

**BENEWAH COUNTY
RESOLUTION NO. 2026-17**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BENEWAH COUNTY, IDAHO, CLARIFYING COMPENSATION PRACTICES FOR ELECTED COUNTY OFFICIALS

WHEREAS, Article XVIII, Section 7 of the Idaho Constitution requires that county officers "receive, as full compensation for their services, fixed annual salaries," and prohibits additional compensation outside that fixed annual salary; and

WHEREAS, Idaho Code §§ 31-3101 through 31-3109 authorize the Board of County Commissioners to fix the annual salaries of elected county officials by resolution and through the annual budget process; and

WHEREAS, elected county officials are not employees, and therefore employee-based compensation systems—such as longevity pay, step schedules, merit pay, or tenure-based bonuses—do not apply to elected officials unless expressly incorporated into the fixed annual salary adopted by the Board; and

WHEREAS, the Board desires to clarify the lawful compensation structure for elected officials to ensure compliance with constitutional and statutory requirements, promote transparency, and maintain consistent countywide compensation practices.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BENEWAH COUNTY, IDAHO, THAT:

- A. Each elected county official shall receive a fixed annual salary, adopted by resolution and set forth in the County's annual budget. This annual salary constitutes the full compensation for the office for that fiscal year.
- B. A cost-of-living adjustment (COLA) may be applied to elected officials only if the COLA is incorporated into the fixed annual salary adopted by the Board before the beginning of the fiscal year. No mid-fiscal-year COLA adjustments shall be made.
- C. Longevity pay shall not be paid to elected officials. Longevity pay constitutes additional compensation outside the fixed annual salary and is therefore inconsistent with Article XVIII, Section 7.
- D. Step increases may be applied to elected officials only if the Board adopts a prospective salary schedule that sets the fixed annual salary for each fiscal year in advance.
Discretionary or mid-year step increases are prohibited.
- E. Merit pay shall not be awarded to elected officials. Merit pay constitutes a bonus or additional compensation outside the fixed annual salary.
- F. Tenure-based bonuses, retention bonuses, or any other form of compensation tied to years of service shall not be paid to elected officials.

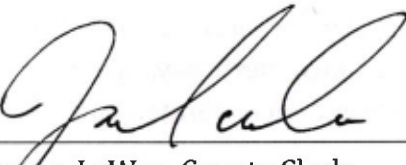
- G. No elected official shall receive any compensation, bonus, stipend, or payment of any kind other than the fixed annual salary and reimbursement of actual and necessary expenses as permitted by Article XVIII, Section 7.
- H. The County Clerk and County Auditor shall administer payroll for elected officials consistent with this Resolution and Idaho law.

DATED this 13 day of July 2026, at a regular meeting of the Benewah County Commissioners upon motion made by Commissioner Manes seconded by Commissioner Reynolds and approved by vote of the Board.

ATTEST:

BENEWAH COUNTY COMMISSIONERS

BENEWAH COUNTY, IDAHO

By: 
Janelle LeWan, County Clerk

By: 
Robert Short, Chairman