

Present: Armitage, Decker, Heldt, Lurie, McLain, Thorsby - Birmingham  
Briggs, Heyman, McFadden – Beverly Hills  
Ettenson – Bingham Farms  
Eads – Franklin

Absent: Urcan - Birmingham  
Verdi-Hus, Woodard – Beverly Hills

Also Present: Borgon – Executive Director  
Currier - Attorney for Cable Board  
Rota - Bloomfield Community Television representative  
Martinico - Director of Technology, Birmingham Schools  
Valentine and Glenn – Birmingham staff representative

Chairperson McLain called the meeting to order at 7:55 a.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

### **APPROVE MINUTES OF REGULAR CABLE BOARD MEETING HELD NOVEMBER 18, 2009**

A correction was made to the November 18 Cable Board meeting minutes to remove Woodard and Verdi-Hus from the list of those absent.

It was mentioned that a motion on page 8 adopted a bank resolution provided by Multi-Bank Securities, Inc. and referenced the intent of the bank resolution. The entire resolution is available for public review.

Motion by Ettenson, second by McFadden, that the minutes of a regular Cable Board meeting held on November 18, 2009 be approved as amended.

Motion passed.

### **PUBLIC COMMENTS**

Hildreth Buterbaugh of Beverly Hills said that he appreciated the diligent job that the Cable Board and Executive Director are doing. He reiterated his objection to Comcast moving the Movieplex channel to the digital premium package.

### **STRATEGIC PLANNING SESSION PRESENTATION**

On November 4, 2009, members of the Birmingham Area Cable Board participated in an all day strategic planning session facilitated by Intellitrends at the company's Clarkston facility. Keith Stone, Executive Vice-President of Intellitrends, gave a presentation on the session. A written report was provided to Board members.

Stone said that the objective of the strategic session was to understand the current position of the BACB acknowledging that the cable industry has changed dramatically over the last 15 years and particularly in the last couple of years in terms of new technology and options. The session was used to explore and refocus the updated role of the Board for the next five years. The output

from the session was to: 1) refocus and refine the updated role of the BACB; and 2) create a plan with short and long-term goals that would support this vision.

Stone talked about the desired outcomes of the strategic planning session:

- Define BACB's direction and commitment with its charter
- Develop a plan that is actionable
- Communicate "value" to its constituency
- More effectively communicate with providers

The group began with a comprehensive assessment of the dynamics that impact the role of the BACB and could provide opportunities for the Board to be more effective. The topics identified were Government/Political; Economic; Social Demographic; Technological; and Competitive. Stone discussed what is affecting the impact and role of the BACB and how these issues can be refined and be converted to actionable items.

The strategic planning group spent some time drafting a new mission statement and direction for the Cable Board. The process involved a flow of information that resulted in developing a consensus. Suggestions for ensuring the long-term relevancy of the Board included: Community Advocacy; PEG Advocacy; Encourage Competition; and Oversee and Manage Revenue Stream.

The group developed five goals during the session as follows:

1. Update the Inter-local Agreement
2. Continue to improve upon and streamline the complaint process
3. Communications Strategy for Promoting BACB
4. Enhance Content Programming to build Viewership (PEG)
5. Review the Educational Component

Stone summarized the background and intent of the goals as well as the strategies and/or next steps that accompanied each of the goals. Action items were assigned to various members of the Board.

Board members came up with a Mission Statement for the Birmingham Area Cable Board. The Board agreed to a suggestion from member Ettenson to add the words 'and value' after 'quality'.

***It is the mission of the Board to advocate for the City of Birmingham and the Villages of Beverly Hills, Bingham Farms, and Franklin and their citizens in order to maximize the quality and value of services of cable and related communications providers and support the delivery of public, education and governmental programming.***

Low Eads thanked everyone who participated in the Saturday session. Facilitators Keith and Marlene Stone did a good job of keeping the group focused and productive. Eads remarked that the document is without value if it is not implemented. The challenge of the Board will be to act on the five goals that were developed in the planning session.

A motion was made by Armitage and seconded by Ettenson to adopt the strategic planning session report. A friendly amendment was proposed by the chair to adopt the mission statement of the BACB. A vote was taken. There followed discussion as to whether there should be further dialog among Board members on goals and action items presented in the report before adoption of the entire plan. It was suggested that acceptance of the goals be postponed until the next Board meeting. The consensus of the Board was to proceed with adoption of the Mission Statement.

The motion on the table was withdrawn. The Executive Director was asked to place consideration and possible adoption of the strategic planning session report on the agenda for the January Board meeting. A motion was made to clarify the record.

