

RESOLUTION

NO.: 25-_____

VILLAGE OF PINCKNEY

DATE: _____, 2025

RESOLUTION ASSIGNING ZONING ADMINISTRATOR DUTIES TO THE VILLAGE PRESIDENT

- WHEREAS**, the Michigan Attorney General has issued formal legal opinions [*1997 Mich. OAG No. 6932 (February 26, 1997)*; *2017 Mich. OAG No. 7295 (March 8, 2017)*] clarifying that a village president, or a village trustee, in general law villages with a population less than 25,000, such as the Village of Pinckney, would be authorized to perform additional services for the village, with or without compensation, as determined by the village council; and
- WHEREAS**, the Pinckney Village Council adopted Ordinances No. 175 and 176 providing that the Village President is to serve as the Village Manager when the Village Manager position is unfilled, consistent with Michigan Attorney General formal legal opinion [*2017 Mich. OAG No. 7295 (March 8, 2017)*], and also providing that the Village President may serve as the Village Zoning Administrator, with or without additional compensation, if authorized by the Village Council; and
- WHEREAS**, the Pinckney Village Manager position has not been filled for more than 15 years and remains vacant, and the Village Council does not currently intend to fill that position; and
- WHEREAS**, the Pinckney Village Presidents have been assuming most of the Village Manager executive functions within the Pinckney Code Village Manager provisions (Pinckney Code §§ 30.39, 30.40 & 30.40); and
- WHEREAS**, the Village Zoning Administrator position has been a part-time Village position, has at times also previously been combined with other Village positions, and the Zoning Administrator position is currently vacant; and
- WHEREAS**, the current Village President, in addition to the assigned duties of the Village President and Village Manager positions, has indicated he would be willing to also assume performing the additional services of the Zoning Administrator position provided the remaining budgeted part-time Zoning Administrator salary is added to the currently budgeted Village President compensation; and
- WHEREAS**, having the Village President perform the additional Zoning Administrator duties in this proposed manner would result in a substantial savings of approximately \$14,084.00 to the Village as there should be no liability for the budgeted Zoning Administrator position fringe benefits.

NOW, THEREFORE, BE IT RESOLVED, by the Village of Pinckney Village Council that Village President is hereby authorized to perform the additional services as the Village Zoning Administrator, in addition to the Village President and Village Manager duties assigned by law or Village ordinance.

BE IT FURTHER RESOLVED, that for the remainder of the 2024/2025 Budget Year, the Village President's salary level shall be increased by the unspent budgeted Zoning Administrator salary amount for the 2024/2025 Budget Year in the amount of approximately \$50,000.00, and the portion of the remaining budgeted Zoning Administrator compensation attributable to that position's fringe benefits of approximately \$14,084.00 shall be transferred to the Village's General Fund. After the 2024/2025 Budget Year, the President's salary shall be re-set at least annually by Council Resolution as part of the annual Budget process as provided by Village Ordinance.

BE IT FURTHER RESOLVED, that Village President's authority to perform the additional services as the Village Zoning Administrator shall only be authorized for the time period that the Village Council deems appropriate, but not more than 2 years, and the Village Council, within its sole discretion, may withdraw such authority at any time by a majority vote of the Village Council; and the additional salary for the Village President position shall cease upon the Village Council's withdrawal of the authority to also serve as the Village Zoning Administrator, and shall also cease in the event that the Village Council assigns the Zoning Administrator duties to another person or entity.

BE IT FURTHER RESOLVED, that this Resolution shall be effective commencing from and after _____, 2025.

Andrea McCall, Village Clerk

Village Council Member _____ offered the foregoing Resolution and moved its adoption. The motion was seconded by Village Council Member _____, and upon being put to a vote, the vote was as follows:

- Jeffrey Buerman, President _____
- Justin Bierman, Trustee _____
- Stacy Conquest, Trustee _____
- Rob Coppersmith, Trustee _____
- Keri Hochertz, Trustee _____
- Nick Kane, Trustee _____
- Jo Self, Trustee _____

The thereupon this Resolution approved and adopted by the Village Council of the Village of Pinckney this ____ day of _____ 2025.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Village Council of the Village of Pinckney, County of Livingston, Michigan, at a regular meeting held on _____, 2025.

Andrea McCall, Village Clerk