



Kent Appelhans, Chair
Mark Marchetta, Sr., 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 held at the Ohio Department of Administrative Services

MEETING MINUTES

April 21, 2022

Immediately followed the conclusion of the EMFTS Board meeting

~FINAL~

Committee Meeting Date and Location: Thursday, April 21, 2022, Ohio Department of Administrative Services, 4200 Surface Road, Columbus.

Committee Members Present: Patrick Ferguson, Mark Marchetta, and Kevin Uhl

Committee Members Absent: Mark Resanovich and Dudley Wright

EMS Staff Present: Robin Burmeister, Beverly Cooper, Joel Demory, Doug Edwards, Stephanie Ferguson, Deputy Director Aaron Jennings, Valerie Koker, Eric Mays, Ellen Owens, Bryan Reardon, Executive Director Rob Wagoner, Patrick Williams and Michael Wise.

Associate Assistant Attorney General: Shelli Brock

Mr. Marchetta called the meeting to order at 12:46 p.m.

ROLL CALL

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| Mr. Patrick Ferguson | Present | Mr. Kevin Uhl | Present |
| Mr. Mark Marchetta | Present | Mr. Dudley Wright II | Absent |
| Mr. Mark Resanovich | Absent | | |

OPEN FORUM

Mr. Marchetta inquired if there was anyone who wished to address the Board. There was no one present to address the committee.

FINAL

REVIEW AND APPROVAL OF CONSENT AGENDA

Mr. Marchetta requested a motion to approve the consent agenda to include the February 16, 2022 Firefighter and Fire Safety Inspector Training Committee meeting minutes and the February and March fire certifications.

Mike Wise stated that since there is not a quorum present that the vote is to represent the members that are present as advice to the Executive Director in accordance to law and rule.

ACTION: Motion to approve the Consent Agenda items to include the February 16, 2022 Firefighter and Fire Safety Inspector Training Committee meeting minutes, and the February and March fire certifications. Mr. Ferguson - First. Mr. Uhl – Second. The vote is to represent the members that are present to give advice to the Executive Director in accordance to law and rule. None abstained. None opposed. **Motion fails.**

Fire Fighter and Fire Safety Inspector Training Subcommittee, Aaron Jennings

Deputy Director Jennings reported that the subcommittee continues to work on skill sheets and work on the fire rule revision. The Division of EMS (DEMS) is under a time crunch as to when they need to be filed. There is a potential to file for an extension. The goal is to have EMS and fire rules match.

GOLDMAN PROCEEDINGS

Mr. Marchetta, on behalf of the Firefighter and Fire Safety Inspector Training Committee, stated that the proceedings were called to order at 12:49 p.m. on April 21, 2022. Members of the committee present for the proceedings are:

ROLL CALL

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| Mr. Patrick Ferguson | Present | Mr. Kevin Uhl | Present |
| Mr. Mark Marchetta | Present | Mr. Dudley Wright II | Absent |
| Mr. Mark Resanovich | Absent | | |

It was noted for the record that there was not a majority of the committee members present. Executive Director Wagoner was present. The Executive Director will be advised on each of the motions.

Mr. Marchetta 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 Division of EMS investigators and accompanying exhibits. The affidavits contained the evidence and testimony upon which they deliberated. There were six cases. The proceedings were in the matter of:

- Fire Case No. 2019-052-F300, Kenneth R. Adams, Certificate No. 25200
- Fire Case No. 2019-495-F300, Benjamin T. Kidd, Certificate No. 164476

- Fire Case No. 2019-570-F300, Mike L. Walls, Certificate No. 99979
- Fire Case No. 2019-645-F300, Greg Brown, Certificate No. 173949
- Fire Case No. 2019-649-F300, Glen R. Schering, Certificate No. 112383

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

ACTION: Motion to admit the sworn affidavits and accompanying exhibits in the aforementioned cases into evidence. Mr. Ferguson – First. Mr. Uhl – Second. It was requested that the Executive Director accept the sworn affidavits and accompanying exhibits in the aforementioned cases into evidence. **Motion fails.**

There being no further evidence, these proceedings were closed at 12:51 pm.

Please note that the FFSI Committee did not go into quasi-judicial deliberations.

GOLDMAN MOTIONS

ACTION: The Committee recommends that the Executive Director issue an adjudication order to revoke the certification of the below named individuals for failure to complete continuing education as indicated in the respective notices of opportunity for hearing:
Case No. 2019-052-F300, Kenneth R. Adams, Certificate No. 25200
Case No. 2019-495-F300, Benjamin T. Kidd, Certificate No. 164476
Case No. 2019-570-F300, Mike L. Walls, Certificate No. 99979
Case No. 2019-645-F300, Greg Brown, Certificate No. 173949
Case No. 2019-649-F300, Glen R. Schering, Certificate No. 112383
Mr. Ferguson – First. Mr. Uhl – Second. None opposed. None abstained. **Motion failed.**
The Executive Director received the advise of the committee members present.

EXECUTIVE SESSION

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).

