

BIRMINGHAM AREA CABLE BOARD MEETING

Wednesday, March 18, 2015 at 7:45 am

\*\*\*Village of Beverly Hills

Council Chambers\*\*\*

18500 West 13 Mile Road

1. Roll Call
2. Approve Meeting Minutes For Cable Board Meeting of February 25, 2015-M
3. Public Comments
4. Treasurer's Report
5. Proposed Fiscal Year 2015-2016 BACB Budget
6. Committee Reports
  - a. Cable Action Committee
  - b. PEG Committee
  - c. Personnel Committee
7. Executive Director's Report
8. Provider Related Topics
  - a. Comcast
  - b. AT&T
  - c. WOW
9. BAPA/BAMA Report
10. Old Business
11. New Business
12. Public Comments
13. Board Comments
14. Adjourn

PEG Committee meeting immediately following BACB meeting

Present: Heldt, McAlear, McLain - Birmingham  
Borgon, Heyman, Schneider, Verdi-Hus – Beverly Hills  
Stakhiv – Franklin

Absent: Kelly – Birmingham  
Ettenson – Bingham Farms

Also Present: White - Executive Director  
Currier - Attorney for Cable Board  
Rota - Bloomfield Community Television  
Thomas – Birmingham staff representative  
Ken Parsons – WOW representative

McLain called the meeting to order at 7:45 a.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

**APPROVE MINUTES OF CABLE BOARD MEETING HELD JANUARY 21, 2015**

Motion by Heldt, second by Heyman, that the minutes of a regular Cable Board meeting held on January 21, 2015 be approved as submitted.

Motion passed.

**PUBLIC COMMENTS**

None

**GRANT REQUEST – FRANKLIN-BINGHAM FIRE DEPARTMENT**

The Franklin-Bingham Farms Police Department currently obtains Internet access through a contractual agreement with Comcast for fire station Internet access and Verizon Wireless for scene-based EMS incident reporting access. It was indicated in a letter dated February 2, 2015 from Fire Chief Tony Averbuch that these services were selected based upon coverage, speed, cost and the ability to receive a static IP address in order to host the public website as well as communicate with personnel via secure web connection.

Chief Averbuch is requesting a grant to the Department to cover internet connectivity at a cost of \$107.85 per month for Comcast fire-station Internet service and \$40.01 per month for Verizon Wireless Internet access. This would total \$1,774.32 for the fiscal year starting July 1, 2015. The Board's support would help the Department in providing services to the public by allowing it to maintain a level of service commensurate with its obligations.

Motion by Stakhiv, second by Heyman, to approve a municipal support services grant request from the Franklin-Bingham Fire Department to cover the cost of \$107.85 per month for Comcast fire-station Internet service and \$40.01 per month for Verizon Wireless Internet access for a total amount of \$1,774.32 for fiscal year 2015/16.

Heldt reminded the Board that, according to protocol, the Cable Board does not approve grants for the upcoming fiscal year. This grant is ultimately acceptable, but the Board should postpone consideration of the grant until July.

Motion by Heldt, second by McAlear, to table consideration of a grant request from the Franklin-Bingham Fire Department for FY 2015/2016.

Motion passed (8 – 0).

### **BUDGET AMENDMENT – LEGAL SERVICES**

White stated that the Cable Board is approaching the \$25,000 budgeted amount for legal services in FY2014/15. It has been an extraordinary year in terms of the work that has been done relative to the Comcast merger. White requested Board authorization to add \$5,000 to the amount budgeted for legal services.

Currier said that he did not anticipate that there would be major expenditures for legal services required from now until the end of June. The current issue is discussion and negotiations regarding the Comcast franchise agreement. Considering that Comcast has extended the franchise agreements in the Bloomfield and West Bloomfield communities, Currier did not think this would be an issue.

Motion by Heldt, second by Heyman, that the Birmingham Area Cable Board authorize the Executive Director to increase the 2014/15 budget allocation for legal fees by \$5,000.

