to implement the 10-year plan.” While stakeholder meetings are called for in the contract, no public meetings are scheduled at this point, but **Kerby** said some form of community input will most likely be part of the project. “I would anticipate there would be opportunities for that,” he said.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

[CB&A Note: Only the information relevant to **Joseph M. Kerby** is listed below.]

Corvallis Gazette-Times (OR)

September 18, 2018

Benton sheriff gets a pay raise

Author: Bennett Hall

Finally, the commissioners voted 3-0 after a brief public hearing to amend the budget to reflect nearly \$2 million in additional revenue anticipated for the current fiscal year, which ends June 30.

Financial analyst Jennifer Ryun told the board the county will be receiving just over \$1.9 million from a variety of sources, including increased interest earnings on county investments, state marijuana tax payments, and increased Medicaid fun **County cleared in BOLI probe** ding and patient revenue at county health clinics and a new dental clinic.

The additional funding will support the hiring of 7.5 full-time-equivalent positions, most or all of them in the Health Department. New hires will include one full-time employee and two part-time workers for the new dental clinic at the main community health center in Corvallis, an addictions navigator, a systems analyst, a panel manager whose time will be split between the Alsea and Monroe clinics, and a full-time case manager for the East Linn Health Center in Sweet Home.

County Administrator **Joe Kerby** told the commissioners he considers the new jobs a productive use of county resources. "From everything we can tell, this is a wise investment," he said.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Corvallis Gazette- Times
September 4, 2018

Commissioners tackle diverse agenda

Author: Bennett Hall

The Benton County Board of Commissioners took action on several major policy initiatives during its morning work session on Tuesday, addressing topics as diverse as short-term rentals, RV housing for homeless people and the livability impacts of medical marijuana grows. The board voted unanimously to direct planning staff to move forward with code text amendments to clarify standards and definitions for short-term rentals such as Airbnb houses and to add a ministerial review process for such properties in all applicable zones. According to a staff report, the online vacation rental agency lists about 300 available properties in the county.

Linsey Godwin, a planner with the Community Development Department, noted that the county code has not kept pace with an abundance of new "home occupation" uses that have sprung up recently, from Airbnb-type rentals to wedding venues, wine tasting rooms, farm stays, goat yoga and more. As a result, some residents in rural residential zones are complaining about activities in their neighborhoods. "We have lots of (community) concerns about allowing B&Bs or short-term rentals in residential," she said. "That's more of a commercial use than a residential use," added Community Development Director Greg Verret. "It's not what people expect in a low-density residential zone."

Another reason to clarify the code regarding short-term rentals is to pave the way for collecting a new county transient lodging tax. In May, the board signaled approval of a staff proposal for 1 to 3 percent county tax that would be added to the 9 percent room tax already charged by the city of Corvallis and the 1.8 percent tax levied by the state. As of now, the commissioners are scheduled to vote on an implementing ordinance for the new tax on Nov. 20, with the tax expected to go into effect at the beginning of next year. But questions remain about exactly how the tax money will be spent, a topic of concern to members of the hospitality industry as well as the public.

Fairgrounds manager Lynne McKee, who is spearheading the tax measure, and County Administrator **Joe Kerby** said they want to make sure there is adequate time for stakeholder discussions and public meetings before the tax goes into effect. "The timeline is extremely aggressive here," **Kerby** said. "Lynne and I agree we don't want to short-circuit the public process." McKee said she was scheduling stakeholder and public meetings over the next two months, but might need additional time to ensure a high level of participation. "I'm going to do my darnedest to stay on schedule," she said.

The commissioners expressed support for postponing implementation of the tax if necessary to allow adequate time for the public to weigh in on the issue. In response to the rising tide of homelessness, the commissioners discussed whether to initiate code amendments that would allow campers, trailers and other recreational vehicles to be used as temporary or transitional

Internet – Newspaper Archives Searches***Joseph M. Kerby****(Articles are in reverse chronological order)*

housing. The idea would be to allow people to live for a certain period of time in RVs in parking lots at churches and nonprofit agencies as an emergency measure or as a bridge to more permanent housing. There would be limits on how many RVs could be accommodated in one location. The board directed staff to explore potential code amendments and bring them back for further discussion at a later date.

Finally, the commissioners approved a proposal to develop new regulations for medical marijuana production in the rural residential zone in the wake of complaints about noise, odor and light issues. Godwin, of the Community Development Department, noted that only a small percentage of marijuana growers appear to be generating the majority of complaints. "According to the Oregon Health Authority, there are about 200 medical grow operations in the county," she said. "We have heard of 10 or less causing problems with neighbors."

Godwin said planners could develop siting standards for all such operations, but those could result in high permitting fees for growers. She suggested a conditional use review process might result in more affordable regulations. She also cited the need for public engagement and recommended that a consultant be hired to facilitate the meetings, which in the past have proved highly contentious. However, it wasn't clear where the money to pay a consultant might come from. The commissioners voted to move ahead with drafting potential code amendments and vetting possible consultants with the understanding that a funding source would have to be identified before hiring any outside help.

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Joseph M. Kerby

(Articles are in reverse chronological order)

Albany Democrat-Herald (OR)

August 15, 2018

County cleared in BOLI probe

Author: Bennett Hall

Two wide-ranging complaints filed by employees of the Benton County Health Department have been dismissed by the state Bureau of Labor and Industries. In letters dated Wednesday, the administrator of BOLI's Civil Right Division informed Anna Portnoy and Mark Davis that their cases have been closed "because the Division did not find sufficient evidence to continue our investigation." The letters state the decision is final.

With the assistance of an attorney, Portnoy and Davis filed extensive complaints with the state agency in April claiming discrimination, professional misconduct, whistleblower retaliation and other problems within the Benton County Health Department, where they worked as licensed counselors in the Mental Health Division. Davis left the department on June 1 to take another job.

Health Department Administrator Mitch Anderson, who was named in both complaints, welcomed the news of their dismissal on Wednesday. "I'm glad that they're resolved," he said. "We're following policies as they've been set," he added. "The department as a whole continues to operate in an employee-friendly fashion." **Joe Kerby**, the county's chief executive, also welcomed the news and endorsed the department's performance under Anderson's leadership. "I anticipated that outcome based on the work the good folks do at the Health Department," he said.

While the BOLI complaints have been resolved, there is still the possibility that Portnoy and Davis could file civil suits against the county. Both filed tort claim notices indicating their intent to sue unless the county made a number of changes in the Health Department. Krista Le Roux, the Portland attorney representing Portnoy and Davis, said she had not yet had a chance to speak to the BOLI investigator or review the case files and was not prepared to comment on the merits of the agency's decision. However, she did leave the door open for future legal action. "My clients can pursue their claims in court if they so choose," Le Roux said. "Regardless of the ultimate outcome, it is our hope that BCHD reconsiders how it treats its employees."

In fact, there are efforts underway in that regard. In the wake of the BOLI complaints, the Health Department brought in a consultant to interview employees, conduct a workflow analysis and make recommendations to improve operations, communications and management structure. Anderson noted that the department has grown rapidly over the last few years and acknowledged that, in some cases, "supervisory structures lagged behind." But he added that the department is working hard to address those issues. "Mental health work is extremely stressful work, and there's really no way around that," said Anderson, who led the Mental Health Division for more than a decade before being promoted to department head in 2008. "Trying to find ways to support employees has always been a challenge as long as I've been in the field. But we want to do that, and we'll continue to try to find ways to make that happen."

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Joseph M. Kerby

(Articles are in reverse chronological order)

Corvallis Gazette- Times
June 18, 2018

County pulls shelter funding

Author: Jim Day

Plans to locate this winter’s men’s cold weather homeless shelter at a building on Southwest Second Street have received a severe blow. The Benton County Board of Commissioner has withdrawn the \$60,000 in funding that shelter operators were hoping that they would contribute. The commissioners last year contributed that amount to the operation of last season's shelter. Commissioners, voting unanimously during a Thursday session whose only agenda item was a discussion with area city managers, withdrew the funds because “they do not support the site that is being proposed,” said County Administrator **Joe Kerby** in an email on the meeting to Corvallis City Manager Mark Shepard that was forwarded to the Gazette-Times. “They may consider providing future financial support for this season, but it will be dependent on what site is ultimately selected,” **Kerby** added. County issues with the proposal include the fact that the location does not provide any outdoor space for operations along with concerns that the proposal has not been vetted sufficiently with the community and neighboring businesses.

On May 7 representatives of the Housing Opportunities Action Council, which is co-chaired by Commissioner Anne Schuster, along with officials from the Stone Soup meal service and the Corvallis Daytime Drop-in Center, announced plans to locate all three services in a building at 545 SW Second St. Stone Soup currently serves its clients at the First Christian Church and St. Mary’s Catholic Church. The drop-in center also is based at First Christian Church. The men’s homeless shelter was operated last season at the old Hanson Tire Factory on Southwest Chapman Place after four controversial years on Southwest Fourth Street. Stone Soup and the drop-in center are supported by donations and allocations from the annual city of Corvallis social service allocations, which are reviewed by the United Way and allocated by the Corvallis City Council.

The shelter also depends upon fundraising for a chunk of its budget, but the largest part of its spending plan stems from \$120,000 in combined support from the city and county. The city’s 2018-19 spending plan includes \$60,000 for the shelter, but councilors have yet to allocate it. “It think it’s extremely unfortunate that the county has made this decision, particularly without a clear alternative location in hand,” said Shawn Collins, project manager for the HOAC. “That said, Commissioner Schuster has suggested that the county will be taking an active leadership role in seeking a solution,” Collins said. “I look forward to seeing what help the county can provide and hope that we will have an effective solution in place that meets the needs of the community, service providers and the clients served by Nov. 1.”

The men’s homeless shelter runs for five months each winter, from Nov. 1 through March 31. Stone Soup and the drop-in center serve clients year-round. The Second Street location has been divisive since it was announced, with backers noting the efficiency of all three services in one location, while opponents expressed concerns about the impact of the consolidated services on downtown businesses. Opponents also question whether the 2016 City Council decision not to

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continue to fund shelter services on Fourth Street also should apply to the Second Street building, which is just two blocks away. Engineer and downtown property owner Catherine Mater has proposed using city-owned land east of the Willamette River for the three services. The site used to hold the Flomatcher electronics manufacturing plant, but for the past few years it has been used for storage by the Parks and Recreation Department.

Collins and Mater pitched their proposals at Monday night's City Council meeting, which featured some criticism of the county for its action. "To say we're not going to do that is not helpful," said Ward 1 Councilor Penny York. "We have a lot of live options. Taking something off doesn't help." Some visitors who spoke during community comments suggested that the city appropriate funds to make up the \$60,000 shortfall, but councilors took no action Monday. One casualty of the continuing debate on the issue is that the drop-in center, which hoped to move into the Second Street location around July 1, has postponed that move. Instead, the service will be shifted temporarily to the drop-in center's homeless employment launching project office on Southwest Fourth Street.

Schuster sparked community debate last week with a series of early-morning Facebook posts opposing the Second Street plan. "I am as upset as anyone when I see someone sleeping in a doorway or asking for help at the post office," Schuster wrote in one of the posts. "But let's fix the sad situation without sacrificing our downtown. Isn't it in our many vision statements that we want a thriving downtown? Isn't that one of our cornerstones? This is a pivotal point for our community's future." Schuster's post also indicated that the First Alternative Co-op's south store would move if the shelter returned to the Hanson building, which is across the street. Co-op general manager Cindee Lolik, in Facebook posts of her own as well as an email exchange with the Gazette-Times, responded that she had no plans to move but indicated that she would want "concessions as to when the shelter opened and the rules surrounding it in order to best serve our customers, staff and our business."

Lolik said that a total of 32 calls to the Corvallis Police Department came from the south co-op during the six-month shelter season. Problems itemized by Lolik included disturbances in the parking lot and in the store, a consistent theft of alcohol and a decline in dinner-hour customers in the café area because shelter clients would gather there as they waited for the shelter to open. Lolik also said that she had not raised her concerns during the shelter season because using the Hanson site was supposed to be a one-shot deal.

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Joseph M. Kerby

(Articles are in reverse chronological order)

Corvallis Gazette- Times
June 17, 2018

Unhealthy situation: Complaints paint troubling picture of Benton County Mental Health Division

Author: Bennett Hall

Two employees of the Benton County Health Department have filed complaints with the state Bureau of Labor and Industries and are threatening to sue over claims of discrimination, professional misconduct, whistleblower retaliation and other problems within the department. Mark Davis and Anna Portnoy, both licensed counselors in the department's Mental Health Division, filed BOLI complaints against the department in April through their attorney, Krista Le Roux of Portland. Both complaints list Benton County Health Department Director Mitch Anderson, Mental Health Division manager Dannielle Brown, crisis team lead Elizabeth Scott and assistant human resources director Christine Hoffman as "aiders and abettors."

Davis' BOLI complaint also names Tracy Martineau, the county's HR director, and he has lodged a separate complaint against Anderson with the American Civil Liberties Union of Oregon. Le Roux has also filed tort claim notices on behalf of both workers, a preliminary step before initiating a lawsuit against the county. County Administrator **Joe Kerby** turned down a Gazette-Times request for an interview on the matter but did agree to answer some questions via email. **Kerby** declined to comment on the tort claim notices because they involve potential litigation. He also said state privacy laws prohibit him from commenting on matters related to employee discipline. But he also said the county takes complaints like these seriously and has looked into the allegations made by Davis and Portnoy.

Kerby rejected many of the allegations against specific Health Department employees, saying they were found to be unsubstantiated after "extensive and time-consuming" investigations. And he defended the county's mental health staff. "I want to emphasize that everyone currently working for the Benton County Mental Health Division is a dedicated professional whose sole objective is to provide our patients and clients with the best care possible," he said. Christine E. Lewis, a spokeswoman for the Bureau of Labor and Industries, said the agency was in the process of obtaining the county's response to both complaints and that the investigation could take up to a year. Once the case is closed, the record of the investigation would be available through a public records request, she said.

