

# PENNSYLVANIA LIQUOR CONTROL BOARD

## MEETING MINUTES [Watch the video recording.](#)

WEDNESDAY, APRIL 5, 2023

### NORTHWEST OFFICE BUILDING, CONFERENCE ROOM 117, HARRISBURG, PA MICROSOFT TEAMS MEETING

Tim Holden, Chairman  
Mary Isenhour, Board Member  
Randy Vulakovich, Board Member  
Michael Demko, Executive Director  
Michael Vigoda, Board Secretary

[Office of Chief Counsel](#)  
[Bureau of Licensing](#)  
[Bureau of Human Resources](#)  
[Bureau of Accounting & Purchasing](#)

[Office of Retail Operations](#)  
[Bureau of Product Selection](#)  
[Financial Report](#)  
[Other Issues](#)

### PUBLIC MEETING – 11:00 A.M

**CALL TO ORDER** ..... *Chairman Holden*

Pledge of Allegiance to the Flag

Board Secretary Michael Vigoda indicated that a quorum of the Board was present and Chairman Holden called the meeting to order.

**OLD BUSINESS**..... *Secretary Vigoda*

- A. Motion to approve previous Board Meeting Minutes of the March 22, 2023 meeting.

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve previous Board Meeting Minutes.

### **PUBLIC COMMENT**

The Board has reserved 10 minutes for public comment.

No public comment was made.

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**NEW BUSINESS**

*From the Office of Chief Counsel.....Rodrigo Diaz, Chief Counsel*

- (1) **Adoption of Advisory Notice No. 9 (14th Revision)**                      Amendment of Advisory Notice

Board Member Isenhour called on Chief Counsel Rodrigo Diaz to offer an explanation of the proposed changes. Mr. Diaz explained that distributors and importing distributors are prohibited from engaging in any other business unless approved by the Board. Historically, the Board has used Advisory Notice No. 9 to provide information to distributors and importing distributors regarding a list of items that are approved for sale. Usually, the Board updates this Advisory Notice when adding an item.

In this case, this adoption clarifies that products containing Delta 8 THC as a additive can be sold if the product is already on the approved list. This revision adds a new subsection, which explains that sales of a product containing Delta 8 THC which is already on the list of approved items is permitted, so long as the product is not making any health claims. Mr. Diaz explained that the Pennsylvania Department of Agriculture was consulted and agreed that products containing Delta 8 THC are permissible to sell. Chairman Holden asked if there were any concerns from the Bureau of Liquor Control Enforcement and Mr. Diaz stated there were none.

**Motion Made:**                      Board Member Isenhour  
**Seconded:**                         Chairman Holden

**Board Decision:**                 The Board voted (2-1) to approve the adoption of Advisory Notice No. 9 (14<sup>th</sup> Revision). Board Member Vulakovich voted in the negative.

- (2) **Orion Restaurant Group III Inc. v. Pennsylvania Liquor Control Board**                      Appeal of Commonwealth Court Decision  
205 West 4th Street  
Bethlehem, Pennsylvania 18015-1501  
License No. R-8825  
LID 68341  
Docket No. C-48-CV-2022-4995 (Northampton County)

**Motion Made:**                      Board Member Isenhour  
**Seconded:**                         Board Member Vulakovich

**Board Decision:**                 Unanimously agreed (3-0 vote) to not appeal this case to Commonwealth Court

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- (3) **PM Holdings Management, LLC** ALJ Appeal  
**t/a Forest House Hotel**  
10410 Buffalo Road  
Mifflinburg, PA 17844-7873  
License No. H-3377/LID 73139  
Citation No. 21-0231
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.
- (4) **CDRP, Inc.** ALJ Appeal  
**t/a Infusion Nite Club & Grill**  
518-522 Main Street  
Clarion, PA 16214-1136  
License No. R-14817/LID 93912  
Citation No. 20-1233
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.
- (5) **CDRP, Inc.** ALJ Appeal  
**t/a Infusion Nite Club & Grill**  
518-522 Main Street  
Clarion, PA 16214-1136  
License No. R-14817/LID 93912  
Citation No. 21-0111
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.
- (6) **CDRP, Inc.** ALJ Appeal  
**t/a Infusion Nite Club & Grill**  
518-522 Main Street  
Clarion, PA 16214-1136  
License No. R-14817/LID 93912  
Citation No. 21-0145
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.

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- (7) **CDRP, Inc.** ALJ Appeal  
**t/a Infusion Nite Club & Grill**  
518-522 Main Street  
Clarion, PA 16214-1136  
License No. R-14817/LID 93912  
Citation No. 21-0628
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.
- (8) **Newmoyer Enterprises, Inc.** ALJ Appeal  
**t/a Cocalico Tavern**  
1015 North Reading Road  
Stevens, PA 17578-9802  
License No. R-18692/LID 45441  
Citation No. 21-0144
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.
- (9) **Newmoyer Enterprises, Inc.** ALJ Appeal  
**t/a Cocalico Tavern**  
1015 North Reading Road  
Stevens, PA 17578-9802  
License No. R-18692/LID 45441  
Citation No. 21-0296
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.
- (10) **Newmoyer Enterprises, Inc.** ALJ Appeal  
**t/a Cocalico Tavern**  
1015 North Reading Road  
Stevens, PA 17578-9802  
License No. R-18692/LID 45441  
Citation No. 21-0753
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.

