



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  
April 16, 2014  
~ FINAL ~**

**Committee Meeting Date and Location:** Wednesday, April 16, 2014 at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 134, Columbus, Ohio.

**Committee Members Present:** James Davis, Deanna Harris, Daryl McNutt, Mark Resanovich, and Dudley Wright II

**Committee Members Absent:** None

**EMS Staff Present:** Jean Booze, Anna Firestone, Sherry Harkness, Melvin House, Rick Miller, Doug Orahod, Ellen Owens, Robert Ruetenik, and John Sands

**Assistant Attorney General:** Brandon Duck

**Guest and Public Present:** None

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Mr. Resanovich called the meeting to order at 1:17 p.m

**ROLL CALL**

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

Mr. Resanovich noted for the record that a quorum was present to conduct business.

**WELCOME AND INTRODUCTION**

**OPEN FORUM** ~ None

Mr. Resanovich changed the order of the agenda to allow Jean Booze to report.

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

**Certification, Jean Booze**

Ms. Booze reported on the military and medical certified exemption request with a total of two dual certified CE exemptions requests, and eleven fire only; ten due to military deployment and three due to medical condition requests. The staff recommends approval and requests a motion to ratify the requests.

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***ACTION: Motion to approve medical and military exemptions.*** Mr. Davis – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

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### **REVIEW AND APPROVAL OF CONSENT AGENDA**

Mr. Resanovich requested a motion to approve the Consent Agenda items including the February 20, 2014 meeting minutes that were distributed prior to the meeting.

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***ACTION: Motion to approve the Consent Agenda items including the February 20, 2013 Meeting Minutes, FIRE certifications, accreditations and CE Site requests for the*** February 10, 2014 through April 15, 2014. Mr. Harris – First. Ms. Davis – Second. None opposed. None abstained. Motion approved.

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### **COMMITTEE REPORTS**

#### **Firefighter and Fire Safety Inspector Training Sub-Committee, Executive Director Mel House**

The Live Fire Training awareness and operation courses have been distributed to the fire charter training programs.

The Fire Education Rules were effective April 7, 2014. A synopsis available on the website. Due to the passing of H.B. 98, some of the rules will need to be revised to accommodate veterans. The revised rules will be filed by June 30, 2014.

The practical skills evaluator manual has been updated. There will be two webcast on April 21 and 30, 2014 for the program directors. The program directors will then be able to train the practical skills evaluators as required by the new rules.

DEMS conducted six meetings with subject matter expert panels to validate examination questions focusing on the Volunteer Fire Fighter and Fire Fighter I & II. Revising the tests to align with the revised standards and updated text books.

DEMS is hiring a Fire Program Specialist (Program Administrator 2). The interviews are complete, selection made, and background check underway. Hopefully will have someone on board in the next two weeks to assist with course objectives, testing issues, charter program reviews, etc.

In January implemented the revised fire charter review process. The process has been adapted to closely mimic the paramedic program accreditation review process. Feedback has been positive.

#### **Report and Recommendation**

Mr. Resanovich 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:

- *Fire Case #2012-203-BF100 John D. Johnson, Fire Certification #24045*

The respondent did not file objections to the *Report and Recommendation* in the case. Mr. Resanovich 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 stated that the case was a dual case and was heard during the EMFTS Board meeting. On the fire fighter side, Mr. Johnson currently has renewal applications Fire Fighter II, Fire Safety Inspector, and Assistant Fire Instructor certificates. Although Mr. Johnson has two convictions from 1995 and 2008, only the conviction from 2008 is relevant to his fire certificates. The hearing officer concluded from the evidence, that two of the charges; failing to provide notification of the conviction and the conviction being of moral turpitude, based on those two findings, the hearing officer recommended to deny his renewal applications and revoke his certificates.

It was noted that neither Mr. Johnson nor his attorney was present.

Mr. Resanovich requested a motion to adjourn the meeting for the purpose of entering into quasi-judicial deliberations on the following matters 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 adjourn and go into Private Session for the purpose of quasi-judicial deliberation on these matters that are required to be kept confidential under R.C. 4765.102(B).***  
Ms. Harris – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

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#### **ROLL CALL**

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

The Committee returned from private session at 1:26 p.m.

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***ACTION: In the matter of Fire Case Number 2012-203-BF100, John D. Johnson, Fire Certificate Number 24045, the Committee recommends to the Executive Director to confirm and approve the findings of fact, conclusions of law, and the recommendation issued by the hearing examiner to deny Mr. Johnson's applications for renewal and revoke his certificates to practice.***  
Mr. Harris – First. Mr. Wright – Second. None opposed. Mr. Resanovich – abstained. Motion denied.

