



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

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**

**Tuesday, March 29, 2016
1:30 P.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
Dr. Jarrad Wagner, OSU Center for Health Sciences

STAFF PRESENT:

Kevin Behrens, Director
Jenifer Martin, Office Manager
Joshua Smith, Maintenance Tech
Shelly Schultz, Ignition Interlock

BOARD MEMBERS ABSENT:

Kevin Kramer, OSBI
Major Rusty Rhoades, Oklahoma Highway Patrol
Dr. Terence Dunn, Oklahoma State Health Department

1. Call Meeting to Order

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

2. Statement of Compliance with Open Meeting Act

Director Behrens outlined the steps taken to comply with the Open Meetings Act.

3. Approval of Minutes

Action Taken: Sheriff Whetsel moved to approve the minutes, Chief Griffin seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0

4. Director's Report

Director Behrens updated the Board on the Senate Bill 58 and House Bill 3146

Action Taken: Steve Emmons moved to approve the Director's report, Dr. Wagner seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0

5. Discussion and possible action on travel requests pursuant to Executive Order 2015-46

Director Behrens asked the Board to approve Vince Barnard to attend the AIIPA conference in May as a presenter.

Action Taken: Sheriff Whetsel moved to approve the attendance of Vince Barnard, Dr. Wagner seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

6. Discussion and possible action on proposed permanent rulemaking

a. OAC Title 40:1-1-2 Organizations, powers, and duties

Action Taken: Steve Emmons moved to approve the changes, Chief Griffin seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

OAC Title 40:1-1-3 General Course and method of operation

Action Taken: Sheriff Whetsel moved to approve the changes, Dr. Wagner seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

OAC Title 40:1-1-5 Rules of practice for individual proceedings

Action Taken: Sheriff Whetsel moved to approve the changes, Chief Griffin seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

b. OAC Title 40:10-3-3 Qualifications and requirements for breath-alcohol operators (renewal permits)

Action Taken: Sheriff Whetsel moved to approve the changes, Dr. Wagner seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

c. OAC Title 40:25-1-4 Disposable materials, supplies, and paraphernalia

Action Taken: Sheriff Whetsel moved to approve the changes, Steve Emmons seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

d. OAC Title 40:35-1-3 Analysis of blood specimens for alcohol

Action Taken: Sheriff Whetsel moved to approve the changes, Steve Emmons seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

e. OAC Title 40:50-1-1.1 Definitions

Action Taken: Chief Griffin moved to approve the changes, Steve Emmons seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

OAC Title 40:50-1.3 Standards and specifications

Action Taken: Sheriff Whetsel moved to approve the changes, Dr. Wagner seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

OAC Title 40:50-3.2 Reportable Violations

Action Taken: Dr. Wagner moved to approve the changes, Sheriff Whetsel seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

OAC Title 40:50-1-7 Service center licensing process

Action Taken: Dr. Wagner moved to approve the changes, Sheriff Whetsel seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

OAC Title 40:50-1-7.3 Inactivation, suspension, and revocation

Action Taken: Sheriff Whetsel moved to approve the changes, Steve Emmons seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

7. Discussion and possible action on proposed performance evaluation form for the State Director of Tests for Alcohol and Drug Influence

Action Taken: Dr. Wagner moved to approve the performance evaluation form, Chief Griffin seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

8. Proposed Executive Session pursuant to 25 O.S. §307(B)(1) for the purpose of opening the performance evaluation for the State Director of Tests

Action Taken: Steve Emmons moved to enter executive session, Dr. Wagner seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

Action Taken: Steve Emmons moved to exit executive session, Sheriff Whetsel seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

Action Taken: Dr. Wagner moved to open the performance evaluation for Director Behrens with the review period from January 1, 2016 to June 30, 2016, Chief Griffin seconded the motion. A roll call vote was taken with the following results Chairman Blick voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

9. New Business

Dr. Wagner mentioned he is going to work with the Attorney General's office to see about having public meetings where he attends via webcam from Tulsa.

10. Chairman's Report

Chairman Blick complimented the director on putting together the rules and changes. He also thanked the staff for all their hard work for the agency.

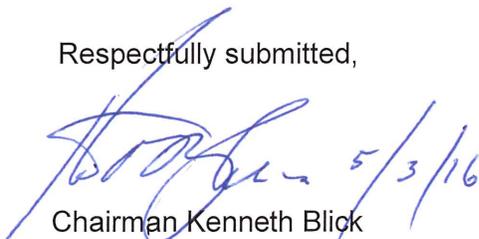
11. Public Comments

Thomas Hosty asked the board to consider changing the August regular meeting to later in the month of August due to a scheduling conflict.

12. 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 voted yes, Sheriff Whetsel voted yes, Steve Emmons voted yes, Dr. Jarrad Wagner voted yes, and Chief Griffin voted yes. The motion carried 5-0.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Kenneth Blick', with the date '5/3/16' written to the right of the signature.

Chairman Kenneth Blick
Board of Tests for Alcohol and Drug Influence