

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

March 2, 2021

The following is a summary of the March Meeting:

- I. The Meeting was called to order at 9:11 a.m. by Board Chairman, Randy Moore. Members polled indicating their presence were Randy Moore, Bennie Johnson, Jr., Phillip Hale, Michael Stiltner and Larance Eugene Middleton. Also present were Eva Stanley and DMME Hearings Coordinator, Darlene Gibson.
- II. Motion and seconded to accept the March 2, 2021 meeting agenda by Bennie Johnson, Jr. and Eugene Middleton, respectively. All members present were in favor to approve.
- III. Motion and seconded to approve the November 10, 2020 meeting summary by Bennie Johnson, Jr. and Phillip Hale, respectively. All members present were in favor to approve.

****It is noted due to the COVID-19 pandemic, all members and attendees were all wearing mask and was socially distanced.***

- IV. Review of the Virginia Substance Abuse Cases (Closed Session)
Motion and seconded to approve to enter into Closed Session at 9:13 a.m. by Phillip Hale and Bennie 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.

****It is noted due to the COVID-19 pandemic, all attendees remained in their individual vehicles until called into the meeting. All attendees were all wearing mask and was socially distanced.***

- V. Open Session reconvened at 9:38 a.m. by the reading of the certification statement of compliance with the Virginia Freedom of Information Act by Bennie Johnson, Jr. Phillip Hale, Acting Chairman confirmed the statement to be true. The following Board members were polled by Darlene Gibson certifying the statement to be true as follows: Randy Moore (Absent), Bennie Johnson Jr., Phillip Hale, Michael Stiltner and Larance Eugene Middleton.

*****It is noted Chairman, Randy Moore, was required to leave the meeting after returning to Open Session and Phillip Hale was Acting Chairman.***

Summary of Closed Session Activity was read into record by Eva Stanley for the following docket items:

#11032-06 Failed to appear
#11060-11 Failed to appear
#12038-08 Failed to appear
#17213-02 Failed to appear
#19092-01 Failed to appear
#20035-02 Failed to appear
#20098-01 Failed to appear
#21033-01 Failed to appear
#21061-01 Failed to appear
#21061-02 Appeared

Motion and seconded to approve by Bennie Johnson Jr. and Eugene Middleton, respectively; with all members present in favor to approve for Eva Stanley to follow-through on the actions agreed upon during closed sessions.

VI. Open Agenda items were discussed as follows as presented by Eva Stanley:

No open agenda items were discussed.

VII. Next Meeting
April 6, 2021

VIII. Adjournment
Motion and seconded to adjourn the meeting at 9:43 a.m. by Michael Stiltner and Phillip Hale, respectively. All members present were in favor to approve.