Discrimination claims

The charges outlined in the BOLI complaints and tort claim notices, if true, paint a troubling picture of a mental health program in turmoil. Both Davis, a straight white man, and Portnoy, a gay woman of color, cite instances of discrimination on the basis of race, gender and sexual orientation in their complaints, either against them, their clients or fellow employees. Many of Davis' discrimination complaints focus on Sherry Sullens, a former manager within the department. On Oct. 19, 2016, Davis claims, Sullens entered his office and tore down a Black Lives Matter poster and berated him in front of a colleague for having it. In other instances,

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Joseph M. Kerby

(Articles are in reverse chronological order)

Davis alleges, Sullens described Africans as “unsanitary,” called African-Americans “sassy” and joked that an uncooperative client “should be tased into compliance.”

He also claims Sullens discriminated against transgender clients by directing him to stop referring them to Benton County service providers and instead divert them to an agency in Eugene, where Davis says their care would not be covered by Medicaid. Davis says Sullens ordered him to remove his preferred gender pronouns (he/him/his) from his email signature block, along with links to educational videos about transgender pronouns and structural racism. He also claims that Sullens sexually harassed him by making lewd comments while eating a hot dog when they were alone in her office.

In October 2017, after Davis and several other employees filed a formal complaint about Sullens’ behavior, she was placed on leave by the county. On Dec. 29, after briefly returning to work, Sullens left her job in the department, although it’s not clear whether she quit or was fired. **Kerby** declined to comment on the nature of Sullens’ departure, citing state employee privacy law. The complaints also state that Mitch Anderson, the Health Department’s director, has prohibited employees from posting Black Lives Matter and LGBTQ Safe Zone posters in their work areas.

Portnoy says she found the ban on LGBTQ Safe Zone posters particularly upsetting. “This was distressing to me both personally because of my sexual orientation and professionally,” she wrote in her BOLI complaint. “Myself and my colleagues provide services to the LGBT community.” Portnoy also alleges discriminatory statements by Christine Hoffman, the assistant HR director, during a meeting to discuss a grievance filed against Portnoy. “During this interview, Hoffman criticized my demeanor and body language,” Portnoy wrote. “Specifically, Hoffman complained about my appearance and told me to smile more. I was offended by this assessment and found it both sexist and racist.”

Portnoy argues that Hoffman was suggesting she should behave and appear in ways that are stereotypically feminine and Caucasian. **Kerby** did not address allegations of discrimination by individual employees, but he took issue with the complaints regarding employee posters in the workplace. “The Benton County Health Department has a policy prohibiting the display of political/politically charged attire or signage to assure that everyone feels welcome and comfortable in the building,” he said.

Misconduct allegations

In her BOLI complaint, Portnoy makes a number of allegations against Dannielle Brown, director of the Mental Health Division, and Elizabeth Scott, the division’s crisis team lead. When Brown took the reins of the division last August, Portnoy claims, she began putting pressure on employees “to act as though profit was the motive of BCHD rather than providing a service to the public,” with much of that pressure being applied by Scott. Among other things, Portnoy alleges that she was repeatedly pressured to falsify clinical records to show that she had assessed clients for a mental health hold when that was not the case; that Scott directed her to treat a person who had refused services; that Scott directed her to meet a disturbed Benton County

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Joseph M. Kerby

(Articles are in reverse chronological order)

resident without police backup even though the resident had threatened to commit “suicide by cop”; that Scott asked her and others to add their work to her clinical notes or add her work to theirs; and that Scott pressured her to violate federal privacy laws by releasing protected information about a client to police.

Portnoy claims Brown “condoned and/or encouraged Scott’s unlawful and unethical conduct.” She also alleges that Brown reassigned her to a less desirable position in order to increase insurance billings for the county, even though the change “wasted time and resources.” On Feb. 14 of this year, 11 Health Department employees, including Portnoy and Davis, filed a formal complaint against Scott with the county and the Oregon Board of Licensed Professional Counselors and Therapists. Three weeks later, on March 7, Scott was placed on leave by the county. She returned to work on April 2. According to **Kerby**, the allegations against Scott and Brown were thoroughly investigated by the county’s human resources department and found to be unsubstantiated. “Both women are dedicated professionals whose goal is to provide the best possible care to the mental health population served by Benton County,” he said.

Hiring decisions

The complaints also call into question some of Anderson’s hiring decisions, noting that Kent Hill, hired in December 2016 as a manager in the mental health division, was arrested on child pornography charges the following March. He eventually pleaded no contest to 11 counts of encouraging child sexual abuse and was sentenced to 2½ years in prison. (There is no indication that any of the victims was a client of the Benton County mental health division.) Davis’ complaint criticizes the hiring of Alex Bitz as the leader of the division’s jail diversion program. Bitz was a longtime staff member at Mount Bachelor Academy, a therapeutic boarding school for troubled youths near Prineville, and was married to the program’s executive director. The school shut down following a 2009 investigation by the state Department of Human Services.

Among other things, the DHS investigation found that at least one female student had been forced to dress up in a French maid costume and perform sexualized lap dances on male students while being called degrading names such as “slut” as other students and staff looked on. Investigators also noted that such activities were part of the standard “curriculum” of the school. **Kerby** said the county exercised the proper due diligence before hiring both Hill and Bitz, including checking their references and obtaining criminal background checks and license verifications through the Department of Human Services. He also pointed out that Bitz was never accused of misconduct by the state in connection with his work at the Mount Bachelor Academy. “Mr. Bitz was not the subject of a DHS investigation and he has not been identified by DHS as having engaged in improper conduct,” **Kerby** said. “DHS investigated Mount Bachelor Academy, and nothing in its investigative records caused DHS to recommend denial of Mr. Bitz’s application based on criminal or licensure concerns.”

Did county retaliate?

Both Portnoy and Davis claim the county retaliated against them for filing complaints regarding what they saw as improper or illegal behavior. In her BOLI complaint, Portnoy notes that she has filed two formal grievances with the department and has complained informally to supervisors.

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Joseph M. Kerby

(Articles are in reverse chronological order)

She claims that a negative performance review of her work and a grievance filed against her by Scott for “unprofessionalism” and “insubordination” were both forms of retaliation. Portnoy was placed on paid leave from March 7 until April 9, which she calls a response to Scott’s “retaliatory” grievance. Davis, in his BOLI complaint, says that he filed also two formal complaints as well as several informal ones. He says complaints were filed against him in early March, which he claims were in retaliation for reporting Alex Bitz’s “disturbing past” to the department’s abuse investigator. Davis was placed on paid leave on March 12, returning to work on May 2. He was issued a written reprimand, which he contested through his union. He left the Benton County Mental Health Division on June 1 to take a job as a psychotherapist with a mental health center.

While **Kerby** declined to comment on any disciplinary actions, he said the county was taking steps to improve working conditions within the Health Department. According to **Kerby**, Anderson has “initiated contact with employees and a facilitator to begin the process of addressing concerns raised by employees during the investigations.” Joe Leykam, a mental health counselor for the county who also serves as chief steward for the American Federation of State, County and Municipal Employees Local 2064, said the union believes Portnoy and Davis were victims of retaliation by their supervisors for the complaints they filed and their union activities.

He also noted that other employees made similar complaints against Scott and Sullens and added that he’s observed a pattern of “pervasive issues” within the Mental Health Division in the six years he’s worked there. “We’ve had a pretty steady stream of dissatisfied staff and complaints over that time,” he said. “I would say, to me, this is a link in a long chain.” But Leykam also said the union is encouraged by the fact that the county has brought in an outside consultant to facilitate discussions on ways to improve conditions within the department. “We’re sitting at the table with them. We have not refused to participate,” Leykam said. “So hopefully this will go someplace,” he added. “But there’s a lot there.”

Lawsuits possible

Le Roux filed tort claim notices with the county in late April on behalf of her clients, signaling the possibility of a lawsuit if certain conditions are not met. While the notices make no mention of monetary damages, they demand that Portnoy and Davis be reinstated to their former positions. They call on the Benton County Board of Commissioners to “investigate and remediate” Anderson’s performance as head of the Health Department, look into the hiring and retention of Bitz and hire more staff for the mental health division’s adult outpatient and crisis teams. In addition, they urge the county to conduct anti-bias training for all its employees, change its policies to allow and encourage employees to display messages affirming to marginalized groups in their offices and in their email signature blocks, and form social justice committees in each department.

Finally, they want rank-and-file employees to have an equal say with management in many hiring, promotion, disciplinary and budget decisions. Portnoy declined to be interviewed for this story. On the advice of his attorney, Davis also turned down a request to discuss the matter face-

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Joseph M. Kerby

(Articles are in reverse chronological order)

to-face, but he did agree to answer some questions via email. Davis said he went to work for the Benton County mental health division because he wanted to help the kind of people the division serves, many of them low-income Medicaid patients with severe and persistent mental illness. He decided to leave, he added, because “daily microaggressions” against marginalized groups — staff as well as patients — and a lack of social consciousness on the part of management made it difficult for him to provide the kind of service he thought his clients deserved. “As a social worker ... I felt an ethical imperative to work with the county’s most vulnerable populations,” he wrote. “Unfortunately, I did not feel that the prevailing culture of Benton County mental health supported a social justice mission.”

Internet – Newspaper Archives Searches***Joseph M. Kerby****(Articles are in reverse chronological order)*

Corvallis Gazette-Times (OR)

May 24, 2018

Benton considers self-insurance plan

Author: Bennett Hall

In an effort to control costs, Benton County is considering a plan to assume the funding — and the risks — of providing medical insurance for its 450 employees and their families. At a work session last Tuesday morning, the Board of Commissioners heard a presentation from USI Insurance Services Inc. on the pros and cons of self-insurance, which the county already has for employee dental coverage. USI representatives Greg O'Hanlon and Beth Harrison assured the board that the transition to a self-insurance program for medical care would be seamless and that employees would not notice any changes in their health benefits. The biggest attraction for the county is cost savings. According to USI, self-insured employers can save money through lower administrative costs, reduced carrier profits and avoidance of state and federal insurance fees designed to help fund Medicaid. Other advantages include the opportunity to better manage chronic care programs, treat employees at an on-site clinic and shop for the best deals on pharmacy services, provider networks and wellness programs.

O'Hanlon said the county could "conservatively" expect savings of 5 to 7 percent per year compared to private insurance coverage. On the other hand, self-insurance means accepting the financial risks of a bad claims year, when people covered by the plan rack up significantly higher-than-normal medical bills. Those risks could be mitigated by purchasing stop-loss insurance, which kicks in when claims reach a predetermined ceiling.

County Administrator **Joe Kerby** told the commissioners that his experience has been that self-insurance generally provides significant cost savings over time but that it requires a commitment to ride out the ups and downs of medical claims for the long haul. "We are going to have a bad year," he said. If the board decides to move ahead with self-insurance, he added, "it needs to be a long-term thing."

A number of public employers in Oregon have already gone the self-insured route, according to USI, including Lane, Jackson and Deschutes counties; the Medford and Springfield school districts; and the cities of Eugene, Springfield, Salem and Gresham. In an interview, Benton County human resources manager Tracy Martineau noted that switching to self-insurance would not help the county avoid a double-digit hike in average insurance premiums for the next plan year, a result of last year's claims experience. However, she added, "this will give us more control over our premiums in the future." Self-insuring would also give the county full access to information about the cost factors that impact its premiums, information that is frequently hidden from view by insurance carriers, according to Martineau. "By becoming self-insured, it removes that veil and we know exactly what goes into those numbers," she said. The Benton County Board of Commissioners is scheduled to vote on the proposal at its June 5 meeting.

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Joseph M. Kerby

(Articles are in reverse chronological order)

Corvallis Gazette- Times
February 13, 2018

Possible challenge for vision board

Author: Jim Day

Corvallis Mayor Biff Traber used an interesting icebreaker Jan. 22 at the second meeting of the Imagine Corvallis Action Board, a new panel charged with implementing the city’s vision project. Traber suggested that committee members tell a story about something meaningful that happened to them during the holiday season. So, the board members took turns relating their experiences. Most of them involved trips and/or family visits. They included trips to Maui (two members), a trip to Sunriver, a trip to Universal Studios, a trip to Montana and a quick trip to San Francisco to see a musical. One member indicated the family’s normal holiday itinerary includes a trip to the Midwest, but the relatives came west this year, eliminating the challenge of weather delays in the Salt Lake City or Denver airports.

Other members entertained out-of-town company. One member drove to Arizona to get some sun. One person worked on a “downsizing” project that involved moving to a smaller house. A recent arrival went to Portland for a theater matinee on Christmas Eve and enjoyed the “white Christmas” that ensued. Others offered more low-key experiences. What’s wrong with this picture? Well, I find it interesting that a big chunk of the board had more high-end holiday experiences than many of the folks in town. Should this matter? Should having enough income to afford Maui in December disqualify someone from serving on such a board? No, but it gives me a bit of a pause.

The city spent a lot of time and resources on its vision process, hosting three community workshops and an open house and ultimately approving the vision statement in November of 2016. Drafting the vision statement and action plan was one of the six City Council goals for the 2015-16 term. The board consists of the mayor; entrepreneurs Skip Rung and Rena Chen; councilors Hyatt Lytle of Ward 3 (voting) and Penny York of Ward 1 (nonvoting liaison); Oregon State University School of Arts & Communication Director Lee Ann Garrison; community volunteers La Verne Keith and Jacque Schreck; Benton County Administrator **Joe Kerby**; Corvallis School District Superintendent Ryan Noss; Ed Junkins, associate dean and pediatrics professor at the College of Osteopathic Medicine of the Pacific-Northwest (and Corvallis School Board member); Cindee Lolik, general manager of the First Alternative Co-op; Gordon Zimmerman, president and CEO of Citizens Bank; and Doug Boysen, president and CEO of Samaritan Health Services.

