

**Highway Construction Materials Technician Certification Board
Meeting Minutes**

July 27, 2011

Meeting was announced by posting at the Oklahoma Turnpike Authority and on the internet web site at <http://oktechcert.org/Meetings>.

The meeting was called to order at 9:00 AM by Reynolds Toney. The following were present.

MEMBERS

| | |
|----------------|--------------------------|
| Reynolds Toney | ODOT |
| Scott Seiter | ODOT |
| Tammy Robinsom | OTA |
| Craig Parker | Silver Star Construction |
| Lary Patrick | OAPA |
| Rich Horrocks | Manhattan Road & Bridge |
| George Raymond | ODOT |

GENERAL COUNSEL

| | |
|---------------|-----|
| Jan Preslar | OAG |
| Alecia George | OAG |

WITNESSES

| | |
|-----------------|--------------------------------|
| Sherry Whitaker | ODOT (Muskogee Residency) |
| Steve Sawyer | ODOT (HCMTCB Program Director) |

ADMINISTRATIVE STAFF

| | |
|-------------|---------------------------------|
| Karla Irvin | ODOT (Administrative Assistant) |
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1. Reynolds Toney determined that a quorum was present and called the meeting to order.
2. Motion to approve minutes of May 23, 2011 made by Craig Parker, seconded by Larry Patrick. Approved unanimously.
3. Hearing on *State of Oklahoma ex rel. Highway Construction Materials Technician Certification Board v. Justin W. Hall*, registration number 3173, Cause No. 2011-01, Before the Oklahoma Highway Construction Materials Certification Board.
 - a. The Hearing was presided over by the Chair, Reynolds Toney.
 - b. The case against the respondent was presented by Jan Preslar. The Hearing Officer

advising the Board was Alecia George. Mr. Hall did not appear but documentation entered into the record certified that he had been served the Complaint and Notice of Hearing in person on June 2, 2011.

- c. Testimony was heard from Steve Sawyer and Sherry Whitaker.
 - d. General Counsel presented evidence from both documentation and sworn testimony that Mr. Hall had knowingly submitted test data that was not representative of the material being tested. The sample in question, a bituminous roadway core, had an absorption in excess of 2.0% requiring retesting by other specified methods. The sample was not retested and the result submitted used a “quick check” estimate that was reported as an actual value for the core.
 - e. Ms. Preslar concluded that the testimonies and supporting evidence showed that the respondent had demonstrated misconduct and gross negligence justifying disciplinary action by the Board.
 - f. George Raymond moved to enter into Executive Session. Seconded by Craig Parker.
 - g. Tammy Robinson moved to return to Open Session. Seconded by Rich Horrocks. The Board asked a few clarifying questions of the witnesses before rendering a unanimous verdict of guilty. The respondent’s registration was suspended for a period of six (6) months.
4. There being no new business, the meeting was adjourned by the Chair..