

**Elk Rapids Schools  
RESOLUTION**

Minutes of a regular meeting of the Board of the Elk Rapids Schools, County of Antrim, Michigan, held at 308 Meguzee Point Rd, in the City of Elk Rapids, on the 8th day of December, 2025, at 5:30 pm.

PRESENT:     Members:

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ABSENT:     Members:

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**RESOLUTION REGARDING ADMINISTRATOR PAY INCREASE**

**WHEREAS**, the Michigan Court of Claims entered an Order settling the case of *Batista v Office of Retirement Services*, Case No. 19-000019-MZ on April 15, 2025, and a second Order closing the case in its entirety on May 20, 2025, and

**WHEREAS**, the *Batista* case addressed the determination of compensation for school administrators for the purpose of retirement calculations, and the April 15 Order sets certain boundaries on determination considerations for compensation increases for administrators during certain school years, and

**WHEREAS**, the April 15, 2025, Order provides that if there is a dispute or concern relative to compensation increases for an administrator, the concern may be overcome by: “The reporting unit's board of control . . . pass[ing] a resolution attesting that the subject compensation was not paid for the specific purpose of increasing final average compensation (also known as "spiking").”;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Education hereby attests to the following:

1.     Bryan McKenna’s increase in total compensation for 2025-26 was increased based on following; benchmarking of area school superintendents of similar size, experience and responsibility and the refusal of an increase during the 2024-25 school year and
2.     Bryan McKenna’s compensation for 2025-26, or any other school year, was not paid for the specific purpose of increasing final average compensation (also known as “spiking”); and
3.     The Board of Education has made these attestations with the intent that Bryan McKenna receive full credit for retirement purposes for all reported compensation for 2025-26 and that the Board of Education intended such pay to be retirement

eligible when it passed and approved the Administrator’s employment contract;  
and

- 4. The Board of Education intends this resolution to be in full compliance with the April 15, 2025, Order in *Batista*.

AYES:                      Members: \_\_\_\_\_

NAYS:                      Members: \_\_\_\_\_

MEMBERS  
ABSTAINING OR  
NOT PRESENT:      Members: \_\_\_\_\_

**RESOLUTION DECLARED ADOPTED.**

\_\_\_\_\_  
Sherry Steffen  
Secretary, Board of Education

I hereby certify that the foregoing constitutes a true and complete copy of a resolution duly adopted by the Board of Education of Elk Rapids Schools, County of Antrim, Michigan, at a regular meeting held on the 8th day of December, 2025, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings as 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.

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Sherry Steffen  
Secretary, Board of Education