



Ohio Department of Public Safety  
John Born, Director

Division of Emergency Medical Services  
Melvin R. House, Executive Director



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State Board of Emergency Medical, Fire,  
and Transportation Services  
Daryl McNutt, Chair  
Rebecca Baute, Vice-Chair  
Dr. Carol Cunningham, State Medical Director

**FIREFIGHTER AND FIRE SAFETY INSPECTOR TRAINING COMMITTEE  
STATE BOARD OF EMERGENCY MEDICAL SERVICES  
OHIO DEPARTMENT OF PUBLIC SAFETY  
MEETING MINUTES  
August 20, 2014  
~ FINAL ~**

**Committee Meeting Date and Location:** Wednesday, August 20, 2014 at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 134, Columbus, Ohio.

**Committee Members Present:** Deanna Harris, Daryl McNutt, and Dudley Wright II

**Committee Members Absent:** James Davis and Mark Resanovich

**EMS Staff Present:** Jean Booze, Anna Firestone, Sherry Harkness, Melvin House, Rick Miller, Doug Orahood, Ellen Owens, Dan Swords, and Melissa Vermillion

**Assistant Attorney General:** Brandon Duck

**Guest and Public Present:** Barry Seth (LaGrange Fire/Rescue) and Greg Robbins

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Mr. McNutt called the meeting to order at 1:52 p.m.

**ROLL CALL**

Mr. James Davis	Absent	Mr. Resanovich	Absent
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Daryl McNutt	Present		

**WELCOME AND INTRODUCTION**

**OPEN FORUM** ~ None

**REVIEW AND APPROVAL OF CONSENT AGENDA**

Mr. McNutt requested a motion to approve the Consent Agenda including the June 18, 2014 Firefighter and Fire Safety Inspector Training Committee meeting minutes, the certifications, accreditations, and CE site requests for period June 18, 2014 through August 19, 2014.

***ACTION: Motion to approve the Consent Agenda items including the June 18, 2014 meeting minutes, the certifications, accreditations, and CE site requests for period June 18, 2014 through August 19, 2014. Mr. Wright – First. Ms. Harris – Second. None – Abstained. None opposed. Motion failed due to lack of a quorum.***

## **REPORT AND RECOMMENDATION**

Mr. McNutt began the deliberation and noted that Executive Director Melvin House was also present. The Committee will be deliberating on one *Report and Recommendation* in the matter of:

- o *Fire Case Number 2012-268-F100, Gregory N. Robbins, Fire Applicant number 192658*

The respondent did not file objections to the *Report and Recommendation* in the case. Mr. McNutt recognized Assistant Attorney General Brandon Duck for the purpose of providing a brief synopsis of the case and a recommendation for disciplinary action.

AAG Duck noted that Mr. Robbins was present. AAG Duck stated that Mr. Robbins submitted his initial application for a Level II Firefighter. Mr. Robbins was convicted of misdemeanor battery in Florida. Those convictions were of sexual nature. The Committee was provided with copies of the Report and Recommendation prior to the meeting which included details of that conviction. The hearing officer concluded that the convictions were of moral turpitude. However, the hearing officer noted that although the Executive Director has the discretion to refuse to issue the certificate, the Executive Director may choose to grant the certificate under the circumstances, i.e., Mr Robbins' age at the time of the offenses (17 years of age). AAG Duck suggest that the Committee consider making the recommendation to the Executive Director to waive the requirement to provide additional documentation of the conviction as it has been more than 12 months since the time of the application. And as to the conviction, there is no doubt that the conviction did indeed involve moral turpitude. However, there are mitigating factors that have been clearly provided in the Report and Recommendation for the Committee to consider when making their recommendation.

Mr. Robbins addressed the Committee. He stated that he would like the Committee to consider granting his application. He has been working towards establishing himself in the community; he's joined two fraternal organizations, involved in smoke detector grant programs for local fire department, studying to become part of a hazmat team, and working towards an associate degree in Fire Science.

AAG Duck advised that if the Committee recommended to the Executive Director to grant Mr. Robbins' certificate the recommendation would include a list of stipulations and requirements that are standard given the circumstances.

