

Tompkins County Development Corporation

Administration provided by Ithaca Area Economic Development

**TOMPKINS COUNTY DEVELOPMENT CORPORATION
BOARD OF DIRECTORS MEETING
• Wednesday, December 14, 2022 • 2:30 – 4:00 PM**

**Legislative Chamber
Governor Daniel D. Tompkins Building
121 E. Court Street, Ithaca NY**

THIS MEETING WILL BE LIVESTREAMED
Link to live stream channel: <https://tinyurl.com/weo3tkk>

AGENDA

1. **CALL TO ORDER**
2. **PRIVILEGE OF THE FLOOR**
3. **ADDITIONS TO AGENDA**
4. **BUSINESS** **Page**
2023 Memorandum of Understanding IAED and TCDC – Approval 2
5. **CHAIRS REPORT**
6. **STAFF REPORT**
7. **MINUTES - APPROVAL**
November 9, 2022 Board meeting 4
8. **ADJOURNMENT**

**Memorandum of Understanding
Tompkins County Area Development, Inc. D/B/A Ithaca Area Economic
Development &
Tompkins County Development Corporation, Inc.**

AGREEMENT

AGREEMENT, made by and between Tompkins County Area Development, Inc. D/B/A Ithaca Area Economic Development, a not-for-profit corporation of the State of New York, having offices at 401 East State Street, Suite 402B, Ithaca, New York, 14850, hereinafter referred to as "IAED", and Tompkins County Development Corporation, hereinafter referred to as "TCDC".

WITNESSETH

WHEREAS, IAED, as the community's lead economic development agency, offers financial assistance, technical assistance and real estate development services. IAED is responsible for creating and implementing the comprehensive economic development strategy for the county that provides leadership to create a supportive economic environment. IAED administers a revolving loan program, the Tompkins County Empire Zone, the Tompkins County Industrial Development Agency, and Tourism Capital Grant Program. IAED will provide administrative management to TCDC.

NOW, THEREFORE, in consideration of the agreements contained herein, the parties agree as follows:

1. The term of this agreement shall be from **January 1, 2023 through December 31, 2023**.
2. IAED agrees to provide technical and administrative services as follows:
 - Organize meetings of the Board of Directors and Committees of the Board.
 - Staff and take minutes of meetings.
 - Maintain TCDC files and archives.
 - Distribute applications and supporting documents to the TCDC.
 - Comply with project public hearing and taxing authority notification requirements.
 - Respond to questions about projects.
 - Assist attorney with closings.
 - Comply with NYS Public Authority Accountability Act regulations including filing of annual reports and other required information. Ensure TCDC Board certifies reports.
 - Compile information for annual audit, work with auditors in this regard, update information online as required by NYS, and keep board informed of process.
 - Create and maintain a web site as required by law.
 - Monitor legislation impacting the TCDC.

- Educate appropriate elected officials and their staff about the TCDC’s position on current or proposed legislation impacting LDC’s and their projects.
 - Recommend and advise the Board concerning changes to applications, policies, and by-laws.
 - Educate board members on duties of local development corporations.
 - Promote the availability of TCDC incentives to potential applicants.
 - Meet with potential applicants to discuss TCDC incentives, policies and procedures.
 - Prepare applicants for TCDC meeting.
 - Create community benefit analysis to accompany each project application.
 - Create job and wage report and annually review with TCDC Board.
 - Document and review with TCDC Board all projects that fall short of performance goals.
 - Implement recapture policy as necessary.
 - Create and update economic impact report.
 - Comply with NYS reporting requirements.
 - Meet with current customers on a periodic basis to monitor status of project.
3. It is mutually agreed between the parties that an independent contractor relationship is hereby established under the terms and conditions of this Agreement.
4. The provision of this agreement shall be construed under the laws of the State of New York.

IN WITNESS THEREOF, the parties hereto have executed this agreement as of the day and year first above written.

DATE: _____

 Greg Galvin for IAED

DATE: _____

 Rich John for TCDC

**Tompkins County Development Corporation
Board of Directors Meeting DRAFT Minutes
November 9, 2022 – 2:30 PM
TC Legislative Chambers
121 E. Court Street
Ithaca NY 14850**

Present: Rich John, Faith Vavra, Jeff Gorsky, Shawna Black, Mike Sigler, John Guttridge, Todd Bruer

Guests: Frost Travis (GPA Management, LLC), Lincoln Morse, Zachary Rosenbaum, Brian Poulson (Cliff Street Retreat), Todd Fox, Laura Mattos-remotely (132 Cherry Clinton, LLC)

Staff: Heather McDaniel, Ina Arthur (IAED), Kyle Gooch-remotely, Russ Gaenzle-remotely (Harris Beach), Rick Snyder, Andrew Braman (TC Finance)

CALL TO ORDER

Rich John called meeting to order at 2:35 pm.

PRIVILEGE OF THE FLOOR - None

ADDITIONS TO THE AGENDA – None

Rich Snyder, Tompkins County Finance Director, addressed the board to introduce Andrew Braman, Deputy Director of Finance, who would be taking over the bookkeeping duties for the TCIDA and TCDC until the County appoints a new Finance Director.

Rich John thanked Rick Snyder for his work with the TCIDA for the past nine years. John Guttridge thanked him for his service and professionalism.

BUSINESS

TCDC Public Meeting Videoconference Policy - Approval

Rich John stated that the reason for developing this policy is so all board members can have an opportunity to present their views even when circumstances dictate that they are not physically able to be present at a meeting.

Heather McDaniel reported that the Governance Committee reviewed and recommended the TCDC Public Meeting Videoconference Policy. The policy outlines the circumstances that could allow a board member to participate in a board meeting remotely due to extenuating circumstances and the procedures to follow. The procedures are guided by public officer's law.

John Guttridge asked about item 4b – which references being under direct orders from a doctor not to attend. Would a board member need to present a doctors note?

Heather McDaniel stated that section 4e of the policy covers other unforeseen factors or events so perhaps this could cover not attending due to illness such as COVID.

Counsel stated that policies such as this one are new and there is no rule that defines an extenuating circumstance.

Rich John asked there is some sort of honor system, if you are sick, please let us know and not attend the meeting.

John Guttridge made a motion to approve the TCDC public meeting videoconference policy. Todd Bruer seconded the motion.

John Guttridge asked for clarification on when a member will be participating remotely, can the public also have access to the zoom link? No, if the board member cannot attend the meeting in person but can attend in another location that the public has access to, then the public would be notified of this fact and the location. However, if the member is not able to be in another public location, then the member would participate remotely but the public would not be able to attend remotely. Notification should be given as far in advance as possible.

John Guttridge asked that second 4b of the policy be changed to: **“Communicable illness or illness whereby they are under direct orders from a doctor not to attend in-person meetings.”**

This change to the motion was seen as friendly. **The motion was approved 7-0.**

CHAIRS REPORT – none

STAFF REPORT – none

MINUTES

Jeff Gorsky made a motion to approve the draft minutes from the TCDC Board meetings on October 12, 2022. John Guttridge seconded the motion. The motion was approved 7-0

The meeting adjourned at 3:03 pm.