

Present: Armitage, Decker, Heldt, McLain, Thorsby, Urcan - Birmingham
Heyman, McFadden, Verdi-Hus, Woodard – Beverly Hills
Ettenson – Bingham Farms
Eads – Franklin

Absent: Abbott - Birmingham

Also Present: Borgon - Executive Director
Currier - Attorney for Cable Board
Glenn and Valentine – Birmingham staff representatives
Visperas - Comcast representative
Greg Clark – AT&T representative
Briggs – Beverly Hills Council Liaison

Chairperson 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 REGULAR CABLE BOARD MEETING OF JULY 15, 2009

Motion by Ettenson, second by Eads, that the minutes of a regular Cable Board meeting held on July 15, 2009 be approved as submitted.

Motion passed.

APPROVE MINUTES OF SPECIAL CABLE BOARD MEETING OF JULY 30, 2009

Motion by Eads, second by Ettenson, that the minutes of a special Cable Board meeting held on July 30, 2009 be approved as submitted.

Motion passed.

PUBLIC COMMENTS

Douglas Hawke on Fromm Court in Bingham Farms reported an ongoing issue he has had with Comcast for over a month. He works from home as a consultant and has been experiencing constant dropped connections. Hawke related repeated attempts to resolve the issue with Comcast involving poor response and miscommunication. Only when he filed a complaint with the Cable Board did he experience an escalation of service that resulted in resolution of his connection issues. McLain asked that Comcast representative Olivia Visperas follow up on this issue and report on the status of the this customer’s service next month.

COMMITTEE REPORTS

Cable Action Committee

McFadden commented that the Cable Action Committee met and discussed strategies in terms of long-term planning for the Cable Board considering the overall marketplace and the operational issues that are occurring in the telecommunications industry.

Eads related that the Committee has been discussing the changing landscape in cable television on the local, state and national levels and related issues. It was the view of the members that they may need to engage a consultant to assist with developing a strategic plan for the Cable Board.

The company that was put forward was Intellitrends, the firm that was utilized in 2006 to conduct a consumer survey for the Cable Board.

Eads reported that Intellitrends has submitted a project proposal, and he has met with representatives from the company at their facility. He was impressed with the facility, equipment and the leadership of Intellitrends. The planning sessions would be conducted through meetings with a group of people selected from the Board. The areas of discussion would include: handling of consumer complaints; promoting outreach and public awareness of the Board's functions; status of programming and PEG channels and possible improvements or changes; legislative issues; consumer research; and budgets. The total cost of this facilitation and planning session and preparation of a final plan would be \$4,375.

Eads talked about why the Board needs to proceed with developing a strategic plan. The issues facing the Board are more difficult and complicated than at any time in its history. It would be beneficial to take the time to discuss how to tackle the new challenges and to set a recommended course that would define the future of the Birmingham Area Cable Board. An outside consulting firm could keep the Board focused and productive. Eads added that Intellitrends is familiar with the BACB because of research done previously as part of their involvement in a consumer survey.

Motion by Eads, second by Armitage, that the Birmingham Area Cable Board approve the proposal from Intellitrends to conduct a single-day facilitation and planning session off site to establish a long-range strategic plan for the BACB at the cost of \$4,375.

Board members discussed the proposal. It was suggested that the members who attend should represent all Board subcommittees as well as a mix of the more experienced and newer members of the BACB. Eads recommended that a group of about six people engage in this activity. There will be an opportunity to receive input from each Board member prior to the planning session.

It was questioned whether the Board should solicit competitive bids for this undertaking. Attorney Tim Currier addressed this and the Open Meetings Act issue. The Open Meetings Act requires that any subcommittee meeting of this Board is subject to the Act; the facilitation session would have to be posted. Currier informed the Board that competitive bids are not required for professional services. There is leeway given in the consulting business for the reason that the Board has to locate a facilitator who knows the particular business, and there is a small market for this area of expertise.

Board members discussed the makeup and size of the group attending the session and the planning that would be required prior to the session. Intellitrends is knowledgeable about the function, operation and issues facing the Board; their staff has studied the BACB website. It was agreed that the cost of the facilitation service is reasonable.

Heyman commented that this body needs to chart its direction based on how it wants to fulfill the charter of the Board in a changed environment compared with what the BACB was set up to do many years ago. The Board should update its focus, mission, and strategic direction in terms of

how it is going to deal with the current environment and adapt as that environment evolves and changes.

Members agreed that, while the final outcome and written strategic plan is not binding, it was important that the Board give it serious consideration and take action if there are decisive recommendations. There was a consensus on the need for long-range planning, refining of the Board's mission, and combining it with an orientation program. Board members were encouraged to attend and contribute to this planning effort. Borgon related that money is available for this expense in the special projects budget.