Lots of solid folks there with laudatory credentials. And many of them come into contact with a wide range of Corvallis — and Benton County — residents in the course of their work lives. But there are a wide range of folks in Corvallis that need to be part of the discussion about the city’s future. Including 25,000 OSU students. I hope that this new board can find a way to reach as many residents as possible and make them part of the conversation.

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Joseph M. Kerby

(Articles are in reverse chronological order)

Corvallis Gazette-Times (OR)

September 3, 2017

Newstrackers: Updates on news stories for Sept. 3

Author: Jim Day (EMP)

James Day

Board opening

The story:

The city of Corvallis has been working on a vision and action plan to guide city development and activities through 2040. The City Council approved a draft vision for the Imagine Corvallis 2040 project at its Nov. 21, 2016 meeting, and the city is forming a new board to implement the community action plan.

The latest:

Corvallis Mayor Biff Traber, who will chair the new Imagine Corvallis Action Network (ICAN), has appointed two more individuals to the advisory board, Doug Boysen, chief administrative officer for Samaritan Health Services, and **Joe Kerby**, the new Benton County administrator.

Traber also has assigned Ward 1 Councilor Penny York to serve as the council liaison to the ICAN board. Councilors are scheduled to act on the Boysen and **Kerby** appointments as part of their consent agenda at Monday's council meeting. Traber still has three slots to fill. No date has been set for the group's first meeting.

Internet – Newspaper Archives Searches**Joseph M. Kerby***(Articles are in reverse chronological order)*

Corvallis Gazette-Times

August 28, 2017

Taking his time

Author: Bennett Hall

Joe Kerby started work as the new Benton County administrator on Aug. 10, but he didn't exactly hit the ground running. That's by design: He believes it's important to learn to walk before you try to run. **Kerby** has about 30 years' experience in working for local governments, including several stints as a city or county manager. But those jobs were in Colorado and Kansas — he's new to Oregon and the mid-valley. So rather than charging out of the gate with a list of personal projects to accomplish, **Kerby** first intends to take his time getting up to speed on how Benton County government functions and getting thoroughly acquainted with the people who make it work.

“In the short term, I'll spend a lot of time listening, observing and asking lots of questions — getting the lay of the land, if you will,” he said during an hourlong interview with the Gazette-Times last week. “I'll settle into a routine of meeting with department heads about once a week to keep the skids greased and keep things moving forward.” Even before he began collecting a paycheck in his new \$172,000-a-year job, **Kerby** started doing his homework. Shortly after being offered the position, he came out to Corvallis in June to spend two days with Dennis Aloia, who retired June 30 after five years as the county's top manager. **Kerby** followed that up with a couple of phone calls in an effort to absorb as much information from his predecessor as possible before Aloia called it a career. “Needless to say, I took a lot of notes,” **Kerby** said.

Now that he's here, **Kerby** is investing a good deal of time learning the personalities and priorities of his new bosses: County Commissioners Anne Schuster, Xan Augerot and Annabelle Jaramillo. “The board has made it extremely clear that one of their highest priorities is getting the criminal justice assessment underway, so I'll be spending a lot of my time on that,” **Kerby** said. The county is in the process of picking a consultant to conduct an in-depth analysis of the local criminal justice system, including the question of what — if anything — to do about an undersized jail and an aging courthouse.

While he's busy learning the ins and outs of Benton County government, **Kerby** also is beginning to get acquainted with the workings of local municipalities. On Monday he met with several Corvallis city officials, and he's begun reaching out to leaders of the county's smaller towns as well. “Building relationships is very important to me, both within and without the organization,” **Kerby** said. “I'll be spending a lot of time out in the community, getting to know how the community operates and building relationships with people.” He's already noticed some key differences between his new home and his last posting, a five-year hitch as manager of La Plata County, Colorado.

With an area of roughly 1,700 square miles, La Plata is nearly three times the size of Benton, which covers 679 square miles. It's also much more spread out, with about 52,000 residents to

Internet – Newspaper Archives Searches**Joseph M. Kerby***(Articles are in reverse chronological order)*

Benton's 89,000. Durango, the county seat, has a population of about 18,000, around a third of Corvallis' 55,000 inhabitants. "I would say La Plata County is more rural, more isolated, more remote," **Kerby** said. "To get to a Costco or a Sam's, you had to drive four hours from Durango." Located near the southwestern corner of Colorado, La Plata County is largely high desert country that sits at the foot of the Rocky Mountains. Outdoor recreation and tourism make up a significant part of the economy, which also leans heavily toward ranching and oil and gas production.

In his time as county manager, **Kerby** helped steer La Plata through a major environmental disaster — the 2015 spill of toxic mining waste into the Las Animas River — and a 50 percent drop in property tax revenue due to plunging natural gas prices. While Benton County is in stronger economic shape, it too has had to address dwindling revenues from top taxpayer HP Inc. and is trying to come to grips with rising employee retirement and health care costs. And the two county governments are similar in size: Benton has about 480 employees and a budget of roughly \$122 million a year versus 450 employees and \$75 million for La Plata. "From an organizational standpoint, they're about the same size ... but structured differently," **Kerby** said. "I would say there's more similarities than differences."

When he's not working, **Kerby** said, his interests tend toward outdoor recreation, including hiking, camping, kayaking and mountain biking. Lately he's been indulging a passion for scuba diving. He and his wife, Eilleen, recently took advantage of a home exchange program to spend some time in French Polynesia, where they had the opportunity to make multiple dives off the island of Moorea. "We actually dove with sharks," **Kerby** said. "It was kind of frightening and exciting at the same time." Now that he's relocating from landlocked Colorado to the West Coast, he hopes to be able to get some more diving in. "I'm really excited to be this close to the ocean," he said.

THE KERBY FILEName: **Joe Kerby**

Age: 53

Occupation: Benton County administrator

Family: Wife Eilleen **Kerby** and five children, Colton Duncan, 27; Madison **Kerby**, 26; Connor Duncan, 24; Katie Duncan, 22; and Shae **Kerby**, 21

Education: Bachelor's degree in sociology, University of Colorado-Colorado Springs; master's in business, Webster University

Interests: Hiking, mountain biking, kayaking, camping, scuba diving

Etc.: **Kerby** used to race homing pigeons as a hobby. "I tell my wife that's the best sport because you can sit in your lawn chair on a Saturday and drink beer and wait for your birds to come home," he said.

Internet – Newspaper Archives Searches
Joseph M. Kerby
(Articles are in reverse chronological order)

Durango Herald
June 1, 2017

La Plata County Manager Joe Kerby takes job in Oregon
Final day not yet established

Author: Jonathan Romeo County & environment reporter

La Plata County Manager **Joe Kerby** has decided to take a job offer in Oregon, five years after accepting his post in Southwest Colorado. On Thursday, **Kerby** confirmed his decision to The Durango Herald, saying his final day as La Plata County manager has not yet been established. “The most important thing for me is to provide a seamless transition for the organization,” **Kerby** said.

In May, the Benton County Board of Commissioners in Oregon voted unanimously to offer **Kerby** the job out of a pool of nearly 50 applicants. He will be county manager for Benton County. “We had a really strong pool of candidates, and Mr. **Kerby** clearly rose to the top,” said Benton County Counsel Vance Croney, according to a May 2 story in the Corvallis Gazette-Times.

Kerby said he and his family considered several factors about the job, but Oregon’s location stood out. “I think that from the beginning, the location is one that I have an affinity for ... and an interest in,” **Kerby** said. “When this opportunity came up, I wanted to consider that.” **Kerby** said he will talk with La Plata County Commissioners in the coming days to plan the best transition. He said his job in Benton County allows leeway in the transition.

According to the Gazette-Times, the salary range for **Kerby**’s new position is \$107,592 to \$172,144 a year. His salary in La Plata County is \$167,627, not including benefits. This is the second major post at the La Plata County government to undergo change recently. Planning Director Damian Peduto left May 31 for a job in Eagle County.

Internet – Newspaper Archives Searches**Joseph M. Kerby***(Articles are in reverse chronological order)*

The Durango Herald
March 3, 2017

**Work piles up as county treasurer’s office faces staff, procedural problems
Treasurer requests higher skilled worker to fill vacancy**

Author: Jessica Pace

Work overload, processing delays and staff turnover have caused the La Plata County Treasurer to request permission to hire an employee with a higher skill level to help rectify problems within the department. The treasurer’s office collects property tax revenue and distributes it to 44 taxing districts. Online record-keeping software has helped streamline processes over the past two years, but population growth and its subsequent workload, turnover and lack of training have increasingly burdened the office and caused staff to fall behind on tax processing. And in recent weeks, County Treasurer Allison Aichele met with county attorneys to analyze the statutory duties of Colorado county treasurers. Aichele said her office may not be in compliance with as many as 31 of 70 procedural statutes.

“We recognize the importance of the treasurer’s office functioning well,” Commissioner Julie Westendorff said. “We have to have confidence that our assets are protected. The treasurer’s office is behind, as any department can get behind. The question is how to catch up.” The statutes are minor and procedural, such as routinely reporting certain tax information to the board of county commissioners. Aichele said the office, for example, may not have reconciled all accounts according to procedure, which means to verify that the transactions that add up to the ending balance are correct. “We haven’t done that for every single account. We’ve done that for banking accounts but didn’t know we had to do that for fund accounts,” Aichele said. “I have confidence we’ve done things correctly. The solution is to hire an employee who can prove we’ve done it accurately.” Diane Sorensen, county finance director, said the issue pertains to how the treasurer keeps records, and the county will have a clearer idea next week of what needs to change. Since she was elected in 2014, Aichele said there has been a learning curve because of inexperience as a treasurer. The office has a vacant position for a customer service tax specialist. Aichele asked county commissioners to reclassify the vacancy so she can hire a fiscal analyst – a higher-skilled employee. If the reclassification is approved, she intends to fill the position within a month. Four full-time employees, including Aichele, work in the treasurer’s office, and because tax season is in full swing, they face a two-week backlog on processing payments. She expects the gap to close in June or July – if the vacancy is filled.

“This is a problem,” Aichele told commissioners this week. “And we can’t catch up.” Districts, such as schools, receive distributions through automatic payments and therefore have not seen delays, she said. County Manager **Joe Kerby** and Sorensen met last month with Aichele and decided to assemble a comprehensive list of necessary duties by the end of next week. Then they’ll know definitively which requirements aren’t met and draft an action plan, **Kerby** said.

“Treasurers offices are dictated by statute. How do we accomplish what statute tells us? There is a little wiggle room,” said Tim Kauffman, treasurer of Jefferson County and president of the

Internet – Newspaper Archives Searches***Joseph M. Kerby****(Articles are in reverse chronological order)*

Colorado County Treasurers' and Public Trustees' Association. "For instance, we are mandated to distribute by the 10th of the month. The way each office gets there might be slightly different." Though the county has invested in technology, the treasurer's office staffing level hasn't changed since 2004, and there has been significant turnover. The deputy treasurer position has turned over twice in two years and was most recently filled after an employee left in November. Two tax specialists also have left the office over the past two years, including the one who quit six weeks ago, vacating the position that Aichele has asked to upgrade. The office processes 43,000 tax bills a year, which breaks down to 8,600 per employee if there are five staffers. Garfield County processes about 30,000 tax bills annually with six employees, which means 5,000 bills per worker. And Eagle County's treasurer's office employs seven, who process 39,000 bills yearly, or 5,571 per employee.

Aichele said her staff is working two to four hours overtime daily with some weekend hours, which isn't in the budget. The tax specialist position cost the county \$51,000 for salary and benefits. Upgrading the position would cost \$66,000 annually, though that would be offset by \$3,000 saved in the time the office was understaffed, Aichele said. Known as Allison Morrissey when she took office, Aichele defeated challenger Bobby Lieb with the promise of bringing the treasurer's office into the 21st century with technology to streamline financial processes. Aichele's predecessor, Ed Murray, worked in the office in some capacity for about 35 years. The treasurer's seat is not term-limited, and U.S. citizenship, county residency and being at least 18 years old qualify one to run for the office. Before entering public service, Aichele held corporate positions with Pacific Gas and Electric as a consultant to improve processes and with Microsoft as a sales-process analyst and software designer. She also was an internal auditor for First Bank System, now part of U.S. Bank. She has a master's in business administration. Aichele earned a bachelor's degree in accounting in 2013 at Fort Lewis College, where she was awarded the "Gold Key" from the Colorado Association of CPAs for having the highest GPA of the school's accounting students. She said she has tried to keep abreast of state laws since taking office.

A countywide audit of all departments is conducted yearly, but law does not require an audit specific to the county treasurer's office. This year, the county budgeted \$50,000 for auditing purposes and plans to hire an independent firm specifically to review the treasurer's office this summer. Aichele trains twice yearly with the Colorado County Treasurers' and Trustees' Association and received about 200 hours of training from 2015 to present through Christine Stouder, a governmental accounting consultant in Grand Junction. The county has paid Stouder \$34,000 since 2015 for training sessions as needed. The treasurer's office budgeted \$7,000 for training this year. Each check processed manually costs the treasurer's office \$6, and that must be done each time a taxpayer sends a paper check or there is a human error in the process. Aichele said if more taxpayers paid by credit, debit or e-check online, the workload would lift significantly. "People send paper checks, and that's not going away. I get 200 to 300 people through the doors each day," Aichele said. "We have to have staff to get this transactional workload off my employees. This is not sustainable." Commissioners will consider the requested staffing position in a special business meeting at 10 a.m. Tuesday at the county administration building, 1101 East Second Ave.

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The Journal
January 25, 2017

**La Plata County weighs cost-cutting options
Use tax ballot question under consideration**

Author: Jessica Pace

To save pennies as revenue streams take a nosedive, La Plata County officials are considering a possible reduction of cellphone stipends and county-provided phones for employees. The proposal is just one of multiple money-saving strategies that county officials will float to commissioners next month in an attempt to close the gap on a \$7.2 million deficit. “We’ve looked at the market and what others provide, and we’re working on a new stipend policy,” County Manager **Joe Kerby** said. “We’re analyzing who receives stipends and how much.” The county has a mixed model for phone reimbursement, including stipends for some employees and shared phones for others.

