

FINAL

**STATE BOARD OF EMERGENCY MEDICAL SERVICES
OHIO DEPARTMENT OF PUBLIC SAFETY
MEETING MINUTES
June 4, 2010**

Special Meeting of Fire Board Members Chaired by James Davis

Board Meeting Date and Location: June 4, 2010, Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio 43223

Fire Board Members in Attendance: Mr. James Davis, Ms. Joyce Fischer, Mr. James Holcomb, Mr. William Mallory, Mr. Daryl McNutt, Mr. James Parrish, Mr. William Quinn, Jr., Mr. Mark Resanovich

Staff Members Present: Aleta Dodson, Ellen Owens, Millie Pontious, Bob Ruetenik, Yvonne Tertel, Melissa Vermillion

Guest and Public Attendance: None Present

Mr. Davis called the special meeting of the Board Fire members to order at 10:00 AM.

Roll Call

Mr. James Davis	Here
Ms. Joyce Fischer	Here
Mr. James Holcomb	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. William Quinn, Jr.	
Mr. James Parrish	Here
Mr. Mark Resanovich	Here

***** Mr. Quinn arrived at 10:02 AM *****

ACTION: Motion to go into Executive Session for the purpose of discussing proposed disciplinary actions against fire certificate holders which is pending or imminent court action under Revised Code 121.22(G)(3) and involves matters that are required to be kept confidential under Revised Code 149.43 at 10:02 AM. Mallory first. Fischer second. None opposed. Motion approved.

Roll Call

Mr. James Davis	Here
Ms. Joyce Fischer	Here
Mr. James Holcomb	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. William Quinn, Jr.	Here
Mr. James Parrish	Here
Mr. Mark Resanovich	Here

******* Fire Board returned from Executive Session at 10:52 AM *******

2009-93-702	2010-18-F100
2009-114-701	2010-19-F100
2009-369-702	2010-97-F100
2010-17-BF100	

ACTION: Motion recommending that the Executive Director accept the above Fire case(s) consent agreement(s). Mallory first. Fischer second. Holcomb abstained. None opposed. Motion approved.

2009-754-701	2010-58-F100	2010-89-F100
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ACTION: Motion recommending that the Executive Director close the above Fire case(s). Mallory first. McNutt second. Holcomb abstained. None opposed. Motion approved.

2009-563-702

ACTION: Motion recommending that the Executive Director close the above Fire case(s) that has felony convictions as their certification(s) have expired; reopen if they reapply. Mallory first. McNutt second. Holcomb abstained. None opposed. Motion approved.

2009-406-706	2009-584-701
2009-552-701	2009-712-701
2009-576-701	

ACTION: Motion recommending that the Executive Director close the above Fire case(s) as the individuals have met the stipulations of their Consent Agreements. Mallory first. Fischer second. Holcomb abstained. None opposed. Motion approved.

2010-59-F300	2010-65-BF100
2009-721-701	2010-78-F100

ACTION: Motion recommending that the Executive Director issue(s) a Notice of Opportunity for Hearing for the above Fire case(s). Mallory first. Fischer second. None opposed. Holcomb abstained. Motion approved.

2010-64-BF100	2010-128-BF100
2010-84-BF100	2010-148-BF100
2010-85-BF100	2010-154-BF100
2010-90-BF100	2010-155-BF100
2010-106-BF100	2010-168-BF100
2010-111-BF100	

ACTION: Motion recommending that the Executive Director close(s) the above 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. Mallory first. Parrish second. None opposed. Holcomb abstained. Motion approved.

2008-691-706

ACTION: Motion recommending that the Executive Director issue(s) a Notice of Opportunity for Hearing for the above Fire case(s). McNutt first. Parrish second. Quinn, Resanovich opposed. Davis, Holcomb abstained. Motion approved.

GOLDMAN PROCEEDINGS

The Goldman Proceedings were called to order at 10:57 AM.

Roll Call

Mr. James Davis	Here
Ms. Joyce Fischer	Here
Mr. James Holcomb	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. James Parrish	Here
Mr. William Quinn, Jr.	Here
Mr. Mark Resanovich	Here

Mr. Davis noted that a majority of the members are present and that Executive Director Rich Rucker was absent. There will be two adjudication proceeding today in the matter of Fire Case Number(s) 2008-586-706, Troy J. Frazier, Fire Identification Number 175204 and 2009-275-706, Robert P. Claar, Fire Identification Number 178015.

The Board reviewed evidence, including exhibits and affidavits from EMS investigators and/or staff, associated with the aforementioned cases. In lieu of a stenographic record being made, let the minutes reflect 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. A written copy of the executive director’s decision will be mailed to the respondent. Mr. Davis recognized Principal Assistant Attorney General Yvonne Tertel for the purpose of providing a brief synopsis of the case and recommendation for disciplinary action. Ms. Tertel said both cases were incomplete applications and the recommendation is to deny.

ACTION: Motion to admit the sworn affidavit(s) and the accompanying exhibit(s) in the aforementioned case(s) into evidence. Quinn first. Mallory second. None opposed. Motion approved.

Mr. Davis said there being no further evidence to come before the Board, the Goldman Proceedings were closed at 11:00 AM.

ACTION: Motion to go into private session for the purpose of quasi-judicial deliberations on these matters by roll call vote at 11:01 AM. Quinn first. Mallory second. None opposed. Motion approved.

Roll Call

Mr. James Davis	Here
Ms. Joyce Fischer	Here
Mr. James Holcomb	Here
Mr. Daryl McNutt	Here
Mr. William Mallory	Here
Mr. James Parrish	Here
Mr. William Quinn, Jr.	Here
Mr. Mark Resanovich	Here

******* Fire Board returned from Private Session at 11:06 AM *******

ACTION: In the matter of Fire Case Number 2008-586-706 Troy J. Frazier, Fire Identification Number 175204, the Committee finds that Mr. Frazier applied for certification as a Level I Firefighter. However, he failed to submit a completed application. He failed to supply documentation of his criminal conviction, to include the court records, law enforcement report, and the background check. These actions are in violation of Sections 4765-23-02(A)(1) & (2) and 4765-20-04(D) of the Ohio Administrative Code. Therefore, the Committee recommends to the Executive Director to deny Mr. Frazier's application for a certificate of fire service training as a Level I Firefighter. Mallory first. Quinn second. None opposed. Holcomb abstained. Motion passed.

ACTION: In the matter of Fire Case Number 2009-275-706 Robert P. Claar, Fire Identification Number 178015, the Committee finds that Mr. Claar applied for certification as a Volunteer Firefighter. However, he failed to submit a completed application. He failed to supply documentation of his criminal conviction, to include the court records, law enforcement report, and the background check. These actions are in violation of Sections 4765-23-02(A)(1) & (2) and 4765-20-04(D) of the Ohio Administrative Code. Therefore, the Committee recommends to the Executive Director to deny Mr. Claar's application for a certificate of fire service training as a Volunteer Firefighter. Mallory first. McNutt second. None opposed. Holcomb abstained. Motion passed.

OPEN FORUM

No business was brought before the Board.

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

Mr. Davis reported that at the EMS Board Education Committee yesterday, fire committee members' CME hours, when working for different departments, need signed off by one chief. Mr. Holcomb say it says "or" and this is mostly for dealing with non-affiliated firefighters. The committee will develop manner of how to perform these type of audits.

Ohio Department of Public Safety
State Board of Emergency Medical Services
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ADJOURNMENT

ACTION: Motion to adjourn the Fire Board members portion of the meeting.
Resanovich first. Mallory second. None opposed. Motion approved.

The meeting was adjourned at 11:10 AM.