

**Resolution #2025-003**

**Fiscal Year 2025/2026 Wage and Compensation Pay Scale for Elected or Appointed Village Officials Who Perform Job Duties of Village Employees (DPW Superintendent, DPW Assistant, Deputy Clerk, Deputy Treasurer) When there is a Position Vacancy or Absence.**

At the regular meeting of the Elberta Village Council, Benzie County, Michigan, held at the Community Building at 401 First street on February 20, 2025, at 7pm.

The following resolution was offered by Trustee, **Emily Votruba**, and supported by Trustee, **Ryan Fiebing**.

**WHEREAS** to maintain transparency and provide job duty coverage for Village Employees when there is a position vacancy or absence, and

**WHEREAS** The Michigan Supreme Court ruled in Macomb County Prosecuting Atty v Murphy, 464 Mich 149, 161-162 (2001), that a public employee and a public official both are “public offices held by a public official” for purposes of the incompatible offices act, and

**WHEREAS** Section 3(4)(c) of the statue, MCL 15.183(4)(c), provides that the governing body of a city, village, township, or county having a population of less than 40,000 may authorize a public officer or public employee to perform, with or without compensation, other additional services for the unit of local government. Therefore, because the village has a population less than 40,000, a council trustee falls within the exception and can hold both the position of council trustee and village employee and/or other village official, and

**WHEREAS** the Council of the Village of Elberta will hereby be presenting a Resolution for Fiscal Year Budgeted Wage and Compensation Pay Scales for Elected or Appointed Officials who perform job duties of village employees every year herein at the same time as the annual Resolution to Adopt the Fiscal Year Budget,

**NOW THEREFORE BE IT RESOLVED** by the Council of the Village of Elberta, Benzie County, Michigan, that the Fiscal Year 2025/2026 Wage and Compensation Pay Scale for Elected or Appointed Village Officials who are approved by Council to perform job duties in the absence or vacancy of a Village Employee be adopted as follows:

<u>Public Official</u>	<u>Status</u>	<u>Rate Per Hour</u>	<u>Rate Per Meeting</u>	
DPW Superintendent	Full Time	\$22	\$45	
DPW Assistant	Full Time	\$20	\$45	In Superintendent's Absence
Deputy Clerk	Part Time	\$20	\$45	
Deputy Treasurer	Part Time	\$20	\$45	In Deputy Clerk's Absence

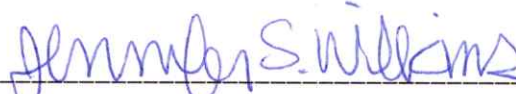
**BE IT FURTHER RESOLVED** that the terms of this Resolution shall be in effect from February 28, 2025, until the end of the 2025–2026 Fiscal Year, February 28, 2026.

**AYES: Fiebing, McGregor, Holmes, Wilkins, and Votruba**

**NAYS: None**

**ABSENT: None**

**RESOLUTION DECLARED ADOPTED. By:**



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Jennifer S. Wilkins, Village President

I, the undersigned, Clerk of the Village of Elberta, Benzie County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by said municipality of Benzie County at its regular meeting held on February 20, 2025, relative to adoption of the resolution therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: \_\_\_\_\_

02/21/2025



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Rachel Perkins, Village Clerk