



CIBOLA COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION 2022-56

A RESOLUTION

ADOPTING A TRAVEL POLICY RELATING TO THE REIMBURSEMENT AND TRAVEL FOR PER DIEM AND MILEAGE EXPENSES FOR PUBLIC OFFICERS AND EMPLOYEES OF THE COUNTY WHILE ON OFFICIAL COUNTY BUSINESS

WHEREAS, the state Per Diem and Mileage Act (§§10-8-1 to 10-8-8 NMSA 1978) and the state Administrative Code (2.42.2 NMAC) governs the reimbursement for travel of all public officers and employees of local public bodies; and

WHEREAS, the state Per Diem and Mileage Act authorizes the County to adopt, by resolution, regulations relating to the Per Diem and Mileage act including reducing or eliminating per diem and mileage reimbursement (§10-8-8B NMSA 1978);

WHEREAS, this policy repeals and replaces previous travel policies, including but not limited to Resolutions 2016-25 with the adoption of this policy.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners adopts this policy for public officers and employees for mileage and per diem reimbursement, such as travel expenses, attending meetings, or travel advance.

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Section 1. Purpose

The purpose of this policy is to establish uniform processes for requesting approvals for travel and regulations related to mileage per diem and the reimbursement of actual expenses while conducting official county business on approved travel.

Section 2. Definitions

- 2.1 “Normal Workday” means: Eight (8) hours within a nine-hour period, regardless of the officers’ or employees’ regular work schedule.
- 2.2 “Partial Day” means: Travel which does not require overnight lodging but extends beyond a normal workday The last day of travel where overnight lodging is no longer required.
- 2.3 “Official County Business” means: Business directly associated with County Government and duties directly related to the primary functions of the requestor’s responsibilities in the County Government.
- 2.4 “Department Head” means: The elected official of a department or the director of a department
- 2.5 “Employee” Means: Any person whose salary is paid, on a bi-weekly basis by Cibola County payroll, either completely or partially from public money.
- 2.6 “Public Officer” means: Elected or appointed officer of Cibola County, including: all board, advisory boards, committees or the commission as specifically authorized by law, County ordinance, County resolution or approved action of the Board of County Commissioners and authorized volunteer fire department personnel.
- 2.7 “Non-Salaried Public Officer” means: Appointed officers of Cibola County, including: all board, advisory board, committee or commission specifically authorized by law, County ordinance, County resolution or approved action of the Board of County Commissioners who are not paid a salary, on a bi-weekly basis, from Cibola County payroll.
- 2.8 “Private Transportation” means: An automobile owned by an individual for private use, An aircraft owned by an individual for private use
- 2.9 “Public Transportation” means: An automobile owned by Cibola County that is included in the insurance coverage. Any network of transportation for use by the public running on set routes, usually at set times and charging set fares.
- 2.10 “Designated Post of Duty” means: Address of a public officers or employees regularly assigned work area.

Section 3. Requirements to Travel

- 3.1 All requests for in-state and out-of-state travel by a public officer or employee shall be requested on approved travel forms, any request not completed on the required forms will not be processed. Requests must be approved by the Department Head and County Manager prior to departure, except as otherwise noted. The Finance Manager shall review all requests for travel to ensure budgetary sufficiency and adherence to policy and may recommend denial if sufficient budget does not exist or if the request is contradicting to the travel policy.



- 3.2 The request to travel must include all necessary and relevant information as required by the approved form and appropriate brochures, agendas, schedules, or other information detailing the travel. Any requests not completed with the required information will not be processed. It is the responsibility of the department and individual, who is requesting funds, to ensure that all information is included.
- 3.3 County Employees can only receive either per diem or reimbursement of actual expenses when overnight lodging is required. Public officers and employees will only be eligible for per diem rates for travel that does not require overnight lodging and in accordance with Section 5 of this policy. Public officers or employees will not be eligible to receive per diem or reimbursement of actual expenses for destinations thirty-five (35) miles or less from the designated post of duty. Destinations exceeding thirty-five (35) miles will be eligible for per diem or reimbursement of actual expenses. Overnight travel will only be granted for destinations exceeding 75 miles from the designated post of duty or when determined necessary by the County Manager.
- 3.4 Travel for educational purposes shall be limited to, for any and all public officers or employees, no more than 30 calendar days of per diem or actual expense reimbursement in any fiscal year, unless approval by the Board of County Commission is obtained.
- 3.5 An employee, public-officer or non-salaried public official must have a valid driver's license to travel on any county-approved functions. A County vehicle should be used for work-related travel and persons attending the same functions should make an effort to travel together to save mileage costs.