In addition to a potential reduction, **Kerby** said the county will reassess cellphone reimbursement annually. Staff members will bring more specifics as well as other cost-saving recommendations to commissioners in February. Commissioners adopted a \$77.5 million budget in December with a grim footnote: an expected 26 percent reduction in money to cover expenditures. The fiscal strain on the horizon is a combined result of a state rule that could lower residential property taxes in Colorado, the energy industry bust and consequent decline in severance tax revenue, and two failed mill levy proposals, which voters rejected last November. As officials search for ways to cut costs this year, they admit that could translate to everyday annoyances and diminished services to residents. “We could, for example, reduce the miles of county roads we snowplow,” **Kerby** said.

The county opted not to fill vacant positions this year, which could translate to longer wait times, whether that’s for a call-back from county staff or a longer line at the county clerk’s office. Local public service agencies also might have to look elsewhere for support. Typically the county dedicates about \$250,000 to local nonprofits, but, **Kerby** said staff is analyzing whether the county can afford to allocate money to those groups going forward. Several recent and pending revisions to county policies, including the land-use code, marijuana regulations, animal control policy and building codes, also have strained staff time, which calls for further evaluation, **Kerby** said. Commissioners were advised by staff during 2017 budget discussions last fall to “aggressively pursue” a use tax, marijuana excise tax and impact fees to fill the hold left by plunging property tax revenue and failed mill levy increases.

On Tuesday, officials met with the county finance committee to discuss the potential implementation of a use tax, which would apply to motor vehicles and/or construction materials with multiple allowable exceptions. Voters have opposed a use tax three times over the past 35 years: in 1982, 1990 and 2001, and each time the measure failed by more than 50 percent. Using data provided by the county clerk’s office, County Finance Director Diane Sorensen said a 2 percent use tax on motor vehicles in 2015 would have produced an estimated \$1.36 million. As

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Joseph M. Kerby

(Articles are in reverse chronological order)

commissioners weighed the option, which will be discussed again in future meetings, they noted that county voters have historically voiced a definitive “no” to tax increases as a means of making up for revenue shortfalls. “I’m tired of trying to fix things with taxes and having voters say, ‘No,’” Commission Chairwoman Julie Westendorff said. “What I don’t want is the perception that we’ll just keep running tax measures until one wins. I want to figure out what is the best approach.”

Internet – Newspaper Archives Searches*Joseph M. Kerby**(Articles are in reverse chronological order)*

The Durango Herald
December 9, 2016

**EPA’s Gold King Mine spill reimbursements fall short of requests
Durango, La Plata County receive less than requested**

Author: Mary Shinn

The Environmental Protection Agency this week told state, local and tribal governments about how much they would receive in Gold King Mine spill reimbursements, with most falling far short of what was requested. EPA contractors accidentally released 3 million gallons of acid mine drainage from the Gold King Mine into the Animas River on Aug. 5, 2015, and legislators have been calling on the agency to cover the costs of the spill. “I was disappointed in this most recent letter, but not surprised,” La Plata County Manager **Joe Kerby** said of the notification.

La Plata County was among the 12 affected governments listed as Gold King reimbursement recipients, according to EPA documents. The state of New Mexico was expected to receive the most at \$1,072,585, but this money will be split among 14 different local governments and state agencies. Allocations to the states of Utah and Colorado are still pending. But the other governments have been directed to the appeals process if they disagree with the reimbursement decision, EPA letters said. It is unknown how long an appeal might take, said Andrew Mutter a spokesman for EPA. “We don’t have a specified time line, but we will work as fast as we can to resolve any appeals,” he said.

Kerby believes at least another \$29,000 in reimbursements mostly to cover La Plata County staff time is warranted. This would cover time the staff spent in meetings after Oct. 31, the date the agency closed its incident command in Durango. The county has asked the EPA multiple times to consider reimbursements for expenses that occurred after this date, he said. “The EPA has reimbursed us for a substantial amount, I believe they should reimburse us 100 percent,” he said. Pending legislation would allow Gold King expenses after Oct. 31 to be reimbursed, according to a statement from Sen. Michael Bennet’s office.

Bennet also expressed disappointment in the EPA in a written statement. “Although we’re relieved the EPA has finally ended its long drawn-out reimbursement process, it’s disappointing that the agency has not reimbursed the communities for more of their costs,” Bennet said in a statement. “We will continue to fight for our measure to enable further reimbursements and establish a long-term water monitoring program.” La Plata County’s total request included about \$2.5 million for future costs, which were denied as well. Part of the problem may be communication. “We didn’t have a clear direction from the EPA as to what they would and would not reimburse,” **Kerby** said.

The city of Durango requested \$444,032 for costs it incurred during the toxic waste spill and about \$5.2 million for future costs through 2030, according to an EPA letter. The EPA approved \$55,403 in reimbursement related to the spill, and the city has already received these funds, said Sherri Dugdale, assistant to the city manager. The city staff members have not reviewed the

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Joseph M. Kerby

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EPA's decision enough to say whether they might consider an appeal, she said. The city was asked to anticipate future costs and include those in its request, but the city had not included these funds in the city budget, she said. The EPA will also fund a cooperative agreement with the Colorado Department of Public Health and Environment that will cover the city's request for \$101,465 for improvements to the Santa Rita pump station monitoring system, the letter said.

The city pumps water from the Animas River at the station. The costs that the EPA decided not to reimburse the city for include lost revenue from the sale of water, travel costs and working lunches. Food is not a reimbursable cost under the Comprehensive Environmental Response and Liability Act, which is governing the reimbursements, Mutter said. San Juan County and Silverton received \$349,565 of the \$8.4 million the two governments requested. The county and the town would consider an appeal together, if one is warranted, Town Manager Bill Gardner said. He could not say, yet, if that is the case. "They are extremely helpful, and I think it is fair we are reimbursed," he said, of reimbursements. The EPA's regional representatives have done their best to get the town and city reimbursed, he said.

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The Durango Herald
July 15, 2016

**La Plata County proposes re-write of land-use code
Incremental updates create disjointed policy**

Author: Carole McWilliams

La Plata County may start, once again, on a total re-write of its land-use code, aiming for better results than the failed efforts in 2004 to 2007. County Manager **Joe Kerby** made the proposal to the county commissioners at a work session Tuesday afternoon. No action was taken. Planners have made 27 updates to the code since 2012, and they want to finish two more this fall, he said, but the process of “base hit” changes is too slow for what needs to be done. “Incremental updates has been the strategy for the last four years. A real priority has been fixing those areas that we perceive to be the most broken,” **Kerby** said. But incremental changes make for a disjointed code and can create other issues. Staff is recommending much faster and more dramatic changes, he said. Planning staffer Jason Meininger said it has been almost three decades since major changes to the code. “The code is really outdated, and we need to spend time, effort and resources on this,” **Kerby** said. The Class 2 land-use permit process was changed to streamline it, but the standards were not, so it’s not a timely or effective path to get a land-use permit, he said. Planning Director Damian Peduto said, “We’ve potentially cut the (permit process) time in half,” but if an applicant can’t afford the up-front costs, “the streamlined process doesn’t help.”

County Commissioner Gwen Lachelt said, “That’s one of the greatest complaints we get, the up-front cost.” Commissioner Julie Westendorff agreed: “We don’t have what we want – a code to allow projects to move forward economically. The economics are hard enough with the cost of land.” The goal is to develop and implement a new code in 18 months, **Kerby** said. Ongoing work to update the 2001 comprehensive plan will wrap up in 2017, “and staff can ramp up to work on the code,” he said. Meininger will lead the project. Efforts to update the code go back years. A re-write started in 2004, and a 400-plus page code was adopted in summer 2007, but it never went into effect. In February 2009, county commissioners revoked it after studies showed it could promote unwanted rural sprawl instead of discouraging it. Shortly after that, the commissioners moved to update the comprehensive plan so it would, in turn, guide the creation of a new land-use code. But the comprehensive plan was scrapped in November 2011 because of controversy. **Kerby** suggested using a consultant to help get the new code done without overloading planning staff members. He wants to issue a request for proposals, with responses due by the end of August, and have a consultant start Oct. 1. A primary goal will be to reduce the time, effort and money it takes applicants to get through the permit process and to develop a more equitable way of allocating infrastructure costs. “One of the common complaints is our process and regulations aren’t clear or predictable,” he said. “We hear all the time that developers need consistency, clarity, predictability. We need a code that provides for infrastructure development. We have hodgepodge development.” Staff needs a code with more flexibility to work with developers, he said. **Kerby** estimates the project would cost “in the six figures.” Lachelt and Commissioner Brad Blake agreed the county should move forward, while Westendorff was not ready to sign on.

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Joseph M. Kerby

(Articles are in reverse chronological order)

The Durango Herald
May 16, 2016

**EPA gives La Plata County a check for another \$63,000
To pay for ‘direct expenses’**

Author: Ann Butler

In the ongoing quest that is pursuing reimbursement from the Environmental Protection Agency for Gold King Mine spill expenses, another \$63,406 is coming to La Plata County. The funds are allocated to “direct expenses” related to the spill. “The good news is that we have \$63,000 more than we had yesterday,” County Commissioner Julie Westendorff said. “The bad news is we don’t know exactly what it covers.” The money comes just weeks after an EPA official informed local governmental agencies that reimbursement in full isn’t feasible, leaving the county unpaid for almost \$259,000 spent on personnel, travel, water monitoring and other expenses. “I was under the impression there would be no money to spend on needs going forward,” Westendorff said, “and anything we get is reimbursement.”

County Manager **Joe Kerby** said the money was the second award from the cooperation agreement the county signed with the EPA. “I was notified by email this morning (Monday) that they are continuing to review our other expenses,” he said. “I spoke with Shaun McGrath (EPA Region 8 administrator), and he was cautiously optimistic they’ll be willing to pay some expenses after Oct. 31, which is the line they originally drew in the sand.” There was no word on whether the city of Durango or San Juan County and Silverton received any additional funds in this disbursement. Sens. Michael Bennet, D-Colo., and Cory Gardner, R-Colo., both released statements Monday night mentioning only the La Plata County allocation. “They’re evaluating this in phases,” **Kerby** said. “Shaun said he should know more by the end of the week, but EPA timelines aren’t always accurate, so I hope we’ll know in the next few weeks.”

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Joseph M. Kerby

(Articles are in reverse chronological order)

The Durango Herald
November 10, 2015

**Local officials to tour Superfund sites around Colorado
Visits aim to better understand federal cleanup designation**

Author: Jonathan Romeo

A large constituency of local officials will tour several Superfund sites around Colorado this week to better understand the federal hazardous cleanup designation process. Officials from La Plata County, the San Juan Basin Health Department, San Juan County, Silverton, Southern Ute Indian Tribe, the Colorado Department of Public Health and Environment and the Environmental Protection Agency will begin their outing Wednesday at the Nelson Tunnel Superfund site in Creede. From there, the group will visit the California Gulch Superfund site in Leadville and the Eagle Mine site in Gilman-Minturn on Thursday, and end its tour Friday, visiting the Clear Creek-Central City Superfund site in Idaho Springs. “We’ve heard conceptually how it works. Now, lets see how it works on the ground,” said La Plata County Manager **Joe Kerby**.

All along the way, local officials will be able to meet with leaders in respective towns to discuss their area’s experience with the EPA’s hazardous cleanup designation and how it’s affected their towns. “I don’t know if it worked well in other communities or hasn’t worked well, but I’m interested in going to find out for myself,” **Kerby** said. “I’m interested not only to visit the sites, but to hear from local officials who have been on that journey much longer than the rest of us.” San Juan County Commissioner Pete McKay, a member of the tour, said the visit is a strong showing of unity between the invested stakeholders concerned with improving water quality in the Upper Animas River Basin. “It’s a real good example how this has brought our towns and counties together for mutual cooperation,” McKay said. “We need to focus on absolute need to move forward with mitigation. I think this is an example where there’s an absolute need for municipalities to work closely together.”

Conversations concerning whether to place a Superfund designation on the mining district north of Silverton have continued for some time, the debate found new life after the Aug. 5 Gold King Mine blowout, which sent orange mine wastewater down the Animas River, through three states. Local, state and federal officials have maintained options will be weighed throughout the winter, shooting for a possible long-term solution plan to be drafted by summer 2016. “The reason I’m going is to broaden my knowledge, hopefully, to help formulate policies down the road, if, and when, that time is appropriate,” **Kerby** said. “And most other agencies are approaching (with) the same angle.”

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Joseph M. Kerby

(Articles are in reverse chronological order)

The Durango Herald
October 14, 2015

**County’s \$73M budget proposal goes before public
Few turn out to question the numbers**

Author: Jessica Pace

Few residents turned out Wednesday evening to question the La Plata County 2016 budget proposal, which is projected at \$73 million and contains significantly increased contingency and capital-improvement funds. A \$22 million capital fund for projects reflects nearly a 70 percent increase from the 2015 budget, an increase attributable to several large projects on the horizon. About \$5 million is designated for roads and bridges, which includes \$350,000 for an overlay and turn lane on County Road 210 to access Lake Nighthorse, and \$2.1 million in improvements to County Road 517, just north of Ignacio.

A contingency fund, not intended for spending, is projected at \$8.7 million. The Gold King Mine spill in August, which cost the county more than \$100,000, in part prompted the staggering 346 percent increase from this year’s \$1.9 million backup fund. Staff said this “philosophical shift” in contingency budgeting will better prepare the county for the unexpected. “We were conservatively budgeting for contingencies in the past,” County Manager **Joe Kerby** said. “One of our philosophical shifts is to have more available for that. We’re positioning that same philosophy in the capital-improvement fund.”

La Plata County is expecting at least a \$200,000 reimbursement from the Environmental Protection Agency, which caused the Gold King spill. If and when those funds come through, the county can increase its spending authority by the amount reimbursed. Countywide revenues, which include money from grants, are projected at \$77 million, with expenditures of \$99.2 million. Most expenditures are directed toward public safety and general government, which includes administration and public works.

