



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

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

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.

**Regular 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**

**Tuesday May 14, 2019
10:00 A.M. CDT**

MINUTES

BOARD MEMBERS PRESENT:

Dr. Kenneth Blick, OUHSC
Charles Gerhart, CLEET
Major Todd Blish, OHP
Dr. Jarrad Wagner, OSU Health Science
Dr. Terence Dunn, Department of Health

STAFF PRESENT:

Kevin Behrens, Director
Jenifer Martin, Office Manager
Josh Smith, Maintenance Administrator
Vince Barnard, Training Administrator
David Barnett, Interlock Administrator

BOARD MEMBERS ABSENT:

Sheriff Chris West, Canadian County
Kevin Kramer, OSBI
Chief Griffin, Comanche Nation

1. Call Meeting to Order

Action Taken: Dr. Blick called the meeting to order at 10:00 a.m. Roll was taken; seven members were present representing a quorum.

Dr. Dunn entered the meeting at 10:09 am

2. Statement of Compliance with the Open Meeting Act

Dr. Blick gave statement of compliance

3. Approval of Minutes of February 12, 2019 Regular Meeting

Action Taken: Dr. Wagner moved to approve minutes, Dr. Dunn seconded the motion. A roll call vote was taken with the following results Dr. Blick voted yes, Dr. Wagner voted yes, Major Blish voted yes, Charles Gerhart voted yes, Dr. Dunn voted yes

4. **Director's Report**

Director Behrens gave updates on current legislation. He stated SB712 passed and is on the governor's desk waiting approval. The director and the staff will have meetings to discuss the changes and challenges we will have with the passing of SB712.

Director Behrens went on to give updates on the agency programs. The agency is facing a tight budget at this point but it is manageable with six weeks left in the fiscal year. We are working with the Highway Safety Office to purchase oral fluid testing devices previously approved by the Board. The interlock program has been busy setting up and approving new manufacturers, service centers, vendors, and technicians. We are also working with the manufacturers on a new reporting and fee collection system. The new system should be in place and operating by the next board meeting. The maintenance program has installed 68 wireless gateways since January. The gateways are working great and we are receiving the data seamlessly. Vince, Josh and Kevin recently attended and presented at the District Attorney Boot Camp. They are also scheduled to present at the State Judicial Conference in July of this year. The Dubowski/Essary Course is in June. Everything is coming together well for the conference. The OHP academy is setup for late November and we will be working with them to setup the training for them.

Action Taken: Chuck Gerhart moved to approve Director's report, Major Blish seconded the motion. A roll call vote was taken with the following results Dr. Blick voted yes, Dr. Wagner voted yes, Major Blish voted yes, Charles Gerhart voted yes, Dr. Dunn voted yes

5. **Discussion and possible action on 2019 audit by State Auditor and Inspectors Office**

Director Behrens stated the board members were given a copy of the report and three findings on the segregation of financial duties. Director Behrens stated the findings were not alarming and we will be working with OMES on a better system. The fourth finding was regarding deposits into the state general fund. The report stated this agency should be depositing 10% of its revenue into the general fund every year. Director Behrens answered that finding stating that statute is in reference to self-sustaining agencies and BOT is not self-sustaining as we are funded through the Department of Public Safety. The last finding was about the salary of the Director. Stating OMES has set a mandatory range on agency director salaries and we are outside of that range. OMES on the other hand has sent the agency correspondence on two different occasions stating yes there is a range, however, it is not mandatory. We are working with OMES and the Attorney General's office to find the best course of action for this.

Action Taken: Dr. Wagner made a motioned for the director to work with the Attorney General and OMES to resolve the discrepancies between the audit report and what the current practices of the agency with full board support, Major Blish seconded the motion.

A roll call vote was taken with the following results Dr. Blick voted yes, Dr. Wagner voted yes, Major Blish voted yes, Charles Gerhart voted yes, Dr. Dunn voted yes

6. Discussion and possible action on review of agency blood testing rules and statutes.

Director Behrens stated there are issues that need to be dealt with regarding the agencies blood testing rules and statutes. Director Behrens proposed that the Board appoint a committee of three to four Board members to review the rules and statutes and submit their findings to the Board for discussion and approval. Dr. Blick asked for volunteers for the committee. Kevin Kramer, Dr. Wagner, Major Blish, and Dr. Blick all volunteered to sit on the committee.

Action Taken: Chuck Gerhart moved to approve the four member committee to evaluate the rules and statutes, Dr. Dunn seconded the motion. A roll call vote was taken with the following results Dr. Blick voted yes, Dr. Wagner voted yes, Major Blish voted yes, Charles Gerhart voted yes, Dr. Dunn voted yes

7. Chairman's Report

Dr. Blick stated is pleased with the updates, achievements, and work the agency has completed. He encouraged the Director to setup a press release to let the public community know what has been happening behind the scenes for public safety,

9. Public Comments

Comments given by Tom Hosty

10. Adjournment

Action Taken: Major Blish moved to adjourn, Dr. Dunn seconded the motion. A roll call vote was taken with the following results Dr. Blick voted yes, Dr. Wagner voted yes, Major Blish voted yes, Charles Gerhart voted yes, Dr. Dunn voted yes

Respectfully submitted,



Vice Chairman Jarrad Wagner
Board of Tests for Alcohol and Drug Influence