

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

September 1, 2015

The following is a summary of the September 1, 2015 Meeting:

- I. Meeting called to order at 9:07 a.m. by Phillip Hale. Members present were Phillip Hale, Ricky O'Quinn, Douglas Deel, and Bennie Johnson. Member/Chairman Randy Moore was absent. Also present were Mary Gibson, Regulatory Boards Administrator, and Patty Varner, DMME Administrative Specialist.**
- II. Opening statement delivered by Phillip Hale.**
- III. Motion made and seconded to accept September 1, 2015, meeting agenda and approve August 11, 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. Review of cases of Virginia certificate holders**

Mary Gibson informed the Board and the file was reviewed of John A. Senter, First Class Mine Foreman Certification #80513, who voluntarily surrendered the certification on January 21, 2015, and recently requested that the certification be reinstated.

Board Decision: The Board voted unanimously to retain the existing stipulation that a voluntary surrender is the same as revoked and requires any future request for the certification to be obtained in accordance with Virginia code Sec. 45.1-161.36 Reexamination. Mr. Senter is now eligible to make application and schedule to take the certification examination, and once requirements are met his certification will be reinstated. He will not be required to appear before the Board.

VI. Open Agenda

Ms. Gibson reported that open session items pertaining to exploring changing the Advanced First Aid retraining expiration date from the end of the month to end of the year; the follow-up on the Cumberland Mountain Community Services and other substance abuse program facilitators' request on the utilization of the grant; and the reciprocity of general miner certification from coal into mineral mining will be tabled for discussion until next month's meeting when Chairman Moore will be in attendance.

The Board discussed concerns of and the need for security at Board meetings. The Board has secured services of Sheriff Deputy at past meetings. The Board voted unanimously that security services be provided at the next Board meeting on October 6, 2015, and to revisit the need for security for every meeting on the meeting agenda. The Board recommended prior to the October 6th meeting that research be done on the costs and legality and have the information available at the meeting.

VII. Next Meeting

Next meeting is scheduled for October 6, 2015.

VIII. Adjournment

Meeting adjourned at 10:30 A.M.