



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

MEETING MINUTES

February 15, 2017

~FINAL~

Committee Meeting Date and Location: Wednesday, February 15, 2017 at the Ohio Department of Public Safety, 1970 West Broad Street, Conference Room 1106, Columbus, Ohio.

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

Committee Members Absent: ~none~

EMS Staff Present: Jean Booze, Beverly Cooper, Melvin House, Valerie Koker, John Molnar, Ellen Owens, Rachel Randall, Bryan Reardon, and Jack Smith.

Assistant Attorney General: Trista M. Turley

Guest and Public Present: None

Mr. Resanovich called the meeting to order at 3:19 p.m.

ROLL CALL

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

WELCOME AND INTRODUCTION

OPEN FORUM ~ None

REVIEW AND APPROVAL OF CONSENT AGENDA

Mr. Resanovich requested a motion to approve the consent agenda to include the December 16, 2016 Firefighter and Fire Safety Inspector Training Committee meeting minutes.

ACTION: Motion to approve the Consent Agenda items to include the December 16, 2016 Firefighter and Fire Safety Inspector Training Committee meeting minutes. Ms. Harris– First. Mr. Wright– Second. None – Abstained. None opposed. Motion approved.

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

Jean Booze reported that there were a total of 1,345 new fire certifications for December 2016 and 910 new fire certifications for January 2017 for a total of 2,255. Staff recommends approval and Ms. Booze requested a motion to ratify.

ACTION: Motion to ratify the 2,255 new fire certifications for December 2016 and January 2017.
Ms. Harris – First. Mr. Snyder – Second. None opposed. None abstained. Motion approved.

Jean Booze reported that there are three military exemption requests; one is dual-certified and still on active duty, 2017-2-4, and two are fire only, 2017-2-2 and 2017-2-3. Both were eligible for automatic renewal under House Bill 98 and requesting exemptions for one cycle only. They will be required to complete the continuing education for the other cycles. There are two medical exemption requests; 2017-2-1 and 2017-2-5. Medical documentation has been received and staff recommends approval.

ACTION: Motion to approve three military exemption requests; one is dual-certified, 2017-2-4, and two are fire only, 2017-2-2 and 2017-2-3. Also motion to approve two medical exemption requests; 2017-2-1 and 2017-2-5. Mr. Davis – First. Ms. Harris– Second. None opposed. None abstained. Motion approved.

Firefighter Committee Report, Jack Smith

Mr. Smith, fire coordinator for the Division on EMS, reported that there has been an extensive focus on draft fire rule changes. Validation of the IFSTA questions for the test bank for Firefighter I and II are complete. Beginning the Jones and Bartlett test bank validation and expect to be completed in less than 9 months.

There are 4 or 5 fire charter visits scheduled through March. The subcommittee will be discussing the new volunteer firefighter course redevelopment and course objectives as well as the volunteer skill sheets. The fire safety inspector skill sheets and emergency vehicle operations objectives for the state course.

REPORT AND RECOMMENDATION IN THE MATTER OF FIRE CASE

Mr. Resanovich began the deliberation and noted that Executive Director Melvin House was also present. The Committee deliberated on three *Report and Recommendations* (R & R) in the matter of:

- Fire Case Number 2015-382-BF100, Thomas D. Watson, Fire Certificate Number 110628.
- Fire Case Number 2015-516-BF100, Brody J. Davis, Fire Certificate Number 158859.

Mr. Resanovich recognized Assistant Attorney General Trista M. Turley for the purpose of providing a brief synopsis of the case and a recommendation for disciplinary action.

- **Fire Case Number 2015-382-BF100, Thomas D. Watson, Fire Certificate Number 110628.**

Mr. Watson was certified as an EMT paramedic until June 21, 2016 when his certificate expired. He submitted a renewal application on June 9, 2016. In July 2015, Mr. Watson was a member of the Rossford County Fire Department where he was associated with the "Explorer Program". It is a program for teenagers and young adults (ages 14 to 21) interested in firefighting. He was not formally an advisor to the program; however he volunteered time to provide instruction to members. Through his volunteer work with the Explorers, Mr. Watson developed a "mentoring" relationship with a young woman in the program who apparently had a difficult home life. On or about June 28, 2015, the young woman went to Mr. Watson's home to talk about some issues she was having and apparently fell asleep together. The next day Mr. Watson had sexual intercourse with the young woman who was 17 years old at the time. The young woman reported the incident to the police and stated that she had tried to leave when Mr. Watson grabbed her by the arm; thus preventing her to leave and proceeded to begin kissing her and then engaged in sexual intercourse. At the hearing Mr. Watson denied that the young woman ever tried to leave or resist him and he did not know she was 17 years old. He was indicted on charges of rape and sexual battery of a minor on or about July 2015 and was convicted of a third degree felony of attempted felonious assault. At the hearing there was testimony from the investigating police detective from Rossford Police Department and from the Division of EMS Investigator. Mr. Watson brought a co-worker character witness who attested to no inappropriate behavior and presented two letters of recommendation from captains under which he has served as a firefighter. The recommendation is that the Board permanently revoke Mr. Watson's certificate.