Mr. McNutt requested a motion to recess the meeting for the purpose of entering into quasi-judicial deliberations on the matter pursuant to Ohio Revised Code Chapter 119 and that are required to be kept confidential under R.C. 4765.102(B). The Committee will reconvene following deliberations.

***ACTION: Motion to adjourn and go into Private Session for the purpose of quasi-judicial deliberation on the matter pursuant to Ohio Revised Code Chapter 119 and that are required to be kept confidential under R.C. 4765.102(B).*** Mr. Wright – First. Ms. Harris – Second. .

## **ROLL CALL**

Mr. James Davis	Absent	Mr. Resanovich	Absent
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Daryl McNutt	Present		

The Committee returned from private session at 2:14 p.m.

No action was taken in the matter of Fire Case Number 2012-268-F100, Gregory N. Robbins, Fire Applicant Number 192658. The Committee recommended to the Executive Director to postpone the matter until the next meeting due to the lack of a quorum. The Committee

members present and the Executive Director agreed that it was important that the full Committee be present in order to offer their input prior to rendering any decision.

## **FIRE CERTIFICATIONS & EXEMPTION REQUESTS, Jean Booze**

### **Certification, Jean Booze**

Jean Booze reported on the CE exemptions requests for the period of June 12, 2014 through August 12, 2014 there were a total of nine exemption requests; two dual-certified (#2014-8-6 & #2014-8-11) and three fire only certified (#2014-8-1, 2014-8-5, & 2014-8-7) due to military deployment, and two dual-certified (#2014-8-10 & 2014-8-12) and two Fire only certified (#2014-8-2 and 2014-8-9) due to medical/hardship. The staff recommends approval and requests a motion to ratify the exemptions requests:

**ACTION: Motion to approve medical and military exemptions.** Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.

### **GOLDMAN PROCEEDINGS**

Mr. McNutt called the proceedings to order at 2:19 p.m. on August 20, 2014 at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 134, Columbus, Ohio Fire Members of the Committee present for these proceedings are:

### **ROLL CALL**

Mr. James Davis	Absent	Mr. Resanovich	Absent
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Daryl McNutt	Present		

There were five adjudication proceedings. Also present was Executive Director Melvin House. The proceedings are in the matter of:

- Fire Case Number 2009-122-702, Jeremy T. Wilkins, Fire Certificate Number 146609
- Fire Case Number 2012-772-F100, Rodney H. Quimby, Fire Certificate Number 42287
- Fire Case Number 2013-213-F100, John M. McIntire, Fire Applicant Number 162555
- Fire Case Number 2013-262-F100, Ashley R. Dick, Fire Applicant Number 162889
- Fire Case Number 2013-344-F100, Todd A. Klavinger, Fire Certificate Number 123951

These proceedings shall be affidavit-based adjudication relative to the Notification of Opportunity for Hearing mailed to the respondents in the aforementioned cases and believe to have been properly served according to the Administrative Procedures Act (Chapter 119 of the Ohio Revised Code).

The respondents did not properly request a hearing in the case, these proceedings will be held today pursuant to *Goldman verses State Medical Board of Ohio*. The individuals do not have the ability to present written or oral testimony today but may be present to hear the proceedings and outcome.

All have received a sworn affidavit from the EMS Investigators and accompanying exhibits for the Goldman Proceedings in the board packet. The affidavits contain the evidence and testimony upon which was deliberated. Mr. McNutt stated that all have had an opportunity to review the affidavits, accompanying exhibits, however, time was allowed review them. No additional review time was required.

In lieu of stenographic record being made, the minutes reflect that the original sworn affidavits and exhibits will be kept as the official records of the proceedings in the adjudication matters in the office of the Division of EMS.

Mr. McNutt recognized Assistant Attorney Brandon Duck for the purpose of providing a brief synopsis of each case and recommendation for disciplinary action. AAG Duck was asked to present the first case.

