RESOLUTION 2015-4
CODINGTON COUNTY JUSTICE ADVISORY COMMITTEE CHARTER

I. The Committee will be called the Codington County Justice Advisory Committee, (hereafter referred to as "CCJAC"). It is created by the Codington County Board of Commissioners (hereafter referred to as "the Commissioners"), and will serve at the pleasure of the same. The Commissioners may amend this charter at their discretion.

II. Purposes
In light of the stated intent in the U.S. and South Dakota Constitutions to "establish justice," the CCJAC, is created to advise the Commissioners concerning Codington County's justice responsibilities.

- In light of South Dakota Codified Laws, 24-11-2 and 24-11-23, the CCJAC shall provide information and offer recommendations to the Commissioners regarding the, budget, and facilities of the Codington County Detention Center.

- In light of South Dakota Codified Laws 16-2-25, 16-5-22, 16-6-7 and 16-12A-29.1, the CCJAC shall provide information and offer recommendations to the Commissioners regarding facilities for the Circuit and Magistrate Court proceedings and related Court administration that take place in Codington County.

III. Relationship of CCJAC to the Commissioners
The CCJAC shall offer recommendations and provide information relevant to the County's justice responsibilities. The CCJAC has no authority to expend funds or to make decisions on behalf of the Commissioners.

IV. Membership
Composition: The advisory committee shall consist of up to nine members. Of these, up to seven members shall be voting members and shall include:
- up to four members of the public appointed by the Commissioners,
- two County Commissioners, to be appointed by the Commissioners,
- the County Sheriff, as an ex officio member. If necessary, the Sheriff may designate a Sheriff's deputy or corrections officer to attend and vote at CCJAC meetings.

The two non-voting members shall include:
- With the agreement of the 3rd Circuit Court, one Judge of the 3rd Judicial Circuit chambered in Codington County, as an ex officio member. The appointed Judge may designate another 3rd Judicial Circuit Judge or 3rd Judicial Circuit Administration official to attend CCJAC meetings on the appointed judge's behalf.
- The County Chief Corrections Officer, as an ex officio member.

Term: A term of membership for the two County Commissioners and members of the public shall last for two years. Terms will begin on February 1st. At the end of the two year term, the Commissioners may re-appoint serving committee members or appoint new members.

The appointment of appointed members shall be recorded in the minutes of the official proceedings of the Commissioners. The Commissioners shall appoint one of the two County Commissioners appointed to the CCJAC to serve as interim CCJAC Chairman to organize the first meeting of the term, during which the CCJAC officers will be elected by the CCJAC.

V. Organizational Structure

Officers: The committee will have a chair and vice chair, who are elected for one-year terms by the members of CCJAC. The CCJAC will also have a recording secretary elected for a one-year term by the members of CCJAC. The recording secretary need not be a CCJAC member. There are no limits on consecutive terms. Elections will be held at the first meeting of the new membership year.

Duties of Officers: The chair shall ensure that the committee complies with this charter and preside over committee meetings. The vice-chair shall fulfill the duties of the chair in the chair's absence. The recording secretary shall record and keep minutes.

VI. Procedural Rules

By-Laws: The committee will operate according to Roberts Rules of Order. The committee may adopt by-laws at its discretion to further govern committee operation. By-laws shall require that two-thirds of the appointed members of CCJAC vote to approve adoption or change.

Meetings: The committee will meet at least two times per year. A quorum must be present in order for the CCJAC to vote on any matters. A quorum shall be a simple majority of appointed and ex officio voting CCJAC members. All meetings shall be public and shall be held in compliance with South Dakota public meeting laws (South Dakota Codified Law, Chapter 1-25). Notices of upcoming meetings will be communicated to members and to the public sufficiently in advance to allow members and the public to make plans to attend.

Minutes: Minutes of each meeting will be kept. Copies will be filed with the County Auditor and made available to the public in accordance with South Dakota public meeting laws.

Instructions to the CCJAC: When the Commissioners refer a specific question or issue instructions to the CCJAC, the Commissioners shall record such in the minutes of the official proceedings of the Commissioners.

Recommendations and Reports: Committee recommendations and reports shall be approved by a simple majority of CCJAC members present and will be submitted to the Commissioners and may be presented during the official proceedings of the Commissioners. Recommendations/reports shall be summarized in the minutes of the official proceedings of the Commissioners or attached to said minutes as written reports/recommendations. The Commissioners' reaction/response to such recommendations/reports shall be recorded in the minutes of the official proceedings of the Commissioners. The Commissioners may attach written reactions/responses to the minutes of the Commissioners proceedings.

Tie votes: Should a CCJAC vote on a recommendation or report result in a tie vote, the text of the motion that was voted upon, and supporting information, will be provided to the Commissioners. The Commissioners shall decide how to proceed regarding the matter voted upon. The Commissioners may require a report that reflects both points of view on the motion that resulted in a tie vote.

Dismissal: Appointed members who are absent without reasonable cause from two successive meetings will be considered to have resigned their seat. The Commissioners will move to fill the position.

Compensation of members of the public: The Commissioners may decide to compensate members of the public for their service as members of CCJAC.

VI. Liability and Indemnification

Neither the CCJAC nor any CCJAC member shall be corporately or personally liable for decisions or recommendations made by the CCJAC. Codington County shall indemnify the members of the CCJAC

to the fullest extent possible allowed by law with respect to duties performed on behalf of the CCJAC and shall advance all expenses and other costs incurred by or on behalf of such persons in connection with any legal or other proceedings thereto, unless and until a final determination is made that the person has been found to have acted with negligence, gross negligence of willful misconduct with respect to such duties.

ACCEPTANCE AND AUTHORIZATION

Approved this 3rd day of February, 2015

Elmer P Brinkman

Chairman

Attest:

Cindy Bruyman

County Auditor