

**Firefighter & Fire Safety Inspector Training Committee Meeting
State Board of Emergency Medical, Fire, and Transportation Services
1970 W. Broad Street, Conference Room 134 (Motorcycle Room)
Columbus, Ohio 43223**

~FINAL MEETING AGENDA ~

Thursday, February 19, 2015

(Immediately following the EMFTS Board meeting)

-
- **Roll Call**
 - **Welcome and Introduction**
 - **Open Forum**
 - **Review and Approval of Consent Agenda**, including minutes of December 17, 2014 meeting.
 - **Fire Certification & Exemption Requests** (Medical and Military), Jean Booze
 - **Committee Report**
 - **Firefighter & Fire Safety Inspector Training Sub-Committee**, Doug Orahood
 - **Report and Recommendation in the matter of Fire Case(s):**
 - Fire Case Number 2013-587-BF100, Jonathan J. Cabus, Fire Certificate Number 112983
 - Fire Case Number 2014-166-F100, Timothy G. Breland, Fire Applicant Number 199876
 - **Fire Goldmans in the matter of Fire Case(s):** *NONE*
 - **Fire Investigations, Melissa Vermillion and Staff**
 - **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).
 - **Old Business**
 - **New Business**
 - **Adjournment**

**Firefighter & Fire Safety Inspector Training Committee Meeting
State Board of Emergency Medical, Fire, and Transportation Services
1970 W. Broad Street, Conference Room 134 (Motorcycle Room)
Columbus, Ohio 43223**

~ FINAL MEETING AGENDA ~

Wednesday, May 20, 2015

(Immediately following the EMFTS Board meeting)

-
- **Roll Call**
 - **Welcome and Introduction**
 - **Open Forum**
 - **Review and Approval of Consent Agenda**, including minutes of February 19, 2015 meeting.
 - **Fire Certification & Exemption Requests** (Medical and Military), Jean Booze
 - **Committee Report**
 - **Firefighter & Fire Safety Inspector Training Sub-Committee**, Doug Orahood
 - **Report and Recommendation in the matter of Fire Case(s): *None***
 - **Fire Goldmans in the matter of Fire Case(s):**
 - In the matter of EMS Case Number 2013-279-BF100, Kevin P. Kelly, Fire Certificate Number 10290
 - In the matter of EMS Case Number 2013-500-BF100, Casey T. Miller, Fire Certificate Number 142800
 - **Fire Investigations, Melissa Vermillion and Staff**
 - **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).
 - **Old Business**
 - **New Business**
 - **Adjournment**



**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

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.

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.

COMMITTEE REPORT

Firefighter and Fire Safety Inspector Training Subcommittee, Mel House

Mr. Orahod 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.

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.

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.

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).

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.

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.

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.

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

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.

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.

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

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

The meeting adjourned at 2:43 p.m.

**Firefighter & Fire Safety Inspector Training Committee Meeting
State Board of Emergency Medical, Fire, and Transportation Services
1970 W. Broad Street, Conference Room 134 (Motorcycle Room)
Columbus, Ohio 43223**

~ FINAL MEETING AGENDA ~

Wednesday, June 17, 2015

(Immediately following the EMFTS Board meeting)

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- **Roll Call**
 - **Welcome and Introduction**
 - **Open Forum**
 - **Review and Approval of Consent Agenda**
 - **Fire Certification & Exemption Requests** (Medical and Military), Jean Booze
 - **Committee Report**
 - **Firefighter & Fire Safety Inspector Training Sub-Committee**, Doug Orahood
 - **Report and Recommendation in the matter of Fire Case(s): *None***
 - **Fire Goldmans in the matter of Fire Case(s): *None***
 - **Fire Investigations, Melissa Vermillion and Staff**
 - **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).
 - **Old Business**
 - **New Business**
 - **Adjournment**



**FIREFIGHTER AND FIRE SAFETY INSPECTOR TRAINING COMMITTEE
STATE BOARD OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
June 17, 2015
~FINAL~**

Committee Meeting Date and Location: Wednesday, June 17, 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, Sherry Harkness, Melvin House, Valerie Koker, Ellen Owens, and John Sands.

Assistant Attorney General: Brandon Duck

Guest and Public Present: Barry Seth (LaGrange Fire Department)

Mr. Resanovich called the meeting to order at 1:54 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 May 19, 2015 through June 16, 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 May 19, 2015 through June 16, 2015. Mr. McNutt– First. Ms. Harris – Second. None – Abstained. None opposed. Motion approved.

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

Certification, Jean Booze

Jean Booze reported on the CE exemption requests. There were a total of five CE exemption requests due to military exemption requests: (#2015-6-01; dual certified, 2015-6-02; dual certified, 2015-6-04, 2015-6-05, 2015-6-10; fire only). The staff recommends approval and requests a motion to approve of 2015-6-01, 2015-6-02, 2015-6-04, and 2015-6-05. All supporting documentation has been received. However, the staff does not recommend approval of 2015-6-10 due to incomplete documentation.

ACTION: Motion to approve exemption requests for #2015-6-01, #2015-6-02, #2015-6-04 and #2015-6-05. Motion not to approve 2015-6-10. Mr. McNutt – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

Jean Booze reported on the medical exemption request with one fire only: #2015-6-09. Staff recommends approval and requests a motion to approve #2015-6-09.

ACTION: Motion to approve exemption request for #2015-6-09. Mr. McNutt – First. Ms. Harris – Second. None opposed. None abstained. Motion approved.

COMMITTEE REPORT

Firefighter Committee Report, John Sands

The web-based testing system is currently undergoing regression testing by the DEMS staff and ODPS IT to ensure the system functions as designed. The EMS and Course Administration System User Manual is being updated. Deployment for the system is scheduled for July 15, 2015. A webinar for fire and EMS program directors is scheduled for July 7, 2015.

The Live Fire Training Workgroup Meeting is scheduled for June 24, 2015.

REPORT AND RECOMMENDATION ~ None

GOLDMAN PROCEEDINGS ~ None

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

Roll Call

Mr. James DavisAbsent
Ms. Deanna HarrisPresent
Mr. Daryl McNuttPresent

Mr. Mark ResanovichPresent
Mr. Dudley Wright IIAbsent

The Committee returned from executive session at 2:10 p.m.

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.

2015-1-F300	2015-230-F300
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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.

