

Present: Heldt, Kott, Mancini, Mathers - Birmingham
Borgon, Heyman, Verdi-Hus, Woodard – Beverly Hills
Ettenson – Bingham Farms

Absent: Abbott, McLain - Birmingham
Gallasch – Franklin

Also Present: Hagaman - Executive Director
Currier - Attorney for Cable Board
Rota - Bloomfield Community Television representative
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 7:45 a.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road. Borgon welcomed new Birmingham members Stephen Mathers and Jeffery Heldt to the Birmingham Area Cable Board.

APPROVE MINUTES OF APRIL 18, 2007 CABLE BOARD MEETING

The following changes were made to the minutes. On page 3, paragraph 4, last line, delete ‘which may be coming to an end.’ On page 8, paragraph 5, first line, add ‘business’ between ‘15’ and ‘days’. The minutes should be corrected to reflect that Mrs. Pfeifer was present.

Motion by Woodard, second by Kott, that the minutes of a regular Cable Board meeting held on April 18, 2007 be approved as amended.

Motion passed.

PUBLIC COMMENTS

Dick Maxwell of 18701 Walmer Lane in Beverly Hills updated the Board on the status of his request to have his cable line buried on his property. He related that the Comcast service representative indicated by phone that the cable would be buried at a depth of 12 inches; the crew that did the work buried it about three inches deep. He expressed concern that the cable will be dug up when the lawn is aerated. Maxwell also voiced a complaint that the sound is not balanced between channels.

Louise Beller responded that Comcast consistently checks signal and audio levels. She will take Maxwell’s concern back to the company. With regard to burying cable, Comcast abides by ordinance requirements of the various communities. She does not think that the company is required to bury a cable 12 inches deep. Currier commented that there may be specifications addressing this in the Franchise Agreement.

Verdi-Hus related that she requested that Comcast keep the cable line on the overhead pole rather than bury it in her yard due to her extensive planting and yard work. She questioned whether a subscriber could request that a cable line not be buried. Beller will check into this.

Currier remarked that some communities prefer that utilities be buried underground to prevent storm damage.

CABLE BOARD BUDGET FOR FISCAL YEAR 2007/2008

Hagaman highlighted areas where the budget was revised to reflect discussion at last month's Cable Board meeting. The total budget for 2007/2008 will be balanced at \$741,350.00. A copy of the amended budget will be forwarded to the communities for review and comment. The budget will be on the agenda for consideration and adoption at the June Cable Board meeting.

EXECUTIVE DIRECTOR'S REPORT

Hagaman reported that the BACB web site was updated and improvements were completed that will make it easier to navigate. She anticipated that the cost for this project will come in under the \$1,200 budgeted.

The van storage space is being billed on a monthly basis. A representative from Extra Space Storage indicated that the current space is the size of a 1.5 car garage and that there are no larger storage units in the area. Storage measurements should be considered when the Board replaces the production van.

Borgon mentioned that Hagaman recommended in her report that the Board authorize BCTV, the Executive Director and a member of the Board to investigate the price of a van and develop a proposal and estimated costs including the transfer of equipment from the current van to a new one. Kott volunteered to assist Hagaman with this project.

CABLE ACTION COMMITTEE REPORT

Hagaman presented the Cable Action Committee report in McLain's absence. The Committee met on Wednesday, April 25 and discussed the Uniform Franchise Agreement. It is the Board's goal to follow guidelines in an effort to encourage competition and yet reserve its rights under the new laws. Attorney Tim Currier will report on this topic later in the meeting.

Based on comments made at the April 18 Cable Board meeting, the Committee sent a letter to the new Comcast VP of Governmental Affairs Juan Otero inviting him to attend a Cable Board meeting. The Board would like to share subscriber concerns with him and ask him to address certain issues. Comcast representative Louise Beller responded that Mr. Otero was scheduled to be out of town today. She reminded the Board that her role with the Comcast organization is to act as the Board liaison. Beller stated that she would be happy to discuss any specific subscriber issues with the Board. Her job is to make sure that she properly communicates issues and provides resolutions.

Ettenson talked to Otera, who is his neighbor, and was informed that Otera watches the meetings and is aware of what is being discussed.

Hagaman stated that the Cable Action Committee at its last meeting discussed subscriber disappointment with increased prices and migration of channels from the analog to the digital tier. The movement of the Game Show Network has been a complaint. Complaints are beginning to reflect awareness of AT&T service in our area and increased competition.

The Committee requested that Comcast schedule a tour of the newly expanded call center facilities for the benefit of new members. Complaints continue to be received regarding hold times and CSR miscommunication.

