

PROTESTS

A written protest regarding a decision of a judge in any competition may be filed with the secretary within 24 hours of the time of judging and must be accompanied with a \$500.00 deposit, if it is to receive attention of the Board of Directors. If protest is found invalid, the deposit is not refunded.

Anyone having a problem, grievance or protest regarding any other matter should immediately take the matter up with the superintendent and committee of the department, or if that is not possible, report to Fair Headquarters.

PROCEDURES FOR CONDUCTING ADMINISTRATIVE HEARINGS

WHEREAS, the Wood County Agricultural Society Board of Directors (hereinafter "the Board") have in force rules and regulations governing the annual Wood County Fair and Wood County Junior Fair; and said rules and regulations occasionally require that an Administrative Hearing be scheduled because of alleged infractions of said rules and regulations; and

WHEREAS, the Board has determined that it would be appropriate to adopt procedural guidelines for conducting said Administrative Hearings to the end that said Hearings may proceed expeditiously and fairly.

NOW THEREFORE, PURSUANT TO THE AUTHORITY SET FORTH IN THE CONSTITUTION AND THE BYLAWS OF THE WOOD COUNTY AGRICULTURAL SOCIETY, THE FOLLOWING PROCEDURES FOR CONDUCTING ADMINISTRATIVE HEARINGS ARE HEREBY ADOPTED:

1. Application:

These procedural rules shall apply to all Administrative Hearings required to be conducted by the Wood County Agricultural Society, or any of its appended bodies, boards, or committees. These procedural rules shall apply to all hearings required to be conducted pursuant to the rules that govern the operation and administration of the annual Wood County Fair and Wood County Junior Fair and the rules and regulations that govern all participants and exhibitors involved in said Fairs.

2. Investigation of Alleged Violations of Infractions:

When a violation or other matter that may require the scheduling of an Administrative Hearing comes to the attention of the Rules Committee of the Wood County Agricultural Society, said committee shall assign one or more members of the Board of Directors of the Wood County Agricultural Society to conduct an investigation. The member or members of the Board assigned to conduct said investigation shall be the designated "Fair Officials" assigned to investigate, as that term is used in the "Rules Violations" provisions of the Wood County Fair Rules and the Wood County Junior Fair Rules. Said officials assigned shall interview witnesses and gather facts concerning the alleged violation or other matter.

If said official(s) believe that there is sufficient evidence to warrant further inquiry, they shall contact the parties allegedly involved in the violation or other matter, and make inquiry about said party's knowledge or participation in said violation or act under investigation. Thereafter, if said official(s) still believe that there is sufficient evidence to warrant further inquiry, they shall notify the Rules Committee that a full hearing should be scheduled. If they determine that there is insufficient evidence to warrant further inquiry, said official(s) may suggest to the Rules Committee that no further hearing is required. The Rules Committee shall have the final authority to determine whether or not to schedule a formal hearing.

3. Notice

If the Rules Committee determines that a formal hearing is necessary, said Committee shall cause written notice to be sent to the parties involved containing the following information:

- a. Scheduling the date, time and place for same.
- b. Providing a statement of facts briefly outlining the alleged violation or matter that is to be determined by the hearing.
- c. Providing a statement advising the parties involved of the potential consequence or penalty that may result from an adverse ruling at the hearing.

A copy of these procedural rules shall be included with the written notice. Said hearing shall be scheduled within forty-five (45) days of the date the investigators file their recommendation with the Rules Committee.

4. Body Holding Hearing:

The hearing shall be held before a quorum of the Rules Committee of the Wood County Agricultural Society.

5. Conduct of Hearing:

The Fair Official(s) who investigated the alleged violation or matter shall be responsible for presenting their findings and evidence. They may call witnesses and present all relevant documentary evidence. The parties allegedly involved in the infraction or matter shall be entitled to examine the evidence presented by the aforesaid official(s) and shall be entitled to present relevant evidence in said party's favor or in support of said party's defense. They shall be entitled to call witnesses and present documentary evidence in their own behalf.

6. Representation of Parties and Witnesses:

Any party or person who would be affected by the decision of the Rules Committee, including the investigators, may be represented by an attorney or by such other representative of their own choosing. A witness shall be permitted to be accompanied, represented, and advised by an attorney, but said attorney's participation in the hearing shall be limited to protection of the rights of said witness. Said attorney may not examine or cross-examine witnesses.

7. Formality of Proceedings:

Formal rules governing the admission of testimony of witnesses and the admission of evidence applying to courts of law in the State of Ohio shall not apply to hearings before the Rules Committee. The Rules Committee shall have the authority to hear testimony, including hearsay testimony, and to receive and admit documentary evidence, including affidavits and copies of originals, that might not be admissible in a Court of Law, provided said Rules Committee first determines that said evidence or testimony is reasonably trustworthy and is relevant to the issues to be determined at said hearing.

8. Record of Proceedings:

The Rules Committee and/or any other party involved may elect to have said proceedings stenographically recorded. If the Rules Committee determines to have said proceedings recorded, it shall notify the involved parties of its intention to record said proceedings at least two (2) weeks before the scheduled hearing date. If the involved parties determine to record said proceedings, they shall give written notice of said intent to the Rules Committee seven (7) days before the scheduled hearing. The party hiring the stenographer shall be responsible for paying for said stenographer's appearance. Any party ordering a transcript of the proceedings shall be responsible for paying for said transcript.

9. Extensions of Time:

The Rules Committee, for good cause shown, may grant reasonable continuances and extensions of time to complete the presentation of evidence or to call necessary witnesses.

10. Format of Proceedings:

(a) Each side shall make a brief opening statement outlining his or her presentation to enable the Rules Committee to understand the issues to be presented.

(b) The official(s) assigned to investigate the matter shall present their evidence and witnesses.

Witnesses shall be subject to reasonable questioning and cross-examination by the opposing party.

(c) At the conclusion of the investigator's presentation, the party involved or accused of a violation shall present his or her evidence and witnesses. Said witnesses shall be subject to reasonable questioning and cross-examination by the opposing party.

(d) At the conclusion of all of the evidence, each party shall be entitled to make a brief closing statement summarizing his or her presentation.

The investigator shall proceed first and the party involved or accused of a violation shall proceed second.

11. Decision by the Board:

The Rules Committee shall report its findings and recommendations to the Wood County Agricultural Society Executive Committee within a reasonable time after the conclusion of the hearing. Normally, said report and recommendation of the Rules Committee should be submitted within fourteen (14) days barring unusual circumstances.

The Executive Committee shall review the findings and recommendations of the Rules Committee and make its report, together with its recommendation to the Board of Directors of the Wood County Agricultural Society within ten (10) days of the date it receives the Rules Committee's report and recommendations.

The Board of Directors of the Wood County Agricultural Society shall have the final authority to determine any rules violations or infractions and to determine any penalty to be assessed. The Fair Board shall announce its decision within twenty (20) days of the date it receives the report and recommendation of the Executive Committee. A majority of the total authorized members of the Board of Directors of the Wood County Agricultural Society shall constitute a quorum for purposes of making decisions under these Administrative Hearing Rules.