

Present: Abbott, Mancini, McLain - Birmingham
Borgon, Heyman, Verdi-Hus, Woodard – Beverly Hills
Ettenson – Bingham Farms
Gallasch - Franklin

Absent: Jones, Kott - Birmingham

Also Present: Hagaman - Executive Director
Currier - Attorney for Cable Board
Rota - Bloomfield Community Television representatives
Beller - Comcast representative
Martinico – Director of Technology, Birmingham Schools
Valentine – Birmingham staff liaison
Pfeifer – Beverly Hills Council Liaison

Chairperson Borgon called the meeting to order at 7:48 a.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

APPROVE MINUTES OF JANUARY 17, 2007 CABLE BOARD MEETING

Motion by Mancini, second by Heyman, that that minutes of a regular Cable Board meeting held on January 17, 2007 be approved as submitted.

Motion passed.

PUBLIC COMMENTS

None

EXECUTIVE DIRECTOR'S REPORT

Executive Director Hagaman reviewed a revenue and expenditure report of Birmingham Area Cable Board Funds for the quarter ending December 31, 2006. She highlighted significant increases and decreases in projected revenue and expenditures to date. While budget amendments will be necessary to accommodate unanticipated expenses, Hagaman indicated that expenditures are still within the total budgeted amount.

Hagaman related that Brian Jones will not seek reappointment to the Cable Board. Valentine announced that the City of Birmingham is soliciting for membership on the Cable Board to fill three open positions. Interested residents should contact the City Clerk's office to file an application.

Hagaman reported that the most recent subscriber complaints have been resolved. Four new complaints were received since the January meeting along with three Internet related issues. Hagaman thanked Comcast for contacting her regarding the status of the Internet complaints.

Hagaman related that a recurring complaint has been the excessive time a customer must wait to speak with a Comcast customer service representative when they call the cable company.

Beller responded that Comcast continues to monitor its service call rates. The company has experienced increased calls and interest in products. Comcast continues to evaluate the situation and adjust resources as needed.

COMMITTEE REPORTS

Cable Action Committee

McLain reported that she met with Brian Jones and Kathy Hagaman to discuss the preparation and submittal of comments to Attorney Tim Currier with regard to customer service concerns relative to the state universal franchise agreement. Currier submitted the document entitled “Comments of the Birmingham Area Cable Board to the Michigan Public Service Commission” on February 5, 2007.

McLain encouraged residents to consider participation on the Cable Board especially if they are interested in consumer issues.

McLain mentioned that the front of the most recent Comcast cable bill informs the subscriber of a rate increase and lists the new fees. This would be the time for subscribers to question Comcast on their package. The Board anticipates receiving subscriber concerns about the rate increase.

The next Cable Action Committee meeting will be held next Wednesday, February 28 at 5:30 p.m. at Baldwin Library. She invited Board members to attend. The upcoming NATOA conference will be a topic of discussion.

Borgon encouraged Board member participation on the Cable Action Committee or the PEG Committee.

PEG Committee

Mancini stated that the PEG Committee did not meet last month and will suspend future meetings perhaps through April pending approaching legislative decisions. He expressed concern regarding the Board’s revenue flow and possible legal implications with respect to allocation of funds going forward.

Mancini indicated that the Board sought the legal opinion of Tim Currier on the matter of authorizing BCTV to proceed with a taped airing of L. Brooks Patterson’s State of the County speech. He commended the Board’s legal counsel for its work on the Cable Board’s response to Case #U-15168. It is a convincing commentary sent to the Michigan Public Service Commission.

APPROVE ATTENDEES – NATOA CONFERENCE

Hagaman reported that the National Association of Telecommunications Officers and Advisors (NATOA) is having a 2007 Policy and Legal Seminar on March 8-9 in Alexandria, Virginia. Sessions will address the movement in cable legislation on the federal and state levels. Hagaman requested that the Board authorize her and Elaine McLain to attend the conference to receive legal updates and gain knowledge of state franchising and franchising of competitive providers. The cost for two people to attend will be approximately \$700 per person.

