

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

September 11, 2018

The following is a summary of the September 11, 2018 Meeting:

- I. Meeting called to order at 9:05 a.m. by Board Chairman Randy Moore. Members present were Bennie Johnson Jr., Douglas Deel, Phillip Hale, and Larance Middleton. Also present were Regulatory Board Administrator Mary Gibson and Megan Sturgill, DMME Administrative Specialist.**
- II. Motions made and seconded to accept September 11, 2018 meeting agenda and to approve the August 14, 2018 meeting summary. All members present were in favor to approve.**
- III. Review of Virginia Substance Abuse Cases (Closed Session)
Of the cases that resulted in hearings, evidence was 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 took other disciplinary actions including revocation of all certifications held by miners.**
- IV. Open Agenda**

Mary Gibson informed the Board of Coal Mining Examiners (BOARD) that only one person was scheduled to appear before the BOARD at the October Board of Coal Mining Examiners meeting. Board Chairman Randy Moore suggested rescheduling that person for the November 2018 meeting.

Mary Gibson discussed the 2019 Board of Coal Mining Examiners meeting schedule and inquired if the BOARD would like to schedule meetings for every other month or continue meeting on a monthly basis. Phillip Hale stated that the meeting schedule seemed to work good monthly. The BOARD decided to continue meeting on a monthly basis in 2019.

Board Chairman Randy Moore discussed a situation involving Virginia coal truck drivers, drug testing, and investigations. He stated the Virginia coal truck drivers that failed or refused drug tests resulted in their Virginia General Coal Miner – Surface certifications to be suspended or revoked.

The concern was that they these truck drivers would sometimes begin working in neighboring states as truck drivers. Also, some employers would put them to work hauling other materials other than coal. The concern of highways remaining unsafe was addressed. Phillip Hale stated that the BOARD should be careful and stay within their legal bounds. Mary Gibson recalled that at one time their attorney said this information could not legally be shared with other state agencies.

Phillip Hale made a motion to cancel the October 2, 2018 meeting and Douglas Deel seconded. The motion passed.

V. Next Meeting

Next meeting is scheduled for November 6, 2018.

VI. Adjournment

Meeting adjourned at 10:25 AM