

# BOARD OF COAL MINING EXAMINERS

## SUMMARY OF MEETING

APRIL 1, 2008

**The following is a summary of the April 1, 2008 Meeting:**

**I. Meeting called to order at 9:10 AM by Frank Linkous, Chairman. Members present were Gerald Kendrick, Joseph Buchanan, Arvil McConnell, Jr. and Ricky O'Quinn. All Board members were present and quorum was made. Also present were George "Bo" Willis, Director of DMME, Benny R. Wampler, DMME Deputy Director, Sharon Pigeon, Senior Assistant Attorney General and Mary Gibson, Regulatory Boards Administrator.**

**II. Opening statement delivered by Frank Linkous, Chairman**

**III. Motions made and seconded to accept April 1, 2008 meeting agenda and approve March 4, 2008 meeting summary. All members were in favor to approve.**

**IV. Open Agenda – Bates Contracting and Construction, Inc.**

Daniel and Cecelia Bates appeared before the Board to address concerns for the number of miners who have screened positive for substance abuse after having been placed in Virginia's coal mines. Bates Contracting agreed to voluntarily work with mine operators to include in their placement procedures a random drug screening within 30 days of placement of contract miners.

**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**

There were no items for discussion in open session.

**VII. Next Meeting**

Next meeting will be May 6, 2008.

**VIII. Adjournment at 1:03 PM**