Hagaman stated that McLain has asked to be notified of final resolutions on complaints received this month. The next Cable Action Committee is tentatively scheduled for Wednesday, May 23 at 5:30 pm at the Baldwin Public Library.

Hagaman reported that there were eight new complaints received in the last month and three follow-up complaints. She is still receiving calls from subscribers about the loss of the Game Show Network from the analog tier. In the past, Comcast had made the statement that it listens to its subscribers. Hagaman asked what needs to be done to get Comcast to move the Game Show Network back to the analog tier.

Beller responded that Comcast is building product value on its digital tier and that most of their customers are buying multiple products. The value that they receive by purchasing the phone service, Internet service, and digital television is where there are cost savings as well as channel availability and additional features that come with the digital tier. Beller also referred to the government mandated transition from analog to digital that will occur in 2009. Comcast is continually looking at the best way to deliver its product.

At the request of a Board member, Beller stated that she could provide general percentages on the number of customers receiving multiple services after the meeting due to confidentiality issues.

Beller was asked about the \$1.99 cost charged to pay a Comcast bill in person. She stated that there are various options available to make payments. There is an online feature in addition to mailing in the payment or paying in person. A face-to-face fee is not unlike other industries that require a handling or transaction fee.

Hildreth Buterbaugh from Beverly Hills commented that subscribers could place their payment in the drop box and avoid the \$1.99 fee. With respect to comments on bundling of services, Buterbaugh maintained that Comcast is trying to sell services that some people are not interested in receiving. They do that by taking away channels subscribers want to receive. He related a problem with trying to return a call to a Comcast service representative who contacted him about his complaint. He can only receive that person's voicemail. Buterbaugh also made the suggestion that Comcast notify subscribers before they take down the Internet system for maintenance. Buterbaugh stated that he is a Comcast supporter but suggests that the company needs to concentrate on being more proactive.

PEG COMMITTEE REPORT

Mancini reported that a PEG Committee meeting was held on April 18 to discuss the next steps after the Board's approval of the contractual terms with Bloomfield Community Television. The purpose of the meeting was to finalize contract details and to determine the BCTV quarterly meeting rationale and outcome.

Mancini provided background on the FASIL software system used by BCTV to determine costs of programming elements and how it will factor into the PEG Committee's quarterly reviews with BCTV. It is proposed that the first quarterly meeting be held following the BACB meeting on August 15.

Contract terms was a topic of discussion at the last PEG Committee meeting. It was proposed that the contract be extended to match the BACB fiscal year, which would mean a contractual agreement from June 1, 2007 to June 30, 2008. There was agreement that the 13-month contract total would pro-rate the additional month at the monthly rate of \$12,850 (which annualizes to the Board approved figure of \$154,193). Adding the additional month to the contract will bring the new contract total to \$167,043.

In addition to the term and cost of the contract, a provision was suggested that the contract include a three year option for renewal subject to agreement by both parties. A revised contract has been distributed to the Cable Board. Mancini stated that this contract requires a couple of modifications: 1) The cost for new programming should not be part of the contract; and 2) Paragraph 6 addressing the terms of the Agreement should be revised to add 'for a period of up to three years' to the last sentence.

Mancini related that BCTV has informed him of a new program requested by Oakland County Commissioner Marcia Gershenson, who represents Beverly Hills, Franklin, Bingham Farms, Southfield, West Bloomfield and Bloomfield Township. He suggested consideration of two elements: 1) a legal decision on pro-rating the cost for production among the communities outside the BACB constituency, and 2) creative treatment of the proposed program. Carrier suggested that the PEG Committee review the request and make a policy decision. This will be a topic of discussion at the PEG meeting today following the Board meeting.

Mancini reported that he and Borgon met with Leslie Helwig on May 2 at BCTV to explore initial efforts focused on electronic billboard enhancements that might be implemented at no additional cost. Two enhancements were initiated on an experimental basis. The first utilizes voice to enhance the message and gain viewer attention. The second is a promotional message by key commission, council, committee and board members to increase viewership of BACB consortium public, education and government programming on M15 and PA 18.

The Board will view a demo of the proposed enhancements at today's meeting for their consideration and input. It is suggested that additional recordings be produced with key members of the city commission and village councils. After today's Board meeting there will be a short PEG meeting to discuss next steps. Mancini mentioned the effort expended by Steve Rota from BCTV to add outstanding programming elements to the demo.

