

**Tompkins County Development Corporation  
Annual Accomplishment and Operations Report  
2019**

The following information is intended to outline the basic operations and accomplishments of the Tompkins County Development Corporation (TCDC). TCDC received administrative support from Tompkins County Area Development, Inc. (TCAD), a separate not-for-profit economic development agency. TCDC receives bond counsel services from Harris Beach, PLLC. Audit services are provided by Insero & Company LLP as part of the Tompkins County Audit.

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## **Policies and Procedures**

The Tompkins County Development Corporation was created by Tompkins County in April of 2010. During 2019 the TCDC Board adopted a Whistle Blower Policy.

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## **WHISTLEBLOWER POLICY AND PROCEDURES**

Adopted: September 11, 2019

### **I. Introduction**

- a. Applicability: This Whistleblower Policy (“Policy”) shall apply to the Tompkins County Development Corporation (“Corporation”).
- b. Scope: In accordance with Title 12 of Article 9 of the Public Authorities Law, the Corporation is required to adopt a policy to afford certain protections to individuals who, in good faith, report violations of the Corporation’s Code of Ethics or other instances of potential wrongdoing within the Corporation.
- c. Purpose: This Policy provides Corporation members, directors, committee members, officers, and employees with a confidential means to report credible allegations of misconduct, wrongdoing, or unethical behavior and to protect those individuals, when acting in good faith, from personal or professional retaliation.

### **II. Definitions**

- a. “Good Faith”: Information concerning potential wrongdoing is disclosed in “good faith” when the individual making the disclosure reasonably believes such information to be true and reasonably believes that it constitutes potential wrongdoing.
- b. “Corporation Employee”: All members, directors, committee members, officers, and staff employed at the Corporation whether employed full-time or part-time, employed pursuant to a contract, employed temporarily, or employees who are on probation.
- c. “Whistleblower”: Any Corporation employee (as defined herein) who in good faith discloses information concerning wrongdoing by another Corporation employee, or concerning the business of the Corporation itself.
- d. “Wrongdoing”: Any alleged corruption, fraud, criminal or unethical activity, misconduct, waste, conflict of interest, intentional reporting of false or misleading information, or abuse of authority engaged in by an Corporation employee (as defined herein) that relates to the Corporation.
- e. “Personnel action”: Any action affecting compensation, appointment, promotion, transfer, assignment, reassignment, reinstatement or evaluation of performance.

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## **III: Reporting Wrongdoing**

All Corporation employees who discover or have knowledge of potential wrongdoing concerning board members, officers, or employees of the Corporation; or a person having business dealings with the Corporation; or concerning the Corporation itself, shall report such activity in accordance with the following procedures:

- a. The Corporation Employee shall disclose any information concerning wrongdoing either orally or in a written report to his or her supervisor, or to the Corporation's ethics officer or general counsel.
- b. All Corporation Employees who discover or have knowledge of wrongdoing shall report such wrongdoing in a prompt and timely manner.
- c. The identity of the whistleblower and the substance of his or her allegations will be kept confidential to the best extent possible.
- d. The individual to whom the potential wrongdoing is reported shall investigate and handle the claim in a timely and reasonable manner, which may include referring such information to an appropriate law enforcement Corporation or regulatory Corporation where applicable.

## **IV: No Retaliation or Interference**

No Corporation Employee shall retaliate against any whistleblower for the disclosure of potential wrongdoing, whether through threat, coercion, or abuse of authority; and, no Corporation Employee shall interfere with the right of any other Corporation employee by any improper means aimed at deterring disclosure of potential wrongdoing. Any attempts at retaliation or interference are strictly prohibited and:

- a. No Corporation Employee who, in good faith, discloses potential violations of the Corporation's Code of Ethics or other instances of potential wrongdoing shall suffer harassment, retaliation or adverse personnel action.
- b. All allegations of retaliation against a Whistleblower or interference with an individual seeking to disclose potential wrongdoing will be thoroughly investigated by the Corporation.
- c. Any Corporation Employee who retaliates against or attempts to interfere with any individual for having in good faith disclosed potential violations of the Corporation's Code of Ethics or other instances of potential wrongdoing is subject to disciplinary action, which may include termination of employment.

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- d. Any allegation of retaliation or interference will be taken and treated seriously and irrespective of the outcome of the initial complaint, will be treated as a separate matter.

## **V: Other Legal Rights Not Impaired**

The Whistleblower Policy and Procedures set forth herein are not intended to limit, diminish or impair any other rights or remedies that an individual may have under the law with respect to disclosing potential wrongdoing free from retaliation or adverse personnel action.

## **VI. Implementation**

This Whistleblower Policy shall be provided to all directors, officers, and employees of the Corporation and shall be periodically reviewed by the Corporation's Governance Committee.

## **Accomplishments – 2019**

In 2019, the Tompkins County Development Corporation did not have any projects access the tax-exempt bond market.

**Tompkins County Development Corporation**

	<b>2019</b>	
	<b>Budget (approved 10/10/18)</b>	
<b>Projected Starting Balance</b>	\$	501,250
<b>Income</b>		
Fees	\$	-
Interest	\$	300
	\$	<u>300</u>
<b>Expenses</b>		
Administration	\$	-
Attorney Fees	\$	-
Other fees paid	\$	<u>-</u>
		-
<b>Projected Ending Balance</b>	\$	501,550

**Tompkins County Development Corporation  
2019 Board of Directors**

Rich John \* \* # + Chairperson

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\* - annual appointment  
\* \* - two year term ends 12/31/20  
\* \* \* - two year term ends 12/31/19  
\* = member of Finance/Audit Committee  
# = member of Governance Committee  
@ = member of Housing Committee  
+ = member of Energy Committee

## **Comments on Operations**

Currently the TCDC does not have any real property. Any information on outstanding bonds or notes for current TCDC projects are reported in its Annual Financial Report. There is no compensation schedule, as TCDC does not have any employees. Administrative management is provided by TCAD.

The Tompkins County Comptroller maintains the TCDC funds and the Administrative Director reports quarterly to the Board. Administrative fees are paid via check or wire transfer.