

ORDINANCE NO. 81216

DEC 09 2016

A JOINT ORDINANCE ADOPTING THE LOCAL GOVERNMENT TRAVEL EXPENSE CONTROL ACT POLICY FOR MCHENRY TOWNSHIP AND THE MCHENRY TOWNSHIP ROAD DISTRICT

WHEREAS, the McHenry Township, McHenry County, Illinois (the "Township") is an Illinois unit of local government (Constitution, Art. VII, Section 1) and township duly organized and existing pursuant to Illinois law including the Township Code (60 ILCS 1/1-1 *et seq.*); and

WHEREAS, the McHenry Township Road and Bridge District, McHenry County, Illinois (the "District"), is an Illinois unit of local government (Constitution, Art. VII, Section 1) and Section 73-5 of the Township Code (60 ILCS 1/73-5) in conjunction with Article 6 of the Illinois Highway Code (605 ILCS 5/6-101 to 6-906); and

WHEREAS, the Township's Board of Trustees (the "Board") is responsible for review and approval of Township and District accounts for payment (60 ILCS 1/80-10(a)); and

WHEREAS, Illinois recently enacted the LOCAL GOVERNMENT TRAVEL EXPENSE CONTROL ACT by Public Act 99-0604, signed into law on July 22, 2016 to be effective January 1, 2017 (the "Act," 50 ILCS 150/1 *et seq.*); and

WHEREAS, the Township and District are a "local public agency" subject to the terms of the Act (Section 5); and

WHEREAS, the Act requires the Township and District's Board, by resolution or ordinance, to regulate the reimbursement of all travel, meal, and lodging expenses of Township and District officers and employees; and

WHEREAS, the United States Government Services Agency (GSA) promulgates reimbursement rates for general travel control, for federal employees, specifically including reimbursement rates for the State of Illinois in Appendix A, a copy of which is included as **Exhibit A** attached hereto and by this reference incorporated herein; and

WHEREAS, the Township Supervisor, as chief executive officer of the Township (60 ILCS 1/70-15) recommends approval of this policy as required by law; and

WHEREAS, the Highway Commissioner for the Road and Bridge District (605 ILCS 5/6-112, and 6-201 to 201.22) recommends approval of this policy as required by law, and

WHEREAS, the Board finds and determines it to be in the best interest of the Township and District, its residents and employees to clarify reimbursement permitted by the Board and law.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the McHenry Township and McHenry Township Road and Bridge District, McHenry County, Illinois, as follows:

SECTION ONE: That the Board finds the above entitled recitals to be true and correct, and by this reference incorporates each and all of them fully herein as if here restated.

SECTION TWO: That reimbursement for travel, meal, and lodging expenses of Township and District officials, officers and employees shall be as prescribed in this Ordinance.

SECTION THREE: That "officials, officers and employees" ("personnel" collectively) shall include members of the Township's and District's Board of Trustees, as well as all administrative and support personnel, whether full-time or part-time employees.

SECTION FOUR: That reimbursement shall be available to said personnel for expenses incurred incidental to approved Township and District business and activities, including by way of example but not limited to attending training and coordination sessions, meetings and conferences, vehicle and equipment maintenance and support efforts, and other business as expressly approved by the Board. Approval of reimbursement requested by or provided to a member of the Township and District Board of Trustees shall be by roll call vote at an open meeting of the District Board at a duly convened public meeting pursuant to Section 15 of the Act (50 ILCS 150/15).

SECTION FIVE: That reimbursement shall not be allowed for "entertainment" expenses which include, but are not limited to, the following: shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, *unless* ancillary to the purpose of a permitted program or event.

SECTION SIX: That the maximum allowable rate for reimbursement of travel expenses for Township and District personnel shall be as prescribed in the adapted Government Services Administration (GSA) rates in **Exhibit A** attached hereto and by this reference incorporated herein, and as from time to time amended. The Township and District's Board reserves the

unfettered right to approve, on a case-by-case basis, expenses that exceed the maximum allowable travel, meal, or lodging expenses because of emergency or other extraordinary circumstances pursuant to Section 10 of the Act (50 ILCS 150/10) with said approval recorded by roll call vote at an open meeting of the District Board at a duly convened public meeting pursuant to Section 15 of the Act (50 ILCS 150/15)..