Motion by Decker, second by Armitage, that the Birmingham Area Cable Board rescind any prior action on this topic that may have been adopted at this meeting. It is further moved that the Board adopt the Mission Statement drafted at the BACB Strategic Planning Session and amended at today's meeting.

Motion passed unanimously.

Hildreth Buterbaugh of Beverly Hills suggested that the Strategic Planning Session report be posted on the BACB website. He commented on the Board's mission statement.

#### **APPROVAL OF MEETING DATES 2010**

Motion by Ettenson, second by Decker, to approve the Birmingham Area Cable Board 2010 meeting dates as presented: January 20, February 17, March 17, April 21, May 19, June 16, July 21, August 18, September 15, October 20, November 17, and December 15.

Motion passed unanimously.

#### **MAINTENANCE AGREEMENT AND EXTENDED WARRANTY FOR TRUCK**

Before the Board for consideration is a proposed Maintenance and Extended Warranty Agreement for Audio and Video Equipment located in the production truck submitted by Roscor Corporation. The Board contracted with this vendor for the purchase of the production truck and equipment. Borgon related that there is about \$700,000 worth of equipment permanently located in the truck. The proposal from Roscor is to provide an extended warranty from January 1, 2010 to December 31, 2010 at the cost of \$27,680.00. The terms and conditions of the Agreement are included in the document distributed to Board members.

Motion by Eads, second by Heldt, to adopt the Proposal from Roscor Corporation for a Maintenance and Extended Warranty Agreement for Audio and Video Equipment for the Birmingham Area Cable Board effective January 1, 2010 through December 31, 2010 and authorize the Board Chairperson or Executive Director to sign the contract.

There were questions and comments from Board members regarding the company's cost for expedited service on weekends or holidays; scheduled maintenance; competitive bidding; and definition of emergency service. It was questioned whether the maintenance contract would provide value or whether the Board should continue with repairs and maintenance of the truck

and equipment as needed. The opinion was expressed that the extended warranty was a way to cap 2010 maintenance costs for the production truck and equipment and to protect these assets.

Borgon stated that the Board did seek competitive bids for purchase of the truck and equipment. Bids were not solicited for the extended warranty for the reason that Roscor is familiar with the truck and the equipment and its maintenance status.

Roll Call Vote:

Lurie - yes  
Armitage - yes  
Decker - yes  
Heldt - yes  
McLain - yes  
Thorsby - yes  
Heyman - no  
McFadden - yes  
Briggs - yes  
Eads - yes  
Ettenson - yes

Motion passed (10 – 1).

**COMMITTEE REPORTS**

**Cable Action Committee**

McFadden announced that the next Cable Action Committee meeting will be held tomorrow, December 17 at 5:30 p.m. at the Baldwin Library.

McFadden reviewed that there was unanimous vote of the Cable Board at the last meeting to proceed with the development of a survey of its constituents in conjunction with moving forward with an action item outlined in the strategic planning session. The thinking was that it was incumbent on the Board to have a comprehensive understanding of the landscape of its constituency. The Board authorized the Cable Action Committee to proceed with soliciting bids for a survey of the member communities.

Eads reported that three bids were received in response to a Request for Proposal published in the Birmingham Eccentric newspaper. Bids were opened on Friday, December 11 at 4:30 p.m. Board members are in receipt of a chart comparing the three bids received as well as the 2006 survey. The bids were identified as A, B, and C for an impartial review.

Eads commented on the methodology, techniques, cost, and timing proposed by the three vendors. Each of the companies would work with the Board to draft survey questions. One of the companies is in Ohio and another is located in Maine. There was a local bidder. Eads related that the 2006 Cable Board survey was primarily a mail survey that went to 6,000 homes; it had a high response rate. That survey was done over a six week period and cost \$17,000.

Eads recommended that the Board consider contracting with Company B to conduct the survey for \$28,574. He proposed that the Board work with the company to develop the survey in January and get it out in the field by mid to late January with results due at the end of February or early March. This would provide the Board with an outstanding opportunity to be in touch with its constituency on cable issues. This action would be consistent with goals set in the strategic planning session.

In answer to an inquiry, Eads stated that Intellitrends is Company B and that the survey performed in 2006 was conducted by Intellitrends. Board members discussed the 2010 proposal at some length. The increased cost from the 2006 survey was a topic of discussion. It was noted that the 2010 proposal increases the amount of mailings from 6,000 to 12,500 in order to reach more people. There were members who favored repeating the same methodology that was used in the 2006 survey. An inquiry was made on the increased cost of the 2010 survey considering the low cost of email or web-based surveys.

