

GRANT COUNTY  
RESOLUTION R- 25-69

**A RESOLUTION DELEGATING DISCRETIONARY AUTHORITY TO THE COUNTY MANAGER  
TO ASSESS FINANCIAL LIABILITIES FOR CERTAIN LITIGATION CLAIMS AGAINST  
INDIVIDUAL DEPARTMENTS' BUDGETS**

**WHEREAS**, pursuant to NMSA 1978, Section 4-38-19, the Board of County Commissioners of Grant County ("Board") is authorized to employ a county manager to serve as personnel officer, fiscal director, budget officer, and property custodian for Grant County and the Board;

**WHEREAS**, within the county manager's fiscal and budgetary responsibilities, the county manager is tasked with preparing and submitting annual budgets and making recommendations to the Board on all matters concerning the welfare of the County;

**WHEREAS**, over the last four years, there has been a statewide increase in litigation against government entities resulting in increasing settlement payments and judgments against governmental entities;

**WHEREAS**, the Board is statutorily required to indemnify and defend its employees and officials for claims brought against the Board and its employees for acts and omissions that occur in the course and scope of employment or official position;

**WHEREAS**, the Board has historically paid insurance deductibles and its share of settlements and judgments from the general fund of the County budget;

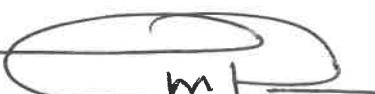
**WHEREAS**, while the Board recognizes many claims do not result from intentional or grossly negligent wrongdoing by County employees and officials, there are claims that could have been easily preventable by department heads and supervisors through the exercise of reasonable supervisory conduct and the exercise of progressive discipline;

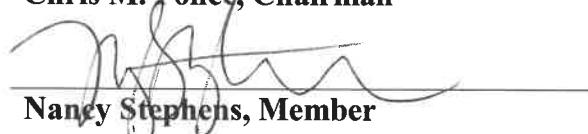
**WHEREAS**, given the increasing costs and expenses associated with defending litigation and the desire to reduce exposure for claims that could have been preventable, the Board will delegate discretionary authority to the county manager's office to determine whether certain expenses for claims should be assessed against particular departments when department heads and supervisors fail to exercise reasonable supervisory conduct, fail to exercise progressive discipline, or make otherwise reasonable efforts to mitigate the risk of preventable claims.

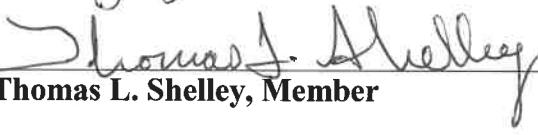
**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Grant County, New Mexico that the County Manager's Office is hereby delegated discretionary authority to take any budgetary or fiscal action necessary to encumber deductibles, withhold funds, adjust budget line items, and otherwise hold departments fiscally responsible for intentional or grossly negligent acts or omissions of employees or officials that a reasonably prudent supervisor could have prevented through adequate supervision, exercise of progressive discipline, or other reasonable efforts to mitigate the risk of preventable claims.

**APPROVED AND ADOPTED DECEMBER 11, 2025.**

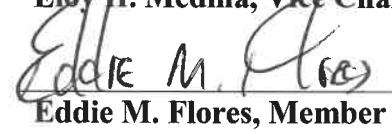
**BOARD OF GRANT COUNTY COMMISSIONERS  
GRANT COUNTY, NEW MEXICO:**

  
Chris M. Ponce, Chairman

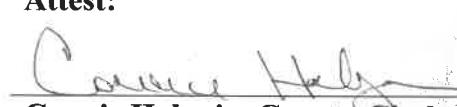
  
Nancy Stephens, Member

  
Thomas L. Shelley, Member

  
Eloy H. Medina, Vice Chairman

  
Eddie M. Flores, Member

**Attest:**

  
Connie Holguin, County Clerk

