

**MINUTES
BOARD OF DIRECTORS
FINGER LAKES REGIONAL
TELECOMMUNICATIONS DEVELOPMENT CORPORATION
ECONOMIC DEVELOPMENT CONFERENCE ROOM**

JUNE 26, 2009

Members Present:

Wayne Houseman, Vice Chairman, Ontario County Board of Supervisors
Mike Manikowski, Ontario County Economic Developer
James Fralick, Ontario County Citizen
Robert Seem, Cornell Ag & Food Tech Park
David R. Smith Ontario County Citizen
Camille Sorensen, Wayne Finger Lakes BOCES
Mike Ward, Ultralife Corporation

Members Absent:

Geoffrey C. Astles, County Administrator
Doug Mossbrook, Eagle Mountain, Inc.

Others Present:

Darlys McDonough, Ontario County Deputy County Administrator
Edward Hemminger, CEO, FLRTDC (Ontario County)
Linda Wiener, CFO, FLRTDC (Bonadio & Co)
James Townsend, Legal Counsel, Remington, Gifford, Williams & Colicchio,

LLP

Joe Starks and Andy Lukasiewicz, ECC Technologies
Megan Connor Murphy, Dixon Schwabl

Due to Geoff Astles being necessarily absent, the meeting of the Finger Lakes Regional Telecommunications Development Corporation (FLRTDC) was called to order by Darlys McDonough, at 10:00 a.m. She requested a round-table introduction of those present.

MINUTES

A motion was offered by J. Fralick, and seconded by R. Seem to approve the minutes of April 24, 2009. Unanimously carried.

DIXON SCHWABL PROPOSAL:

M. Manikowski stated that approximately a year ago, discussion took place in regards to marketing of the “ring” to increase the customer base. Mr. Hemminger noted that trade journals should be included in this marketing so major players have an understanding what is going on in Ontario Co. in regards to the Fiber Ring Project. M. Manikowski stated the reason they chose to turn to Dixon Schwabl is they presently are the marketing

consultants for Economic Development/IDA and have proved to be an asset to the marketing, development and Strategic Plan for them. He then introduced Megan Connor Murphy from Dixon Schwabl.

Ms. Connor-Murphy began by thanking the Board for allowing her to give this presentation. She said they have done work for many Economic Development Agencies, giving them experience in this area and very experienced in the field of telecommunications. She began her presentation by reviewing the Dixon Schwabl handout distributed that included:

- Who We Are
- Situation Overview
- Branding & Interactive Process
- Other DS Interactive Services
- PR Partnership Approach
- Estimated Budget
- Questions and Answer Period

Ms. Connor-Murphy passed around a booklet, “Discover the Wow”, Phase I of this project which includes public relations, Phase II would include the Website Developing and Hosting.

E. Hemminger requested she comment on her knowledge of the confusion in the name of “Finger Lakes Regional Telecommunications Development Corp.”. She agreed this was a problem and said she has experienced the confusion with it being taken for a different organization and agreed the Board should understand this. She briefly talked about their website capabilities and how they are a full service agency. The estimated budget was reviewed.

Question: What is the time frame for Phase I? *Answer:* They would start after July 4, 2009, come back in two to three weeks and have a gut check meeting. Approximately 3-4 weeks later a concept meeting would be held.

E. Hemminger thanked Ms. Connor-Murphy for her presentation. Ms. Connor-Murphy left the meeting.

Discussion took place indicating the necessity and importance of this service. A question was asked if there was justification for sole sourcing. M. Manikowski stated we (FLRTDC) did solicit about a year ago, with two organizations replying. He also said that there is a county policy to be able to hire a professional service without doing a RFP. Jim Townsend added that since this was a professional service it did not need to go through a bidding process. He also noted that he found Dixon Schwabl to be a valuable team member of their Economic Development Strategic Plan. It was stressed they would not lose any ground with their present knowledge and understanding of the goals and visions for the county Economic Development. He said they are doing the Strategic Plan for Economic Development and that the fiber ring is an important part of the Strategic Plan. It was noted Phase I is better integrated linking with Economic Development. Brief discussion took place on the pricing of their service, resulting in the following terms.

David R. Smith requested a motion for Phase I - Public Relations Taskforce. This would include using the Public Relation Taskforce at \$1,500 a month, and two (2) trade newswire releases at \$800 to \$1,200 per release. This would be for a period of six months, ending December 31, 2009 at a cost not to exceed \$24,000.

A motion was offered by M. Ward and seconded by D. Smith. Motion was carried with Mike Manikowski abstaining due to his relationship with Dixon Schwabl.

