



**FIREFIGHTER AND FIRE SAFETY INSPECTOR TRAINING COMMITTEE  
STATE BOARD OF EMERGENCY MEDICAL SERVICES  
OHIO DEPARTMENT OF PUBLIC SAFETY**

**MEETING MINUTES**

**August 16, 2017**

**~FINAL~**

**Committee Meeting Date and Location:** Wednesday, August 16, 2017 at the Ohio Department of Public Safety, 1970 West Broad Street, Conference room 1106, Columbus, Ohio.

**Committee Members Present:** Deanna Harris, Mark Resanovich, George B. Snyder and Dudley Wright II

**Committee Members Absent:** James Davis

**EMS Staff Present:** Jean Booze, Beverly Cooper, Joel Demory, Melvin House, Valerie Koker, John Molnar, Ellen Owens, Bryan Reardon, Jack Smith and Rob Wagoner.

**Assistant Attorney General:** Trista M. Turley

**Guest and Public Present:** none

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Mr. Wright called the meeting to order at 3:26 p.m.

**ROLL CALL**

Mr. James Davis	Absent	Mr. George B. Snyder	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Resanovich	Present		

**WELCOME AND INTRODUCTION**

**OPEN FORUM** ~ None

**REVIEW AND APPROVAL OF CONSENT AGENDA**

Mr. Wright requested a motion to approve the consent agenda to include the June 21, 2017 Firefighter and Fire Safety Inspector Training Committee meeting minutes.

**ACTION:** Motion to approve the Consent Agenda items to include the June 21, 2017 Firefighter and Fire Safety Inspector Training Committee meeting minutes. Mr. Snyder– First. Ms. Harris – Second. None abstained. None opposed. Motion approved.

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

Jean Booze reported that there were a total of 1,508 new fire certifications for June 2017 and 1,135 new fire certifications for July 2017 for a total of 2,643. Staff recommends approval and Ms. Booze requested a motion to ratify.

**ACTION: Motion to ratify the 2,643 new fire certifications for June 2017 and July 2017.**  
Ms. Harris – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

Jean Booze reported that there was one military exemption request; dual-certified and currently deployed overseas and is on active duty, 2017-8-4. Documentation has been received and staff recommends approval.

**ACTION: Motion to approve one military exemption request; dual-certified, 2017-8-4.**  
Ms. Harris – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

## **Firefighter Committee Report**

Jack Smith, the fire coordinator for the Division of EMS reported that there were three fire charter site visits and all three have been recommended for renewal. The Division continues to work on the volunteer curriculum. Capnography will be incorporated into the training.

## **Report and Recommendation**

Mr. Wright was present on behalf of the Firefighter and Fire Safety Inspector Training Committee. In addition, Executive Director Mel House was also present. The Committee deliberated on one Report and Recommendation in the matter of:

- Fire Case Number 2016-621-BF100, Carl E. Murray, Fire Certificate Number 119679.

The Respondent did not file objections to the Report and Recommendation in this case. I will now recognize Assistant Attorney General Trista Turley for the purpose of providing a brief synopsis of the case and a recommendation for disciplinary action. Mr. Murray nor his attorney were present to address the committee.

**Fire Case Number 2016-621-BF100, Carl E. Murray, Fire Certificate Number 119679.**  
Mr. Murray is certified as a Firefighter II and Fire Safety Inspector. On or about January 27, 2017 he was convicted in the Clermont County Court of Common Pleas of two counts of theft of drugs and two counts of tampering with drugs. The recommendation is for permanent revocation.

## **GOLDMAN PROCEEDINGS**

Mr. Wright, on behalf of the Firefighter and Fire Safety Inspector Training Committee called the proceeding to order at 3:31 p.m. on August 16, 2017 at the Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio.

