



VALENCIA COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION № 2024- 79

SETTING THE SALARIES OF ELECTED OFFICIALS WITH TERMS
COMMENCING JANUARY 1, 2025 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 18, 2024 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 High*” County per NMSA 1978, Section 4-44-4.1 (2018) for salary purposes, see DFA Memo Dated April 24, 2024; and,

WHEREAS, , prior to the adoption SJR 16 (2024), NMSA 1978, Section 4-44-4.1 (2018) set the maximum annual salaries of elected officials, for a Class B high over three hundred million valuation, at the following maximum rates: county commissioners \$30,196.00 each; treasurer, \$75,733.00; county assessor \$ 75,733.00; county sheriff \$ 78,952.00; county clerk \$ 75,733.00; and probate judge \$ 26,482.00; and,
and,

WHEREAS, with the adoption of SJR 16 on November 5, 2024, and effective that day, Article 10, Section 1 of the constitution of New Mexico has been amended as follows: "The



legislature shall [at its first session] classify the counties ~~[and fix salaries for all county officers, which shall also apply to those elected at the first election under this constitution. And]~~ of the state. No county officer shall receive [to his own use] any fees or emoluments other than [the] an annual salary, [provided by law and] as established by the board of county commissioners. All fees ~~[earned by any officer shall be by him]~~ collected [and] by a county official shall be paid into the treasury of the county;" and,

WHEREAS, although there is no longer a statutory rate set for the salaries of elected officials the Board of County Commissioners has determined that the previous statutory rate set forth in Section 4-44-4.1 should continue to be used as the guiding principal to set the elected official salaries in a manner that complies with the required for uniform salary increases set forth by NMSA 1978, Section 4-44-12.3 (2018); and,

WHEREAS, NMSA 1978, Section 4-44-12.3 (A) (2018), which remains in effect after the adoption of SJR 16, 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 to an amount equivalent to 112% of the previous statutory maximum as set forth by NMSA 1978, Section 4-44-4.1 (2018) for those officials taking office after January 1, 2025, in recognition of the budgetary constraints of Valencia County; and,

WHEREAS, elected officials commencing their new term after January 1, 2025 are eligible for the salary detailed below effective at the beginning of their term or starting at the first payroll in January 2025.

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	\$33,819.52
County Assessor	\$84,820.96
County Clerk	\$84,820.96
County Treasurer	\$84,820.96
County Sheriff	\$88,426.24
Probate Judge	\$29,659.84



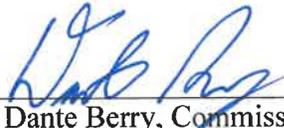
APPROVED, ADOPTED, AND PASSED on this 18th day of December 2024.


Gerard Saiz, Chair
District I


Troy Richardson, Vice Chair
District II


Morris Sparkman, Commissioner
District III

Joseph Bizzell, Commissioner
District IV


Dante Berry, Commissioner
District V

ATTEST BY:

Attest:


Mike Milam, County Clerk

