|  |  |  |
| --- | --- | --- |
|  | state of maineDepartment of Professionaland Financial RegulationOFFICE OF LICENSING & REGISTRATION**oil and solid fuel board** 35 state house stationaugusta, maine04333-0035(207) 624-8608 |  |
| Janet T. Mills |  | ANNE L. HEAD |
| GOVERNOR |  | DIRECTOR |

MAINE FUEL BOARD

OFFICIAL MEETING MINUTES

Meeting Date: 4/11/24

Meeting Location: Pursuant to Section 1, Subsection C of the Board’s Remote Participation policy, and 1 M.R.S. § 403-B, the meeting was fully remote and there was no physical location.

Time Meeting Began 9:01 a.m.

Time Meeting Adjourned: 10:59 a.m.

1. **CALL TO ORDER**

 Members Present

 Mark Bossie

 David Foster

 Loren Gordon

 Maynard (Skip) Waltz

 Mark Anderson

 Beau Libby

 Paul McClay

 Richard McCarthy

 Members Absent: n/a

 Staff Present

Karen Ross, Interim Board Manager

Peter Holmes, Executive Director

Kristin Racine, Deputy Director

Tyler Robinson, Board Staff

Bruce Bristow, Inspector

Paul Moody, Inspector

Cecil Hafford, Inspector

 AAG Present

 Tim Steigelman, AAG

 Tom Sturtevant, AAG

1. **AGENDA MODIFICATIONS & APPROVAL**

**Agenda was accepted as written.**

Motion made by: David Foster

Seconded by: Paul McClay

8 in Favor / 0 Opposed

Motion carries

1. **MINUTES REVIEW & APPROVAL**

Minutes from the 2/8/24 meeting were accepted as written

Motion made by: Paul McClay

Seconded by: David Foster

8 in Favor / 0 Opposed

Motion carries

1. **COMPLAINT PRESENTATIONS**
2. 2023-FUE-19148

Board voted to dismiss and refer to the Maine Plumbers’ Examining Board for determination as to whether there is sufficient evidence of unlicensed practice.

Motion made by: David Foster

Seconded by: Richard McCarthy

8 in Favor / 0 Opposed

Motion carries

1. 2023-FUE-19149

Board voted to dismiss this complaint & refer it to the Maine Electricians’ Examining Board for determination as to whether there is sufficient evidence of unlicensed practice

Motion made by: David Foster

Seconded by: Mark Anderson

8 in favor / 0 Opposed

Motion carries

1. 2024-FUE-19813

Board voted to offer set the matter for a hearing and offer a consent agreement containing the following discipline-

* $750 civil penalty to be paid within 90 days of the signed consent agreement containing the following discipline-
* 14-day suspension of all licenses, effective immediately and
* Conditions of probation:
1. Within 90 days, submit certification from a physician that adequately informs the Board whether licensee can continue to work safely and effectively as a fuel technician.
2. Complete additional training on the System 2000 boiler or another substantially similar course to be approved in advance by the Board’s Chair. This course should be approximately 8 hours and needs to be completed within 90 days.

Motion made by: Richard McCarthy

Seconded by: Paul McClay

8 in favor / 0 Opposed

Motion carries

1. 2023-FUE-19153

Board voted to dismiss the complaint as there was insufficient evidence of a violation of the Board’s laws and rules.

Motion made by: David Foster

Seconded by: Loren Gordon

8 in Favor / 0 Opposed

Motion carries

1. 2024-FUE-19817

Board voted to dismiss this complaint and recommended that the matter be referred to the Office of the Attorney General, Bureau of Consumer Complaints.

Motion made by: David Foster

Seconded by: Paul McClay

8 in Favor / 0 Opposed

Motion carries

1. **LITIGATION UPDATE FROM ASSISTANT ATTORNEY GENERAL, TIM**

 **STEIGLEMAN**

 AAG Steigelman presented an update on State of Maine v. Don J. Dube, Superior Court

 Docket No. CV-23-135

1. **PRESENTATION OF DELEGATION ORDER RELATING TO LETTERS OF GUIDANCE**

The Board was presented with a Limited Delegation of Authority to the Board’s Manager to Resolve Complaints and Approve Applications for Renewal of Licensure with Letters of Guidance to Educate Licensees, or Offer Consent Agreements Regarding Violations of 10 M.R.S. 8003-G Involving Failure to Report Criminal Convictions and/or Disciplinary Action Within 10 Days.

Motion to Adopt made by: Paul McClay

Seconded by: David Foster

8 in Favor/0 Opposed

Motion carries

1. **STATE FUEL INSPECTOR’S REPORT**

Bruce Bristow delivered the report.

1. **BOARD MANAGER’S REPORT**
2. **OPPORTUNITY FOR PUBLIC COMMENT**

 There were no public comments.

1. **ADJOURNMENT**

Motion to adjourn made by: Mark Anderson

Seconded by: Richard McCarthy

8 in Favor/0 Opposed