



Finger Lakes  
Visitors Connection

Finger Lakes Visitors Connection

# Board Policies Procedures and Forms

## **Introduction**

Welcome to *Ontario County Four Seasons Local Development Corporation dba Finger Lakes Visitors Connection (FLVC)*. We are pleased to have you as a member of the FLVC team and believe you will make important contributions to our future. Every board member, individually and as a team member, has an important role in the growth of the tourism economy in Ontario County. As a member of the board, you are also a team member of Ontario County, our founding organization.

### **Mission**

To curate, distinguish, and develop Ontario County's destination brand inspiring travel, creating economic vitality for our stakeholders, and providing quality of life benefits for our residents.

### **Vision**

Ontario County's Visitors Connection (FLVC) is viewed as an intentional community leader and equity partner in economic development, social and environmental responsibility. Our destination is valued as a dynamic place to live, work, play and be well.

## **History of Organization**

Ontario County Four Seasons Local Development Corporation was an organization formed at the recommendation of a group of tourism industry representatives assembled by Ontario County Board of Supervisors to address the opportunities for economic development through tourism. The original group was named the Ontario County Tourism Board.

In February of 1983 the Tourism Board was dissolved and the Ontario County Four Seasons Local Development Corporation was formed as a not-for-profit local development corporation for the purposes of "publicizing the advantages of Ontario County as a tourist destination."

In June 1984 with funding from Ontario County, the organization hired Valerie Knoblauch as President and the program of work was established with an office at 248 South Main Street, Canandaigua. The organization was commonly referred to as the Ontario County Tourism Bureau.

FLVC is a 501c3 organization, classified as tax exempt in New York State. We are not a membership organization. The organization works cooperatively with other not-for-profits and private sector businesses and associations to achieve its goals. In 1986 it became the official tourism promotion agency for Ontario County (TPA). This provide access and responsibility toward a variety of New York State grants, including the I Love NY Matching Funds program.

In 1989 the organization assisted in the organization and celebration of Ontario County's 200<sup>th</sup> year - drawing attention to it as "The Mother of Counties."

In November of 2000, the d.b.a. A Finger Lakes Visitors Connection was adopted in response to consumer recognition of the Finger Lakes brand identity and confusion with the name Ontario as the internet was developing and being used for search purposes. At this time, the organization was housed at 20 Ontario Street, within the county complex, today referred to as the Municipal building.

In May 2003, the corporation purchased an 1884 Victorian house at 25 Gorham Street and moved its offices there in August of that year. Commonly referred to as “the Visitors Connection” or “FLVC” the organization’s primary funding source had changed to a dedicated occupancy tax in 2002, the program of work also expanded to include hospitality services and product development.

In August 2020, Finger Lakes Visitors Connection adopted the new address which was made available through a street name change - 19 Susan B. Anthony Lane, Canandaigua, NY.

Over the years our organization, its team members, leadership and board have been recognized with awards and accolades for its endeavors to grow the tourism economy in Ontario County. We have been cited for our close working relationships with the departments within Ontario County and the support that they have provided us, as well as our engagement with the community and organizations ranging from the Chambers of Commerce to the Business Improvement Districts. Additionally, many cooperative promotion endeavors have been pursued with unique relationships across the state.

In June of 2021, Finger Lakes Visitors Connection received its accreditation from Destinations International. The Destination Marketing Accreditation Program (DMAP) seal is a recognition of the organizations, commitment to industry excellence and meeting the industry standard for performance and accountability of destination organizations around the world. This accreditation places FLVC in a notable and distinctive group of international organizations who have met quality and performance standards for our industry.

## **FLVC Structure and Relationships**

A Finger Lakes Visitors Connection (Ontario County Four Seasons Local Development Corporation) was created in 1983 by the Ontario County Board of Supervisors for the purposes of promoting and developing the tourism assets of Ontario County to provide economic benefit and job opportunities for its residents and generate sales tax revenue for the county. The following information is intended to assist board members to learn about FLVC, its programs and your board responsibilities.

*FLVC Online.* Finger Lakes Visitors Connection website is [www.visitfingerlakes.com](http://www.visitfingerlakes.com). There is a special partners section with a link to About FLVC -where non-consumer based information is posted.

*Relationship to Ontario County and New York State:* FLVC is an independent, not-for-profit (501c3) organization contracted by Ontario County to provide destination marketing, tourism development expertise and programming. We have enjoyed the designation as Ontario County’s official tourism promotion agency since 1986. Additionally, Finger Lakes Visitors Connection operates as a local development corporation. As such, it is under the jurisdiction of the Public Authorities Accountability Act. This act requires that governmental related bodies report to New York State through the Public Authorities Reporting Information System (PARIS). Additionally, this requires that certain standards of governance are maintained included policy requirements and board of directors training stipulations.

*Funding:* The budget for FLVC combines revenue from the Ontario County occupancy tax collections with the New York State Matching Grants program, and partner investment in a variety of cooperative programs. Occasionally, there are additional contracts or state funding programs for which the company will apply and receive funding.

*Partnerships.* FLVC typically enters into marketing partnerships which extend the marketing dollars of the company on a cooperative basis with other nearby counties and their tourism agencies. Such programs have included, in the past, Canadian marketing, niche marketing in areas like outdoor recreation and hike/bike, arts and historic specialty programs, like Mormon history, arts and glass trails. These programs are formed on an ad-hoc basis and individual employees will be assigned to represent FLVC in these cooperative marketing endeavors.

*Board of Directors:* The bylaws of FLVC designate a board of directors of up to 17 persons representing the travel and tourism industry. Three of these members represent the lodging segment of the industry. One of these members is appointed from the Board of Supervisors.

*Staffing:* Is at the will of the Board of Directors. An organizational chart is available online via Finger Lakes Visitors Connection partner site. ([www.visitfingerlakes.com/partners](http://www.visitfingerlakes.com/partners)) Part time staff and interns are also employed as needed.

## **About this Manual**

This manual is meant to accompany the Employee Handbook in citing policies, procedures and practices for the organization. Additionally, it is a source for operational procedures, position statements, and forms which are required. When policies conflict, the Employee Handbook will be the source of the most recent policy, procedure.

The President and CEO is charged with ongoing updates to this manual and others. Advisement or requirements for policy changes and additions come from a variety of sources; a major source is the Public Authorities Accountability Act and not-for-profit law. The Board of Directors Governance Committee is the primary filter for manual updates with ultimate authority for changes the Board of Directors.

Where the word employee appears, there is a cross referral to Board member.

We encourage any board member to share ideas or concerns for the betterment and greater utility of this manual.

# **TABLE OF CONTENTS**

## **POLICIES**

### **Section 100. Administration and Operations**

- 101. Sharing of Tourism Information and Research
- 102. Chief Executive Continuation Policy
- 103. Handling of customers' personal data and privacy policies
- 104. Maintaining Program Integrity
- 105. Accounts Receivable and Advertising Restrictions
- 106. Second Signature Required for Payments in excess of \$5000
- 107. Restrictions on Funding Requests, Community Advertising, Political Advertising and Sponsorships
- 108. Reserve Policy
- 109. Document Retention and Destruction
- 110. Joint Venture
- 111. Procurement Policy
- 112. Capitalization of Assets
- 113. Defense and Indemnification Policy
- 114. Investment and Deposit Policy
- 115. Financial Payments and Transaction Processing
- 116. Company Credit Cards **(See Procedures 502)**
- 117. Women and Minority Owned Business
- 118. Loans to Board members
- 119. Internal Control Policy **(See Procedures 503)**
- 120. Whistleblower Policy **(See Policy 504 in Employee Handbook)**
- 121. Anti-Harassment/Sexual Harassment **(See Policy 502 and 503 in Employee Handbook)**
- 122. Succession Planning

### **Section 200. Organization**

- 201. Board Member Job Description, Board Norms, and Team Values
- 202. Board Appointment Requirements

- 203. Board goalsetting and self-evaluation
- 204. Employee Handbook
- 205. Board Training and Orientation (see Destinations International 2021)

### **Section 300. Employment Relationships and Business Ethics**

- 301. Code of Ethics ... **See Policy 1008 in Employee Handbook**
- 302. Conflict of Interest ... **See Policy 1009 in Employee Handbook**
- 303. Staff Involvement in Local or Regional Tourism Boards or Committees
- 304. Process for Determining Compensation for Chief Executive Employee
- 305. Equal Employment Opportunity ... **See Policy 501 in Employee Handbook**

### **Section 400. Position Statements**

Note that the position statements were moved to a Positions and Plans Manual in March of 2023. This was done in the interest of keeping positions current and developing the positions under a singular guidance and structure.

- 400. Adopting a Position Statement

### **Section 500. Procedures**

- 501. Sharing of Tourism Information and Research
- 502. Credit Card Policy Procedures
- 503. Internal Controls and President's checklist
- 504. Determining Chief Executive Officer's Compensation
- 505. Procedures and Documentation to Support Procurement Process, Selection and Oversight

### **Section 600. Plans**

Note that this was moved to a Positions and Plans Manual in March of 2023, in the interest of keeping it current, and consolidating the Plans into one section as reference. Many of these plans are part of the Destinations International Accreditation process.

**Section 700. Forms**

701. Credit Card Report Form

702. Board Member/Employee Acknowledgement of receipt and training for anti-harassment policy

703. Procurement Plan and Coversheet (Policy #111 and Procedure #505)

704. Acknowledgement of Fiduciary Responsibility

Sample - Board of Directors Self Evaluation

Sample - Conflict of Interest Statement



## **Section 100. Administration and Operations**

### **101. Sharing of Tourism Information and Research (see procedure 501)**

The Finger Lakes Visitors Connection recognizes the value of research as an important component for tourism in Ontario County. The Finger Lakes Visitors Connection Board of Directors believes in conducting quality research for the benefit of the tourism industry in Ontario County.

There is a trust level established when proprietary information such as occupancy levels and markets are shared. Certain surveys and research reports that the Finger Lakes Visitors Connection conducts are confidential; FLVC respects the insights provided through proprietary information. Individual business information is gained in confidence, and therefore kept in confidence. This data may be aggregated to provide a big picture overview, by individual business data will not be shared.

Finger Lakes Visitors Connection shall maintain a digital resource base of publicly available tourism studies, such as Tourism Economics and other market specific studies. Requests for data shall be directed to: [VisitFingerLakes.com/partners/research-and-resources](http://VisitFingerLakes.com/partners/research-and-resources).

This policy provides Procedures (See #501) for the sharing of tourism-based data, research and/or marketing research collected by the Finger Lakes Visitors Connection.

Date: Original Adoption: November 1997  
Updated: May 4, 2023

### **102. Chief Staff Executive Continuation Policy**

#### **Policy Statement:**

A change in executive leadership is inevitable for all organizations and can be a challenging time, involving both risk and opportunity. It is important that there be continuity in staff leadership at Finger Lakes Visitors Connection (FLVC). A succession policy for the executive leadership position is a routine risk management and sustainability planning tool.

Finger Lakes Visitors Connection Board shall be prepared for a permanent change in executive leadership - either planned or unplanned - to ensure the stability and accountability of the organization until such a time as new leadership is identified.

The purpose of this policy is to establish principles, role clarity, and procedures to support positive leadership transitions.

#### **Guiding Principles**

1. The Board believes that it is duly diligent and serves in the best interest of the organization that there be a robust, competitive search process. The CEO has the single greatest impact

on the organization's development and effectiveness, therefore, his or her selection should not be rushed, nor engaged in political pressures. Internal candidates from the staff and/or board will be seriously considered along with candidates emerging from an external search.