Because of the way property values are assessed, revenues are based on property values from two years before the budget year. Therefore, the 2016 budget reflects the high natural gas revenues of 2014. At a projected \$19 million, property taxes are the largest revenue source for next year and reflect a 10.5 percent increase from \$17.2 million in 2015. Unfortunately, this will be short-lived as long as natural gas is on the decline, Finance Director Diane Sorensen said. County officials noted the budget numbers include grants from outside revenue sources.

The working draft does not factor in the anticipated \$5.3 million that would come from the proposed property tax increase that will appear on the ballot in next month’s election. About a dozen attended the hearing, including Teresa Malone, executive director at the Durango Adult Education Center. Malone applauded the county for budgeting \$20,000 for a GED program at the county jail. “We received little compensation, but we got outstanding results,” Malone said. “Incarceration is much more expensive than education.” Malone volunteered her agency to provide those services to the correctional facility.

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Joseph M. Kerby

(Articles are in reverse chronological order)

County resident Charles MacKown saw flaws in the Durango-La Plata County Airport budget, saying funds designated for community-outreach activities could be more practically spent on improved baggage handling, for instance. “Is that the best way to handle our tax dollars?” he asked. County staff members will be meeting with department heads in coming weeks to hammer out the intricacies of their respective budgets.

Internet – Newspaper Archives Searches**Joseph M. Kerby***(Articles are in reverse chronological order)*

The Durango Herald
June 1, 2015

County poll: Safety needs spur support for tax hikes

Author: Mary Shinn

Safety could be the most compelling argument for a countywide property-tax increase to fund roads and bridges. But the campaign for a tax could be derailed if the infrastructure goals for the new revenue aren't clear, according to recent poll results. In May, pollsters found a majority of residents generally support a property-tax increase to support county roads and bridges, Keating Research Inc. found. But the lengthy questionnaire also explored what likely voters value and what could convince them not to support a tax. The respondents to the random survey largely were white, well-educated homeowners. They also were equally spread across political parties and geography.

The survey asked respondents to rate how convincing they found reasons to both support and oppose a property-tax increase. "I think safety is front and center without a doubt," County Manager **Joe Kerby** said. The first four most popular reasons to vote for the tax increase involved road and bridge safety or maintenance in some way. The county would like to pave 27 miles of gravel roads that are used by at least 400 vehicles daily. Likely voters also favored a potential property-taxes increase of 2.65 mills that would raise \$5.4 million for road and bridge projects annually. The county also floated a larger increase of 4.75 mills that would raise \$8 million for county facilities in addition to road projects. But it wasn't as popular.

The top reasons to oppose the tax increase were more varied than those to support it. Reasons for oppositions include concerns about not having defined projects slated for funding and general concerns about how a larger tax could affect the economy. The desire for greater clarity for a project, did not surprise **Kerby**, who said it is for common voters to want specifics in ballot questions. Arguments against the tax were just as strongly worded as reasons to vote for it. For example, pollsters raised this popular logic: Instead of raising taxes, La Plata County can find more ways to tighten its belt on government spending and find a way to balance the budget.

"This was not designed as a campaign poll. ... This is really designed to illuminate the aspects of (the tax) people find attractive (and) areas where we need to do more work," said county consultant Roger Sherman, chief operating officer at CRL and Associates, which helped with the poll. Pollsters also raised the issue of increasing property-tax assessments that already have led to higher taxes for some owners. However, respondents, in large part, favored arguments for raising taxes more convincing than arguments against the increases. "There appears to be a recognition the oil and gas has fallen off in La Plata County," **Kerby** said. After the positive reaction to a tax increase was announced last week, the county started organizing a stakeholders group to help refine the ballot question using the poll and previous research by the Long Term Finance Committee.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

[CB&A Note: Only the information relevant to **Joseph Kerby** is listed below]

The Durango Herald

March 14, 2015

Testing transparency

In the spirit of Sunshine Week, The Durango Herald requests emails from local officials

Author: Herald Staff Report

As part of the annual Sunshine Week, The Durango Herald requested emails from nine local government officials in an effort to highlight the importance of transparency. Sunshine Week, a national initiative that runs from March 15 to 21, aims to “promote a dialogue about the importance of open government and freedom of information,” according to organizers, including the American Society of News Editors and the Reporters Committee for Freedom of the Press. The issue is timely, as Hillary Rodham Clinton has found herself answering questions related to her tenure as secretary of state, during which time she used a private email account to conduct business, and has – so far – refused to release all records.

For the most part, the nine local officials who were asked to provide emails sent and received on Feb. 23 and 24 were accommodating, providing the emails with little hassle at no cost or minimal cost. The Herald chose those days, because Feb. 23 was the day a winter storm caused havoc, closing schools, disrupting transportation and putting a strain on government resources. But the city of Durango placed a hefty price tag on the administrative and copying costs associated with compiling the two days’ worth of emails. The city wanted \$156.57 to supply emails from City Manager Ron LeBlanc and \$102.83 for emails from Durango-La Plata County Airport Director Kip Turner.

Research and retrieval fees have been standardized and lowered because of state legislation passed in 2014. Lawmakers capped administrative costs at \$30 per hour. Agencies also are prohibited from charging fees for at least the first hour of time spent. But costs can still add up. The Colorado Open Records Act requires that most public records be available to the public. Written requests must be made to the government office that actually holds the record itself. Agencies have up to three working days to comply with the request. If extenuating circumstances exist, then they have up to seven working days to fill the request.

Exemptions exist for such things as personal information, attorney-client privilege, criminal-justice records or documents prepared for a criminal investigation, work product prepared for an elected official, and trade secrets and proprietary information. Jeff Roberts, executive director of the Colorado Freedom of Information Coalition, said it is critical to participate in events like Sunshine Week because it is important to remind public officials that government should be transparent. “Access to information about the activities of government is vital to our American democracy,” Roberts said. “Democracy doesn’t work unless people know what their governments are doing, and these laws are on the books so that people can get the information if it’s not right there in front of them.”

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Here are brief summaries of the public emails provided to the Herald:

Joe Kerby

La Plata County Manager

Kerby was quick and accommodating with his response to the open-records request, stating, “I fully understand and support the spirit of Sunshine Week.” La Plata County Attorney Sheryl Rogers explained in a letter dated March 6 that the county denied access to four emails because they fell under attorney-client privilege, which is a legitimate reason to deny emails under Colorado Open Records Act. Many of the emails to and from **Kerby** concerned scheduling matters.

But he did have to respond to one emergency caused by the snowstorm, when a delivery truck slid into a fiber-optic box in an alley behind the OMPO Building. The truck stopped just short of hitting the main power supply, which would have been catastrophic. **Kerby** congratulated staff for quickly dealing with the accident but said a more permanent solution is needed to avoid future accidents. **Kerby** also raised issues concerning upcoming mill-levy questions. Many of the other issues had to do with logistics from the snowstorm, including power-outage information, which didn’t appear to be severe. There were also a couple emails regarding pending legislation at the Colorado Legislature.

Internet – Newspaper Archives Searches**Joseph M. Kerby***(Articles are in reverse chronological order)*

The Durango Herald
October 23, 2014

**County coffers healing
Tax hike studied for roads, bridges**

Author: Mary Shinn

The La Plata County's budget is looking healthier after struggling with declining revenue since 2010. Total budget spending is expected to expand from \$63.7 million to \$76.9 million in 2015, an increase of about 21 percent. About \$19 million in proposed capital improvements drove the increase. The proposed overall operating funds are expected to stay more stable, increasing from an estimated \$54 million in 2014 to a proposed \$58 million for 2015. "Things are looking up," County Manager **Joe Kerby** said. Property and sales taxes are starting to rebound, bringing a significant boost in revenue. Rising prices for natural gas are projected to drive an 8.7 percent increase in property-tax revenue up to \$17 million from \$15.8 million. Tax revenue in the county in 2014 hit the lowest level on record since 2005. "I think 2014 is our rock-bottom year," **Kerby** said.

Sales-tax revenue is also expected to increase by about 5.5 percent, up to \$15.3 million from \$14.5 million. This year, the county is investing heavily in new infrastructure and continuing to remodel facilities. The remodel of the new county administration building at 1101 East Second Ave. is expected to require \$1.6 million in 2015 to finish. But the county is expected to receive grant funds to cover the 2015 expenses. Remodeling the courthouse at 1060 East Second Ave. for the federal and state courts is estimated to cost \$2.9 million. However estimates could be revised because designs are not complete. County administration is also planning to apply for a grant in April to help defray this cost, **Kerby** said.

Several major road projects are also planned. The county plans to contribute \$1.3 million to fund the construction of Wilson Gulch Road. This quarter-mile stretch of road will connect the U.S. Highway 160 interchange at the bottom of Grandview Hill to Mercy Regional Medical Center. The county also plans to provide \$180,000 for the improvement of Colorado highways 172 and 151 in Ignacio. For safety reasons, officials are also recommending a realignment of County Roads 223 and 225, north of Elmore's Corner, which is estimated to cost \$315,000. The budget proposal also sets aside \$871,000 for technology upgrades. As part of this investment, the county might buy cameras to internally monitor certain county road conditions during the winter. However, the county budget is still facing a structural imbalance and will be allocating \$675,000 in 2015 from sales-tax revenue to help meet the needs in its road and bridge fund. This is down from \$800,000 that was needed in the 2014. The Long-Term Finance Committee is currently examining options for the county to better fund its road and bridge needs, **Kerby** said. This could include a property tax increase that would have to go to a vote. In recent years, the county has been relying heavily on grants to fund road and bridge needs. "We don't believe just an improved economy is going to take care of our revenue shortfalls," he said. The county commissioners will hear public comment on the budget at 6:30 p.m. Nov. 12 at the La Plata County Courthouse.

Internet – Newspaper Archives Searches
Joseph M. Kerby
(Articles are in reverse chronological order)

August 22, 2014

**CITY OF NEODESHA v. BP CORPORATION NORTH AMERICA INCORPORATED
BP**

Court of Appeals of Kansas.

CITY OF NEODESHA, Kansas, Individually and as Representative of Those Persons and Entities Similarly Situated, Appellants, v. BP CORPORATION NORTH AMERICA, INCORPORATED, f/k/a BP Amoco Corporation, et al., Appellees.

No. 109,111.

Decided: August 22, 2014

Before HILL, P.J., ATCHESON and BRUNS, JJ. David W. Edgar, of Edgar Law Firm LLC, of Denver, Colorado, John M. Edgar, John F. Edgar, and Matthew J. Limoli, of Kansas City, Missouri, and James P. Frickleton, of Bartimus, Frickleton, Robertson & Gorny, P.C., of Leawood, for appellants. Richard C. Hite, Arthur S. Chalmers, and F. James Robinson, Jr., of Hite, Fanning & Honeyman, L.L.P., of Wichita, and Richard C. Godfrey, Andrew B. Bloomer, Catherine L. Fitzpatrick, Michael Chu, and Megan M. New, of Kirkland & Ellis, LLP, of Chicago, Illinois, for appellees.

[CB&A Note: The remainder of the case can be read here:

<https://caselaw.findlaw.com/ks-court-of-appeals/1676317.html>]

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

The Durango Herald
July 24, 2014

**County’s budget on rough path
Property-tax revenue down by half since ’10**

Author: Carole McWilliams

La Plata County’s finances are on an unsustainable path, County Manager **Joe Kerby** and Finance Director Diane Sorensen told a small group of community members Wednesday evening at the La Plata County Courthouse. The preliminary 2015 budget anticipates \$71.06 million in total expenditures and only \$60.87 million in revenue with the shortfall covered by dipping into reserve funds. The county’s three main budget categories are general government, road and bridge, and human services. Each gets property-tax revenue, with the overall tax levy at 8.5 mills. The focus was on the first two categories.

General government revenue has fallen 30 percent since 2009, Sorensen said, and road-and-bridge revenue has fallen 45 percent. “Road-and-bridge spending has only decreased 9 percent,” she said. Most road-and-bridge spending goes for road maintenance, so it’s hard to decrease spending without cutting maintenance, Sorensen said. Road-and-bridge operations have been drawing down the budget fund balance, with revenues at only 80 percent of spending, she said. Along with property-tax revenue, road and bridge gets revenue from sales taxes and state gasoline taxes. The road and bridge fund balance was \$7.37 million at the start of 2013. It was down to \$4.67 million at the end of 2013 – below budgeted spending commitments.

Total county revenue decreased by \$850,000 last year, Sorensen said. Property taxes accounted for 39.5 percent of total revenue, while sales taxes accounted for 26.5 percent. Declining revenue from property taxes largely comes from decreased natural-gas production in the county. For 2014, property-tax revenue will be down to about 25 percent of total revenue, with sales tax at 24 percent. The highest revenue source this year (29 percent) is intergovernmental such as state and federal transfers. Sorensen called that scary, citing limits placed on federal spending.

Unlike road and bridge, the fund balance for the general fund increased during 2013 from \$53.97 million up to \$57.7 million. But Sorensen noted the county is facing undetermined costs from the State Line Fire in 2012, and for remediation of ground pollution dating to the 1980s at the county jail. The 2014 budget has about \$71 million of spending and \$60.8 million in revenues. For 2014, fund balances are expected to go down in all three of the main budget categories, Sorensen said. Property-tax revenue is projected to fall to collections levels last seen in 2005, after hitting its high point of \$29.7 million in 2010. This year it is around \$15 million.

Sorensen and **Kerby** showed a graph of sales-tax and property-tax revenues since 2002. In 2002 they totaled just under \$25 million. This year they total \$30 million, down from more than \$40 million in 2010. **Kerby** said he keeps a copy of the chart on his office door as “a constant reminder of challenges we face.” This whole discussion was part of the start of the county’s budget process for 2015. “Not everything is doom and gloom,” **Kerby** said, “We’re beginning to

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

see some real positive signs in terms of the economy.” The county assessor is predicting property-tax revenue will increase by about \$1.4 million next year, but at that rate, it will take a long time to recover the \$15 million decrease that happened over four years, **Kerby** said.

