

**FACILITIES & COMMUNICATIONS COMMITTEE
JULY 1, 2015**

**** NOT APPROVED ****

Committee Members Present: D. Pullen, C. Jessup, D. Fanton, K. Graves, A. McGraw, N. Ungermann, C. Crandall (Absent: D. Root)

Others Present: M. Alger, L. Ballengee, H. Budinger, D. Button, S. Burt, D. Decker, K. Dirlam, S. Grusendorf, D. Healy, R. Hollis, T. Hopkins, G. James, B. Kelley, J. Luckey, T. Miner, B. Riehle, T. Ross, C. Santora, D. Scholes (Guests: Ravo Root, Fillmore Central School Superintendent; Kyle Lyon, WNYRIC; Bill Risse and Trent Tanner, CONXX)

Media Present: D. Donohue, *Olean Times Herald*

Call to Order: The meeting was called to order at 2:30 p.m. by Facilities and Communications Committee Chairman David Pullen.

Approval of Minutes:

A motion was made by Legislator Graves, seconded by Legislator Fanton, and carried to approve the Facilities and Communications Committee minutes of June 3, 2015.

Communications-Related Matters

Legislator Pullen commenced the meeting with the introduction of Ravo Root, Fillmore Central School Superintendent, and Kyle Lyon, IT Representative from WNYRIC (Western New York Regional Information Center) who spoke to the Committee regarding the Smart School Bond Act which will provide funding to school districts to “provide access to classroom technology and high-speed internet connectivity to equalize opportunities for children to learn, to add classroom space to expand high-quality pre-kindergarten programs, to replace classroom trailers with permanent instructional space, and to install high-tech smart security features in schools. The funds received by the state from the bond act will be used by school districts for capital projects related to educational technology equipment, including but not limited to interactive whiteboards; computer servers; tablets, desktop and laptop computers; high-speed broadband or wireless internet connectivity for schools and communities; capital projects to construct, enhance or modernize educational facilities to accommodate pre-kindergarten programs and provide instructional space to replace transportable classroom units; and capital projects to install high-tech security features in school buildings and on school campuses.”
(excerpted from NYSUT.org website)

Mr. Root: began by saying that technology is not going away and that many schools have gone to a one-to-one program where there is one device (e.g. tablet) for every one student. That device becomes the student’s notebook, textbook, and source of information. It is a key learning tool for students to achieve and excel. Currently, when students come into the building, they download information to the device, so when they go home, if they don’t have internet access, they have all the information they need to do the work. We are becoming more immersed in technology; however, we all know that it would be more convenient to have access to the internet. Mr. Root said he sees it as an equity issue. He added that he would prefer for all of his students to have equal access to resources when it comes to learning. In Allegany

County, he said, about 50 percent of students are qualified for free or rate-reduced lunch. He added we also have large areas that don't have internet access, so our goal is to make it accessible and affordable. We're currently looking into this on our own, he said, and we have taken some steps to create an RFP, and are looking to have consultants with that goal in mind of making the internet accessible and affordable. What Allegany County is doing, we believe, from a technical standpoint, it will work, and it might be the avenue we need to make the internet accessible and affordable. Not only would that help the business community, but residents, schools and students as well, and I would encourage you to continue to support these efforts, and we will share any information we receive openly in case that might benefit the County in some way.

Mr. Lyon then spoke. He began by giving an overview of his responsibilities with WYNRIC. He said he manages about 38 schools for their internet access, firewalls, security, etc. from Jamestown to Corning to Arcade. He added that in Allegany County, only about 60 percent of students have internet at home vs. those in the city or the suburbs where that number is about 90-95 percent. So providing internet access is definitely something we (WYNRIC) have an interest in. He added the issue is not only does internet capability "pass" the home, but also can the home afford it. The bigger service providers are not going down a road they won't get revenue back on, he said. Legislator Ungermann asked if people are made aware that not everything on the internet is truthful or accurate. Mr. Root noted that of Fillmore's curriculum is critical thinking and how to do research and look at sources with a critical lens. When Legislator Ungermann went on to ask if students would be able to do math, for example, without the assistance of an electronic device, Mr. Root assured him that in his District, at least, that was the case. However, as part of a mission to prepare students for college, career, and the military, it is necessary for them to have a grasp of the technology. Legislator Ungermann expressed his concern about the educational system because everything is done electronically, and the product (graduate) can no longer think for him/herself. Mr. Root said it is a valid concern, but at Fillmore, they don't ignore those "soft skills" to which Mr. Ungermann referred. They have steered the curriculum so there is more of that...and more STEM (science, technology, engineering, math) focus as well. Students are taught to apply critical thinking and problem solving to all areas/problems, he said. The rigor students need has been escalated in order to prepare them for their futures.