Motion by Gallasch, second by Woodard, to authorize Executive Director Kathryn Hagaman and Cable Action Committee Chairperson Elaine McLain to attend the NATOA 2007 Policy and Legal Seminar in Virginia on March 8-9, 2007 at a cost of \$2,000.

Ettenson questioned whether the Michigan NATOA chapter is sending representatives to the conference, which may be an alternative to this Board sending representatives. Hagaman responded that the Michigan NATOA organization would not send individuals to this seminar; representatives would attend at the authorization of their particular municipalities. Ettenson expressed the view that this conference may be premature and should take place when more information on the new legislation is available.

Roll Call Vote:

Abbott	- yes
Mancini	- yes
McLain	- yes
Borgon	- yes
Heyman	- yes
Verdi-Hus	- yes
Woodard	- yes
Gallasch	- yes
Ettenson	- no

Motion passed (8 – 1).

Borgon asked that the participants report on the NATOA conference at the next Cable Board meeting.

BIRMINGHAM PUBLIC SCHOOLS GRANT REQUEST

Lisa Martinico, Executive Director of Technology for Birmingham Public Schools, stated that, in the past, the Cable Board has granted funds to Birmingham Schools for cable activities. She thanked the Board for its most recent grant of \$25,000 that was used last year for cable related production equipment at both Seaholm and Groves High Schools and also for district-wide cable production. The Birmingham School District is grateful for the Board's support of the schools at a time when School Board funds are increasingly tight. There are two high school television studios and television classes and an educational access Channel 17. This grant is one way that the Cable Board can use available funds to benefit students who live in the four consortium communities.

On behalf of the Birmingham Public Schools, Martinico requested a grant in the amount of \$240,000 for capital expenditures for cable production equipment. The grant would be used to purchase equipment for all schools in the district in order to facilitate cable production work directly with students. A memo from Martinico dated February 15, 2007 lists the items requested in order of priority need. Martinico elaborated on the equipment that needs replacement.

Martinico addressed questions from Board members on specific equipment purchases, training, and other concerns. It was noted that the grant would replace existing equipment. In response to an inquiry, Martinico stated that the only time she has asked for more than \$25,000 in a year was when the franchise agreement was renewed. That renewal included money for PEG equipment. That was about five years ago when the School Board received two grants, one in the amount of \$145,000 and a subsequent grant in the amount of \$75,000.

Abbott asked if Comcast offers any sort of outreach for the school district in the communities it serves. Beller answered that Comcast is involved with the Cable in the Classroom program, where free curriculum is provided from cable operators. It is a solid program that is heavily used in some school districts. Comcast provides a courtesy hookup to the K-12 schools for cable Internet access. In terms of hardware, Comcast subscribers pay a PEG fee in the consortium communities.

Woodard asked if the School District would go ahead with the program if the Cable Board did not fund the entire grant. Martinico responded that the schools would limp along with the equipment they have, much of which is out of date. They would probably not be able to use funds within the district unless something broke. Martinico stated that the School District would appreciate any support that was given.

Gallasch commented that, given the need to support PEG channels and the uncertainty of future funding under new cable legislation, he is concerned with spending this amount of money on hardware.

Attorney Currier stated that he would like to take a look at this before a decision is made in order to determine whether the Cable Board has the authority to approve a grant that goes outside the political boundaries of this Board. The School District covers parts of Bloomfield Township, Troy, and other communities. He is not sure that the consortium communities' elected officials would sanction placing equipment in political jurisdictions beyond the jurisdiction of this Board.

Martinico responded that, with the exception of one school building, every building has students in attendance from at least one of the four communities.

Currier responded that the schools have students attending from other communities that should be contributing a pro-rata share of the grant. He added that the authority of the Cable Board is to administer the franchise agreement for the member communities.

Ettenson suggested that, pending the legal opinion, the Board consider the option of approving a grant for the first three priority items totaling \$133,000. Martinico responded that this would benefit the program because it would put money into every building to replace equipment and to provide connectivity to the high school gymnasium and pool areas.

Members expressed support of Birmingham Public Schools and expenditure of Board funds to support education. Further questions and comments on the grant request focused on new cable legislation, revenue flow, and legal concerns.