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- (11) **Taverna, Inc.** ALJ Appeal  
**t/a Taverna 5450**  
5450 Fairfield Road  
Fairfield, PA 17320-18565  
License No. R-18632/LID 64214  
Citation No. 20-1142
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.
- (12) **DW's Deli & Hoagie, Inc.** ALJ Appeal  
335 East Grand Avenue  
Tower City, PA 17980-1125  
License No. R-20110/LID 70600  
Citation No. 21-0016
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.
- (13) **DW's Deli & Hoagie, Inc.** ALJ Appeal  
335 East Grand Avenue  
Tower City, PA 17980-1125  
License No. R-20110/LID 70600  
Citation No. 21-0058
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.
- (14) **The Bear Pen, Inc.** ALJ Appeal  
**t/a Dillys**  
12807 Dunnings Highway  
Claysburg, PA 16625-9709  
License No. R-10990/LID 58949  
Citation No. 20-0887
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.

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*From the Bureau of Licensing .....Tisha Albert, Director of Regulatory Affairs  
Andrew Stuffick, Director, Bureau of Licensing*

- (1) **Cully’s Tavern, LLC** Request for Hearing after  
R-10701 (LID No. 109776) Case No. 22-9126 Administrative Cancellation –  
231 West Main Street Person-to-Person  
Ridgway, Elk County Transfer – Restaurant

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to hold the application.

- (2) **The Kitchen of Ligonier, LLC** “Intermunicipal” Double Transfer  
**t/a The Kitchen on Main** & Request for Interior  
R-19122 (LID No. 112614) Case No. 22-9203 Connections with Another  
136 East Main Street Business – Restaurant  
Ligonier, Westmoreland County

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve the transfer and request for interior connection with another business.

- (3) **Sassamansville Fire Co. No. 1** Renewal – Catering Club  
CC-5382 (LID No. 3912) Case No. 21-9056  
1865 Hoffmanville Road, P. O. Box 255  
New Hanover Township  
Sassamansville, Montgomery County

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve the renewal.

- (4) **Sin Clair Culinary, LLC** Requests for Hearing after  
**t/a Coccothe** Revocation and *Nunc Pro Tunc* –  
R-21183 (LID No. 72574) Case No. 22-9129 Renewals, Validations &  
545 Beaver Street Extension of  
Sewickley, Allegheny County Safekeeping – Restaurant

**Motion Made:** Board Member Isenhour

Chairman Holden asked if there was anyone in the listening audience representing Sin Clair Culinary, LLC who wished to be recognized. There was no response.

**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the revocation and the license remains revoked due to failure to submit required documentation.

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- (5) **White Haven 940 Plaza, LLC** “Intermunicipal” Double Transfer  
**t/a 940 Plaza** & Request for Interior  
R-15124 (LID No. 109411) Case No. 22-9149 Connections with Another  
601 Church Street Business - Restaurant  
White Haven, Luzerne County

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve the transfer and request for an interior connection with another business.

- (6) **Burning Bridge Tavern, LLC** Renewal – District 2  
H-4122 (LID No. 64610) Case No. 2022-64610  
100-108 Hellam Street  
Wrightsville, York County

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to hold for a conditional licensing agreement.

- (7) **Farrell Sportsman Club, Inc.** Renewal – District 7  
C-1017 (LID No. 61331) Case No. 2021-61331  
816 Emerson Avenue  
Farrell, Mercer County

**Motion Made:** Board Member Isenhour

Chairman Holden asked if there was anyone in the listening audience representing Farrell Sportsman Club, Inc. who wished to be recognized. There was no response.

**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to refuse the renewal.

- (8) **Hart J. Distributor, Inc.** Renewal – District 6  
**t/a RJs Beer Warehouse**  
D-277 (LID No. 69728) Case No. 2022-69728  
611 Pittsburgh Road  
Uniontown, Fayette County

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to hold for a conditional licensing agreement.

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- (9) **Jaybhavu Beverage, LLC** Renewal – District 4  
**t/a Mac’s Neighborhood Beverage**  
D-1769 (LID 96222) Case 2022-96222  
511 Limekiln Pike  
Maple Glen, Montgomery County
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to hold for a conditional licensing agreement.
- (10) **Kingston Resorts International, Inc.** Renewal – District 8  
**t/a Rush Inn**  
R-14753 (LID No. 72622) Case No. 2022-72622  
220 Zerby Avenue  
Kingston, Luzerne County
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to hold for a conditional licensing agreement.
- (11) **James V. Miller** Renewal – District 6  
**t/a McPatton’s Irish Pub**  
R-11578 (LID No. 24046) Case No. 2022-24046  
237 N Gallatin Avenue  
Uniontown, Fayette County
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to hold for a conditional licensing agreement.
- (12) **New Sheffield Café, Inc.** Renewal – District 6  
**t/a New Sheffield Café**  
R-5826 (LID No. 29281) Case No. 2022-29281  
3154 Brodhead Road  
Aliquippa, Beaver County
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to hold for a conditional licensing agreement.



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**(13) Tay Ray J, LLC** Renewal – District 6  
**t/a TJ Beer Warehouse**  
D-2342 (LID No. 71517) Case No. 2022-71517  
490 Willowbrook Plaza  
Belle Vernon, Westmoreland County

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve the renewal.

*From the Bureau of Human Resources ..... Jason Lutcavage, Director of Administration  
Jennifer Haas, Director, Bureau of Human Resources*

Personnel Actions

There were 21 personnel actions presented for consideration.

