



**FIREFIGHTER AND FIRE SAFETY INSPECTOR TRAINING COMMITTEE
STATE BOARD OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
June 15, 2016
~FINAL~**

Committee Meeting Date and Location: Wednesday, June 15, 2016 at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 1106, Columbus, Ohio.

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

Committee Members Absent: ~none~

EMS Staff Present: Jean Booze, Melvin House, Valerie Koker, and Ellen Owens.

Assistant Attorney General: Walter McNamara

Guest and Public Present: ~none~

Ms. Harris called the meeting to order at 1:03 p.m.

ROLL CALL

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

WELCOME AND INTRODUCTION

OPEN FORUM ~ None

REVIEW AND APPROVAL OF CONSENT AGENDA

Ms. Harris requested a motion to approve the consent agenda to include the April 20, 2016 Firefighter and Fire Safety Inspector Training Committee meeting minutes.

ACTION: Motion to approve the Consent Agenda items to include the April 20, 2016 Firefighter and Fire Safety Inspector Training Committee meeting minutes. Mr. Davis– First. Mr. Resanovich– Second. None – Abstained. None opposed. Motion approved.

FIRE CERTIFICATIONS & EXEMPTION REQUESTS (Military & Medical), Jean Booze

Jean Booze reported there were not any CE exemptions to be considered. There were 2,949 new fire applications for certification received from April 11, 2016 to June 11, 2016. Staff recommends approval and Ms. Booze requested a motion to ratify.

ACTION: Motion to ratify the 2,949 new fire applications for certification received from April 11, 2016 to June 11, 2016. Mr. Davis – First. Mr. Resanovich – Second. None opposed. None abstained. Motion approved.

COMMITTEE REPORTS

Firefighter Committee Report, Doug Orahood

The Pro-Board conducted an on-site visit and expressed that the Ohio EMS Course Administration System is innovative and is unlike anything they have seen nationally. DEMS staff also received high marks on the test validation process.

ED House reported that DEMS staff has been working on the fire rules and were presented to the Firefighter and Firefighter Safety Inspector Training Committee. The fire rules will most likely be filed in July and a stakeholder meeting will be held in August. A couple of significant changes include the live fire certification. The committee also moved to grant 90 day extensions as well as extending the reinstatement period to three years. The fire rules will be written to reflect those new changes.

In the practical skill review it was found that in the volunteer course they were not providing practical skills examinations. It is required that all firefighter certification courses to test both written and practical skills examinations.

REPORT AND RECOMMENDATION IN THE MATTER OF FIRE CASE

Ms. Harris began the deliberation and noted that Executive Director Melvin House was also present. The Committee will be deliberating on one *Report and Recommendation* (R & R) in the matter of:

- Fire Case Number 2014-382-BF100, James J. Kuruc, Fire Certificate Number 158586

Ms. Harris recognized Assistant Attorney General Walter McNamara for the purpose of providing a brief synopsis of the case and a recommendation for disciplinary action.

AAG McNamara presented Fire Case Number 2014-382-BF100, James J. Kuruc, Fire Certificate Number. On September 25, 2015, Mr. Kuruc was convicted of two counts Unlawful Sexual Conduct with a Minor, both fourth-degree felonies. He is required to register as a sex offender and prohibited from any contact with anyone under the age of 18. On October 26, 2015, the EMFTS Board voted to summarily suspend his certificate to practice. A hearing was requested and held on

March 18, 2016. The hearing examiner found that Mr. Kuruc was convicted of the offense and did not provide notification of his offense to the Division as required. It is the recommendation to permanently revoke Mr. Kuruc's certificate to practice.

Ms. Harris 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 to Executive Session for the purpose of entering into quasi-judicial deliberations on these matters pursuant to Ohio Revised Code Chapter 119 and that are required to be kept confidential under R.C. 4765.102(B). Mr. Davis – First. Mr. Resanovich – Second. None opposed. None – abstained. Motion approved.