2. The executive's position is often shaped by the incumbent's talents and areas of special interest. In framing the future needs of the organization, outside of that person's talents, the Board shall revisit the strategic plan and other organizational documents to define the talents, skills, and interests needed to align and realign other organizational changes.
3. The foremost goal of an interim leader is the maintenance and continuity of the mission related work as the new leadership model is defined.

### **Guiding Practices**

1. The selection of the CEO (and interim, if applicable) is the responsibility of the Board of Directors.
2. The current CEO has the responsibility to continuously identify, encourage, and help develop managers within the organization who are qualified to meet future leadership needs, whether on a temporary or permanent basis.
3. The current CEO has the responsibility to plan for the orderly transition of all managers and key staff members; and to articulate this plan annually to the board, in conjunction with her review of current staff members and structures.
4. Annually, the President and CEO will discuss her ideas with the Chair of the Board as to which current staff member(s) she would recommend as Acting/Interim Director.

### **Board Action in the Event of Vacancy in the CEO Position**

1. Organizational Assessment: The Board or an appointed committee shall assess the leadership needs of the organization before a search for a new CEO is conducted. The assessment shall include a review and update (if needed) of the organization's strategic plan. The assessment will be designed to assure the selection of a qualified and capable leader who fits well with the organization's mission, vision, values, culture, and strategic goals and objectives and who has the necessary skills to lead the organization. This assessment may be conducted with the assistance of an outside consultant.
2. Transition Plan: The HR Committee shall plan and oversee the transition including establishing a search process and consulting/search services as needed, and nominating staff members, if appropriate, to assist with the selection of the new CEO.
3. Option of appointing an Interim CEO: To ensure the organization's operations are not interrupted while the Board assesses the leadership needs and recruits a new CEO, the Board may appoint an Interim CEO. This position may be filled by senior management staff as identified in the CEO plan. The Board may decide to hire an Interim CEO from outside the organization. If a board member is appointed to serve as Interim CEO, then that board

member will be temporarily suspended as a board member during their time as the CEO but would be reinstated with no loss of tenure once the assignment is completed. The Board should clearly define and communicate the authority of the Interim CEO and set appropriate compensation. The Board may consider the need to secure outside consulting expertise to assist the Interim CEO.

4. Duties of the Interim CEO: The primary responsibility of the Interim CEO is to assure that the organization continues to operate without disruption and that all organizational commitments previously made are appropriately executed, including but not limited to:
  - a. Managing day-to-day operations of the organization, including grant and contract obligations, reports, and other obligations to funders and other stakeholders
  - b. Supervising staff
  - c. Maintaining finances and revenue generation and overseeing budgets and expenditures,
  - d. Reporting to the Board on a regular basis on the status of the organization and future leadership needs, for example conducting organizational analysis and consulting with the Board on potential improvements to operational systems.
  - e. Serving as the spokesperson for the organization including speaking engagements and other external communication.
5. Limitations of Authority of Interim CEO: The Board may consider additional limits on the authority of the CEO beyond those set forth in these guidelines.
6. Simultaneous transitions for the CEO and management positions: If appointing an Interim CEO from within the organization, the Board may make other temporary management appointments from among other staff, external hires, or a combination to best assure continuity in leadership and program success through the transition period and afterwards.
7. Communication: Maintaining open lines of communication is critical especially during a transition period. To ensure the information is shared on a timely basis with key groups, the Board shall establish the following communication protocol:
  - a. The Board Chair, in consultation with the Executive Committee and Interim CEO, will contact all staff members to inform them about the interim leadership plans,
  - b. The Board Chair, in consultation with the Executive Committee and Interim CEO, will contact Ontario County officials and external partners to inform them of the transition plan and to introduce the Interim CEO. Such information should be placed on the webpage and otherwise communicated to the public as appropriate.
  - c. The Interim CEO will report progress and share updates with the Board on a regular basis, with a frequency to be determined by the Board, during the transition.
  - d. The Board will meet with the Interim CEO to provide direction and support on a regular basis, with a frequency to be determined by the Board, during the transition. The Board may determine that these meetings can be delegated to the Board Chair and/or the Executive Committee.

## **Preparation Timeframe for Replacement of CEO**

1. The optimal period for the CEO to announce departure from the organization is at least six to twelve months before the date of departure to negotiate a healthy transition.
2. The Board understands that the time required for successfully completing a planned leadership transition - from reviewing the strategic priorities of the organization and creating the profile of skills needed by the next CEO through recruitment and screening of candidates to the installation of the chosen successor - is approximately eight to twelve months.

### **Role of the Outgoing CEO in Planned Transitions**

The departing CEO, unless otherwise directed by the Board, will be involved in some transition activities such as communicating with Ontario County officials and stakeholders, and briefing the incoming CEO. The departing CEO's role during the transition and after the new CEO starts shall be developed by the Board or by the assigned Committee of the Board.

### **Commitment to Diverse Candidates and Staff Leadership Development**

1. In order to provide career advancement for staff, the organization shall encourage the professional development of current employees.
2. In order to support the Board's due diligence and ensure that the best possible candidate is hired, the organization shall implement a search and selection process that is open to internal and external candidates. Internal candidates will be considered equal to external candidates in the screening and selection process.
3. The organization shall work proactively to develop a diverse pool of candidates for the CEO position.

Original: December 3, 1997

Updated: May 4, 2023 (with major revisions)

### **103. Handling of Customers' personal data and privacy policies**

Finger Lakes Visitors Connection actively gathers data, including personal data, and communication information, such as email, from our potential customers. The CAN-SPAM Act of 2003 and the General Data Protection Regulation of 2018 (generating in the European Union) both address such compliance and our obligation to protect the personal data of our customers and inquirers. It is important that FLVC is legally compliant in communicating through email and collecting and maintaining such data. The following policy outlines Finger Lakes Visitors Connection's policies and practices on consent, right to be forgotten, right to

access and data protection from our own sources as well as third party generated customer information.

### **Compliance with CAN-SPAM Act of 2003**

The staff of the Finger Lakes Visitors Connection, Ontario County, NY is occasionally solicited to provide its mailing or email lists to individuals representing a variety of for-profit, not for-profit or service-based organizations. The purpose of this policy is to provide the staff guidelines for appropriate distribution of the mailing list.

The Board of Directors recognizes the value of this information as a marketing tool. The Board also recognizes the potential for undesirable uses of the mailing list, including but not limited to, unwanted advertising solicitation, competitive marketing or profiteering. Additionally, the Board wishes to be in compliance with the **CAN-SPAM Act of 2003 and its subsequent updates** which provide national standards for the sending of commercial e-mail.

Requests for the mailing list must be submitted in writing. Requests must include information on the intended use of the mailing list, and a copy of any solicitation that will be done with this list. Staff shall ensure that compliance with the regulations of the CAN-SPAM Act are in place - including but not limited to: unsubscribe compliance, content compliance, sending behavior compliance. A Finger Lakes Visitors Connection, Ontario County, NY may require that the mailing be conducted in-house on a fee for service basis to maintain control of the mailing list.

If the mailing list is to be used for the purposes of expanding the awareness of Ontario County's visitor attractions, the fees for this list shall be limited to those established by the Executive Committee on an annual basis.

### **General Data Protection Regulation (GDPR) of 2018**

GDPR applies to organizations located within the EU and to organizations located outside of the EU if they offer goods or services to, or monitor the behavior of, EU data subjects. It applies to all companies that process or store personal data of data subjects residing in the European Union, regardless of the company's location.

### **Consent**

To maintain compliance with GDPR, Finger Lakes Visitors Connection obtains consent from the data subject to store and use data. All data collected through any form of data collection vehicle requires an active opt-in process, not a passive opt-out. Finger Lakes Visitors Connection ensures that consent is clear and distinguishable is provided in an intelligible and easily accessible form, using clear and plain language. Requirement of a double opt-in on vehicles ensures subjects clearly understand how their data will be handled and they agree to our privacy policy.

### **Right to be Forgotten**

A subject who has provided personal data to Finger Lakes Visitors Connection, physically or electronically has the right to have all their data deleted or anonymized.

### **Right to Access and Data Protection**

Upon request, A subject who has provided personal data to Finger Lakes Visitors Connection, physically or electronically has the right to have a copy of their data.

Tools and procedures are in place to manage personal data. A staff member is responsible for handling “data protection”.

### **Third Parties**

Any data received from a third party, must have a clear dictation of how consent was achieved. Finger Lakes Visitors Connection will not act on any data unless consent is proven. This includes paid lists, readership cards, internet inquiries that have not been provided consent.

Date: September 10, 1997;

Updated: May 4, 2023

## **104. Maintaining Program Integrity in Visitor Interactions and Information**

Finger Lakes Visitors Connection recognizes its role in providing a positive brand image in a quality manner to visitors. FLVC also recognizes its position as an authority on local tourism products and accepts its responsibility to maintain integrity in its product presentation to the visitors, the media, and business markets.

Frequent inquiries are made to FLVC asking, “How do I get my business listed on your website or in your other marketing endeavors.” Since FLVC is not a membership based organization, it must have some criteria for inclusion on materials presented for our visitors.

Finger Lakes Visitors Connection shall maintain the following criteria in establishing a business in the Ontario County tourism marketplace and marketing endeavors as a provider of visitor “services”.

### **Tourism Engagement Standard: The following are basic criteria to determine if a business is “engaged” in tourism and servicing “tourists” as routine part of their business.**

- A. The “event” or “business” is located within Ontario County and/or the sponsoring agency is an Ontario County tourism enterprise  
AND
- B. The entity is engaged in promotion through typical tourism distribution channels such as brochures, internet site with other tourism links, paid advertising in tourism focused publications, provision of visitor information at their facility  
AND
- C. The business provides visitors statistics and participates in the research programs of FLVC as requested

Additionally, such business shall provide proof that it is fully incorporated and/or certified to do business within Ontario County, and that it is in full compliance with all federal, state, and

local regulations and responsibilities, including, but not limited to sales tax collection as required, and Department of Health or Department of Agriculture regulations as required.

Other tourism based memberships, such as AAA or NYS Hospitality Association are also helpful in proving an entity's professional standing for interactions with visitors.

Date: Original Adoption: September 20, 1996; Replacing Policy on Maintaining Program Integrity  
Updated: June 19, 2019

### **105. Accounts Receivable and Advertising Restrictions**

Finger Lakes Visitors Connection has developed important private sector industry partnerships to extend marketing reach through cooperative projects. These projects often involve a financial commitment from the partners.

In the spirit of partnership, it is imperative that financial obligations are met in a timely manner. If a partner has an outstanding invoice of more than 90 days, the president of FLVC shall provide notice that the partner will not receive any future benefits, including listings on the web or in printed publications until that receivable payment is made.

The Board further authorizes the accounting staff to assess finance charges at a current market rate on any unpaid balance over 30 days.

If payment is received while FLVC is in the production process, and costs are incurred to add the partner back into the program, the partner must pay a reinstatement/editing charge if applicable.

Date: October 25, 2001;  
March 2, 2023

### **106. Second Signature Required for Payments in Excess of \$5,000**

The President of Finger Lakes Visitors Connection is authorized and required to attend to the financial affairs of the corporation.

All payments, whether traditional or electronic, over \$5000 require the separate signatures of two authorized signers of the checking account.

Neither signer may be a recipient of the payment.

