

BIRMINGHAM AREA CABLE BOARD MEETING

Wednesday, May 18, 2016 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 April 20, 2016-M
3. Public Comments
4. Proposed Fiscal Year 2016-17 BACB Budget -M
5. Committee Reports
 - a. Cable Action Committee
 - b. PEG Committee
6. Executive Director's Report
7. Provider Related Topics
 - a. Comcast
 - b. AT&T
 - c. WOW
8. BAPA/BAMA Report
9. Old Business
10. New Business
11. Public Comments
12. Board Comments
13. Adjourn

PEG Committee meeting immediately following BACB meeting

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – April 20, 2016

Present: Bozell, Eick, Heldt, McLain – Birmingham
 Borgon (alternate), Burry, Maly – Village of Beverly Hills
 Stakhiv – Village of Franklin

Absent: McAlear – Birmingham
 Schneider, Verdi-Hus - Village of Beverly Hills
 Ettenson - Village of Bingham Farms

Also Present: White – Executive Director
 Currier – Attorney for Cable Board
 Rota – Bloomfield Community Television

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

APPROVE MINUTES OF CABLE BOARD MEETING HELD March 16, 2016

Motion by Burry, seconded by Heldt , to approve the minutes of the Regular Cable Board Meeting on March 16, 2016, as presented.

Motion passed.

PUBLIC COMMENTS

Alda Marie McCook, Beverly Hills, related her recent experience dealing with WOW regarding so-called “unpaid” bills which, in fact, she had already paid. Between her calls to Customer Service, the offensive letters she had received, and not receiving the payment confirmation which she had been promised, the resident was very disappointed with WOW’s service. She gave McLain her last letter from WOW, dated 3/24/16, and indicated that she was still waiting for the requested statement. Because no providers were at the meeting, McLain referred these issues to White who would submit a complaint and personally resolve them for Ms. McCook.

FY 2015-16 BACB BUDGET AMENDMENTS

Referring to the First Amended Budget, FY 2016 Report, dated 4/14/2016, White presented the proposed Budget Amendments:

1. Administrative Grants - Increase the annual amount by \$20,000.00.
2. Add a budget line for Bank Service Charges in the amount of \$61.00.
3. Professional Fees, Accounting – Increase the annual amount by \$200.00.
4. Cable Contractor - Increase the annual amount by \$50,000.00 (due to the timing of the payment).
5. PEG Grant – Increase the annual amount by \$50,000.00.

White noted that **Municipal Support Services** is under budget. Originally \$70,000.00 was budgeted and less than \$5,000.00 had been paid out. As a whole, BACB is under budget.

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – April 20, 2016

Motion by Burry, seconded by Eick, that the Birmingham Area Cable Board does hereby authorize the following amendments to the FY 2015-16 Budget:

1. Administrative Grants - Increase the annual amount by \$20,000.00, for a total amount of \$197,763.00.
2. Add a budget line for Bank Service Charges in the amount of \$61.00.
3. Professional Fees, Accounting – Increase the annual amount by \$200.00, for a total amount of \$8,200.00.
4. Cable Contractor - Increase the annual amount by \$50,000.00 (due to timing of payment).
5. Grant – Increase the annual amount by \$50,000.00, for a total amount of \$150,000.00.

Roll Call Vote

Motion passed (8-0).

COMMITTEE REPORTS

Cable Action Committee

In Verdi-Hus's absence, White reported that the committee, consisting of herself, McLain, and Verdi-Hus, had planned on going over the new member manual with the new members but none were able to attend the meeting. The committee reviewed the 2015-16 budget amendments and had a discussion about next year's fiscal budget which she would be presenting to the Board at the next meeting. The budget needs to be approved by June. The next meeting will be Thursday, May 5, upstairs in the Baldwin Library at 5:30 PM. A reminder will be sent out.

PEG Committee

McAlear, Chairman, was not in attendance. There would not be a PEG meeting following the BACB meeting this morning.