- (1) Nicole Benson – Removal**
- (2) Shaun Birton - Removal**
- (3) Wesley Bond – Removal**
- (4) Glenn Brown - Removal**
- (5) Nicholas Chabak – Removal**
- (6) Kenjra Chance – Affirm Removal**
- (7) Danika Johnson – Affirm Removal**
- (8) Scott Karrasch – Removal**
- (9) Jason Leinheiser – Removal**
- (10) Katelyn Long – Removal**
- (11) Anthony Lutecki – Removal**
- (12) Anthony Mosley – Affirm Removal**
- (13) Nicole Mainardi – Removal**
- (14) Liana Musselman – Removal**
- (15) Gregory Myers – Affirm Removal**

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- (16) **Joseph Nemeth – Removal**
- (17) **Trent Polk – Affirm Removal**
- (18) **Kevin Pysniak – Removal**
- (19) **Robin Reno - Removal**
- (20) **Devin Smith – Removal**
- (21) **Teresa Tencza - Removal**

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve the recommendations from the Bureau of Human Resources.

*From the Bureau of Accounting & Purchasing .....Michael Demko, Executive Director  
Elizabeth Brassell, Director of Policy and Communications  
Ijeoma Ezekoye, Director, Bureau of Financial Management & Analysis*

Procurement Actions:

- (1) **Hearing Examiner Services Renewal** – Represent the Board in the capacity of a hearing examiner.

Procured via PO 80000760 Option Year – **VENDOR: Jodi Isenberg** – **TERM:** One year for period 6/14/2023 through 6/13/2024 - **\$150,000.00 estimated cost.**

- (2) **Professional Services** – Genesys Cloud Services, Inc. professional services and contracted resources to deploy the DaVinci Connector for ServiceNow for Engage Cloud to PLCB’s Engage Cloud tenant.

Procured via DGS Contract #4400015717 – **Genesys Cloud Services, Inc.** – **TERM:** Two years - **\$83,440.00 estimated cost** (Milestone One \$49,560.00; Production Support \$7,000; First Year License to Use Solution \$13,440.00; and Second Subscription Year Pricing \$13,440.00.)

- (3) **IBM Flash System 7300 Storage Array** - The acquisition of the IBM FS7300 storage array will provide the storage amount necessary to accommodate our existing needs, as well as future growth, along with a significant increase in performance.

Procured via Spot Bid – **VENDOR: Pomeroy Technologies, LLC** - **\$130,568.54 estimated cost.**

Inter-Agency Charges:

None

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**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve the recommendations from the Bureau of Accounting and Purchasing.

*From the Office of Retail Operations.....Michael Demko, Executive Director*

- (1) #0212 – 959 Liberty Avenue, Pittsburgh  
Amendment
- (2) #0281 – 1706 Mount Royal Boulevard, Glenshaw  
Amendment
- (3) #0288 – Caste Village Shopping Center, 5301 Grove Road, Pittsburgh  
Amendment
- (4) #0299 – Penn Hills Center, 11685 Penn Hills Drive, Pittsburgh  
Amendment
- (5) #0801 – 2323 Elmira Street, Sayre  
Amendment
- (6) #2108 – Summerdale Plaza, 443 North Enola Road, Enola  
Amendment
- (7) #6507 – 613 West Main Street, Ligonier  
Amendment
- (8) #9203 – Quaker Village Shopping Center, 2 Ohio River Boulevard, Leetsdale  
Amendment

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve the recommendations from the Office of Retail Operations.

*From the Bureau of Product Selection .....Tom Bowman, Director of Product Selection*

**VENDOR – ITEM NAME**

**BOARD ACTION REQUESTED**

Various  
Various

- 1. Regular PA New Item Accepted
- 2. Regular Recommended Delist

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**1. Regular PA New Item Accepted**

**BRAND NAME AND SIZE**

**REASON**

**Eight Oaks Farm Distillery**

Eight Oaks Farm Distillery Barrel Aged Applejack 750 mL

16

RECOMMENDED ACTION: We recommend the Board approve this action

**New Items – Recommended Listings  
Reason Codes**

1. Strong marketing support
2. High brand recognition
3. Line/Size extension of successful brand
4. Trade up opportunity
5. Growing category
6. Growing segment
7. National rollout
8. Niche item / Limited distribution
9. High dollar profit potential
10. Trade out
11. High quality for the value
12. Innovative product/flavor
13. High sales through other PLCB channels (Luxury, Online, SLO)
14. Underrepresented category/segment
15. Hole in selection – consumer/store requests
16. PA Spirits
17. PA Wines
18. Licensee only
19. Probationary listing