2015-261-F500

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.

2014-333-F300 *Rescind NOH 2014-670-F300 2015-4-F100 2015-55-F300	2015-56-F300 2015-68-BF100 2015-95-F500 *Send warning letter 2015-109-F500 *Accept withdrawal 2015-132-F500
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ACTION: Motion to recommend to the Executive Director to close case; re-open if re-applies. The following individuals were audited at their respective levels. They have opted to surrender their certificate to practice or certificate to teach. Ms. Harris – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

2014-484-F300 *Rescind NOH 2014-572-F300 2014-635-F300 *Rescind NOH 2015-148-F300 2015-149-F300 2015-160-F300	2015-166-F300 2015-173-F300 2015-184-F300 2015-197-F300 2015-219-F300
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ACTION: Motion to recommend to the Executive Director to close case; re-open if re-applies. The following individuals have not met the requirements of the consent agreement, and their certifications have expired. Ms. Harris – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

2012-253-F100	2012-327-F300
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ACTION: Motion to recommend to the Executive Director to close the following cases; individuals have met stipulations of their Consent Agreements. Ms. Harris – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

2010-266-F100 2011-726-F300 2011-1149-F100	2011-1169-F500 2012-178-BF100 2012-525-F300	2014-103-BF100 2014-420-F300
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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.

2014-36-BF100	2014-527-F300	2014-632-F300
2014-121-BF100	2014-580-F300	2015-75-F500
2014-406-F300	2014-581-F300	2015-165-F300
2014-502-F300	2014-605-F300	2015-195-F300
2014-523-F100	2014-622-F300	

ACTION: Motion to recommend to the Executive Director the following cases due to one of the following reasons: inadvertently marked yes to convictions 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. None opposed. None abstained. Motion approved.

2014-402-BF100	2015-172-BF100	2015-223-BF100	2015-254-F100
2014-625-BF300	2015-174-BF100	2015-231-F100	2015-255-F100
2015-72-F100	2015-201-F100	2015-232-BF100	2015-281-F100
2015-137-F100	2015-203-F100	2015-241-BF100	2015-282-BF100
2015-161-F100	2015-204-F100	2015-250-F100	2015-299-F100
2015-164-F100	2015-213-F100	2015-251-F100	
2015-170-BF100	2015-214-BF100	2015-252-BF100	

Old Business ~ None.

New Business ~ None

ADJOURNMENT

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

The meeting adjourned at 2:14 p.m.

**Firefighter & Fire Safety Inspector Training Committee Meeting
State Board of Emergency Medical, Fire, and Transportation Services
1970 W. Broad Street, Conference Room 134 (Motorcycle Room)
Columbus, Ohio 43223**

~ FINAL MEETING AGENDA ~

Wednesday, August 19, 2015

(Immediately following the EMFTS Board meeting)

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- **Roll Call**
 - **Welcome and Introduction**
 - **Open Forum**
 - **Review and Approval of Consent Agenda**
 - **Fire Certification & Exemption Requests** (Medical and Military), Jean Booze
 - **Committee Report**
 - **Firefighter & Fire Safety Inspector Training Sub-Committee**, Doug Orahood
 - **Report and Recommendation in the matter of Fire Case(s):**
 - In the matter of Fire Case Number 2014-312-BF100, William A. Eberly, Fire Certificate Number 136954
 - In the matter of Fire Case Number 2014-457-F500, Patrick A. Bryant, Fire Certificate Number 166470
 - **Fire Goldmans in the matter of Fire Case(s):**
 - In the matter of Fire Case Number 2014-88-F500, William R. Ray, Fire Applicant Number 136959
 - In the matter of EMS Case Number 2014-170-F500, William Nowagarski, EMS Certificate Number 133693
 - In the matter of Fire Case Number 2014-309-F300, Charles A. Altman, Fire Certificate Number 156644
 - In the matter of Fire Case Number 2014-366-BF100, Damien J. Csiszar, Fire Certificate Number 112285
 - In the matter of Fire Case Number 2014-403-BF100, Sharleen E. Hemminger, Fire Certificate Number 155989
 - In the matter of Fire Case Number 2014-454-BF100, Scott K. Riffle, Fire Certificate Number 126865
 - In the matter of Fire Case Number 2014-461-F300, Joshua L. Hopper, Fire Certificate Number 143259
 - In the matter of Fire Case Number 2014-480-F300, Arthur Milhoan, Fire Certificate Number 125597
 - In the matter of Fire Case Number 2014-495-F300, William E. Williams, Fire Certificate Number 32963
 - In the matter of Fire Case Number 2014-512-F500, Victor E. Coutcher, Fire Applicant Number 119327
 - In the matter of Fire Case Number 2014-524-F300, Kristian B. Avery, Fire Certificate Number 156571
 - In the matter of Fire Case Number 2014-528-F300, Tyler S. Lyons, Fire Certificate Number 156175
 - In the matter of Fire Case Number 2014-568-F300, Michael A. Thian, Fire Certificate Number 114269
 - In the matter of Fire Case Number 2014-569-F300, Chris D. Noble, Fire Certificate Number 159466
 - **Fire Investigations, Melissa Vermillion and Staff**
 - **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).
 - **Old Business**
 - **New Business**
 - **Adjournment**



**FIREFIGHTER AND FIRE SAFETY INSPECTOR TRAINING COMMITTEE
STATE BOARD OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
August 19, 2015
~FINAL~**

Committee Meeting Date and Location: Wednesday, August 19, 2015 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, and Dudley Wright II

Committee Members Absent: Mark Resanovich

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

Assistant Attorney General: Rico Barrera

Guest and Public Present: William Eberly (Midvale Fire), Barry Seth (LaGrange Fire & Rescue)

Ms. Harris called the meeting to order at 2:15 p.m.

ROLL CALL

Mr. James Davis	Present	Mr. Resanovich	Absent
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

Ms. Harris requested a motion to approve the consent agenda including the June 17, 2015 Firefighter and Fire Safety Inspector Training Committee meeting minutes, the certifications, accreditations, and CE site requests for period June 16, 2015 through August 18, 2015.

ACTION: Motion to approve the Consent Agenda items including the June 17, 2015 meeting minutes, the certifications, accreditations, and CE site requests for period June 16, 2015 through August 18, 2015. Mr. McNutt– First. Mr. Wright – Second. None – Abstained. None opposed. Motion approved.