Date: Original Adoption: 1986  
June 19, 2019

### **107. Restrictions on Funding Requests, Community Advertising, Political Advertising and Sponsorships**

The primary goal of A Finger Lakes Visitors Connection is to enhance the sales tax revenues for Ontario County by creating overnight visitation and related spending. It is understood that marketing, advertising, promotional, or sponsorship opportunities should address this goal. It is recognized that the principle funding for A Finger Lakes Visitors Connection, Ontario County, NY comes from occupancy tax revenues dedicated to the purpose of promoting travel and tourism to Ontario County, and the board of A Finger Lakes Visitors Connection takes its responsibility for these tax dollars seriously.

All funding or sponsorship requests shall be handled within the rules of the Public Authorities Accountability Act (PAAA) which governs not-for-profit, development authorities in New York State.

A Finger Lakes Visitors Connection, Ontario County, NY has gained recognition as an integral part of the Ontario County community. This recognition results in the staff of Finger Lakes Visitors Connection being approached with a variety of community and/or politically based advertising sponsorship opportunities. While A Finger Lakes Visitors Connection recognizes the many worthy community agencies and their causes, it is imperative that the financial resources of the agency be directed toward achieving its primary goal. It is also imperative that marketing decisions not be influenced by board or staff affiliations with any particular community cause.

Therefore, this policy prohibits A Finger Lakes Visitors Connection, Ontario County, NY from committing its occupancy tax resources to politically based activities, sponsorships or community based fundraising programs.

Date: Original Adoption: September 10, 1997  
Updated Policy: January 29, 2020

### **108. Reserves Policy**

The purpose of the Reserves Policy for Ontario County Four Seasons Local Development Corporation (d.b.a A Finger Lakes Visitors Connection - FLVC) is to ensure the stability of the mission, programs, employment, and ongoing operations of the organization, as well as to provide capacity building and innovation for unique opportunities that may arise or are envisioned in a destination development plan.

The Reserves Policy will be implemented in concert with the other governance and financial policies of FLVC and is intended to support the goals and strategies contained in these related policies and in strategic and operational plans.

Reserve funds are not intended to replace a permanent loss of funds or eliminate an ongoing budget gap.

For clarification of purpose of the expenditures of the reserve funds, the funds shall bear the names of their primary purpose and be attended to with yearly review and planning.

### **Emergency Operating Reserve**



**Purpose:** The Emergency Operating Reserve is intended to provide an internal source of funds for situations such as a sudden increase in expenses, one-time unbudgeted expenses, or unanticipated loss in funding.

**Amount:** The minimum amount designated as Operating Reserve will be maintained in an amount sufficient for ongoing operations and programs for a period of four months. The Operating Reserve serves a dynamic role and will be reviewed and adjusted in response to internal and external changes. The calculation of average monthly operating costs includes all recurring, predictable expenses such as salaries and benefits, occupancy, office, travel, program, and ongoing professional services. Depreciation, in-kind, and other non-cash expenses are not included in the calculation. The calculation of average monthly expenses excludes some expenses such as one-time or unusual, or capital purchases.

**Planning and Reporting:** The amount of the Emergency Operating Reserve Fund target minimum will be calculated each year after approval of the annual budget, reported to the Finance Committee and Board of Directors, and included in the regular financial reports, such as the balance sheet. It is the intention of Finger Lakes Visitors Connection for Operating Reserves to be used and replenished within a reasonably short period of time.

#### **Building and Capital Asset Reserve**

**Purpose:** There shall be reserve funds for building repair, preservation, or accessibility, as well as furniture, fixtures, and equipment (including technology) necessary for the effective operation of the organization and programs. It is good judgement and fiscal management to ensure that there is an adequate reserve to update and acquire the fixed assets of the Corporation.

**Amount:** The reserve is targeted to be at minimum \$100,000 and shall not exceed \$200,000. This shall be calculated by designating 40% of the depreciation schedule and/or one time designation from other unrestricted funds, grants, or donations.

**Planning and Reporting:** An assessment of building and capital asset needs will be made at minimum every three years and integrated into an updated capital needs and improvement plan which targets necessary and intended improvement projects.

#### **Marketing and Sales Asset Reserve**

**Purpose:** There shall be reserve funds for marketing and sales tools and software purchases, such as website development and redevelopment, specialty software packages, which require multi-year commitments and exceed 25% of annual marketing expense. This shall not include annual contracts for service agreements, such as social media marketing, public relations marketing, or sales lead generation and related tools.

**Amount:** The reserve is tied to the strategic marketing long range plan with multi-year cost and estimate updates and committed contract review. The board may also make special designations from other unrestricted funds, grants or donations.

Examples: Website revamp is a capitalized expense that is estimated at minimum 3 years; at maximum 5 years. Another example is trade show investments and branding.

#### **Capacity Building, Innovation and Opportunity**

**Purpose:** Reserves will provide for capacity building, innovation, and market opportunities to advance the mission of the organization. The Reserve may also be used for one-time, nonrecurring

expenses that will build long-term capacity, such as staff development, research and development objectives.

The Capacity Building, Innovation and Opportunity Reserve is intended to provide funds to meet special targets of opportunity or need that further the mission of the organization which may or may not have specific expectation of incremental or long-term increased income.

As reference, examples of 2020 through 2023 opportunities for such a fund include matching funds needed to apply for certain federal or state grants related to COVID rebuilding or new market opportunities such as international marketing, trade show cooperatives, and Market NY CFAs through cooperative marketing partnerships or state programs.

Examples: Targeted markets (geographical - like Canadian or International - usually in cooperation with I Love NY and at the expense of being disadvantaged to our competitive marketers within the region), Seasonal Campaigns, Executive Search, Grant Matching.

**Amount:** The goal amount shall be established as 10% of the five-year sliding annual marketing budget minus personnel costs.

**Accounting for Reserves.** The Reserve Funds will be recorded in the financial records as Board Designated Reserves and by reserve fund name. The Funds will be funded and available in cash or cash equivalent funds. Reserves, where practical, will be maintained in a segregated bank account or investment fund, in accordance with investment policies.

#### **Funding of Reserves**

The Emergency Operating Reserve will be funded with surplus unrestricted operating funds. The Board of Directors may from time to time direct that a specific source of revenue be set aside for Operating Reserves. Examples could include one-time gifts or bequests, special grants, or special appeals.

The Building and Capital Assets Reserve will be funded by setting aside an initial designated amount of cash equal to 40% of depreciation in the annual budget.

The Marketing and Sales Asset Reserve will be funded by identifying strategic needs and integrating the capital plan to include a designated amount timed to meet the need.

The Capacity Building, Innovation and Opportunity Reserve will be funded with occasional special designations made by the Board of Directors.

**Use of Reserves.** Use of the Reserves requires three steps:

1. Identification of appropriate use of reserve funds. The President and staff will identify the need for access to reserve funds and confirm that the use is consistent with the purpose of the reserves as described in this Policy. This step requires analysis of the reason for the shortfall or opportunity, the availability of any other sources of funds before using reserves, and evaluation of the time period that the funds will be needed and replenished.

2. Authority for use of up to \$25,000 of Reserves is delegated to the President in consultation with the Treasurer and/or Chair of the Finance Committee. The use of Reserves will be reported to the Executive Committee/ Board of Directors at their next scheduled meeting, accompanied by a description of the analysis and determination of the use of funds and plans for replenishment to restore the Reserve Fund to the target minimum amount. The President must receive prior approval from the Executive Committee/Board of Directors for use of Reserves in excess of \$25,000 and in alignment with alignment with the Procurement Policy.

3. Reporting and monitoring. The President is responsible for ensuring that the Reserve Funds are maintained and used only as described in this Policy. Upon approval for the use of

Reserve Funds, the President will maintain records of the use of funds and plan for replenishment, if required. He/she will provide regular reports to the Finance Committee or Board of Directors of progress to restore the Fund to the target minimum amount, if required.

**Other:**

The Board may reverse or amend the budgeted reserve amounts or this Policy at its discretion at any time.

Date: January 30, 2008

Update: September 7, 2023 (major revision)

**109. Document Retention and Destruction Policy**

This Document Retention and Destruction Policy of Finger Lakes Visitors Connection (“Organization”) identifies the record retention responsibilities of staff, volunteers, members of the Board of Directors, and outsiders for maintaining and documenting the storage and destruction of the Organization’s documents and records.

Document retention and destruction guidelines are constantly changing, given the introduction of electronic record keeping and regulatory requirements. Guidance in this area is sought by the organization from a qualified source.

It is the policy of this board to use the recommendations of the Ontario County Archivist which are drawn from this link: [http://www.archives.nysed.gov/records/mr\\_retention.shtml](http://www.archives.nysed.gov/records/mr_retention.shtml) - using the CO2 for counties; as well as the guidelines of the auditor; more specifically at this link: <http://mengelmetzgerbarr.com/Resources/Forms-Guides>.

**Exceptions.** Exceptions to these rules and terms for retention may be granted only by the Organization’s chief staff executive or Chairperson of the Board.

Date: April 29, 2009

Updated: January 29, 2020

**110. Joint Venture Policy**

This Joint Venture Policy of Finger Lakes Visitors Connection (“Organization”) requires that the Organization evaluate its participation in joint venture arrangements under Federal tax law and take steps to safeguard the Organization’s exempt status with respect to such arrangements. This policy applies to any joint ownership or contractual arrangement through which there is an agreement to jointly undertake a specific business enterprise, investment, or exempt-purpose activity as further defined in this policy.

1. **Joint ventures or similar arrangements with taxable entities.** For purposes of this policy, a joint venture or similar arrangement (or a “venture or arrangement”) means any joint ownership or contractual arrangement through which there is an agreement to jointly undertake a specific business enterprise, investment, or exempt-purpose activity without regard to: (1) whether the Organization controls the venture or arrangement; (2) the legal structure of the venture or arrangement; or (3) whether the venture or arrangement is taxed as

a partnership or as an association or corporation for federal income tax purposes. A joint venture or arrangement is disregarded if it meets both of the following conditions:

- a. 95% or more of the venture's or arrangement's income for its tax year ending within the Organization's tax year is excluded from unrelated business income taxation including but not limited to: (i) dividends, interest, and annuities; (ii) royalties; (iii) rent from real property and incidental related personal property except to the extent of debt-financing; and (iv) gains or losses from the sale of property; and
- b. the primary purpose of the Organization's contribution to, or investment or participation in, the venture or arrangement is the production of income or appreciation of property.

2. **Safeguards to ensure exempt status protection.** The Organization will: (a) negotiate in its transactions and arrangements with other members of the venture or arrangement such terms and safeguards adequate to ensure that the Organization's exempt status is protected; and (b) take steps to safeguard the Organization's exempt status with respect to the venture or arrangement. Examples of safeguards include:
  - a. control over the venture or arrangement sufficient to ensure that it furthers the exempt purpose of the organization
  - b. requirements that the venture or arrangement gives priority to exempt purposes over maximizing profits for the other participants
  - c. that the venture or arrangement not engage in activities that would jeopardize the Organization's exemption
  - d. that all contracts entered into with the Organization be on terms that are arm's length or more favorable to the Organization.

Date: April 29, 2009  
January 29, 2020

### **111. Procurement Policy**

FLVC wishes to ensure that sound business judgment is used in all procurement transactions, and that supplies, equipment and services are obtained efficiently and economically and in compliance with applicable laws.

Ontario County Four Seasons Local Development Corporation, d.b.a. Finger Lakes Visitors Connection (FLVC) will follow accounting policies and procedures that comply with generally accepted accounting principles. Any procurement of goods and services shall be made by the procurement office/authorized agent, in the best interest of the agency, upon considering the totality of the circumstances surrounding the procurement, which may include, but not be limited to: price, quality, availability, timeliness, reputation and prior dealings.

