

**MINUTES
BOARD OF DIRECTORS
FINGER LAKES REGIONAL
TELECOMMUNICATIONS DEVELOPMENT CORPORATION
AUGUST 28, 2009**

Members Present:

Geoff Astles, Ontario County Administrator
Edward Hemminger, Chief Information Officer, Ontario County
Wayne Houseman, Vice Chairman, Ontario County Board of Supervisors
Michael Manikowski, Ontario County Economic Developer
Doug Mossbrook, Eagle Mountain, Inc.
Robert Seem, Cornell Ag & Food Tech Park
Camille Sorensen, Wayne Finger Lakes BOCES
Mike Ward, Vice President Information Technology, Ultralife

Members Absent:

James Fralick, Ontario County Citizen
David R. Smith, Ontario County Citizen

Others Present:

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

The meeting of the Finger Lakes Regional Telecommunications Development Corporation (FLRTDC) was called to order by Geoff Astles at 10:05 a.m. in the Economic Development Conference Room.

MINUTES

The minutes of the June 26, 2009 meeting were presented to the committee for approval. Mr. Manikowski made a motion to approve the minutes, seconded by Mr. Seem, and carried.

GOVERNANCE COMMITTEE

MEETING ATTENDANCE - With regard to meeting attendance, Ed Hemminger advised that he needed to look at past attendance and see if anyone has missed three or more meetings.

ECC TECHNOLOGIES

Joe Starks advised that he is talking with other counties and going forward with some type of program for the second round of stimulus funds. He questioned how the corporation might include some of these counties into the corporate structure prior to filing for stimulus funds, possibly as divisions; or whether other counties should form their own LDC. He advised that the next target time frame was November–February, and counties with past experience were favored over those with no experience.

Discussion was held and it was noted that having other counties included in the ring should be a benefit to the corporation, and should not prevent any slow downs. Joe Starks advised that it would occur when construction was complete.

It was decided to have Jim Townsend review and report back on options for the stimulus money. Jim stated that a brainstorming meeting should be scheduled.

CEO UPDATE

Ed Hemminger advised of the following:

- iUHBA Networks, Inc. has signed a MOU, and is now a customer.
- The Marcus Whitman project is done, and a payment of \$140,000 is forthcoming. Currently working with them and Frontier about phone service issues related to mass notification.
- Work continues with Verizon and their towers.
- FLCC has been very supportive and has notified their providers that they want their providers connected to the fiber ring.
- Has a signed agreement with Thompson Health.
- The NYS Broadband Council has disbanded and the Governor is setting up a 12-person council, of which Ed is being considered for membership.
- Distributed a project summary sheet prepared on 8/28/09 that showed that \$524,937 was Uncommitted/Available Funds without Project Revenue.
- About October 1, Citizen's Bank will make the first installment payment on the loan, which will be deposited into the bank account. Currently the account is being used like a line of credit. By not taking the draws too early, it saves money for the LDC.

LEGAL UPDATE

- Jim Townsend will need to contact the Real Property Tax Bureau to inquire about taxability on the corporation's holdings, and he noted that the only user has been the County. Ed Hemminger stated that all strands are public, but some are leased to the private sector and that is all we should be paying property tax on.

FINANCIAL REPORTS

The Board received copies of the following financial reports:

- Distributed 2009 Budget report dated 8/28/09 showing four items over budget. Ed advised that some items might have been expensed to the wrong project, and if so, if will be corrected shortly.
- Balance Sheet – Previous Year Comparison as of June 30, 2009.
- Balance Sheet – Previous Year Comparison as of July 31, 2009.
- Profit & Loss – Previous Year Comparison, January through June 2009.
- Profit & Loss – Previous Year Comparison, January through July 2009.
- Transaction Detail by Account, July 2009.
- Financial Update on Phase I, Phase II, and Phase III. Phase I is currently projected to be under budget by \$149,428.
- Currently Phase II is \$25,000 over budget. There is a possibility that some Phase III expenses got coded to Phase II, which will be corrected, and some items will be charged back to Verizon Wireless.

DESIGN, ENGINEERING AND CONSTRUCTION UPDATE

Joe Starks updated everyone on construction, and advised that the Phase III field work is 90% complete. Engineering in Geneva is done.

Andy Lukasiewicz updated the Board on the marketing activities, and advised that three new tower sites were being reviewed. Remedies to the Baker Hill problem were being addressed as well as connection of the Perinton Town Hall.

DIXON SCHWABL

Megan Connor Murphy spoke of the recent Verizon release and of its connection to the Fiber Optic Ring Release. Future focus will be on the benefit to citizens and business and will be in a one page non-technical format.

BOARD OF SUPERVISORS PRESENTATION

Geoff Astles, Ed Hemminger, and Wayne Houseman will ask to be on the agenda for the October 8th Board of Supervisors' Meeting to update everyone on the project, and provide the annual report, plus a one-page summary. The presentation would be 10-15 minutes, and the construction status and sequence of events will be reviewed.

OTHER BUSINESS

Being no further business to come before the Board, the meeting adjourned at 11:17 A.M. following a motion by Mr. Houseman, seconded by Mr. Manikowski and carried. The next meeting will be held on September 25 at 10:00 A.M., at which time there will be an overview of the October 8th Board meeting presentation. (NOTE: September 25 meeting cancelled. Next meeting will be October 23.)

Respectfully submitted,

Margaret Cooper

Secretary to the County Administrator

Distribution:

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

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