

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

SEPTEMBER 6, 2011

The following is a summary of the September 6, 2011 Meeting:

- I. Meeting called to order at 9:08 AM by Randy Moore, Chairman. Members present were Randy Moore, Gerald Kendrick, Ricky O'Quinn, and Joseph Buchanan and Arvil McConnell, Jr. Also present were Mary Gibson, Regulatory Boards Administrator, Sharon Pigeon, Senior Assistant Attorney General, and Butch Lambert, DMME Deputy Director.**
- II. Opening statement delivered Randy Moore, Chairman.**
- III. Motion made and seconded to accept September 6, 2011, meeting agenda and approve August 2, 2011, 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

Regulatory Board Administrator Mary Gibson informed the Board that Gerald Vanoy had requested to petition the Board today to have his mine foreman reinstated after revocation in 2003 due to non-compliance with the continuing education requirements. He had suffered a back injury, but is now interested in returning to mining. He recently enrolled in a mine foreman certification class to prepare for retaking the examination, but is no longer attending the class. Mr. Vanoy did not appear at the Board meeting.

Board Administrator handed out a copy of Board Actions / Decisions to date for reference.

The Board approved the final response, after Members' input to the draft letter, to Cheryl Robinette of Cumberland Mountain Community Services who, in representing the treatment providers, requested increases in payments for assessments and other areas.

The Board recommended that items for review by the Board which are not scheduled substance abuse cases also be assigned docket numbers on the agenda in order to be read into the record for Board business / action.

VI. Next Meeting

Next meeting will be October 4, 2011.

VII. Adjournment

Meeting adjourned at 11:45 AM.