**2. Regular Recommended Delist**

**BRAND NAME AND SIZE**

**CODE**

**6 Mile Cellars Inc**

6 Mile Cellars Derby Sangria Red Blend 375 mL Can

98515

6 Mile Cellars Moscato Sparkling White Wine 375 mL Can

98514

**Adello Vineyard**

A'Dello Chardonnell 750 mL

1457

**Allegro Winery**

Allegro Salsa 750 mL

98706

Allegro Tango White Sangria 750 mL

12832

Pinnacle Ridge Dry Riesling Lehigh Valley 750 mL

9690

Pinnacle Ridge Quaff Red Blend 750 mL

8008

Pinnacle Ridge Traminette 750 mL

8011

Pinnacle Ridge Vidal Blanc 750 mL

9691

**Arundel Cellars Inc**

Arundel Cellars Remix Blush Lake Erie 750 mL

2313

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High Key Rose Pennsylvania 750 mL	98166
<b><u>Benignas Creek Vineyard</u></b>	
Benigna's Creek Sunshine White Wine 750 mL	8240
<b><u>Blackbird Distillery</u></b>	
Blackbird Distillery Apple Black Corn Shine 80 Proof 750 mL	17290
Blackbird Distillery Black Cherry Corn Shine 101 Proof 200 mL	98219
Blackbird Distillery Homemade Apple Pie Corn Shine 42 Proof 750 mL	17291
Blackbird Distillery Hot Cinnamon Corn Shine 76 Proof 750 mL	17292
Blackbird Distilling Apple Corn Shine 101 Proof 200 mL	98217
Blackbird Distilling Blackberry Corn Shine 101 Proof 200 mL	98218
<b><u>Blue Mountain Vineyards</u></b>	
Blue Mountain Riesling Lehigh Valley 750 mL	- 8547
<b><u>Bluebird Distilling LLC</u></b>	
Bluebird Distilling Wheat Whiskey 92 Proof 750 mL	1975
<b><u>Boardroom Spirits LLC</u></b>	
Sagoora Vodka 80 Proof 1 L	- 98216
<b><u>Brookmere Winery and Vineyard</u></b>	
Brookmere Tears of the Goose Blush 750 mL	- 6030
<b><u>C and D Brewing Ventures Inc</u></b>	
Barrel 21 Gin 80 Proof 750 mL	2293
Barrel 21 Light Rum 80 Proof 750 mL	2129
Barrel 21 Limoncello 60 Proof 375 mL	2165
Barrel 21 Vodka 80 Proof 750 mL	2130
<b><u>CJ Spirits LLC</u></b>	
Wilds Fine American Gin 84 Proof 750 mL	- 1295
<b><u>Clover Hill Enterprises Inc</u></b>	
Clover Hill Vineyards and Winery Cabernet Sauvignon Lehigh Valley 750 mL	- 7263
<b><u>County Seat Spirits LLC</u></b>	
County Seat Classeight Vodka 80 Proof 750 mL	9960
County Seat Lock Keeper Gin 94 Proof 750 mL	9962
<b><u>Courtyard Wineries</u></b>	
Courtyard Wineries Barjo Bons Razzle 750 mL	- 6857
Courtyard Wineries Barjo Bons Ruby's Rouge 750 mL	6850
Courtyard Winery Mamma Mia Sangria 750 mL	9651
<b><u>Crossing Vineyards and Winery</u></b>	
Crossing Vineyards Peach 750 mL	6898

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Crossing Vineyards Wild Berry 750 mL	6901
<b><u>Cullari Vineyards and Winery Inc</u></b>	
Cullari Vineyards and Winery Flaming Red 750 mL	1458
Cullari Vineyards and Winery Pomegranate Splash 750 mL	8050
<b><u>Dead Lightning Distillery LLC</u></b>	
Dead Lightning Distillery Local Legend Lime Vodka 70 Proof 1 L	98866
Dead Lightning Distillery Local Legend Mango Vodka 70 Proof 1 L	98867
Dead Lightning Distillery Local Legend Sweet Tea Vodka 70 Proof 1 L	98871
<b><u>Five Saints Distilling</u></b>	
Five Saints Vodka 80 Proof 750 mL	2106
<b><u>Flickerwood Wine Cellars Inc</u></b>	
Flickerwood Wine Cellars Grandview White Niagara 750 mL	98019
<b><u>Freepeople Distilling Inc</u></b>	
1675 Vodka 750 mL	98333
<b><u>Head Cuts Corp</u></b>	
4Four6 Distillery Clementine Gin 750 mL	97280
<b><u>Hewn Spirits LLC</u></b>	
Hewn Spirits Red Barn Rye Whiskey 80 Proof 750 mL	16946
Shipmate Gold Rum 750 mL	16982
<b><u>Holy Water Distillery LLC</u></b>	
Croswater Premium Crafted Vodka 80 Proof 750 mL	98206
<b><u>Kilimanjaro Distillery LLC</u></b>	
Xplorer Apple Pie Liqueur 80 Proof 750 mL	2154
Xplorer Potato Vodka 80 Proof 750 mL	2155
Xplorer Wheat Vodka 80 Proof 750 mL	2156
<b><u>Kingviewmead LLC</u></b>	
KingView Sub Sweet Mead 375 mL	2315
KingView Triple Beere 375 mL	2316
KingView Trocken Dry Mead 375 mL	2317
<b><u>Lancaster Distilleries LLC</u></b>	
Lancaster Distilleries Barrel Rested Gin 80 Proof 750 mL	98883
Lancaster Distilleries Silver Rum 80 Proof 750 mL	98887
Lancaster Distilleries Spiced Rum 80 Proof 750 mL	98888
<b><u>Mermaid Spirits LLC</u></b>	
Mermaid Spirits Forbidden Drive Vodka 80 Proof 750 mL	98043
Mermaid Spirits Golden Tail Mermaid Rum 80 Proof 750 mL	98042