Roll Call Vote:

Motion passed unanimously.

PEG Committee

Heldt stated that the contract approved at last month's meeting providing for Bloomfield Community Television's use of the BACB production truck has been signed by both parties.

Heldt reported that the Birmingham Schools programming is now up on the AT&T U-verse product. Ongoing technical problems are being addressed. The Board is waiting to receive the necessary equipment to air Channels 15 and 18 on the AT&T system. There will be a PEG meeting following today's Board meeting. Heldt is looking for volunteers to assist with a new programming initiative.

Borgon related that the production truck's air conditioning issue is not completely resolved and some of the cameras are not functioning properly. There are two months remaining of the 12-month warranty from Roscor. Steve Rota and Zack Florance from BCTV are working towards resolving the problems. These issues have not prevented the filming of scheduled events. McLain asked that a summary of the intermittent problems be included in a memo to provide a written record of the issues to be addressed.

Valentine stated that the City of Birmingham has received public comments recently with regard to broadcasting of Library Board meetings. He raised this issue as a potential future opportunity. Valentine will get back to the Board with a possible recommendation.

Heldt reviewed that the Cable Board authorized the expense for changes to the Shain Park renovation drawings to provide for a cable television distribution system. The Board is waiting for further information from the City of Birmingham on a proposal and estimated cost for the installation of that system.

Currier related that Comcast representative Olivia Visparis recently presented an issue regarding PEG channels to the Intergovernmental Cable Communications Authority (ICCA) Board, which represents an 11 community consortium. He asked if Comcast has plans for a similar presentation to the Birmingham Area Cable Board.

Visparis responded that there are no plans to address the BACB at this time. The situation is different in the ICCA consortium in terms of the system upgrade. She commented on a system

upgrade that was completed in the 11 communities in 2008. Visparis presented specific information about the old and new systems related to the location and number of PEG channels with the goal being to eliminate confusion as part of the system upgrade. Comcast is proposing to consolidate the number of PEG channels that those particular customers see on their channel lineup. There are currently 11 channels received on the customer lineup although subscribers are not able to view programming from all of the channels from surrounding communities.

The franchise agreement requires that Comcast provide the three PEG channels – public, education, and government. Comcast is working out the details that would result in each of the communities having access to four channels. Comcast is going to eliminate and consolidate the number of channels.

Currier stated that Birmingham area residents are able to view Birmingham, Beverly Hills and Franklin municipal meetings on one channel. People have the luxury of seeing meetings of their neighboring communities within their system. The ICCA Board raised the concern that Comcast would deny the ability of a Troy resident to see a bordering community's meeting; there are multiple school districts within the City of Troy. The concern is with losing the ability to see other government channels as a result of a proposed consolidation by Comcast. That problem does not exist in the Birmingham Area consortium, but the Cable Board should be conscious of it.

McLain pointed out that AT&T U-Verse subscribers receive all community programming on Channel 99.

Personnel Committee

Decker stated that there will be a Personnel Committee meeting scheduled within the next month to talk about the compliment of the Board and to address any personnel items. Committee meetings are open to the public. Committee members include John Decker as chair, Carol Woodard, Mel Ettenson and Jeffery Heldt.

EXECUTIVE DIRECTOR'S REPORT

Borgon reported that the annual Cable Board audit conducted by Plante & Moran is near completion. The Board can expect a report in October.

Borgon reported 20 official customer complaints in the last month. He has answered 35-40 additional phone calls with most of the complaints involving channels moving to the digital tier. Many people do not believe that the three boxes that they receive at no charge will be free for long. There continues to be confusion about the digital changeover. Subscribers were upset about price increases.

Borgon forwarded a letter from former Birmingham resident Francis Dunne to Comcast representative Olivia Visparis. Ms. Dunne said that she is being charged by a collection agency for equipment that she returned to Comcast.

Lisa Martinico has indicated that the Birmingham School programming is up and running on the AT&T U-verse system as of August 3, 2009. Technical glitches are being addressed.

Board members are in receipt of a copy of AT&T's annual video report to the Michigan Public Service Commission. Borgon provided members with an article stating the Comcast has posted a 53% increase in second-quarter profits.

Borgon met with Board Treasurer Mike Urcan to discuss the Cable Board audit. Urcan has suggested upgrading the Board's Quick Books program from the Home Edition 2006 to Premier 2009 at a cost of \$200.

Motion by Thorsby, second by Ettenson, to authorize the expense of \$200 to upgrade the Cable Board's Quick Books program to the Premier 2009 edition.

Motion passed.

