

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 HEARING

10 A.M.

NOVEMBER 15, 2024

I. CALL TO ORDER

II. ITEMS OF BUSINESS

A. Hearing, OAH Case No. 24-02, Appeal the Forfeiture of Copper, Kent Locken, Appellant.

1. Prehearing issues that may need to be addressed
2. Appellant Opening Statement and Presentation of Evidence
 - a. Kent Locken
3. Rebuttal and Cross Examination by Borough
 - a. John Aschenbrenner, Deputy Borough Attorney
4. Borough Opening Statement
 - a. John Aschenbrenner, Deputy Borough Attorney
5. Rebuttal and Cross Examination by Appellant
 - a. Kent Locken
6. Appellant Witnesses and cross Examination by Borough
 - a. None provided
7. Borough Witness and Cross Examination by Appellant
 - a. Matt Hardwig, Chief Animal Care and Regulation Officer
 - b. Xavier Jordan
 - c. Heather Kershner
 - d. Any witness designated on appellant's witness list
 - e. Any witness mentioned in the record on appeal

- f. Any witness needed to impeach the testimony of another witness
- g. Any witness necessary to lay the foundation for the admission into evidence of any exhibit or document contained in appellant's exhibits.
- h. any rebuttal witnesses as may become apparent at the time of the hearing.

8. Appellant Closing Statement

- a. Kent Locken

9. Borough Closing Statement

- a. John Aschenbrenner, Deputy Borough Attorney.

III. 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 10 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.

IV. ADJOURNMENT