Chairman Crandall said if we can couple Broadband with the schools, it could be beneficial for both the schools and the County. The schools could springboard off what the County puts in place. He asked if our system would be acceptable from the educational perspective. Mr. Lyon said that what the County is doing is cutting edge. The game changer, he added, is that the County System is wireless, and thus costs less than traditional fiber or coaxial cable. He said that in rural areas such as Allegany County, wireless must be used because of the remoteness and the number of miles in the County.

Mr. Root added he would like to see the County get its Broadband up and running, and once there, perhaps education can help support the effort down the road. His goal is to see internet service cost \$10-\$20 per month.

He went on to explain that the "we" he refers to is comprised of school superintendents in Allegany and Cattaraugus counties, and a subcommittee which has been formed from among that group. That subcommittee hopes to continue talks with the County regarding this initiative.

Legislator Pullen noted that students will not have access to "bad" stuff on the internet on the devices they use for school, because there will be secure filters and the County Broadband would be compatible with those filters.

Bill Risse of CONXX said that the Allegany County System will be compatible with what is done in the schools.

Legislator Healy inquired whether there are other avenues of funding for this type of initiative at the federal or state levels, noting that this is a poor area.

Mr. Lyon responded that there is incentive for the schools to work through BOCES. The majority of schools in this area are receiving 70-90 percent refund when they buy technology. Bigger schools in the cities, for example, do not get that high a rate of return. Mr. Lyon also mentioned E-Rate which is FCC money purely based on the number of students who get free and reduced-rate lunch. Schools in Allegany, Cattaraugus, and Steuben counties typically get about 70-80 percent at the federal level. If schools buy technology, that all comes back to them. In this area, the funding Mr. Lyon sees is very high. There is more opportunity out there than previously believed, he added.

Legislator Pullen noted that the State is making available \$1 billion (with a 50 percent match) for technology for private companies as well as municipalities. This program may be something we want to look at more closely.

Mr. Risse said that there are three programs that might be available as additional funding streams: the billion dollar program Mr. Pullen mentioned, which, he said, he feels there is good reason to look into the parameters because he thinks Allegany County could qualify; the Smart Schools Bond Issue, which is a source of funds that school districts, individually or collectively, control; and E-Rate, which is a federal program providing low-cost technology to a prescribed population (see below).

E-Rate Program—Discounted Telecommunications Services

The Universal Service Administrative Company (USAC) is an independent, not-for-profit corporation created in 1997 to collect universal service contributions from telecommunications carriers and administer universal support mechanisms (programs) designed to help communities across the country secure access to affordable telecommunications services. USAC carries out its functions as the administrator of the federal universal service programs and Universal Service Fund (USF) under the oversight of the Federal Communications Commission (FCC). USAC administers universal service programs for high-cost companies in rural areas, low-income consumers, rural health care providers, and schools and libraries. The universal service Schools and Libraries Program, commonly known as "E-rate," provides discounts of up to 90 percent to help eligible schools and libraries in the United States obtain affordable telecommunications and internet access. The program is intended to ensure that schools and libraries have access to affordable telecommunications and information services. Eligible participants include public and most non-profit K-12 schools as well as all public and many private libraries. Program participants must carry out a competitive bidding process to select the most cost-effective companies to provide the goods and/or services requested.

(from the web site:<http://www2.ed.gov/about/offices/list/oii/nonpublic/erate.html>)

Mr. Risse added that a good portion of these programs can be used for those things such as connectivity and technology for learning that have been topics of discussion at this (and other) meeting. Additionally, he said, these issues were not included in the Business Plan which was presented at last month's meeting. Nor does the plan include industrial, hospitality, medical, or educational users.

Legislator Pullen noted that the June meeting, a preliminary Business Plan had been distributed to the Committee. It served as an analysis to see if an LDC (Local Development Corporation) could be established by Allegany County, function, and survive....to see if it would be economically viable. The Plan concluded that with just a gradual signing of private (residential) customers, and not any of the other types mentioned above, the LDC should be a viable proposition.

He went on to say there was other paperwork to review, and commenced distributing the following: a proposed Local Law provided by County Attorney Tom Miner, a certificate of incorporation (which is actually what the local law authorizes us to establish [LDC]), and an agreement approving a service agreement with Allegany County and Allegany County Telecommunications Corporation to manage the County's wireless internet Broadband service and transfer of funds.

Now that the County has spent the money on this project, moving forward, it needs a vehicle so that every step of the project is not handled by the Facilities and Communications Committee and/or the Board because the Committee meets only one time per month, and that's been how it's been handled thus far.