Motion by Ettenson, second by McLain, that, subject to an opinion from legal counsel on spending Cable Board funds outside of the boundaries of the consortium, the Birmingham Area Cable Board approve a grant request from Birmingham Public Schools in the amount of \$133,000 to purchase equipment for schools in the district that would facilitate student cable production work.

Woodard questioned the reasoning for a motion that approves only a portion of the grant request for capital expenditures, noting that the Birmingham School District is the only thing that all of the four communities share in common.

The grant request from BPS was in the amount of \$240,000. The \$133,000 amount includes the top three priority items listed in the February 15, 2007 letter from Lisa Martinico. It was suggested that the School District could come back in the future to request the balance of the grant.

Borgon recommended tabling this motion until next month at which time the Board will have an opinion from legal counsel as to its authority to approve the grant along with feedback from the municipalities.

Motion by Gallasch, second by Mancini, to table the motion to approve a grant to Birmingham Public Schools.

Motion passed (9 – 0).

COMCAST RELATED TOPICS

Subscriber Complaints

McLain commented that most of the complaints received by the Board are resolved. She expressed concern with complaints regarding subscribers being on hold for an extended amount of time, miscommunication, or troublesome conversations with CSRs.

Board member Heyman and Beverly Hills Council Liaison Pfeifer related recent experiences with being placed on hold for an extended period when attempting to contact Comcast for a service call.

Beller stated that Comcast takes complaints seriously and is constantly looking at call service response rates to ensure that calls are handled as efficiently as possible. Comcast makes adjustments as needed. Beller added that she may have been able to do research and provide information on the complaints related by Board members if she had received the details of these incidents in advance of today's meeting. In answer to an inquiry, the next quarterly call center statistics will be available from Comcast soon.

Hagaman suggested that Board members call her with their cable related complaints so they can be documented and receive follow up.

Comcast Updates

Beller reported on channel changes effective March 21 and March 28. Subscribers have received notification of the new channel line up. Beller highlighted several items with regard to Comcast's involvement in the community.

Borgon expressed disappointment with the fact that more programs are being moved from the analog channels to the digital tier.

Other Issues

None

MLTV 15/PA 18 REPORT

Stephen Rota from Bloomfield Community Television reported on programming taped for Municipal Channel 15 and PA Channel 18 during the last month. Of special interest on PA 18, a *Michigan Entrepreneur* segment features Michigan's First Gentlemen Dan Mulhern; *Influential Women* featured former CBS sports broadcaster and Ford executive Anne Doyle; and Kirk in the Hills presented a thought provoking lecture by a nationally known theologian on "Evolution vs. Intelligent Design".

There were 10 people in attendance at BCTV's volunteer workshops held on January 30. Four individuals have already crewed on programs.

Rota reported that the graphics system for the Village of Beverly Hills control room has been installed and appears to be working well. BCTV is in the process of researching audio equipment for Beverly Hills' recording secretary.

Rota related that there was a problem with one of the playback decks with the repair estimated at \$495.00. BCTV spoke with Hagaman about this, and the equipment is in the process of being repaired. Rota indicated that two pieces of equipment in the production van need repair, a mobile camera and a power cord. Estimates will be obtained for these repairs.

Woodard reported that the Program Development Committee met at BCTV on Thursday, February 15. The committee received four new proposals for additional cable television programs. Three are in the pre-development stages. Woodard related that Greg Jamian has proposed an interesting show featuring topics that early retired individuals and retired senior citizens encounter. He proposes to bring in experts from health care, legal and financial fields.

OLD BUSINESS

Attorney Tim Currier stated that he along with Donald Gillis and Michael Salhaney will hold a seminar on recent developments in Cable Television Law on Friday, February 23 at 9:00 a.m. at the Bloomfield Open Hunt Club. Attendance is by invitation. Notice of this meeting went to members of all area cable boards, municipal attorneys, managers and administrators.

NEW BUSINESS

Rota stated that it was mentioned at the last meeting that Beverly Hills staff members were interested in learning how to operate the equipment in the cable control room to the extent that they could tape a Council meeting if a BCTV staff person was not available. Rota will conduct a brief training session in the control room for interested individuals following today's meeting.

BOARD COMMENTS

None

PUBLIC COMMENTS

None

The meeting was adjourned at 8:57 a.m.