Motion passed (8 – 0).

### **ADMINISTRATIVE GRANT POLICY AMENDMENT**

Heldt stated that administrative grants as of June 30, 2014 were authorized for issuance to the four consortium communities at the January 2015 Cable Board meeting. It was pointed out that the current policy provides that the Board would retain an additional amount each year as working capital reserve. The flaw in this thinking was that, over time, the reserve increases. The proposal is to modify the grant policy to express the working capital reserve as 25% of last year's franchise fees; it will grow or decrease by the amount of last year's franchise fees.

Motion by Heldt, second by McAlear, that the Board hereby establish the following policy regarding Administrative Grants: The Birmingham Area Cable Board shall administratively grant back to the communities any year end "excess" between operating (franchise) income and expense, after preserving "working capital" for operations at 25% of last year's franchise fees.

Borgon referred to a financial report listing the Board's franchise fee and PEG fund balance year-to-date as of February 22, 2015. It shows a franchise fee amount of \$800,000 in the fund balance. He questioned whether the Board should distribute the unused franchise fees to the four communities in accordance with Cable Board policy.

Heldt responded that the recent administrative grant was based on June 30, 2014 numbers. He addressed inquiries from the Board relative to the fund balance, the recent separation of accounting for franchise fees and PEG fees, and the underfunding of PEG reserve funds. The fund balance will enter into the calculations when the Board determines next year's administrative grant.

There were members who suggested that there should be a more thorough discussion of Board finances, accounting, and the amount of the fund balance before taking a vote on an amendment to the administrative grant policy. Heldt said that there was no urgency to amend the grant policy at this time if there was a consensus to table action on this matter.

Motion by Schneider, second by Borgon, to table consideration of Administrative Grant Policy Amendment to the March Birmingham Area Cable Board meeting.

Motion passed (8 – 0).

## **COMMITTEE REPORTS**

### **Cable Action Committee**

Verdi-Hus reported that there were two members present at the February 5 Cable Action Committee meeting. Executive Director White indicated that she will compile tracking information on BACB website activity through Google Analytics on a regular basis. The next meeting of the Cable Action Committee will be Thursday, March 5 at 5:30 pm at the Baldwin Public Library.

### **PEG Committee**

Heldt reported that there is one remaining winter sporting event that will be taped and broadcast. The Spring high school sports schedule will be discussed at the March meeting. There will be a PEG meeting following the regular Cable Board meeting.

### **Personnel Committee**

Stakhiv stated that the Personnel Committee will meet on Saturday, February 28 at 2 pm at the Kreger House in Franklin to conduct the Executive Director's performance appraisal in a closed session.

## **EXECUTIVE DIRECTOR'S REPORT**

Executive Director White outlined three complaints that have been resolved in the last month. Financial information has been provided to Board members by email and is also included in the packet.

White requested authorization from the Board to pay an invoice from the Birmingham Bloomfield Chamber of Commerce in the amount of \$175.00 for membership dues for the period from March 1, 2015 through February 29, 2016.

Motion by Borgon, second by Stakhiv, to authorize the Executive Director to pay an invoice in the amount of \$175.00 for Birmingham Bloomfield Chamber of Commerce membership dues for a period from March 1, 2015 to February 29, 2016.

Roll Call Vote:

Motion passed (8 – 0).

White requested authorization to pay the Board's Michigan NATOA annual dues in the amount of \$125.00. This entails a full membership for the Board chairperson and an associate membership for the Executive Director.

Motion by Borgon, second by Stakhiv, that the Cable Board authorizes the expenditure of \$125 to pay Michigan NATOA annual dues consisting of one full membership and one associate membership.

Roll Call Vote:  
Motion passed (8 – 0).