AAG Duck presented the following case:

- Mr. Wilkins entered into a consent agreement regarding a conviction; he failed to provide documentation of his background check in support of his renewal application. Recommendation is to deny his renewal application and revoke his firefighter certificate.
- Mr. Quimby entered into a consent agreement regarding a conviction; he failed to provide documentation of his background check. Recommendation is to revoke his firefighter certificate.
- Mr. McIntire has a first-misdemeanor conviction that involves moral turpitude. Conduct issue was that at 18 years of age he had sexual relations with a 13 year old. Recommendation is to deny his application for a firefighter certificate.
- Ms. Dick has eight felonies convictions on her record; three in May 2006 and five in December 2007. Recommendation is to deny her application for a firefighter certificate.
- Mr. Klavinger entered into a consent agreement for revocation of his firefighter certificate due to a felony theft in office conviction. He applied for reinstatement of his certificates. However he did not pass the reinstatement examination or provide documentation as to why his certificate should be reinstated. Therefore, he failed to meet the reinstatement requirements for a revoked firefighter certificate. In addition, he is not eligible to reinstate due to his certificates have been expired for more than 18 months. Recommendation is to deny his reinstatement applications for firefighter and fire safety inspector certificates.

Having heard Mr. Duck's synopsis and recommended disciplinary action for each case, Mr. McNutt requested a motion to admit the sworn affidavit and the accompanying exhibits in the aforementioned cases into evidence.

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***ACTION: Motion to admit the sworn affidavits and accompanying exhibits in the aforementioned cases into evidence.*** Ms. Harris – First. Mr. Wright – Second. None opposed. Mr. Resanovich – abstained. Motion failed due to lack of quorum.

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There being no further evidence, these proceedings are now closed at 2:25 p.m.

The procedural and jurisdictional matters have been satisfied, the proceedings will continue by deliberation on the sworn affidavits and exhibits. A written copy of the Executive Director's decision will be mailed to the respondent.

Mr. McNutt requested a motion to recess the meeting for the purpose of entering into Quasi-Judicial deliberations on the following matters pursuant to Ohio Revised Code Chapter 119 and that are required to be kept confidential under R.C 4765.102(B). The committee will reconvene following deliberations.

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***ACTION: Motion to recess and go into Private Session for the purpose of quasi-judicial deliberation on these matters.*** Ms. Harris – First. Mr. Wright – Second.

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#### Roll Call

Mr. James Davis	Absent	Mr. Resanovich	Absent
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Daryl McNutt	Present		

The Committee returned from private session at 2:29 p.m.

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***ACTION:*** *In the matter of Fire Case Number 2009-122-702, Jeremy T. Wilkins, Fire Certificate Number 146609, the committee finds that Mr. Wilkins violated the conditions of a consent agreement issued by the Executive Director in violation of Ohio Administrative Code Section 47665-23-02(A)(3); therefore, the Committee recommends to the Executive Director to deny Mr. Wilkins' renewal application and revoke Mr. Wilkins' firefighter certificate.*

Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.

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***ACTION:*** *In the matter of Fire Case Number 2012-772-F100, Rodney H. Quimby, Fire Certificate Number 42287, the committee finds that Mr. Quimby violated the conditions of a consent agreement issued by the Executive Director in violation of Ohio Administrative Code Section 47665-23-02(A)(3); therefore, the Committee recommends to the Executive Director to revoke Mr. Quimby's firefighter certificate.* Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.

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***ACTION:*** *In the matter of Fire Case Number 2013-213-F100, John M. McIntire, Fire Applicant Number 162555, the committee finds that Mr. McIntire was convicted of Corruption of a Minor, in violation of Ohio Revised Code Section 2907.04(B), a first-degree misdemeanor. The committee concludes this conviction involves moral turpitude, in violation of Ohio Administrative Code 4765-23-02(A)(1)(c); therefore the committee recommends to the Executive Director to deny Mr. McIntire's application for a firefighter certificate..* Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum

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***ACTION:*** *In the matter of Fire Case Number 2013-262-F100, Ashley R. Dick, Fire Applicant Number 162889, the committee finds that Ms. Dick was convicted of eight felonies, as follows:*