REPORT AND RECOMMENDATION IN THE MATTER OF FIRE CASE(S)

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

- In the matter of Fire Case Number 2014-312-BF100, William A. Eberly, Fire Certificate Number 136954
- In the matter of Fire Case Number 2014-457-F500, Patrick A. Bryant, Fire Certificate Number 166470

Mr. Eberly filed objections to the Report and Recommendation, which have been provided to the members in the board packet. Ms. Harris recognized Assistant Attorney General Rico Barrera for the purpose of providing a brief synopsis of the case and a recommendation for disciplinary action.

AAG Barrera presented Fire Case Number 2014-312-BF100, William A. Eberly, Fire Certificate Number 136954. Mr. Eberly went before the EMFTS Board earlier today. The hearing examiner concluded that by preponderance of the evidence that Mr. Eberly was convicted of three counts of unlawful sexual conduct with a minor which are crimes involving moral turpitude. Mr. Eberly failed to disclose these convictions on his 2011 initial application and his 2013 renewal application. In failing to disclose these convictions Mr. Eberly committed fraud, misrepresentation or deception. Accordingly the hearing examiner recommended a penalty of revocation.

Ms. Harris asked Mr. Eberly if he wished to address the board. Mr. Eberly stated that he had evidence that the girl lied about her age. The village he serves knew the circumstances and felt he was more than capable to be fire chief.

AAG presented EMS Case Number 2014-457-F500, Patrick A. Bryant, Fire Certificate Number 166470. At the hearing the examiner found that after Mr. Bryant received his certification that he cheated on the State certifying exam. Mr. Bryant was forthright and admitted to cheating. He was suspended immediately from his department and has not worked as a firefighter since. The hearing examiner concluded it was a violation of Sections 4765-20-02(A)(6) and 4765-22-01(E) of the OAC. Accordingly the hearing examiner recommended a penalty of revocation.

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. McNutt – Second. None opposed. None – abstained. Motion approved.

The Board returned from private session at 2:36 p.m.

ROLL CALL

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

ACTION In the matter of Fire Case #2014-312-BF100, William A. Eberly, Fire Certificate Number 136954, the committee recommends the Executive Director confirm and approve the findings of fact, conclusions of law and modify the recommendation issued by the hearing examiner to permanently revoke Mr. Eberly's firefighter certificate for the reasons of violations of public trust, crimes of moral turpitude, and the high standards of our duty to protect the public.

Mr. Davis – First. Mr. McNutt– Second. None Opposed. None abstained. Motion approved.

ACTION In the matter of Fire Case #2014-457-F500, Patrick A. Bryant, Fire Certificate Number 166470, the committee recommends the Executive Director confirm and approve the findings of fact, conclusions of law and the recommendation issued by the hearing examiner to revoke Mr. Bryant's firefighter certificate.

Mr. Davis – First. Mr. McNutt– Second. None Opposed. None abstained. Motion approved.

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

Certification, Jean Booze

Jean Booze reported on the CE exemptions. There were a total of two CE exemption requests due to military exemption requests: #2015-8-01; dual certified, who is still on active duty and the staff recommends approval. The Fire only #2015-8-02 is being requested by a certificate holder who completed 5 years of active military service where he received the Bronze Star and Purple Heart. This is his second consecutive exemption request. His first request was approved for his last certification cycle which ended on October 18, 2012. He is still in the reserves and he was released from active duty March 2014. His certification does not expire until October 18, 2015.

A discussion ensued as to why in 18 months the certificate holder was unable to complete continuing education requirements. Ms. Booze stated she does not have any documentation; however, he stated that he received rehabilitation after his discharge. It is unknown as to the type of rehabilitation. He is not currently working in the fire service. After a lengthy discussion a motion was made to approve the exemption requests.

ACTION: Motion to approve exemption requests for #2015-8-01 and #2015-8-02.

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

COMMITTEE REPORT

Firefighter Committee Report, Doug Orahod

The EMS and Course Administration System has been deployed with the final changes. This is not just a testing system, but also a course management system.

The Live Fire Training Course has been completed. The subcommittee has recommended to change the rules to make it part of certifications.

Our future goals include review of the volunteer firefighter course and fire safety inspector course. Also being reviewed is the reporting and statistical analysis of the examinations.

Mr. Davis asked if there is a way to ensure that the current charter fire programs have policies regarding weather extremes.

Action Item: Executive Director House to review the charter's policies to determine if they have something in place regarding extreme weather and determine if it should be a requirement.

GOLDMAN PROCEEDINGS

Ms. Harris, on behalf of the Firefighter and Fire Safety Inspector Training committee called the proceeding to order at 2:55 p.m. on August 19, 2015 at the Ohio Department of Public Safety, Room 134, 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	Absent
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Daryl McNutt	Present		

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

- In the matter of Fire Case Number 2014-88-F500, William R. Ray, Fire Applicant Number 136959
- In the matter of EMS Case Number 2014-170-F500, William Nowagarski, EMS Certificate Number 133693
- In the matter of Fire Case Number 2014-309-F300, Charles A. Altman, Fire Certificate Number 156644
- In the matter of Fire Case Number 2014-366-BF100, Damien J. Csiszar, Fire Certificate Number 112285
- In the matter of Fire Case Number 2014-454-BF100, Scott K. Riffle, Fire Certificate Number 126865
- In the matter of Fire Case Number 2014-461-F300, Joshua L. Hopper, Fire Certificate Number 143259
- In the matter of Fire Case Number 2014-480-F300, Arthur Milhoan, Fire Certificate Number 125597
- In the matter of Fire Case Number 2014-495-F300, William E. Williams, Fire Certificate Number 32963
- In the matter of Fire Case Number 2014-512-F500, Victor E. Coutcher, Fire Applicant Number 119327
- In the matter of Fire Case Number 2014-524-F300, Kristian B. Avery, Fire Certificate Number 156571
- In the matter of Fire Case Number 2014-528-F300, Tyler S. Lyons, Fire Certificate Number 156175
- In the matter of Fire Case Number 2014-568-F300, Michael A. Thian, Fire Certificate Number 114269
- In the matter of Fire Case Number 2014-569-F300, Chris D. Noble, Fire Certificate Number 159466

These proceedings shall be 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 case, the proceeding was held before the Board pursuant to *Goldman v. State Medical Board of Ohio*. The individuals named do 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.