ROLL CALL

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

ACTION In the matter of Fire Case Number 2014-382-BF100, James J. Kuruc, Fire Certificate Number 158586, 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 permanently revoke Mr. Kuruc's firefighter certificate. On September 25, 2015, Mr. Kuruc was convicted of two (2) counts of Unlawful Sexual Conduct with a Minor, both fourth-degree felonies, in violation of Ohio Revised Code Section 2907.04, in the Court of Common Pleas, General Division, Medina County, Ohio, Case No. 14CR0396. Mr. Kuruc was designated a sex offender by the Court, and is registered as a Tier II Sex Offender. Mr. Kuruc is in violation of Ohio Administrative Code Section 4765-23-02(A)(1)(a). Additionally, Mr. Kuruc failed to report his conviction(s) in violation of Ohio Administrative Code Sections 4765-23-02(A)(4) and 4765-22-01(D)(1). Therefore, the Committee recommends to the Executive director to permanently revoke Mr. Kuruc's firefighter certificate, at any level. Mr. Davis – First. Mr. Wright– Second. None Opposed. Mr. Resanovich abstained. Motion approved.

GOLDMAN PROCEEDINGS

Ms. Harris, on behalf of the Firefighter and Fire Safety Inspector Training Committee called the proceeding to order at 1:18 p.m. on June 15, 2016 at the Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio 43223. Fire members of the Board present for these proceedings were:

ROLL CALL

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

There will be six adjudication proceedings today. Also present is Executive Director Mel House. These proceedings were in the matter of:

- Fire Case Number 2014-612-BF100, Isiah E. Rorrer, Fire Certificate Number 124365
- Fire Case Number 2014-624-F100, Jeffery L. Combs, Fire Certificate Number 66945
- Fire Case Number. 2014-650-BF100, Stephen W. Brown, Fire Certificate Number 109366
- Fire Case Number 2015-188-F300, Kenneth W. Henderson, Fire Certificate Number 110232

- Fire Case Number 2015-348-F300, Matthew W. Stein, Fire Certificate Number 14777
- Fire Case Number 2015-431-F300, Ronald M. Smith, Fire Certificate Number 1116

These proceedings were an affidavit-based adjudication relative to a Notice of Opportunity for Hearing mailed to the respondents in the aforementioned cases and believed 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 cases, these proceedings will be held today pursuant to *Goldman v. State Medical Board of Ohio*. The individuals named do not have the ability to present written or oral testimony today, but may be present to hear the proceedings and outcome.

The Fire Board members were informed that they have already received the sworn affidavits from the EMS Investigators and accompanying exhibits for the Goldman Proceedings. The affidavits contain the evidence and testimony upon which you will deliberate. The Board members had the opportunity to review the affidavits and accompanying exhibits prior to the meeting and were offered the opportunity to review them again.

In lieu of a stenographic record being made, the minutes reflected that the original sworn affidavits and exhibits shall be kept as the official record of the proceedings in the aforementioned matters in the Office of the Division of EMS.

Ms. Harris recognized Assistant Attorney General Walter McNamara, for the purpose of providing a brief synopsis of each case and a recommendation for disciplinary action. Mr. McNamara presented a synopsis of the following cases:

- Isiah E. Rorer was convicted of two counts of *Theft*, felonies of the fifth-degree. Mr. Rorer did not disclose the conviction to the Division. The recommendation is to revoke Mr. Rorer's firefighter certificate.
- Jeffery L. Combs was convicted of *Misuse of a Credit Card*, a first-degree misdemeanor and *Receiving Stolen Property*, a first-degree misdemeanor. Mr. Combs was involved in the theft of WalMart gift cards. He was found to have misdemeanor convictions involving moral turpitude, therefore, the recommendation is to revoke Mr. Combs' firefighter certificate.
- Stephen W. Brown is also a certified EMT, however, that certification expired on January 26, 2016. Mr. Brown plead guilty to *Conspiracy to Commit Murder*, a first-degree felony. He solicited an individual to kill the husband of a woman with whom he was having an affair and even bought the gun to be used for the murder. The recommendation is to permanently revoke Mr. Brown's firefighter certificate.
- Kenneth W. Henderson held a volunteer firefighter certificate and applied for renewal. On his 2015 renewal application, he indicated he met the continuing education hours. A random audit was conducted and the Division determined he was deficient in the required hours of continuing education. Mr. Henderson was contacted and asked to submit additional information to prove the continuing education hours. He did not accurately respond to the continuing education question on his application. The recommendation is to revoke Mr. Henderson's firefighter certificate.

