



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-5035

Finance Office Department

300 Sixth Street

Telephone: (605) 394-4143

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MEMO

To: Mayor Sam Kooiker & City Council

From: Pauline Sumption

Date: January 17, 2012

RE: Library Vendor Payment Process

At the request of Greta Chapman, the City Attorney's office looked at State Statute to determine if it is allowable for the Finance Office to issue vendor checks subsequent to the Library Board's approval of the claims in lieu of having them go through the Council bill list first.

Even though there is no specific statute which states that the library board of trustees can pay their bills, all of the statutes read together led City Attorney Joel Landeen to conclude that the library board of trustees has the authority to approve the expenditures they have authorized in their annual budget. He also reached this conclusion after looking at Attorney General Opinion 81-39

<http://atg.sd.gov/TheOffice/OfficialOpinions/OpinionView/tabid/262/itemID/1111/moduleID/591/Default.aspx>. This opinion makes clear that the role of the City Council is to appropriate funds for use by the library and it is the responsibility of the library board to approve a final budget indicating how the funds are to be used. After looking at all the authority granted by statute to the library board to direct the operation of the library and the authority granted to them over the library's annual budget, it is Joel's opinion that the authority to authorize the payment of bills out of funds appropriated to the library properly lies with the board of trustees and not the City Council.

It is for these reasons that I am also requesting that the Finance Office be allowed to issue checks to the Library Board's vendors after the Board has approved said payments. This will change the process in, that once the Board has met and approved the payments, the checks will be issued and the claims will NOT come before the Common Council.



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MEMO

To: Mayor Sam Kooiker & City Council

From: Pauline Sumption

Date: January 4, 2012

RE: Airport, Civic Center and Library Vendor Payment Process

Under RCMC 2.72.130 and RCMC 2.76.100, the Airport Board and the Civic Center Board may, after approval of the claims by the Board, requisition/authorize the Finance Officer to issue checks to pay their vendors.

At the request of Cameron Humphres and Brian Maliske and with your approval, we would begin to follow these ordinances and the Finance Office would issue checks to the Boards' vendors after the Boards have approved said payments. This will change the process in, that once the Boards have met and approved the payments, the checks will be issued and the claims will NOT come before the Common Council.

At the request of Greta Chapman, the Finance and City Attorney's offices are also looking at State Statute to determine if this is an option for the Library claims as well. Once that has been determined, and if it is favorable for the Library, I would be bringing the report back to you for your acknowledgement.



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