Section 4. Per Diem Rates

Applicability: Per Diem shall be paid only in accordance with the provisions set forth in this section without regard to whether expenses are actually incurred. When lodging and/or meals are provided or paid for by Cibola County, or another governmental entity, the public officer or employee is only entitled to reimbursement of actual expenses. Per Diem will not be authorized for any public officer or employee who, while traveling, takes sick annual or authorized leave without pay for more than four 4 hours of the normal work day.

- 4.1 **Per Diem Computation:** Per Diem rates for travel by public officers and employees, except non-salaried public officers, where overnight lodging does not apply will be expensed as follows;
- A. **Partial day/Return from overnight travel Per Diem Computation:** To calculate the number of hours in the partial day, begin with the time the traveler initially departed on the travel; divide the total number of hours traveled by 24; the number of hours remaining constitute the partial day which shall be reimbursed as follows;

Pursuant to the current rate chart set by DFA per NMSA 1978, Section 10-8-4 (B) & (C) 2021



B. Overnight Per Diem Computation:

Pursuant to the current rate chart set by DFA per NMSA 1978, Section 10-8-4 (B) & (C) 2021

4.2 Official Board, Commission and Committee Members;

- A. Non-salaried public officers of Cibola County may elect to receive:
 - 1. \$45.00 if the officer physically attends the board or committee meeting for less than four hours or the officer attends a virtual meeting of any duration during a single calendar day; or (\$95.00) if the officer physically attends the board or committee meeting for four hours or more during a single calendar day.
 - 2. Mileage Compensation, in accordance with section 6 of this policy.
- B. Other Official Meetings: Non-salaried public officers may receive mileage compensation for travel on official business that does not constitute a board, advisory board, committee, or commission meeting only in accordance with section 6 of this policy.
- C. Members serving in dual capacities: Non-salaried public officers who also serve as public officers or employees of state agencies or local bodies may receive mileage or per diem rates from only one public entity for any travel or meeting attended. Furthermore, non-salaried public officers who are also public officers or employees may not receive per diem rates for attending meetings held in the place of their home or at their designated post of duty unless they are on leave from their positions as public officers or employees.

4.3 Temporary Assignment: Public officers and employees may be reassigned temporarily to another duty station.

- A. Routine Reassignment: Public officers and employees subject to periodic reassignment of duty stations or districts as a normal requirement of their employment will not be eligible for per diem rates after the time of arrival at the new duty station or district.
- B. Non-routine Reassignment: Public officers and employees not normally subject to periodic reassignments who are temporarily reassigned to another office or duty station away from home, for Cibola County, will receive per-diem for the first 30 calendar days of their assignment only, unless approval by the Board of County Commission is given to extend per diem payments upon showing that the assignment is necessary and temporary. After 30 calendar days, the place where the employee or officer is assigned will be regarded as the designated post of duty.

Section 5. Reimbursement of Actual Expenses

Applicability: A public officer or employee may submit, in writing, a request to be reimbursed actual expenses in lieu of the per diem rate where overnight travel is required. Approval must be obtained prior to dates of travel for requests to receive reimbursement of actual expenses in lieu of per diem rates. No reimbursement for actual expenses will be granted in lieu of partial day per diem rates. (2.42.2.9 NMAC- Rn, DFA Rule 95-1, Section 4, 07/01/03;A, 01/15/04)

5.1 Limits to actual Reimbursement: Pre approved reimbursements of actual expenses for public officers and employees where overnight travel is required will be reimbursed as follows;

- A. Actual Reimbursement for lodging: Public officers and employees should stay in hotels which offer a government rate. Lodging expenses should:
 - 1. Not exceed single occupancy room charge (including tax)
 - 2. Not be reimbursed in excess of \$215.00 (single occupancy rate) without signature of the chairperson of the governing body on the travel voucher prior to requesting reimbursement.

Actual reimbursement for meals: Actual expenses for meals are limited by NMSA 1978 Section 10-8-4(k)(2) (2021). Actual expenses for meals shall be reimbursed at the rate set by DFA per NMSA 1978, Section 10-8-4 (B) & (C) 2021

- B. Items not eligible for reimbursement: The following items will not be considered for reimbursement under any circumstances;
 - 1. Tobacco Purchases
 - 2. Energy Drinks
 - 3. Gasoline in a private vehicle
 - 4. Hotel Charges beyond the nightly occupancy rate
 - 5. Entertainment Charges
 - 6. Personal items
 - 7. Gifts/souvenirs
 - 8. Alcohol Purchases

5.2 Receipts Required: The public officer or employee with pre-approval to receive reimbursement of actual expenses in lieu of per diem must submit original itemized receipts that include the vendor or business name, date of purchase or delivery, description of item and/or service, and total cost for all actual expense being requested for reimbursement. Public officers or employees who habitually violate this section of the travel policy will be not be authorized to submit for reimbursement of actual expenditures in lieu of per diem.

