



Dudley H.A. Wright II, Chair
Kent Appelhans, Vice Chair

Dr. Carol Cunningham, State Medical Director

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

MEETING MINUTES

February 13, 2020

~FINAL~

Committee Meeting Date and Location: Thursday, February 13, 2020, Ohio Department of Natural Resources, 3307 Old State Road, Delaware, Ohio.

Committee Members Present: Patrick Ferguson, Mark Marchetta, Mark Resanovich, Kevin Uhl and Dudley Wright II

Committee Members Absent: George Snyder

EMS Staff Present: Jean Booze, Beverly Cooper, Joel Demory, Dave Fiffick, Melvin House, Ted Kienzle, Valerie Koker, Kris Patalita, Bryan Reardon, Rob Wagoner, and Michael Wise.

Assistant Attorney General: Lidia Mowad

Guest and Public Present: None

Mr. Wright called the meeting to order at 12:44 p.m.

ROLL CALL

Mr. Patrick Ferguson	Present	Mr. George B. Snyder	Absent
Mr. Mark Marchetta	Present	Mr. Kevin Uhl	Present
Mr. Mark Resanovich	Present	Mr. Dudley Wright II	Present

WELCOME AND INTRODUCTION

OPEN FORUM ~ None

FINAL

REVIEW AND APPROVAL OF CONSENT AGENDA

Mr. Wright requested a motion to approve the consent agenda to include the December 18, 2019 Firefighter and Fire Safety Inspector Training Committee meeting minutes, the January 90-day extension requests, and the January fire certifications.

ACTION: Motion to approve the Consent Agenda items to include the Firefighter and Fire Safety Inspector Training Committee meeting minutes for December 18, 2019, the January 90-day extension requests, and the January fire certifications. Mr. Marchetta - First. Mr. Ferguson– Second. None abstained. None opposed. Motion approved.

FIRE EXEMPTION REQUESTS (Military & Medical), Ellen Owens

Ms. Owens reported that there were not any fire exemption requests.

Firefighter and Fire Fighter Safety Inspector Subcommittee Report ~ James Burke

The Firefighter and Fire Safety Inspector Training Subcommittee did not have a meeting on January 14, 2020.

Mr. Burke reported that the FFI and FFII skill sheets have been approved. The IT section at ODPS is working on getting them posted to the system. In addition, the revised skill sheets for FSI and HRO were approved to send out for comment. DEMS is also working with IT to update the Identity Manager.

Currently the volunteer course is being reviewed in an effort to improve test scores. The DEMS staff is reviewing the instructor course. Once completed the instructor course will be brought to the fire subcommittee for review and approval.

REPORT AND RECOMMENDATIONS AND GOLDMAN PROCEEDINGS

Mr. Wright, on behalf of the Firefighter and Fire Safety Inspector Training Committee, the proceedings were called to order at 12:47 p.m. on February 13, 2020. Members of the committee present for the proceedings are:

ROLL CALL

Mr. Patrick Ferguson	Present	Mr. George B. Snyder	Absent
Mr. Mark Marchetta	Present	Mr. Kevin Uhl	Present
Mr. Mark Resanovich	Present	Mr. Dudley Wright II	Present

It was noted for the record that a majority of the members of the committee are present. The committee will be reviewing the following cases:

Fire Report and Recommendation(s)

- **Fire Case No. 2018-419-F300 David P. Glazer, Certificate No. 35328**
- **Fire Case No. 2018-737-F100 Chad Anderson, Applicant ID No. 220224**
- **Fire Case No. 2019-175-F100 Cordero R. Phoenix, Applicant ID No. 221446**

DRAFT

Mr. Wright recognized Assistant Attorney General Lidia Mowad for the purpose of providing a brief synopsis of this case.

