

**VALENCIA COUNTY
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION 2013-35

BENEFITS OF APPOINTED OFFICIALS

WHEREAS, the Board of County Commissioners of Valencia County met in a regularly scheduled meeting on September 4, 2013 at the Valencia County Administration 444 Luna Ave., Los Lunas, New Mexico; and,

WHEREAS, NMSA 1978, Section 10-1-13 (C) (2012) provides in pertinent part that “[e]ach county officer shall appoint a deputy or clerk, as allowed by law, who shall take the oath of office required of the appointing county officer and shall receive salary as provided by law;” and,

WHEREAS, NMSA 1978, Section 4-41-5 (1975) provides that “[t]he sheriffs in all the counties of this state shall have power to appoint deputies, who shall remain in office at the pleasure of such sheriffs; except that in counties which have established a merit system by ordinance, the provisions of the ordinance shall control the demotion and discharge of deputies and other employees of the sheriff’s office, except for one under-sheriff and an executive secretary, both of whom shall hold exempt positions;” and,

WHEREAS, the Board of County Commissioners has adopted Ordinance 2006-05 allowing for established Personnel Rules and Regulations duly adopted by Resolution which further the intent of the Ordinance; and,

WHEREAS, Resolution 2006-20, as authorized by Ordinance 2005-05, the Valencia County Personnel Policy recognizes the Undersheriff, the Sheriff’s Executive Secretary and chief deputies of elected officials are appointed by the respective elected officials and not subject to its terms; and,

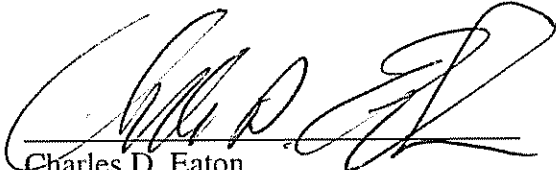
WHEREAS, in order to provide clear guidance to County Administrative Personnel & Payroll Staff the Board of County Commissioners has determined that it is necessary, to clarify and restate the conditions of employment and the salary & benefits afforded to Undersheriff, the Sheriff’s Executive Secretary and chief deputies of elected officials.

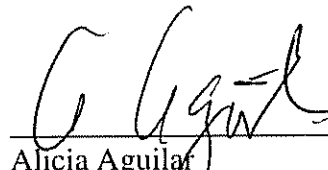
NOW, THEREFORE, BE IT RESOLVED, by the Valencia County Board of Commissioners that:

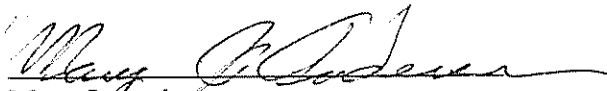
1. The Undersheriff, the Sheriff's Executive Secretary and chief deputies of elected officials (hereinafter referred to as "Appointed Officials") may be appointed at the sole discretion of the respective elected official and are terminable at will.
2. The Appointed Officials are FLSA Exempt positions, do not accumulate sick or annual leave and are required to work at time, place and manner directed by their respective elected official.
3. Appointed Officials must participate in PERA and are subject the all federal and state wage withholding requirements.
4. The salaries of the Appointed Officials shall be as follows:
 - a. Undersheriff: 75% of the Sheriff's salary.
 - b. Chief Deputy Assessor: 75% of the Assessor's salary.
 - c. Chief Deputy Clerk: 75% of the Clerk's salary.
 - d. Chief Deputy Treasurer: 75% of the Treasurer's salary.
 - e. Sheriff's Executive Secretary: _____

APPROVED, ADOPTED, AND PASSED on this 4th day of ~~April~~ ^{September}, 2013.

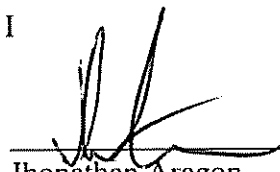
BOARD OF COUNTY COMMISSIONERS

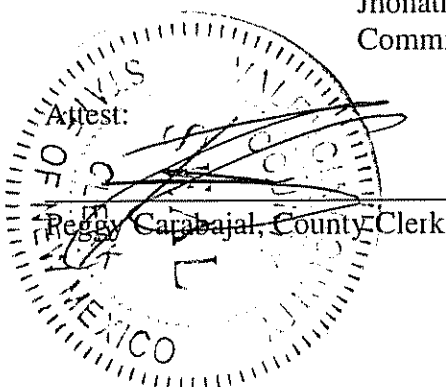

Charles D. Eaton
Chairman, District IV


Alicia Aguilar
Vice-Chair, District II


Mary J. Andersen
Commissioner, District I

Lawrence R. Romero
Commissioner, District III


Jhonathan Aragon
Commissioner, District V



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