

NOTICE OF AGENDA
PUBLIC PROTECTION and JUDICIAL COMMITTEE

Multi-Purpose Room, Justice Center
Balsam Lake, WI 54810
2:00 p.m. March 3, 2010

AGENDA

The Governing Committee may consider matters noticed herein in any order, regardless of the placement of such item on this notice.

Call to Order
Approve Agenda
Approve Minutes of February 3, 2010

Public Comment
Mediation and Local Court Rules: Hon. Robert H. Rasmussen
Discussion on Duties and Responsibilities of Committee

Clerk of Court:

General office update

District Attorney and Victim Witness Office:

2010 Goals
DA Report

Medical Examiner:

Monthly Report

Child Support Agency:

2010 ARRA Plan and Resolution
Monthly Activity Report

Sheriff:

2010 Office Goals
Sheriff's Report

Adjourn

This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk's office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made.

Notice of Special Meeting
(Date of Notice: February 26, 2010)

POLK COUNTY
PUBLIC PROTECTION AND JUDICIAL COMMITTEE
Polk County Justice Center, Courtroom Number 3
1005 West Main Street, Balsam Lake, Wisconsin
Meeting Date/Time: Thursday, March 4, 2010 at 11:00 a.m.

ORDER OF BUSINESS

Open Session

- Call to Order
- Approval of Agenda
- Conduct Evidentiary Hearing on Disciplinary Charges of Public Employee over which the Committee has jurisdiction and exercises responsibility pursuant to Section 59.26(8), Wisconsin Statutes.

Closed Session

- The Committee may convene into closed session pursuant to Section 19.85(1)(a), Wisconsin Statutes, for the purpose of deliberating concerning a case which was the subject of a judicial or quasi-judicial trial or hearing before the Committee, and for the taking of formal action on the disciplinary charges.
- Open Session - Recess and Continue Proceedings to March 5, 2010, if necessary

(The Committee may recess to March 5, 2010 at 9:00 a.m., as the Committee will determine and announce, for the purposes of continuing the evidentiary hearing, deliberations and/or formal action, as appropriate. A copy of the prospective notice for the March 5, 2010 meeting is attached hereto and incorporated herein.)
- Open Session - Adjourn, in the alternative to recess as noticed above.

This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk's office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made. Requests are confidential.

Notice of Special Meeting
(Date of Notice: February 26, 2010)

**POLK COUNTY
PUBLIC PROTECTION AND JUDICIAL COMMITTEE**

Polk County Justice Center, Courtroom Number 3
1005 West Main Street, Balsam Lake, Wisconsin

Meeting Date/Time: Friday, March 5, 2010 at 9:00 a.m.

ORDER OF BUSINESS

Open Session

- Reconvene, as necessary, Proceedings, as noticed for Thursday, March 4, 2010, which said notice is attached hereto and incorporated herein. (Proceedings will reconvene at 9:00 a.m., consistent with the announcement made during the meeting on March 4, 2010).
- Continue Evidentiary Hearing If Necessary on Disciplinary Charges of Public Employee over which the Committee has jurisdiction and exercises responsibility pursuant to Section 59.26(8), Wisconsin Statutes.

Closed Session

- The Committee may convene in closed session pursuant to Section 19.85(1)(a), Wisconsin Statutes, for the purpose of deliberating concerning a case which was the subject of a judicial or quasi-judicial trial or hearing before the Committee, and for the taking of formal action on the disciplinary charges.
- Open Session - Adjourn

This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk's office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made. Requests are confidential.

Notice of Special Meeting
(Date of Notice: March 8, 2010)

POLK COUNTY

PUBLIC PROTECTION AND JUDICIAL COMMITTEE

Polk County Justice Center, Courtroom Number 3

1005 West Main Street, Balsam Lake, Wisconsin

Meeting Date/Time: Wednesday, March 10, 2010 at 9:00 a.m.

ORDER OF BUSINESS

Open Session

- Reconvene, as necessary, Proceedings, as noticed for Thursday, March 4, 2010, and Friday, March 5, which said notices are attached hereto and incorporated herein. (Proceedings will reconvene at 9:00 a.m., consistent with the announcement made during the meeting on March 5, 2010).
- Continue Evidentiary Hearing If Necessary on Disciplinary Charges of Public Employee over which the Committee has jurisdiction and exercises responsibility pursuant to Section 59.26(8), Wisconsin Statutes.

Closed Session

- The Committee may convene in closed session pursuant to Section 19.85(1)(a), Wisconsin Statutes, for the purpose of deliberating concerning a case which was the subject of a judicial or quasi-judicial trial or hearing before the Committee, and for the taking of formal action on the disciplinary charges.
- Open Session - Adjourn

This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk's office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made. Requests are confidential.

Notice of Special Meeting
(Date of Notice: February 26, 2010)

**POLK COUNTY
PUBLIC PROTECTION AND JUDICIAL COMMITTEE**

Polk County Justice Center, Courtroom Number 3
1005 West Main Street, Balsam Lake, Wisconsin

Meeting Date/Time: Friday, March 5, 2010 at 9:00 a.m.