EXECUTIVE DIRECTOR'S REPORT

White referred to her report dated April 13, 2016. Since her last report she did not receive any new complaints. One pending complaint was in the process of resolution. It dealt with a builder who had contacted Comcast about the possible removal or relocation of its facilities due to construction of a new home. Comcast calculated the expense and, as of March 31, 2016, is awaiting payment from the builder before rerouting the line.

The account balances for the MBS, BBCU, and Beverly Hills accounts were provided to the Board. Since her last report, White has written nine (9) checks on behalf of the BACB, which were listed in her memo. She noted several Municipal Support Services Grant checks were issued to Franklin and would be added to the already spent and recorded monies in the Municipal Support Services for the year. McLain requested more details about those checks. White responded that one was for the Comcast service at the Kreger House (Franklin Community Center) and the other was for the website and enhancement of the Village Hall. Two checks went to Charter Township of Bloomfield: one for the BCTV filming of one sports event and one for the reimbursement for truck equipment repair. Referring to the check written to the Birmingham

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – April 20, 2016

Bloomfield Credit Union and in response to a question about a “carbonite backup”, White and McLain clarified that it was for a computer backup program.

White had additional notes concerning the new roster of Board Members, which had been included in the packet. She added that Kevin Galbraith was no longer with the Birmingham Public Schools and Joseph Hoffman would be his temporary replacement. McLain mentioned a typo in Robert Jones’ email address.

Multichannel News reported that the merger between Charter Communications and Time Warner Cable was moving forward and should be able to obtain the necessary approvals from the FCC. Comcast announced that on April 12, 2016 Al Jazeera America (Channel 107) ceased operations and its programming.

The Village of Beverly Hills would be remodeling its offices, at which time the staff would move its operations into Council Chambers. The construction might take up to four (4) months to complete but the beginning date was uncertain. In the meantime, White has made arrangements with the Birmingham Public Schools for BACB to move its meetings to Birmingham Public Schools’ Education & Administration Center on Evergreen Rd. at 13 Mile Rd. during that period. She would advise the Board of the exact date for the location change. Unfortunately, the meetings wouldn’t be live broadcasts. For the benefit of the public, McLain reminded viewers that PEG funds had been used for the renovation of that building and equipping it with state-of-the-art technology. Borgon suggested the option of meeting at the Birmingham Commission Chambers.

PROVIDER RELATED TOPICS**a. Comcast**

There was no representative present and there were no new announcements.

b. AT&T/Uverse/Direct TV

There was no representative present

c. WOW

There was no representative present.

McLain, Borgon, and Maly, Board Members of NEXT, relayed the information about its Golf Outing Fundraiser which would be held June 13, 2016, at Lincoln Hills Golf Course on 14 Mile and Evergreen. There would be a 2PM start time and would include a silent auction and dinner. An invitation has been extended to the Cable Providers to become sponsors of the event or to consider making a donation. A follow up with the three (3) providers would be made. Maly extended an invitation to the public to participate in the fun event. The cost is \$75 and includes golfing and dinner. Dinner alone is \$25.

Borgon commented on the letter WOW sent it customers informing them that, “... effective April 5, 2016, WOW would impose a missed appointment charge of \$50 if a customer is not home for a scheduled WOW appointment” and fails to contact WOW within an hour of the advanced schedule appointment time. It was his opinion that this was a very aggressive policy.

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – April 20, 2016

McLain suggested that White contact Ken Parson for a response to this issue. McLain noted that Comcast automatically credits a customer's bill for missed appointments. She was unsure if AT&T or WOW had the same or similar policy and asked White to contact them for verification.

BAPA/BAMA REPORT

Steve Rota referred to his memo to BACB, dated 4/14/16, and pointed out the seven (7) completed **BAMA** Programs which were regularly scheduled municipal meetings, Board of Zoning Appeals Meetings, two (2) Baldwin Library Board and Trust Meetings, Birmingham Advisory Board Meeting, Multi Modal Transportation Board Meeting, BACB meeting, four (4) Baldwin Library Lectures, and the Birmingham Recommended Budget show.

For the **BAPA** Programs, from the BACB area individual producers and organizations, thirty-three (33) programs were taped. He listed all the programs.

