

RESOLUTION 2024- 97**RESOLUTION AMENDING CHAPTER 111 OF THE CODE OF DOÑA ANA COUNTY
RELATING TO TRAVEL, PER-DIAM AND MILEAGE POLICES**

WHEREAS, Doña Ana County has adopted resolutions establishing policies for travel, per-diam and mileage which have been codified as Chapter 111 of the Code of Doña Ana County; and

WHEREAS, the maximum rates for certain travel related costs are set by the New Mexico Department of Finance and Administration ("DFA") and are subject to change each year; and

WHEREAS, the County has historically adopted the rates set by DFA and incorporated them into the county's policies; and

WHEREAS, changing the policy to automatically changes the rates set by the county to change with the amounts adopted by DFA will streamline the process and make the reimbursement rates easier to understand; and

WHEREAS, current policies require all out of state travel in non-elected official departments be approved by the Board of County Commissioners; and

WHEREAS, allowing the County Manager to approve out of state travel with quarterly report to the Board of County Commissioners will streamline the out of state travel approval process.

IT IS HEREBY RESOLVED that the Code of Doña Ana County, Chapter 111, Travel, Per-Diam and Mileage Policies is amended the amend the following sections:

§ 111-9 Standard travel approval.

- A. Out-of-state travel approval. The County Manager must approve out-of-state travel for all County employees, except elected officials and employees of elected officials' departments as long as there is an approved budget for the travel. The County Manager or his/her designee may approve out-of-state travel for employees of the Fire Marshal's Office and volunteer fire departments. Elected officials may approve travel for themselves and for employees of the elected official's department. If elected officials or employees are requesting a travel advance for out-of-state travel refer to § 111-10 of this chapter for procedures. The County Manager shall report to the Board of County Commissioners on a quarterly basis all out of state travel approved by the County Manager.
- B. Out-of-state travel approval for Sheriff's Department. Out-of-state travel for investigations and/or transportation and extradition of prisoners by law enforcement officers shall be

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approved at the discretion of the Sheriff and within court order mandates (under NMSA § 4-44-18). If travel is for transportation and extradition of prisoners, all travel costs should comply with NMSA § 4-44-18, regulations governing the Per Diem and Mileage Act under the New Mexico Administrative Code §2.42.2.1 et. seq. , and any locally adopted County policy. Reimbursement for transportation and extradition-of-prisoner forms as required should be completed and attached to completed request-for-reimbursement travel forms. All other travel, including seminars, conferences, training, etc., shall be governed by this section for procedures.

- C. In-state travel approval. The department head shall approve in-state travel for all County employees in his/her department, as long as there is an approved budget for the travel. If employees are requesting a travel advance for in-state travel, refer to § 111-10 of this chapter for procedures.

§ 111-10 Travel advances.

The Board of County Commissioners delegates the authority under the Per Diem and Mileage Act to approve advanced travel pay to the County Manager, or designee, for all duly authorized and approved in-state and out-of-state travel by County elected officials and County employees. Under this resolution, the Board of County Commissioners is also authorizing the County Manager, or designee, to approve actual and per-diem travel advances.

- A. Advance payment of estimated travel expenses (exceeding \$100 will be paid 80% according to state statutes/County resolutions, subject to change) may be made to an employee who submits an appropriate written travel authorization (including the approval signatures of the department head and the County Manager or his/her designee). A request must be received by accounts payable in the Financial Services Department complete with all signatures and attached approvals 14 days prior to the date of departure.
- B. When a travel advance is made for a trip, all persons (elected officials, employees, nonemployees, and public officials) shall submit all receipts within five days of return from the trip, and will refund any excess advance payment in full along with the return travel authorization form to the Financial Services Department. If return forms and any payments due to the County are not completed as stated, the Financial Services Department will process a deduction for the full amount from the person's payroll check. Acceptance and understanding of this policy is agreed to when the person signs the travel authorization form.
- C. A return-from-travel authorization form must be submitted for advance per-diem requests, including per-diem checks picked up after the trip has occurred.
- D. Advances may be picked up no earlier than one working day before the travel is to start.

§ 112-12 Standard per-diem rates and proration.

Partial-day per-diem rate. Elected officials or employees who occasionally and irregularly travel shall be reimbursed for travel which does not require overnight lodging, but extends beyond a normal workday in accordance with the New Mexico Administrative Code §2.42.2.8 and as published on the State Department of Finance and Administration website on May for the preceding fiscal year.

§ 111-12 Standard per-diem rates.