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

- William R. Ray applied for reinstatement and did not provide proof of continuing education. The recommendation is to deny the reinstatement.
- William Nowagarski applied to renew his Firefighter II and Firefighter Inspector certificate. EMS received a complaint that he had not completed the continuing education requirements. The recommendation is to revoke both certificates.
- Charles A. Altman applied for renewal and marked no for continuing education. He failed to complete all continuing education requirements. The recommendation is to revoke his certification.
- Damien J. Csiszar was convicted of a fifth-degree felony of Aggravated Theft and he failed to report the conviction. He failed to provide appropriate records. The recommendation is to revoke his certification.
- Sharleen E. Hemminger matter to be tabled until the next Board meeting.
- Scott K. Riffle was convicted of a fifth-degree felony for Workers' Compensation Fraud. He worked full time as an EMT while receiving Workers' Compensation. He failed to report the conviction or provide appropriate records. The recommendation is to revoke his certification.
- Joshua L. Hopper, Arthur Milhoan and William E. Williams were audited and did not respond. Recommendation is to revoke all three certifications.
- Victor E. Coutcher applied for reinstatement; however, he was convicted of Indecent Exposure, a misdemeanor. The recommendation is to deny his reinstatement application.
- Tyler S. Lyons and Kristian B. Avery were both selected for random continuing education audits and did not provide proof. The recommendation is to revoke their certifications.
- Michael A. Thian provided some proof of continuing education; however, more time is being provided to confirm. The recommendation is to table the matter until next Board meeting.
- Chris D. Noble supplied the required continuing education hours; therefore the recommendation is to close Mr. Noble's case

Having heard AAG Duck's synopses and recommended disciplinary actions for the cases, Ms. Harris requested a motion to admit the sworn affidavit 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. McNutt – First. Mr. Wright – Second. No Abstentions. None opposed. Motion approved.

There being no further evidence, these proceedings are now closed at 3:06 p.m. The procedural and jurisdictional matters having been satisfied, we will now continue with the proceedings 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. McNutt – First. Mr. Wright – Second. None opposed. None – abstained. Motion approved.

ROLL CALL

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

The Board returned from private session at 3:11 p.m.

ACTION: In the matter of Fire Case Number 2014-88-F500, William R. Ray, Fire Applicant Number 136959, the Committee finds that Mr. Ray failed to meet the reinstatement requirements, in violation of Ohio Administrative Code Section 4765-20-08(B) and 4765-20-08(C); therefore the Committee recommends to the Executive Director to deny Mr. Ray's reinstatement application.. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2014-170-F500, William Nowagarski, Fire Certificate Number 133693, the Committee finds that Mr. Nowagarski 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. Nowagarski violated Ohio Administrative Code 4765-23-02(A)(2) to wit: 4765-22-01(C), 4765-20-07(A)(3), 4765-20-13(A)(1) and 4765-20-16; therefore the committee recommends to the Executive Director to revoke Mr. Nowagarski's firefighter and fire safety inspector certificates. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2014-309-F300, Charles A. Altman, Fire Certificate Number 156644, the Committee finds that Mr. Altman failed to complete all continuing education requirements after attesting to the fact that he had satisfied the requirements; therefore not meeting the renewal requirements. Accordingly, Mr. Altman violated Ohio Administrative Code 4765-23-02(A)(2) and 4765-20-07(A)(3); therefore the committee recommends to the Executive Director to revoke Mr. Altman's firefighter certificate. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2014-366-BF100, Damien J. Csiszar, Fire Certificate Number 112285, the Committee finds that Mr. Csiszar failed to report his conviction and failed to supply court records, police records, and a background check, as required. Additionally, Mr. Csiszar was convicted of Aggravated Theft, a fifth-degree felony. Mr. Csiszar violated Ohio Administrative Code Sections 4765-23-02(A)(1)(a) and 4765-22-01(D); therefore the Committee recommends to the Executive Director to revoke Mr. Csiszar's firefighter certificate. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: *In the matter of Fire Case Number 2014-403-BF100, Sharleen E. Hemminger, Fire Certificate Number 155989, the Committee finds that Ms. Hemminger was convicted of Theft of Drugs, a fourth degree felony in violation of Ohio Administrative Code Section 4765-23-02(A)(1)(a); therefore the Committee recommends to the Executive Director to table Ms. Hemminger's case.* Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: *In the matter of Fire Case Number 2014-454-BF100, Scott K. Riffle, Fire Certificate Number 126865, the Committee finds that Mr. Riffle failed to report his conviction and failed to supply court records, police records, and a background check, as required. Additionally, Mr. Riffle was convicted of Workers' Compensation Fraud, a fifth-degree felony. Mr. Riffle violated Ohio Administrative Code Sections 4765-23-02(A)(1)(a), 4765-23-02(A)(4) and 4765-22-01(D); therefore the Committee recommends to the Executive Director to revoke Mr. Riffle's firefighter certificate.*

Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: *In the matter of Fire Case Number 2014-461-F300, Joshua L. Hopper, Fire Certificate Number 143259, the Committee finds that Mr. Hopper 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. Hopper violated Ohio Administrative Code 4765-23-02(A)(2) to wit: 4765-22-01(C), 4765-20-07(A)(3), and 4765-20-13(B); therefore the committee recommends to the Executive Director to revoke Mr. Hopper's firefighter certificate.* Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: *In the matter of Fire Case Number 2014-480-F300, Arthur Milhoan, Fire Certificate Number 125597, the Committee finds that Mr. Milhoan 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. Milhoan violated Ohio Administrative Code 4765-23-02(A)(2) to wit: 4765-22-01(C), 4765-20-07(A)(3), and 4765-20-13(A); therefore the committee recommends to the Executive Director to revoke Mr. Milhoan's firefighter certificate.* Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: *In the matter of Fire Case Number 2014-495-F300, William E. Williams, Fire Certificate Number 32963, the Committee finds that Mr. Williams 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. Williams violated Ohio Administrative Code 4765-23-02(A)(2) to wit: 4765-22-01(C), 4765-20-07(A)(3), and 4765-20-13(B); therefore the committee recommends to the Executive Director to revoke Mr. Williams' firefighter certificate.* Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: *In the matter of Fire Case Number 2014-512-F500, Victor E. Coutcher, Fire Applicant Number 119327, the Committee finds that Mr. Coutcher was convicted of Indecent Exposure, a misdemeanor. The Committee recommends to the Executive Director to find this misdemeanor conviction involves moral turpitude. Furthermore, Mr. Coutcher failed to supply court records, police records and a background check, as required. Mr. Coutcher violated Ohio Administrative Code Sections 4765-23-02(A)(1)(c) and 4765-22-01(D); therefore the Committee recommends to the Executive Director to deny Mr. Coutcher's reinstatement application for a firefighter certificate.* Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2014-524-F300, Kristian B. Avery, Fire Certificate Number 156571, the Committee finds that Mr. Avery 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. Avery violated Ohio Administrative Code 4765-23-02(A)(2) to wit: 4765-22-01(C), 4765-20-07(A)(3), and 4765-20-13(A); therefore the committee recommends to the Executive Director to revoke Mr. Avery's firefighter certificate. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2014-528-F300, Tyler S. Lyons, Fire Certificate Number 156175, the Committee finds that Mr. Lyons 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. Lyons violated Ohio Administrative Code 4765-23-02(A)(2) to wit: 4765-22-01(C), 4765-20-07(A)(3), and 4765-20-13(B); therefore the committee recommends to the Executive Director to revoke Mr. Lyons' firefighter certificate. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2014-568-F300, Michael A. Thian, Fire Certificate Number 114269, the Committee recommends to the Executive Director to table Mr. Thian's case. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2014-569-F300, Chris D. Noble, Fire Certificate Number 159466, the Committee finds that Mr. Noble supplied the required continuing education hours; therefore the committee recommends to the Executive Director to close Mr. Noble's case. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

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

Roll Call

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

The Board returned from private session at 3:32 p.m.

ACTION: Motion to recommend to the Executive Director to issue a Notice of Opportunity for Hearing and grant permission to negotiate a consent agreement. Mr. Davis – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.

2014-664-F300

2015-262-F500

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

2014-426-BF100 2014-499-F300 2015-3-F100	2015-60-BF100 2015-191-F100 2015-278-F300	2015-374-F500 * <i>Non-disciplinary consent</i> 2015-375-F500 * <i>Accept proposed non-disciplinary consent</i>
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ACTION: Motion to recommend to the Executive Director to close the following cases. Mr. Davis – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.

2013-700-BF300 2014-401-B100/2014-577-B100 2014-437-F100 2014-490-F300 2014-663-F100 2015-37-F500 * <i>Deem incomplete</i> 2015-216-F100	2015-224-F300 2015-234-F500 2015-256-F100 2015-264-F500 2015-280-F100 2015-284-BF100 2015-337-E300 * <i>Accept surrender</i>
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ACTION: Motion to recommend to the Executive Director to close the following cases; re-open if re-applies. The following individual have convictions, but their certifications have expired Mr. Davis – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.

2014-437-F100

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

2012-647-F300
2014-66-B100
2014-513-F500

ACTION: Motion to recommend to the Executive Director to close the following cases. The following individuals were audited at their respective levels. The have opted to surrender their certificate to practice or certificate to teach. Mr. Davis – First. Mr. Wright – Second. None opposed. None abstained. Motion approved.

2015-157-F300 2015-194-F300 2015-207-F300 2015-210-F300 2015-215-F300 2015-247-F300	2015-265-F300 2015-266-F300 2015-267-F300 2015-277-F300 2015-294-F300 2015-295-F300	2015-296-F300 2015-297-F300 2015-316-F300 2015-317-F300 2015-324-F300 2015-340- F300
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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. None abstained. Motion approved.

2014-69-F100	2015-62-F500	2015-189-F300
2014-619-F300	2015-74-F100	2015-237-F500
2014-650-BF100	2015-88-F500	2015-246-F300
	2015-105-BF100	2015-302-F300

ACTION: Motion to recommend to the Executive Director the following cases due to one of the following reasons: inadvertently marked yes to convictions question, 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. None abstained. Motion approved.

2014-701-F100	2015-335-BF100	2015-381-F100	2015-392-F100
2015-190-F100	2015-342-F100	2015-384-BF100	2015-410-BF100
2015-306-BF100	2015-379-BF100	2015-386-F100	2015-427-BF100
2015-328-F100			

Old Business ~ None.

New Business ~ None

ADJOURNMENT

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

The meeting adjourned at 3:38 p.m.

**Firefighter & Fire Safety Inspector Training Committee Meeting
State Board of Emergency Medical, Fire, and Transportation Services
1970 W. Broad Street, Conference Room 134 (Motorcycle Room)
Columbus, Ohio 43223**

~ FINAL MEETING AGENDA ~

Wednesday, October 21, 2015

(Immediately following the EMFTS Board meeting)

- **Roll Call**
- **Welcome and Introduction**
- **Open Forum**
- **Review and Approval of Consent Agenda**
- **Fire Certification & Exemption Requests** (Medical and Military), Jean Booze
- **Committee Report**
 - **Firefighter & Fire Safety Inspector Training Sub-Committee**, Doug Orahood
- **Report and Recommendation in the matter of Fire Case(s):**
 - Fire Case Number 2015-107-F100, Jeremy D. Edmondson, Fire Certificate Number 165721
- **Fire Investigations, Melissa Vermillion and Staff**
 - **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).
- **Old Business**
- **New Business**
- **Adjournment**



**FIREFIGHTER AND FIRE SAFETY INSPECTOR TRAINING COMMITTEE
STATE BOARD OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
October 21, 2015
~FINAL~**

Committee Meeting Date and Location: Wednesday, October 21, 2015 at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 134, Columbus, Ohio.

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

Committee Members Absent: Deanna Harris

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

Assistant Attorney General: Rico Barrera

Guest and Public Present: ~None

Mr. Resanovich called the meeting to order at 2:29 p.m.

ROLL CALL

Mr. James Davis	Present	Mr. Resanovich	Present
Ms. Deanna Harris	Absent	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 August 19, 2015 Firefighter and Fire Safety Inspector Training Committee meeting minutes, the certifications, accreditations, and CE site requests for period August 18, 2015 through October 20, 2015.

ACTION: *Motion to approve the Consent Agenda items including the August 19, 2015 meeting minutes, the certifications, accreditations, and CE site requests for period August 18, 2015 through October 20, 2015.* Mr. McNutt– First. Mr. Wright – Second. None – Abstained. None opposed. Motion approved.