- A. Lost receipts: Under circumstances where the loss of receipts would create a hardship, an affidavit from the officer or employee attesting to the expenses may be submitted for actual receipts. The affidavit must accompany the travel voucher and include the signature of the chairperson of the governing board.
- B. Non-itemized receipts: Under circumstances where an itemized receipt is unobtainable and a hardship would be created without reimbursement, an affidavit from the officer or employee attesting to the expense may be submitted for itemized receipts. The affidavit must accompany the non-itemized receipt the travel voucher and must include the signature of the chairperson of the governing board.



5.3 Return from overnight travel: On the last day of travel when overnight lodging is no longer required, reimbursement of actual expenses will be limited to the partial day per diem rates. To calculate the number of hours in the partial day, begin with the time the traveler initially departed on the travel; divide the total number of hours traveled by 24; the number of hours remaining constitute the partial day which shall be reimbursed as follows pursuant to the current rate chart set by DFA per NMSA 1978, Section 10-8-4 (B) & (C) 2021

Section 6. Private Transportation Mileage Compensation

Applicability: Mileage compensation shall be paid only in accordance with the provisions set forth in this section for mileage accrued in using private transportation when conducting official county business.

6.1 Rate: Public officers and employees of Cibola County shall be reimbursed for mileage accrued in using private transportation when conducting official county business as follows:

- A. The internal revenue service standard mileage rate set January 1 of the previous year for each mile traveled in a privately owned vehicle;
- B. Eighty-eight cents per nautical mile for each mile traveled in a privately owned airplane.

6.2 Privately owned automobile: Mileage accrued for required travel while conducting official county business in a privately owned automobile shall be calculated for reimbursement as follows;

- A. Pursuant to the mileage chart of the official state map published by the state highway and transportation department for distances in New Mexico and the most recent edition of the Rand-McNally road atlas for distances outside of New Mexico; or
- B. Pursuant to the calculations set forth by Google Maps or Mapquest; or
- C. Pursuant to actual mileage if the beginning and ending odometer reading is certified as true and correct by the traveler; and
 - 1. The destination is not included on the official state map or on the Rand McNally road atlas or,
 - 2. At the destination(s) of the public officer or employee, the public officer or employee was required to use the private transportation in performance of official duties.

6.3 Privately owned airplane: Mileage accrued for required travel while conducting official county business in a privately owned airplane shall be calculated for reimbursement as follows;

- A. Pursuant to the New Mexico aeronautical chart published by the state highway and transportation department, aviation division, for distances in new Mexico and other states' air maps for distances outside of New Mexico; or
- B. Pursuant to actual air mileage if certification is provided by the pilot, or a beginning and ending reading of actual mileage fi the reading is certified as true and correct by the traveler, and the destination is not included on an air map.



6.4 Mileage Compensation Limit

- A. Total mileage reimbursement for out of state travel by privately owned automobile or privately owned airplane shall be limited to the total coach class commercial airfare costs for those traveling had they traveled by common carrier.
- B. Mileage reimbursement shall be limited to miles traveled between the designated post of duty and the approved destination; mileage shall not be paid for the number of miles between post of duty and home.

Section 7. Reimbursement for Other Expenses

Applicability: Public officers and employees may be reimbursed for certain actual expenses in addition to per diem rates.

7.1 Receipts required: Public officers and employees may be reimbursed for the following expenses provided that receipts for all such expenses are attached to a reimbursement voucher;

- A. Actual costs for travel by common carrier, provided such travel is accomplished in the most economical manner practical;
- B. Rental cars or charter aircraft, provided less expensive transportation is not available or appropriate;
- C. Registration fees for educational programs or conferences, provided, if the fee includes lodging or meals, then no per diem rates shall be paid and only actual expenses paid by the officer or employee and not included in the fee shall be reimbursed with the limits of Section 6, and;
- D. Professional fees or dues that are beneficial to the agency's operations or mission;

7.2 Receipts not required: Public officers and employees may be reimbursed without receipts for the following expenses in an amount of \$6.00 per day not to exceed a total of \$30.00 per trip:

- A. Taxi or other transportation fares at the destination of the traveler;
- B. Gratuities not exceeding 15% of the initial charge, and;
- C. Parking fees
- D. If more than \$6.00 per day or \$30.00 per trip is claimed, the entire amount of the reimbursement claim must be accompanied by receipts.

Section 8. Travel Advances

8.1 Authorizations: A public officer or employee may submit, in writing, a request to be advanced up to 80% of per diem rates and mileage cost or for actual cost of lodging and meals pursuant to Section 5 and Section 6 of this policy and for other travel expenses that may be reimbursed under Section 7 of this policy. Approval must be obtained prior to dates of travel for requests, but no sooner than 2 weeks prior to dates of travel unless, by processing the request earlier, significant savings can be realized for travel by common carrier or for registration fees for seminars and conferences. Approval must be received from the department head and governing board or their authorized designee.