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**MLH Distillery**

MLH Distillery Forefathers American Single Malt Whiskey 96  
Proof 750 mL 98942

**Moon Dancer Vineyards**

Moon Dog Cellars Ayla's White 750 mL 1104

Moon Dog Cellars Malibu's Red 750 mL 1109

**Mt Nittany Vvd and Winery**

Mount Nittany Lion Country Blush 750 mL 6907

Mount Nittany Mountain Mist 750 mL 3409

Mount Nittany Mountain Sunset Pennsylvania 750 mL 98177

**Naylor Wine Cellars Inc**

Naylor Ambrosia's Dulce 750 mL 2318

**Nissley Vineyards**

Nissley Vineyards Peach Kiss 375 mL Can 98460

Nissley Vineyards Strawberry Kiss 375 mL Can 98114

**Noah Spirits LLC**

Manatawny Still Works Gold Rum 80 Proof 750 mL 34572

**Novosel LLC**

Fractured Grape Relaxation 750 mL 98165

Fractured Grape Wine Cellars Manipulation Niagara 750 mL 98498

Fractured Grape Wine Cellars Plasma 750 mL 98499

**Paradocx Vineyard**

Paradocx Vineyard PDX Barn Red 750 mL 7099

Paradocx Vineyard PDX Pinot Grigio 750 mL 2320

Paradocx Vineyard PDX Twine Tea Infused Wine 750 mL 7261

Paradocx Vineyard PDX Whitewash 750 mL 7186

**Pear Grove LLC**

Pear Grove Gruner Veltliner Central Coast 750 mL 12674

**Pennsylvania Distilling Company**

Founders Artisan Dry Gin 90 Proof 750 mL 98046

Frontier Explorer's White Rum 90 Proof 750 mL 98047

Old City White Rye Whiskey 90 Proof 750 mL 98048

**Pennsylvania Pure Distilleries LLC**

Bly Rum Silver 80 Proof 750 mL 2492

**Pinnacle Ridge LLC**

Pinnacle Ridge Cayuga 750 mL 8005

**Pittsburgh Spirits LLC**

Threadbare Bouquet de Rose 750 mL 29346

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Threadbare Dry Hopped Cider 750 mL	26276
Threadbare Farmhouse Cider 750 mL	26133

**Premier Innovations Group**

5 Dirty Double Dirty Vodka Martini Cocktail 750 mL	97282
Big Spring Spirits 7 Governors' Gin 95 Proof 750 mL	1000
Big Spring Spirits Seven Governors' Gin Golden 95 Proof 750 mL	1003
Big Spring Spirits Silver Fox Rye Whiskey 90 Proof 750 mL	1009

**Presque Isle Wine Cellars**

Presque Isle Wine Cellars Riesling 750 mL	9342
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**R Wine Cellar LLC**

R Wine Cellar Church Wine 750 mL	14229
R Wine Cellar Fiona Peach Chardonnay 750 mL	13543

**Reading Distilling Guild**

Reading Distilling Guild Rum 80 Proof 750 mL	2306
Reading Distilling Guild Spiced Rum 80 Proof 750 mL	2272
Reading Distilling Guild Vodka 80 Proof 750 mL	98109

**Robert Mazza Inc**

Mazza Vineyards Riesling 750 mL	98511
Mazza Vineyards Vidal Blanc 750 mL	6919
South Shore Wine Company Gruner Veltliner 750 mL	9684
South Shore Wine Company Rose 750 mL	9688

**Schoffstall Farm LLC**

Spring Gate Vineyard Bubbly Blueberry Mello 375 mL Can	98462
Spring Gate Vineyard Bubbly Peach Mello 375 mL Can	98464
Spring Gate Vineyard Bubbly Strawberry Mello 375 mL Can	98465
Spring Gate Vineyard Indian Summer Catawba Pennsylvania 750 mL	98182

**Shade Mountain Winery Inc**

Shade Mountain Lemberger 750 mL	6954
Shade Mountain Rascal Red 750 mL	7999
Shade Mountain Vineyards Shade Mountain Blush 750 mL	98179

**Spitzenburg Cider House LLC**

Stony Run Vidal Blanc Pennsylvania 750 mL	98202
Stony Run Winery Chambourcin Pennsylvania 750 mL	98201
Stony Run Winery Honeysuckle White Lehigh Valley 750 mL	15965

**Tall Pines Distillery Inc**

Tall Pines Distillery Apple Pie Moonshine 70 Proof 750 mL	98056
Tall Pines Distillery Huckleberry Moonshine 60 Proof 750 mL	98058
Tall Pines Distillery Moonshine Ma'rita 35 Proof 750 mL	98059
Tall Pines Distillery Pine Sap Moonshine 80 Proof 750 mL	98061