FLVC shall seek competitive bids and services to ensure that what is purchased is most appropriate for the Corporation's needs and procured in the most economical way and without favoritism. Seeking competition facilitates the acquisition of goods and services of maximum quality at the highest value and guards against favoritism, improvidence, fraud and abuse and is an important step in the process.

Procurement shall be made by one of the following methods: (a) small purchase procedures; (b) sealed bids (formal advertising); (c) competitive proposals; (d) approval of the Audit Committee of the Board of Directors

- a. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate not more than \$10,000. If small purchase procedures are used for procurement under a grant, price or rate quotations shall be obtained from an adequate number of qualified sources. Other small purchases are under the approval of the President or her designee.
- b. In sealed bids (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest in price.
- c. Procurement by competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive proposals are generally used when conditions require the consideration of a provider's expertise, experience, reputation and/or schedule. FLVC shall follow the guidance of the Ontario County Purchasing Department for competitive proposal and procurement process.
- d. Sole source purchase is an exception when a particular good or services for which there is no substantial equivalent, including but not limited to branded creative services, which are only available from a single source provider.
- e. Any other method of procurement must have prior approval of the Board of Directors Audit Committee.
- f. Any or all bids may be rejected if there are sound documented business reasons.

See Procedures #505 for process and required documentation.

Date: September 9, 2009;  
Updated: March 30, 2022

## **112. Capitalization of Assets**

FLVC wishes to standardize its practices on the capitalization of assets by assigning a threshold for purchases by which the organization can make decisions on capitalization of assets or expensing of assets.

In a review by the Ontario County Four Seasons Local Development Corporation audit committee, it was determined that there shall be a \$2500 threshold of purchases resulting in items under that level or with a useful life of less than one year being expensed and over that threshold being capitalized. Purchases which do not extend the life of an existing asset or add a new asset, such as repairs or maintenance, are expensed as incurred.

Date: December 3, 2009  
March 2, 2023

### **113. Defense and Indemnification Policy**

Ontario County Four Seasons Local Development Corporation shall indemnify each member, each Director, each officer, and, to the extent authorized by the Board of Directors, each other person authorized to act for the Corporation or on its behalf, to the full extent to which indemnification is permitted under the Not-For-Profit Corporation Law.

Date: January 27, 2010  
Updated: September 12, 2019

### **114. Investment and Deposit Policy**

#### *Investments*

It is the general policy of the Agency that funds not required for immediate expenditure shall be invested with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

#### *Deposits.*

The agency shall, by resolution, designate one or more commercial banks or trust companies for the deposit of Agency funds. Such a resolution shall specify the maximum amount that may be kept on deposit at any time with each bank or trust company. Such designations and amounts may be changed at any time by further resolution of the Corporation.

#### *Annual Monitoring and Reporting*

Each cash and investment account statement will be reviewed and reconciled by an appointed accountant each month. The Chief Financial Officer will review each account reconciliation for accuracy and will investigate any unusual items.

On an annual basis, the Corporation will obtain an independent audit of its financial statements, which shall include an audit of its cash and investments and the organization's compliance with this policy. The results of the independent audit shall be made available to the board at the time of its annual review. The Agency shall make available to the public copies of its audit and other financial reports.

Date: January 27, 2010  
Updated: October 6, 2021

Investments were made per the above policy, naming the banks at the annual meeting for the deposit of agency funds.

### **115. Financial Payments and Transaction Processing**

Ontario County Four Seasons Local Development Corporation (d.b.a. Finger Lakes Visitors Connection - FLVC) wishes to ensure that sound business judgment is used in all its financial transaction processing, and that accounting practices are performed efficiently and economically and in compliance with applicable laws and with the regulations of our financial institutions.

FLVC will follow accounting policies and procedures that comply with generally accepted accounting principles. Payments for goods and services shall be made by the authorized agent under the guidance of the Chief Financial Officer.

Given the opportunities for electronic banking through credit cards and online accounts, FLVC seeks to utilize appropriate technologies and seek efficiencies in its financial transactions. Payments may be made by one of the following methods:

- (a) traditional paper check
- (b) credit card account
- (c) wire transfer
- (d) electronic payment

The determination of method of payment is at the judgment of the Chief Financial Officer as long as such payments comply with all policies of the Board of Directors and applicable laws.

Any other method of payment must have prior approval of the Board of Directors Audit Committee.

Date: June 20, 2012  
Updated: June 19, 2019

### **116. Company Credit Cards**

The Company shall issue a company credit card where the nature of an employee's job requires such use. Company credit cards may only be used for business expenses and may not be used for expenses of a personal nature. Credit cards are issued at the discretion of the President.

Company credit cards are to be used for appropriate purposes and adequate controls are established for day-to-day use. The Company Credit Cards policy applies to all employees who maintain a credit card for company use.

The President shall maintain rules and regulations and procedures governing the use of the issued cards. Individuals who are issued cards shall sign an agreement regarding use of the

credit card. In the case of the President, such approvals shall be received through a member of the Executive Committee, or such member as may be designated by the Board of Directors.

The Company reserves the right to withdraw any company issued credit card immediately and without cause.

Individuals holding Company Credit Cards are responsible for:

- Using the cards only for their intended purpose
- Retaining receipts and providing explanations for all company credit card transactions
- Obtaining authorization and back-up for approved credit card invoices
- The President or her designee is responsible for:
- Limiting the use of company credit cards to those employees who require a card for company business; identifying and requesting any credit or transaction-level limits required for individual cards
- Reviewing and authorizing credit card invoices used by employees on a timely basis to avoid late payment charges; ensuring that all credit card transactions are properly authorized
- Processing payments for credit card invoices on a timely basis to avoid late payment charges

Date: October 17, 2012

Updated: September 12, 2019

### **117. Minority and Women Owned Enterprises**

Ontario County Four Seasons (d.b.a. A Finger Lakes Visitors Connection) is committed to developing, establishing, maintaining, and enhancing minority involvement in the total procurement process. The Corporation is committed to promoting equal business opportunity in contracting processes by encouraging full and equitable participation by minority (MBE's) and women's (WMBE's) business enterprises in the provision of goods and services on a contractual basis.

It is the policy of the A Finger Lakes Visitors Connection (FLVC) to take affirmative action to ensure that minority business enterprises (MBE's) and women owned business enterprises (WMBE's) are given the opportunity to provide the corporation with goods and services at competitive prices.

This organization will and will cause its contractors and subcontractors to take good faith actions to achieve the M/WBE contract participations goals set by the State for areas in which the State-funded project is located, by taking the following steps:

(1) Actively and affirmatively solicit bids for contracts and subcontracts from qualified State certified MBEs or WBEs, including solicitations to M/WBE contractor associations.

(2) Request a list of State-certified M/WBEs from Agency(ies) and solicit bids from them directly.



(3) Ensure that plans, specifications, request for proposals and other documents used to secure bids will be made available in sufficient time for review by prospective M/WBEs.

(4) Where feasible, divide the work into smaller portions to enhanced participations by M/WBEs and encourage the formation of joint venture and other partnerships among M/WBE contractors to enhance their participation.

(5) Document and maintain records of bid solicitation, including those to M/WBEs and the results thereof. Contractors will also maintain records of actions that its subcontractors have taken toward meeting M/WBE contract participation goals.

(6) Ensure that progress payments to M/WBEs are made on a timely basis so that undue financial hardship is avoided, and that bonding and other credit requirements are waived or appropriate alternatives developed to encourage M/WBE participation.

### **EEO Statement**

(a) This organization will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, age, disability or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members are afforded equal employment opportunities without discrimination, and shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts.

(b) This organization shall state in all solicitation or advertisements for employees that in the performance of the State contract all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex disability or marital status.

(c) At the request of the contracting agency, this organization shall request each employment agency, labor union, or authorized representative for a statement that it will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of this organization's obligations herein.

(d) Contractor shall comply with the provisions of the Human Rights Law, all other State and Federal statutory and constitutional non-discrimination provisions. Contractor and subcontractors shall not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to nondiscrimination on the basis of prior criminal conviction and prior arrest.

(e) This organization will include the provisions of sections (a) through (d) of this agreement in every subcontract in such a manner that the requirements of the subdivisions will be binding upon each subcontractor as to work in connection with the State contract.

Date: May 7, 2014  
Updated: May 4, 2023

### **118. Policy on Loans**

No loans shall be made by the Corporation to its Directors, Officers, and members of Committees or affiliates, if any, or to any other corporation, firm, association or other entity in which one or more of its Directors, Officers or committee members are Directors or Officers or hold a substantial financial interest, except as may be permitted by law.

Date: January 14, 2015  
Updated: October 6, 2021

### **119. Internal Control Policy**

Finger Lakes Visitors Connection recognizes that Internal Controls are an integral part of our organization's financial and business policies and procedures. Internal controls consist of all the measures taken by our organization for the purpose of: (1) handling funds received and expended by the organization; (2) preparing appropriate and timely financial reporting to board members and officers; (3) conducting the annual audit of the organization's financial statements; (4) evaluating staff and programs; (5) maintaining inventory records of real and personal property and their whereabouts; and (6) implementing personnel and conflicts of interest policies.

The organization will maintain a set of internal controls that are inclusive of the policies and procedures established by the organization and consistent with GAAP and in alignment with the Public Authorities Accountability Act.

The President shall develop and maintain an internal control checklist. At least annually the organization will compare operations to the established policies and procedures through the use of an internal control checklist. Should management become aware of any significant deviation from this policy, it should be addressed immediately by the President and reported to the Board of Directors Audit and Finance Committee. The committee has the responsibility to determine the appropriate action as a result of the reported incident.

### **Management and Oversight**

The Board of Director members are elected to their positions and are expected to serve as independent of management. The board also reviews financial statements on a regular basis through financial reports provided at the scheduled meetings. The board of directors meets annually with the external auditor and appoints the auditor. Because the board of directors is such a diverse group, with skills related to the industry, their oversight of the organization and understanding of the transactions is effective, appropriate and valued.

Authority and responsibility for appropriate financial reporting is held by the President, who is charged with analyzing the effects of any changes on the organization with respect to risk. The President consults with its auditors on an as needed basis regarding pronouncements and regulations regarding financial reporting. The accounting professional utilized by the organization also consults with the auditors on an as needed basis.

### **Professional Assistance**

The board desires that the President have competency in financial matters and recognizes that special skills are required to meet the financial reporting requirements for a not-for-profit organization operating under the rules of the Public Authority Accountability Act (PAAA), and the IRS code for 501c3. This policy authorizes the President to acquire such additional expertise as may be necessary, within the budget plan, to prepare the financial records for the audit and for reporting on PARIS (Public Authority Reporting and Information System).

### **See Procedures #503**

### **See President's Internal Control Checklist**

Date: January 14, 2015

Updated: October 6, 2021

### **120. Whistleblower Policy**

### **See Policy 504 in the Employee Handbook**

Date: April 29, 2009

Updated: November 29, 2022

### **121. Anti-Harassment and Sexual Harassment**

### **See Policy 502 Sexual Harassment Prevention - Employee Handbook**

### **See Policy 503 Complaint Procedure and Investigations - Employee Handbook**

Date: December 6, 2017

Update: September 7, 2023

## **122. Succession Planning**

### **Purpose:**

Finger Lakes Visitors Connection recognizes that it is important to keep talent in the pipeline and provide seamless movement of talent within the organization. This is particularly important for smaller organizations that have few resources available.

The Board and executive leadership view succession planning as preparation – not pre-selection of team members for advancement. This policy provides for a focused process to identify crucial job skills, knowledge, social relationships and organizational practices are passed on to the next generation of workers.

