



**STATE OF OKLAHOMA
BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE**

Post Office Box 36307

Dr. Kenneth E. Blick, Ph.D.
Chairman

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Kevin Behrens
Director

The agenda for this meeting was posted in accordance with Title 25 Section 311.A.9, at the Administrative Offices of the Board of Tests for Alcohol and Drug Influence, 3600 North Martin Luther King Avenue, Building 9, Oklahoma City, OK, 73111.

**Special Meeting AT OKLAHOMA CITY, OKLAHOMA
Of the Board of Tests for Alcohol and Drug Influence
Oklahoma Department of Public Safety Complex,
W.C. Sarg Smith Classroom
3600 North Martin Luther King Avenue, Oklahoma City, OK, 73111**

**Thursday July 6, 2015
10:00 A.M. CST**

MINUTES

BOARD MEMBERS PRESENT:

Dr. Kenneth Blick, O.U. Health Sciences Center
Sheriff John Whetsel, Oklahoma County
Chief Vernon Griffin, Comanche Nation
Steve Emmons, CLEET
Kevin Kramer, OSBI
Dr. S. Terence Dunn, Oklahoma State Health Dept.
Major Rusty Rhoades, Oklahoma Highway Patrol
Dr. Jarrad Wagner, OSU Center for Health Sciences

STAFF PRESENT:

Kevin Behrens, Director
Jenifer Martin, Office Manager
Vince Barnard, Senior Instructor

1. Call Meeting to Order

Action Taken: Chairman Blick called the meeting to order at 10:00 a.m. Roll was taken; seven members were present representing a quorum. Sheriff Whetsel entered the meeting after roll call was taken.

2. Nomination and Election of Officers

a. Nomination for Chairman:

Kevin Kramer nominated Dr. Blick
No other nominations were made

Action Taken: Dr. Jarrad Wagner moved to close the nominations for Chairman; the motion was seconded by Kevin Kramer. A roll call vote was taken with the following results Chairman Blick yes, Sheriff Whetsel was not present at the time, Steve Emmons

voted yes, Kevin Kramer voted yes, Dr. Terence Dunn voted yes, Major Rusty Rhoades yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 7 - 0.

Electing the Chairman:

Action Taken: Kevin Kramer moved to elect Dr. Blick as Chairman; the motion was seconded by Dr. Dunn. A roll call vote was taken with the following results Chairman Blick abstained, Sheriff Whetsel was not present at the time, Steve Emmons voted yes, Kevin Kramer voted yes, Dr. Terence Dunn voted yes, Major Rusty Rhoades yes, Dr. Jarrad Wagner voted yes and Chief Griffin voted yes. The motion carried 6 yes and 1 abstention.

b. Nomination for Vice-Chair

Kevin Kramer nominated Sheriff Whetsel
No other nominations were made

Action Taken: Dr. Jarrad Wagner moved to close the nominations for Vice-Chairman; the motion was seconded by Kevin Kramer. A roll call vote was taken with the following results Chairman Blick yes, Sheriff Whetsel was not present at the time, Steve Emmons voted yes, Kevin Kramer voted yes, Dr. Terence Dunn voted yes, Major Rusty Rhoades yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 7 - 0.

Electing the Vice-Chair:

Action Taken: Chairman Blick moved to elect Sheriff Whetsel as Vice-Chair; the motion was seconded by Kevin Kramer. A roll call vote was taken with the following results Chairman Blick yes, Sheriff Whetsel was not present at the time, Steve Emmons voted yes, Kevin Kramer voted yes, Dr. Terence Dunn voted yes, Major Rusty Rhoades yes, Dr. Jarrad Wagner voted yes and Chief Griffin voted yes. The motion carried 7-0.

3. Approval of Minutes

Director Behrens mentioned there were some abstentions recorded at the last meeting and wanted to clarify if those were recorded in error or not. Chairman Blick stated they were recorded in error and should have been recorded as yes votes.

Action Taken: Steve Emmons moved to approve the minutes with the voting record corrected, Chief Griffin seconded the motion. A roll call vote was taken with the following results Chairman Blick yes, Sheriff Whetsel was not present at the time, Steve Emmons voted yes, Kevin Kramer voted yes, Dr. Terence Dunn voted yes, Major Rusty Rhoades yes, Dr. Jarrad Wagner abstained and Chief Griffin voted yes. The motion carried 6-0 with 1 abstention.

4. Director's Report

Director Behrens updated the Board on a few key points:

Sample vs. DPS Litigation – The amicus brief and the answer to the amicus brief have been filed. We are currently waiting on the court's decision. Both documents will be sent to the Board members.