- **Fire Case No. 2018-419-F300 David P. Glazer, Certificate No. 35328.**
Mr. Glazer was certified as a Firefighter II from 2015 to 2018 and from 2018 to present. At renewal, he attested that he completed all continuing education hours. The Division of EMS audited Mr. Glazer and he submitted proof of 42 acceptable hours; however, his certification level requires 54 CE hours. The DEMS tried to bring Mr. Glazer into compliance, however, he never responded. A Notice for Opportunity of Hearing was sent to Mr. Glazer. He requested a hearing but did not show up for the hearing. A recommendation was issued to the Executive Director to indefinitely suspend Mr. Glazer's certificate until he submits acceptable and compliant continuing education hours and pays a \$500.00 fine. Mr. Glazer responded with objections requesting the Executive Director reduce the fine because he is a volunteer firefighter trying to support a family and submitted 15 additional continuing education, thus bringing him into compliance with the audit.
- **Fire Case No. 2018-737-F100 Chad Anderson, Applicant ID No. 220224**
Mr. Anderson applied for the initial Firefighter I certificate and disclosed multiple felony and misdemeanor convictions. Upon investigation, these included 2 counts of Possession of Drugs, 2 counts OVI, 2 counts Improper Handling of a Firearm and Trafficking in marijuana, all from September 2016. Mr. Anderson failed to disclose either of the possession felonies. A Notice for Opportunity for Hearing was sent on the 5 felonies. He requested a hearing and appeared at the hearing. The recommendation issued to the Executive Director was to deny the initial certificate.
- **Fire Case No. 2019-175-F100 Cordero R. Phoenix, Applicant ID No. 221446.**
Mr. Phoenix applied for an initial certificate as a volunteer firefighter and disclosed a felony robbery conviction from 2013. Upon investigation, the robbery was actually a felony of the second degree and he failed to disclose a 2011 Domestic Violence and a Disorderly Conduct in 2016. A Notice of Opportunity for Hearing was issued for the felony conviction and for fraud misrepresentation, and material deception in applying for certificate. A hearing was requested and Mr. Phoenix was in attendance. A recommendation was issued recommending denial of the initial certificate due to the seriousness of the felony and failure to disclose.

Goldman Case(s)

Mr. Wright stated that the following cases were reviewed pursuant to Goldman v. State Medical Board of Ohio, where the Respondents did not properly request a hearing. The individuals named did not have the ability to present written or oral testimony, but could be present to hear the proceedings and outcome. The committee received the sworn affidavits from the EMS investigators and accompanying exhibits. The affidavits contained the evidence and testimony upon which they deliberated. There were four cases. The proceedings were in the matter of:

- **Fire Case No. 2017-759-F300 Dean Auker, Certificate No. 42935**
- **Fire Case No. 2018-460-BF100 Damon D. Johnson, Certificate No. 69210**

Having received documentation for these cases, Mr. Wright requested a motion to admit the sworn affidavits and the accompanying exhibits in the aforementioned cases into evidence.

ACTION: Motion to admit the sworn affidavit and accompanying exhibits in the aforementioned cases into evidence. Mr. Marchetta – First. Mr. Ferguson – Second. No abstentions. None opposed. Motion approved.

There being no further evidence, these proceedings were closed at 12:55 p.m.

ACTION: Motion to recess the meeting for the purpose of entering into quasi-judicial deliberations. Mr. Marchetta – First. Mr. Ferguson – Second. No abstentions. None opposed. Motion approved.

REPORT AND RECOMMENDATION MOTIONS

ACTION: In the matter of Fire Case Number 2018-419-F300, David P. Glazer, Fire Certificate Number 35328, the Committee recommends that the Executive Director issue an adjudication order approving the findings of fact, conclusions of law, and modify the recommendation of the hearing examiner to suspend Mr. Glazer's certification to practice for a period of ninety (90) days and pay a fine of \$500. The reason for the modification was due to Mr. Glazer providing proof of completion of the outstanding continuing education after the hearing was held in this matter.
Mr. Resanovich – First. Mr. Marchetta – Second. None opposed. None abstained. **Motion approved.**

ACTION: In the matter of Fire Case Number 2018-737-F100, Chad Anderson, Fire Applicant ID number 220224, the Committee recommends that the Executive Director issue an adjudication order approving the findings of fact, conclusions of law, and the recommendation of the hearing examiner to deny Mr. Anderson's application for certification. Mr. Resanovich – First. Mr. Marchetta – Second. None opposed. None abstained. **Motion approved.**

ACTION: In the matter of Fire Case Number 2019-175-F100, Corderro R. Phoenix, Fire Applicant ID Number 221446, the Committee recommends that the Executive Director issue an adjudication order approving the findings of fact, conclusions of law, and the recommendation of the hearing examiner to deny Mr. Phoenix's application for certification. Mr. Resanovich – First. Mr. Marchetta – Second. None opposed. None abstained. **Motion approved.**

GOLDMAN MOTIONS

ACTION: In the matter of Fire Case Number 2017-759-F300, Dean Auker, Fire Certificate Number 42935, the Committee recommends that the Executive Director issue an adjudication order finding that Mr. Auker failed to comply with continuing education requirements as indicated in the Notice of Opportunity for Hearing, and that Mr. Auker's fire safety inspector certification be revoked.
Mr. Resanovich – First. Mr. Marchetta – Second. None opposed. None abstained. **Motion approved.**