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

Certification, Jean Booze

Jean Booze reported on the CE exemptions. There are two medical exemptions; #2015-10-01 and #2015-10-2. Both submitted medical documentation and staff recommends approval. Ms. Booze requested a motion to approve.

ACTION: Motion to approve medical exemption requests for #2015-10-01 and #2015-10-02.

Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

Jean Booze reported on the military exemption #2015-10-04. Although he is still in the Reserves he was released from active duty on December 2013. His certification will expire this year. He received a military exemption from his previous certification cycle in 2012 while he was on active duty.

ACTION: Motion to deny request for a military exemption for #2015-10-04.

Mr. McNutt – First. Mr. Davis – Second. None opposed. None abstained. Motion approved.

COMMITTEE REPORTS

Firefighter Committee Report, Doug Orahood

Mr. Orahood stated that the Division of EMS will host the Programs Director In-service training conference. Currently there are 102 registered participants; 58 out of the 65 Charter Program Directors will attend along with instructors, proctors and administrative staff.

A meeting has been scheduled in Ashland to work on the Firefighter Safety Inspector Workshop.

The Ohio Fire Award program ceremony was very well received and attended.

Mr. Sands, Mr. Swords and Mr. Orahood attended the Ohio Fire EMS Expo and spoke to the secondary high school programs instructors. Recently EMS staff met with the Ohio Department of Education in regards to the high school secondary firefighter training and EMS programs.

The Pro Board Delegation scheduled for November 12, 2015 had to be cancelled due to a conflict and will be rescheduled.

Dan Swords and Linda Mirarchi will attend the Ohio Society of Fire Service Instructor Symposium at the Ohio Fire Academy on October 30th and 31st.

REPORT AND RECOMMENDATION IN THE MATTER OF FIRE CASE(S)

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* (R & R) in the matter of:

- In the matter of Fire Case Number 2015-107-F100, Jeremy D. Edmondson, Fire Certificate Number 165721

The report and recommendation, hearing transcript and exhibits were previously provided to each of you. Mr. Resanovich recognized Assistant Attorney General Rico Barrera for the purpose of providing a brief synopsis of the case and a recommendation for disciplinary action.

AAG Barrera presented Fire Case Number 2015-107-F100, Jeremy D. Edmondson. This case was discussed earlier during the EMFTS Board meeting. Mr. Edmondson was convicted of three different misdemeanors and they are using a weapon while intoxicated (first degree misdemeanor), obstructing official business (second degree misdemeanor) and discharging a firearm within city limits (third degree misdemeanor). These events occurred in July 2009 when Mr. Edmondson was 22 years old. In the EMS case there was an issue of misrepresentation; however, Mr. Edmondson disclosed these convictions on his fire application. The recommendation of the hearing officer is to grant his initial volunteer firefighter application.

AAG Barrera provided a written statement from Mr. Edmondson that was read into record. Mr. Edmondson's statement reads as follows:

"I apologize for not being able to attend today's meeting in person. I work full-time as a nurse, and my absence from work today would have adversely affected patient care and put an undo strain on my co-workers. I have been a direct-care provider as both an STNA and a nurse for over six years. In addition, I have been an active volunteer member of the Loudonville Fire Department for the past two years, having joined as a way to give back to the community and use my existing medical knowledge to further help others. I have been involved in community events and responded to emergency calls without issue or incident during this time. By granting my certifications, the Board will allow me to better serve my community and my department. It will greatly benefit the citizens of Loudonville to have an additional EMT and fire fighter to respond to emergency calls. It will also reduce our departments' reliance on mutual aid from other departments. I have read and agree with the hearing examiners report and recommendation. Although I have made some mistakes in the past, I do not believe they affect my ability to serve my community at present or in the future. I ask the Board today to accept the hearing review examiners report and recommendation and approve my certifications."

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

ROLL CALL

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

The Board returned from private session at 2:41 p.m

ACTION: *In the matter of Fire Case #2015-107-F100, Jeremy D. Edmondson, Fire Applicant Number 165721, the Committee recommends the Executive Director confirm and approve the findings of fact, conclusions of law and the recommendation issued by the hearing examiner to issue Mr. Edmondson his firefighter certificate.* Mr. McNutt – First. Mr. Wright– Second. None Opposed. Mr. Resanovich - abstained. Motion approved.

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

Roll Call

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

The Board returned from private session at 3:06 p.m.

ACTION: *In the matter of Fire Case 2014-403-BF100, recommend to the Executive Director to rescind the previously issued Notice of Opportunity for Hearing and re-issue a Notice of Opportunity for Hearing. Grant permission to negotiate a consent agreement.* Mr. Davis – First. Mr. McNutt – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

ACTION: *In the matter of Fire Case 2014-511-BF100, recommend to the Executive Director to rescind the previously issued notice of opportunity for hearing and close case.* Mr. Davis – First. Mr. McNutt – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

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

2015-315-F300
 2015-367-F100 *Issue NOH with permission to negotiate a Consent Agreement
 2015-512-F300 *Non-disciplinary

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

2012-118-F100	2014-622-F300*Accept surrender/rescind NOH	2015-253-F100
2012-648-F300	2015-168-BF100	2015-341-F100
2013-699-BF300	2015-181-F100	*Accept surrender
2014-121-BF100	2015-240-F100*Application incomplete	2015-378-F100
2014-546-F300	2015-246-F300 Accept surrender/rescind NOH	2015-504-F100

ACTION: Motion to recommend to the Executive Director to close the following cases. The following individuals were audited at their respective levels. They have opted to surrender their certificate to practice or certificate to teach. Mr. Davis – First. Mr. Wright – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2015-75-F500 *Rescind NOH	2015-408-F300
2015-268-F300	2015-429-F300
2015-270-F300	2015-466-F300
2015-271-F300	2015-468-F300
2015-397-F300	2015-469-F300
2015-399-F300	2015-470-F300
2015-407-F300	2015-474-F300

ACTION: Motion to recommend to the Executive Director to close the following cases; individuals have met stipulations of their Consent Agreements. Mr. Davis – First. Mr. McNutt – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2015-261-F500
 2014-447-BF100

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

2014-382-BF100	2015-188-F300	2015-348-F300
2014-612-BF100	2015-233-F100	2015-398-F300
2015-162-F300	2015-275-F300	

ACTION: In the matter of Fire Case 2015-233-F100, grant permission to negotiate a consent agreement. Mr. Davis – First. Mr. McNutt – Second. None opposed. Mr. Resanovich – abstained. Motion approved.

