

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

October 6, 2015

The following is a summary of the October 6, 2015 Meeting:

- I. Meeting called to order at 9:05 a.m. by Randy Moore, Chairman. Members present were Randy Moore, Phillip Hale, Douglas Deel, and Bennie Johnson. Member Ricky O'Quinn was absent. Also present were Mary Gibson, Regulatory Boards Administrator, and Patty Varner, DMME Administrative Specialist.
- II. Opening statement delivered by Randy Moore, Chairman.
- III. Motion made and seconded to accept October 6, 2015, meeting agenda and approve September 1, 2015, meeting summary. All members were in favor to approve.
- IV. 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.

V. Open Agenda

The Board reviewed the tentative schedule for the 2016 monthly meetings and approved those dates. The Board agreed that should a month be skipped due to no new substance abuse violators, it would not be a problem in meeting the 60 day scheduling required by law.

Mary Gibson provided the Board with a letter from Cheryl Robinette who represents all of the substance abuse program facilitators in which was addressed their recommendations for the Board to cover additional costs through our grant moneys for miners' substance abuse treatment programs. After discussion a motion was made and seconded with all in favor for Ms. Gibson to prepare draft response letter for Mr. Moore's review and approval. The letter will reference that the Board is willing to pay \$25 per week, not to exceed 12 weeks, for one group session in phase I for miners' treatment and to pay the \$155 one-time fee for psychiatric evaluation in phase I. Also, Ms. Gibson

will request the facilitators explore a training program and provide cost estimate.

Mr. Moore informed the Board that the Division of Mineral Mining (DMM) Director Phil Skorupa had approved a Memorandum of Understanding between DMM and Division of Mines (DM) that they will accept the DM general miner certification. The foreman and electrical certifications are being looked at to determine what requirements are needed for reciprocity of these certifications between the two Divisions.

Mr. Moore informed the Board of discussions with the DMME Deputy Director and the General Services Manager and that a County Deputy Sheriff will be in attendance on Board meeting dates. The Board concurred.

A motion was made, seconded and vote was unanimous that a regulation change be pursued to change VAC 25-20-210.c. in order to extend advanced first aid continuing ed expiration dates to the last day of the year. The Board also recommended exploring a law change that an advanced first aid certification holder be required on surface mines but not mandatory that the surface foreman hold the advanced first aid certification.

VI. Next Meeting

Next meeting is scheduled for November 3, 2015.

VII. Adjournment

Meeting adjourned at 1:00 P.M.