SECTION SEVEN: That pursuant to Section 20 of the Act (50 ILCS 150/20) Township and District personnel seeking reimbursement for expenses incurred incidental to approved Township and District business and activities shall request said reimbursement using the form substantially in the format included as **Exhibit B** attached hereto and by this reference incorporated herein.

SECTION EIGHT: That all other ordinances, or other proceedings in conflict herewith be to the extent of such conflict, are hereby repealed.

SECTION NINE: This Ordinance shall be in full force and effect upon its passage and approval as required by law.

ADOPTED this 8th day of December, 2016, by the following roll call vote:

AYES: Trustees: Marcuccio, Skrepler, Abilene & Spornice Adams -

NAYS: _____

ABSENT: Trustee Gary Barla

FILED
McHENRY COUNTY, IL

DEC 09 2016

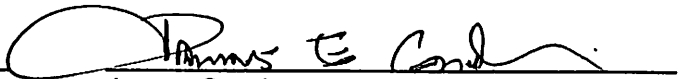
McHENRY TOWNSHIP



Craig M. Adams
Supervisor
McHenry Township

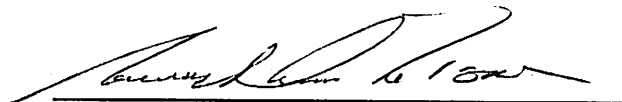
**McHENRY TOWNSHIP ROAD &
BRIDGE DISTRICT**

Mary E. McCallan
COUNTY CLERK



James Condon
Highway Commissioner
McHenry Township

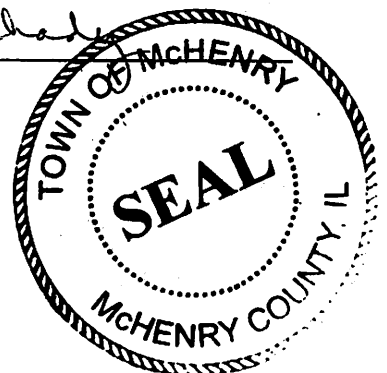
ATTEST:



Marsha Nelson
Clerk
McHenry Township



Mary Mahady
Assessor
McHenry Township





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EXHIBIT A

**Modified Government Services Administration Reimbursement Schedule
Per Diem (Lodging, Meals and Incidental Expenses) and Mileage
[3 pages attached following]**

Per Diem Rates for Illinois [Based on FY 2017 GSA Rates]

For per diem rates other States see GSA Portal:

http://www.gsa.gov/portal/content/104877?utm_source=OGP&utm_medium=print-radio&utm_term=perdiem&utm_campaign=shortcuts

Cities not appearing below may be located within a county for which rates are listed.

If unsure, to determine what county a city is located in, visit the National Association of Counties (NACO) website (a non-federal website).

Primary Destination (1, 2)	County (3, 4).	Max lodging (excluding taxes) (5)	Meals & Incidental Expenses (6)
Standard Rate	Applies for all locations without specified rates	\$91	\$51
Bolingbrook / Romeoville / Lemont	Will	\$95	\$54
Chicago	Cook / Lake	\$212	\$74
O'Fallon / Fairview Heights / Collinsville	Bond / Calhoun / Clinton / Jersey / Macoupin / Madison / Monroe / St. Clair	\$125	\$54
Oak Brook Terrace	DuPage	\$112	\$59

Footnotes

1. Traveler reimbursement is based on the location of the work activities and not the accommodations, unless lodging is not available at the work activity, then the agency may authorize the rate where lodging is obtained.
2. Unless otherwise specified, the per diem locality is defined as "all locations within, or entirely surrounded by, the corporate limits of the key city, including independent entities located within those boundaries."
3. Per diem localities with county definitions shall include "all locations within, or entirely surrounded by, the corporate limits of the key city as well as the boundaries of the listed counties, including independent entities located within the boundaries of the key city and the listed counties (unless otherwise listed separately)."
4. When a military installation or Government-related facility (whether or not specifically named) is located partially within more than one city or county boundary, the applicable per diem rate for the entire installation or facility is the higher of the rates which apply to the cities and/or counties, even though part(s) of such activities may be located outside the defined per diem locality.
5. Simplified annual rate used in lieu of GSA's monthly rate.
6. Meals and Incidental Expenses, see Breakdown of M&IE Expenses for important information on first and last days of travel.

Meals and Incidental Expenses (M&IE) Breakdown [Based on FY 2017 GSA Rates]

The separate amounts for breakfast, lunch and dinner listed in the chart are provided should you need to deduct any of those meals from your trip voucher. For example, if your trip includes meals that are already paid for by the government (such as through a registration fee for a conference), you will need to deduct those meals from your voucher.

