

RESOLUTION ADOPTING HEARING PROCEDURES FOR
ANIMAL DRUG ABUSE AT THE WESTERN IDAHO FAIR

At a meeting of the Board of Ada County Commissioners, State of Idaho, on the 6th day of June, 2016, the following Resolution was adopted, to-wit:

WHEREAS, the Board of Ada County Commissioners desires to prevent project animal drug abuse at the Western Idaho Fair in order to uphold the integrity of the program and to protect the food supply; and

WHEREAS, the Western Idaho Fair Board adopted a policy also used by 4-H which prohibits the illegal or off-label use of drugs on project animals to be shown at the Western Idaho Fair (the “Animal Drug Policy”); and

WHEREAS, the Animal Drug Policy disqualifies violators from current and future participation in Western Idaho Fair competitions; and

WHEREAS, the Board of Ada County Commissioners wishes to provide alleged violators of the Animal Drug Policy an opportunity to be heard prior to disqualification from current and future participation in the Western Idaho Fair;

BE IT THEREFORE RESOLVED that the Board of Ada County Commissioners does hereby adopt the following hearing procedures for animal drug abuse at the Western Idaho Fair:

I. VIOLATIONS OF THE ANIMAL DRUG POLICY

- a. Violators of the Animal Drug Policy will be disqualified immediately from the Western Idaho Fair competition, will be barred from all future participation in Western Idaho Fair competitions, and will be subject to any and all relevant criminal prosecution.

II. HEARING BEFORE THE WESTERN IDAHO FAIR BOARD

- a. Upon being informed of a suspected violation of the Animal Drug Policy, the Western Idaho Fair Board shall mail notice of the alleged violation to the competitor and/or his/her parent/guardian.
- b. An alleged violator of the Animal Drug Policy may submit a letter requesting a hearing to the Western Idaho Fair Board within thirty (30) days after mailing of notice of the violation. The letter must identify the appealing party, the subject of the appeal, and the reason for appeal.
- c. Upon receipt of a request for rehearing, the Western Idaho Fair Board shall set a time and date for hearing and shall mail notice of the hearing to the alleged violator.
- d. The Western Idaho Fair Board shall conduct an informal hearing on the date and time scheduled and shall provide the alleged violator an opportunity to present evidence and argument that he/she did not violate the Animal Drug Policy.

- e. Following the hearing, the Western Idaho Fair Board shall mail written notice of its decision to the alleged violator.

III. APPEALS TO THE BOARD OF ADA COUNTY COMMISSIONERS

- a. A party aggrieved by the decision of the Western Idaho Fair Board may appeal to the Board of Ada County Commissioners at any time within thirty (30) days after mailing of notice of such decision by submitting a letter to the Board of Ada County Commissioners identifying the appealing party, the subject of the appeal, and the reason for appeal.
- b. The appeal hearing before the Board of Ada County Commissioners shall be conducted *de novo*.
- c. Following the hearing, the Board of Ada County Commissioners shall mail written notice of its decision to the alleged violator.

IV. APPEALS TO THE DISTRICT COURT

- a. A party aggrieved by the decision of the Board of Ada County Commissioners may appeal to the District Court.
- b. Appeals to the District Court shall be taken and perfected in accordance with Idaho Code § 31-1506 and Rule 84 of the Idaho Rules of Civil Procedure.

APPROVED AND ADOPTED this 6th day of June, 2016.

Board of Ada County Commissioners

By: _____
Jim Tibbs, Commissioner

By: _____
Rick Yzaguirre, Commissioner

By: _____
David L. Case, Commissioner

ATTEST:

Christopher D. Rich, Ada County Clerk