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**The Colony Meadery**

The Colony Meadery Straight no Chaser 375 mL 34372

**The Dandelion Winery Inc**

Dandelion Winery Apple Pie 750 mL 98876

Dandelion Winery Strawberry Blueberry Raspberry and  
Dandelion 750 mL 98877

**The Expert Group LTD**

Ramhorn Distillery Stirred By An Angel London Dry Gin 100  
Proof 750 mL 98281

**The Vineyard at Hershey LLC**

The Vineyard at Hershey Cocoa di Vezzetti 375 mL 9692

The Vineyard at Hershey Twisted Kiss 750 mL 2326

**Thistle Finch Distilling LLC**

Penn Square Rose Vodka 80 Proof 750 mL 2451

Thistle Finch Black Pepper Whiskey 80 Proof 750 mL 2144

Thistle Finch White Rye Whiskey Small Batch 80 Proof 750  
mL 34252

**Tolino Vineyards LLC**

Tolino Vineyards Next Generation Pennsylvania 750 mL 98185

Tolino Vineyards Papa's Red Pennsylvania 750 mL 98186

Tolino Vineyards Sunnyside Concord 750 mL 2329

Tolino Vineyards the 050 Niagara 750 mL 2330

Tolino Vineyards Vidal Blanc 750 mL 9694

**Wedd Winery LLC**

Webb Winery Fredonia Pennsylvania 750 mL 98188

Webb Winery Spiced Apple Pennsylvania 750 mL 98187

Webb Winery Zoe 750 mL 98493

**West Branch Distilling**

West Branch Distilling Handcrafted Vodka 80 Proof 750 mL 98834

**Wilhelm Winery Inc**

Wilhelm Winery Deer Creek White 750 mL 1465

Wilhelm Winery Pink Catawba Pennsylvania 750 mL 98189

**Woody Lodge Winery LLC**

Woody Lodge Winery Jack of Diamonds 750 mL 98524

EFFECTIVE DATE: The transference to closeout will become effective May 5, 2023

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve the recommendations from the Bureau of Product Selection.

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**FINANCIAL REPORT** ..... *Michael J. Burns, Comptroller Operations, Office of Budget*

**Commonwealth of Pennsylvania  
Pennsylvania Liquor Control Board  
State Stores Fund  
Comparative Statement of Net Position  
(Unaudited)**

<b>ASSETS</b>	<b>February 28, 2023</b>	<b>February 28, 2022</b>
<b>Current assets:</b>		
Cash	\$ 49,915,835	\$ 46,805,260
Investments - short term	294,864,313	276,777,364
Accounts and claims receivable, net	6,240,106	8,184,653
Due from other funds - Note 9	-	-
Merchandise inventories, net	210,903,532	197,922,362
Operating supplies	927,893	573,688
Prepaid expenses	2,618,041	1,029,865
<b>Total current assets</b>	<b>565,469,720</b>	<b>531,293,193</b>
<b>Non-current assets:</b>		
<b>Non-depreciable capital assets:</b>		
Land	322,973	322,973
<b>Depreciable or amortizable capital assets:</b>		
Building	10,820,411	10,712,687
Leasehold improvements	209,134	209,134
Machinery and equipment	55,057,373	47,708,201
Intangible - internally generated software	64,593,636	45,421,308
Intangible - right to use leases - Note 10	378,650,148	353,318,563
Intangible - right to use IT subscriptions - Note 11	20,300,870	-
Less: accumulated depreciation or amortization	229,623,175	156,385,129
<b>Net depreciable or amortizable capital assets</b>	<b>300,008,397</b>	<b>300,984,764</b>
<b>Total non-current capital assets</b>	<b>300,331,370</b>	<b>301,307,737</b>
<b>Total assets</b>	<b>\$ 865,801,090</b>	<b>\$ 832,600,930</b>
<b>Total deferred outflows of resources - Notes 5, 6</b>	<b>\$ 173,436,605</b>	<b>\$ 191,823,647</b>
<b>LIABILITIES</b>		
<b>Current liabilities:</b>		
Trade accounts payable	\$ 320,776,645	\$ 263,901,462
Other accounts payable	24,223,919	13,215,668
Accrued expenses	28,775,721	22,938,702
OPEB - Note 6	-	-
Self-insurance, workers' compensation - Note 7	5,038,908	6,298,715
Due to other funds - Note 9	10,347,170	8,780,740
Due to fiduciary funds - Note 9	3,843,216	3,362,139
Due to other governments - Note 9	1,165,565	947,892
Right to use liabilities - Note 10	62,337,481	55,230,486
<b>Total current liabilities</b>	<b>456,508,625</b>	<b>374,675,803</b>
<b>Non-current liabilities:</b>		
OPEB - Note 6	421,395,000	458,891,000
Self-insurance, workers' compensation - Note 7	46,346,197	62,900,981
Net pension liability - Note 5	383,223,563	473,344,228
Compensated absences - Note 1	26,865,598	25,995,401
Right to use liabilities - Note 10	187,201,062	208,818,401
<b>Total non-current liabilities</b>	<b>1,065,031,420</b>	<b>1,229,950,012</b>
<b>Total liabilities</b>	<b>\$ 1,521,540,045</b>	<b>\$ 1,604,625,815</b>
<b>Total deferred inflows of resources - Notes 5, 6</b>	<b>\$ 309,393,486</b>	<b>\$ 319,490,064</b>
<b>NET POSITION</b>		
Net investment in capital assets	\$ 50,792,827	\$ 37,258,850
Deficit	(842,488,663)	(936,950,152)
<b>Total net position - Note 12</b>	<b>\$ (791,695,836)</b>	<b>\$ (899,691,302)</b>

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**Commonwealth of Pennsylvania  
Pennsylvania Liquor Control Board  
State Stores Fund  
Comparative Statements of Revenues, Expenses, and Changes in Net Position  
For the Month Ending February 28, 2023 and February 28, 2022  
(Unaudited)**

