

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

MARCH 5, 2019

The following is a summary of the March Meeting:

- I. Meeting called to order at 9:10 a.m. by Board Chairman, Randy Moore. Members present were Bennie Johnson Jr., Douglas Deel, Phillip Hale and Larance E. Middleton. Also present were DMME Deputy Director, Bradley Lambert; Regulatory Board Administrator, Mary Gibson; DMME Administrative Specialist, Eva Bellamy and DMME Hearings Coordinator, Darlene Gibson.
- II. Motion and seconded to accept March 5, 2019 Meeting Agenda and to approve the February 5, 2019 Meeting Summary by Bennie Johnson, Jr., and Larance E. Middleton, respectively. All members present were in favor to approve.
- III. Motion and seconded to approve the February 19, 2019 Meeting Summary by Phillip Hale and Benny Johnson, Jr. respectively. All members present were in favor to approve.
- IV. Review of Virginia Substance Abuse Cases (Closed Session)
Motion and seconded to approve to enter into Closed Session at 9:15 a.m. by Phillip Hale and Benny Johnson, Jr., 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.
- V. Open Agenda convened at 11:50 a.m.
No review of activities by Regulatory Board Administrator, Mary Gibson.

Meeting was recessed for lunch at 11:55 a.m. by motion and seconded by Bennie Johnson, Jr. and Douglas Deel, respectively. All members present were in favor to approve.

Open Agenda reconvened at 1:00 p.m.

Individual David Scott Inscore of 218 Chickasaw Street, North Tazewell VA was present for the boards' review of Mr. Inscore's Electrician Certificate (54242). David Scott Inscore was sworn in and gave testimony regarding the incident of May 24, 2018 that led to West Virginia temporarily suspending his Electrician Certification on

August 14, 2018. After David Scott Inscore's testimony and further questioning from the board, Mr. Inscore was dismissed from the meeting.

Motion and seconded to approve the determination by the BCME in regards to the Electrical Certification (54242) of David Scott Inscore by Bennie Johnson, Jr and Douglas Deel, respectively. All members present were in favor to approve as follows:

David Scott Inscore will be placed on Probation effective March 5, 2019 and will remain on probation pending the outcome of the final action taken from West Virginia and upon returning before the BCME for their final decision after the review of West Virginia's final decision.

It is noted that Suspension of David Scott Inscore's Electrical Certificate (54242) will be immediate should any further action taken by David Scott Inscore as an Electrician or by others under the watch of David Scott Inscore acting in the capacity of Chief Electrician while employed in the State of Virginia where such action(s) should cause imminent danger to self or others as well as the willful act or knowledge of others under the watch of David Scott Inscore acting in the capacity of Chief Electrician or actions deemed negligent of David Scott Inscore at the discretion of the Mines Divisions Chief of the VA DMME Enforcement Department.

VI. Next Meeting
April 2, 1019

VII. Adjournment
Motion and seconded to adjourn the meeting at 2:10 p.m. by Phillip Hale and Benny Johnson, Jr., respectively.