

MATANUSKA-SUSITNA BOROUGH

350 E. Dahlia Ave., Palmer, Alaska 99645

HEARING OFFICER

Scott A. Sterling



AGENDA

OFFICE OF ADMINISTRATIVE HEARINGS
ASSEMBLY CHAMBERS
350 EAST DAHLIA AVENUE
PALMER, ALASKA

FORFEITURE APPEAL HEARING

9 A.M.

MARCH 28, 2024

[PLEASE TAKE NOTICE: The Hearing will recess at approximately 11 a.m. and reconvene as soon as possible, per the Hearing Officer. The Parties should plan to remain present at the hearing during this recess.]

- I. CALL TO ORDER
- II. PREHEARING ITEMS THAT MAY ARISE
- III. FORFEITURE APPEAL HEARING, OAH Case No. 24-01, Forfeiture Of All Dogs Residing At 49360 Cutthroat Drive, Willow, Alaska. Jim Grayden, Appellant
 - A. Opening Remarks
 1. Erin Dooling, Assistant Borough Attorney
 2. James Grayden, Appellant
 - B. MSB Witness Statements and Cross Examination of Same
 1. Matthew Hardwig, Chief Animal Care and Regulation Officer
 2. Dean Teeple, Deputy Animal Care and Regulation Officer
 3. Kathleen Nevis (telephonic)
 4. Sheena Fort (telephonic)

5. Lisa Keena (telephonic)
6. Any witness designated on the appellant's witness list
7. Any witness mentioned in the record on appeal
8. Any witness needed to impeach the testimony of another witness
9. Any witness necessary to lay the foundation for the admission into evidence of any exhibit or document contained in the appellant's witness list
10. Any rebuttal witness as may become apparent at the hearing

C. Closing Remarks

1. James Grayden, appellant
2. Erin Dooling, Assistant Borough Attorney

IV. POSSIBLE ORAL FINDING OR NOTICE TO TAKE UNDER ADVISEMENT PER MSB 2.29.090(H) *Findings and decision*. The administrative hearing officer's findings are limited to rejecting or upholding the forfeiture of the animal that is the subject of the appeal. If the administrative hearing officer rejects the chief animal care and regulation officer's decision on the animal forfeiture, the matter shall be remanded to the chief animal care and regulation officer to set conditions of release prior to releasing the animal to its owner. The administrative hearing officer has the discretion to make an oral finding to uphold or reject the chief animal care and regulation officer's decision at the conclusion of the hearing or to take the matter under advisement. If the administrative hearing officer takes the matter under advisement, a written decision shall be issued within ten calendar days of the hearing. If the administrative hearing officer makes an oral finding at the conclusion of the hearing, the oral finding shall be supplemented with written findings within five calendar days of the hearing. The administrative hearing officer shall support the decision through written findings of fact. The administrative hearing officer shall provide the written decision to the clerk. The clerk shall serve the final written decision on the appellant, the law department, and the chief animal care and regulation officer in the most effective, efficient manner available within two days after receiving the decision.

V. BOARD COMMENTS

VI. ADJOURNMENT