



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

**MEETING MINUTES**

**December 13, 2017**

**~FINAL~**

**Committee Meeting Date and Location:** Wednesday, December 13, 2017 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, George B. Snyder and Dudley Wright II

**Committee Members Absent:** ~none~

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

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

**Guest and Public Present:** Nicholas Adkins, John Sauter, Kathy Shiflet, Matt Wells

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Mr. Resanovich called the meeting to order at 2:36 p.m.

**ROLL CALL**

Mr. James Davis	Present	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 October 18, 2017 Firefighter and Fire Safety Inspector Training Committee meeting minutes, October Fire Certifications and November Fire Certifications.

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***ACTION:*** Motion to approve the Consent Agenda items to include the October 18, 2017 Firefighter and Fire Safety Inspector Training Committee meeting minutes, October Fire Certifications and November Fire Certifications. Ms. Harris - First. Mr. Snyder– Second. Mr. Snyder (Fire Certifications – 0095563) - abstained. None opposed. Motion approved.

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

Jean Booze reported that there was one military exemption request, 2017-12-01, for the certification cycle of June 11, 2012 and October 26, 2014. He entered the military shortly after becoming certified. Per HB 98, he is eligible to be automatically renewed. He is only requesting an exemption for the first cycle that he missed. All documentation has been received and staff recommends approval.

**ACTION: Motion to approve one military exemption request; 2017-12-1.** Mr. Davis – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

## **Firefighter Committee Report**

Jack Smith, fire coordinator for the Division of EMS, reported that there have not been any fire charter site visits since the last meeting. There are seven charter renewal applications and one new charter application for the City of Cleveland that are being reviewed. All site visits are scheduled for January and February 2018.

The volunteer firefighter course objectives, curriculum and practical skill sheets have been completed. The Hazard Recognition Officer and Fire Safety Inspector course objectives have been completed to incorporate the 2018 Ohio Fire Code into the course and exams. The modular delivery model for the Firefighter I course has been finalized.

## **REPORT AND RECOMMENDATIONS**

- Fire Case No. 2015-554-BF100, Nicholas P. Adkins, Certificate Number 139289
- Fire Case No. 2016-540-F500, Casey Jones Jr., Certificate Number 122218

Mr. Resanovich recognized Assistant Attorney General Trista Turley for the purpose of providing a brief synopsis of each case.

- **Fire Case No. 2015-554-BF100, Nicholas P. Adkins, Certificate Number 139289.** Mr. Adkins is a certified Firefighter II. On or about October 16, 2015 in the early morning hours after drinking heavily while on a pain medication regimen, Mr. Adkins attempted to forcibly break into a residential home. Mr. Adkins was convicted in the Franklin County Court of Common Pleas on a first degree misdemeanor for trespass. A hearing was held on July 17, 2017 with a recommendation from the hearing officer:
  - 6 month suspension of certificate
  - Conditions of reinstatement
    - Fit-for-duty psychological evaluation
    - Completed and updated BCI&I background check
    - 3 year probation during which time he must:
      - Inform the ODPS-EMS of any arrest within 10 days of arrest
      - Fully disclose any convictions on his record to EMT employers
      - Any additional terms Board finds appropriate

It was noted that the EMFTS Board is not bound by its prior disciplinary cases, and can impose discipline as appropriate based on the facts of each case.

- **Fire Case No. 2016-540-F500, Casey Jones Jr., Certificate Number 122218.** Mr. Casey was a certified Fire Safety Inspector until 2009. He recently realized that his certification expired in 2009. He contacted the Division of EMS and was informed he would need to apply to renew his certification. Mr. Casey completed a renewal application; however, he failed to provide evidence that he had taken the training course required to renew a Fire Safety Inspector certificate which was expired for greater than 18 months. Mr. Casey did not attend the hearing. The recommendation is to deny his request to renew unless or until he meets all continuing education and refresher course requirements

Mr. Resanovich inquired if Mr. Adkins or his attorney were present. Mr. John Sauter addressed the subcommittee on behalf of his client, Mr. Adkins. Mr. Adkins is present and understands this is a serious process and being a firefighter is very important to him. Mr. Sauter requested the subcommittee adopt the hearing officer's recommendations; however, stay the 6-month suspension. Mr. Adkins addressed the Fire Committee and expressed his appreciation for their time and that his career means the world to him.

