

MAINE FUEL BOARD  
MEETING MINUTES

Meeting Date: December 14, 2023  
Meeting Location: Office of Professional and Occupational Regulation, 76 Northern Avenue,  
Gardiner, ME

Time Meeting Began: 9:00 a.m.

**I. CALL TO ORDER**

Members present:

Mark Bossie, Chairman  
Paul McClay  
David Foster  
Mark Anderson  
Richard McCarthy  
Maynard "Skip" Waltz

Members absent:

Beau Libby  
Loren Gordon

Staff Present:

Karen Ross, Interim Board Manager  
Dale Hersey, State Senior Fuel Inspector  
Peter Holmes, Executive Director  
Kristin Racine, Deputy Director  
Matthew Fournier, Planning and Research Assoc. II

AAG Present:  
Katie Johnson

**II. AGENDA MODIFICATION AND APPROVAL**

A motion was made to approve the agenda as modified (Item VIII removed from the agenda).

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

### **III. MINUTES REVIEW AND APPROVAL**

A motion was made to approve the minutes of the October 12, 2023 meeting.

Motion: Paul McClay

Second: David Foster

Voted 5 in favored, none opposed, and 1 abstain (Richard McCarthy). Motion carried.

### **IV. ADJUDICATORY HEARING**

a. 2023-FUE-19029 Jerome Scola

A motion was made finding that by the preponderance of the evidence both violations of the Board's rule was made by the licensee.

Motion: David Foster

Second: Skip Waltz

Voted 6 in favored, none opposed. Motion carried.

A motion was made as discipline is issue a reprimand for the two violations, with no civil penalties.

Motion: David Foster

Second: Skip Waltz

Voted 6 in favored, none opposed. Motion carried.

A motion was made to delegate authorization for the Board Chair to sign the Decision and Order.

Motion: Richard McCarthy

Second: David Foster

Voted 6 in favored, none opposed. Motion carried.

### **V. COMPLAINT PRESENTATIONS**

a. 2023-FUE-19153

A motion was made to dismiss the complaint.

Motion: David Foster

Second: None

Motion failed.

A motion was made to table the complaint and direct staff request proof of payment made by the complainant.

Motion: Richard McCarthy

Second: David Foster

Voted 6 in favored, none opposed. Motion carried.

b. 2023-FUE-19221

A motion was made to dismiss based on no violation of the Board's laws or rules.

Motion: Mark Bossie

Second: David Foster

Voted 4 in favored, 2 opposed. Motion carried.

c. 2023-FUE-19397

A motion was made to dismiss based on no violation of the Board's laws or rules.

Motion: David Foster

Second: Paul McClay

Voted 6 in favored, none opposed. Motion carried.

d. 2023-FUE-19468

A motion was made to set the matter for adjudicatory hearing.

Motion: Skip Waltz

Second: David Foster

Voted 6 in favored, none opposed. Motion carried.

e. 2023-FUE-19483 (Presented together with V. f.)

f. 2023-FUE-19536

A motion was made to set both matters for adjudicatory hearing and offer a consent agreement to voluntarily accept revocation the propane and natural gas license, and a \$1,000.00 civil penalty per 27 violations outlined in the Order for Corrections (for a total of \$27,000), to be paid within 1 year.

Motion: David Foster

Second: Mark Anderson

Voted 6 in favored, none opposed. Motion carried.

## **VI. LICENSE APPLICATION PRESENTATION**

a. Daniel Konopka – Oil Energy Auditor License

A motion was made to grant the license on the basis that the applicant had shown proof of sufficiently rehabilitated to warrant the public's trust.

Motion: David Foster

Second: Mark Anderson

Voted 6 in favored, none opposed. Motion carried.

## **VII. EXAM APPLICATION REVIEW**

a. Logan Blake – Propane and Natural Gas Appliance Connection and Service Examination

A motion was made to approve the examination based on out of state work experience.

Motion: Skip Waltz

Second: David Foster

Voted 6 in favored, none opposed. Motion carried.

**IX. BOARD'S SENIOR STATE FUEL INSPECTOR'S REPORT** – Dale Hersey gave the Senior Report.

**XI. BOARD MANAGER'S REPORT** – Peter Holmes gave the Board Manager's report.

**XII. OPPORTUNITY FOR PUBLIC COMMENT**

None.

**X. ADJOURN**

A motion was made to adjourn at 1:02 p.m.

Motion: David Foster

Second: Richard McCarthy

Voted 6 in favored, none opposed. Motion carried.