***Please note that the FFSI Committee did not go into Executive Session.

FIRE INVESTIGATIONS, STAFF

ACTION: Motion to recommend to the Executive Director to accept the following Consent Agreements. Mr. Ferguson – First. Mr. Marchetta – Second. Discussion. Mr. Uhl (2022-021-BF100) - abstained. **Motion failed. The Executive Director received the advise of the committee members present.**

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| 2020-516-F300 | 2021-507-F100 |
| 2021-273-BF100 | 2022-021-BF100 |
| 2021-323-BF100 | 2022-077-F300 |
| 2021-446-F100 | 2022-081-BF100 |
| | 2022-102-BF100 |

ACTION: Motion to recommend to the Executive Director to accept the following Consent Agreements. Mr. Uhl – First. Mr. Marchetta – Second. Discussion. Mr. Ferguson (2019-496-F300 and 2021-384-384-BF100) - abstained. **Motion failed. The Executive Director received the advise of the committee members present.**

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| 2019-496-F300 | |
| 2021-384-BF100 | |

ACTION: Motion to recommend to the Executive Director to close the following cases: Mr. Ferguson – First. Mr. Uhl – Second. None opposed. None abstained. **Motion failed. The Executive Director received the advise of the committee members present.**

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|-------------------------------|--------------------------------|
| 2019-339-F300 | 2020-362-F500 |
| 2019-675-BF500 | 2020-469-F100 |
| 2019-676-BF500 | 2021-020-F500 |
| 2019-677-BF500 | 2022-137-BF100 *WARNING LETTER |
| 2020-192-F500 *WARNING LETTER | |

ACTION: Motion to recommend to the Executive Director to close the following cases; individuals have met the stipulations of their Consent Agreements: Mr. Ferguson – First. Mr. Uhl – Second. None opposed. None abstained. **Motion failed. The Executive Director received the advise of the committee members present.**

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|---------------|----------------|
| 2018-20-F300 | 2019-210-BF100 |
| 2019-146-F300 | 2019-272-F300 |

ACTION: Motion to recommend to the Executive Director to close the following cases; accept surrendering of their respective certificates. Mr. Ferguson – First. Mr. Uhl – Second. None opposed. None abstained. **Motion failed. The Executive Director received the advise of the committee members present.**

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| 2020-499-BF300 | 2022-078-F300 |
| 2021-508-F300 | 2022-108-F300 |
| 2021-556-F300 | 2022-123-F300 |
| 2021-577-F300 | 2022-148-F300 |
| 2022-018-F300 | |

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| <p><u>ACTION:</u> Motion to recommend to the Executive Director close the following cases; Individuals/Entities entered into Consent Agreements with the Executive Director. They have not met the requirements of the Consent Agreement. Their respective certificates to practice/teach have expired or been surrendered. Re-open if re-applies. Mr. Ferguson – First. Mr. Uhl– Second. None opposed. None abstained. Motion failed. The Executive Director received the advise of the committee members present.</p> | |
| <p>2019-325-F300</p> | |

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| <p><u>ACTION:</u> Motion to recommend to the Executive Director to close the following cases; Individuals were audited at their respective levels. Their respective certificates to practice have expired or been revoked. Re-open if re-applies. Mr. Ferguson – First. Mr. Uhl – Second. None opposed. None abstained. Motion failed. The Executive Director received the advise of the committee members present.</p> | |
| <p>2019-420-F300 2019-475-F300 2019-476-F300</p> | <p>2019-478-F300 2019-720-F300</p> |

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| <p><u>ACTION:</u> Motion to recommend to the Executive Director to issue Notices of Opportunity for Hearing for the following cases. Mr. Resanovich – First. Mr. Ferguson – Second. None opposed. None abstained. Motion failed. The Executive Director received the advise of the committee members present.</p> | |
| <p>2020-078-F300 2020-266-BF100 2020-448-BF100 2022-060-BF100 2022-068-F300 2022-109-F300 2022-121-F300</p> | <p>2022-122-F300 2022-146-F300 2022-147-F300 2022-148-F300 2022-163-F300 2022-164-F300 2022-165-F300</p> |

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| <p><u>ACTION:</u> 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. Ferguson – First. Mr. Uhl. - Second. None opposed. None abstained. Motion failed. The Executive Director received the advise of the committee members present.</p> | |
| <p>2019-635-F300 2020-121-BF100 2020-319-F300 2021-080-BF100 2021-143-BF100 2021-215-BF100 2021-570-F300 2022-069-F300 2022-076-F100</p> | <p>2022-087-F300 2022-104-BF100 2022-109-F300 2022-131-BF100 2022-133-F100 2022-135-BF100 2022-157-BF100 2022-169-BF100</p> |

Old Business ~ none

New Business

Mr. Ferguson thanked Executive Director Wagoner, Deputy Director Jennings, Valerie Koker, and all of the Division of EMS staff for putting this Retreat together for the last 3 days.

ADJOURNMENT

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

The meeting adjourned at 1:22 p.m. The next meeting will be held June 15, 2022 at the Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio.

***These minutes were approved at the FFSI meeting on June 15, 2022.*