### **GOLDMAN PROCEEDINGS**

Mr. Resanovich, on behalf of the Firefighter and Fire Safety Inspector Training Committee called the proceeding to order at 2:41 p.m. on December 13, 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	Present	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 four adjudication proceedings. Those proceedings were in the matter of:

- Fire Case Number 2016-86-F300, Ronald L. Gould, Certification Number 164747
- Fire Case Number 2016-182-F100, Erin E. Hoyt (a.k.a. Morrow), Certification Number 163891
- Fire Case Number 2016-199-F300, Whitney D. France, Certification Number 149266
- Fire Case Number 2016-274-BF100, Rick L. Ruppright, Certification Number 66608

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. Resanovich 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 2016-86-F300, Ronald L. Gould, Certification Number 164747.** Mr. Gould is a certified volunteer firefighter. On his renewal application he attested that he met all of the continuing education requirements. A random audit was conducted on or about December 15, 2015. Mr. Gould did not respond to any of the attempts to communicate. A Notice of Hearing was issued via certified mail whereas it was signed for; however, no hearing was requested. His failure to accurately document and upon request produce documentation of continuing education hours violates OAC 4765-22-01(C) and his failure of a volunteer firefighter to complete 54 hours of continuing education violates OAC 4765-20-13(A). The recommendation is to revoke Mr. Gould's certification.

**Fire Case Number 2016-182-F100, Erin E. Hoyt (a.k.a. Morrow), Certification Number 163891.** Ms. Hoyt is a certified volunteer firefighter. On her renewal application she disclosed a misdemeanor conviction. The Division of EMS informed Ms. Hoyt that she was required to submit a certified judgement entry from the conviction, certified police report, and updated BCI&I background check. She never responded or submitted documentation. Ms. Hoyt failed to submit, at her own expense, a certified copy of the judgment entry from the court of conviction, a copy of the applicable law enforcement report, and a BCI&I background check which violates OAC 4765-20-04(C). The recommendation is to revoke Ms. Hoyt's certification.

**Fire Case Number 2016-199-F300, Whitney D. France, Certification Number 149266.** Ms. France is a volunteer firefighter. On her renewal application she attested that she met all continuing education requirements. She was subject to a random audit of continuing education hours. Ms. France did not respond to any of the notices or communications by the Division of EMS. A Notice of Hearing was issued by certified mail and she signed for the notice; however, she did not request a hearing. Ms. France failed to accurately document and, upon request, produce documentation of continuing education hours which violates OAC 4765-22-01(C). She failed to satisfy continuing education requirements for a volunteer firefighter which violates OAC 4765-20-07(A)(3). Additionally, she failed to complete 54 hours of continuing education for a volunteer firefighter which violates 4765-20-12(A). The recommendation is to revoke Ms. France's certification.

**Fire Case Number 2016-274-BF100, Rick L. Ruppright, Certification Number 66608.** Mr. Ruppright is a certified Firefighter I with an expiration date of May 30, 2017. On or about October 19, 2016 Mr. Ruppright was convicted in the Hancock County Court of Common Pleas, Juvenile Division of Contributing to the Delinquency/Unruliness of a Minor, a first degree misdemeanor. A Notice of Opportunity for Hearing was sent by certified mail on or about March 24, 2017. No hearing was requested. A conviction for a misdemeanor of moral turpitude violates OAC 4765-23-02(A)(1)(c). The recommendation is to permanently revoke Mr. Ruppright's certification.

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

There being no further evidence, these proceedings were closed at 2:53 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.*** Mr. Davis – First. Ms. Harris – Second. No Abstentions. None opposed. Motion approved.

### **ROLL CALL**

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

### **REPORT AND RECOMMENDATION MOTIONS**

***ACTION: In the matter of Fire Case Number 2015-554-BF100, Nicholas P. Adkins, Certificate Number 139289, I move that the Board issue an adjudication order approving the findings of fact and conclusions of law, and modify the recommendation of the hearing examiner to issue a six (6) month suspension with five (5) months stayed. Prior to reinstatement, Mr. Adkins shall complete the following:***

- 1) Submit a fit-for-duty exam from a chemical dependency counselor acceptable to the Board or its designee.***
- 2) Notify the Board of any violations of the Revised Code or Administrative Code of the Board's Order.***
- 3) BCI Criminal Background check.***

***Following reinstatement, Respondent shall be subject to a probationary period of three (3) years where he will be required to notify the Board of any arrests within ten (10) days of the arrest, and fully disclose his conviction to any EMS employer(s).*** Mr. Davis – First. Ms. Harris – Second. None Opposed. Mr. Allenstein and Mr. Resanovich – abstained. Motion approved.