The table lists the six M&IE tiers in the lower 48 continental United States (currently ranging from \$51 to \$74). If you need to deduct a meal amount, first determine the location where you will be working while on official travel. You can look up the location-specific information at www.gsa.gov/perdiem. The M&IE rate for your location will be one of the six tiers listed on this table. Find the corresponding amount on the first line of the table (M&IE Total) and then look below for each specific meal deduction amount.

The table also lists the portion of the M&IE rate that is provided for incidental expenses (currently \$5 for all tiers).

Total	Continental Breakfast/ Breakfast	Lunch	Dinner	IE
\$51	\$11	\$12	\$23	\$5
\$54	\$12	\$13	\$24	\$5
\$59	\$13	\$15	\$26	\$5
\$64	\$15	\$16	\$28	\$5
\$69	\$16	\$17	\$31	\$5
\$74	\$17	\$18	\$34	\$5

This table lists the amount federal employees receive for the first and last calendar day of travel. The first and last calendar day of travel is calculated at 75 percent.

Total	First & Last Day of Travel
\$51	\$38.25
\$54	\$40.50
\$59	\$44.25
\$64	\$48.00
\$69	\$51.75
\$74	\$55.50

Mileage Reimbursement Rates [Based on FY 2017 GSA Rates]

In addition to standard Lodging and M&IE Per Diem, you may also receive reimburse for travel in a Personally Owned Vehicle (POV) for authorized business purposes.

There are three different mileage rates based on type of vehicle and availability of a government owned vehicle:

1) **Standard Mileage Rate.** Used for travel in a Personally Owned Automobile (POA) when a government owned vehicle is not available or not in the government's best interest. You may drive no more than 400 miles a day. For travel farther than 400 miles, check with administration concerning use of commercial air-travel as an alternative.

2) **Government Vehicle Available Rate.** Used for travel when use of a government owned vehicle is available but the traveler chooses to use a personally owned vehicle anyway. If the use of a government owned vehicle would not save the government money then the Standard Mileage Rate may be given.

3) **Motorcycle Rate.** Used when a motorcycle is used for business travel. Check with administration concerning use of a motorcycle for business purposes.

4) Employee use of a personally owned airplane or aircraft (i.e., helicopter) for official business travel is not authorized and no reimbursement will be provided.

5) Reimbursement rate is determined by mileage to/from location of travel for official business. You must

Personal Owned Vehicle (POV) – Standard Mileage Rate	Government Owned Vehicle Available Rate	Motorcycle Rate
\$0.540	\$0.190	\$0.510

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EXHIBIT B
Reimbursement Request
[substantially in the format following]

Date: _____
From: _____ [printed name Requestor]
Township Supervisor – OR –
Through: Highway Commissioner _____ [initial if approved]
To: Clerk, McHenry Township

Activity for which Reimbursement sought: _____
Date(s) of Activity: _____

Activity Fee: _____ [conference or course fee, if any]
Mileage (total): _____ IF USE OF POV PRE-AUTHORIZED
Per Diem: B ___ L ___ D ___ Day(s) ___ Enter # claimed
Lodging: _____ [attach receipt(s)]

The Township/District Board may authorize pre-payment of the associated Activity Fee, if any.
All requests shall be supported by receipts in all instances for railroad and airplane transportation, lodging, taxis, and all other items in excess, individually, of \$10.00 except for meals.

The undersigned District official, officer or employee certifies pursuant to Section 1-109 of the Illinois Code of Civil Procedure [735 ILCS 5/1-109] that the above expense(s) for which reimbursement is claimed were incurred and necessarily incidental to approved District business and activities.

Date: _____ [Requestor's signature]

Sworn to and subscribed before me this
8th day of December 2016.

[Reference: 50 ILCS 150/20}

STATE OF ILLINOIS)
)
McHENRY COUNTY)

SS

CLERK'S CERTIFICATE

I, Marsha Nelson, the duly qualified and acting Clerk of McHenry Township and the McHenry Township Road & Bridge District, McHenry County, Illinois, do hereby certify that attached hereto is a true and correct copy of a Ordinance entitled:

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which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 8th day of December, 2016.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and the Board met all the requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of December, 2016.



Marsha Nelson
Clerk
McHenry Township and the
McHenry Township Road & Bridge District