The big drop was attributed in large part to falling assessed valuations for natural-gas production and prices, and next year’s projected increase also is tied to fortunes of natural gas. “We feel we are at the bottom of that valley” for assessed valuations, he said. Sales-tax revenue has been growing since 2012, but not enough to make up for the drop in property taxes. “This year, we had to allocate an additional \$800,000 of sales tax from the general fund to road and bridge to keep it on life support,” **Kerby** said. “We anticipate having to do that again in 2015.”

The joint Durango and county sales-tax fund balance also is on track to be down to zero by around 2018, he advised. The joint sales tax funds the Durango Public Library and the La Plata County Senior Center. Financial sustainability is one of the priorities during the 2015 budget process. “Over the last six months, we’ve developed a capital-improvements plan for facilities and road and bridge” for the next 10 years, **Kerby** said. He wants to hand that off to the county’s long range finance committee to make recommendations to the county commissioners

Internet – Newspaper Archives Searches
Joseph M. Kerby
(Articles are in reverse chronological order)

Durango Herald, The (CO)
March 14, 2014

Let the sun shine: How open is government in Southwest Colorado?
Author: Herald Staff Report

Joe Kerby, county manager

The requester went to La Plata County Courthouse and told the woman at the information desk she wanted a copy of County Manager **Joe Kerby's** contract. The woman behind the information desk directed the requester to Sarah Ferguson, the county's administrative assistant. At no point did the requester offer her name, nor was she asked it by county staff.

Ferguson said the request was no problem, though she didn't know whether such a contract existed. She called a colleague to ask, saying, "The Herald is here, and they want a copy of the county manager's contract." The colleague said it did exist, and Ferguson told the reporter/requester that she could fill out an open records request on the spot and handed her the document. When, five days later, the reporter did fill out the open records request, the county sent the contract within four hours.

Kerby makes \$147,219 per year.

Internet – Newspaper Archives Searches***Joseph M. Kerby****(Articles are in reverse chronological order)*

The Durango Herald
February 23, 2013

Business leaders hear from public sector**Budget cuts, natural-gas values, changing health care will weigh on S.W. Colorado's future**

Author: Emery Cowan

New testing, lower state funding, more primary-care doctors and declining natural-gas revenues are a few of the most pressing issues facing the county's largest governmental and nonprofit institutions, leaders of those entities told local businesspeople Wednesday. The business community got an earful about what's happening at some of Durango's biggest institutions during a forum about the state of the community hosted by the Durango Chamber of Commerce. The panelists were Durango Mayor Doug Lyon, La Plata County Manager **Joe Kerby**, Mercy Regional Medical Center CEO Tom Gessel, Fort Lewis College Provost Barbara Morris and Durango School District 9-R Superintendent Dan Snowberger.

Though the Chamber of Commerce primarily focuses on the private sector, businesses recognize the importance of staying informed about the other sectors of the community, said Jack Llewellyn, the chamber's executive director. "They are major employers in our community," Llewellyn said. Representatives from Fort Lewis College and La Plata County talked about impending revenue declines in the coming years, which will affect things such as tuition-rate decisions, fundraising efforts and budget cuts. A recent University of Denver study predicted that by 2024, the state of Colorado will generate only enough revenue to support K-12 education, Medicaid and the corrections system. There will be no tax revenue for public colleges and universities and other core services of state government, Morris said.

With that news in mind, Fort Lewis College is looking at various ways to survive without funding from the state, funding that currently makes up almost half of the college's revenue. The college is considering tuition increases, more fundraising and endowments, public and private partnerships and grants and contracts to diversify its revenue stream, Morris said. If the college raises tuition, it also has to find ways to make its degrees more valuable, Morris said. As one possibility, the college is looking at the feasibility of graduate programs in professional fields such as teacher education, business, public health and athletic training. Meanwhile, declining natural-gas prices and property values are the source of La Plata County's revenue woes, **Kerby** said. Next year, the county is expecting a \$3.8 million revenue decrease stemming from falling gas prices and property values.

On a brighter note, access to primary health care should get easier with Mercy Regional Medical Center's new commitment to recruit four to six primary-care doctors at a cost of about \$1 million, Gessel said. The primary-care doctors should help absorb the increased demand expected when the Colorado Health Benefit Exchange goes into effect this fall. The medical center also is trying out a program with its employees to incentivize preventive care and overall wellness. Beginning last month, Mercy began offering employees discounts on their insurance premiums in exchange for completing health assessments and screenings. The idea is to

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

encourage the type of preventive care that will keep employees healthier and eventually reduce health-insurance costs to employers, Gessel said. If the program is successful, Mercy plans to help implement a similar program at other businesses by helping with health screenings or wellness coaches, he said.

In the world of primary and secondary education, teachers are preparing to transition to a new set of standardized tests in 2014. The tests will be based on Colorado's new state standards and will have a greater focus on the application of knowledge rather than memorizing facts, which will help prepare students for a world of unknowns, Snowberger said. "We have a daunting task ahead of us which is that we're preparing kids for a very different world than what we have grown up in," Snowberger said. "Our ninth-graders will take jobs that don't exist yet when they graduate high school or college."

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Durango Herald
June 20, 2012

County welcomes new top manager

Author: Emery Cowan

La Plata County's new county manager is coming into the job with goals to listen, build collaboration and look for ways that government can say "yes". "I'm not a fan of turf wars," said **Joe Kerby**, who started his new position at the county Monday. "People should at least be at the table discussing issues rather than just saying they don't agree." Before joining the county's staff, **Kerby** was the city manager in Delta, a post he took in May 2010. He oversaw 100 to 160 employees and managed a \$26 million budget, according to his application. Before **Kerby** moved in, the county manager's office had sat vacant for almost a year. Former county manager Shawn Nau abruptly resigned last summer.

Kerby's \$145,000 salary is \$40,000 more than he was making in Delta and nearly \$10,000 more than Nau's final salary. But the county is not providing the same health insurance and housing benefits **Kerby** was provided in Delta. **Kerby** has spent more than 30 years in city and county government. He worked for the city of Colorado Springs for almost 20 years and spent four years working in two towns in southeastern Kansas. The Western Slope was his ultimate goal, said **Kerby**, an active cyclist and mountain biker with two daughters. He became the county manager for Montrose County in 2006, and after a brief stint as deputy county manager in Douglas County, came back to Delta.

La Plata County shares similar issues with other communities on the Western Slope, such as balancing the differences between urbanized and rural areas, **Kerby** said. There's also the task of attracting people to the area without losing the rural lifestyle, he said. In Montrose and Delta, **Kerby** said, he worked with public lands offices, helped update a county comprehensive plan and supported Montrose's busy rural airport, all of which will be on his plate in La Plata County. Hiring the county's next planning director will be another one of his tasks. Erick Aune, the previous planning director, resigned last year, one day after the county's volunteer planning board dumped a proposed comprehensive land-use plan.

Kerby said he'll be looking for a planning director with experience working with urban and rural areas and navigating the boundaries between the two. Those who worked with **Kerby** said he is a forward-thinking leader who quietly got projects accomplished by building consensus. "He engaged all the commissioners in decision making," Montrose County Commissioner Gary Ellis said. **Kerby** focused on bringing regulations up to date and helping the county address the impacts of energy development on county roads and air quality, Ellis said. "**Joe** was aware of all those issues and made sure we were staying ahead of them," he said.

Internet – Newspaper Archives Searches
Joseph M. Kerby
(Articles are in reverse chronological order)

Montrose Press
March 4, 2010

Kerby named Delta city manager
Author: Katharhynn Heidelberg

He couldn't stay away. **Joe Kerby**, former Montrose County manager, is heading back to the area, this time as Delta's city manager.

The Delta City Council voted unanimously Tuesday night to offer **Kerby** the job, choosing him over five other finalists. The city still is negotiating contract particulars but anticipates a mid-April start date, said Mayor Mary Cooper.

Internet – Newspaper Archives Searches
Joseph M. Kerby
(Articles are in reverse chronological order)

Montrose Daily Press
July 17, 2009

County manager, PR director resign

Author: Katharhynn Heidelberg

County Commissioner David White said the double-whammy of two key resignations Thursday took him and the rest of the board by surprise. But, he said, he wishes Montrose County Manager **Joe Kerby** and public relations director Ana Mostaccero well in their new endeavors. **Kerby**, who departs Sept. 4, has accepted the assistant county manager slot at Douglas County, which comes with about a \$30,000 pay bump. Mostaccero leaves at the end of the month to begin work as the public information officer for Boulder County's Department of Housing and Human Services. "I have some personal challenges as it relates to my family," **Kerby**, who became Montrose County manager in 2006, said.

Originally from the Front Range, **Kerby** said his family moved back to Colorado to be closer to his mother. Her illness has progressed to the point that he can't keep driving from Montrose to her home on the weekends. Additionally, **Kerby's** daughter just started college on the Front Range. "It seemed like a good, practical plan for me to get closer and this new position is a significant financial increase," **Kerby** said. "But I definitely have mixed emotions. I love Montrose. I do, I do, I do."

Mostaccero, who joined the county in 2007, said the opportunity Boulder County afforded for her professional advancement was too great to turn down, but, like **Kerby**, she had a tough time making the decision. "I love Montrose and the community. It's very bittersweet because I will miss the wonderful people from the community and Montrose County," she said. "It's a great professional development opportunity, because Boulder is substantially bigger." **Kerby** cited several accomplishments during his tenure, although he handed off the credit to others. He highlighted the passage of two sales tax initiatives, one for the road and bridge department and the other for public safety, were key achievements, thanks to the efforts of the Montrose County Citizens for Funding Our Future committee.

Kerby said the tax measures helped Montrose County create a more financially stable future. On the flip side, he was most disappointed that a dispute with JetAway Aviation over access at the Montrose Regional Airport has not been resolved, but instead continues to drag through the courts at a significant cost to the county. "I certainly don't like that. I think we have a great airport and would like the situation to be resolved," **Kerby** said. White said the commissioners had no inkling **Kerby** was looking for another job, but understood his reasons for leaving. He also said that, contrary to rumors, **Kerby** had not been asked to leave, or forced out.

For the full story, see today's print edition. The online story may not reflect all relevant information that was reported. We encourage readers to obtain the full story by reading the print edition or our e-edition, To subscribe, call (970) 252-7081 or click on the subscription link on the main page.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Montrose Daily Press, The (CO)

January 30, 2009

Tax-collection provision gutted from bill

Author: Unknown

Amendments Thursday gutted a Montrose-backed bill that would have established counties' rights to collect their own sales taxes. But, say supporters, though this primary provision of House Bill 1130 is gone, the legislation leaves intact a springboard for better dialogue with the Colorado Department of Revenue. "The bill was watered down," Montrose County Manager **Joe Kerby** said, a few hours after he testified on behalf of the bill before the state House's Local Government Committee. The committee, which includes Rep. Scott Tipton, R-Cortez, voted to forward an amended bill to the House Appropriations Committee. Tipton said he supports allowing counties to self-collect.

Montrose, Douglas and El Paso counties were among those pushing for a change in statutes that allow home-rule municipalities, but not counties, to collect their own sales taxes. "That was the really controversial piece, the out-and-out, direct collection by counties," said the bill's sponsor, Rep. Bob Gardner, R-Colorado Springs. (Gardner's district includes El Paso County).

The Department of Revenue was strongly opposed to the self-collection provision and, said Gardner, the Colorado Municipal League was also concerned. The bill was amended to save it. It now clarifies and encourages the option for the DOR, counties and municipalities to enter into intergovernmental agreements for use of county sales tax personnel, staff to assist in compliance and education - anything to improve the system for collecting sales tax, Gardner said.

"I believe the bill authorizes counties to enter into an IGA with the Department of Revenue to do everything but actually collect the tax," he said. "I would be jumping up and down if it did provide the ability right now," **Kerby** said. "If you're a home-ruled city in this state, you can collect your own (sales tax), but I don't think it's fair counties are statutorily prohibited from collecting sales tax. We will continue to beat that drum over the coming years."

Sales tax is remitted through the Department of Revenue, which only occurs quarterly. If Montrose County self-collects, the turnaround for receiving the tax revenue dedicated to road and bridge, and public safety, would be shorter. It might also lead to greater revenue collection. Early on, county vendors reported mass confusion about the sales tax collection and, the county complained, DOR was slow in responding to better educate the community.

"As a result, something the citizens of Montrose County voted on and agreed to happen was slow to happen, and I believe there was a revenue loss, in difficult times," Gardner said. "My hope is (HB 1130) will at least help counties that want to enter into an IGA achieve better results in their revenue collections."

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

The bill was recast before being introduced, too, in light of objections from retailers. Once it was introduced with the self-collection provision, DOR was against it. “It’s one of those bills where, whatever one did, there was a significant constituency with extremely valid objections,” Gardner said. “That, in the end, caused us to say, ‘What can we get done? Will it be a step forward?’ The step forward here is to at least get some cooperation between the Department of Revenue and the counties that want to do that.”

State Sen. Jim Isgar, D-Hesperus, will sponsor Bill 1130 once it reaches the senate. He said the legislation faced some obstacles from the outset. “There is some concern. I think we have a ways to go on this. The county has to evaluate very carefully if they want to collect sales tax,” Isgar said. “... The bill is not the only way to solve the problems, but it is a way.”

Kerby said supporters now hope the bill will serve as a wake-up call to state government, concerning the funding resources DOR needs to better collect county sales tax. “This bill, in my mind, just lays the foundation for a better working relationship,” he said. “Through discussion with all the parties involved, we felt we needed to lay a foundation and raise the visibility of the challenges we believe the DOR has.” **Kerby** stressed no one was pointing fingers at the DOR. “Today (Thursday) we made progress, just not to the degree that I would like,” he said.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Montrose Daily Press

January 24, 2009

Montrose County to scale back hiring

Author: Katharhynn Heidelberg

Montrose County is examining its employment vacancies with an eye to suspending replacements for non-critical jobs. The strategy, County Manager **Joe Kerby** said, is a hiring scale-back, not an outright freeze. “It’s not a hiring freeze. We will continue to hire, but we are going to use extra scrutiny,” **Kerby** said Friday, hours after county employees were notified of the decision. “The good thing is, for the county overall, we’re very fortunate we’re not experiencing some of the financial difficulties other counties across the state are.”