Discussion on the local law was opened on a motion by Legislator Graves and seconded by Legislator Jessup.

During the discussion, the following topics arose:

The LDC would be the entity that will be taking over so that the Legislature and this Committee would not be doing the day-to-day business because such things as proposals with BOCES, school districts, WNYRIC, and possibly contracts with ION and last-mile providers will arise.

The wireless system itself is owned by Allegany County, but we (the County) need to have a contract between the County and the LDC that turns it (the system) over to LDC to manage and operate. If this Committee agrees, the Local Law will be referred to Ways & Means and then to the full Board to be considered at its July 16 meeting. A public hearing could be held on July 22, 2015; following the public hearing, the Board could consider action on that (which is our typical pattern). And if there need to be changes, they can be made as well.

Mr. Pullen went on to say that the County cannot loan money, so instead, what is being looked at is a contract that would function in much the same way except that the LDC would have a contract that would give it revenue from Allegany County to get started. Then there would be revenue streams that would come from the LDC to the County after the first couple of years. Initially, he reminded the group, we were looking at a three-four year break-even point; however, depending if we add several thousand of school users or contract with the schools themselves, revenues could be available a lot earlier. The County would pay up to \$400,000 for the start-up.

As the discussion continued, County Attorney Tom Miner suggested an attorney/client session. the Committee entered into attorney/client session at 3:12 p.m. on a motion by Legislator Graves, seconded by Legislator Fanton, and carried. The Committee exited attorney/client session at at 3:52 p.m. on a motion by Legislator Fanton seconded by Legislator Graves and carried.

Following attorney/client session, a vote was taken on the motion made earlier by Legislator Graves and seconded by Legislator Jessup to support the proposed local law to establish the LDC and which opened the discussion to move it forward to Ways & Means and then on to the full Board. The motion was approved and carried. (One opposed: Legislator Ungermann) **Refer to Ways & Means**

Mr. Risse, when asked for an update on 911 and Broadband activity turned the floor over to Trent Tanner, CONXX VP of Installation and Operations, who said he and his team have been in Allegany County for about five weeks. He said during this first phase his team has done all the towers but one. All the Broadband and 911 equipment is up on the towers. All the cable had been run. The last piece they are waiting for is to have cabinets installed, and they are waiting for some equipment to arrive.

“As we sit now,” he said, “we are 90 percent done with all tower work in phase 1.”

Subsequently, Lt. Sean Grusendorf said he is pleased with how things are going so far. However, he wanted to reiterate that we should not be confusing Broadband funds with Homeland Security Funds. It is fine to piggyback the two systems, but he wanted to make it clear that Broadband is **not** using 911 funds. On a related matter, he had been in conversations with LaBella regarding the equipment room. He is now waiting to hear about a timeline for construction going forward. He went on to say they are spending other grant dollars to improve the CAD system at the Jail.

Legislator Pullen remarked that the previous day, Clerk of the Board Brenda Riehle had emailed to Committee members a report by the NYS Department of Public Service regarding a Study on the State of Telecommunications in New York State as well as information regarding public hearing locations and dates. Mr. Pullen said the document is a staff assessment of telecommunication services in the State. However, from the portion of the report he had read by the meeting, Mr. Pullen felt that the information contained in the report was not 100 percent accurate and that the qualifier that there “may be some remote areas that do not have what we describe” seemed to indicate that Allegany County must be that area because we don’t have the widespread services such as cell phone coverage, cable, internet, and competitive phone service, detailed in the report. Mr. Pullen indicated he will attend a regional meeting and give them an “earful” as regards the misinformation in the report. He added that he wants them to know they are making decisions on bad information.

Legislator Pullen apologized for not recognizing IT Director Deb Button earlier in the meeting and congratulating her on her upcoming retirement. He noted that Deb has been “a capable and faithful public servant,” and he wants to recognize her.

However, that leaves a vacancy which falls to the Facilities & Communications Committee to fill. County Administrator Alger distributed resumes to the Committee members for their review and the Committee agreed on conducting interviews on Thursday, July 9. Mr. Alger will email Committee members with details.

Facilities-Related Matters

Attorney/Client Session

The Committee entered into attorney/client session to discuss contract issues at 4:12 p.m. on a motion by Legislator Pullen, seconded by Legislator Jessup, and carried. The Committee exited attorney/client session at 4:47 p.m. on a motion by Legislator Fanton, seconded by Legislator Graves, and carried.

Adjournment

There being no further business to come before the committee, the meeting was adjourned at 4:47 p.m. following a motion by Legislator Graves, seconded by Legislator Fanton, and carried.

Respectfully submitted,
Cynthia Santora, Secretary to the Clerk of the Board
Allegany County Board of Legislators