8.2 Travel Period: A travel advance may be authorized for a single travel period. Payment shall be made only upon properly authorized vouchers being submitted for each travel period.

8.3 Single Travel Period Advances: Where a travel advance is made for a single trip, the officer or employee shall remit, within five(5) working days of the return from the trip;

- A. All itemized receipts for actual expenses incurred according to Section 6 of this policy, and;
- B. A refund of any excess advance payment to the agency.

8.4 Agency Records: The finance department is responsible for maintaining records of travel advances authorized by the department head and the governing board or their authorized designee.

- A. Employee Ledgers: Finance shall keep individual employee ledgers for travel advances. The ledger shall include the following information to provide an adequate audit trail;
 - 1. Employee
 - 2. Number
 - 3. Department
 - 4. Fiscal year
 - 5. Date of travel advance
 - 6. Date of destination
 - 7. Per diem advance
 - 8. Earned
 - 9. Additional per diem or refund due

8.5 Year-End Closing: Each department head and Finance shall review all travel advances prior to the end of the fiscal year and collect or pay all outstanding amounts if possible. Any receivables or payables outstanding at year-end must be recorded on the books and records of the agency.

Section 9. Inclement Weather

Applicability: Cibola County has a responsibility for the safety and well-being of employees, public officers and non-salaried public officers. In the event of inclement weather occurring on dates of approved travel employees, public officers and non-salaried public officials should keep in mind the safety and well-being of themselves and the inhabitants of the location where the inclement weather exists. Any approved travel will be delayed consistent with the weather conditions surrounding the area where travel will begin.

Determination: When in Cibola County preparing for travel an employee, public officer or non-salaried public official will depend on Cibola County Manager, or designated official, to make a determination of delays and closures. When an employee, public officer or non-salaried public official is out of Cibola County on approved travel, the determination will be made based on the areas government or school district determination. Information about inclement weather can be found on Channel 4, radio stations 93.3FM, and 770AM.



- A. In and Around Cibola County: When Cibola County government operates on a delayed schedule or when a closure is deemed necessary, travel from Cibola County will not be authorized. It is also the responsibility of the approved traveler to check the weather conditions at the approved destination and avoid any travel into inclement weather conditions.

Section 10. Reservations

Applicability: An elected official or department head shall confirm with the purchasing office whether or not there is a current travel specialist on contract prior to making any reservations. If the County has contract with a travel specialist (travel agency) all reservations shall be booked through the contracted travel specialist to ensure the lowest possible price and centralization of travel expenditures. Once the traveler receives the approved travel forms and when reservations are required, that traveler or department designee shall provide to the travel specialist the approved details of travel. When confirmation is received from the travel specialist, the traveler or department designee shall forward all receipts and travel documents back to the finance department for payment processing. The requirements of this section apply to any reservations required for travel excluding the reservations that initiate the travel (conference, training, meeting, etc.)

Section 11. Amendments to Policy, Conflicts with Other Policies, Interpretation:

11.1 Any changes to this policy shall be made by a duly adopted resolution of the Board.

11.2 If or when there are two or more policies that conflict regarding travel procedure or dealing with the subject matter contained in this policy, the more stringent policy shall govern.

11.3 If more than one interpretation of this policy exists in conformance with its terms, the decisions of the County Manager regarding the interpretation of this policy shall be final.

11.4 Any previous travel policies, including Resolution 25-2016 are repealed and replaced with the adoption of this policy.



BOARD OF COUNTY COMMISSIONERS

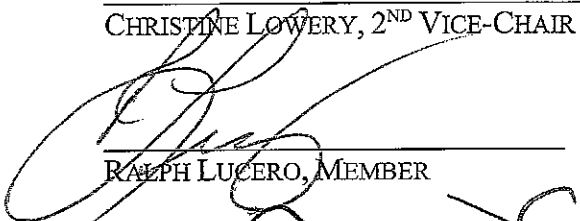
APPROVED, ADOPTED, AND PASSED on this 2nd day November 2022.


DANIEL TORREZ, CHAIR


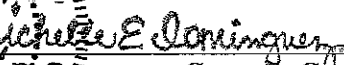

MARTHA GARCIA, 1ST VICE-CHAIR

ABSENT

CHRISTINE LOWERY, 2ND VICE-CHAIR


RALPH LUCERO, MEMBER


ROBERT WINDHORST, MEMBER


SEAL 
MICHELLE E. DOMINGUEZ, COUNTY CLERK