- **Fire Case Number 2015-516-BF100, Brody J. Davis, Fire Certificate Number 158859.**

Mr. Davis currently certified as a volunteer firefighter. As of the hearing he was a lieutenant in the Pomeroy Fire Department and part-time EMT basic for Meigs County EMS and an ER technician at Holzer Medical Center. From 2011 to 2015 Mr. Davis was a deputy with the Meigs County Sheriff's Department and was forced to resign his position due to the incident. On or about May 9, 2014 Mr. Davis responded to the scene of a reported stolen vehicle found abandoned and flipped over in a creek. At the scene, Mr. Davis recovered a .22 caliber rifle from the truck. He ran the serial number through the National Crime Information Center database and the weapon did not have an entry in the system. Deputy Davis apparently did not wish to process the inventory paperwork on the firearm and gave it to an individual at the scene. He did not mention recovery of the rifle in his narrative report. The Meigs County Sheriff's Office investigated this incident and the investigation was transferred. On September 10, 2015, Mr. Davis plead guilty in the Athens County Court of Common Pleas to Grand Theft When the Property is a Firearm or Dangerous Ordinance and to misdemeanor dereliction of duty. He was placed in a diversion program for the felony conviction. He was stripped of his OPOTA Peace officer certificate. The Hearing Officer found that he plead guilty and was convicted in Athens County. The Division of EMS requested that this be declared to be moral turpitude. The Hearing Officer disagreed with the assessment and believed his actions to be negligence and did not rise to the level of moral turpitude. The Hearing Officer recommended suspension of his Basic EMT certificate for the duration of the time that Mr. Davis is in the diversion program; three years' probation during which Mr. Davis must inform the Division of EMS of any arrests within 10 days of arrest and must disclose convictions on his record to EMS employers; provide an updated BCI&I background check at the time of his first renewal following suspension and at the end of the probationary period.

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

ROLL CALL

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

ACTION In the matter of Fire Case Number 2015-382-BF100, Thomas D. Watson, Fire Certificate Number 110628, the Committee recommends that the Executive Director approve the findings of fact, conclusions of law, and the recommendation issued by the hearing examiner to refuse renew and permanently revoke Mr. Watson’s firefighter certificate. Ms. Harris– First. Mr. Snyder– Second. None Opposed. Mr. Resanovich – abstained. Motion approved.

ACTION In the matter of Fire Case Number 2015-516-BF100, Brody J. Davis, Fire Certificate Number 158859, the Committee recommends that the Executive Director approve the findings of fact, conclusions of law, and the recommendation issued by the hearing examiner to not take any action against Respondent’s fire certificate. Ms. Harris – First. Mr. Snyder – Second. None Opposed. Mr. Resanovich – abstained. Motion approved.

FIRE INVESTIGATIONS, STAFF

Mr. Resanovich requested a motion to adjourn into Executive Session.

ACTION: Motion to adjourn to Executive Session for the purpose of discussing proposed disciplinary action against certificate holders pursuant to Ohio Revised Code Section 121.22(G)(1) or pursuant to 121.22(G)(5) that involve matters required to be kept confidential under Ohio Revised Code Section 149.43(A)(2) or 4765.102(B). Ms. Harris – First. Mr. Snyder – Second. None opposed. None – abstained. Motion approved.

Roll Call

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

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

2016-161-F300	2016-625-F300	2016-656-F300
2016-197-BF100	2016-626-F300	2016-666-F100
2016-603-BF100	2016-630-F300	

ACTION: Motion to recommend to the Executive Director to close the following case. Re-open if renew. Mr. Davis – First. Ms. Harris – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2016-684-F300

ACTION: Motion to recommend to the Executive Director to close the following case. Re-open if re-applies. Mr. Davis – First. Ms. Harris – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2012-513-BF100

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

2012-190-F100	2013-452-BF100
2012-750-F100	2016-250-F100
2013-243-F100 *Rescind NOH	

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

2016-296-F300 *Rescind NOH VFF	2016-661-F300 FSI
2016-314-F300 *Rescind NOH VFF	2016-671-F300 FFII
2016-640-F300 FFII	2016-688-F300 FFI
2016-647-F300 FFII	2016-694-F300 FFII
2016-657-F300 FFI	2017-16-F300 FSI

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

2015-656-F100	2016-578-F300	2016-678-F300
2016-18-F100	2016-584-F300	2016-688-F300
2016-274-BF100	2016-621-BF100	2016-690-F300
2016-487-BF100	2016-648-F300	2016-696-F300
2016-556-F300	2016-675-F300	

ACTION: Motion to Issue Notice of Hearing w/permission to negotiate consent agreement. Mr. Davis – First. Ms. Harris – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2017-13-F100

ACTION: Motion to recommend to the Executive Director to close the following cases due to one of the following reasons: *inadvertently marked yes to conviction questions, misdemeanor convictions that have previously been deemed “not involving moral turpitude”, local issues, and grandfathering issues of certification/conviction.* Mr. Davis– First. Ms. Harris – Second. None opposed. Mr. Resanovich - abstained. Motion approved.

2015-679-F300	2016-653-F100	2017-12-F100
2016-437-BF100	2016-664-F300	2017-15-BF100
2016-512-BF100	2016-665-F100	2017-17-F100
2016-547-BF100	2016-670-F300	
2016-566-F100	2017-6-BF100	
2016-605-BF100	2017-10-F100	
2016-611-F100	2017-11-F100	

Old Business ~ None

New Business

Mr. Resanovich reported that he would like to step down from the Case Review Committee. A recommendation will be made to the Chair, Tom Allenstein, to find a replacement.

ADJOURNMENT

ACTION: Motion to adjourn. Mr. Snyder – First Mr. Wright - Second

The meeting adjourned at 4:10 p.m. The next meeting will be held April 19, 2017 at the BWC, Pickerington, Ohio.