



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
Conference Room 1106**

MEETING MINUTES

December 15, 2021

Immediately followed the conclusion of the EMFTS Board meeting

~FINAL~

Committee Meeting Date and Location: Wednesday, December 15, 2021, Ohio Department of Public Safety, Conference Room 1106, 1970 West Broad Street, Columbus.

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

Committee Members Absent: George Snyder

EMS Staff Present: Robin Burmeister, Beverly Cooper, Joel Demory, Doug Edwards, Dave Fiffick, 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 1:43 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

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 August 18, 2021 and October 20, 2021 Firefighter and Fire Safety Inspector Training Committee meeting minutes and the October and November fire certifications.

ACTION: Motion to approve the Consent Agenda items to include the August 18, 2021 and the October 20, 2021 Firefighter and Fire Safety Inspector Training Committee meeting minutes, and the October and November fire certifications. Mr. Resanovich - First. Mr. Ferguson – Second. None abstained. None opposed. **Motion passed.**

Fire Exemptions (Medical and Military) ~ Ellen Owens

Ms. Owens stated that there is one military exemption for a firefighter II; 2021-12-01. The Division of EMS has received all documentation and staff recommends approval.

ACTION: Motion to approve the military exemption for firefighter II; 2021-12-01. Mr. Ferguson - First. Mr. Uhl – Second. None abstained. None opposed. **Motion passed.**

Fire Fighter and Fire Safety Inspector Training Subcommittee, Ted Kienzle

Mr. Kienzle reported that the Firefighter and Fire Safety Inspector Training Subcommittee met on November 9, 2021. The subcommittee is continuing to work on the issue of unaffiliated firefighters to update their status on the EMS system. The hope is that it will lower the number of unaffiliated firefighters. As of December 13, 2021, the report had 3,040 firefighters who are unaffiliated. This issue is important because when the unaffiliated firefighter is audited they do not have a chief to sign-off on the continuing education. Only a program director or the fire chief are permitted to serve as the signatory for continuing education for audits.

The subcommittee is working on the practical skills for the fire safety inspector along with the Fire Academy and a number of other charters throughout the state. There are some inconsistencies with the practical skills developed in 2019 and 2020. A survey is being developed to be sent out to the committee.

The DEMS is working on the Ohio Administrative Rules for the fire instructor; instructor I and the instructor II through the NFPA standards.

Mr. Marchetta stated that there is some misinformation being shared regarding the volunteer fire fighter courses. It is being said that the 36 hour course will not be available. Executive Director Wagoner stated that the volunteer firefighter information on the website has not changed. Deputy Director Jennings stated that he received a phone call from a person stating that they have not found a 36 hour course; therefore, they are trying to get them in the firefighter I course. The department needs drivers. Deputy Director Jennings referred them to the statute regarding drivers.

GOLDMAN PROCEEDINGS

Mr. Marchetta, on behalf of the Firefighter and Fire Safety Inspector Training Committee, stated that the proceedings were called to order at 1:50 p.m. on December 15, 2021. 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 there was a majority of the committee members present. Executive Director Wagoner was present.

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. 2017-772-F300, Travis J. Tysinger, Certificate No. 167454
- Fire Case No. 2019-004-F300, Joshua D. Kerr, Certificate No. 104802
- Fire Case No. 2019-183-BF300, Michael J. Ernst, Certificate No. 153351
- Fire Case No. 2019-305-F300, Harold Morris, Certificate No. 171955
- Fire Case No. 2019-354-BF300, Marcus E. Yagour, Certificate No. 140074
- Fire Case No. 2020-207-F100, Christopher G. Baumgardner, Certificate No. 117447

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. None – abstained. None- opposed.
Motion passed.

There being no further evidence, these proceedings were closed at 1:52 pm.

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

EXECUTIVE SESSION

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

GOLDMAN MOTIONS

ACTION: In the matter of Fire Case Number 2017-772-F300, Travis J. Tysinger, Certificate Number 167454 the Committee recommends that the Executive Director issue an adjudication order finding that Mr. Tysinger failed to complete continuing education requirements and that Mr. Tysinger's firefighter certification be revoked. Mr. Resanovich – First. Mr. Ferguson– Second. None opposed. Mr. Wright - abstained. **Motion passed.**

ACTION: In the matter of Fire Case Number 2019-004-F300, Joshua D. Kerr, Certificate Number 104802, the Committee recommends that the Executive Director issue an adjudication order finding that Mr. Kerr failed to complete continuing education requirements and that Mr. Kerr's firefighter certification be revoked. Mr. Resanovich – First. Mr. Ferguson – Second. None opposed. Mr. Wright - abstained. **Motion passed.**

ACTION: In the matter of Fire Case Number 2019-183-BF300, Michael J. Ernst, Certificate Number 153351, the Committee recommends that the Executive Director issue an adjudication order finding that Mr. Ernst failed to complete continuing education requirements as indicated in count 2 and count 3 of the Notice of Opportunity for Hearing and that Mr. Ernst's firefighter certification be revoked. Mr. Resanovich – First. Mr. Ferguson – Second. None opposed. Mr. Wright - abstained. **Motion passed.**

ACTION: In the matter of Fire Case Number 2019-305-F300, Harold Morris, Certificate Number 171955, the Committee recommends that the Executive Director issue an adjudication order finding that Mr. Morris failed to complete continuing education requirements and that Mr. Morris' firefighter certification be revoked. Mr. Resanovich – First. Mr. Ferguson – Second. None opposed. Mr. Wright - abstained. **Motion passed.**