Adaptation to talent availability or scarcity, effective job design, varied internal development opportunities and smart organizational structure are important practices to promote the achievement of organizational objectives while creating an environment that promotes employee engagement and retention.

These initiatives support the critical role of the leadership of Finger Lakes Visitors Connection (CEO and Board Leadership) in advancing the mission of the organization.

1. To ensure replacements for key job incumbents in executive, management, and professional positions within the organization have been identified for particular competencies and skills required for each position; to identify general skills gaps and training needs.
2. To make sure that FLVC structure and human resources attention are dedicated to meet the goals and objectives of the organization.
3. To identify and develop employees who exhibit interest in and demonstrate potential and passion for succession to key positions.
4. To develop capacity building to support critical roles in case of absence of staff or sudden changes or anticipated retirements or for other personal reasons.
5. To retain institutional knowledge and relationships across transitions within the organization and in partner driven relationships.
6. To boost morale and retention by investing in employees personal and professional growth

### **Program and Practice:**

The Board Chair shall annually appoint a Committee of the Board to serve as the HR committee to assist the CEO or the Interim CEO in needs related to business continuity and succession planning.

The organization may acquire professional HR services to assess and plan and evaluate the succession plan, process, and program.

In preparation of the annual budget and review of the strategic plan, the CEO shall consider these succession planning elements and integrate appropriate action items.

- a) Replacement Planning. Identify key positions and determine competencies required for each position. Identify gaps from the analysis and future focus on identifying knowledge, skills, passion and abilities of multiple individuals to perform those functions.
- b) Training and Development. Ensure systematic and long-term development of individuals for future roles.
- c) Career Planning. Identify employees' capacity and interests in personal development and advancement in-line with his or her talents and interests and FLVC needs.
- d) Communication and review. Integrate into personnel evaluations and assessments opportunities for advancement and necessary skill development.

Original Adoption: May 4, 2023

**Section 200. Board Organization**

**201. Board Member Job Description and Board Norms**

Position Title:	Board Member	Reports to: Chairperson
Qualifications:	Finger Lakes Visitors Connection is a not-for-profit organization (501c3) and LDC formed by Ontario County. The members of the Board of Directors are nominated by the corporation and appointed by Ontario County. While the Board is appointed from specific entities or organizations, the Board is focused on the overall good for the broad Ontario County travel industry.	
Function:	The Board makes planning and policy decisions; is responsible for financing those decisions; oversees, reviews, and monitors organizational plans; and promotes community understanding of and support for the organization.	
Additional Requirements:	Board members are required to sign a conflict of interest and code of ethics statement, and to complete mandatory training for the Public Authorities Accountability Act within the first year.  Board members respond to a questionnaire as provided to share their background and skills, allowing the organization to tailor the member to the best committee assignments and board activities.	
Tenure:	Each Board member’s term is reviewed every three years or when a member has a change in employment. Other requirements are within the bylaws.	
Principal Activities:	<ol style="list-style-type: none"><li>1. Be prepared for, attend and actively participate a majority of the Board meetings</li><li>2. Contribute to at least one committee - actively participate in its deliverables</li><li>3. Be willing to grow within the board structure, advocate for the organization and assume leadership positions</li><li>3. Follow the <i>board norms</i> on decisions of the board and adopted meeting practices</li><li>4. Subscribe to the <i>team core values</i></li></ol>	

## BOARD NORMS AND TEAM VALUES

### Board Norms

#### Meeting Protocol

1. Call or email and confirm your attendance at meetings
2. Arrive at meetings on time
3. Commit to the full meeting. All meetings will be a maximum of one-and-a-half hours
4. Declare conflicts of interest where applicable on any agenda or discussion items
5. Working from a consensus agenda requires trust and consideration of the committee work in advance of the meeting. Prepare for the meeting and when possible, ask for clarification in advance.
6. Use the electronic resources of the organization for communications and preparation.

#### Role Protocol

1. Recognize that the board position is one of oversight and fiduciary responsibility as a volunteer member of a policy making group, rather than a paid staff position. Leave the staff work to the staff and contribute to the policy to guide the staff.
2. Actively participate in the decisions of the board. All decisions will be arrived at by consensus after all viewpoints are heard, understood, and considered. By working toward consensus the decision for the organization will have the broadest possible backing, understanding, and wholehearted support of board members
3. Abide by the adopted policies of the Board of Directors

### Team Values

Commitment. Interest and commitment to the tourism industry and its interconnectivity to the local community and economy in achieving our **vision** of: Ontario County's Visitors Connection (FLVC) is viewed as an intentional community leader and equity partner in economic development, social and environmental responsibility. Our destination is valued as a dynamic place to live, work, play and be well.

Enthusiasm. Enthusiasm and positive energy toward the goals and performance of the organization in our **mission to**: curate, distinguish, and develop Ontario County's destination brand inspiring travel, creating economic vitality for our stakeholders, and providing quality of life benefits for our residents

Engagement. Engagement is a step beyond participation. It's more than showing up; it's bringing active, innovative, and innovative ideas and advice. Participation in a team atmosphere.

Playful and Fun. Travelers want fun, relaxation. Working in a playful atmosphere - even on serious matters ultimately contributes to the delivery of "happy" and "fun" and in the case of Finger Lakes hospitality - authenticity.

Date: December 6, 2017

Update: July 6, 2023

## **202. Board Appointment Requirements**

The FLVC Board of Directors shall recommend to the Ontario County Board of Supervisors qualified candidates for the board. Members will be appointed by Ontario County Board of Supervisors committee endorsement and resolution of the Ontario County Board of Supervisors.

Approved Board members shall complete the Oath of Office, provided through Ontario County, and such other paperwork as required by FLVC or Ontario County or the State of New York at the time of taking office, and subsequently on an annual basis as required. Such paperwork includes:

- Providing a resume or credentials statement
- Conflict of Interest Statement, including the Code of Ethics
- Acknowledgement of receipt of Policy Notebook and other training materials
- Acknowledgement of Fiduciary Responsibilities

Date: October 6, 2021

Update: July 6, 2023

## **203. Board goalsetting and self-evaluation**

The board shall annually develop its organizational goals and report those and the results through the PARIS reporting system.

Date: December 6, 2017

Update: July 6, 2023

## **204. Employee Handbook**

The board shall maintain an Employee Handbook which is reflective of current law and practice in Human Resources.

Date: December 6, 2017

Update: July 6, 2023

## **205. Board Training**

Board members shall participate within the first year of their appointment to the training required by the Public Authorities Accountability Act. Finger Lakes Visitors Connection staff will maintain records of the successful completion of the training.

Date: December 6, 2017

Update: July 6, 2023



### **Section 300. Employment Relationships and Business Ethics (See Employee Handbook Section 1008)**

**Policy Statement** - Our success is dependent upon how we conduct ourselves and do business with our customers, vendors, suppliers and other business partners. FLVC expects all employees and board members to maintain the highest standards of professionalism and integrity in the performance of their duties and while representing the Organization. All work must be performed in an ethical manner and in accordance with government regulations and Organization policy. Employees and board members should never use the position with the Organization or relationship with customers for private gain.

**Prohibited Conduct** - Employees and board members are expected to refrain from any illegal, unethical, and/or dishonest business activity. Examples of prohibited conduct include, but are not limited to:

- Directly or indirectly soliciting or accepting a bribe, kickback, loan, gift, service, entertainment, or preferential treatment from a current or prospective vendor, supplier, customer, or competitor for personal gain in return for being influenced in connection with FLVC business; and
- Having a direct or indirect financial interest or a personal business relationship with any business or person that does business with FLVC without disclosure to and approval of the Organization; and
- Investing in the stocks, bonds, or securities of a vendor, supplier, customer, or competitor if such transactions are based on any "inside information."

**Guidance** - Because the Organization is unable to list every example of conduct that may violate this policy, employees and board members should use good judgment and seek guidance and assistance from the President or Chair of the Board, if needed.

**Gifts** - Finger Lakes Visitors Connection prohibits employees from accepting gifts and gratuities that go beyond customary and usual business practice from a current or prospective vendor, supplier, or customer. Gifts and gratuities cannot be accepted where they could be perceived to affect the judgement of the recipient (typically, less than \$100). An employee must notify the President or their supervisor of any gift, money, service, travel, entertainment, or other special consideration that exceeds \$100 in value received from any current or prospective vendor, supplier, or customer and obtain permission before accepting it.

Date: December 6, 2017  
October 6, 2021

### **302. Conflict of Interest (See Policy 1009 in Employee Handbook)**

**Policy Statement** - Finger Lakes Visitors Connection serves the community and the industry and as such operates in a role that calls for a high degree of trust. Conscientious efforts must be continually taken to avoid circumstances which might lead to harmful conflict of interests.

**Board Member Responsibilities** - No employee or board member shall disclose confidential information acquired by him/her in the course of his or her official duties or use such information to further their personal interests.

It is the responsibility of each director to abide by the Code of Ethics, and satisfy the Ontario County Board of Supervisors requirement for an annual filing of the Disclosure/Conflict of Interest Statement.

Date: March 17, 2010  
October 6, 2021

### **303. Staff Involvement in Local or Regional Tourism Boards or Committees**

The Finger Lakes Visitors Connection Board of Directors recognizes the value of its staff and its board members to contribute to many private sector or government sponsored boards or committees. The board also recognizes the potential for overextending the resources of the staff and board members as well as the potential for conflict of interest or favoritism claims resulting from involvement in various committees or boards.

This policy provides guidelines for involvement of FLVC representatives in outside local or regional tourism organizations or committees.

At times, staff or representatives of FLVC will be approached to contribute their tourism expertise to a local or regional tourism related board or committee.

Finger Lakes Visitors Connection staff may not be involved on any tourism related boards or committees without prior consent of the President and/or Board of Directors. Similarly, appointment of a board member to represent FLVC on committees or local tourism boards shall be made with the consent of the Chairperson of the Board of Directors. Approvals shall consider that:

The "seat" to which the person is assigned is an FLVC appointment, not an individual position. Should the employee's or board member's status change

No FLVC appointee shall have financial gain as the result of his/her involvement on any committee or board.

No employee/employer relationship shall be construed.

No board or committee appointment shall extend beyond two years, unless compelling reasons for a continued appointment are presented to the President.

Finger Lakes Visitors Connection employees may not engage in any direct or indirect soliciting or fundraising on behalf of any board or committee. Exceptions to this are letters of support, which shall be signed by the President, or the identification of grant resources on behalf of the agency or committee.

All standard FLVC policies and code of ethics practices extend to outside commitments.

Date: Original Adoption: February 12, 1996  
Updated: June 19, 2019

### **304. Policy on Review and Compensation for Chief Executive Officer**

This Policy on the Process for Determining Compensation of Finger Lakes Visitors Connection (“Organization”) applies to the compensation of the organization’s chief employed executive.

The process includes these elements: (1) review and approval by the Board of Directors or Executive Committee; (2) use of data as to comparable compensation; and (3) contemporaneous documentation and record keeping.

- 1. Review and approval.** The compensation of the person is reviewed and approved by the Board of Directors or Executive Committee, provided that persons with conflicts of interest with respect to the compensation arrangement at issue are not involved in this review and approval.
- 2. Use of data as to comparable compensation.** The compensation of the person is reviewed and approved using data as to comparable compensation for similarly qualified persons in functionally comparable positions at similarly situated organizations.
- 3. Contemporaneous documentation and record keeping.** There is contemporaneous documentation and record keeping with respect to the deliberations and decisions regarding the compensation arrangement.

