



**FIREFIGHTER AND FIRE SAFETY INSPECTOR TRAINING COMMITTEE  
STATE BOARD OF EMERGENCY MEDICAL SERVICES  
OHIO DEPARTMENT OF PUBLIC SAFETY  
MEETING MINUTES  
May 20, 2015  
~ FINAL ~**

**Committee Meeting Date and Location:** Wednesday, May 20, 2015 at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 134, Columbus, Ohio.

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

**Committee Members Absent:** James Davis

**EMS Staff Present:** Jean Booze, Thomas Gwinn, Sherry Harkness, Melvin House, Rick Miller, Robert Ruetenik, Dan Swords, and Rachel Zwyer

**Assistant Attorney General:** Brandon Duck

**Guest and Public Present:** none

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Mr. Resanovich called the meeting to order at 2:13 p.m.

**ROLL CALL**

Mr. James Davis	Absent	Mr. Resanovich	Present
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. Resanovich requested a motion to approve the consent agenda including the February 19, 2015 Firefighter and Fire Safety Inspector Training Committee meeting minutes, the certifications, accreditations, and CE site requests for period February 18, 2015 through May 19, 2015.

**ACTION:** Motion to approve the Consent Agenda items including the February 19, 2015 meeting minutes, the certifications, accreditations, and CE site requests for period February 18, 2015 through May 19, 2015. Ms. Harris – First. Mr. McNutt – Second. None – Abstained. None opposed. Motion approved.

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

### **Certification, Jean Booze**

Jean Booze reported on the CE exemptions requests. There were a total of three CE exemption requests due to military exemption requests: (#2015-4-01; dual certified, 2015-4-02, 2015-4-03; fire only). There was one medical hardship exemption request (#2015-4-4; fire only). The staff recommends approval and requests a motion to approve three of the requests. All supporting documentation has been received.

Discussion ensued regarding the permanent disability exemption.

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***ACTION: Motion to approve exemption requests for #2015-4-01, #2015-4-02, #2015-4-03 and #2015-4-4. Mr. McNutt – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.***

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## **COMMITTEE REPORT**

### **Firefighter and Fire Safety Inspector Training Subcommittee, Mel House**

Mr. Orahood was unavailable to present the report, Executive Director House presented in his absence.

Hall of Fame Nominations should be submitted as soon as possible for the awards in September.

Burn trials for the live fire training course took place in Wayne County. Identified minor modifications are needed with respect to job performance requirements. The 24-hour, 3-day course is being revised.

The Division of EMS has been working on the web-based testing improvements and also implemented the process of putting out directives to fire charters to improve consistency as well as conformance issues with the Ohio Administrative Code.

The Committee discussed the Fire Safety Inspector certification courses and the 1031 requirements. Over the next year, the Committee is looking to potentially revise the continuum to a Fire Inspector 1 or Fire Inspector 2, or Fire Officer.

## **REPORT AND RECOMMENDATION ~ None**

## **GOLDMAN PROCEEDINGS**

Mr. Resanovich called the proceeding to order at 2:18 pm on May 20, 2015 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	Present
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Daryl McNutt	Present		

There were two adjudication proceedings. Also present is Executive Director Mel House. The proceedings are in the matter of:

- Fire Case Number 2013-279-BF100, Kevin P. Kelly, Fire Certificate Number 10290 and
- Fire Case Number 2013-500-BF100, Casey T. Miller, Fire Certificate Number 142800

The proceedings were an affidavit-based adjudication relative to the Notice of Opportunity for Hearing mailed to the respondents in the aforementioned case 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 case, the proceeding was held before the Board pursuant to *Goldman v. State Medical Board of Ohio*. The individuals named did not have the ability to present written or oral testimony, but may be present to hear the proceeding and outcome.

All Board members received the sworn affidavits from the EMS investigators and accompanying exhibits for the Goldman Proceeding in the board packet. The affidavits contained the evidence and testimony upon which was deliberated. Although all had the opportunity to review the affidavit and accompanying exhibits additional time was allowed to review if needed. No additional time was required.

In lieu of a stenographic record being made, the minutes reflect that the original sworn affidavits and exhibits will be kept as the official record of the proceeding in the aforementioned matter in the Office of the Division of EMS.

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.

As each Board member received the affidavits for each case to review prior to the meeting. AAG Duck briefly presented a summary of each case.

AAG Duck explained that both of cases were brought before the EMFTS Board meeting prior to this meeting and were presented as such:

- Kevin P. Kelly, Fire Certificate Number 10290, was convicted of Complicity, Unauthorized Compensation Prohibited. The EMFTS Board approved a motion to revoke his EMT Certificate.
- Casey T. Miller, Fire Certificate Number 142800, was convicted of eight count convictions of Voyeurism. The motion to revoke Mr. Miller's EMT Certificate was brought before the EMFTS Board however, the motion failed due to lack of quorum and will be re-presented at the June EMFTS Board meeting.