Rota reminded the Board that the format of the Producer Workshops was now “one-on-one” sessions. They were for those volunteers interested in taking a camera workshop and/or producing their own show and for those who wanted to experience the “behind the scenes” process. Residents can contact BCTV at 248-433-7790 to schedule an appointment date and time to tour the studio and learn about the policies of how a show is produced or helping out on a show.

He showed the Board a sample of the rain poncho with the logo on it, which the Board had approved. This uniform purchase now completed the order.

McLain inquired about the readiness of the truck to which Rota replied that the previous issues had been resolved.

Rota has been in contact with the new members of the Board about setting a date to take a tour of the studio. He also noted that the Producer Workshop did not replace the Program Development Committee. He explained the process: after several producers have indicated an interest in producing a show and have submitted proposals to him, he would then send an email to the committee members notifying them of the proposals.

OLD BUSINESS

None

NEW BUSINESS

None

PUBLIC COMMENTS

None

BOARD COMMENTS

White will notify the Board of where the next meeting would be held.

The meeting was adjourned at 8:20 AM.

**BIRMINGHAM AREA CABLE BOARD
ANNUAL PROPOSED BUDGET
FY 2017
(July 1, 2016 through June 30, 2017)**

Income

Franchise Fee	
Beverly Hills Franchise Fee	80,000.00
Bingham Farms Franchise Fee	15,000.00
Birmingham Franchise Fee	210,000.00
Franklin Franchise Fee	25,000.00
Total Franchise Fee	330,000.00

Expense

Board Expenses	
Accounting Expense	2,400.00
Administrative Grants	137,639.00
Advertising/Promotion	700.00
Bank Service Charges	61.00
Conferences	4,000.00
Contract Labor	4,000.00
Executive Director	40,000.00
HR Services	1,000.00
Insurance	6,000.00
MILEAGE	3,000.00
Memberships	1,500.00
Operating Expense	
Office Expense	3,000.00
Telephone	1,700.00
Website	4,500.00
Total Operating Expense	9,200.00
Professional Fees	
Auditing	8,500.00
Legal Fees	40,000.00
Tech. Support/Consult	2,000.00
Total Professional Fees	50,500.00
Total Board Expenses	260,000.00
Municipal Support Services	70,000.00

Total Franchise Fee Expenses	330,000.00
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NET FRANCHISE FEE INCOME	-
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Income

PEG REVENUE	
Beverly Hills PEG	125,000.00
Bingham Farms PEG	20,000.00
Birmingham PEG	325,000.00
Franklin PEG	35,000.00
PEG Interest	
MBS Gains/Losses	6,200.00
Total PEG Revenue	511,200.00

Other Income	
Interest Income	250.00
Other Income	5,000.00
Total Other Income	5,250.00

Total PEG Income	516,450.00
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Expense

PEG Operations	
Cable Contractor	233,950.00
Communications Expense	2,500.00
Equipment Purchase	10,000.00
Grant	100,000.00
Production Truck	59,000.00
Production Crew Uniforms	1,000.00
Program Expense	60,000.00
PEG Expenses	466,450.00

Other Expense	
Capital Reserve	50,000.00

Total PEG Expenses	516,450.00
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NET PEG INCOME	-
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NET INCOME

NET FRANCHISE FEE INCOME	-
NET PEG INCOME	-

TOTAL NET INCOME	-
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MEMORANDUM

DATE: May 11, 2016
TO: Board Members
FROM: Cathy White
Re: Monthly Report

CUSTOMER COMPLAINTS

We have had three (3) complaints since the date of our last meeting. Complaint No. 2016-8 was submitted by a Beverly Hills resident who complained about a letter she received from WOW indicating that her bill was past due even though she had paid the full balance. This resident appeared at our last BACB meeting in April to explain the issue. She also felt that the tone of the letter she received was unnecessarily harsh. The WOW representative spoke with her and apologized. He informed her that her balance was indeed paid in full and also gave her one month's credit on her bill. He also stated that he would look into the letter. This complaint is now closed.