Date: Original Adoption: April 29, 2009  
Updated: September 17, 2016

**305. Equal Employment Opportunity**  
**(See section 501 of Employee Handbook)**

Original Adoption: October 6, 2021

Updated: May 4, 2023

## **Section 400 Position Statements**

### **Policy #400. Policy Name: Adopting A Position Statement**

Finger Lakes Visitors Connection (FLVC) may take a position (position statement) on issues that support its mission and goals as an organization. Position statements are approved by the Board of Directors via the following process.

#### **Summary of Procedure**

**Presentation** - Issue is presented to the President and CEO, who will consult with the appropriate Committee of the board. The issues shall be presented in the form of a draft position statement. The statement shall be brief and specific, ideally fitting on one page via the following format:

- a. ISSUE - one paragraph defining the issue
- b. POSITION - one paragraph summarizing the position
- c. DISCUSSION - several paragraphs giving background information on the issue and the reason for the position.

**Action** - The Committee of the Board will review and discuss the draft position statement, including pros and cons, past decisions taken by FLVC on this or similar issues, and how the issue ties to the strategic goals and objectives of the organization. If time is of the essence, the Executive Committee may manage this review on behalf of the Board of Directors. If the issue is one the committee wishes to pursue as a position statement, the following steps may be taken:

- a. NOTICE - a notice will be given to the FLVC Board of Directors about the issue, and a recommendation by the committee to advance or not.
- b. DISCUSSION - guest speakers may be invited to an upcoming Board of Directors meeting or special meeting to provide further background on the issue. FLVC Board members will be notified in advance so they may prepare to participate.
- c. POSITION - the board approves the position, it is documented in the meeting minutes, and becomes part of the Board Position Statements

**Implementation** - Once a position is taken, the President or her designee, or a member of the Board of Directors, (at the request of the Board) may communicate the position through a variety of activities, which may include (but is not limited to): publication on the FLVC website, e-blast, and/or social media; develop a position paper; provide testimony; issue a public statement; write letters and op-ed pieces; and/or form coalitions to lead advocacy efforts.

At any time the Board of Directors may revisit the position statement for further action.

**Original Adoption: March 2, 2023**

## **Section 500. Procedures: Administration and Operations**

### **Procedure 501. Sharing of Tourism Information and Research (See Policy 101)**

1. Requests for publicly available data will be directed to our digital resource page at this address: VisitFingerLakes.com/partners/research-and-resources.
2. Any request for additional data or market intelligence information can be requested in writing to the President of Finger Lakes Visitors Connection. All requests must articulate the type of information requested, the general purpose and use of the information, a contact name and phone number.
3. Any data attributed to Finger Lakes Visitors Connection must be pre-approved in context of the attribution.
4. FLVC will not share individual tourism business information. This includes, but is not limited to, occupancy, visitor attraction totals or sales growth/decline information. Any such data may be provided in aggregate to ensure the confidentiality promised to the tourism businesses - whether for profit or not-for-profit.
5. Requests for information which have followed the above criteria will be fulfilled within fourteen business days.
6. If costs (either reproduction or staff related) for fulfillment becomes excessive, the Board of Directors reserves the right to an appropriate chargeback to fulfill the request.
7. Finger Lakes Visitors Connection reserves the right to refuse any request for research and data.

Original Adoption: November 1997

Updated: May 4, 2023

### **Procedure 502. Procedures for Credit Card Spending (see Policy 116)**

#### **Credit Card Authorization**

The President or her designee shall maintain records of issued credit cards, the limits and intended uses of those credit cards, and employee's signed agreements. Annually, and generally in conjunction with the employee yearly review, credit card authority and use will be reviewed with the individual cardholders to ensure compliance and understanding.

All policies of the organization apply to credit card purchases and reporting, including, but not limited to Procurement Procedures Policy and Ethics Policies.

#### **Use of Credit Cards**

- Credit cards are to be used for company requirements only.
- Employee cardholders must retain initial receipts and note the purpose of the expense on the back of each receipt. When expenses relate to a particular event, all transactions must be presented together in an expense report format.
- Employees may be held accountable for taxes on credit card purchases when they could have been made with tax exempt status.
- Use of company credit cards for expenses of a personal nature may result in disciplinary action up to and including dismissal. It may result in the expenses being deducted from the employee's paycheck.

- When an employee is on the road entertaining clients, the line between business purposes and personal use can be blurred. Each use of a company credit card should be preapproved by the company. For variable charges such as entertaining clients, a protocol should be adopted that outlines and defines acceptable forms of entertainment. The employee shall request a predetermined limit on how much the company will pay for when it comes to charges on the company credit card. Charges over the predetermined amount will be the responsibility of the cardholder, and use of the credit card in any unapproved forms of entertainment shall result in termination.
- Employees are discouraged from using the credit card for purchases when a direct payment may be made for the purchase. This may require the employee to request direct billing, an advance for a purchase, or the like.
- It is generally discouraged to have credit card transactions under \$25, unless part of a trip expense report.
- Employees are not permitted to make any online purchases using the issued corporate credit card without specific authorization, due to internet security concerns.

### **Credit Card Invoicing, Authorization and Payment**

- The employee shall submit the corresponding receipts along with an expense report (Credit Card Expense Report) within one week of the conclusion of the business trip and/or incurring the expense.
- Charges for items where the receipt has been misplaced must be explained and receive written authorization for the specific charge and indicate "receipt missing" beside it.
- The President shall annually establish an upper limit for each individual's monthly credit card expenses and include this in the credit card report to the board.
- For the President's issued credit card, approval shall be done by another authorized signer for the company.

### **DEFINITIONS**

**"General Credit Card"** means a credit card that can be used at multiple establishments, such as VISA, American Express, or MasterCard.

**"Supplier Specific Credit Card"** means a credit card that can be used only with a specific supplier, such as a gas company or an office supply company.

**"Credit limit"** means the total amount that may be charged to the credit card before transactions are refused by the credit card company.

**"Transaction-level limit"** means the total value of any individual transaction, or the type of transaction, that may be charged to the card. For example, some gas companies will allow for "gas only" cards, which deny credit for other miscellaneous purchases at the gas station.

Date: October 17, 2012

Updated: October 6, 2021

### **Procedure 503. Internal Control Policy (see policy 119)**

For the purpose of this policy and procedures the roles are defined as

- President/CEO/CFO - Chief Executive Officer of the company
- **TITLE TO BE DETERMINED.** Executive Assistant to the President - a full time, internal staff position
- Bookkeeper - a part time, internal staff position
- Accountant - an independent financial person hired on a contractual basis
- Auditor - CPA firm, annually approved by the Board of Directors
- Board Chairperson, Treasurer or other authorized signer - persons with signatory authority on all accounts
- Employee - staff members responsible for budgetary controls in their department but no direct accounting authority.

### **Accounting Procedures:**

#### **Disbursements**

- The **Executive Assistant to the President** prepares all disbursements.
  - Including reviewing [accounting@visitfingerlakes.com](mailto:accounting@visitfingerlakes.com) for records of any auto-pays which have been transacted or are anticipated to be transacted within the month.
- The **President** employees approves verify appropriate account numbers and classifications per budget controls and in preparation for approval by the President.
- The bookkeeper is scheduled twice a month to prepare all of the checks and ACH transactions for approval disbursement, coordinating the appropriate backup materials and placing in order for required authorized signers.
- ~~The bookkeeper will maintain a log of autopay transactions.~~
- The president approves **executes** ACH transactions from the bank. A printed record of these transactions is provided to the bookkeeper for entry into the accounts and a separate transaction journal is maintained.
- The **Executive Assistant to the President** obtains the appropriate signatures.
- The signers of the checks are the president (per policy under \$5,000) and an officer of the board of directors.
- The **Executive Assistant** or staff member as assigned mails the checks once signed.
- The **Executive Assistant** files the checks, maintains a record of voided checks, and distinguishes between filing requirements and record keeping requirements for each account.
  - Matching Funds is filed separately in sequential numerical order.
  - CNB Optimum Account is filed by vendor.

#### **Accounts Receivable and Invoicing**

- Staff members generate a notice of a payment due to the company for a service or reimbursement. These staff members delineate the fees, the program and where possible provide copies of a signed agreement by the receiver.



- The Executive Assistant to the President will create an invoice.
- The President will authorize the invoice to be sent ensuring that the terms and amounts of the invoice are accurate.
- The Executive Assistant to the President will mail the invoices.

### **In-Kind Services and donations**

- Team members document in the CRM in-kind services and donations.
- The Executive Assistant to the President accesses the CRM reports and transfers this to Quickbooks by making a journal entry.
- ~~keeps a log of staff member reported in-kind services and donations.~~
- ~~This log is transferred to the accountant at the end of the month and a journal entry is made.~~

### **Credit Card**

- The board maintains a separate credit card policy.
- Credit card debt is paid in full upon receipt of the invoice or access to the electronic file from the credit card company.
- Credit card transactions are aligned with the receipts as provided by the team members with required account, class or job classifications and memos where appropriate, and per the credit card policy.
- A bank feed is accessed to downloaded the transactions into Quickbooks, which are subsequently recorded by the Executive Assistant to the President or the President.
- The President and the Executive Assistant reconcile the Credit Card bill, which upon completion places a check for payment in the account or facilitates an electronic payment
- The bookkeeper will print this check and place it in the process of the regular disbursements.
- A board member reviews the credit card statement and reconciliation monthly, providing signatory approvals and verifications of payments

**Transfers** - It is the policy of the board that electronic transfers between accounts can be made by the President, provided that the President writes the board chair and the treasurer and indicates the details of the transaction including the purpose of the transaction.

### **Deposits**

- The mail is received by the Executive Assistant. Any checks received are date stamped and logged in a folder held in the Executive Assistant's office.
- The Executive Assistant will align the deposit with any open invoices or create an invoice if one does not exist.
- The Executive Assistant prepares the deposit ticket and backup.
- Approval of the deposit and backup is made by the President.

- Entry of the payment received into Quickbooks may be made by the President or the Bookkeeper and the deposit summary held at the office pending the receipt of bank authorized deposit verification slip.
- A separate staff member makes the deposit, returns the receipt.
- ~~The Bookkeeper shall record the deposit in Quickbooks.~~
- The **executive assistant** attaches a copy of the receipt and the deposit summary and subsequently attaches that deposit to the bank statement when it arrives.
- The Accountant verifies the deposits when doing the bank reconciliation.
- In the case of cash deposits, which are rare, the same process abides.

**Bank reconciliations** - Bank Reconciliations are done on a monthly basis by the Accountant. Any issues in the reconciliation are to be immediately reported to the President, with the President notifying the board of directors if appropriate.

**Recordkeeping** - The **Executive Assistant maintains** the records of the corporation.

**Payroll** - Payroll is processed bi-weekly

- Time is calculated from Saturday through Friday.
- The employees submit their hours and use of personal time, holiday time, travel time and paid lunch time to the **Executive Assistant** on the schedule provided.
- The **Executive Assistant** calculates the submitted information, ensuring that the hours recorded are within policy and accurate, and provides the summary to the President.
- The President processes the payroll per these records with a pay date of one week later.
- The Bookkeeper receives a copy of these records and makes appropriate journal entries to the accounts.
- The Accountant verifies these entries during the bank reconciliation process.

## **President's Internal Control Checklist**

### **Cash**

- Cash handling and cash record keeping duties are segregated
- All expenditures are authorized and documented
- Any single employee is prohibited from handling a transaction from start to finish
- Petty cash of \$100 is maintained by the Executive Assistant to the President

### **Accounts receivable**

- There is segregation of duties associated with grants receivable. Grants are vouchered for and received by the president, noted in the check log by the Director of Operations, recorded into QuickBooks by The Business Operations Manager and deposited into the bank account by a random staff member.