Having heard AAG Duck's synopses and recommended disciplinary actions for the cases, 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 affidavit and accompanying exhibits in the aforementioned cases into evidence.*** Mr. McNutt – First. Ms. Harris – Second. None - Abstained. None opposed. Motion approved.

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There being no further evidence to come before the board, the proceeding closed at 2:22 p.m.

The procedural and jurisdictional matters having been satisfied, the proceeding will continue by deliberation on the sworn affidavit and exhibits. A written copy of the executive director's decision will be mailed to the respondents.

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 pursuant to Ohio Revised Code Chapter 119 and that are required to be kept confidential under R.C. 4765.102(B).***

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**ROLL CALL**

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

The Committee returned from Private Session at 2:25 p.m.

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***ACTION: In the matter of Fire Case Number 2013-279-BF100, Kevin P. Kelly, Fire Certificate Number 10290, the Committee finds that Mr. Kelly was convicted of Complicity, Unauthorized Compensation Prohibited, a first degree misdemeanor. Mr. Kelly violated Ohio Administration Code Section 4765-23-02(A)(1)(c). Therefore, the Committee recommends to the Executive Director to revoke Mr. Kelly's Level II firefighter certificate. Ms. Harris – First. Mr. McNutt – Second. None opposed. None – abstained. Motion approved.***

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***ACTION: In the matter of Fire Case Number 2013-500-BF100, Casey T. Miller, Fire Certificate Number 142800, the Committee finds that Mr. Miller was convicted of eight counts of Voyeurism, all second-degree misdemeanors; Voyeurism, a third-degree misdemeanor; and Voyeurism, a third-degree misdemeanor. Mr. Miller violated Ohio Administrative Code Section 4765-23-02(A)(1)(c). Therefore the Committee recommends to the Executive Director to deny Mr. Miller's renewal application and revoke Mr. Miller's Level II firefighter certificate. Ms. Harris – First. Mr. McNutt – Second. None opposed. None – abstained. Motion approved.***

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**FIRE INVESTIGATIONS, STAFF**

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***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). McNutt – First. Ms. Harris – Second. None opposed. None – abstained. Motion approved.***

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**Roll Call**

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

The Committee returned from executive session at 2:38 p.m.

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

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2014-26-BF500 2014-383-BF100	2015-48-BF100 2015-59-BF100	2015-64-BF100 2015-84-F300
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***ACTION: Motion to recommend to the Executive Director to deny the following Consent Agreements.*** Ms. Harris – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

2015-107-F100

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

2015-37-F500

***ACTION: Motion to recommend to the Executive Director to accept the following non-disciplinary Consent Agreements.*** Ms. Harris – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

2015-41-F500	2015-125-F300	2015-128-F300	2015-129-F300
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***ACTION: Motion to recommend to the Executive Director to close the following cases.*** Ms. Harris – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

2012-620-F500 2012-685-F300 2012-873-F400 * <i>Incomplete appl</i> 2014-152-BF100 2014-207-F100 2014-289-F500 2014-290-F500 2014-291-F500	2014-292-F500 2014-293-F500 2014-294-F500 2014-295-F500 2014-296-F500 2014-448-BF100 2014-548-BF100 2014-633-BF100 * <i>Re-open if re-applies</i>	2014-641-F500 2014-675-F100 2014-677-BF100 2014-700-BF100 2015-73-F500 2015-91-F300 * <i>Accept surrender</i>
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***ACTION: Motion to recommend to the Executive Director to close the following charter cases; individuals have met the stipulation of their Consent Agreements:*** Ms. Harris – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

2010-510-F100 & 2011-1268-F100 2013-584-F100 2014-177-BF100	2014-390-F500 2014-638-F500	2014-639-F500 2015-40-F500
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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. None opposed. None abstained. Motion approved.

2013-436-BF100 2014-437-F100 2014-499-F300 2014-500-F300	2014-511-BF100 2014-525-F300 2014-555-F300 2014-570-F300	2014-692-F500 2015-22-F300 2015-106-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 been previously been deemed "not involving moral turpitude", local issues, and grandfathering issues of certification/conviction.*** Ms. Harris – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

2014-331-F100 2014-593-F100 2014-616-BF100 2014-687-F100 2014-688-BF100 2014-698-BF100	2014-700-BF100 2015-7-F100 2015-42-F500 2015-47-F100 2015-63-BF100 2015-66-BF100	2015-69-F100 2015-78-BF100 2015-83-F100 2015-110-BF100 2015-117-F100 2015-118-F100	2015-119-BF100 2015-126-F300 2015-142-F100
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**Old Business** ~ None.

**New Business** ~ None

**ADJOURNMENT**

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

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The meeting adjourned at 2:43 p.m.