

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

JANUARY 4, 2011

The following is a summary of the January 4, 2011 Meeting:

- I. Meeting called to order at 9:00 AM by Frank Linkous, Chairman. Members present were Frank Linkous, Joseph Buchanan, Arvil McConnell, Gerald Kendrick and Ricky O'Quinn. Also present was Mary Gibson, Regulatory Boards Administrator and Sharon Pigeon, Senior Assistant Attorney General.**
- II. Opening statement delivered by Frank Linkous, Chairman.**
- III. Motion made and seconded to accept January 4, 2011, meeting agenda and approve December 7, 2010, 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

Discussion was had regarding submittal of updated information (i.e. telephone numbers and current addresses) for contact for random drug screens. The decision of the Board was to make or attempt to make contact twice with the client to obtain this information. If unable to make contact, certifications would be suspended pending notification/submittal of new contact information. Once information was received, individuals would be notified by certified letter regarding the random drug screen.

Discussion was also had regarding Alcohol Drug Screen and Substance Abuse Reports. Board decision was that receipt of any report would result in suspension of certifications.

There was discussion regarding Kentucky and Virginia reciprocity. Board agreed that the procedure stand regarding suspension/revocation of certifications in one state would result in not obtaining certifications in the other state.

VI. Next Meeting

Next meeting will be February 1, 2011.

VII. Adjournment

Meeting adjourned at 3:30 PM.