White reported that notification was received from WOW that, beginning on or after April 14, 2015, their Limited Basic Cable Line-up will transition to an all-digital format. Residential WOW cable customers are eligible for one Digital Adapter at no cost per account. A Digital Adapter (\$2.00 per month) will need to be connected to any TV in a subscriber's home that does not already have WOW digital equipment. TVs with built-in digital tuners do not need Digital Adapters. Customers will be notified of this transition beginning in mid-March.

Board members are in receipt of an article from multichannel.com entitled "How Cable Neglects Its Red-Headed Stepsister." The article was written by the executive director of American Community Television, based in Columbia, Md. and describes how the cable industry has tried to diminish public, educational and government access television. It describes how the National Cable and Telecommunications Association is pressing Congress to relieve its members of PEG obligations.

The Media Central Conference this year will be held March 11-13, 2015 in Lansing. White will email the agenda to interested Board members who would like to review topics that will be addressed at the conference. There is money in the budget for this conference if any Cable Board members are interested in attending.

#### **PROVIDER RELATED TOPICS**

##### **Comcast**

There was no representative present.

##### **AT&T**

There was no representative present.

##### **WOW**

Ken Parsons representing WOW was present.

#### **BAPA/BAMA REPORT**

Steve Rota highlighted programming outlined in the written report from Bloomfield Community Television on programming taped for Municipal Channel 15 (BAMA), PA Channel 18 (BAPA), and programming from BACB area organizations during the last month (information included in BCTV monthly report for January 22, 2015 through February 25, 2015).

Rota mentioned that the spring high school sporting event schedule is developing. Events and dates will be forthcoming at the March meeting.

The next camera workshop has been scheduled for Tuesday, April 22, 2015 from 10:00 am to noon or 6:30 pm to 8:30 pm. Call 248-433-7790 to sign up.

The Program Development Committee met last week to discuss two show ideas. The first program will be a two minute documentary featuring the new identity for the BASCC Senior Center. The second program will be an ongoing legal show.

Rota talked about BCTV's procedure relative to times when BAPA and BAMA are off the air. People can call 248-433-7790 during business hours or after business hours when these programs are off the air; staff will try their best to resume programming in a timely manner.

Rota informed the Board that one of the cameras in the production truck was in need of repair; he provided details on trouble shooting efforts. Authorization was received by McLain and Heldt for BCTV to proceed with the purchase of a new circuit board for the camera at a cost of \$781.40. Rota requested that the Cable Board reimburse BCTV for this expense. Questions from members were addressed by Rota.

Motion by Heldt, second by Borgon, that the Birmingham Area Cable Board reimburse BCTV in the amount of \$781.40 for the cost of a new circuit board for a production truck camera.

Schneider suggested creating a maintenance fund line item in the budget and criteria for use of this fund by BCTV. McLain responded that the Board votes on all expenditures at regular meetings for the sake of transparency.

Roll Call Vote:  
Motion passed (8 – 0).

Rota stated that it was brought to his attention that Monday night's Birmingham Commission meeting was not broadcast live to AT&T subscribers. He reset the encoder for AT&T the next morning. Rota mentioned that he would appreciate any feedback from Board members on BCTV production standards. Based on their experiences, McLain and Heyman provided positive feedback on the first rate production quality and expertise of the BCTV staff and management.

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**PUBLIC COMMENTS**

None

**BOARD COMMENTS**

None

The meeting was adjourned at 8:45 a.m.

## MEMORANDUM

DATE: March 11, 2015

TO: Board Members

FROM: Cathy White

Re: Monthly Report

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### CUSTOMER COMPLAINTS

We have received three (3) complaints since the date of my last report. Complaint No. 2015-5 was submitted by a Birmingham resident who called Comcast regarding a billing issue and the Comcast representative hung up on her. She called back and another representative was able to quickly resolve her billing issue. She wanted the other representative who hung up on her to be reprimanded. A Comcast escalation team representative called this resident to inform her that Comcast would investigate the rude behavior. They sent the call up to be reviewed but they did not have enough information to locate the call. This complaint is closed.

