



STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
OFFICE OF LICENSING & REGISTRATION
OIL AND SOLID FUEL BOARD
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035
(207) 624-8608

Janet T. Mills
GOVERNOR

ANNE L. HEAD
DIRECTOR

MAINE FUEL BOARD
OFFICIAL MEETING MINUTES

Meeting Date: 06/13/24
Meeting Location: The meeting was a hybrid format: conducted in-person at Gardiner, Maine, and pursuant to Section 1, Subsection C of the Board's Remote Participation policy, and 1 M.R.S. § 403-B, available remotely.

Time Meeting Began 9:00 a.m.
Time Meeting Adjourned: 12:15 p.m.

I. CALL TO ORDER

Members Present (all in-person at Gardiner, Maine)

Mark Bossie
David Foster
Loren Gordon
Maynard (Skip) Waltz
Mark Anderson
Paul McClay

Members Absent: Beau Libby & Richard McCarthy

Staff Present

Karen Ross, Interim Board Manager
Peter Holmes, Executive Director
Tyler Robinson, Board Staff
Dale Hersey, Senior Fuel Inspector
Bruce Bristow, Inspector
Paul Moody, Inspector

AAG Present

Tom Sturtevant, AAG

II. AGENDA MODIFICATIONS & APPROVAL

Agenda was accepted as written.

III. MINUTES REVIEW & APPROVAL

Minutes from the 4/11/24 meeting were accepted as written

Motion made by: David Foster

Seconded by: Paul McClay

6 in Favor / 0 Opposed

Motion carries

IV. ADJUDICATORY HEARING

2023-FUE-19468 / Enman, Elijah

Mark Andersen recused himself

Board staff was represented by AAG Samantha Morgan

Mark Terrison, Esq., was the presiding Hearing Officer

Inspector Bruce Bristow found 12 violations of the Boards Laws & Rules. At the conclusion of the evidentiary hearing, the Board voted on each violation, finding 11 violations to be substantiated by the preponderance of evidence, as follows:

Violation #1

Motion made by David Foster

Seconded by Loren Gordon

5 in favor / 0 opposed

Motion carried

Violation #2

Motion made by David Foster

Seconded by Loren Gordon

5 in favor / 0 opposed

Motion carried

Violation #3

Motion made by David Foster

Seconded by Loren Gordon

5 in favor / 0 opposed

Motion carried

Violation #4

Motion made by David Foster

Seconded by Loren Gordon

5 in favor / 0 opposed

Motion carried

Violation #5

Motion made by David Foster

Seconded by Loren Gordon

5 in favor / 0 opposed

Motion carried

Violation #6

Motion made by David Foster
Seconded by Loren Gordon
5 in favor / 0 opposed
Motion carried

Violation #7

Motion made by David Foster
Seconded by Loren Gordon
5 in favor / 0 opposed
Motion carried

Violation #8

Motion made by David Foster
Seconded by Loren Gordon
5 in favor / 0 opposed
Motion carried

Violation #9

Motion made by David Foster
Seconded by Loren Gordon
5 in favor / 0 opposed
Motion carried

Violation #10

Motion made by David Foster
Seconded by Loren Gordon
5 in favor / 0 opposed
Motion carried

Violation #11 – Board voted that the by the preponderance of evidence, this violation did not exist

Motion made by David Foster
Seconded by Loren Gordon
5 in favor / 0 opposed¹ Motion carried

Violation #12

Motion made by David Foster
Seconded by Loren Gordon
5 in favor / 0 opposed
Motion carried

Board voted to issue a censure and impose a civil penalty of \$100 per violation, for a total of \$1,100, to be paid within 6 months from the date of the Decision. The Board also voted to allow the Board Chair to sign the Decision.

Motion made by David Foster
Seconded by Paul McClay
5 in favor / 0 opposed
Motion carried

V. COMPLAINT PRESENTATIONS

a) 2024-FUE-19929

Board voted to offer a Consent Agreement with a warning, civil penalty of \$500 (payable within 90 days of the consent agreement), and set the matter for hearing.

Motion made by: Mark Anderson
Seconded by: Mark Bossie
6 in favor / 0 opposed
Motion carries

b) 2024-FUE-19978

The Board voted to issue a letter of guidance and dismiss the complaint. Letter to remain in the licensee's file for 1 year.

Motion made by: Skip Waltz
Seconded by: Loren Gordon
6 in favor / 0 opposed
Motion carries

VI. LICENSE APPLICATION REVIEW

PNT16054

Issue the license, flag account to run an SBI report at the time of renewal.

Motion made by: Skip Waltz
Seconded by: David Foster
4 in favor / 2 opposed
Motion carries

VII. STATE FUEL INSPECTOR'S REPORT

Oral report provided by Senior Inspector Dale Hersey.

VIII. BOARD MANAGER'S REPORT

Oral report provided by Interim Board Manager Karen Ross.

IX. OPPORTUNITY FOR PUBLIC COMMENT

There were no public comments.

X. ADJOURNMENT – 12:12 p.m.

Motion to adjourn made by: Skip Waltz
Seconded by: Loren Gordon
6 in Favor / 0 Opposed
Motion carries