- Matthew W. Stein holds a level II firefighter certificate. On his 2015 renewal application he indicated that he had obtained the required hours of continuing education. Mr. Stein was contacted and asked to submit additional information to prove that he completed the amount of hours. He did not accurately respond to the continuing education question on his application. The recommendation is to revoke his firefighter certificate.
- Ronal M. Smith is a certified Fire Safety Inspector. On his 2015 renewal application he indicated that he had obtained the required amount of continuing education. Mr. Smith was contacted and asked to submit additional information to prove that he completed the amount of hours. He did not accurately respond to the continuing education question on his application. The recommendation is to revoke his firefighter certificate.

Having heard the synopsis and recommended disciplinary action for each case, Ms. Harris requested a motion to admit the sworn affidavits and the accompanying exhibits in the aforementioned cases into evidence.

ACTION: Motion to admit the sworn affidavit and accompanying exhibits in the aforementioned cases into evidence. Mr. Davis – First. Mr. Wright – Second. No Abstentions. None opposed. Motion approved.

There being no further evidence, these proceedings were closed at 1:25 p.m. The procedural and jurisdictional matters having been satisfied, the proceedings continued by deliberation on the sworn affidavits and exhibits. A written copy of the Executive Director’s decision will be mailed to the respondents.

ACTION: Motion to adjourn to Executive Session for the purpose of entering into quasi-judicial deliberations on these matters pursuant to Ohio Revised Code Chapter 119 and that are required to be kept confidential under R.C. 4765.102(B). Mr. Wright – First. Mr. Davis – Second. None opposed. None – abstained. Motion approved.

ROLL CALL

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

The Board returned from private session at 1:32 p.m.

ACTION: In the matter of Fire Case Number 2014-612-BF100, Isiah E. Rorrer, Fire Certificate Number 124365, the Committee finds that Mr. Rorrer was convicted of two counts of Theft, both fifth degree felonies. Additionally, the Committee finds that Mr. Rorrer failed to provide the police records, court records, and a background check, as required. Mr. Rorrer violated Ohio Administrative Code Sections 4765-23-02(A)(4), 4765-22-01(D), and 4765-23-01(A)(1)(a); therefore, the Committee recommends to the Executive Director to revoke Mr. Rorrer’s firefighter certificate. Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2014-624-F100, Jeffery L. Combs, Fire Certificate Number 66945, the Committee finds that Mr. Combs was convicted of Misuse of a Credit Card and Receiving Stolen Property, both first-degree misdemeanors. The Committee concludes these misdemeanors involve moral turpitude and are in violation of Ohio Administrative Code Section 4765-23-02(A)(1)(c); therefore, the Committee recommends to the Executive Director to revoke Mr. Combs' firefighter, fire safety inspector and fire instructor certificates. . Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2014-650-BF100, Stephen W. Brown, Fire Certificate Number 109366, the Committee finds that Mr. Brown was convicted of Conspiracy to Commit Murder, a first-degree felony and he failed to report the conviction and supply documentation, as required. Accordingly, Mr. Brown violated Ohio Administrative Code Sections 4765-22-01(D) and 4765-23-02(A)(1)(a); therefore the Committee recommends to the Executive Director to permanently revoke Mr. Brown's firefighter certificate. Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2015-188-F300, Kenneth W. Henderson, Fire Certificate Number 110232, the Committee finds that Mr. Henderson failed to complete and accurately document all continuing education requirements after attesting to the fact that he had satisfied the requirements; therefore not meeting the renewal requirements. Accordingly, Mr. Henderson violated Ohio Administrative Code Sections 4765-23-02(A)(2) to wit: 4765-22-01(C) and 4765-20-13(A); therefore the Committee recommends to the Executive Director to revoke Mr. Henderson's firefighter certificate. Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2015-348-F300, Matthew W. Stein, Fire Certificate Number 147777, the Committee finds that Mr. Stein failed to complete and accurately document all continuing education requirements after attesting to the fact that he had satisfied the requirements; therefore not meeting the renewal requirements. Accordingly, Mr. Stein violated Ohio Administrative Code Sections 4765-23-02(A)(2) to wit: 4765-22-01(C) and 4765-20-13(B); therefore the Committee recommends to the Executive Director to revoke Mr. Stein's firefighter certificate. Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2015-431-F300, Ronald M. Smith, Fire Certificate Number 1116, the Committee finds that Mr. Smith failed to complete and accurately document all continuing education requirements after attesting to the fact that he had satisfied the requirements; therefore not meeting the renewal requirements. Accordingly, Mr. Smith violated Ohio Administrative Code Sections 4765-23-02(A)(2) to wit: 4765-22-01(C), 4765-20-07(B)(3) and 4765-20-16; therefore the Committee recommends to the Executive Director to revoke Mr. Smith's fire safety inspector certificate. Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