***ACTION: In the matter of Fire Case Number 2016-540-F500, Casey Jones, Jr., Certificate Number 122218, the Committee recommends that the Executive Director issue an adjudication order approving the findings of fact, conclusions of law, and the recommendation of the hearing examiner to refuse to renew Mr. Jones' fire safety inspector certificate.*** Mr. Snyder – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

**GOLDMAN MOTIONS**

***ACTION:*** *In the matter of Fire Case Number 2016-86-F300, Ronald L. Gould, Certificate Number 164747, the Committee recommends that the Executive Director issue an adjudication order finding that Mr. Gould failed to comply with continuing education requirements as indicated in the Notice of Opportunity for Hearing and that Mr. Gould’s firefighter certificate be revoked.*  
Mr. Snyder – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

***ACTION:*** *In the matter of Fire Case Number 2016-182-F100, Erin E. Hoyt, Certificate Number 163891, the Committee recommends that the Executive Director issue an adjudication order finding that Ms. Hoyt failed to provide documents related to her criminal conviction as indicated in the Notice of Opportunity for Hearing and that Ms. Hoyt’s firefighter certificate be revoked.*  
Mr. Snyder – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

***ACTION:*** *In the matter of Fire Case Number 2016-199-F300, Whitney D. France, Certificate Number 149266, the Committee recommends that the Executive Director issue an adjudication order finding that Ms. France failed to comply with continuing education requirements as indicated in the Notice of Opportunity for Hearing and that Ms. France’s firefighter certificate be revoked.*  
Mr. Snyder– First. Mr. Davis– Second. None opposed. None abstained. Motion approved.

***ACTION:*** *In the matter of Fire Case Number 2016-274-BF100, Rick L. Ruppright, Certificate Number 66608, the Committee recommends that the Executive Director issue an adjudication order finding that Mr. Ruppright has been convicted of Contributing to the Delinquency/Unruliness of a Minor, a misdemeanor involving moral turpitude, and that Mr. Ruppright’s firefighter certificate be permanently revoked.* Mr. Snyder – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

**FIRE INVESTIGATIONS, STAFF**

Mr. Resanovich 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. Snyder – Second. None opposed. None – abstained. Motion approved.

**Roll Call**

Mr. James Davis	Present	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 accept the following Consent Agreements.** Mr. Snyder – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.

2012-442-BF500	2017-523-BF100
2017-332-F100	2017-590-BF100
2017-354-BF100	2017-555-F300
2017-406-F100	2017-595-BF100

**ACTION: Motion to recommend to the Executive Director to close the following cases. Individuals have met the stipulations of their Consent Agreements.** Mr. Snyder – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.

2017-384-F100
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**ACTION: Motion to recommend to the Executive Director to close the following Fire Charter case; subject has met the stipulations of their Consent Agreement.** Mr. Snyder – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.

2014-169-F500
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**ACTION: Motion to recommend to the Executive Director to accept the surrendering of their respective certificates and close the following cases.** Mr. Snyder – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

2017-258-F300	2017-561-F300
2017-379-F300	2017-597-F300
2017-530-F300	2017-599-F300
2017-534-F300	2017-600-F300

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

2017-71-BF100	2017-278-F300	2017-520-F300
2017-257-F300	2017-279-F300	2017-535-F300
2017-260-F300	2017-288-F300	2017-580-F100
2017-264-F300	2017-289-F300	2017-623-F300
2017-267-F300	2017-291-F300	
2017-277-F300	2017-292-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 question, misdemeanor convictions that have previously been deemed “not involving moral turpitude”, local issues, and grandfathering issues of certification/conviction:** Mr. Snyder – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

2012-294-F500	2017-499-F500	2017-587-BF100
2014-644-BF100	2017-521-BF100	2017-664-F300
2017-443-BF100	2017-582-F300	2017-665-F300

**Old Business** ~ None

**New Business** ~ None

**ADJOURNMENT**

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

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The meeting adjourned at 3:15 p.m. The next meeting will be held February 15, 2018 immediately following the EMFTS Board meeting at the Ohio Department of Natural Resources Division of Geological Survey's Horace R. Collins Lab, 3307 S. Old State Road, Delaware, Ohio 43015.