- *Burglary, in violation of Ohio Revised Code Section 2911.12(A)(3), a third-degree felony;*
- *Receiving Stolen Property, in violation of Ohio Revised Code Section 2913.51(A), a fifth-degree felony;*
- *Complicity to Breaking and Entering, in violation of Ohio Revised Code Section 2923.03(A)(2) and 2911.13(A), a fifth-degree felony;*
- *Possession of Criminal Tools, in violation of Ohio Revised Code Section 2923.24(A), a fifth-degree felony;*
- *Tampering with Coin Machine, in violation of Ohio Revised Code Section 2911.32(A), a fifth-degree felony; and*
- *Theft, three (3) counts, in violation of Ohio Revised Code Section 2913.02(A)(1) and (3), all fifth-degree felonies.*

*The committee finds these felonies are in violation of Ohio Administrative Code 4765-23-02(A)(1)(a); therefore the committee recommends to the Executive Director to deny Ms. Dick's application for a firefighter certificate.* Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum

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***ACTION:*** *In the matter of Fire Case Number 2013-344-F100, Todd A. Klavinger, Fire Certificate Number 123951, the committee finds that Mr. Klavinger failed to meet the reinstatement requirements for a firefighter and fire safety inspector certificate in violation of Ohio Administrative Code Sections 4765-23-02(A)(2), to wit 4765-20-09(C) and 4765-20-08(I); therefore the committee recommends to the Executive Director to deny Mr. Klavinger's reinstatement applications for firefighter and fire safety inspector certificates.* Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.

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**FIRE INVESTIGATIONS, STAFF**

***ACTION: Motion to adjourn to Executive Session for the purpose of discussing proposed disciplinary action against certificate holders pursuant to Ohio Revised Code Section 121.22(G)(1) or pursuant to 121.22(G)(5) that involve matters required to be kept confidential under Ohio Revised Code Section 149.43(A)(2) or 4765.102(B). None opposed. None – abstained. Motion approved.***

**Roll Call**

Mr. James Davis .....	Absent	Mr. Mark Resanovich.....	Absent
Ms. Deanna Harris .....	Present	Mr. Dudley Wright II .....	Present
Mr. Daryl McNutt .....	Present		

The Committee returned from executive session at 2:39 p.m.

***ACTION: Motion to recommend to the Executive Director to accept the following non-disciplinary Consent Agreements. Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.***

2014-325-F500	2014-419-F300	2014-420-F300
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***ACTION: Motion to recommend to the Executive Director to accept the following Consent Agreements: Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.***

2014-69-F100	2014-103-BF100	2014-177-BF100	2014-214-F100	2014-215-F100
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***ACTION: Motion to recommend to the Executive Director to accept the following Proposed Consent Agreements: Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.***

2014-169-F500	2014-390-F500	2014-417-F300	2014-418-F300
2014-389-F500(*Non-disciplinary)		(*Non-disciplinary)	(*Non-disciplinary)

***ACTION: Motion to recommend to the Executive Director to close the following cases: Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum***

2013-554-F500	2014-99-BF500	2014-286-F500	2014-317-F500
2013-566-F100	2014-238-F300	2014-306-BF200	2014-318-BF500

***ACTION: Motion to recommend to the Executive Director to close case; reopen if contact made. The following individuals were issued Notices of Opportunity for Hearing. Unable to obtain service of the Notice: Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum***

2010-134-F100	2012-120-F100	2010-252-F100	2012-526-F100
2010-174-BF100	2012-142-F100	2012-301-F300	2012-593-F300

***ACTION: Motion to recommend to the Executive Director to close the following cases. The following individuals were audited at their respective levels. They have opted to surrender their certificate to practice or certificate to teach: Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum***

2014-201-F300	2014-279-F300	2014-315-F300
2014-213-F300	2014-302-F300	2014-335-F300
2014-260-F300	2014-303-F300	2014-361-F300

***ACTION: Motion to recommend to the Executive Director to close the following cases. The following individuals were issued Notices of Opportunity for Hearing. Subjects' cards have expired. Rescind Notices: Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum***

2011-1089-F300	2011-1158-F100	2012-145-BF100	2012-193-F100
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***ACTION: Motion to recommend to the Executive Director to close case. The following were all incomplete applications:*** Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.

