

**THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY**

**RESOLUTION NO. 2024 - 174**

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**A RESOLUTION  
PROVIDING SALARY INCREASES FOR ELECTED SANTA FE COUNTY  
OFFICIALS**

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**WHEREAS**, pursuant to NMSA 1978, Section 4-44-12.3(A)(2018), the “majority of a board of county commissioners may provide for salary increases for elected county officials”; and

**WHEREAS**, Santa Fe County (County) is a Class A County under NMSA 1978, Section 4-44-1(A)(2018); and

**WHEREAS**, the New Mexico Legislature set forth the salaries of elected officials of a Class A County at NMSA 1978, Section 4-44-4 (2018) as follows:

- A. county commissioners, thirty-nine thousand one hundred six dollars (39,106) each;
- B. treasurer, eighty-six thousand six hundred twenty-six dollars (\$86,626);
- C. assessor, eighty-six thousand six hundred twenty-six dollars (\$86,626);
- D. sheriff, ninety thousand three hundred thirty-eight dollars (\$90,338);
- E. county clerk, eighty-six thousand six hundred twenty-six dollars (\$86,626) and
- F. probate judge, thirty-eight thousand one hundred fourteen dollars (\$38,114); and

**WHEREAS**, the Santa Fe County Board of County Commissioners (Board) approved the salaries set forth in NMSA 1978, Section 4-44-4 for Santa Fe County elected officials by adopting Resolution 2018-52, A Resolution Providing Salary Increases for Elected Santa Fe County Officials; and

**WHEREAS**, in the November 5, 2024, general election, New Mexico voters approved Constitutional Amendment 4, which amended Article 10, Section 1 of the Constitution of the State of New Mexico (Article 10, Section 1) to transfers the authority to set salaries for county officials from the state legislature to local boards of county commissioners; and

**WHEREAS**, Article 10, Section 1 now provides:

“The legislature shall classify the counties of the state. No county officer shall receive any fees or emoluments other than an annual salary, as established by the board of county commissioners. All fees collected by a county official shall be paid into the treasury of the county.”

**WHEREAS**, a limitation on the authority of a board of county commissioners to set the salaries of county elected officials is set forth at NMSA 1978, Section 4-44-12.3(B), which provides that “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 Constitution of the State of New Mexico likewise prohibits midterm salary increases and decreases (N.M. Const., art. IV, Section 7; State ex rel. Haragan v. Harris, 1998-NMSC-043, 126 N.M. 310, 968 P.2d 1173; State ex rel. Gilbert v. Board of Commissioners of Sierra County, 1924-NMSC-001, 29 N.M. 209, 222 P. 654); and

**WHEREAS**, the Board now desires to exercise the authority granted to it by the Article 10, Section 1 to set the salaries of Santa Fe County elected officials, by repealing Resolution 2018-52 and replacing it with a resolution increasing the salaries of Santa Fe County elected officials; and

**WHEREAS**, the Board desires to establish a Compensation Commission in the new year, to evaluate and establish or make recommendations regarding elected officials' pay.

**NOW, THEREFORE, BE IT RESOLVED** by the Board as follows:

1. The salaries of County elected officials shall be increased as follows:
  - a. county commissioners, forty-six thousand, nine hundred and seven dollars and fifty-five cents (\$46,907.55) each;
  - b. treasurer, one hundred and forty-two thousand and five hundred dollars (\$142,500);
  - c. assessor, eighty-six thousand six hundred twenty-six dollars (\$86,626)
  - d. sheriff, ninety thousand three hundred thirty-eight dollars (\$90,338);
  - e. county clerk, one hundred and forty-two thousand and five hundred dollars (\$142,500); and
  - f. probate judge, thirty-eight thousand one hundred fourteen dollars (\$38,114); and
2. In maintaining the existing salaries of the county assessor, county sheriff, and probate judge, the Board is not making any determination about the appropriate salary for those elected officials. Rather, the Board is doing so because adjusting the salaries of those offices will not have any immediate effect and because it wishes salary decisions to be guided going forward by the Compensation Commission described in Paragraph 4.
3. The salary increases approved by this Resolution shall not take effect until the first day of the term of an elected County official who takes office after the date of this Resolution.
4. Staff is directed to bring forward, in the 2025 calendar year, a resolution or ordinance establishing a Compensation Commission to evaluate and establish or make recommendations regarding elected officials' pay.
5. Resolution No. 2018-52 is hereby repealed and replaced by this Resolution as it applies to County elected officials who take office after the date of this Resolution.

**PASSED, APPROVED, AND ADOPTED ON THIS 9<sup>th</sup> DAY OF DECEMBER, 2024.**

**BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY**

By: Hank Hughes  
Hank Hughes, Chair



**ATTESTATION:**

Katharine E. Clark  
Katharine E. Clark  
Santa Fe County Clerk

Date: 12/09/24

**Approved as to form:**

Jeff Young  
Jeff Young  
Santa Fe County Attorney



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

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I Hereby Certify That This Instrument Was Filed for  
Record On The 10TH Day Of December, 2024 at 02:07:18 PM  
And Was Duly Recorded as Instrument # 2048550  
Of The Records Of Santa Fe County

Deputy [Signature] Witness My Hand And Seal Of Office  
Katharine E. Clark  
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 12/10/2024