COMCAST RELATED TOPICS

Subscriber Complaints

Olivia Visparis commented that several complaint resolutions were forwarded to Borgon. There are complaints from a couple of subscribers that bear follow up, some of which are related to the digital network enhancement. Comcast continues to receive and address feedback on this topic. Visparis will forward those complaints to the project team that is managing the network enhancement.

McLain commented on some of the complaints received in the last month. There are a number of subscribers who are frustrated with Comcast in terms of service, call backs, missing channels, and confusion with the digital enhancement and the need to order and install new equipment for their televisions. McLain quoted from the Comcast Customer Guarantee posted on its website.

Board member Thorsby, who has a background in consumer electronics and is aware of the communications industry, commented on the difficulty some people are having with the new digital technology. People with a digital television were told that, if they subscribed to cable television, they would not have to do anything further to prepare for the Federal Government's digital transfer.

Comcast has now announced a digital network enhancement. Thorsby does not believe that the company has communicated to the public exactly what this is supposed to accomplish. The public is having to do something at a cost and inconvenience that has not been explained. The recent implementation of digital transfer adapters requires consumers to order and install them unless they want to pay additional charges. The responsibility for implementation is on the subscriber, and the public loses service without the transfer adapters. Thorsby questioned why every television in the subscriber's home does not receive an adapter at no cost. Without the adapter, there is a service reduction. If people are already subscribing to Comcast cable, they should not have to pay an additional amount for the box on their digital television, and the boxes should be sent to them by the cable company. Comcast faces some subscribers who will look elsewhere for solutions to receive digital technology in their homes.

Thorsby related other concerns about the digital adapter including the cost of the product against the monthly charge; whether a subscriber could purchase the box in lieu of a \$1.99 charge per

month; how many boxes can a customer receive for the boxes they subscribe to in their home; the channels that would be lost without the adapter; is the charge for additional boxes a rate increase because the boxes have a negligible cost value. Thorsby asked for a response to his questions from Comcast. McLain suggested that Thorsby email his questions to Attorney Tim Currier.

Visparis reported that Comcast did the first cut over of some of the channels on August 12 and the remaining channels were put over on September 10. They are dealing with the remaining customers who have not received their digital equipment.

Visparis referred to a press release announcing the launch of 15 High Definition channels that are new to the lineup. Comcast is working with the Birmingham Schools and Lisa Martinico to provide the boxes needed for their televisions.

AT&T RELATED TOPICS

Greg Clark representing AT&T informed the Board that AT&T made adjustments to the PEG application in 2008 in response to requests to reduce the amount of time for the application to come up on the screen. Last week the company initiated a new PEG application that got the load time down to 2-3 seconds. It was hoped that this would improve the viewing experience in terms of PEG accessibility.

McLain responded that this improvement sends a message to the community that AT&T is investing in PEG. There are other PEG reception glitches that are being addressed.

The date of August 26 has been established with BCTV for the installation of managed Internet service.

MLTV15/ PA18 REPORT

Borgon presented the Bloomfield Community Television report on programming taped for Municipal Channel 15 (BAMA) and PA Channel 18 (BAPA) during the last month and noted upcoming programs of interest (information included in BCTV monthly report for July 16 – August 19, 2009). He noted that there was a glitch in broadcasting the Beverly Hills Council meeting last night, August 18. The meeting was not aired live but will be replayed at the regular schedule throughout the month.

Tonight is the last *In the Park* concert held at Booth park starting at 7:00 p.m. Summer in the City has its last concert this Friday to be held on the steps of City Hall at 6:30 p.m. The annual Labor Day Parade in Franklin will be held at noon on Labor Day.

The next volunteer workshop is scheduled for Monday, September 28th. Elaine McLain, Zack Florance, and Steve Rota had a conference call with ID Solutions regarding the AT&T Uverse project. Also, a meeting was held to discuss the layout and placement of camera cables in Shain Park.

OLD BUSINESS

McLain proposed that the Board revisit the topic of conducting a franchise fee review of Comcast and AT&T at next month's meeting.

NEW BUSINESS

Armitage commented that there was discussion at the last Cable Action Committee meeting about the classes and events held at the Birmingham Community House. This cable consortium used to air programming in conjunction with the Baldwin Library in past years. He suggested the possibility of airing some of the informative and interesting content provided in conjunction with the Birmingham Community House.

Borgon suggested that this could be a topic of discussion at a PEG Committee meeting. He noted that there is a budget for new programming.

PUBLIC COMMENTS

None

BOARD COMMENTS

Eads suggested that the Board target the last week of October or the first week in November to schedule the strategic planning session. He asked that each Board member email him with their willingness and availability to participate in an all day session; members should submit a choice of two or three dates. A firm date for the session could be established at the next Cable Board meeting.

The meeting was adjourned at 9:13 a.m.