CITY OF GAUTIER
MEMORANDUM

To: Paula Yancey, Interim City Manager

From: Jason Pugh, Human Resources Director

Date: May 6, 2016

Subject: Civil Service Commission Appointment

REQUEST:
The Human Resources Department requests that the Gautier City Council consider reappointing Phil Torjusen to the Civil Service Commission for the City of Gautier for another six (6) year term effective May 19, 2016 through May 19, 2022.

BACKGROUND:
Phil Torjusen is a current Civil Service Commissioner finishing his second term with the City of Gautier Civil Service Commission. Mr. Torjusen has indicated that he would like to be considered for a third term as a commissioner with the City of Gautier Civil Service Commission.

DISCUSSION:
Mr. Torjusen has served honorably on the City of Gautier Civil Service Commission for the past ten (10) years and has asked that he be reappointed for another six (6) year term as his current term is coming to a close. Commissioners are appointed for six (6) year terms as mandated by MCA, 21-31-5 (1). The new term will be from May 19, 2016 through May 19, 2022.

RECOMMENDATION:
The Human Resources Department recommends that the Gautier City Council reappoint Phil Torjusen to the City of Gautier Civil Service Commission for a period of six (6) years effective May 19, 2016 through May 19, 2022.

ATTACHMENT(S):
Email from Phil Torjusen requesting reappointment
Gautier City Ordinance, Article IV, Section 2-72
Mississippi Code Ann. 21-31-5

Jason Pugh

From: phil torjusen <ptorjusen@gmail.com>
Sent: Friday, May 06, 2016 11:52 AM
To: Jason Pugh
Subject: Re: Appointment

Jason - As I indicated in our phone conversation, I desire to be reappointed by the Mayor and City Council to another 6 year term to the Civil Service Commission. Please add this to the next agenda.
Respectfully - Phil

On Fri, May 6, 2016 at 11:37 AM, Jason Pugh <jpugh@gautier-ms.gov> wrote:

> Phil,
>
> If you would, as a follow up to our phone conversation, would you please send me an email indicating your desire to be reappointed to the civil service commission for another term?
>
> Jason D. Pugh
>
> Human Resources Director
>
> City of Gautier
>
> 3330 Hwy. 90
>
> Gautier, MS 39553
>
> Office: 228-497-8000, ext. 307
>
> Cell: 228-219-6194
>
> Fax: 228-497-8028

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Phil Torjusen
Realtor - Gulf Coast Heritage Realty
1205 Jackson Ave.
Pascagoula, MS 39567
228-990-4141

Sec. 2-72. - Appointment of civil service commission.

There is hereby established a civil service commission for the city consisting of three (3) commissioners. The commissioners shall be appointed by majority vote of the city council for staggered six-year terms as provided by Section 21-31-5 Mississippi Code of 1972, annotated.

(Ord. No. 30, § 2, 9-20-88; Ord. No. 148, § 1, 6-1-04)

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Miss. Code Ann. § 21-31-5 (Copy w/ Cite) Pages: **2**

Miss. Code Ann. § 21-31-5

MISSISSIPPI CODE of 1972

*** Current through HB 1, 2016 1st Extraordinary Session and SB 2808, 2016 Regular Session. ***

TITLE 21. MUNICIPALITIES
CHAPTER 31. CIVIL SERVICE
GENERAL PROVISIONS

Miss. Code Ann. § 21-31-5 (2016)

§ 21-31-5. Appointment and removal, qualifications, and term of office of commissioners

(1) (a) The members of the civil service commission shall be appointed by the city commission, shall be three (3) in number, and shall serve without compensation; however, the governing authorities of any municipality, in their discretion, may pay each of the members of the commission a sum not to exceed One Hundred Dollars ($ 100.00) per month to compensate them for their services. No person shall be appointed a member of such commission who is not a citizen of the United States, a resident of such city for at least five (5) years immediately preceding such appointment, and an elector of the county wherein he resides. The terms of office of such commissioners shall be for six (6) years, except that the first three (3) members shall be appointed for different terms, as follows: One (1) shall serve a period of two (2) years, one (1) shall serve a period of four (4) years, and one (1) shall serve a period of six (6) years.

(b) From and after May 18, 1988, the governing authorities of any municipality organized under the provisions of Chapter 8, Title 21, Mississippi Code of 1972, in which a civil service commission is created pursuant to Sections 21-31-1 through 21-31-27, may increase the members of the commission to the same number of wards into which the municipality is divided and, if the commission is so expanded, the governing authorities shall appoint one (1) member of the commission from each ward. The commissioners shall serve without compensation; however, the governing authorities of any municipality, in their discretion, may pay each of the members of the commission a sum not to exceed One Hundred Dollars ($ 100.00) per month to compensate them for their services. No person shall be appointed a member of such commission who is not a citizen of the United States, a resident of the municipality for at least five (5) years immediately preceding such appointment, and an elector of the county wherein he resides. When making initial appointments under this paragraph (b), the governing authorities may stagger the terms of such appointees provided that no initial appointment is made for a period of less than one (1) year nor more than six (6) years; thereafter, all appointments shall be for terms of six (6) years. Appointment of members of the commission by the governing authorities under this paragraph (b) shall be made by the mayor with the confirmation of an affirmative vote of a majority of the city council present and voting at any meeting.

(2) Any member of such commission may be removed from office for incompetency, incompatibility, dereliction of duty, or other good cause, by the appointing power. However, no member shall be removed until charges have been preferred in writing and a full hearing had before the appointing power. Any member being so removed shall have the right of appeal, any time within thirty (30) days thereafter, to the circuit court and may demand a jury trial; such trial shall be confined to the determination of whether the order of removal, made by the appointing power, was, or was not,

made in good faith and for cause.

(3) A majority of the members of the commission shall constitute a quorum.

HISTORY: SOURCES: Codes, 1942, § 3825-02; Laws, 1944, ch. 208, § 1; Laws, 1964, ch. 507, § 1; Laws, 1968, ch. 557, § 1; Laws, 1988, ch. 535, § 1, eff from and after passage (approved May 18, 1988).

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