But revenues are down countywide, including revenues from sales tax and, possibly, the Highway Users Tax Fund. The county already lowered its projections when the 2009 budget was approved. This, **Kerby** said, was the first step to acting on the inevitable trickle down from the national recession. “At this point, we’re not reducing them (budget numbers) any further, other than what we’ve already done. We obviously will monitor that as our revenues begin to come in throughout the year,” he said.

The county has 34.5 employment vacancies. The combined value of salaries paid to those positions is \$1.8 million. Commissioners are working with department heads to prioritize those positions in terms of which are “mission-critical,” such as an emergency center dispatcher, and which are not. “We’re going to find out which positions we should go ahead and fill and which we should postpone,” Commissioner David White said Wednesday. “We’re not saying we’re freezing, we’re just looking at postponing. We’re trying to balance the economic realities.”

The critical vacancies will be filled, including the new position for a county animal control officer. **Kerby** said that is because of contractual requirements under an intergovernmental agreement with the city. Additionally, there are positions that are funded through grant money; these will also be filled. **Kerby** said every effort was being made not to cut services and the county understood current employees might see their workloads increase somewhat. “At this point, we’re not anticipating any service cuts,” he said.

“We are cognizant of the workload employees do. We feel employees understand there are other variables that impact our organization and that funding is one of them. We need employees to fill the gaps and I have no doubt that they will do so.” Decisions as to which positions will remain vacant are pending. “We’re just taking a very pragmatic approach to the economic situation,” White said. “We don’t want to commit ourselves to hiring and then not being able to fund these positions.”

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Montrose Daily Press

June 18, 2008

County watches purse strings as tax revenues fall short

Author: Katharhynn Heidelberg

The forecast calls for “conservative revenue,” Montrose County Manager **Joe Kerby** told department heads Monday. **Kerby** and County Finance Director Nita Emerson met with department leaders for preliminary discussions concerning the 2009 budget and said the slowing economy has affected sales tax revenues and building permits. Emerson provided budget guidelines based on a preliminary revenue estimate for the county, which continues as more financial information (now only current through May) comes in.

According to Emerson’s memo, Montrose County’s sales tax revenues are 17 percent less than what had been projected last year. “Our sales and use taxes are a little less than anticipated, but they’re still not terrible,” Emerson said Monday. She added, however, that the economic downturn nationwide was undeniable, and it means the county isn’t yet in the position to consider things such as pay raises. “We do have concerns about the economy,” **Kerby** said. “It is reality.”

Montrose County began collecting a 0.75-percent public safety sales tax and a 1-percent use tax this year, after voters approved the proposals last November. It had projected \$4.5 million in revenues from the public safety tax this year, **Kerby** said, but now anticipates slightly more than \$4 million. The county budgeted for \$296,819 in revenues from the public safety tax for January, for example, but the amount was \$251,516, for a shortfall of \$45,303. Projections for February were \$335,118; the estimated actual amount was \$296,795, leaving a difference of \$38,323. For March, estimates were \$373,418; actual revenues were \$351, 818, with a difference of \$21,600.

The sales and use tax to benefit road and bridge projects also saw shortfalls. In January, the difference was more than \$102,000 between what was anticipated and estimated receipts — \$353,567 received, vs. \$455,925 anticipated. February also saw fewer revenues than anticipated: \$369,317 estimated receipts vs. \$514,754 anticipated. In March, estimates were \$573,583; estimated receipts were \$451,264. “The next couple of months will be telltale,” **Kerby** said. “We continue to move forward, but we’re monitoring the sales tax closely.”

On Tuesday, County Commissioner Bill Patterson told the Daily Press that while no current road projects have been canceled, the completion of some have been scaled back to reduce asphalt use and the accompanying expense. He said roads slated to receive asphalt would be stabilized to the appropriate standards, but chip-sealed for now, without an asphalt overlay, which will save an estimated \$1.5 million. “Asphalt, like fuel, is very expensive,” Patterson said. County management is also slowly reducing reliance on money left over from a previous sales tax that sunset in 2006. There is still \$4.8 million left in the old fund, which the county can continue to use for the purposes approved of in the original tax. It’s been using \$1.2 million per year, but in 2009, will begin “weaning” itself, **Kerby** said Monday, because that money will dry up.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Montrose Daily Press, The (CO)

January 20, 2008

Give me liberty (or I'll sue)

We would believe that when the Montrose County commissioners decided to privatize their Fixed Based Operator services at the Montrose Regional Airport in 2005, they had little idea that their decision, while under some pressure to do so, would lead to such a legal morass. The county closed out 2007 with legal bills surpassing the \$300,000 mark, according to County **Manager Joe Kerby**. More of the same is expected in 2008.

The commissioners voted recently to hire Robert Youle and Larry Theis, two attorneys who have broad experience in antitrust litigation. JetAway Aviation filed an antitrust lawsuit in federal court last month. The increasingly expensive battle between the county and JetAway is entering its third year. The county in 2005 called for a competitive bidding process for the FBO, and the commissioners unanimously awarded the contract to Black Canyon Jet Center. JetAway has accused the county of a conspiracy to monopolize FBO operations and seeks an injunction to sell fuel; it also seeks damages and legal fees. According to legal documents filed in November 2004, JetAway agreed not to sell fuel when they moved into the old STW building adjacent the airport, but nevertheless, a flurry of litigation has ensued. To wit:• The county is also responsible for providing independent legal counsel to defend commissioner Bill Patterson, who is also named in JetAway's antitrust litigation.

- In a separate lawsuit, the county also has to provide legal representation for its clerk and recorder, Fran Tipton-Long. Western Skyways owner Al Head is suing Ms. Long over her decision that rejected signatures in the Head-led recall effort of Patterson last summer. Head's company is a tenant of JetAway.
- Commissioner Patterson is paying his own legal bills in the recall case.
- The county is negotiating the hourly rate with its antitrust specialists, who charge \$300 to \$400 an hour. As a part of defense against the litigation, the county hired Michael Hodges at his retainer fee of \$10,000 to provide expert review and testimony.

Wasn't it Patrick Henry, the famous patriot, who said: Give me liberty, or give me death. Or I'll sue.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

The Montrose Daily Press
April 20, 2007

City, county compare notes on issues

Author: Katharhynn Heidelberg

When city and county leadership sat down to compare notes, they discovered a possible means of increasing efficiency. Montrose County Commissioners Bill Patterson and Allan Belt attended an informal supper with Montrose Mayor David White and council members Noelle Hagan, Carlos Guarra and Jos/ Abeyta Wednesday evening. **Joe Kerby**, county manager, and his city counterpart, Mary Watt, brought the respective boards up to speed on major undertakings of mutual interest. **Kerby** highlighted the county's upcoming facilities master plan study, which is to be launched within the next 30 days. The facilities study will take a look at the county's south campus on Townsend Avenue, the fairgrounds, road and bridge department, Justice Center and other buildings to determine whether physical space could be more efficiently used.

The study would likely be funded by a mineral energy impact grant from the state Department of Local Affairs, if the county were successful in acquiring those funds. "The question is, where should we be?" **Kerby** said. Currently, county operations are scattered throughout town. The main administration building, elections division and road and bridge are located right next door to one another on Townsend and First Street. But other operations, such as Health and Human Services, are farther away on South Townsend in the "south campus" complex, where 30,000 square feet are not being used. **Kerby** said the facilities analysis would help determine priorities for use, including for county buildings in the West End. It would be "the first time in a long time" for such a comprehensive overview, he said.

Hagan, Belt and White said they would like to talk about consolidating city and county business in some of the buildings, as well as discuss the general pooling of resources. "In pooling our resources, you get a better deal," White said. He also said some centrality of functions would make sense. "We should jump on these opportunities," Belt said. "This buys credibility with the public," White added. "It's going to help everyone all around to build that trust." **Kerby** agreed, saying some degree of resource sharing would show the taxpayers fiscal responsibility. Both commissioners and councilors agreed to work on a list of resource-sharing opportunities to explore.

One facility-use issue Belt raised to the city was the possibility of a community corrections service building a site on ground near the Montrose County Justice Center. The justice center houses the county jail and criminal courtrooms. Montrose County owns the adjacent property and would like to allow Intervention Community Corrections Services to build a facility there. However, the land lies in the city limits and falls under municipal zoning. Strong opposition scuttled ICCS' original plan to buy the former Region 10 building on North Cascade Avenue for its community corrections facility. The business' directors have since asked the city for a specific, written acknowledgement that zoning will allow construction of a community corrections facility on the land near the justice center. Belt said he was told the city would not

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

issue an ironclad statement about the zoning, but Hagan said the municipal legal department is working on a letter that will at least cite a lawful precedence for the type of use ICCS is proposing. Additionally, the city council members present said they saw the need for a community corrections facility in Montrose.

Internet – Newspaper Archives Searches***Joseph M. Kerby****(Articles are in reverse chronological order)*

The Montrose Daily Press
February 23, 2007

Planning board complains of blackmail

Author: Katharhynn Heidelberg

Montrose County Planning Commissioners called for less hostile rhetoric between sides debating the master plan update process. But Thursday, when it came time to vote on following a directive to mail an input survey to all county residents, allegations of “blackmail” erupted. “I think it’s about time all of us stop sniping — myself included,” Planning Commissioner Bill Fritz said at the beginning of discussion concerning a questionnaire the Montrose County Commissioners had, contrary to what he and other planning members wanted, ordered sent to all county residents. “It’s nonproductive. ... Let’s respect one another a little more.”

The master plan is a guideline for growth in unincorporated areas of the county. Last year, several public meetings were held seeking input on updates. In January, though, the planning commission voted unanimously to send out an additional questionnaire because of complaints that some people who hadn’t attended the meetings were left out of the process. Last week, planning members locked horns as to whether to survey only property owners within unincorporated areas of the county or to include all county residents, which would include those residing in municipalities. They directed County Manager **Joe Kerby** to see if the city of Montrose and towns of Nucla, Naturita and Olathe would be willing to contribute to mailing costs.

But the Board of County Commissioners, which oversees the allocation of county funds, said it would not pay for a survey that did not include all county residents. “They are directing me at this point that this must be sent to all Montrose County residents,” **Kerby** told the planning commission Thursday, shortly before Fritz’s remarks. He advised members they were to have questions for the survey ready for their March 22 meeting, which the BOCC plans to attend. It was toward the end of Thursday’s discussion period when Fritz and fellow board member Bruce Ray expressed disagreement with the county commissioners’ order. A motion was on the floor to approve funds for mailing the survey; Ray, Fritz and other planners questioned why a vote would be necessary, since the BOCC already decided to allocate the funds if the mailer was sent to all residents.

“This has become a hot issue,” Planning Commissioner Nick Copeland said. “There is some real hard feelings about allowing the incorporated people in on it (survey). People think if the master plan is for the unincorporated areas, they should be the ones making the decisions. They have a point.” Planning Commissioner Robert Ray (no relation to Bruce Ray), said he would not support a motion that excluded anyone. Bruce Ray however complained of BOCC influence. “The BOCC has put influence on what we’re doing,” he said. County Attorney Bob Hill and Ana Mostaccero, newly hired communications relations director, said that wasn’t the BOCC’s intent. “All they’re trying to do is the right thing,” Mostaccero said. “The BOCC has made the decision to give everyone an opportunity.” “This is blackmail,” Fritz shot back, saying the BOCC was

Internet – Newspaper Archives Searches***Joseph M. Kerby****(Articles are in reverse chronological order)*

forcing the issue by refusing to fund the mailing of the questionnaire if it didn't include all areas of the county. Commissioners Bill Patterson and Gary Ellis told the Daily Press in phone interviews the BOCC understood the master plan was a planning commission document. "We're not trying to blackmail anyone," Ellis said. "We're not trying to corrupt the process." "The planning commission is supposed to make the planning document, that's not the question," Patterson said. But when county resources are being used to do so, the county's requirements kick in, he added. "One (requirement) is you have to give everyone a voice or at least make it as fair as possible. What they were proposing is really not fair. I think they need to read their bylaws and manual and think a little bit."

Ellis said the planning commission had approached the BOCC about the questionnaire, not the other way around. "We felt if the county was going to fund the questionnaire, in the interest of fairness, it needed to go to all residents in the county and we shouldn't be selective. We're not dictating to them (planners). What they do with the information is still their prerogative. "... If we're going to fund this, every resident should have an opportunity to have their input." During the meeting, the planning commission withdrew the motion concerning funding approval as unnecessary, since the BOCC had issued a directive. Earlier discussions centered on what questions to include on the survey — with both Rays agreeing public space was a critical consideration — and the promise from the county of a professional facilitator to make sure the questionnaire functioned as the planning board intended.

Planning Chair Dale Eckerdt told those in attendance that John Brooks, a local attorney, would be helping with the questionnaire. Mostaccero said later she was a trained facilitator who could help. Brooks said balancing the questionnaire was important. "We want a response from all parties and to make sure everyone participates," he said, adding that questionnaires must be as objective as possible and produce substantive results. "If we all work in that process, we can come up with a very workable document." Under questioning from the Uncompahgre Valley Association's Peter Crowell, Brooks divulged that he was a member of the Montrose County Citizens for Progressive Planning. An additional meeting concerning the questionnaire is slated for March 1 at 6:30 p.m.

