

MINUTES
FINGER LAKES TELECOMMUNICATIONS DEVELOPMENT CORP.
d/b/a AXCESS ONTARIO
BOARD OF DIRECTORS MEETING
January 14, 2011

Members Present:

Geoff Astles, Ontario County Administrator
Michael Manikowski, Ontario County Economic Developer
Steve von Berg, Pervasive Solutions
Robert Seem, Cornell Ag & Food Tech Park
John Sheppard, Supervisor, Town of Seneca
David R. Smith, Ontario County Citizen
Camille Sorensen, Wayne Finger Lakes BOCES

Members Absent:

Doug Mossbrook, Eagle Mountain, Inc.
Mike Ward, Vice President, Information Technology, Ultralife Corporation

Staff Present:

Edward Hemminger, Chief Information Officer, Ontario County
Meghan Connor Murphy, Dixon Schwabl
Andy Lukasiewicz, ECC Technologies
Terry Phillips, Bonadio & Co.
James Townsend, Esq., Remington, Gifford, Williams & Colicchio
Linda Wiener, CFO on behalf of The Bonadio Group

The Meeting for the Board of Directors of Axxcess Ontario (aka Finger Lakes Regional Telecommunications Development Corporation) was called to order by Geoff Astles at 10:00 a.m. in the conference room of the Ontario County Economic Development Office.

MINUTES

The minutes were distributed at the meeting and approval will be held over until the next meeting to give everyone time to review.

GOVERNANCE COMMITTEE UPDATE

The report of the Governance Committee was distributed. Bob Seem proposes some time at the February Board of Directors meeting to go over the Public Authorities Reform Act of 2009 to update and reorient the Board.

Mr. Seem informed the Board that there are two At-Large Board seats that are terminating today, 1/14/11. The two individuals who hold those seats have agreed to continue to serve. Mr. Seem recommends that the Board reappoint Steve von Berg and Robert Seem (himself) to a three year term.

Dave Smith made a motion which seconded by John Sheppard to approve the reappointment of Steve von Berg and Robert Seem to a three year term to the Governance Committee. Motion Carried.

Discussion took place regarding being cognizant of reappointments since the By-Laws stipulate that the at-large members cannot serve more than three consecutive terms.

Mr. Seem stated that with five elected Board members, we do not have a lot of flexibility, and we may want to increase the number of members.

Mr. Seem informed the Board that the Governance Committee is recommending the Board elect Mike Ward as our new chairman upon the step-down of Chairman Astles.

The Governance Committee makes a motion which was seconded by David Smith to elect Mike Ward as Chairperson to the Finger Lakes Telecommunications Development Corporation. Motion carried.

Jim Townsend defers discussion on other officers until the February meeting.

AUDIT COMMITTEE UPDATE

Steve von Berg informed the Board that the Audit Committee had met regarding the leadership of the Finger Lakes Regional Telecommunications Development Corporation. The committee is not ready to make a recommendation, but wanted to let the Board know that they have met.

Camille Sorenson suggests that the agendas for the Audit Committee meeting be given to the board prior to the meeting allowing the Board members opportunity to comment on agenda items. Mr. Hemminger thinks this is a very positive suggestion.

LEGAL UPDATE

Jim Townsend discussed the survey with the Board. He told them that next month they would be re-visiting the presentations that they saw when they did their required Board training.

Jim Townsend told the Board that he, Andy Lukasiewicz and staff had met and are updating the footage report and it will be given to the Real Property Tax Office. The next step would be to analyze the segments within each town. Mr. Townsend said that as 501c3 not for profit and leasing services to other not for profit ought to continue that tax exemption.

Ed Hemminger commented that this is the first year that we will actually have an assessment and we will be able to see what the impacts will be.

CFO AND ACCOUNTING UPDATES

Terry Phillips and Linda Weiner reviewed the Balance Sheet (as of November 30, 2010) with the Board. Mr. Phillips further explained that they will present the close out of December 2010 at the February meeting. Mr. Phillips reported that the corporation has just under 2.4 million in cash and \$590,000 in accounts receivable.

Ed Hemminger reports that the corporation is now using E-statement for one account. We have electronic statements for the assignment account because we don't write checks, saving us \$3 a month. He said that he was also able to convert the traditional checking account over to a checking account that earns interest. It earns .4 percent on 2 million is about \$8,000 a year for the corporation. It is FDIC insured. It was decided that further discussion needs to take place regarding Citizen's Bank and FDIC amount. A report will be given at the February meeting.

DIXON SCHWABL UPDATE

Megan Connor Murphy updated the Board on the announcement of the completion of the Fiber Ring on the December 28, 2010. The announcement got a lot of media coverage.

DESIGN, ENGINEERING AND CONSTRUCTION UPDATE

Andy Lukasiewicz distributes and reviews the Access Ontario Operational Update and the Access Ontario Operations Draft Proposal.

Mr. Hemminger told the Board to send any questions to him or bring them to the next meeting. He commented that ECC really did a good job with the proposal. Mr. Astles would like have the Board members receive all questions and responses.

OLD BUSINESS

Ed Hemminger said that it needs to be determined when the annual report will be due to the Board of Supervisors. Geoff Astles told the Board that it should go to the February 2011 Board of Supervisors meeting. Mr. Astles would like to get the "Privilege of the Floor" to give a presentation of all the work that has been completed with ACCESS Ontario. Ed Hemminger will work with Megan Connor Murphy on the presentation.

NEW BUSINESS

Ed Hemminger informed the Board that there is a draft proposal from Pulse Broadband on the Fiber to the Premise concept. There is also a Fiber to the Home company from Pennsylvania would like to revisit in February.

OPEN DISCUSSION

David Smith comments that paying taxes on the fiber ring makes no sense at all to him. He further explained that this company is bringing a service of advanced technology to this county. Mr. Astles added this will be a continuous discussion.

Geoff Astles told the Board that he appreciated all the time and effort that the members have devoted towards this corporation. He enjoyed his time as Chair and will continue to stay involved even if it is just as a non-voting member.

Being no further business to come before the Board, the meeting was adjourned at 12:15. All were in favor to adjourn. The next Board Meeting is scheduled for 10:00 p.m. on February 25, 2011 in the Economic Development Conference Room.

Respectfully submitted,
Reliefia Kramer

Distribution:

All attendees, present and absent
Ontario County Board of Supervisors
Darlys McDonough, Deputy County Administrator
Maureen Duggan, Economic Development

John Park, County Attorney
Clerk's Office, Board of Supervisors
Cathy Bentzoni, County Finance Officer
Mary Gates, Economic Development