ORDER OF BUSINESS

Open Session

- Reconvene, as necessary, Proceedings, as noticed for Thursday, March 4, 2010, which said notice is attached hereto and incorporated herein. (Proceedings will reconvene at 9:00 a.m., consistent with the announcement made during the meeting on March 4, 2010).
- Continue Evidentiary Hearing If Necessary on Disciplinary Charges of Public Employee over which the Committee has jurisdiction and exercises responsibility pursuant to Section 59.26(8), Wisconsin Statutes.

Closed Session

- The Committee may convene in closed session pursuant to Section 19.85(1)(a), Wisconsin Statutes, for the purpose of deliberating concerning a case which was the subject of a judicial or quasi-judicial trial or hearing before the Committee, and for the taking of formal action on the disciplinary charges.
- Open Session - Adjourn

This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk's office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made. Requests are confidential.

Notice of Special Meeting
(Date of Notice: February 26, 2010)

POLK COUNTY

PUBLIC PROTECTION AND JUDICIAL COMMITTEE

Polk County Justice Center, Courtroom Number 3

1005 West Main Street, Balsam Lake, Wisconsin

Meeting Date/Time: Thursday, March 4, 2010 at 11:00 a.m.

ORDER OF BUSINESS

Open Session

- Call to Order
- Approval of Agenda
- Conduct Evidentiary Hearing on Disciplinary Charges of Public Employee over which the Committee has jurisdiction and exercises responsibility pursuant to Section 59.26(8), Wisconsin Statutes.

Closed Session

- The Committee may convene into closed session pursuant to Section 19.85(1)(a), Wisconsin Statutes, for the purpose of deliberating concerning a case which was the subject of a judicial or quasi-judicial trial or hearing before the Committee, and for the taking of formal action on the disciplinary charges.
- Open Session - Recess and Continue Proceedings to March 5, 2010, if necessary

(The Committee may recess to March 5, 2010 at 9:00 a.m., as the Committee will determine and announce, for the purposes of continuing the evidentiary hearing, deliberations and/or formal action, as appropriate. A copy of the prospective notice for the March 5, 2010 meeting is attached hereto and incorporated herein.)
- Open Session - Adjourn, in the alternative to recess as noticed above.

This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk's office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made. Requests are confidential.

Notice of Special Meeting
(Date of Notice: March 17, 2010)

POLK COUNTY

PUBLIC PROTECTION AND JUDICIAL COMMITTEE

Polk County Justice Center, Multi-Purpose Conference Room
1005 West Main Street, Balsam Lake, Wisconsin

Meeting Date/Time: Monday, March 22, 2010 at 9:00 a.m.

ORDER OF BUSINESS

(Open Session)

- Call to Order
- Approval of Agenda
- Deliberation and Formal Action on Disciplinary Charges filed against Public Employee, pursuant to Section 59.26(8), Wisconsin Statutes.

Closed Session

- The Committee may convene into closed session pursuant to Section 19.85(1)(a), Wisconsin Statutes, for the purpose of final deliberations concerning a case which was the subject of a judicial or quasi-judicial trial or hearing before the Committee. Deliberations will involve final deliberations regarding discipline proceedings pertaining to Deputy Eric Swan.
- Movement into Open Session
 - Possible final action on discipline recommendations, including adoption of Order.
- Adjourn.

**MINUTES OF THE POLK COUNTY
PUBLIC PROTECTION AND JUDICIAL COMMITTEE
REGARDING
DISCIPLINARY PROCEEDINGS PERTAINING TO DEPUTY ERIC SWAN**

PROCEEDINGS CONDUCTED MARCH 4, 5, 10, AND 22, 2010

- I. March 4, 2010.
- a. In session. Called to order at 11:00 a.m. Disciplinary proceeding regarding Deputy Swan proceeded (see transcript of hearing).
 - b. Recessed at 6:15 p.m.
- II. March 5, 2010.
- a. In session. Called to order at 9:05 a.m. Disciplinary proceeding regarding Deputy Swan proceeded (see transcript of hearing).
 - b. Recessed at 4:43 p.m.
- III. March 10, 2010.
- a. In session. Called to order at 9:00 a.m. Disciplinary proceeding regarding Deputy Swan proceeded (see transcript of hearing).
 - b. Both sides rest at 2:00 p.m.
 - c. Closing argument started at 2:45 p.m.
 - d. Motion made by Masters at 3:50 p.m. to go into closed session pursuant to statute as noticed. Second by O'Connell. Motion carried 4-0.
 - e. Motion made by Masters at 7:15 p.m. to reconvene into open session. Second by Peterson. Motion carried 4-0.
 - f. Motion to adjourn at 7:18 p.m. Motion carried. 4-0.

IV. March 22, 2010.

- a. Called to order at 9:00 a.m.
- b. Motion made by Masters to approve agenda.
Second by Peterson. Motion carried 4-0.
- c. Motion made by O'Connell to go into closed session as pursuant to statute as noticed. Second by Masters. Motion carried 4-0.
- d. Motion made by Peterson at 9:21 a.m. to reconvene into open session.
Second by O'Connell. Motion carried 4-0.
- e. Motion made by O'Connell to adopt Findings of Fact, Conclusions, and Order.
Second by Masters. Motion carried 3-1 (Peterson voting "nay").
- f. Motion made by O'Connell to adjourn at 9:50 p.m.
Second by Johnson. Motion carried 4-0.