

**WYOMING COUNTY**  
**BUSINESS CENTER**  
**ANNUAL BOARD MEETING MINUTES**

The WCBC Board of Directors met on April 21, 2021 at 3:00 p.m. (immediately following the Governance and Finance/Audit Committees) via Zoom Meetings.

Due to the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the Wyoming County Business Assistance Board Meeting was held electronically via Zoom Meeting instead of a public meeting open for the public to attend in person. Members of the public could listen to and view the Board meeting at the Wyoming County IDA's You-tube channel.

Chairman Fish called the meeting to order at 3:12 p.m.

**Roll call to establish quorum**

Present were: James Pierce, President/CEO; Rick Fish, Chairman; Sam Gullo, Vice-Chair (joined the meeting at 3:40); Dan Leuer, Secretary; Jeremy Satchell, Treasurer; Jim Brick, Director; Robin Marschilok and Jennifer Tyczka, Wyoming County IDA; and Kevin Zanner, Agency Counsel.

**1. Administrative**

- A.** December 29, 2020 Board meeting were reviewed. A motion was made to accept the minutes by J. Satchell and seconded by D. Leuer. The motion was unanimously carried.
- B.** The financial report from Jan-Mar 2021 was reviewed. The financial report was accepted on a motion made by D. Leuer, seconded by J. Brick. The motion was unanimously carried.
- C.** Review/Approve 2020 Audit Report
  - R.** Marschilok reviewed the Audited Financial Statements which were completed by Freed Maxick CPAs, PC. Marschilok informed the Board that the lead auditor was Nicole Ryan this year. Ryan will replace Kathryn Barrett for 2 years as is required per the PAAA guidelines. Marschilok reviewed the Financial Statement and highlighted the change in net position from 2019 to 2020 and noted that there were not any mis-statements reported. After review of the reports the Board approved the completed Financial Audit and Report to the Board on a motion made by J. Brick. The motion was seconded by D. Leuer and unanimously carried.
- D.** Review/Approve WCBC Mission Statement
  - Pierce asked the Board to review the Mission Statement and Measurement Report included in the packet, adding that yearly review and approval is required for the

PARIS report to the State. The Mission Statement and Measurement Report was approved on a motion made by J. Satchell. The motion was seconded by D. Leuer and unanimously carried.

**E. Authorize execution of the 2021 contract with Wyoming County**

Pierce informed the Board that the County has approved the 2021 Budget as submitted and has prepared the Annual Contract between the County and the WCBC. Pierce asked for authorization to sign the Contract in the amount of \$56,000 to be paid quarterly by the County. The Board authorized Pierce to sign the Contract with the County on a motion made by J. Brick. The motion was seconded by J. Satchell and Unanimously carried.

**F. Authorize execution of the 2021 Contract with the WCIDA for administrative services**

Pierce presented the 2021 Contract for Administrative Services from the WCIDA in the Amount of \$20,000. After review the Board Authorized Pierce to sign the 2021 Contract with the WCIDA for administrative services verifying the correct address on the Contract on a motion made by J. Satchell. The motion was seconded by J. Brick and unanimously carried.

**2. Act of Governance Committee Recommendations**

**A. Approve Governance Committee Member Appointments**

Chairman Fish asked for a motion to approve the Governance Committee's recommendation to appoint all members of the WCBC Board to the Governance Committee. J. Satchell made a motion to accept the Governance Committee recommendations. The motion was seconded by D. Leuer and unanimously carried.

**B. Approve Finance and Audit Committee Member Appointments**

Chairman Fish asked for a motion to approve the Governance Committee's recommendation to appoint all members of the WCBC Board to the Finance and Audit Committee. J. Satchell made a motion to accept the Governance Committee recommendations. The motion was seconded by D. Leuer and unanimously carried.

**C. Approve Recommended Appointments of Board Officers**

Chairman Fish asked for a motion to approve the Governance Committee's recommendation of appointment of WCBC Board Officers. J. Satchell made a motion to accept the Governance Committee recommendations for the slate of officers as: Rick Fish, Chairman; Sam Gullo, Vice-Chair; Dan Leuer, Secretary; and Jeremy Satchell, Treasurer. The motion was seconded by D. Leuer and unanimously carried.

**D. Approve, Adopt and re-adopt Policies and Charter**

The Chairman then asked the Board for a motion to accept the Governance Committee's recommendation to approve, adopt and re-adopt policies and charter. J. Satchell moved to re-adopt the Procurement Policy, Disposition of Real Property Guidelines, The Real Property Acquisition Policy and the Conflict-of-Interest Policy as recommended by the Governance Committee. The motion was seconded by D. Leuer and unanimously carried.