Complaint No.2015-6 was submitted by a Birmingham resident who cancelled his Comcast service but was having trouble getting Comcast to correct their records to indicate that the service was disconnected and that the subscriber did not owe anything. Comcast has subsequently corrected their records and applied a credit to this subscriber's account, leaving a \$0 balance. The resident is satisfied and this complaint is now closed.

Complaint No. 2015-7 was received from a Bingham Farms resident who is trying to get a schedule from Comcast of upcoming baseball games and the channels they will be on so he doesn't miss the games. This complaint is pending.

### FINANCIAL

The account balance for the MBS, BBCU and Beverly Hills accounts will be provided via hard copies at the meeting, in addition to budget to actual figures. This information will also be e-mailed to all Board members in advance of the meeting. In addition, the current fund balance amounts for franchise fee funds and PEG funds will also be provided.

### CHECK DISBURSEMENT

Since the date of my last report, I have written one (1) check as follows:

1. Charter Township of Bloomfield (February sports programs) \$10,000.00

ADDITIONAL NOTES:

1. WOW! has notified us that effective April 1,2015, a Payment Convenience Fee of \$5.00 per transaction will be charged when a customer makes a payment over the phone with a customer service representative. In addition, a \$2.00 fee per transaction will be imposed when a customer makes a payment at a WOW! payment center. Customers can continue to pay their bills at no cost via automated payment by phone, pay by mail or pay online.

2. A proposed BACB budget for FY 2015-2016 will be distributed at the meeting. The proposed budget has been submitted earlier than usual and will be considered for approval at the April BACB meeting. Please review the proposed budget and let me know if you have any comments or suggestions so that I can incorporate them into the document where appropriate prior to our next meeting.

3. We received a nice thank you note from the Baldwin Public Library Board of Directors for the grant we authorized for the Library's new website.



# Memo



To: BACB  
From: Steve Rota  
cc: Greg Kowalski, Cathy White & Elaine McLain  
Date: 3/9/15  
Re: Report February 26th, 2015 through March 18<sup>th</sup>, 2015.

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## **BAMA Programs**

During this time period we've completed six regularly scheduled municipal meetings, Baldwin Library Board Meetings and the BACB meeting.

## **IN STUDIO**

*County Corner* hosted by Marcia Gersheson.

## **On Location**

*Baldwin Public Library Lecture.*

## **BAPA Programs**

From BACB area individual producers and organizations we've taped 22 programs. From individuals:

- ❖ *Self-Talk* hosted by Danco Sotirovski.
- ❖ *Beyond The Box Score Groves Winter Edition.*
- ❖ *Beyond The Box Score Seaholm Winter Edition.*
- ❖ Three *Michigan Entrepreneur* hosted by Tara Kachaturoff.
- ❖ Three *Spectacles* hosted by Ellen Rogers and Betsy Laboe
- ❖ Three *Making a Difference at TCH* hosted by Camille Jayne.
- ❖ Three *Eye on Oakland* hosted by Chuck Moss and David Potts.

From BACB area organizations:

- ❖ *BASCC Lecture.*
- ❖ *Plant Based Nutrition Lecture.*
- ❖ *Birmingham Musicale.*
- ❖ *TCH Women's Club Lecture.*
- ❖ *Women Officials Network Lecture.*
- ❖ *Seaholm vs. Groves: Boys Basketball.*
- ❖ *Spectrum Orchestra.*

## **CAMERA WORKSHOP**

Our next camera workshop has been scheduled for Wednesday, April 22nd, 2015 from 10:00 AM to Noon or 6:30 PM to 8:30 PM. Call 248-433-7790 and sign up today!

## **UP COMING PROGRAMS**

The Annual Easter egg hunt at Beverly Park held on Saturday, March 28<sup>th</sup> from 9:00 AM to 5:00 PM.