Fire members of the Board present for these proceedings were:

**ROLL CALL**

Mr. James Davis	Absent	Mr. George B. Snyder	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Resanovich	Present		

Executive Director Mel House was also present. There were three adjudication proceedings. Those proceeding were in the matter of:

- Fire Case Number 2015-619-F300, Kevin M. Flaherty, Fire Certificate Number 146636.
- Fire Case Number 2015-635-F100, Donald W. Detrick, Fire Certificate Number 54650.
- Fire Case Number 2016-438-F100, Joseph Noreiga, Fire Certificate Number 153212.

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 were held 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 committee 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 the committee members deliberated. The Fire committee 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.

Mr. Wright recognized Assistant Attorney General Trista M. Turley, for the purpose of providing a brief synopsis of each case and a recommendation for disciplinary action. Ms. Turley presented a synopsis of the following cases:

- **Fire Case Number 2015-619-F300, Kevin M. Flaherty, Fire Certificate Number 146636.** Mr. Flaherty is certified as a volunteer firefighter with an expiration date of August 26, 2018. He submitted a renewal application on or about June 2, 2015 attesting that he had completed all of the continuing education requirements. A random audit was conducted and he was found to be 24.5 continuing education hours short. Mr. Flaherty entered into a consent agreement on or about February 18, 2016 agreeing to complete the remaining continuing education hours within 90 days or until May 18, 2016. He never submitted the remaining 24.5 continuing education hours nor did he respond to the Division of EMS' letter stating he did not complete his continuing education as agreed upon. He violated the consent agreement and the recommendation is to revoke his certification.

- **Fire Case Number 2015-635-F100, Donald W. Detrick, Fire Certificate Number 54650.**  
Mr. Detrick is certified as a firefighter I and fire safety inspector with an expiration of January 24, 2018. On or about October 28, 2015 Mr. Detrick pled guilty to Worker's Compensation Fraud. He received a suspended six month sentence and was ordered to pay restitution in the amount of \$22,155.04. Mr. Detrick violated OAC 4765-23-02(A)(1)(c), a conviction for a misdemeanor involving moral turpitude. The recommendation is non-permanent revocation of his certification.
- **Fire Case Number 2016-438-F100, Joseph Noreiga, Fire Certificate Number 153212.**  
Mr. Noreiga is certified as a volunteer firefighter with an expiration of August 21, 2019. On or about August 21, 2016, Mr. Noreiga, submitted a renewal application stating that he did not have any felony or misdemeanor convictions. Mr. Noreiga was convicted on or about August 7, 2015 for menacing and on or about June 5, 2013 he was convicted for assault in the Bellefontaine Municipal Court. Due to having several violations the recommendation is permanent revocation of his certification.

Having heard the synopsis and recommended disciplinary action for each case, Mr. Wright 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. Resanovich – First. Ms. Harris– Second. No Abstentions. None opposed. Motion approved.

There being no further evidence, these proceedings were closed at 3:37 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 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 the deliberations.*** Ms. Harris – First. Mr. Resanovich – Second. None opposed. None – abstained. Motion approved.

**Roll Call**

Mr. James Davis	Absent	Mr. George B. Snyder	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Resanovich	Present		

***ACTION: In the matter of Fire Case Number 2016-621-BF100, Carl E. Murray, Certificate Number 119679, the Committee recommends that the Executive Director approve the findings of fact, conclusions of law, and the recommendation issued by the hearing examiner to permanently revoke Mr. Murray's firefighter certificate.*** Ms. Harris – First. Mr. Resanovich – Second. None opposed. None abstained. Motion approved.

***ACTION:*** In the matter of Fire Case Number 2015-635-F100, Donald W. Detrick, Certificate Number 54650, the Committee recommends that the Executive Director issue an adjudication order finding that Mr. Detrick violated Ohio Administrative Code Section 4765-23-02(A)(1)(c), by being convicted of Workers' Compensation Fraud and that Mr. Detrick's firefighter certificates be revoked. Ms. Harris – First. Mr. Resanovich – Second. None opposed. None abstained. Motion approved.