FUNDING DISCUSSION:

E. Hemminger said there has been no activity on the loan. Some funds have been transferred from Canandaigua National Bank to Citizens Bank. He said that Citizens Bank do things different than Canandaigua National Bank. One being the cost of checks (\$78), and they charge a maintenance fee on the account every month.

Linda Wiener reviewed the account, and responding to a question stated we have more than the \$250k insured account and without the flexibility to go to other banks need to find the options necessary. This will be analyzed before the next meeting. Citizens Bank is also charging us approximately \$4,300 for the ECC analysis they require, but will invoice us because it is the FLRTDC's loan.

AUDIT COMMITTEE: (Jim Fralick)

No report.

GOVERNANCE COMMITTEE: (Bob Seem)

No report. Mr. Seem asked for an update on the last round of PAA Training. E. Hemminger stated that Doug Mossbrook and Camille Sorenson attended this workshop. Ms. Sorenson stated it was good.

Mr. Fralick questioned if a problem is created with his being on the Ontario County Board of Supervisors, thus making two county supervisors on the FLRTDC Board. E. Hemminger said that the county still does not make up the majority membership, therefore, believes it would not create a problem. Further discussion and input from J. Townsend, concluded that there is no conflict.

Public Officers Policy and Attendance: A disclosure should be made if you have a direct or indirect interest that would be substantial conflict with this organization.

Discussion was engaged regarding attendance, the bylaws, any members should attend $\frac{3}{4}$ of the meetings. If they miss three (3) consecutive meetings, they need to get approval of the Executive Committee to continue on the Board.

CEO UPDATE: (Ed Hemminger)

2009 Budget Update

E. Hemminger stated that the Budget updates have an error and will be sent out again. Today's vote to hire Dixon Shwabl will increase the Public Relations budget. Everything has been on budget.

NY State Broadband Council Update (Stimulus Update)

Nothing at this time.

General Discussions

It was questioned when staff positions would be addressed. E. Hemminger answered by saying “it should be soon”. He has requested ECC to draft a proposal where they could perform some of the COO duties.

ACCOUNTING SERVICES UPDATE: (Linda Wiener)

Linda Wiener reported that she filed the quarterly tax return, with no sales tax due. The next report will have dollars due as they have invoiced Finger Lakes Technology Group. She said they now have quick books set up to invoice the various organizations. In response to a question, she did an “upon receipt” for the invoice due date. Ms. Wiener did say that she has a backup person, Sarah, in the office that is capable of creating an invoice when she is not there. There is a definite need to talk about some of the organizational aspects in the future. At this time, Ms. Wiener gave an update on the various accounts, noting there is a fee for any transaction, deposits, and withdrawals. E. Hemminger said that he talked to Citizen Bank about the fees, and was told that is their policy. He will go to them once again telling them that the Board has concerns regarding these fees. She briefly touched on the subject of depreciation and the franchise tax. It was noted talk has been going on with the State Real Property Tax.

LEGAL UPDATE: (Jim Townsend)

J. Townsend said there was no new report, as discussion took place with the prior topics.

DESIGN, ENGINEERING AND CONSTRUCTION UPDATE: (Joe Starks)

Phase 1: Completed – Awaiting billing – expect to be less than anticipated.

It was noted at present, Infotonics is now the point of presence. E. Hemminger requested that the Board let him know, if they are not satisfied with the decisions that he had to make. Brief discussion left a conclusion that it is necessary to have someone that has the flexibility to make such decisions and the backing of this Board.

Phase 2: Fishers Lateral – Completed – waiting for new FLCC bldg. and discussion taking place with TW Telecom.

Phase 2: Backbone (June 2009) Completed, some splicing to be done.

Phase 2: Verizon Wireless Laterals (Baker Hill and Fibertech Issues) 4 towers completed they wanted by end of June. Want one more in Canandaigua near the Water Treatment Plant. Another tower at Baker Hill cannot do which causes holding up additional towers in Monroe County.

Phase 2: Co-locations (negotiating for Canandaigua Location) See map

Phase 2: Marcus Whitman Central School District Project – Completed. The District should be able to start using the system this coming week.

Phase 3: Work in progress: Completed design work down thru Naples, taking to carrier next week. Design for Canandaigua area, for Thompson Hospital and FLCC is underway. The City of Geneva, several locations such as the FLCC Bldg, County Offices, City Offices, FL Health, Hobart & William Smith Colleges. M. Manikowski

requested J. Stark to contact Valerie Bassett, City of Geneva, regarding the Economic Development property in the City of Geneva.

OLD BUSINESS:

E. Hemminger said that he should shortly be completing the Annual Report to the County.

NEW BUSINESS:

None

OPEN DISCUSSION:

E. Hemminger requested that if there is a month where there is only information to share, he recommends cancelling the meeting and sending information via email. However, the Board should meet every two months.

NEXT MEETING: July 24, 2009