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

2015-300-F100	2014-441-BF100	2015-505-BF100
2015-350-F300	2015-444-BF100	2015-518-BF100
2015-416-BF100	2015-493-BF100	2015-547-BF100
2015-439-BF100	2015-495-BF100	2015-550-F100
2015-440-F100	2015-498-BF100	2012-582-F500

Old Business

Executive Director House stated that Jim Davis inquired at the August Board meeting whether the charter’s policies have something in place regarding extreme weather. Dan Swords reported that there are only a couple of charter’s who have a policy. Mr. Swords suggested the committee determine the criteria to put into rule. A discussion ensued regarding the policies in the area of sports in extreme heat or cold. Mr. Davis suggested the Fire Fighter & Fire Safety Inspector Subcommittee examine the issue further.

New Business ~ None

ADJOURNMENT

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

The meeting adjourned at 3:19 p.m.

**Firefighter & Fire Safety Inspector Training Committee Meeting
State Board of Emergency Medical, Fire, and Transportation Services
1970 W. Broad Street, Conference Room 1106
Columbus, Ohio 43223**

~ FINAL MEETING AGENDA ~

Wednesday, December 16, 2015

(Immediately following the EMFTS Board meeting)

- **Roll Call**
- **Welcome and Introduction**
- **Open Forum**
- **Review and Approval of Consent Agenda**
- **Fire Certification & Exemption Requests (Medical and Military), Jean Booze**
- **Committee Report**
 - **Firefighter & Fire Safety Inspector Training Sub-Committee, Doug Orahood**
- **Report and Recommendation in the matter of Fire Case(s):**
 - Fire Case Number 2014-36-BF100, Almon L. Harris, Fire Certificate Number 82495
 - Fire Case Number 2014-443-F300, David E. Charter, Fire Certification Number 158277
 - Fire Case Number 2014-523-F100, Justin A. Holmes, Fire Applicant Number 201824
 - Fire Case Number 2014-692-F500, William S. Underwood, Fire Applicant Number 164142
- **Fire Investigations, Melissa Vermillion and Staff**
 - **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).
- **Old Business**
- **New Business**
- **Adjournment**



**FIREFIGHTER AND FIRE SAFETY INSPECTOR TRAINING COMMITTEE
STATE BOARD OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
December 16, 2015
~FINAL~**

Committee Meeting Date and Location: Wednesday, December 16, 2015 at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 1106, Columbus, Ohio.

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

Committee Members Absent: Mark Resanovich

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

Assistant Attorney General: Rico Barrera

Guest and Public Present: Barry Seth

Ms. Harris called the meeting to order at 3:12 p.m.

ROLL CALL

Mr. James Davis	Present	Mr. Resanovich	Absent
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. Davis requested a motion to approve the consent agenda including the October 21, 2015 Firefighter and Fire Safety Inspector Training Committee meeting minutes, the certifications, accreditations, and CE site requests for the period of October 20, 2015 through December 15, 2015.

ACTION: Motion to approve the Consent Agenda items including the October 21, 2015 meeting minutes, the certifications, accreditations, and CE site requests for the period of October 20, 2015 through December 15, 2015. Mr. McNutt– First. Mr. Wright – Second. None – Abstained. None opposed. Motion approved.

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

Certification, Jean Booze

Jean Booze reported on the CE exemptions. There are four fire military exemptions; #2015-12-05, #2015-12-06, #2015-12-07 and #2015-12-08. There are two hardship/medical exemptions by the same person; #2015-12-01 for two different certificates. All documentation has been received and staff recommends approval. Ms. Booze requested a motion to approve the military and medical exemptions.

ACTION: Motion to approve the military exemption requests for #2015-12-05, #2015-12-06, #2015-12-07 and #2015-12-08 and to approve the medical exemption requests for #2015-12-01. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

COMMITTEE REPORTS

Firefighter Committee Report, Doug Orahood

Mr. Orahood made the fire members aware that the Division of EMS will begin the Ohio Fire Testing Validation subject matter expert workgroups on January 7, 2016 with additional meetings scheduled through March. The Division of EMS staff is leading the workgroup sessions in the review and validation process for firefighter certification examination test banks. Each workgroup is also asked to complete a written survey at the conclusion of each session, to help the Division of EMS improve the process and assist the volunteer subject matter experts.

Dan Swords stated that an extreme weather policy will be added to the rules updates.

GOLDMAN PROCEEDINGS

Mr. Davis, on behalf of the Firefighter and Fire Safety Inspector Training Committee called the proceeding to order at 3:19 p.m. on December 16, 2015 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	Absent
Ms. Deanna Harris	Present	Mr. Dudley Wright II	Present
Mr. Daryl McNutt	Present		

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

- Fire Case Number 2014-36-BF100, Almon L. Harris, Fire Certificate Number 82495
- Fire Case Number 2014-443-F300, David E. Charter, Fire Certification Number 158277
- Fire Case Number 2014-523-F100, Justin A. Holmes, Fire Applicant Number 201824
- Fire Case Number 2014-692-F500, William S. Underwood, Fire Applicant Number 164142

These proceedings shall be 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.

Mr. Davis recognized Assistant Attorney General Rico Barrera, for the purpose of providing a brief synopsis of each case and a recommendation for disciplinary action. Mr. Barrera presented a synopsis of the following cases:

- Almon L. Harris was convicted of *Menacing*, a fourth-degree misdemeanor, and *Disorderly Conduct*, a minor misdemeanor. The *Menacing* charge stems from Mr. Harris appearing at a rental property with a machete, and brandishing the machete while making threats to make the tenants pay rent. The disorderly conduct comes from Mr. Harris punching the brother of the tenant in the mouth during this incident. Mr. Harris did not timely report this conviction to the EMS Division or submit any documentation of continuing education. The recommendation is to revoke Mr. Harris' firefighter certificate.
- David E. Charter did not submit documentation of required continuing education hours. The recommendation is to revoke Mr. Charter's firefighter certificate.
- Justin A. Holmes indicated on his application that he had a conviction. In 2012 in the Coshocton Court of Common Pleas Court, Mr. Holmes was convicted of *Disseminating Matter Harmful to Juveniles*, a first-degree misdemeanor. Police reports indicate Mr. Holmes submitted explicit texts and pictures to a 15 year old female; he was 23 years old at the time. Mr. Holmes did not submit additional documentation of this conviction as required. The recommendation is to deny Mr. Holmes' application.
- William S. Underwood submitted a Firefighter Equivalency Application for a Level I Firefighter. This was an old application submitted in 2013. The application was incomplete; however, Mr. Underwood was given an opportunity to update the application. He updated the application and was given a 1 year period to pass the Firefighter exam to become certified within three attempts with a deadline of November 7, 2014. Mr. Underwood did not complete the exam. The recommendation is to deny Mr. Underwood's application for a firefighter certificate.