### **Fixed Assets**

- Fixed assets are only acquired with proper authorization by the President within the budget
- Fixed assets are inventoried annually.
- Fixed assets are adequately insured.

### **Budget**

- The annual operating budget is approved by the Board of Directors
- All significant activities are included in the budget.
- Expenditures are compared to the approved budget on a month-to-month basis and a year-to-date basis.
- A capital budget and explanation of the reserve accounts will be annually presented to the board

### **Purchases**

- Purchases are supported with proof of receipt prior to payment.
- The appropriate account to be charged is indicated on the invoice prior to payment or within the log of memorized transactions.
- Competitive bidding procedures are used when required.
- Responsibilities for purchasing and invoice processing are segregated from general ledger entry and check writing.

### **Journal entries**

- The President assigns budget categories and the Accountant makes journal entries
- Liabilities will be recorded on the accrual basis by the Accountant
- Reports are generated by the Accountant and reviewed by the President

### **Conflict of Interest**

- FLVC ensures that conflict of interest statements are completed and on file with the county for all directors. FLVC maintains completed conflict of interest statements from all employees

### **Security**

- QuickBooks Pro is secured by passwords with access limited to the President (who also serves as the administrator), The Business Operations Manager, the Accountant, and the Director of Operations.
- Documents are maintained according to the record retention policies of FLVC
- Checks are signed in accordance with the check-signing policy of the board

Date: September 9, 2015

January 29, 2020

Updated: September 7, 2023 (proposed)

**Procedure 504. Determining Compensation for Chief Executive Officer (see policy 304)**

The process for determining compensation for the Chief Executive Officer is as follows:

The process includes these elements: (1) review and approval by the Board of Directors or Executive Committee; (2) use of data as to comparable compensation; and (3) contemporaneous documentation and record keeping.

**Review and approval.** The compensation of the person is reviewed and approved by the Board of Directors or Executive Committee, provided that persons with conflicts of interest with respect to the compensation arrangement at issue are not involved in this review and approval.

**Use of data as to comparable compensation.** The compensation of the person is reviewed and approved using data as to comparable compensation for similarly qualified persons in functionally comparable positions at similarly situated organizations. Destinations International annual compensation study shall be a benchmark for comparable compensation.

**Contemporaneous documentation and record keeping.** The Chief Executive Officer shall submit and maintain contemporaneous documentation and record keeping with respect to the deliberations and decisions regarding the compensation arrangement.

Date: April 29, 2009  
September 17, 2016

## **Procedure 505. Procedures and Documentation to Support Procurement Process, Selection, and Oversight (see policy 111)**

The President or her designee shall maintain records of procurement as vendors are selected as defined in Policy #111 - Procurement Policy. The records shall provide the narrative of vendor selection, as well as maintain any bid records or rationale related to the history of vendor relationships and costs, as well as to assist in oversight of standards for goods and services, and an assurance that goods and services are within the scope of any contracts or agreements.

A checklist and procurement cover sheet (See Forms) will be maintained for purchases, including sole source providers over \$10,000.

### **Procurement Process.**

In all purchases, it is important that clear and specific standards for the goods and services desired be articulated in writing. It is also important to consistently note under which section of Policy #111 this service is being procured.

### **Seeking competition**

Seeking competition helps facilitate the acquisition of goods and services of maximum quality at the highest value and guards against favoritism, improvidence, fraud and abuse. FLVC shall seek competitive bids and services to ensure that what is purchased is most appropriate for the Corporation's needs and procured in the most economical way and without favoritism.

**A Procurement Planning and Coversheet** (See forms) shall be completed and attached to the file of the successful vendor for the purchase. This coversheet will also serve as a guide for information needed in best practices for procurement for the not-for-profit.

### **Bid and Quote Recordkeeping**

- Any bids or quotes received will be summarized and compared. This analysis form shall be included in the documentation and kept with the successful vendor file.
- All project bids will be kept in a digital file, in the financial folders, called bids and quotes.
- Contractor Selection Notes. A form of cost/price analysis shall be made and documented in the procurement cover sheet and files under the project bid.

### **Contract administration and evaluation of contractor performance.**

The administration shall evaluate contractor performance - documenting contractor's performance on the terms, conditions and specifications of the contract. This may include progress inspections, interim products, inspection of goods delivered, and other such methods that provide assurance that the goods or services purchased are being delivered within the scope of the contract. The Organization's contract administration system ensures that:

- The method of procurement is documented, and records maintained for five years after final payment is made.
- All activities are carried out and costs incurred in compliance with applicable requirements.
- Before payment is made, services performed are deemed adequate and consistent with the contract

## **Documentation**

- The procurement plan and coversheet shall be kept in the successful vendor file by the Business Operations Manager.
- An internal review by staff will be performed annually in conjunction with the PARIS filings deadline. This review will be provided to the Board of Directors audit committee and will assure the procurement policy and process has been followed including seeking competition, and any RFP's and bids that our sought through the year are documented and maintained per process.

December 8, 2021;

March 30, 2022

## **Section 600. Plans**

See the Positions and Plans Manual

## Section 700. FORMS AND REPORTING TOOLS (SAMPLES)

### 701. CREDIT CARD REPORT

(Date Report Issued)

Type of Credit Card: General Credit Card - Capital One/ Spark Business Card

Corporate/Overall Credit Limit: \$20,000

**Valerie Knoblauch**, President and CEO

Principal Cardholder

Intended uses: Valerie Knoblauch is the President, CEO and CFO of Ontario County Four Seasons Local Development Corporation. The intended use of her credit card is to carry out those fiscal duties as required by the corporation including, but not limited to, these general purposes:

1. Operating expenses, such as gasoline purchases which occur in random locations and on a random schedule; software programs and small technology purchases, office maintenance and supplies.
2. Capital expenses, such as computer purchases, furnishings, etc.
3. Marketing, sales, board and employee expenses, such as entertainment, educational programs, airline tickets related to the achievement of mission of the corporation

Credit Limit	Transaction-Level Limit	Cash Advance
\$20,000	N/A	\$0

**Name, Employee Position** Intended uses: FIRST NAME's intended use of her credit card is to carry out programming for the purposes of sales and marketing. Her focus is on groups, conferences and meetings. Her spending includes, but is not limited to, these general purposes:

1. Expenses related to sales and marketing activities, including hosting meeting planners, group leaders and VIP hosting and events and partner development, trade relations.
2. Assist in marketing and sales purchases, including, but not limited to trade show expenses, registration, lodging and travel expenses.
3. Additionally, those items authorized in writing from the President including the purchase of travel expenses. Expenses beyond the annual budget require preapproval by the President.

Credit Limit	Transactional-Level Limit	Cash Advance
\$3,000	\$500 without prior approval per credit card policy	\$0 cash access

**Name, Employee Position.** Intended uses: First name provides technological needs, marketing host.

The intended use of his credit card is to carry out these duties:

1. Visitor Experience - Related to hosting VIP guest or hospitality training programs
2. Technology purchases in particular those related to technology, software and hardware purchases as approved by the president and within policy limits
3. Fuel for company vehicle only. Expenses beyond the annual budget and marketing plan require preapproval by the President.

Credit Limit	Transactional-Level Limit	Cash Advance
\$3,000	\$500 without prior approval per credit card policy	\$0 cash access



**702. BOARD MEMBER/EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT  
and TRAINING FOR ANTI-HARASSMENT POLICY**

I have read, understand and acknowledge receipt of the Anti-Harassment policy, to include sexual harassment. I will comply with the guidelines set out in the policy and understand that failure to do so may result in disciplinary action, up to and including termination of employment and potential legal action.

\_\_\_\_\_  
BOARD MEMBER/EMPLOYEE NAME (PLEASE PRINT)

\_\_\_\_\_  
BOARD MEMBER/EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE OF SIGNATURE

**FORM # 703 PROCUREMENT PLANNING AND COVERSHEET**

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_

**WHAT IS BEING PURCHASED?** (General Description): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Wish List.** Top 3 "requirements" "elements" "features" of this product or service that you must have.

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

Examples: *must integrate with Simpleview, must be executed before Month 15<sup>th</sup>*

\*\* Please put these in the Competitor BID MATRIX at the end. This will be used for evaluation.\*\*

**Proposed (needed) Start Date:** \_\_\_\_\_

Expected cost range of this: \$ \_\_\_\_\_ for a: YEAR MONTH ONCE Other: \_\_\_\_\_

**Under which part of policy #111 is this purchase made? ONE ONLY.**

\_\_\_ A purchase between \$5,000 and \$10,000 - (second signature requirement).

\_\_\_ 111a. Small purchase (relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate not more than \$10,000. If small purchase procedures are used for procurement under a grant, price or rate quotations shall be obtained from an adequate number of qualified sources. Other small purchases are under the approval of the President or her designee.)

\_\_\_ 111b. In sealed bids (for fixed price contracts), (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest in price.)

\_\_\_ 111c. Procurement by competitive proposal as defined by (normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive proposals are generally used when conditions require the consideration of a provider’s expertise, experience, reputation and/or schedule. FLVC shall follow the guidance of the Ontario County Purchasing Department for competitive proposal and procurement process.)

\_\_\_111d. Sole source purchase is an exception when a particular good or services for which there is no substantial equivalent, including but not limited to branded creative services, which are only available from a single source provider.

\_\_\_ 111 e. Another method prescribed by the board

**Seeking Competition. Per policy #111.** FLVC shall seek competitive bids and services to ensure that what is purchased is most appropriate for the Corporation’s needs and procured in the most economical way and without favoritism. Seeking competition facilitates the acquisition of goods and services of maximum quality at the highest value and guards against favoritism, improvidence, fraud, and abuse and is an important step in the process.

**VENDOR Matrix. Who are the potential vendors or competitive or near competitive suppliers of this product or service.**

<b>Competitors Name</b>	<b>General Address</b>	<b>Description of the service they can provide. Both <u>features</u> and <u>deficits</u> as compared to your Wish list.</b>

**Next Steps in the process:**

**“Do policy #111” in coordination with the Business Operations Manager.**

**Make sure you have your vendor list ready and a very clear timeline to meet your needs.**

**Moving Forward**

Set a date to meet and review with Business Operations Manager

Be prepared to answer these questions:

\_\_\_ Who has input into the evaluation:

\_\_\_ Ideally, WHO is making the recommendation to the President and/or Board for the successful vendor?

\_\_\_ Is it necessary to go before any board committees?

\_\_\_ Have you gathered any spec sheets or the like for easier analysis?

\_\_\_ Reassurance of dates

\_\_\_ Bid Analysis form complete

**REVIEW PROCESS**

**Competitive/Comparative Bids** - see and complete BID Matrix at end of this document

Please reference any BOD Committees (or the full board) that have reviewed this vendor selection

**BOD Committee** if applicable that reviewed: \_\_\_\_\_ Date of review: \_\_\_\_\_

**BOD Meeting** if applicable that reviewed: \_\_\_\_\_ Date of review: \_\_\_\_\_

Justification for the lack of competition - if competitive bids were not obtained. (The basis of the award was it for timing, creative, cost....?) \_\_\_\_\_

**SUCCESSFUL BIDS --- WHAT'S NEXT**

**BID MATRIX** with requirements as columns

**Title of BID (what is being purchased)?** Copy from first page \_\_\_\_\_

<b>Competitors Name</b>	<b>Price</b>	<b>Requirement #1.</b> <i>Ex. Ability to meet timing</i>	<b>Requirement #2</b> <i>Ex. Ability to integrate with Simpleview</i>	<b>Disadvantages</b>

**ADDITIONAL COMMENTARY** if applicable

Y or N This is a business located within Ontario County or the Finger Lakes Region or NYS

Y or N This is a business in the category of women or minority owned businesses.