Complaint No. 2016-9 was submitted by a Birmingham resident who was having trouble with AT&T cutting off his Netflix access on Sunday afternoons. In addition, AT&T changed out his modem at his workplace and then began billing him \$13.78 per month for a rental modem. This charge was never disclosed to him in advance and he indicated that AT&T has changed out his modem many times in the past without a monthly charge. The AT&T representative has subsequently received a very complimentary phone call from this subscriber advising that everything was fine. This complaint is therefore closed.

Complaint No. 2016-10 was received from a Birmingham resident who indicated that he was unable to receive the audio portion of Birmingham Board and Commission meetings on his U-Verse service (Channel 99). The picture was fine but there was no sound. BCTV has investigated this matter and determined that there was an encoder problem. They reset the encoder and I have spoken with the resident who advised me that he is now receiving both the audio and video portions of these meetings. This complaint is now closed.

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.

CHECK DISBURSEMENT

As of this date, no checks have been written since my last report.

ADDITIONAL NOTES:

As expected, the Charter/Time Warner merger has been approved by the FCC with conditions. These conditions include no data caps or other usage-based pricing mechanisms for seven (7) years, a residential build-out requirement to at least two million additional mass market customer locations within five (5) years, reduced price broadband service to low-income families and a commitment to provide a security plan for cyber risk management.

It should be noted that the opposition group StopMegaCable responded to the FCC's announcement with this statement:

“With the completion of this merger, the U.S. now has a national cable duopoly controlling, among other things, over two-thirds of all high-speed broadband households. These two companies, ‘New Charter’ and Comcast, must not be allowed to abuse their power to thwart the growing and much-needed competition posed by over-the-top (OTT) streaming services. That has been the message of numerous industry stakeholders, members of Congress and hundreds of thousands of ordinary Americans, and we count on the enforcement agencies not to let us down.”

Memo



To: BACB
From: Steve Rota
cc: Greg Kowalski, Cathy White & Elaine McLain
Date: 5/11/16
Re: Report April 21st, 2016 through May 18th, 2016.

BAMA Programs

During this time period we've completed seven regularly scheduled municipal meetings, Board of Zoning Appeals meeting, Baldwin Library Board and Trustee Meetings, Birmingham Advisory Board Meeting, Multi Modal Board Meeting, the BACB meeting, The Annual Celebrate Birmingham parade and a Baldwin Library Lecture.

BAPA Programs

From BACB area individual producers and organizations we've taped 28 programs. From individuals:

- ❖ Two *About You* hosted by Ellen Rogers.
- ❖ Three *Making A Difference at TCH* hosted by William Seklar
- ❖ Four *Michigan Entrepreneur* hosted by Tara Kachaturoff.
- ❖ Three *Eye on Oakland* hosted by Chuck Moss and David Potts.

From BACB area organizations:

- ❖ Birmingham Bloomfield Chamber: *Thriving Michigan Event*.
- ❖ First Presbyterian Church: *Lunch and Learn Lecture*.
- ❖ BACB Sports *Girls Lacrosse*.
- ❖ BACB Sports *Girls Soccer*.
- ❖ BACB Sports *Girls Tennis*.
- ❖ BACB Sports *Softball Double-Header*.
- ❖ BACB Sports *Three Baseball games*.
- ❖ *Plant Based Nutrition Support Group Lectures*.
- ❖ Birmingham Bloomfield Community Coalition: *Youth Dialogue Day*.
- ❖ TCH *21st Century Leaders*.
- ❖ TCH *Women's Club Lecture*.
- ❖ TCH Race Relations Diversity Task Force: *Seventeenth Annual Diversity Honor Roll*.
- ❖ Women Officials Network: *Wonder Women Awards*.
- ❖ Next: *'Boomer Summit: Live well*.

PRODUCER WORKSHOP

We are offering a one on one session for those who are interested in producing their own show and to those who want experience behind the scenes. Please call 248-433-7790 and we can schedule a date and time with you.

AWARDS

The station submitted a few programs to be judged in the 37th Annual Telly Awards and we won two Bronze Awards. Soup and Company and Beyond the Box Score 2015 Seaholm Girls Golf Team!