

MINUTES
FINGER LAKES REGIONAL TELECOMMUNICATIONS DEVELOPMENT CORPORATION
dba AXCESS ONTARIO
BOARD OF DIRECTORS MEETING
June 26, 2015

Members Present:

John Sheppard
Bob Seem (via phone)
John Garvey
Michael Manikowski
Camille Sorensen
David Smith
Johnny Walker
Don Culeton

Members Absent:

Doug Mossbrook
Mark Tolbert
John Dorak
Fred Damiano

Others Present:

Sean Barry, CIO
Andy Lukasiewicz, ECC Technologies
Ed Hemminger, ECC Technologies
Terry Phillips, Bonadio & Co.

The June 26, 2015 meeting of the Board of Directors of the Finger Lakes Regional Telecommunications Development Corporation, dba AxcCESS Ontario, was called to order in the Ontario County Economic Development Conference Room, County Municipal Building, 20 Ontario Street, Canandaigua, NY at 3:32 p.m. by Chairman John Sheppard.

Camille Sorenson entered the meeting at 3:35 pm.

Terry Phillips entered the meeting at 3:41 pm.

Bob Seem was participating (via phone) but signed off from the meeting at 4:40 pm during executive session.

APPROVAL OF THE MINUTES:

The minutes of the May 27 meeting was motioned of approval by Don Cuelton and seconded by David Smith. Motion carried.

FINANCIAL UPDATE:

Terry Phillips reviewed the budget results and informed the board that there were not many significant changes. The 990 draft is due Aug 15; and the board will need to do a board resolution on the next meeting.

Governance Committee:

Election of Vice Chair and Executive Committee Member –

Bob Seem reported that the Governance Committee recommends Mark Tolbert for Vice Chair of Access Ontario Board.

Mike Manikowski motioned to elect Mark Tolbert as the Vice Chair of the Access Ontario Board, Johnny Walker seconded the motion. Motion approved.

Bob Seem reported that the nomination for the Executive Committee Member vacancy is still in process. The Governance Committee is not ready to make a recommendation at this time.

STN / AO Agreement for Yates – Geneva (ECC)

Andy Lukasiewicz reported that they drafted an agreement between Southern Tier Network (STN) and Yates County; calling for 144 strands of fiber from Geneva at the Ag & Tech Park to the Yates County Border. There is going to be a onetime fee \$271,000 for the IRU fee. Access Ontario will own the fiber and IRU it to STN. There will be a monthly maintenance fee of \$1800/month that STN is paying IRU. The \$271,000 is part of the grant award from NYS to Yates County for building a Yates county fiber network. A key component is to hook up to Finger Lakes Health. A motion of adoption subject to the approval of legal counsel of the drafted agreement between STN/AO for the Yates/Geneva made by John Garvey and seconded by Johnny Walker. Motion carried.

Updated ECC Agreement (ECC / John)**Sales & Ops Update**

At 3:51 pm, a motion was offered by Mike Manikowski and seconded by David Smith to enter into executive session for the discussion of the financial, credit or employment history of a particular corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular corporation. Motion carried. At 4:51 pm, a motion was offered by Mike Manikowski to go out of executive session and Johnny Walker seconded the motion. Motion carried.

A consensus was reached to allow the executive committee to act on the AO-ECC agreement provided a regression analysis and legal counsel's scrutiny is met. There will be an executive meeting scheduled in two weeks to review the regression analysis and legal counsel's response for a resolution.

Adjournment

At 4:55 p.m., a motion was made by Mike Manikowski and seconded by Johnny Walker, to adjourn. The motion carried.

Distribution:

All Board Members, present and absent
Ontario County Board of Supervisors
Clerk's Office, Board of Supervisors
John Garvey, County Administrator
Mary Gates, Deputy County Administrator
Gary Curtiss, County Attorney
Cathy Bentzoni, County Finance Officer
Michael Wojcik, Economic Development