***ACTION:*** In the matter of Fire Case Number 2015-619-F300, Kevin M. Flaherty, Certificate Number 146636, the Committee recommends that the Executive Director issue an adjudication order finding that Mr. Flaherty violated Ohio Administrative Code Section 4765-23-02(A)(3), by failing to comply with the terms of a Consent Agreement, and that Mr. Flaherty's firefighter certificate be revoked. Ms. Harris – First. Mr. Resanovich – Second. None opposed. None abstained. Motion approved.

***ACTION:*** In the matter of Fire Case Number 2016-438-F100, Joseph Noreiga, Certificate Number 153212, the Committee recommends that the Executive Director issue an adjudication order permanently revoking Mr. Noreiga's firefighter certificate based on a finding that Mr. Noreiga submitted a renewal application containing false information, failed to comply with the terms of a consent agreement, and committed misdemeanors involving moral turpitude. Ms. Harris – First. Mr. Resanovich – Second. None opposed. None abstained. Motion approved.

**FIRE INVESTIGATIONS, STAFF**

Mr. Wright 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. Resanovich – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

**Roll Call**

Mr. James Davis	Absent	Mr. George B. Snyder	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Resanovich	Present		

***ACTION:*** Motion to recommend to the Executive Director to issue a Consent Agreement for the following Charter case. Ms. Harris – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

2017-408-F300

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

2015-302-F300 2016-711-BF100	2017-232-F300 2017-261-F300	2017-263-F300
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**ACTION: Motion to recommend to the Executive Director to close the following case.** Ms. Harris – First. Mr. Snyder – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

2016-405-F100

**ACTION: Motion to recommend to the Executive Director to close the following cases; re-open if re-applies. The following individuals entered into consent agreements with the Executive Director. They have not met the requirements of the consent agreement.** Ms. Harris – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

2014-227-F100	2014-281-F300
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**ACTION: Motion to recommend to the Executive Director to close the following cases. The following individuals have now met the stipulations of their Consent Agreements.** Ms. Harris – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

2016-146-BF100 2016-565-F100	2017-87-F100 2017-123-F100
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**ACTION: Motion to recommend to the Executive Director to close the following cases. The following individuals were audited at their respective levels, and have opted to surrender their certificate to practice or teach. Re-open if re-applies.** Ms. Harris – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

2017-172-F300 *FF2 2017-189-F300 *FF1 2017-259-F300 *VFF 2017-266-F300 *FSI	2017-276-F300 *FF2, FI, FSI 2017-290-F300 *FF2 2017-295-F300 *FSI 2017-347-F300 *FF2	2017-348-F300 *FSI 2017-349-F300 *AFI 2017-350-F300 *AFI 2017-345-F300 *FF2
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**ACTION: Motion to recommend to the Executive Director to close the following case; the individual did not supply required documentation; therefore, their applications were rendered incomplete.** Ms. Harris – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

2017-138-F100

**ACTION: Motion to recommend to the Executive Director to issue notices of Opportunity for Hearings for the following cases.** Ms. Harris – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

2015-634-F100 2016-161-F300 2016-454-F100 2016-598-BF100	2017-135-F300 2017-168-BF100 2017-217-F100
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***ACTION:*** Motion to recommend to the Executive Director to rescind the Notice of Opportunity for Hearing previously issued; and re-issue a revised Notice of Opportunity for Hearing for the following case. Ms. Harris – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

2016-182-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 questions, misdemeanor convictions that have previously been deemed “not involving moral turpitude”, local issues, and grandfathering issues of certification/conviction. Ms. Harris – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

2016-277-F500	2017-363-F100	2017-403-BF100
2016-548-BF100	2017-374-BF100	2017-414-F100
2017-271-F300	2017-388-BF100	2017-415-F100
2017-285-BF100	2017-389-F100	2017-416-BF100
2017-343-F100	2017-391-BF100	2017-417-BF100

**Old Business** ~ None

**New Business** ~ None

## **ADJOURNMENT**

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

The meeting adjourned at 4:15 p.m. The next meeting will be held October 18, 2017 at the Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio.