



**VALENCIA COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION No 2018- *LeLe***

SETTING THE SALARIES OF ELECTED OFFICIALS WITH TERMS
COMMENCING JANUARY 1, 2019 AND THEREAFTER
PER THE CONSTITUTION & LAWS OF THE STATE OF NEW MEXICO

WHEREAS, the Board of County Commissioners met in a regularly scheduled meeting on Wednesday, December 5, 2018 at 5:00 p.m. in the Valencia County Administration Building 444 Luna Avenue, Los Lunas, New Mexico 87031; and,

WHEREAS, pursuant to NMSA 1978 Section 4-38-1 (1884) the powers of a county as a body politic and corporate shall be exercised by a board of county commissioners; and,

WHEREAS, Article IV, Section 27 of the New Mexico Constitution provides that “[n]o law shall be enacted giving any extra compensation to any public officer, servant, agent or contractor after services are rendered or contract made; nor shall the compensation of any officer be increased or diminished during his term of office, except as otherwise provided in this constitution;” and,

WHEREAS, Article XX, Section 3 of the New Mexico Constitution provides that “[t]he term of office of every state, county or district officer, except those elected at the first election held under this constitution, and those elected to fill vacancies, shall commence on the first day of January next after his election;” and,

WHEREAS, Valencia County is recognized by the New Mexico Department of Finance Administration as a “*Class B over*” County per NMSA 1978, Section 4-44-4.1 (2018) for salary purposes, see DFA Memo Dated April 30, 2018; and,

WHEREAS, NMSA 1978, Section 4-44-4.1 (2018) sets the maximum annual salaries of elected officials, for a Class B counties over three hundred million valuation, at the following maximum rates: county commissioners \$30,196 each; treasurer, \$75,733; county assessor \$75,733; county sheriff \$78,952; county clerk \$75,733; and probate judge \$26,482, and,

WHEREAS, the Board of County Commissioners may set salaries, uniformly, up to or any amount less than the maximum rate set by NMSA 1978, Section 4-44-4.1 (2018); and,

WHEREAS, NMSA 1978, Section 4-44-12.3 (A) (2013) states “[t]he intent of the

legislature when increasing the maximum salaries of elected county officials is to provide for equitable salary increases;" and,

WHEREAS, NMSA 1978, Section 4-44-12.3 (B) (2013) states that "[t]he majority of a board of county commissioners may provide for salary increases for elected county officials; however, a salary increase shall not take effect until the first day of the term of an elected county official who takes office after the date that salary increase is approved;" and,

WHEREAS, the Board of County Commissioners elects to uniformly prospectively increase the salaries of elected officials in amounts less than the statutory maximum in recognition of the budgetary constraints of Valencia County; and,

WHEREAS, elected officials commencing their new term after January 1, 2019 are eligible for the salary detailed below effective at the beginning of their term or starting at the first payroll in January 2019.

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners that those elected officials commencing a new term after the adoption of this Resolution shall be paid at the rates detailed below:

Valencia County Office	Annual Salary
County Commissioner	\$30,196
County Assessor	\$75,733
County Clerk	\$75,733
County Treasurer	\$75,733
County Sheriff	\$78,952
Probate Judge	\$26,482

APPROVED, ADOPTED, AND PASSED on this 5th day of December 2018.

Jhonathan Aragon, Chair
District V

Charles D. Eaton, Vice-Chair
District IV

Helen Y. Cole, Commissioner
District I

David Carlberg, Commissioner
District II

David A. Hyder, Commissioner
District II

Peggy Carabajal, County Clerk