**E. Review and Approve Sexual Harassment Prevention Policy**

The Chairman then asked the Board for a motion to accept the Governance Committee's recommendation to approve and adopt the Sexual Harassment Policy. J. Satchell moved to adopt the Sexual Harassment Policy as recommended by the Governance Committee. The motion was seconded by D. Leuer and unanimously carried.

**3. Act on Finance/Audit Committee Recommendations**

**A. Approve/ Re-adopt Policies as Recommended**

Chairman Fish asked for a motion to accept the Finance and Audit Committee's recommendation to adopt and readopt policies and charter. J. Satchell made a motion to accept the Finance and Audit Committee's recommendation to Re-adopt the Investment Policy. D. Leuer seconded the motion and it was unanimously carried.

**B. Approve/Re-Adopt Budget for 2021**

The Chairman Fish asked for a motion to approve and adopt the budget as recommended by the Finance and Audit Committee. J. Satchell made a motion to approve and adopt the budget for 2021 as recommended by the Finance and Audit Committee. The motion was seconded by D. Leuer and unanimously carried.

**4. Review 2020 Annual Report**

Pierce previously supplied the 2020 Annual Report for the WCBC Board to review. Pierce highlighted the new programs created during the Covid-19 pandemic that were developed to help small businesses. Pierce stated that he is proud of the work the WCBC has done to launch the Business Accelerator Program and the Mentorship Program during these difficult times. The Micro-loan program completed 3 new loans Pierce also discussed the continued partnership with Invest Buffalo Niagara, which has been working to develop a strategy to address the shortage of industrial building sites in the County and WNY. The Board accepted and approved the Annual Report on a motion made by J. Brick. The motion was seconded by J. Satchell and unanimously carried. J. Satchell thanked the staff for their work during the pandemic and as always to support the business community.

**5. Updates**

**A. Micro Loan Program**

Pierce reviewed the Micro Loan program stating that during the pandemic we did not lose any businesses. All the borrowers are back up and paying on a regular basis after the 6-month waiver of payments. Pierce asked the Board for authorization to write off the balance of \$30,540.16 for Silver Trails Outfitters as the business and the owners have completed the bankruptcy proceeding and the WCBC will not receive any further payments toward the outstanding note. The Board authorized the write off on a motion made by S. Gullo. The motion was seconded by J. Brick and unanimously carried. Pierce stated that the note for County Homes and Interiors has been paid off, and the WCBC is still receiving funds toward the NY Stork Exchange account.

**B. Re-Start Loan Program**-Action item-request from Hybrid Design and Construction for a 3-month deferral of P & I on a Re-Start loan because of a workplace injury. Pierce presented a request from Merlin Brainerd, owner of Hybris Design and Construction to defer his payments for 3months due to a recent injury. Regular payments would begin June1, 2021. The Board agreed to defer the principal and interest payment on his loan for a period of 3-months on a motion made by J. Satchell.

The motion was seconded by D. Leuer and unanimously carried.

**C. FastTrac Program** - Pierce stated that the FastTrac Program updates are included in the 2020 Annual Report

**D. Business Mentorship Program** - Pierce stated that the Business Mentorship Program updates are included in the 2020 Annual Report.

**E. Business Accelerator Program** - Pierce stated that the Business Accelerator Program updates are included in the 2020 Annual Report.

**F. Emkay Property**

Pierce reminded the Board of the issues with the Emkay Property which the Board authorized the WCBC to complete the steps to take ownership and to complete a study to get EPA Brownfield status. The WCBC has established the WCBC North, LLC to be the responsible agency for the Property and Agency counsel has completed a title search on the property, reporting no red flags. Currently, Pierce will apply for an EPA Grant for the property in October, the Village of Arcade has applied for a grant for a market study. The expected use of the property once redeveloped includes senior housing. Pierce indicated that there is still interest in the site by developers. Once the market analysis is complete we will be able share what niches are best suited for the site.

## **6. Other Business**

D. Leuer asked about the WCBC's eligibility for the recovery funds. Pierce stated that County departments are putting together lists of what the funds would be used for and Pierce and Scott Gardner from the Chamber have submitted a list to Chairwoman Ryan. The list included tourism and economic development type items.

## **7. Next Meeting**

The next meeting of the WCBC will be announced when scheduled.

## **8. Adjournment**

There being no further business to discuss the meeting was adjourned at 3:57 pm on a motion made by J. Brick, seconded by S. Gullo and unanimously carried.

Minutes prepared by R. Marschilok