2014-324-F500	2014-344-F500	2014-348-F500	2014-353-F500
2014-341-F500	2014-345-F500	2014-349-F500	2014-354-F500
2014-342-F500	2014-346-F500	2014-350-F500	2014-355-F500
2014-343-F500	2014-347-F500	2014-352-F500	2014-356-F500

***ACTION: Motion to recommend to the Executive Director to close case. The following individuals were audited due to a complaint filed by an agency. The cycles go back past the required retention; and also deal with the timeframe when we were not conducting fire audits:*** Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.

2013-685-F300	2013-698-BF300	2013-700-BF300
2013-688-F300	2013-699-BF300	2013-701-BF300
2013-692-F300		

***ACTION: Motion to recommend to the Executive Director to close case; re-open if re-applies. The following individuals have convictions, but their certifications have expired:*** Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.

2014-301-BF100
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***ACTION: Motion to recommend to the Executive Director to close the following cases; individuals have met the stipulations of their Consent Agreements:*** Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.

2014-148-F300
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***ACTION: Motion to recommend to the Executive Director to Issue Notices of Opportunity for Hearings for the following cases:*** Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.

2014-166-F100
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***ACTION: Motion to recommend to the Executive Director to close the following cases due to one of the following reasons: inadvertently marked yes to conviction question, misdemeanor convictions that have previously been deemed “not involving moral turpitude”, local issues, and grandfathering issues of certification/conviction.*** Ms. Harris – First. Mr. Wright – Second. None opposed. None abstained. Motion failed due to lack of quorum.

2012-791-F100 *Rescind NOH	2014-200-F300	2014-326-F100	2014-393-F100
2013-521-F300 *Accept withdrawal of application	2014-276-BF100	2014-336-BF100	2014-394-F100
Rescind NOH	2014-277-BF100	2014-378-BF100	2014-395-F100
2013-719-F100	2014-298-F100	2014-380-BF100	2014-398-F100
2014-87-F500 *Accept withdrawal of application	2014-307-BF100	2014-386-BF100	2014-399-F100
	2014-308-BF100	2014-388-F500	2014-413-F500
	2014-314-BF100	2014-392-BF100	

**COMMITTEE REPORTS**

**Firefighter and Fire Safety Inspector Training Sub-Committee, Doug Orahod**

Mr. Orahod gave a quick account of the updated EMS Ohio Course Examination System Manual. The Committee was provided with a copy for review (Attachment 1). In the past year, EMS has been refiguring the EMS database which included the testing system. During review some issues were discovered. EMS and IT have been working together to resolve those issues.

Committee reviewed the following in the manual:

- Course dashboard: One issue identified was that the system was attaching a student to their exam request only and not the practical skills test. Therefore, if a student passed their practical skills test, but failed their written exam, when they submitted a second request for a written test, the system not only assigned a new written exam but a whole other practical skills test. To eliminate this issue a course dashboard has been created (see page 5 of the manual).
- Two ways to add a student to the course dashboard: 1) Certificate Number (which will bring up all their certificate information), or 2) by entering all the information on a new student.
- Safeguards have been added in an attempt eliminate duplicate records (i.e., social security numbers and dates of birth entered twice, verify/confirm email addresses).
- Verify practical skills results via student or by each practical skills test. (page 10)
- Exam Administration – will list the courses with students that are eligible and ineligible to take each exam (page 17).
- The new system is a testing system, as well as course administration. The system now allows for detailed tracking of the students, courses, exam results, etc.

The Firefighter & Fire Safety Inspector Training Subcommittee meeting is August 26, 2014 in Washington Township.

The 34th Ohio Fire Service Hall of Fame and Awards Ceremony is September 17, 2014 at the Division of State Fire Marshal's office in Reynoldsburg, Ohio.

The Ohio Fire & EMS Expo is September 25-26, 2014 at the Columbus Convention Center. The Division of EMS will be presenting.

**Old Business** ~ None.

**New Business** ~ None

## **ADJOURNMENT**

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**ACTION:** Motion to adjourn. Mr. Wright – First. Ms. Harris - Second

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