



VALENCIA BOUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION No 2016-21

NOMINAL PURCHASES POLICY

WHEREAS, the Board of County Commissioners met in a regularly scheduled meeting on Wednesday, February 17, 2016 at 5:00 p.m. in the Valencia County Administration Building 444 Luna Avenue, Los Lunas, New Mexico 87031; and,

WHEREAS, NMSA, 1978, Section 4-38-18 (1976) provides that a Board of County Commissioner has the duty and authority “[t]o represent the county and have the care of the county property and the management of the interest of the county in all cases where no other provision is made by law; and,

WHEREAS, NMSA 1978, Section 3-13-4 (1965) allows municipalities and counties to establish a personnel merit system for the hiring, promotion, discharge and general regulation of municipal and county employees; and,

WHEREAS, N.M. Const. art. IX, § 14, the Anti-Donation Clause, generally prohibits state or local governments from making out right gifts to persons, nevertheless the Attorney General has interpreted the anti-donation clause to allow public entities to spend public money to achieve their governmental purposes even when the expenditures provide an incidental benefit to private individuals or entities, as long as the benefit, based on the amount, duration, frequency or other characteristic, does not amount to an actual grant or subsidy condemned by the clause, See N.M.A.G. Op. No. 97-02 (Jan. 7, 1997).

NOW THEREFORE BE IT RESOLVED THAT, the following policy is hereby adopted.

NOMINAL PURCHASE POLICY

I. Purpose.

The purpose of this policy is to provide guidance to County Administration regarding the purchase and distribution of employee recognition mementos, advertising materials for public safety awareness campaigns, recruitment events and promotional occasions.

II. Employee Retirement or Recognition Awards

A. As a prospective benefit to County Service Valencia County employees are eligible to receive:

1. A retirement plaque or other gift purchased by the County, the value of which may not exceed \$50.00.
2. Service Awards or Employee Appreciation Awards (such as lapel pins, medallions, paperweights, clocks, plaques, etc.) upon the completion of important employment anniversary milestones, ie. 5, 10, 15 years of continuous employment, the value of which may not exceed \$25.00.

B. County Administration is authorized to purchase such items pursuant to the limitations imposed by the New Mexico Procurement Code, NMSA 1978, 13-1-128 *et seq.*, the current County small purchasing policy and consistent with the County's budget.

C. Retirement and Service Awards will originate from the Human Resources Department and will be submitted to the County Manager for authorization.

D. Employee Appreciation Awards must originate from the Department Director or Elected Official and be submitted to the County Manager for authorization. Examples of reasons for authorizing an Employee Appreciation Award include:

1. Valor (life-saving, bravery, heroism, courageous)
2. Significant Monetary Savings to Valencia County
3. Significant Professional Contribution

III. Public Safety Awareness Campaigns, Recruitment Events and Promotional Occasions

A. County departments are authorized to procure promotional materials such as pens, flyers, t-shirts, children's toy badges *etc.* and distribute those items during public safety and awareness campaigns, recruitment events or occasions which promote Valencia County services if:

1. The items do not exceed \$10 per individual item.

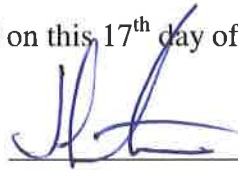
2. All program participants or event attendees are eligible to receive the items.
 3. The items are rationally designed to build public trust & confidence in the County's departments, educate the public on public safety issues, promote interest in building a career with the County, and/or inform the Public of services offered by Valencia County.
- B. County Administration is authorized to purchase such items pursuant to the limitations imposed by the New Mexico Procurement Code, NMSA 1978, 13-1-128 *et seq.*, the current County small purchasing policy and consistent with the County's budget.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF VALENCIA

APPROVED, ADOPTED, AND PASSED on this 17th day of February, 2016.



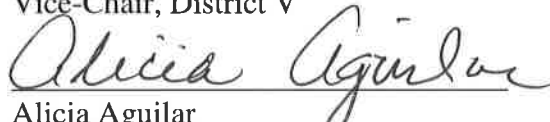
Charles D. Eaton
Chair, District IV



Jhonathan Aragon
Vice-Chair, District V



Helen Y. Cole
Commissioner, District I



Alicia Aguilar
Commissioner, District II



David A. Hyder
Commissioner, District III



Peggy Carabajal, County Clerk