Blood Kits – There have been challenges to the approval of blood kits. There is no statutory or regulatory provision requiring approval. Materials are approved by the Director which was done in August 2011.

Ignition Interlock – The program is continuing to implement the transition from NHSTA 2009 model specifications to NHSTA 2013 model specifications. Shelly has been busy getting all the new devices certified as well as getting all the devices out of the field. We are nearing the conclusion of this process and should have it wrapped up by the end of August 2015.

COOP Plan – Reviews and updates to be accomplished by November 9, 2015 meeting.

Borkenstein Drug Course – In September Josh and Vince will be attending the 2015 Borkenstein Drug Course in Arizona.

IACT – In April 2015 Director Behrens and Vince Barnard attended the annual IACT meeting in Rhode Island. Director Behrens was appointed to the Legal Research Committee. The committee monitors impaired driving cases from across the nation and send their findings back to IACT.

AIIPA – In May 2015 Director Behrens and Shelly Schultz attended the annual AIIPA conference. Director Behrens was asked to run for the Board of Directors, which he did and was nominated and elected as the Secretary of the Board. He began his role as Secretary on July 1, 2015. The role of Secretary is for a one year term and the role on the Board of Directors is a two year term.

Permanent Rules – The rules that the Board voted on in March 2015 are due to the Secretary of State on July 8, 2015. Director Behrens is finalizing the rule documents and will have them turned into the Secretary of State by July 8, 2015. Those rules will go into effect around the first part of September 2015.

Website – Jenifer has been working on updating the Board of Tests website. She is making it more modern and up to date. In one of effort of updating the website we will need to get a picture of all the Board members to post to the website next to each members bio.

Action Taken: Steve Emmons moved to accept the director's report, Sheriff Whetsel seconded the motion. A roll call vote was taken with the following results Chairman Blick yes, Sheriff Whetsel yes, Steve Emmons voted yes, Kevin Kramer voted yes, Dr. Terence Dunn voted yes, Major Rusty Rhoades yes, Dr. Jarrad Wagner abstained and Chief Griffin voted yes. The motion carried 8-0.

5. **Induction of Natalie Essary into the Board of Tests Hall of Fame**

Chairman Blick introduced Natalie to the Board and attending persons. Chairman went on the give a brief bio of Natalie's career at the Board of Tests. Natalie spoke the Board and attending persons about her career and involvement with the Board of Tests as well her influence on impaired driving programs with public safety.

Action Taken: Kevin Kramer moved to induct Natalie Essary into the Hall of Fame, Sheriff Whetsel seconded the motion. A roll call vote was taken with the following results Chairman Blick yes, Sheriff Whetsel yes, Steve Emmons voted yes, Kevin Kramer voted yes, Dr. Terence Dunn voted yes, Major Rusty Rhoades yes, Dr. Jarrad Wagner abstained and Chief Griffin voted yes. The motion carried 8-0.

6. Public Comments

Sonja Porter wanted to thank Director Behrens and Vince Barnard for assisting her in another successful CLE. Thomas Hosty stated there is a gap in statutory rules for people required to enter the interlock program and those required to enter with disabilities in operating an interlock device. He feels the Board needs to take a look at providing a provision in statute for the people who can still operate a vehicle but have a breathing disability and cannot operate the device. Thomas went on to caution the Board taking individual photos for use on the website due to security issues and suggested the Board members take a group photo to be posted on the website. No other public comments were made.

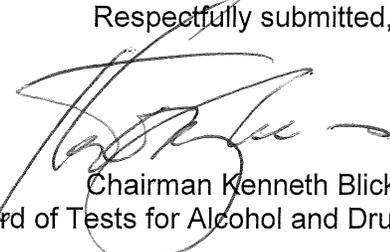
7. New Business

There was new business discussed.

8. Adjournment

Action Taken: Sheriff Whetsel moved to adjourn the meeting, Steve Emmons seconded the motion. A roll call vote was taken with the following results Chairman Blick yes, Sheriff Whetsel yes, Steve Emmons voted yes, Kevin Kramer voted yes, Dr. Terence Dunn voted yes, Major Rusty Rhoades yes, Dr. Jarrad Wagner abstained and Chief Griffin voted yes. The motion carried 8-0.

Respectfully submitted,



Chairman Kenneth Blick
Board of Tests for Alcohol and Drug Influence

A digital copy of these minutes is kept on record at the Board of Tests
Available upon request.