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#### **GOLDMAN PROCEEDINGS**

Mr. Resanovich called the proceedings to order at 1:27 p.m. on April 16, 2014, at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 134, Columbus, Ohio Fire Members of the Board present for these proceedings are:

#### **ROLL CALL**

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

Mr. Resanovich noted for the record that a majority of members were present to conduct business. There were 8 adjudication proceedings. Also present was Executive Director Melvin House. The proceedings are in the matter of:

- Fire Case Number 2012-117-F100, Douglas R. Miller, Fire Certificate Number 45705,
- Fire Case Number 2012-121-F100 Matthew B. Miller, Fire Applicant Number 191229,
- Fire Case Number 2012-143-F100, Bryan E. Pettit, Sr., Fire Certificate Number 147797,
- Fire Case Number 2012-259-F100 William A. Parrish, Jr., Fire Certificate Number 114252,
- Fire Case Number 2012-718-F100 Derek A. Lewis, Fire Certificate Number 160914,
- Fire Case Number 2012-807-F100 Jeremy R. Kitchen, Fire Certificate Number 98509,
- Fire Case Number 2012-945-F100 Justin A. Cadle, Fire Certificate Number 161474,
- Fire Case Number 2013-138-F100 James E. Stephens, Fire Certificate Number 151301

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).

As 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 you will deliberate. Mr. Resanovich stated that all have had an opportunity to review the affidavits, accompanying exhibits, if not, time was allowed review them. No additional review time was required.

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

Mr. Resanovich 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 stated that there was a case heard in February 20, 2014 (Fire Case #2009-182-706, Ryan P. Quinn, Fire Certificate #147582) that needs to be corrected. In February the Committee recommended to the Executive Director for a revocation of Mr. Quins Level II Firefighter certificate. However, the motion did not include the recommendation to also deny his renewal application. It is recommended to modify the original motion to include denying his renewal application.

The other eight cases which the Board previously received the affidavits and contain the evidence and testimony which the Board will deliberate; Douglas Miller and Williams Parrish both failed to report convictions, the other six cases are incomplete applications. Mr. Duck referred the Board to their affidavits for further deliberation.

Having heard Mr. Duck's synopsis and recommended disciplinary action for each case, Mr. Resanovich 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.*** Mr. Davis – First. Mr. McNutt – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

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There being no further evidence, these proceedings are now closed at 1:32 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. Resanovich 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.*** None opposed. None abstained. Motion approved.

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**Roll Call**

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

The Committee returned from private session at 1:34 p.m.

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***ACTION: In the matter of Fire Case Number 2009-182-706, Ryan P. Quinn, Fire Certificate Number 147582, the Committee finds that Mr. Quinn has applied for renewal of his Level II Firefighter certificate. However, Mr. Quinn violated the conditions of a consent agreement issued by the Executive Director in violation of Ohio Administrative Code Section 4765-23-02(A)(3). Therefore, the Committee recommends to the Executive Director to deny his renewal application as a Level II Firefighter. The Executive Director revoked his certificate to practice as a Level II Firefighter at the February 20, 2014 meeting.*** Ms. Harris – First. Mr. McNutt – Second. None opposed. Mr. Resanovich abstained. Motion approved.

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***ACTION: In the matter of Fire Case Number 2012-117-F100, Douglas R. Miller, Fire Certificate Number 45705, the Committee finds that Mr. Miller holds a Volunteer Firefighter certificate. The Committee finds that Mr. Miller was convicted of Complicity in the Commission of Theft a first-degree misdemeanor as well as Falsification in a Theft Offense a first-degree misdemeanor in violation of Ohio Administrative Code 4765-23-02(A)(1)(c). The Committee also finds that Mr. Miller failed to report this conviction and provide documentation in violation of Ohio Administrative Code 4765-22-01(D), therefore the Committee recommends to the Executive Director to revoke Mr. Miller's certificate to practice as a Volunteer Firefighter.*** Ms. Harris – First. Mr. McNutt – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