Rota introduced the tape by explaining that the first clip will be the new bumper station identification for M15. Another clip shows Bob Borgon explaining the function of the Cable Board, when meetings are replayed, and web site information. The pieces following will be individualized community clips that are shown before municipal meetings as well as the introduction for PA 18 programs.

The demo broadcast was viewed by those present. Board members had positive comments about the voice and graphics of the pieces.

BCTV CONTRACT UPDATE

Mancini reviewed that the Board approved a 12-month contract between the BACB and BCTV at last month's meeting for a total cost of \$154,193. A motion will be proposed that would approve a 13-month contract and add an additional cost of \$12,850 or a total contract price of \$167,043.

Motion by Mancini, second by Ettenson, that the Birmingham Area Cable Board extend the contract with Bloomfield Community Television for 13 months beginning June 1, 2007 and ending June 30, 2008 at a total cost of \$167,043 and authorize execution of the contract by the BACB Chairperson contingent on the following changes to the contract: 1) Page 3, paragraph 6, add 'for a period of up to three years' to the last sentence; 2) page 4, paragraph 7, to delete text and end the sentence after 'to review program quality and content.'

Motion passed unanimously.

STATUS – AT&T FRANCHISE AGREEMENTS

Attorney Currier stated that the AT&T Franchise Agreements have been the subject of discussion at Cable Board meetings and at various Council and Commission meetings. As of this date, all of the consortium community governing bodies have determined that the application supplied by AT&T was complete. At this point, three of the communities have approved the AT&T Franchise Agreement within the statutory period with the caveat that they are not relinquishing any of their rights to challenge the law or the Agreement at a later date. Haganan indicated that the Bingham Farms Agreement with AT&T will be finalized today.

Currier commented that there has been a flurry of activity for the last several months regarding the AT&T Agreements. Upon their approval, the municipalities have heard nothing but silence from AT&T and no activity. It is a policy consideration that the Board extend an official invitation to invite a representative of AT&T to attend Cable Board meetings on a monthly basis. There will be issues not unlike those that the Comcast representative addresses. Currier assumes that there will be inquiries regarding the VRAD boxes that are being installed in neighborhoods by AT&T. The Cable Board could provide a forum for that discussion.

Motion by Heldt, second by Ettenson, to invite an AT&T representative to attend meetings of the Birmingham Area Cable Board on a monthly basis.

Motion passed unanimously.

Currier stated the communities received a letter dated May 11, 2007 from Louise Beller noting that Comcast has always provided a government contact person for the Board to work with and that this resource will continue to be available to the communities. Currier thinks that it is only fair that AT&T have representation at the meetings as well.

COMCAST RELATED TOPICS

Subscriber Complaints

Board members reviewed specific complaints and their resolution. Borgon encouraged people to ask for credit if they believe they deserve credit for lost or poor service. He commented on the excellent follow-up letters received from Comcast. Borgon referred to complaints about programming and loss of the Game Show Network on the analog tier.

Ettenson had a question on a complaint, which was answered by Beller. She noted that she could provide Board members with the amount of a credit, but it is not information that should be shared publicly in the interest of customer privacy.

Kott commented on a couple of issues that were addressed at his condominium board meeting. One issue was occasional audio noise and lines running through the television screen on certain channels. Beller will have someone from Comcast take a look at this. Kott also stated that there is an issue with high definition television service; Beller will follow up on a charge mentioned by Kott. In answer to an inquiry, Beller stated that Comcast, as a policy, does not offer a senior discount. There are some past franchise agreements that Comcast is obligated to continue in terms of offering a senior discount.

Ettenson reminded people that the Franchise Agreement does not give the Cable Board authority to tell Comcast how to run its business other than address complaints regarding service and technical issues. The Cable Board will take complaints under advisement. It is within Comcast's right to move, discontinue or add channels. The free marketplace will determine whether the public is willing to pay for the programming.

Comcast Update

Beller had nothing to report.

Other Issues

None

MLTV 15/PA18 REPORT

Stephen Rota from Bloomfield Community Television reported on programming taped for Municipal Channel 15 and PA Channel 18 during the last month and noted upcoming programs of interest (information included in the BCTV monthly report for April 19-May 16, 2007).

BCTV staff met with Bob Borgon and Bob Mancini to discuss bicycling programs and how to enhance the look of M15 and PA18. BCTV is posting a position for an entry-level production specialist and will be conducting interviews.

OLD BUSINESS

None

NEW BUSINESS

None

BOARD COMMENTS

Mancini reminded Board members that the PEG Committee will have a short meeting after the regular Board meeting.

PUBLIC COMMENTS

None

The meeting was adjourned at 9:01 a.m.