Internet – Newspaper Archives Searches**Joseph M. Kerby***(Articles are in reverse chronological order)*

The Montrose Daily Press

February 6, 2007

Montrose County snags \$37K grant

Author: Katharhynn Heidelberg

It may be some time before growth in Montrose truly pays its own way, but the county is one step closer to determining what it will take, thanks to a Smart Growth grant from the state. Montrose County successfully competed for \$37,500 from the Colorado Heritage Planning Grant Program, administered by the Office of Smart Growth within the state's Department of Local Affairs. It was one of 22 governmental entities to receive a portion of \$330,000 in available funds. The money will be used to fund an impact fee study, which will look at fees for roads, infrastructure, law enforcement, capital facilities and other services, according to the award letter. An impact fee is charged to developers by a governmental entity in order to help pay for the necessary capital improvements required by the development in question. "This is an area we need to address," Commissioner Bill Patterson said Monday. "We need to have this conducted so we find out what kind of impact fees would really (help). We're looking for growth to pay its way. One way to do that is to have impact fees so everyone who comes in would have to pay." County Manager **Joe Kerby** also said growth was a critical issue. "The county does not have the financial resources to support that growth. The commissioners want growth to pay for itself. Impact fees are one tool that can be utilized." Patterson said that while some governmental agencies, such as the water district, which charges a tap fee, have a form of impact fees, the county has none at a time when need is crucial. "We do not have the money right now to maintain the roads that we have, let alone improve the roads for the growth that's exploding around us," he said. "That's what we need the (impact fee) money for." **Kerby** said the county, working in cooperation with the city of Montrose, intended to conduct an impact-fee study regardless whether a grant was awarded for that purpose. The rough estimate for study costs is \$75,000; the grant will in effect pay half the tab as long as certain conditions are met. "It's important to recognize we would have done the study without the grant," **Kerby** said. "It's the absolute direction in which the commission is headed."

"We had intended to go forward with the study with or without the grant," Patterson confirmed. "It just helps that now we won't have to foot all the bill." **Kerby** said the DOLA grant came with "strings" attached. A capital facilities plan must be in place or be adopted and **Kerby** said Montrose County's existing plan would be updated within the coming months. "That fits right in with what we're doing. It's critical because it directly ties in with impact fees," he said. The grant also requires an intergovernmental agreement with the city, which Patterson and **Kerby** said already exists, though it might need updated to meet specific grant requirements. The other condition is that the county must implement impact fees once the study is complete, or DOLA will withhold 10 to 15 percent of the grant amount. (The county receives the grant money after the study is completed). "None of these issues, in my mind, are issues that we can't live with," **Kerby** said. Patterson said the county would see what impact fees the study recommends and would then take the matter through the public hearing process before voting on whether to implement the fees.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

The Montrose Daily Press
September 19, 2006

Commissioners give OK on impact fees

Author: James Shea

Montrose County Commissioners gave the nod Monday to research impact fees. County Manager **Joe Kerby** said the board has discussed impact fees in recent months but never gave him any direction. He wanted to explore the funding tool in Montrose County and report back to the board. “There has been a lot of discussion over impact fees and growth in Montrose County,” **Kerby** said. Commissioner Allan Belt said he supported impact fees and would like county staff to learn more. He said he wants to know the financial benefits to the county. “I sure have heard from a lot of our citizens who are for strong support for impact fees,” Belt said.

Impact fees are assessed on development. A builder is charged a certain amount based on the increased need for county infrastructure. The fees are used to build roads and create other infrastructure improvements. Commissioner Bill Patterson said he also supported impact fees, but felt the Taxpayer’s Bill of Rights spending cap must be removed. The county has a question on the November ballot asking for the cap’s removal. **Kerby** said he would direct staff to look into impact fees. After the meeting, Belt said he recently discovered a 2002 study of impact fees in Montrose County. **Kerby** said the study was a good place to start his research.

Also at the meeting, the commissioners approved \$7,491 in funding for Region 10 Transportation. The county has not paid anything to Region 10 Transportation in the last few years. Region 10 lobbies the Colorado Department of Transportation Commission for funding priority. “We are not in a position to put forth money unless there is solid benefit,” Belt said. “I would hate for us to turn away from Region 10.” Patterson said the county is obligated to pay the fee. Other counties in the region pay the fee and Montrose County receives benefits. “If we are going to work with the other counties, we need to come up with at least a year,” he said. Commissioner Dave Ubell opposed funding Region 10 Transportation. He said the money was previously paid by the state of Colorado and it was not fair to shift the burden to the county. “We can’t continue to back fill state cuts in non-mandated service,” Ubell said. The board approved funding for 2006, but Ubell voted against the motion.

Internet – Newspaper Archives Searches***Joseph M. Kerby****(Articles are in reverse chronological order)*

The Montrose Daily Press
August 30, 2006

County conducts exercise on bird-flu pandemic

Author: James Shea

County officials met Tuesday and discussed planning in a pandemic situation. County department heads and elected officials were presented with a bird-flu pandemic scenario. The exercise envisioned two men who had gone to Hawaii for a golf trip. On the return flight, they were infected with the bird-flu and the disease spread throughout the community. “This is a county exercise,” Public Health Director Dick Gingery, M.D. said. “(County Manager) **Joe Kerby** pulled this together to help the county know what is going on.” The participants discussed chain of command within the county and how to prioritize essential services. The needs of the county would change depending on the type of emergency, said Steve Denney, Colorado Division of Emergency Management regional field manager.

He said during a public emergency government must function quickly and efficiently and termed the phenomenon “public administration on steroids.” “We are making a decision right now and we live with it,” Denney said. He said Hurricane Katrina demonstrated what happens when no decisions are made and no plan is implemented. Denney said state and federal officials were not able to communicate the region’s needs or where resources should be placed. “The reality is in a pandemic there is not going to be help from anywhere else,” Denney said. Gingery said the county is not necessarily concerned with a bird-flu pandemic but he said some strain of the flu could turn into a pandemic. He said this happens about three times every century. He said the exercise exposed the realities of organizing resources in an emergency. “For some department heads, this has been a bit of an eye opener,” Gingery said.

Denney said the county would become the lead agency in a disaster and would coordinate activities with the fire department, city government and other agencies. Commissioner Allan Belt said he was concerned about the county commissioners and county elected officials running into jurisdictional conflict in an emergency. He said every entity would have to work together in a crisis. “To have any territorial squabbling is not going to work,” Belt said. Denney discussed the chain of command with Sheriff Warren Waterman. Waterman said the chain of command would work through the undersheriff down to the jail warden. Denney said the command structure could break down if large numbers of people were infected. “If it ever got that bad, whoever shows up would make the decision,” Denney said. Belt said he wanted a board meeting with elected officials to discuss chain of command in an emergency. “So, we don’t have one elected official going off and doing things that don’t fit,” he said.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

Montrose Daily Press, The (CO)

August 22, 2006

Booking fees instituted at Montrose County Jail

Author: James Shea

It costs more now to get arrested in Montrose County. Montrose County Commissioners approved a \$30 booking fee at the county jail Monday. With the expiration of the 1-percent sales tax, the county has looked at other funding mechanisms. Montrose County Sheriff Warren Waterman said he has spoken recently with County Manager **Joe Kerby** and other county staff members about a booking fee and felt it was a good idea for the county. “I think there is the ability to acquire money that is needed for the county,” Waterman said.

Kerby said he still had some concerns about the booking fee, particularly the county’s ability to collect the money. He said he was not sure it was worth county staff time to collect \$30. Rep. Ray Rose, who helped craft the legislation, said the fee was a passive fee. The money is collected from the inmates at the time of booking. If the money is in the person’s wallet, the county can confiscate the funds. “There is nothing in the law that says you go collect the fee,” Rose said. He said the fee is a way to get some of the burden of booking off of local governments. It costs \$56 to book an inmate and the fee recoups some of the cost. “The cost of booking him should, at least in part, be borne by him,” Rose said.

Kerby said he was also concerned about how the money gets processed if the person is found not guilty of the crime. Under state statute, a person will get a refund on the \$30. **Kerby** said there was no easy way for the county to track each individual case and determine when a person is found guilty or not guilty. “That seems pretty cumbersome,” **Kerby** said.

Rose said all the information is public record, but he was not sure of any specific tracking system for the county. He said he chose the particular method of collection to keep it out of the court system where he said fees are often waived.

Waterman said the county books about 250 prisoners a month and hopes to collect booking fees from half of the inmates.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

The Montrose Daily Press

July 1, 2006

County begins next year's budget process

Author: James Shea

Montrose County department heads got their marching orders recently: cut next year's budget 5 percent. County Manager **Joe Kerby** said he met with the department heads during two recent meetings. He informed them of the county's financial situation and directed them to prepare next year's budget with a 5 percent reduction of the 2006 budget. Friday, the county collected the last of the 1-percent sales tax, which expired at the end of June. Voters rejected an extension of the tax in November, which funded debt and operations at the justice center. **Kerby** said the county will lose about \$2.2 million in revenue next year. The tax collected about \$4.5 million annually, but part of that went toward operations.

The bond debt on the justice center was paid off in May. **Kerby** said the county wants about \$550,000 in cuts next year and the same amount for the follow three years. The county has \$9 million in reserves and will draw on that money to balance the budget. "We are fortunate to have money in the bank," **Kerby** said. County Finance Director Nita Emerson said the 5-percent cut calculates to about \$750,000. She said when the budget is finalized, some departments will have larger cuts than others, resulting in the \$550,000 in cutbacks. **Kerby** said spending reserve funds is not good long-term fiscal policy but county commissioners believe that cutting \$2.2 million next year is too drastic. He said the cuts will drastically change how the county operates. "The county in the future is not going to be business as usual," **Kerby** said. "It is going to be business unusual." **Kerby** said he wants to decrease the budget through reducing services and does not want to lay off employees. He said the public might notice a difference next year in the services that the county can offer. "In my opinion, we are beyond the cutting of pens and pencils," **Kerby** said. In August, the department heads will submit their preliminary budgets and Emerson will put together a proposed budget. **Kerby** said he will take the document and make recommendations to the commissioners, who will pass a final budget in December. **Kerby** said the county will look at other revenue sources to balance the budget. He also said groups like the Transportation Funding Committee are exploring ways to fund the Road and Bridge Department.

Kerby said the county is might tap into the capital reserve fund. He said the reserve money could be spent in the short-term in order to save money long-term. As an example, the county is looking at vacating the administrative building and consolidating into the South Campus. **Kerby** said there is about 22,000 square feet of vacant space in the South Campus. He said the county could sell the administration building to generate more revenue and would reduce its operating expenses. **Kerby** said he is concerned about morale at the county and the department heads are stressed about the budget cuts. Emerson said she is worried that the county might lose some good employees because of the cost-cutting process. "You start to lose good people," Emerson said. "That is my fear." **Kerby** said the county wants to be a good employer and offer competitive salaries but the money is too tight right now. "The frustration we find ourselves in is evident," **Kerby** said.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

The Montrose Daily Press

March 29, 2006

Kerby hired as county manager

Author: James Shea

Joseph Kerby, the city manager in Iola, Kansas, was announced Monday as the new Montrose County Manager. The county began looking for a county manager in the fall when Dennis Hunt left for a job on the Front Range last summer. Earlier in the year, the commissioners conducted interviews with four finalists and held meet-and-greet events with the community. Commissioner Bill Patterson said he and the other commissioners decided **Kerby** was the best candidate. He said the board liked **Kerby**'s ideas and background. "He had an enthusiasm about him that I really like," Patterson said. "He really went after the job."

Kerby said he was wrapping up some major projects in Iola and is looking forward to starting the new job. "I'm excited to join the community," **Kerby** said. He said he understands the county faces some serious challenges but he wants to sit down with county staff and the community and find solutions. "I have never shied away from a challenge," **Kerby** said. **Kerby** is a Colorado native. He was born in Trinidad and grew up in the Colorado Springs area. He attended the University of Colorado at Colorado Springs and graduated with a bachelor's degree in sociology. He also earned a master's in business from UCCS.

For nearly 15 years **Kerby** worked for the Colorado Springs Utility where he advanced to a management position. For the four last years, **Kerby** has worked in government administration and has held positions in several rural communities, including Iola. **Kerby** accepted \$82,000 annually for the Montrose County manager position. He said he is looking for a house in Montrose and will relocate with his wife and two daughters. **Kerby** said his oldest daughter is "desperately hoping to make the Montrose cheerleading team." He said he spoke with Montrose City Manager Mary Watt and wants to form a cooperative relationship with the city. "I strive on getting things done," **Kerby** said.

He said he has to finish a large treatment plant project and an economic revitalization effort in Iola before starting in Montrose. **Kerby** said he might visit the county once before taking the job full time, but no plans have been finalized. "My expectation is to begin the first of May," **Kerby** said.

Internet – Newspaper Archives Searches

Joseph M. Kerby

(Articles are in reverse chronological order)

[CB&A Note: Only the information relevant to **Joseph M. Kerby** is listed below.]

High Plains Journal

December 6, 2004

Kansans complete environmental leadership program

The Kansas Environmental Leadership Program (KELP) recently announced its graduates for 2004. The 24 participants completed the program at an Oct. 15 ceremony in Hutchinson. KELP is a 10-month program that focuses on teaching citizens about water quality and quantity issues in Kansas and strengthening their leadership skills, said Judy Willingham, KELP coordinator. Participants attended five sessions held in Hays, Topeka, Independence, Garden City and Hutchinson. The program is administered through the Department of Biological and Agricultural Engineering Extension at Kansas State University. The KELP graduates, listed in alphabetical order are:

Joe Kerby,

As part of the program, students formed small groups to work on applied leadership projects, including: 1) a CD on urban storm water best management practices; 2) a demonstration on fencing ponds and installing livestock watering systems; 3) a glossary of water-related acronyms and terms; 4) a video, "A Drop in the Bucket," focused on water issues in Kansas for youth; and 5) "Kansas Water in the Classroom," for which members put together a class syllabus about water protection, that meets state standards for teaching.

For more information about the Kansas Environmental Leadership Program, visit <http://www.oznet.ksu.edu/kelp/> or contact Willingham at 785-532-5813 or e-mail judymw@ksu.edu.

Research Compiled by: Cara Slade and Shannon Farr
 Colin Baenziger & Associates