

Per Diem

There are two kinds of payments that a conservation district supervisor may receive for doing their duty as an elected member of the conservation district. KRS 262.240(3) says “A supervisor may be reimbursed for expenses necessarily incurred in the discharge of his or her duties and may be paid a per diem for attending meetings or otherwise discharging the obligations of his or her office.” Those are two different kinds of payments, both of which the conservation district as a whole will need to consider. The statute says that a supervisor MAY be paid for those two things, not that they SHALL be paid, which means that the district needs to decide on these payments.

Two kinds of payments

A supervisor will sometimes have expenses that happen while they’re doing their duty. Examples of this might be that someone needs to buy extension cords for your farm tour or folders for your handouts while meeting with other elected officials. Each conservation district board can decide how they want to handle the supervisor being reimbursed for these expenses. The typical way to reimburse the supervisor would be that the supervisor brings their receipts to the office, the board votes to approve the expense at the next meeting, and the supervisor receives a reimbursement check. This check would be for the exact amount of the expense and is not taxable.

A supervisor can also receive a per diem for attending meetings and completing other obligations of their office. According to the IRS, per diem is an allowance paid to employees for lodging, meals, and incidental expenses incurred when traveling. This allowance is in lieu of paying their actual travel expenses. What this means is that a supervisor can be paid either per diem or actual expenses, but not both. Examples of the per diem vs actual expenses decision:

- John Q. Supervisor drives from his home to the board meeting and back home. He can either be paid per diem or reimbursed for his mileage.
- Jane S. Supervisor drives from her home to the KACD convention, eats meals, stays in a hotel, then drives back home. She can be paid either per diem or reimbursed for her mileage, meals, and hotel.

Is per diem taxable?

This is a question that has a different answer for different districts. According to the Finance and Administration Cabinet’s Social Security Coverage and Reporting Branch, conservation districts have different classifications, which affect whether or not a supervisor’s per diem is taxable. Questions about these classifications should be directed to the [SSCRB](#).

What does “otherwise discharging the obligations of his or her office” mean?

This is a question that each conservation district can consider. District A may decide to only pay per diem for attendance at events sponsored by the district, such as board meetings, field day, awards banquet, etc. District B may decide to pay per diem for any event where the supervisor is representing the district, such as board meetings, field day, awards banquet, fiscal court meetings, community event

where the supervisor is speaking about local cost share, etc. District C may decide to only pay per diem for board meetings. Districts should consider their budget when making these decisions. If a district is paying so much in per diem payments each year that they can't afford programs for their community, that might need to be reconsidered. A district's decision on what events qualify for per diem must apply to all the supervisors. If John Q. Supervisor is only approved to receive per diem for board meetings, then Jane S. Supervisor can't receive per diem for also attending fiscal court meetings.

How much can a supervisor receive as per diem?

While the Soil and Water Conservation Commission has set the maximum rate for per diem at \$75, each conservation district board can set their own rate up to that amount, as their budget allows. During times of financial hardship for district boards, some choose to do away with per diem entirely to help carry out the programs the district has planned. Whatever rate is decided upon by the board should be equal across all supervisors. An individual supervisor may choose to receive a smaller per diem or no per diem at all, but the board can't decide that John Q. Supervisor should have a per diem rate of \$75 and Jane S. Supervisor should have a per diem rate of \$35.

What about incentive per diem?

The Soil and Water Conservation Commission voted in 2006 to make it possible for supervisors who put forth an effort to better learn how to serve their board and community to be paid a training incentive of \$25. Supervisors can earn this incentive by participating in at least 2 qualifying events during a fiscal year. Approvals are on a fiscal year timeline, so the incentive is earned and paid during different fiscal years. Events that the Commission has already approved as qualifying events include:

- KACD annual convention
- Area meetings
- At least 8 ten-minute trainings (or 7 ten-minute trainings and an area work group meeting)
- NACD annual meeting
- NACD SE regional meeting
- OKI RCC annual meeting
- DOC virtual training

Other events may qualify if approved by the Commission. Districts can petition the Commission by sending a letter explaining why they feel that event should qualify along with a meeting agenda. Only events that have an educational component to help the attendee become a better supervisor have been approved previously.

EXAMPLE: Jane S. Supervisor attended a virtual training provided by the DOC and an area meeting during the 2025- 2026 fiscal year. After she's completed her two events, she'll ask her board to approve incentive per diem. After they have verified that she completed the required events, they'll approve her request, then they'll request the Commission to approve her incentive at their next scheduled meeting. The commission will then approve her to receive the incentive per diem payments during the 2026-2027 fiscal year.