

**PENNSYLVANIA MALT AND BREWED BEVERAGE INDUSTRY PROMOTION BOARD**  
**Minutes of the February 23, 2022**  
**MS Teams Virtual Board Meeting**

Public notice of the February 23, 2022, Pennsylvania Malt and Brewed Beverage Industry Promotion Board Meeting was given as stipulated by the Sunshine Law.

**CALL TO ORDER**

The meeting was called to order at 9:08 a.m. Board members in attendance virtually included William Brock, Chairman; Christian T. Lampe, Sean Casey, Frank Pistella, and Jeffrey Reeder.

Michele Meloy Burchfield was absent.

Also present were Patrick Andrews, Chief, Market Development, PA Department of Agriculture; Char Riley, Department of Agriculture Liaison PDA and ACMA; and Adam Morris, Chief Counsel.

**APPROVAL OF MINUTES**

Mr. Casey suggested approval of the October 27, 2021 Minutes at the April meeting since members had not had a chance to review them.

**RFP INDIRECT COSTS**

Mr. Casey commented that there were more people listing indirect costs or administrative fees and stated it was a "little different trending about people who are writing some of the budget into this round of concept papers."

Mr. Andrews commented that paying upfront the acceptable amount of indirect costs would be helpful for researchers to be able to measure the risk and whether or not to proceed. It would also inform the Board ahead of time the funds to be used across the board for charges like indirect costs versus doing the actual work of the project. Mr. Andrews found it to be a good practice and recommended that indirect costs be capped "at whatever the Board thinks is justifiable." After further discussion, members agreed to a ten percent cap.

Mr. Andrews explained that indirect costs are monies bundled into the administration of the grant to help the applicant submit the grant, process the contract, and organize and document all the invoicing and intake of funds.

**RESOLUTION NO. 2022.1-APPROVAL OF INDIRECT COSTS**

**Motion by: Board member**

**Second by: Sean Casey**

**Passed: Unanimously.**

To cap indirect costs at 10 percent.

### **SENATE BILL NO. 1055**

Chair Brock inquired if this Senate Bill would give the PLCB more control of the Wine Board.

Mr. Andrews stated it was his understanding that a Schuylkill County Wine Trail was attempting to obtain funding from the wine board, which decided not to fund their application for a grant. Some of the people from that wine trail then contacted to their respective representatives and requested this amendment become a law. Mr. Andrews noted that his understanding was that did not have a "lot of legs in the legislature" and did not anticipate the bill moving forward. There was further discussion regarding the grant process.

### **LATE CONCEPT PAPERS**

Members discussed whether or not to make exceptions to deadlines already in place. Mr. Andrews explained that once an RFP is published and a deadline is missed, there would nothing that could be done. There was additional discussion regarding the Double Eagle Malt project, a contractor for the Wine Board who submitted a concept paper for the Beer Board, and a concept paper from LeeAnn of WYLN 35.

Mr. Andrews noted the total funds available for this round of grants is \$1,714,508.45. He asked members to consider for discussion placing some qualifying language in the RFP regarding equipment purchases, and when it would be appropriate to add into a proposal. Mr. Andrews was requested to draft language for further discussion.

### **NEW BUSINESS**

Ms. Riley and Mr. Andrews were commended on their summary of all the previous grants at the October 27, 2021 meeting.

It was suggested that a representative from Penn State be requested to provide a half hour summary of their research findings at a future meeting. Mr. Andrews suggested inviting all individual who conducted research to also attend a meeting. A round table discussion with the researchers that was open to the public was also suggested. Ag projects not researched based, brewers and tour projects could also be part of a combined discussion possibly in partnership with the Beer Board. Mr. Andrews will discuss the matter with counsel and opined that the Communications Office would handle the matter. He will provide an update at the next meeting.

There was an inquiry as to whether Ag or PLCB might have an update on cash disbursements. Ms. Riley will reach out to Melinda at the PLCB for that update. It was also suggested that the PLCB provide a report at every meeting. Mr. Andrews would contact Liz regarding an ongoing report of what was contracted for and what was spent. The unspent amount year-to-date would be helpful as well.

Ms. Riley provided a recent screenshot of what was being provided by PLCB on a monthly basis.

Mr. Morris discussed the definition of an Executive Session and how much detail needed to be provided in public session about individual proposals received. He noted that Executive Session is the opportunity for board members to discuss a very limited number of items that had been carved out of the Sunshine Law that are exceptions for when board members want to use the privilege of entering into private discussion.

He stated there were approximately ten subjects in the statute that we would be discussed during Executive Session, none of which is to discuss the merits of voting on official proposals thumbs up or thumbs down. He referred to Executive Session as a tool to be used when discussing a very specific subset of problems, including litigation, personnel matters, and real estate. Mr. Morris stated that Bill No. 1055, which proposes four additional members to the Wine Board, is a good example of the pitfalls of not having all decision-making right in front of everyone to see. He advised board members not to say anything in public session that they "wouldn't want published on the front page of the newspaper."

Mr. Andrews stated that all the boards he works with discuss business 100 percent in public and vote in public in a way that is not inflammatory. It was noted that all Sunshine Laws are governed by 65 Pa. C.S. § 704. Board members offered comments on the matter.

Ms. Riley stated this would be her last meeting as she has received a promotion with the Department of General Services.

**RESOLUTION NO. 2022.2-ADJOURNMENT**

**Motion by: Board member**

**Second by: Board member**


**Passed: Unanimously.**

To adjourn the meeting.

There being no further business, the PA Malt and Brewed Beverage Industry Promotion Board Meeting adjourned at 10:49 a.m.

The next meeting is scheduled virtually for April 13, 2022.

Respectfully Submitted:

  
Elizabeth Hickman, February 23, 2022