



West Licking Joint Fire District  
851 East Broad Street  
Pataskala, Ohio 43062

*Board of Trustees*      **SPECIAL**  
**MEETING MINUTES**  
June 17, 2014

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Mark Van Buren opened the meeting at 6:00 p.m., and Mr. Myers led the Pledge of Allegiance.

This is the hearing of the matter of the West Licking Joint Fire District Board versus David Fulmer upon charges brought by Douglas E. Duckett upon allegations of:

**Charge No. 1:** Fire Chief David B Fulmer repeatedly violated the provisions of Policy 700.07 (Technology) through his deliberate misuse and reckless mismanagement of District-owned laptop computers and thereby committed misconduct in office, malfeasance, nonfeasance, and gross neglect of duty.

**Charge No. 2:** Chief David Fulmer used the Dell and MacBook Pro laptops owned by the District for private business ventures for profit in violation of the Technology Policy, which constitutes both misconduct in office and malfeasance.

**Charge No. 3:** Chief Fulmer's mismanagement of the laptop computers and claimed lack of responsibility for enforcing policies constitute gross neglect of his duties and misfeasance or nonfeasance.

**Charge No. 4:** Chief Fulmer was dishonest in the interview – both through outright lies and through evasion and intellectual dishonesty – in direct violation of orders he received at the outset. This constitutes misconduct in office and malfeasance through insubordination.

**Charge No. 5:** Fire Chief David B. Fulmer violated the provisions of Policy 700.07 (Technology) by using a District owned cell phone to transmit an image of a naked woman's torso and exposed breasts to Terra Metzger, a prospective employee, who had accepted a job offer and was about to start work as the District's human resources officer.

**Charge No. 6:** Chief David Fulmer violated the District's sexual harassment policy, which constitutes both misconduct in office and malfeasance.

This hearing is being conducted pursuant to the Ohio Revised Code Chapter 505, and Ohio Revised Code 505.38.

We are starting at 6:00 p.m. on June 17<sup>th</sup> we will begin with the Roll Call of members.

**ROLL CALL:**

Jersey – Derek Myers

Harrison – Mark Van Buren

Etna – Randy Foor

Kirkersville – Brian Denton

Pataskala – Tim Hickin

Reynoldsburg – Cornelius McGrady III

The stenographer will provide the official minutes of the meeting. Mr. Van Buren asked the attorneys to introduce themselves and identify the party they represent.

Paul Bittner, attorney with Ice Miller Law Firm from Columbus, Ohio representing David Fulmer.  
Angela Courtwright, attorney also with Ice Miller Law Firm, representing David Fulmer.  
David Comstock Jr., with Comstock, Springer & Wilson from Youngstown, Ohio, representing David Fulmer.  
Mr. Bittner stated they have Ms. Chelsea Hanner, a law clerk, from Ice Miller is also present.

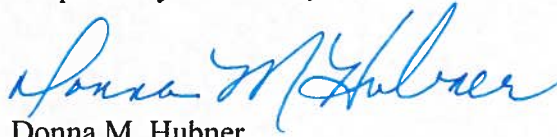
On behalf of Mr. Duckett and the District in pursuing the charges, Marc Fishel from the law firm of Fishel, Haas, Kim, Albrecht and also with me is the designee Steve Little, Interim Administrator and Stephanie Taylor who is a law clerk at Mr. Fishel's office.

Mr. Van Buren asked the attorneys if there were any procedural or other issues that they wished to address before the swearing in of the witnesses and taking of evidence.

The stenographer's official transcript should be addressed for all further content herein.

The public hearing was recessed at 2:42 a.m., Wednesday, June 18, 2014 and will reconvene on July 8, 2014 at 6:00 p.m.

Respectfully submitted,

  
Donna M. Hubner  
Fiscal Officer

APPROVED:

  
\_\_\_\_\_  
Board of Trustees

  
\_\_\_\_\_  
Title

Note: These minutes are unofficial, subject to amendment, until approved by the Fire Board Members.