

MAINE FUEL BOARD  
MEETING MINUTES

Meeting Date: May 26, 2023  
Meeting Location: Dept. of Marine Resources Marquardt Building, Room 118, 32 Blossom Lane,  
Augusta, ME  
Time Meeting Began: 9:02 a.m.

**I. CALL TO ORDER**

Members present:

Mark Bossie, Chairman  
Paul McClay  
Mark Anderson  
Loren Gordon  
David Foster  
Beau Libby

Members absent:

Maynard "Skip" Waltz  
Richard McCarthy

Staff Present:

Matthew Kaply, Board Manager  
Dale Hersey, State Senior Fuel Inspector  
Matthew Fournier, Planning and Research Assoc. II

AAG Present:  
Timothy Steigelman

**II. AGENDA MODIFICATION AND APPROVAL**

A motion was made to approve the agenda.

Motion: David Foster  
Second: Paul McClay  
Voted 6 in favored, none opposed. Motion carried.

**III. MINUTES REVIEW AND APPROVAL**

A motion was made to approve the minutes of the February 9, meeting.

Motion: David Foster  
Second: Mark Anderson  
Voted 6 in favored, none opposed. Motion carried.

#### **IV. PUBLIC COMMENT ON RULEMAKING**

A motion was made to accept the comment suggestion, changing the language of rule 4.7.4.2 "... or Board approved training with testing".

Motion: David Foster

Second: Mark Anderson

Voted 6 in favored, none opposed. Motion carried.

A motion was made for the Board to adopt the proposed rules as amended.

Motion: David Foster

Second: Loren Gordon

Voted 6 in favored, none opposed. Motion carried.

#### **V. REMOTE PARTICIPATION POLICY**

A motion was made to adopt the remote participation policy that was presented by Board staff.

Motion: David Foster

Second: Loren Gordon

Voted 6 in favored, none opposed. Motion carried.

#### **VI. COMPLAINT PRESENTATIONS**

a. 2022-FUE-18443

A motion was made to move the complaint to an adjudicatory hearing.

Motion: David Foster

Second: Mark Anderson

Voted 6 in favored, none opposed. Motion carried.

b. 2022-FUE-18527

A motion was made to dismiss the complaint based on a lack of evidence of violations of the Boards Laws and Rules.

Motion: Beau Libby

Second: David Foster

Voted 6 in favored, none opposed. Motion carried.

c. 2022-FUE-18704

A motion was made to dismiss the complaint based on a lack of evidence of violations of the Boards Laws and Rules.

Motion: Beau Libby

Second: Loren Gordon

Voted 5 in favored, none opposed (David Foster, Recused). Motion carried.

d. 2023-FUE-18840

A motion was made to dismiss the complaint based on a lack of evidence of violations of the Boards Laws and Rules.

Motion: David Foster

Second: Beau Libby

Voted 6 in favored, none opposed. Motion carried.

e. 2023-FUE-18868

A motion was made to offer a consent agreement with \$100.00 civil penalty per offense, for a total of \$3,700 to be paid within 6 months of the fully executed consent agreement. If not accepted, move the complaint to an adjudicatory hearing.

Motion: David Foster

Second: Loren Gordon

Voted 5 in favored, none opposed (Mark Anderson, Recused). Motion carried.

f. 2023-FUE-18891

A motion was made to offer a consent agreement with \$500.00 civil penalty per offense, for a total of \$7,500 to be paid within 1 year of the fully executed consent agreement. If not accepted, move the complaint to an adjudicatory hearing.

Motion: Mark Anderson

Second: Paul McClay

Voted 6 in favored, none opposed. Motion carried.

g. 2023-FUE-18932

A motion was made to refer the complaint to the Attorney General's Office for unlicensed work practice.

Motion: Mark Anderson

Second: Beau Libby

Voted 6 in favored, none opposed. Motion carried.

## **VII. LICENSE APPLICATION PRESENTATION**

### **a. Michael Brine – Propane and Natural Gas License and Apprentice Oil License**

A motion was made that the applicant has provided sufficient proof of rehabilitation to warrant the public's trust for all his pending license applications (including a journeyman license with 6 months as a licensed apprentice) and directing Board staff to issue the pending apprentice and propane natural gas licenses.

Motion: Loren Gordon

Second: Beau Libby

Voted 5 in favored, none opposed (Mark Anderson, Recused). Motion carried.

### **b. Samuel Mathers – Apprentice Oil License**

A motion was made that the applicant has provided sufficient proof of rehabilitation to warrant the public's trust and to directing Board staff to issue the apprentice license.

Motion: David Foster

Second: Mark Anderson

Voted 6 in favored, none opposed. Motion carried.

### **c. Scott Craig – Propane and Natural Gas License Renewal**

A motion was made to offer a Consent Agreement with a civil penalty of \$500 for not reporting a criminal conviction to the Board within 10-day, after previously entering a consent agreement in 2017 for the same violation from a prior conviction. The civil penalty to be paid within 6 months of the fully executed CA. If not accepted, move to an adjudicatory hearing.

Motion: David Foster

Second: Paul McClay

Voted 6 in favored, none opposed. Motion carried.

**VIII. BOARD'S SENIOR STATE FUEL INSPECTOR'S REPORT** – Dale Hersey gave the Inspector's Report.

**IX. BOARD MANAGER'S REPORT** – Matt Kaply gave the Board Manager's report.

## **X. OPPORTUNITY FOR PUBLIC COMMENT**

None.

## **XI. ADJOURN**

A motion was made to adjourn at 11:18 a.m.

Motion: Loren Gordon

Second: Paul McClay

Voted 6 in favored, none opposed. Motion carried.