ACTION: In the matter of Fire Case Number 2019-354-BF300, Marcus E. Yagour, Certificate Number 140074, the Committee recommends that the Executive Director issue an adjudication order finding that Mr. Yagour failed to complete continuing education requirements and that Mr. Yagour's firefighter certification be revoked. Mr. Resanovich – First. Mr. Ferguson – Second. None opposed. Mr. Wright - abstained. **Motion passed.**

ACTION: In the matter of Fire Case Number 2020-207-F100, Christopher G. Baumgardner, Certificate Number 117447, the Committee recommends that the Executive Director issue an adjudication order finding that Mr. Baumgardner was convicted of theft, a misdemeanor committed in the course of practice, and that Mr. Baumgardner's firefighter certification be revoked. Mr. Resanovich – First. Mr. Ferguson– Second. None opposed. Mr. Wright - abstained. **Motion passed.**

FIRE INVESTIGATIONS, STAFF

ACTION: Motion to recommend to the Executive Director to accept the consent agreement for the following Education case: Mr. Resanovich – First. Mr. Ferguson– Second. None opposed. Mr. Wright - abstained. **Motion passed.**

2021-016-F300

ACTION: Motion to recommend to the Executive Director to close the following case(s): Mr. Resanovich – First. Mr. .– Second. None opposed. Mr. Wright - abstained. **Motion passed.**

2020-320-BF500

2021-179-F100

ACTION: Motion to recommend to the Executive Director to accept the following Consent Agreements. Mr. Resanovich – First. Mr. Ferguson – Second. None opposed. Mr. Wright - abstained. **Motion passed.**

2017-519-F300

2019-715-F300

2021-249-BF100

2021-301-BF100

2021-310-BF100

2021-398-BF100

2021-445-F300

2021-472-F300

ACTION: Motion to recommend to the Executive Director to close the following case (s); the individuals have met the stipulations of their Consent Agreement.

Mr. Resanovich – First. Mr. Ferguson. - Second. None opposed. Mr. Wright - abstained. **Motion passed.**

2018-680-BF100

2019-326-F300

2019-422-F300

2019-730-F300

2020-147-BF100

2021-116-BF100

ACTION: Motion to recommend to the Executive Director to close the following cases; accept surrendering of their respective certificates. Mr. Resanovich – First. Mr. Ferguson – Second. None opposed. Mr. Wright - abstained. **Motion passed.**

2021-447-F300

2021-448-F300

2021-470-F300

2021-473-F300

2021-478-F300

ACTION: Motion to recommend to the Executive Director to 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. Mr. Resanovich – First. Mr. Ferguson – Second. None opposed. Mr. Wright - abstained. **Motion passed.**

2016-81-F300

2018-241-F100

2019-300-F300

2019-324-F300

ACTION: Motion to recommend to the Executive Director to close the following case(s); individuals were audited at their respective levels. Their respective certificates to practice have expired. Re-open if re-applies.

Mr. Resanovich – First. Mr. Ferguson.– Second. None opposed. Mr. Wright - abstained. **Motion passed.**

2018-699-F300
 2020-530-F300

ACTION: Motion to recommend to the Executive Director to close the following case; accept surrender for permanent revocation of their respective certificates(s):

Mr. Resanovich – First. Mr. Ferguson. – Second. None opposed. Mr. Wright - abstained. **Motion passed.**

2020-417-BF100

ACTION: Motion to recommend to the Executive Director to close the following case due to service issues with the adjudication order or Notice of Opportunity for Hearing. The respective certificates to practice are revoked or expired. Re-open if re-applies.

Mr. Resanovich – First. Mr. Ferguson.– Second. None opposed. Mr. Wright - abstained. **Motion passed.**

2017-118-F300

ACTION: 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. Mr. Wright - abstained. **Motion passed.**

2019-325-F300	2020-499-BF300
2019-553-F300	2020-516-F300
2020-096-F300	2020-531-F300
2020-131-F300	2021-006-BF100
2020-132-F300	2021-159-BF100
2020-136-F300	2021-230-BF100
2020-137-F300	2021-273-BF100
2020-156-F300	2021-323-BF100
2020-249-F300	2021-379-BF100
2020-470-F300	2021-453-F300
2020-471-F300	2021-456-F300
2020-477-F300	2021-471-F300
2020-479-F300	
2020-482-F300	

<i>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:</i> Mr. Resanovich – First. Mr. Ferguson – Second. None opposed. Mr. Wright - abstained. Motion passed.	
2019-446-F500	2020-561-F500
2019-447-F500	2021-213-F100
2020-066-F300	2021-218-F100
2020-345-F500	2021-281-BF100
2020-461-BF100	2021-369-F100
2020-559-F500	2021-392-F100
2020-560-F500	2021-403-F100

Old Business ~ none

New Business

Mr. Wise requested a motion to approve the filing of the Ohio Administrative Code chapter 4765-23 (Disciplinary Actions) with the Joint Committee on Agency Rule Review.

ACTION: Motion to approve the filing of the Ohio Administrative Code chapter 4765-23 (Disciplinary Actions) with the Joint Committee on Agency Rule Review. Mr. Ferguson - First. Mr. Uhl – Second. None abstained. None opposed. **Motion passed.**

ADJOURNMENT

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

The meeting adjourned at 2:02 p.m. The next meeting will be held February 16, 2022 at the Ohio Department of Public Safety, 1970 West Broad Street, Columbus, Ohio.