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***ACTION: In the matter of Fire Case Number 2012-121-F100, Matthew B. Miller, Fire Applicant Number 191229, the Committee finds that Mr. Miller has applied for his initial Level I Firefighter certificate; however he failed to submit completed applications. He failed to supply documentation of his criminal conviction to include the court records, law enforcement report and the background check. These actions are in violation of sections 4765-23-02(A)(2) & 4765-20-02(A)(1) and 4765-20-04(D) of the Ohio Administrative Code. The Committee also finds that Mr. Miller was convicted of Unauthorized Use of Property, a fourth-degree misdemeanor in violation of Ohio Administrative Code Section 4765-23-02(A)(1)(c), therefore the Committee recommends to the Executive Director to deny Mr. Miller's application for certificate to practice as a Level I Firefighter.*** Ms. Harris – First. Mr. McNutt – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

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***ACTION: In the matter of Fire Case Number 2012-143-F100, Bryan E. Pettit, Sr., Fire Certificate Number 147797, the Committee finds that Mr. Pettit applied for renewal of his Level II Firefighter certificate; however he failed to submit completed applications. He failed to supply documentation of his criminal conviction to include the court records, law enforcement report and the background check. These actions are in violation of sections 4765-23-02(A)(2) & 4765-20-02(A)(1) and 4765-20-04(D) of the Ohio Administrative Code. The Committee also finds that Mr. Pettit was convicted of Endangering a Child, a first-degree misdemeanor in violation of Ohio Administrative Code Section 4765-23-02(A)(1)(c), therefore the Committee recommends to the Executive Director to revoke Mr. Pettit's certificate to practice as a Level II Firefighter and deny his application for renewal.*** Ms. Harris – First. Mr. McNutt – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

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***ACTION:*** In the matter of Fire Case Number 2012-259-F100, William A. Parrish, Jr., Fire Certificate Number 114252, the Committee finds that Mr. Parrish holds a Level I Firefighter certificate. The Committee finds that Mr. Parrish was convicted of Theft a fifth-degree felony in violation of Ohio Administrative Code 4765-23-02(A)(1)(a). The Committee also finds that Mr. Parrish failed to report this conviction and provide documentation in violation of Ohio Administrative Code 4765-22-01(D), therefore the Committee recommends to the Executive Director to revoke Mr. Parrish's certificate to practice as a Volunteer Firefighter. Ms. Harris – First. Mr. McNutt – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

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***ACTION:*** In the matter of Fire Case Number 2012-718-F100 Derek A. Lewis, Fire Certificate Number 160914, the Committee finds that Mr. Lewis submitted his initial application for certificate to practice as a Volunteer Firefighter. The Committee also finds that Mr. Lewis failed to supply documentation of his criminal conviction to include the court records, law enforcement report and the background check. These actions are in violation of sections 4765-20-02(A)(1) and 4765-20-04(D) of the Ohio Administrative Code, therefore the Committee recommends to the Executive Director to deny Mr. Lewis's application to practice as a Volunteer Firefighter. Ms. Harris – First. Mr. McNutt – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

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***ACTION:*** In the matter of Fire Case Number 2012-807-F100 Jeremy R. Kitchen, Fire Certificate Number 98509, the Committee finds that Mr. Kitchen submitted application for renewal to practice as a Volunteer Firefighter. The Committee also finds that Mr. Kitchen failed to supply documentation of his criminal conviction to include the court records, law enforcement report and the background check. These actions are in violation of sections 4765-20-02(A)(1) and 4765-20-04(D) of the Ohio Administrative Code, therefore the Committee recommends to the Executive Director to deny Mr. Kitchen's application for renewal and revoke his certificate to practice as a Volunteer Firefighter. Ms. Harris – First. Mr. McNutt – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

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***ACTION:*** In the matter of Fire Case Number 2012-945-F100, Justin A. Cadle, Fire Certificate Number 161474, the Committee finds that Mr. Cadle has applied for his initial Level I Firefighter certificate; however he failed to submit completed applications. He failed to supply documentation of his criminal conviction to include the court records, law enforcement report and the background check. These actions are in violation of sections 4765-23-02(A)(2) & 4765-20-02(A)(1) and 4765-20-04(D) of the Ohio Administrative Code. The Committee also finds that Mr. Cadle was convicted of 2 counts of Trafficking in Marijuana, both fifth-degree felonies in violation of Ohio Administrative Code Section 4765-23-02(A)(1)(a), therefore the Committee recommends to the Executive Director to deny Mr. Cadle's application for certificate to practice as a Level I Firefighter. Ms. Harris – First. Mr. McNutt – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

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***ACTION:*** In the matter of Fire Case Number 2013-183-F100 James E. Stephens, Fire Certificate Number 151301, the Committee finds that Mr. Stephens submitted application for renewal to practice as a Volunteer Firefighter. The Committee also finds that Mr. Stephens failed to supply documentation of his criminal conviction to include the court records, law enforcement report and the background check. These actions are in violation of sections 4765-20-02(A)(1) and 4765-20-04(D) of the Ohio Administrative Code, therefore the Committee recommends to the Executive Director to deny Mr. Stephens's application for renewal and revoke his certificate to practice as a Volunteer Firefighter. Ms. Harris – First. Mr. McNutt – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

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

The Committee returned from executive session at 1:50 p.m.