Y or N This business is notable for its commitment to diversity, equality, and inclusion - and aligns with our core values.

\_\_\_ This is a sole source provider \_\_\_\_\_

Explain here why no competitive bids are received, (refer back to language of your wish list)

---

---

**Attachments:** sample spec sheets, or an RFP (request for proposal)? YES (Please attach) NO

Winner selected because:

\_\_\_ provider's expertise \_\_\_\_\_

\_\_\_ provider's experience \_\_\_\_\_

\_\_\_ provider's reputation \_\_\_\_\_

\_\_\_ provider's ability to meet a schedule \_\_\_\_\_

\_\_\_ Another method with prior approval by the BOD Audit/Finance Committee

\_\_\_ Best prices (attach sheets of bid analysis)

Expanded comments (if necessary): \_\_\_\_\_

---

**Date and time of BID selection/opening:** \_\_\_\_\_

**Contract administration and evaluation of contractor performance.**

The administration shall evaluate contractor performance - documenting contractor's performance on the terms, conditions and specifications of the contract. This may include progress inspections, interim products, inspection of goods delivered, and other such methods that provide assurance that the goods or services purchased are being delivered within the scope of the contract. The Organization's contract administration system ensures that:

- The method of procurement is documented and records maintained for five years after final payment is made;
- All activities are carried out and costs incurred in compliance with applicable requirements;
- Before payment is made, services performed are deemed adequate and consistent with the contract

**Documentation**

- The procurement plan and coversheet shall be kept in the successful vendor file by the Business Operations Manager.
- An internal review by staff will be performed annually in conjunction with the PARIS filings deadline. This review will be provided to the Board of Directors audit committee and will assure the procurement policy and process has been followed including seeking competition, and any RFP's and bids that our sought through the year are documented and maintained per process.

**INTERNAL USE:** Filing

**SUBMISSION:**

Submitted to Business Operations Manager Date: \_\_\_\_\_

\_\_\_\_\_ Copy of Final Contract and/or expected payment schedule

\_\_\_\_\_ Contract is signed YES NO

\_\_\_\_\_ BID analysis if applicable

Vendor Name: \_\_\_\_\_

Is this Vendor part of another company (that would be important to know)? YES NO

If YES, who is the other Vendor: \_\_\_\_\_

How often will this vendor be paid: YEARLY MONTHLY WEEKLY Other: \_\_\_\_\_

What Company name should be expected on the Vendor invoices: \_\_\_\_\_

Expect to see invoices coming via: POSTAL SERVICE EMAIL OTHER: \_\_\_\_\_

**INTERNAL USE** - Business Operations Manager -

\_\_\_\_\_ Scanned File located in Q:// Vendor File (with successful vendor)

File name: \_\_\_\_\_

File location: \_\_\_\_\_

\_\_\_\_\_ Bid Specs located in Q:// Bids

File name: \_\_\_\_\_

File location: \_\_\_\_\_

### **FUTURE REVIEW/DATA**

Date to keep these digital files: For five years after the date of the last check, except in the case of grant monies used for the purchase, this shall be kept according to the standards for document and retention record keeping.

Last Updated: April 14, 2022

## 704. Acknowledgement of Fiduciary Duties and Responsibilities 202X

As a member of Ontario County Four Seasons Local Development Corporation's board of directors, I understand that I have a fiduciary obligation to perform my duties and responsibilities to the best of my abilities, in good faith and with proper diligence and care, consistent with the enabling statute, mission, and by-laws of the Organization and the laws of New York State. The requirements set forth in this acknowledgement are based on the provisions of New York State law and the Public Authorities Reform Act of 2009.

As a member of the Board of Directors:

1. Mission Statement

- I have read and understand the mission of the Organization; and the mission is designed to achieve a public purpose on behalf of Ontario County and the State of New York. I further understand that my fiduciary duty to this Organization is derived from and governed by its mission.
- I agree that I have an obligation to become knowledgeable about the mission, purpose, functions, responsibilities, and statutory duties of the Organization and to make reasonable inquiry of management and others with knowledge and expertise so as to make informed decisions.

2. Deliberation

- I understand that my obligation is to act in the best interests of the Organization and the People of Ontario County and the State of New York whom the Authority serves.
- I agree that I will exercise independent judgment on all matters before the board.
- I will participate in training sessions, attend board and committee meetings, and engage fully in the board's and committee's decision-making process.

3. Confidentiality/Conflict of Interest/Code of Ethics

- I agree to abide by the Organization's applicable confidentiality, code of ethics and conflict of interest policies.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Organization Name: Ontario County Four Seasons Local Development Corporation



Organizational Bylaws  
Current Board of Directors List  
Employee Handbook  
\*Crisis Communication Plan  
\*Business Continuity and Management Plan  
\*Board of Directors Orientation handouts  
Current Strategic Plan - Destination Next 2021 - 2025

\*these items are found in the Destination Accreditation folder on the office server



# Ontario County Board of Supervisors

Kristin A. Mueller<sup>CMC</sup>, Clerk  
Diane R. Foster, Deputy Clerk

County Municipal Building  
20 Ontario Street  
Canandaigua, New York 14424

Phone: 585-396-4447

E-  
Mail: Kristin.Mueller@co.ontario.ny.us

TO: Members, Board of Supervisors, Members of Public Volunteer Agencies,  
County Department Heads, and Key County Employees

FROM: Kristin A. Mueller, Clerk, Board of Supervisors

Please find the "Ontario County Policy on Conflict of Interest" along with a copy of the "Annual Disclosure/Conflict of Interest Statement".

Would you please complete the Annual Disclosure/Conflict of Interest Statement by February 15, 2020 and return same to this office in order that it may be subsequently filed with the County Attorney's Office.

Thank you for complying with this request, and do not hesitate to contact this office if you have any questions.

---

## **Ontario County Policy on Conflict of Interest**

Ontario County serves the community, and as such, operates in a role that calls for a high degree of community trust. Because the County's activities are subject to public scrutiny, conscientious efforts must be continually taken to maintain the confidence of the community and to avoid circumstances which might lead to harmful conflict of interest and lessen credibility in government.

Therefore, it is the policy of Ontario County that its elected and appointed officials, key employees, and volunteers (hereinafter collectively referred to as "representatives") should not, on behalf of the County, engage in any business or professional activity with persons or organizations where that activity might result in personal benefit to the County representative, and thereby result in a conflict of interest.

County representatives should not accept gifts, monies, or entertainment of significant value or other gratuities from persons outside the organization who propose to enter, or who have already

entered into a business or professional relationship with the County or otherwise deal preferentially with suppliers and others where personal gains accrue to the representative.

County representatives shall exercise their best judgment for the benefit of the County and shall refrain from being influenced by personal considerations of any kind in the performance of their duties.

County representatives shall avoid employment, investments, and personal interests which may work to the disadvantage of the County.

Pursuant to this policy, County representatives shall be required to file an annual disclosure statement with the Ontario County Board of Ethics.

This policy is not intended to prohibit elected County representatives, where such interests or transactions are not otherwise prohibited by law, from furnishing services, merchandise, equipment, or supplies to Ontario County pursuant to an arms-length agreement or contracts for fair and reasonable consideration. However, all such contract arrangements or transactions and the terms thereof must be fully disclosed to the County Administrator and shall be at all times available for examination by the Board of Ethics.

**ANNUAL DISCLOSURE, CONFLICT OF INTEREST STATEMENT**

ONTARIO COUNTY, FOR YEAR 2020

Last Name	First Name	Initial
Ontario County Four Seasons d.b.a. Finger Lakes		
Visitors Connection		
Title	Board or Agency	
25 Gorham Street, Canandaigua NY 14424 3915		585-394-
Board or Agency Address		Telephone Number

I have read and am familiar with the Ontario County Policy concerning Conflicts of Interest, and I have initialed the Box opposite the appropriate paragraph below. I understand that when this statement is filed, it becomes a public record subject to the NYS Freedom of Information Law.

1. To the best of my knowledge, I have had no interest nor taken any action which

would contravene the policy: \_\_\_\_\_ {\_\_\_\_\_}

2. To the best of my knowledge I have had no interest nor taken any action which would contravene the policy, except such interest or action which is fully disclosed below: \_\_\_\_\_ {\_\_\_\_\_}

---

---

---

3. At this time, I am seeking a determination of whether the contemplated course of action described below may constitute a conflict of interest in contravention of the policy:

---

---

---

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Deliver to:	Kristin Mueller, Clerk Board of Supervisors 20 Ontario Street Canandaigua, NY 14424
-------------	--

**Ontario County Four Seasons Local Development Corporation  
Board of Directors Self Evaluation 2020 - Sample**

Question	Rate 1 - 5 (Five is the highest)
1. I am prepared for board meetings, as best I can whether they were virtual or in person	_____
2. I recognize that my board position is one of oversight, fiduciary responsibility and policy guidance, and am cognizant to this role vs. that of paid staff	_____
3. I am willing to grow within the board structure and assume a leadership position	_____
4. I abide by the adopted policies of the Board of Directors	_____
5. I actively participate in the decisions of the board and work towards consensus decision making	_____
6. I take care of paperwork, in a timely manner, that is required and/or requested as part of my position on the board:	
• Oath of Office (upon appointment/reappointment) - Ontario County	_____
• PARIS Training (upon appointment) - NYS	_____
• Acknowledgement of Fiduciary Duties - PARIS	_____
• Board Self-Evaluation	_____
• Conflict of Interest Statement and Code of Ethics - Ontario County	_____
• Provide an initial bio and update as changes occur	

The most rewarding part of my engagement on the FLVC Board is:

---



---

Comments - other

---



---

Name: \_\_\_\_\_

Please rate how you feel “the group” did on these 2020 Board Goals. (1 – 5 with five being the highest.)

Goals Listed Here

**Sample:**  
**Acknowledgement of Fiduciary Duties and Responsibilities 2021**

As a member of Ontario County Four Seasons Local Development Corporation’s board of directors, I understand that I have a fiduciary obligation to perform my duties and responsibilities to the best of my abilities, in good faith and with proper diligence and care, consistent with the enabling statute, mission, and by-laws of the Organization and the laws of New York State. The requirements set forth in this acknowledgement are based on the provisions of New York State law and the Public Authorities Reform Act of 2009.

As a member of the Board of Directors:

4. Mission Statement

- I have read and understand the mission of the Organization; and the mission is designed to achieve a public purpose on behalf of Ontario County and the State of New York. I further understand that my fiduciary duty to this Organization is derived from and governed by its mission.
- I agree that I have an obligation to become knowledgeable about the mission, purpose, functions, responsibilities, and statutory duties of the Organization and to make reasonable inquiry of management and others with knowledge and expertise so as to make informed decisions.

5. Deliberation

- I understand that my obligation is to act in the best interests of the Organization and the People of Ontario County and the State of New York whom the Authority serves.
- I agree that I will exercise independent judgment on all matters before the board.
- I will participate in training sessions, attend board and committee meetings, and engage fully in the board’s and committee’s decision-making process.

6. Confidentiality/Conflict of Interest/Code of Ethics

- I agree to abide by the Organization’s applicable confidentiality, code of ethics and conflict of interest policies.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Organization Name: Ontario County Four Seasons Local Development Corporation