

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

APRIL 6, 2010

The following is a summary of the April 6, 2010 Meeting:

- I. Meeting called to order at 9:00 AM by Frank Linkous, Chairman. Members present were Frank Linkous, Joseph Buchanan, Gerald Kendrick and Ricky O'Quinn. Member Arvil McConnell, Jr. was absent. Also present were Mary Gibson, Regulatory Boards Administrator and Sharon Pigeon, Assistant Attorney General.**

- II. Opening statement delivered by Frank Linkous, Chairman. Chairman Linkous requested that all present stand in a moment of silence in respect of the miners and their families who experienced great loss resulting from a mine explosion at Massey Energy's Upper Big Branch mine in West Virginia.**

- III. Motions made and seconded to accept April 6, 2010, meeting agenda and approve March 2, 2010, meeting summary. All members were in favor to approve.**

- IV. Review of cases of Virginia certificate holders
John K. Beasley**

The case has been rescheduled to May 4, 2010, meeting, after the informal fact finding conference in April which Mr. Beasley requested on individual violations issued to him.

- V. 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.

- VI. Open Agenda**

Frank Linkous reminded the Board that the advanced first aid requirement which recently was implemented into law will be effective in July. The Division of Mines is preparing procedures to present to the Board for a

matter of record at the next meeting on how to proceed regarding time intervals for surface foreman to obtain the advanced first aid certification.

Mr. Linkous informed the Board that the National Holmes Safety Association meeting will be held in Virginia Beach, Virginia on the first week of June.

Mr. Linkous expressed his appreciation for the Members' continued diligence and time committed to the challenges taken on in the Board's work.

VII. Next Meeting

Next meeting will be May 4, 2010.

VIII. Adjournment

Meeting adjourned at 1:45 PM.