***\*ACTION: Motion to recommend to the Executive Director to accept the following Consent Agreements: Ms. Harris – First. Mr. McNutt – Second. Abstain – Mr. Resanovich. None opposed. Motion approved.***

2012-738-F100 2012-750-F100	2013-581-BF100 2013-727-F100	2014-6-F100 2014-28-F100
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***ACTION: Motion to recommend to the Executive Director to close the following cases: Ms. Harris – First. Mr. McNutt - Second. Abstain – Mr. Resanovich. None opposed. Motion approved.***

2012-188-F100 – Rescind NOH; Close, reopen if reapplies 2013-263-F100 – Reopen if reapplies 2013-358-BF100	2013-489-F100 – Close, reopen if reapplies 2013-491-F100 – Accept withdrawal; Close, reopen if reapplies	2013-555-BF100 – Close, reopen if reapplies 2013-628-BF300 2014-62-BF100 – No jurisdiction 2014-79-BF100
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***ACTION: Motion to recommend to the Executive Director to close the following cases; refer to the Medical Director: Ms. Harris – First. Mr. McNutt - Second. Discussion: Need to amend the motion to refer back to the Fire Chief not the Medical Director.***

***Motion to recommend to the Executive Director to close the following cases; refer to the Fire Chief: Abstain – Mr. Resanovich. None opposed. Motion approved.***

2013-367-BF500	2013-562-F400
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***ACTION: Motion to rescind the above motion (\*) and remove 2012-738-F100 from the list and recommend to the Executive Director to accept the following Consent Agreements as listed below: Ms. Harris – First. Mr. McNutt – Second. Abstain – Mr. Resanovich. None opposed. Motion approved.***

2012-750-F100	2013-581-BF100 2013-727-F100	2014-6-F100 2014-28-F100
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***ACTION: Motion to recommend to the Executive Director to close case; re-open if contact is made. The following individuals submitted incomplete applications and were issued a Notice of Opportunity for Hearing which was unable to be served: Ms. Harris – First. Mr. McNutt - Second. Abstain – Mr. Resanovich. None opposed. Motion approved.***

2009-696-706 2009-731-701	2010-20-F100 2010-56-F100	2010-489-F100
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***ACTION: Motion to Recommend to the Executive Director to rescind Notice of Opportunity for Hearing and close the following cases:*** Ms. Harris – First. Mr. McNutt - Second. Abstain – Mr. Resanovich. None opposed. Motion approved.

2012-306-F100	2012-714-F300	2012-779-F300
2012-495-F300	2012-716-F300	2012-780-F300
2012-568-F300	2012-761-F300	2013-58-F300
2012-682-F300	2012-762-F300	2013-65-F300
2012-684-F300	2012-764-F300	2013-66-F300
2012-686-F300	2012-765-F300	2013-67-F300
2012-687-F300	2012-767-F300	2013-72-F300
2012-688-F300	2012-777-F300	2013-118-F300
2012-702-F300	2012-778-F300	

***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. McNutt - Second. Abstain – Mr. Resanovich. None opposed. Motion approved.

2010-226-BF100	2010-466-BF100	2013-69-F100
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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. McNutt – Second. Abstain – Mr. Resanovich. None opposed. Motion approved.

2013-235-BF100	2013-566-F100	2014-29-F300
2013-349-F300	2013-634-F100	

***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. McNutt – Second. Abstain – Mr. Resanovich. None opposed. Motion approved.

2013-648-BF100	2013-740-F100	2014-89-F100	2014-124-B100
2013-709-F100	2014-84-F100	2014-95-BF100	2014-155-B100
2013-718-F500	2014-85-F100	2014-113-F100	2014-161-B100
2013-723-BF100	2014-86-BF100	2014-115-BF100	2013-626-F100

**Old Business** ~ None.

**New Business** ~ None

## **ADJOURNMENT**

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