	<u>2022-23</u>	<u>2021-22*</u>
Sales net of taxes	\$ 181,175,358	\$ 175,682,164
Cost of goods sold	(123,423,727)	(121,311,567)
Gross profit from sales	<u>57,751,631</u>	<u>54,370,597</u>
Operating (expenses):		
Wholesale	(1,693,196)	(1,740,939)
Retail	(25,263,806)	(23,179,038)
E-Commerce	(320,403)	(336,872)
Regulatory	(728,470)	(717,418)
Enterprise	(6,461,150)	(6,670,012)
Commonwealth provided services - Note 2	(1,720,804)	(1,342,410)
Total	<u>(36,187,829)</u>	<u>(33,986,689)</u>
Operating profit/(loss)	<u>21,563,802</u>	<u>20,383,908</u>
Other operating revenues (expenses):		
Enforcement fines	136,967	76,500
License fees	3,145,337	2,677,666
Miscellaneous income	520,965	150,029
Total	<u>3,803,269</u>	<u>2,904,195</u>
Total operating income/(loss)	<u>25,367,071</u>	<u>23,288,103</u>
Miscellaneous revenues (expenses):		
Interest income (expense)	867,658	(368,617)
Other	-	-
Total	<u>867,658</u>	<u>(368,617)</u>
Income/(Loss) before operating transfers	26,234,729	22,919,486
Operating transfers out:		
PSP enforcement - Note 3	(2,366,039)	(2,117,261)
<b>Net Income/(Loss) from operations</b>	<b><u>23,868,690</u></b>	<b><u>20,802,225</u></b>
Statutory Transfers:		
General fund - Note 4	-	-
Drug and alcohol programs - Note 4	-	-
Total	<u>-</u>	<u>-</u>
Change in net position	23,868,690	20,802,225
**Total net position - beginning 2022-23 Restated - Note 12	<u>(815,564,526)</u>	<u>(920,493,527)</u>
Total net position - ending	<u>\$ (791,695,836)</u>	<u>\$ (899,691,302)</u>
Liquor tax	32,528,063	31,784,959
State Sales Tax	12,832,308	12,510,872
Local Tax	871,317	825,425
Taxes remitted to Dept.of Revenue PTD	<u>\$ 46,231,688</u>	<u>\$ 45,121,256</u>

\* Certain amounts presented in prior year data have been reclassified in order to be consistent with the current year's presentation. Such reclassifications did not affect Income after enforcement / before other transfers, Change in net position, or Total net position.

\*\*Beginning Net Position was restated from \$(872,154,418) at June 30, 2022 to \$(871,784,479) at July 1, 2022, a \$369,939 increase, due to the implementation of Governmental Accounting Standards Board Statement No. 96 – Subscription Based Information Technology Agreements.

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**Commonwealth of Pennsylvania  
Pennsylvania Liquor Control Board  
State Stores Fund  
Comparative Statements of Revenues, Expenses, and Changes in Net Position  
For the Eight Months Ending February 28, 2023 and February 28, 2022  
(Unaudited)**

	<u>2022-23</u>	<u>2021-22*</u>
Sales net of taxes	\$ 1,679,674,821	\$ 1,624,230,513
Cost of goods sold	(1,181,900,358)	(1,118,660,460)
Gross profit from sales	<u>497,774,463</u>	<u>505,570,053</u>
Operating (expenses):		
Wholesale	(14,328,857)	(14,761,699)
Retail	(227,891,621)	(209,005,107)
E-Commerce	(2,131,392)	(2,238,688)
Regulatory	(6,883,902)	(6,328,986)
Enterprise	(58,319,664)	(48,819,443)
Commonwealth provided services - Note 2	(14,099,526)	(11,317,424)
Total	<u>(323,654,962)</u>	<u>(292,471,347)</u>
Operating profit/(loss)	<u>174,119,501</u>	<u>213,098,706</u>
Other operating revenues (expenses):		
Enforcement fines	1,164,180	677,155
License fees	20,803,704	16,281,929
Miscellaneous income	3,458,518	4,077,917
Total	<u>25,426,402</u>	<u>21,037,001</u>
Total operating income/(loss)	<u>199,545,903</u>	<u>234,135,707</u>
Miscellaneous revenues (expenses):		
Interest income (expense)	1,401,233	(3,025,273)
Other	60,150	46,420
Total	<u>1,461,383</u>	<u>(2,978,853)</u>
Income/(Loss) before operating transfers	201,007,286	231,156,854
Operating transfers out:		
PSP enforcement - Note 3	(20,918,643)	(19,559,818)
<b>Net Income/(Loss) from operations</b>	<b><u>180,088,643</u></b>	<b><u>211,597,036</u></b>
Statutory Transfers:		
General fund - Note 4	(100,000,000)	(100,000,000)
Drug and alcohol programs - Note 4	-	-
Total	<u>(100,000,000)</u>	<u>(100,000,000)</u>
Change in net position	80,088,643	111,597,036
**Total net position - beginning 2022-23 Restated - Note 12	<u>(871,784,479)</u>	<u>(1,011,288,338)</u>
Total net position - ending	<u>\$ (791,695,836)</u>	<u>\$ (899,691,302)</u>
Liquor tax	301,234,921	291,456,988
State Sales Tax	118,617,883	114,711,640
Local Tax	7,664,666	7,066,737
Taxes remitted to Dept.of Revenue YTD	<u>\$ 427,517,470</u>	<u>\$ 413,235,365</u>

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## **OTHER ISSUES**

None

## **PUBLIC COMMENT**

The Board has reserved 10 minutes for public comment.

Ms. Patti Smith, representing Rock the Capital, opened her remarks by reading sections of the Sunshine Act that outline the purpose of the Act and what governmental entities fall under its jurisdiction. Ms. Smith further read sections of the Frequently Asked Questions page from the Office of Open Records website, including a definition of “deliberation.” Ms. Smith then opined that the Board did not engage in a single deliberation today, even when there was not a unanimous vote to approve the revision of Advisory Notice No. 9. Ms. Smith expressed her position that the court cases previously mentioned by Chief Counsel Rod Diaz referencing quasi-judicial exceptions do not apply to the Board, and shared that she called the Office of Open Records, and the Office explained to her that “quasi-judicial” is not the same as “judicial.” Mr. Diaz agreed that those two terms have different meanings.

