

*Be it remembered that at the Regular Meeting of the Board of County Commissioners of Luna County in Deming New Mexico, on the 11<sup>th</sup> day of March 2021, the following proceedings were had and entered of record.*

## **RESOLUTION 21-28**

### **STATUTORILY AUTHORIZED ADDITIONAL COMPENSATION**

**WHEREAS**, the Board of County Commissioners of Luna County (“BOCC”) is authorized by Section 4-38-1, NMSA 1978, to exercise the general politic and corporate powers of Luna County.

**WHEREAS**, Section 4-38-19, NMSA 1978, grants the BOCC the authority to set salaries.

**WHEREAS**, Sections 4-44-4.1, NMSA 1978, sets the maximum cap for the salaries paid by the BOCC to all elected county officials;

**WHEREAS**, the salaries of elected officials in Luna County are reviewed annually by the BOCC pursuant to Resolution 18-23;

**WHEREAS**, the BOCC set the salaries for Luna County elected officials on December 12, 2020, in Resolution 20-55;

**WHEREAS**, Section 4-39-4, NMSA 1978, grants the BOCC the discretion to award the County Assessor the only other legally authorized compensation or payment in the form of additional compensation for certain Appraiser Certificates, in an aggregate total of \$3,500.00 per year;

**WHEREAS**, Section 4-39-5, NMSA 1978, grants the BOCC the discretion to award “any qualifying appraiser employed in the office of the assessor” additional compensation for certain Appraiser Certificates, in an aggregate total of \$7,500.00 per year;

**WHEREAS**, Section 4-44-21, NMSA 1978, prohibits the payment of compensation in any form to a county officer, deputy, clerk or other employee other than as authorized by law;

**WHEREAS**, Section 4-38-28, NMSA 1978, makes the BOCC liable for payments without authority of law;

**WHEREAS**, Section 10-1-13C, NMSA 1978, requires the appointment of a deputy or clerk who shall continue to perform the duties of a county officer under certain circumstances;


**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Luna County approves additional compensation for both the Assessor, pursuant to Section 4-39-4, NMSA 1978, and for the Chief Deputy Assessor, pursuant to Section 4-39-5, NMSA 1987, in the amount of Three Thousand Five Hundred Dollars (\$3,500.00) per year to be paid as separate payroll apart from their regular or base salaries until the next annual review of the salaries of elected officials.

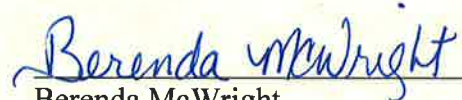
**DONE THIS 11<sup>th</sup> DAY OF MARCH, 2021**

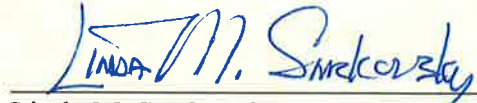
**DONE THIS 11<sup>th</sup> DAY OF MARCH, 2021**

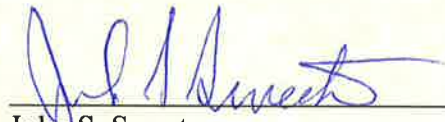
by the Board of County Commissioners of Luna County

**ATTEST:**

  
Barbara L. Reedy, Chairperson  
Commissioner, District 1

  
Berenda McWright,  
County Clerk

  
Linda M. Smrkovsky,  
Commissioner, District 2

  
John S. Sweetser,  
Commissioner, District 3

REVIEWED FOR LEGAL SUFFICIENCY:

  
Charles C. Kretek,  
County Attorney