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

There being no further evidence, these proceedings were closed at 3:23 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). Ms. Harris – First. Mr. McNutt – Second. None opposed. None – abstained. Motion approved.

ROLL CALL

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

The Board returned from private session at 3:34 p.m.

ACTION: In the matter of Fire Case Number 2014-36-BF100, Almon L. Harris, Fire Certificate Number 82495, the Committee finds that Mr. Harris was convicted of Menacing, a fourth-degree misdemeanor in violation of Cleveland City Ordinance 621.07. The Committee concludes this misdemeanor involves moral turpitude. Additionally, Mr. Harris failed to report his conviction and failed to provide required records and a background check. Mr. Harris violated Ohio Administrative Code Sections 4765-23-02(A)(4) and 4765-23-02(A)(1)(c); therefore, the Committee recommends to the Executive Director to revoke Mr. Harris’ firefighter certificate.
Mr. Wright – First. Mr. McNutt – Second. None opposed. Mr. Davis - abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2014-443-F300, David E. Charter, Fire Certificate Number 158277, the Committee finds that Mr. Charter 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. Charter violated Ohio Administrative Code 4765-23-02(A)(2) to wit: 4765-22-01(C), 4765-20-07(A)(3), and 4765-20-13(A); therefore the committee recommends to the Executive Director to revoke Mr. Charter’s firefighter certificate. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: In the matter of Fire Case Number 2014-523-F100, Justin A. Holmes, Fire Certificate Number 201824, the Committee finds that Mr. Holmes was convicted of Disseminating Matter Harmful to Juveniles, a first-degree misdemeanor, in violation of Ohio Revised Code Section 2907.31(A)(1). The Committee concludes this misdemeanor involves moral turpitude. Additionally, Mr. Holmes failed to provide the required court and police records and a background check. Mr. Holmes violated Ohio Administrative Code Sections 4765-23-02(A)(1)(a), 4765-23-02(A)(2) and 4765-20-04(C). Therefore, the Committee recommends to the Executive Director to deny Mr. Holmes’ application for a firefighter certificate. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

ACTION: *In the matter of Fire Case Number 2014-692-F500, William S. Underwood, Fire Applicant Number 164142, the Committee finds that Mr. Underwood failed to meet the reciprocity requirements, in violation of Ohio Administrative Code Sections 4765-23-02(A)(2) and 4765-20-11(B)(5). Therefore, the Committee recommends to the Executive Director to deny Mr. Underwood's application for a firefighter certificate.* Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

FIRE INVESTIGATIONS, STAFF

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

Roll Call

Mr. James Davis..... Present	Mr. Mark ResanovichAbsent
Ms. Deanna Harris..... Present	Mr. Dudley Wright IIPresent
Mr. Daryl McNutt..... Present	

ACTION: *Motion to recommend to the Executive Director to issue Notices of Opportunity for Hearing and grant permission to negotiate a consent agreement.* Mr. Davis – First. Mr. McNutt– Second. None opposed. None abstained. Motion approved.

2015-425-F100	2015-588-F500
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ACTION: *Motion to recommend to the Executive Director to accept the following Consent Agreements.* Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

2012-118-F100	2014-622-F300*Accept surrender/rescind NOH	2015-253-F100
2012-648-F300	2015-168-BF100	2015-341-F100
2013-699-BF300	2015-181-F100	*Accept surrender
2014-121-BF100	2015-240-F100*Application incomplete	2015-378-F100
2014-546-F300	2015-246-F300 *Accept surrender/rescind NOH	2015-504-F100

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

2014-580-F300 *Flag for complaint audit	2015-368-F300
2014-644-BF100	2015-375-F500 *Incomplete app
2015-62-F500 *Warning letter	2015-491-BF100
2015-106-F100	2015-512-F300 *Accept withdrawal of app
2015-220-F100	2015-575-BF100
2015-236-F300 *Flag for complaint audit	2015-600-F500 *Warning letter

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

2014-619-F300 *Rescind NOH	2015-537-F300
2015-400-F300	2015-540-F300
2015-432-F300	2015-562-F300
2015-473-F300	2015-563-F300
2015-489-F300	2015-564-F300
2015-529-F300	2015-573-F300
2015-536-F300	

ACTION: Motion to recommend to the Executive Director to close the following cases; individuals have met the stipulations of their Consent Agreements. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

2012-129-BF100	2014-561-F100
2012-463-BF100	2015-262-F500
2014-332-F100	

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

2012-120-F100	2015-315-F300	2015-442-F100
2012-413-BF500	2015-371-F300	2015-471-F300
2014-624-F100	2015-383-F100	2015-476-F300
2015-121-BF100	2015-431-F300	2015-501-BF100

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. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

2015-187-BF100	2015-580-F100	2015-632-F100
2015-424-F100	2015-586-BF100	2015-636-BF100
2015-561-BF100	2015-589-F100	2015-663-BF100
2015-568-BF100	2015-591-BF100	2015-664-BF100
2015-574-F100	2015-592-F100	2015-670-BF100

ACTION: In the matter of Fire Case No. 2015-521-F500, recommend to the Executive Director to issue a Notice of Opportunity for Hearing. Furthermore, recommend a suspension of testing rights. Recommend granting an extension of time for the students to make application; one year after the completion of the practicals. Mr. Davis – First. Mr. McNutt – Second. None opposed. None abstained. Motion approved.

Old Business ~ None

New Business ~ None

ADJOURNMENT

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

The meeting adjourned at 3:55 p.m.