

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

November 10, 2020

The following is a summary of the November Meeting:

- I. The Meeting was called to order at 9:08 a.m. by Board Chairman, Randy Moore. Members polled indicating their presence were Randy Moore, Michael Stiltner and Larance Eugene Middleton. Also present were Eva Stanley and DMME Hearings Coordinator, Darlene Gibson.
- II. Motion and seconded to accept the November 10, 2020 meeting agenda by Michael Stiltner and Eugene Middleton, respectively. All members present were in favor to approve.
- III. Motion and seconded to approve the March 3, 2020 meeting summary by Eugene Middleton and Michael Stiltner, respectively. All members present were in favor to approve.

****It is noted due to the COVID-19 pandemic, all members and attendees were all wearing mask and was socially distanced.***

- IV. Review of the Virginia Substance Abuse Cases (Closed Session)
Motion and seconded to approve to enter into Closed Session at 9:10 a.m. by Eugene Middleton and Michael Stiltner respectively. All members present were in favor to approve. Of the cases that resulted in hearings, evidence were taken by the Board in closed session, pursuant to Virginia Code 2.2- 3711(A) (4) and 45.1-11.35(E). In the closed session, the Board worked out agreements, allowing individuals to return to work conditionally and/or took other disciplinary actions including revocation of all certifications held by miners.

****It is noted due to the COVID-19 pandemic, all attendees remained in their individual vehicles until called into the meeting. All attendees were all wearing mask and was socially distanced.***

- V. Open Session reconvened at 11:12 a.m. by the reading of the certification statement of compliance with the Virginia Freedom of Information Act by Michael Stiltner. Randy Moore, Chairman confirmed the statement to be true. The following Board members were polled by Darlene Gibson certifying the statement to be true as follows: Randy Moore, Larance Eugene Middleton and Michael Stiltner.

Summary of Closed Session Activity was read into record by Eva Stanley for the following docket items:

#09125-21 Appeared
#11032-06 Reviewed
#11060-11 Reviewed
#12065-07 Failed to appear
#14063-06 Reviewed
#17213-02 Reviewed
#18037-05 Reviewed
#18226-01 Appeared
#20035-02 Failed to appear
#20098-01 Failed to appear-Rescheduled
#20098-02 Appeared
#20126-01 Reviewed
#20308-01 Appeared

Motion and seconded to approve by Eugene Middleton and Michael Stiltner, respectively; with all members present in favor to approve for Eva Stanley to follow-through on the actions agreed upon during closed sessions.

VI. Open Agenda items were discussed as follows as presented by Eva Stanley and Board Chairman, Randy Moore:

Since the COVID-19 pandemic, virtual classes has been taken place on Electrical, Diesel, Advanced First Aid, Impoundment and any other needs and it has proved to be very successful.

Approval from MSHA was obtained prior to conducting the electrical class as well as the State of Kentucky due to having attendees from Kentucky.

The Virginia Mine & Rescue teams did very well.

A realignment at DMME will go into effect on January 1. Opie McKinney will no longer be a supervisor on the Lebanon side as he is retiring as of December 31. Most likely the remaining staff will move under Chris Whitt's supervision. At the Big Stone Gap office, Carroll Green will be retiring. His staff will most likely move under Mike Willis. Mary Gibson, Regulatory Board Administrator is retiring, her work load will be split between Eva Stanley and Terri Gibson. The Lebanon office is anticipated to be closing by next summer as the Gas & Oil Director is retiring. Deputy Director, Bradley Lambert will be retiring December 31. It is the understanding, the Deputy Director position will not be replaced.

All changes should be in placed with the realignment by January 1, 2021.

VII. Next Meeting
December 1, 2020

VIII. Adjournment
Motion and seconded to adjourn the meeting at 11:23 p.m. by Larance Eugene Middleton and Michael Stiltner, respectively. All members present were in favor to approve.