Overnight travel. Travel for elected officials and employees where overnight lodging is required shall be reimbursed in accordance with the New Mexico Administrative Code §2.42.2.8 and as published on the State Department of Finance and Administration website on May for the preceding fiscal year.

§ 111-13 Reimbursement of actual expenses in lieu of standard per-diem rates.

- A. Actual per-diem expenses paid to County elected officials, employees, public officials and nonemployees (as noted under NMSA §§ 10-8-1 to 10-8-7, and New Mexico Administrative Code §§ 2.42.2.1 et.seq) that are greater overall than the standard per-diem rate may be reimbursed, in accordance with the New Mexico Administrative Code section 2.42.2.9 and as published on the State Department of Finance and Administration website on May for the preceding fiscal year. Lodging expenses in excess of \$215/night must be approved by the County Manager or the applicable elected official.
- B. When standard per-diem is requested as advance travel pay, and, upon return with receipts, it is evident that expenses incurred were greater than the standard per-diem amount and are considered economically practical, then actual expenses can be claimed with the approval of the County Manager or his/her designee if all original receipts are attached.
- C. When actual per-diem has been requested and approved, under no circumstances can the per-diem be changed back to standard per-diem.
- D. Lodging will be paid at the single occupancy rate, with the exception of when two persons on County business share one room. The person receiving the per-diem for the lodging will be paid the double occupancy rate. The County will not pay the double occupancy rate for family or friends who room with the person receiving per-diem.
- E. The County will not pay for any extra days that do not pertain to County business.
- F. Reimbursements for per-diem, mileage, expenses, academy training, conferences, seminars and all other travel will be to the destination most economical to the taxpayers of Doña Ana County.

§ 111-14 Reimbursement for travel by private conveyance.

Elected officials, employees and nonemployees of Doña Ana County shall be reimbursed for travel by private conveyance in the discharge of official duties in accordance with the New Mexico Administrative Code section 2.42.2.11.

- A. Then a County gas credit card is used, the employee is required to submit the gas receipt, the vehicle identification number and/or license plate number with a request for payment form to the Financial Services Department after it is approved and signed by the elected official and/or department director. A County gas credit card should only be used for County vehicles, not personal vehicles. If the employee misplaces a credit card gas receipt, an affidavit may replace the receipt; however, repeated use of affidavits (as determined by the Financial Services Department) may result in disapproval of credit card usage.

§ 111-15 Tipping fees, phone calls, copying, parking and other fees.

Elected officials, employees and nonemployees performing County-related business may be reimbursed for certain actual expenses in addition to per-diem rates in accordance with the New Mexico Administrative Code section 2.42.2.12.

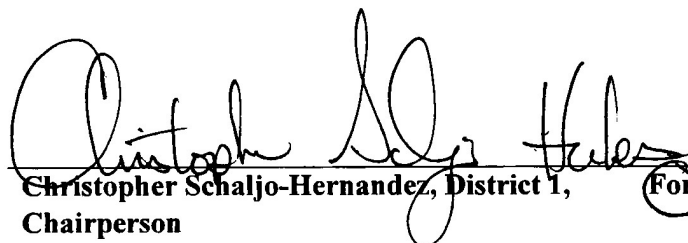
- A. In addition to the above, restaurant and cab fare gratuities shall be limited to no more than 20% of the allowable food receipts and cab fares. Parking, baggage handling and other similar tips will be limited to no more than \$2 per tip.

All other section of Chapter 111 of the Code of Doña Ana County remain in full force and effect.

Resolved this 13th day of August, 2024.



**BOARD OF COUNTY COMMISSIONERS OF
DOÑA ANA COUNTY, NEW MEXICO**

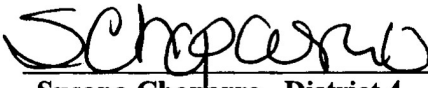

Christopher Schaljo-Hernandez, District 1, ☒ For ☐ Against
Chairperson



Diana Murillo, District 2, Vice Chairperson ☒ For/Against



Shannon Reynolds, District 3 ☒ For/Against

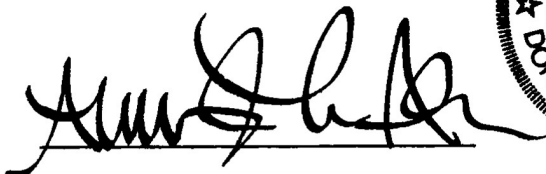


Susana Chaparro, District 4, ☒ For/Against



Manuel A. Sanchez, District 5 ☒ For/Against

ATTEST:



Amanda López Askin, Ph.D.

County Clerk