ACTION: *In the matter of Fire Case Number 2018-460-BF100, Damon D. Johnson, Fire Certificate Number 69210, the Committee recommends that the Executive Director issue an adjudication order finding that Mr. Johnson has been convicted of Grand Theft, a felony of the fourth degree, and that Mr. Johnson's certification be revoked.* Mr. Resanovich – First. Mr. Marchetta – Second. None opposed. None abstained. **Motion approved.**

FIRE INVESTIGATIONS, STAFF

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

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

Roll Call

Mr. Patrick Ferguson	Present	Mr. George B. Snyder	Absent
Mr. Mark Marchetta	Present	Mr. Kevin Uhl	Present
Mr. Mark Resanovich	Present	Mr. Dudley Wright II	Present

ACTION: *Motion to recommend to the Executive Director to accept the following Consent Agreements.* Mr. Resanovich – First. Mr. Marchetta – Second. None opposed. Mr. Ferguson (2019-518-F100) - abstained. **Motion approved.**

2019-168-BF100 2019-210-BF100 2019-211-BF100 2019-326-F300 2019-422-F300	2019-424-F300 2019-518-F100 <i>Ferguson to abstain</i> 2019-716-F100
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ACTION: *Motion to recommend to the Executive Director to close the following case(s).* Mr. Resanovich – First. Mr. Marchetta – Second. None opposed. None abstained. **Motion approved.**

2018-606-BF500 2019-187-BF100 2019-233-F300 2019-234-F300 2019-235-F300	2019-243-F500 2019-580-F100 2019-653-F500 2019-659-F300
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<i>ACTION: Motion to recommend to the Executive Director to close the following cases; individuals have met the stipulations of their Consent Agreement. Mr. Resanovich – First. Mr. Marchetta – Second. None opposed. None abstained. Motion approved.</i>	
2018-730-F100	

<i>ACTION: Motion to recommend to the Executive Director to close the following cases; accept surrendering of their respective certificates. Mr. Resanovich – First. Mr. Marchetta – Second. None opposed. None abstained. Motion approved.</i>	
2018-320-F300	2019-641-F300
2019-389-F300	2019-644-F300
2019-414-F300	2019-665-F300
2019-419-F300	2019-666-F300
2019-608-F300	2019-668-F300
2019-626-F300	2019-679-F300
2019-630-F300	2019-725-F300

<i>ACTION: Motion to recommend to the Executive Director to close the following case(s); the following individuals/entities did not meet the requirements of their consent agreement. Their respective certificate(s) to practice have expired or been surrendered. Re-open if re-applies. Mr. Resanovich– First. Mr. Marchetta – Second. None opposed. None abstained. Motion approved.</i>	
2017-261-F300	2017-263-F300

<i>ACTION: Motion to recommend to the Executive Director to close the following case(s); the following individual(s) were audited at their respective levels. The respective certificate(s) to practice have expired. Re-open if re-applies. Mr. Resanovich – First. Mr. Marchetta – Second. None opposed. None abstained. Motion approved.</i>	
2017-293-F300	2019-193-BF300
2017-322-F300	

<i>ACTION: Motion to recommend to the Executive Director to issue Notices of Opportunity for Hearing for the following individuals for violation of their Consent Agreement. Ms. Harris – First. Mr. Uhl – Second. None opposed. None abstained. Motion approved.</i>	
2017-572-F300	

<i>ACTION: Motion to recommend to the Executive Director to issue Notices of Opportunity for Hearing for the following cases. Mr. Resanovich – First. Mr. Marchetta – Second. None opposed. Mr. Ferguson (2019-308-BF100) - abstained. Motion approved.</i>	
2018-312-F300	2019-328-F300
2018-699-F300	2019-487-BF100
2019-082-BF100	2019-500-F300
2019-238-F300	2019-567-F300
2019-283-BF100	2019-596-BF100
2019-308-BF100 *Ferguson Abstain*	2019-684-F300

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

2019-468-BF100	2019-717-BF100
2019-501-BF100	2020-005-BF100
2019-559-F100	2020-006-BF100
2019-650-F300	2020-040-BF100
2019-657-BF100	2020-045-BF100
2019-667-F100	2020-056-BF100
2019-673-F100	2020-058-BF100
2019-704-F100	2020-060-BF100
2019-705-BF100	2020-071-BF100
2019-706-BF100	

Old Business ~ none

New Business ~ none

ADJOURNMENT

ACTION: Motion to adjourn. Mr. Ferguson – First Mr. Uhl - Second

The meeting adjourned at 1:18 p.m. The next meeting will be held April 15, 2020 at the Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio immediately following the EMFTS Board meeting.