Ms. Smith then discussed the salary of Mr. Diaz, opining that he tells that Board that it is compliant with the Sunshine Act when in fact it is not, as he does not want to endanger his job or pension. Ms. Smith then listed the salaries of the Board Members and a contract that Member Isenhour was awarded as a lobbyist, asserting that while they make a comfortable living, they are taking livelihoods away from licensees in a cold, callous manner.

Ms. Smith claimed to have received multiple calls from attorneys representing licensees expressing concerns about the Liquor Control Board, but did not go into specifics. Ms. Smith referenced the March 22, 2023 meeting in which a discussion between Attorney Frank Sluzis and the Board occurred regarding license number R-5634 and the conditions placed on the license. Ms. Smith questioned why the Board would place the burden on the licensee to maintain security at this location while they do not mandate security at other licensed locations in the area.

Chairman Holden then spoke on behalf of the Board and said that they have full faith in Chief Counsel Diaz and his determination that they are compliant with the Sunshine Act. Chairman Holden then asked Mr. Diaz if he wished to make any remarks. Mr. Diaz offered that his opinion on the Sunshine Act has not changed and, at this time, he and Ms. Smith disagree. Chairman Holden then asked if either Member Isenhour or Member Vulakovich wished to speak. Member Isenhour declined.

Member Vulakovich proceeded to make remarks. He stated that his reason for voting “no” regarding the revision to Advisory Notice No. 9 earlier in the meeting was because he did not know enough about Delta 8 THC to make an informed decision, noting that he voted in favor of medical marijuana while in the Senate after doing extensive research on the topic. He also mentioned that the other Board Members have been considering this topic much longer than he has and have more experience deciding on this topic. Ms. Smith interjected that her point is that explaining his reasoning in open dialogue may have swayed the other Board Members’ decision.

Member Vulakovich then asked why Ms. Smith discussed the salaries of the Board and Chief Counsel as they do not have bearing on the Sunshine Act. Ms. Smith responded that she discussed the salaries as a way of showing how “out of touch” the Board is in making decisions on licenses that affect the owners’ ability to make a living. Ms. Smith continued by discussing a case from the prior board meeting in which,

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in her opinion, the Board is not considering relevant facts of the case. Chairman Holden stated that the license in question was held so further discussions with the licensee could take place.

Member Vulakovich spoke generally about conditional licensing agreements, noting that the Board is trying to strike a balance between public safety and allowing a license owner the ability to operate. Ms. Smith again referenced license number R-5634 in stating “they are no longer a bar but operate just as a restaurant” and the Board is not considering their current circumstances. Chairman Holden interjected that the Board is provided recommendations and materials prior to the public meetings from the Hearing Examiner, the Director of Regulatory Affairs and the Chief Counsel’s Office. The Board reviews the cases prior to the meeting in efforts to make their decision. Mr. Diaz explained that the Board does this under their quasi-judicial authority. Ms. Smith again disagreed and reiterated that she believes the Board does not have quasi-judicial authority.

Mr. Peter Laurenzano spoke on behalf of license number R-18821. Mr. Laurenzano stated he supports the Sunshine Act and that he does not believe the Board is transparent. Further, Mr. Laurenzano stated that he wishes he was able to address the Board at the time of his hearing rather than a Hearing Examiner. Chief Counsel Diaz offered that the Liquor Code statutorily obligates hearings to take place before a Hearing Examiner and not the Board.

Mr. Laurenzano continued speaking, beginning to address the merits of his particular case. Mr. Diaz attempted to stop Mr. Laurenzano from speaking as the matter is in active litigation, as has repeatedly been explained at prior public Board meetings. When Mr. Laurenzano continued discussing his pending case, Mr. Diaz eventually asked for Mr. Laurenzano’s microphone to be turned off. Mr. Diaz informed Mr. Laurenzano that because he is represented by legal counsel, Mr. Diaz is forbidden from addressing Mr. Laurenzano. When Mr. Laurenzano attempted to waive that condition, Mr. Diaz clarified that the duty not to speak with Mr. Laurenzano about pending litigation with a represented licensee is on him as Chief Counsel for the Board. Thus, Mr. Laurenzano could not waive Mr. Diaz’s professional obligation.

Mr. Laurenzano asked if he could ask general questions. Mr. Diaz stated that as long as the questions did not address his pending litigation, he could do so. Mr. Laurenzano preceded to ask several questions pertaining to safekeeping fees that Mr. Diaz answered in general terms. However, as Mr. Laurenzano continued to speak, Mr. Diaz and Chairman Holden stated that they cannot continue since this conversation is clearly discussing the pending litigation. Mr. Laurenzano expressed his desire for transparency from the Board, due process, and open deliberations during meetings, and improved communication before ending his comments.

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**NEXT BOARD MEETING**

**The next meeting of the PLCB will be a formal meeting on Wednesday, April 19, 2023 beginning at 11:00 A.M. Prior to the public meeting, there will be an Executive Session to discuss matters of personnel and to engage in non-deliberative informational discussions, some of which are regarding actions and matters which have been approved at previous public meetings.**

**ADJOURNMENT**

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich  
**Board Decision:** Unanimously agreed (3-0 vote) to adjourn the meeting.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

ATTEST:

\_\_\_\_\_  
Secretary