FIRE INVESTIGATIONS, STAFF

Ms. Harris requested a motion to adjourn into Executive Session.

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). Mr. Davis – First. Mr. Wright– Second. None opposed. None – abstained. Motion approved.

Roll Call

Mr. James Davis..... Present Mr. Mark ResanovichPresent
 Ms. Deanna Harris..... Present Mr. Dudley Wright IIPresent

ACTION: Motion to recommend to the Executive Director to accept the following Consent Agreements. Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2015-595-F100	2016-123-F300	2016-228-F300
2015-656-F100	2016-135-F300	2016-244-F100
2016-38-F300	2016-187-F100	
2016-81-F300	2016-227-F300	

ACTION: Motion to recommend to the Executive Director to accept the following proposed Consent Agreements. Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2014-664-F300 *Issue NOH with permission to negotiate consent	2016-18-F100 *Issue NOH with permission to negotiate consent
2015-421-F300 *Issue NOH with permission to negotiate consent	2016-134-BF100 *Issue NOH with permission to negotiate consent

ACTION: Motion to recommend to the Executive Director to close the following cases. . Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2015-242-F300	2015-637-F100	2015-658-F300	2016-121-BF100
2015-419-F300	2015-651-F300	2016-4-F300	2016-177-BF100
2015-559-F500	2015-653-F300	2016-99-F300	2016-249-BF100

ACTION: Motion to recommend to the Executive Director to close cases; re-open if re-applies. The following individuals have convictions, but their certifications have expired. . Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2013-24-F100	2014-28-F100
2013-135-BF100	2015-87-F100

ACTION: Motion to recommend to the Executive Director to close the following cases; applications were deemed incomplete. . Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2016-42-F300	2016-43-F300
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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 Agreement. . Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2012-151-BF500	2015-1-F300	2015-514-F300
2012-713-BF100	2015-510-F100	2015-627-F300

ACTION: Motion to recommend to the Executive Director to close the following cases; accept surrendering of their respective certificates. Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2015-558-F100	2016-80-F300	2016-170-F300	2016-224-F300
2015-688-F300	2016-132-BF300	2016-192-F300	2016-266-F300
2015-692-F300	2016-159-F300	2016-198-F300	
*Rescind NOH	2016-169-F300	2016-201-F300	
2015-700-F300			

ACTION: Motion to recommend to the Executive Director to Issue Notices of Opportunity for Hearings for the following cases. Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2015-57-F500	2015-522-F300	2015-660-F300
2015-227-BF100	2015-597-F300	2016-85-F300
*Permission to negotiate consent for permanent revocation	2015-629-F100	2016-179-F100
2015-409-F300	2015-648-F300	2016-182-F100

ACTION: Motion to recommend to the Executive Director to rescind the Notice of Opportunity for Hearing for the following case; and continue with the Consent Agreement. Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2015-278-F300

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 questions, misdemeanor convictions that have previously been deemed “not involving moral turpitude”, local issues, and grandfathering issues of certification/conviction. Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2016-174-F300	2016-243-F100	2016-267-F100	2016-302-F100
2016-219-F100	2016-248-F100	2016-269-F100	2016-303-F100
2016-233-F100	2016-249-BF100	2016-273-BF100	2016-304-F100
2016-237-F100	2016-252-F100	2016-278-F100	2016-312-BF100
2016-239-BF100	2016-253-BF100	2016-301-F100	

Old Business ~ None

New Business ~ Ms. Harris reminded members of the committee that the December meeting does not follow the 3rd Wednesday of the month. The meeting is scheduled for December 14, 2016.

ADJOURNMENT

ACTION: Motion to adjourn. Mr. Davis – First Mr. Resanovich - Second

The meeting adjourned at 2:12 p.m.