McFadden stated that the focus of the 2006 was limited compared to the information that is available today. The rollout of DSL and telephone was not as prevalent as well as alternative online television viewing. There is now a multiplicity of communities and providers as well as a difference in use based on age group. A broader number of responses will be needed to populate all the data and provide valid statistical information for a full picture of what is taking place within the communities.

Keith Stone from Intellitrends stated that people who are passionate about the issue will respond by mail. Others are better reached by a phone survey and the Internet. The segmentation is pure when more elements are involved. Stone answered questions from Board members on various aspects of the survey proposal and cost elements involved in the process. He added that Intellitrends will provide an analysis of the survey results and offer recommendations as part of the proposal.

McLain suggested that the Board not consider the focus group portion of the bid at an additional cost of \$10,350. It was noted that the mailing costs of approximately \$6,500 was not included in the Intellitrends proposal.

There was some debate as to which methodology or combination of elements would be required to provide a satisfactory confidence level and a high number of responses to the survey. There was a concern that a limited effort would not address the scope and complexity of the issues people are facing today and would lessen the effectiveness of the study. If the mission is to act as an advocate, it is incumbent upon the board to have the most accurate and comprehensive understanding of its constituencies whether they have cable, digital or alternative ways of receiving television in their homes. There was some agreement that a blend of Internet, mail, and telephone samples are needed to reach the population.

In the interest of controlling costs while maintaining the integrity of the survey, there was a suggestion that the Cable Action Committee work with Intellitrends in an attempt to reduce the cost of the proposal.

Motion by Heldt, second by Eads, that the Birmingham Area Cable Board accept the proposal from Intellitrends to conduct a survey of its constituency but authorize the Cable Action Committee to adjust the proposal downward at their discretion to reduce the cost of the undertaking and contract. The focus group option is not part of this approval.

There was further discussion of the Intellitrends proposal and the 2006 survey. Armitage expressed concern about the demographics of the people who will respond to the survey. He said that he would be willing to underwrite a focus group if appropriate. This is a decision that could be made by the Board at a later date.

Hildreth Buterbaugh commented on the timing of the survey and tabulation of survey results.

Roll Call Vote:

Armitage	- yes
Decker	- yes
Heldt	- yes
Lurie	- no
McLain	- yes
Thorsby	- no
Heyman	- no
McFadden	- yes
Briggs	- yes
Eads	- yes
Ettenson	- no

Motion passed (7 – 4).

**PEG Committee Report**

Heldt commented on the telecommunications activity in Washington. This is a matter that will be discussed at the PEG Committee meeting following today's Board meeting. Heldt stated that he will bring up a Michigan NATOA challenge grant at the January meeting.

**Personnel Committee**

There was no Personnel Committee report.

**EXECUTIVE DIRECTOR'S REPORT**

Borgon reported that there were two new official Comcast complaints this month, both of which were handled within a 24 hour period. Borgon thanked chairperson McLain for her perseverance with respect to reminding AT&T about issuing a credit to the BACB for \$7,790.00 to offset the cost of the encoders. Borgon thanked Olivia Visperas for the tour of the Comcast Westland facility.

Borgon forwarded the resolution regarding passage of HR 3745 supporting the Community Access Preservation Act of 2009 to the member municipalities for their review and adoption. The Beverly Hills Council will address this at their January 5, 2010 meeting.

Borgon related that he met with Steve Rota from BCTV to discuss improvements to the program guides. Board members are in receipt of a press release announcing the joint venture of Comcast and General Electric whereby Comcast will own 51% of NBC Universal businesses, etc.

McLain acknowledged that Bob Borgon had an outstanding article published in a new Birmingham Bloomfield publication.

### **COMCAST RELATED TOPICS**

McLain commented that Comcast subscribers can watch 27 channels online at [www.fancast.com](http://www.fancast.com).

McLain noted that she asked representatives from Comcast and AT&T to provide a summary of what their company has done for the community in the last year and what they plan to do in 2010. Comcast representative Olivia Visperas responded that she is willing to conduct a tour of the customer service center in Plymouth for Board members after the first of the year. Visperas cited the expansion of Comcast products and services and its venture with NBC.

Ettenson related a customer service situation he encountered with Comcast business class service in Bingham Farms. He did not think that the service he received was in conformance with the Franchise Agreement. Ettenson will pursue this in terms of filing an official complaint with the Executive Director.

### **AT&T RELATED TOPICS**

McLain stated that Lori Doughty sent the Board a detailed report on this year's partnership between AT&T and the Birmingham Area Cable Board. PEG programming is available to U-verse customers throughout southeast Michigan. AT&T has improved its response time in terms of the AT&T PEG service. AT&T enabled secondary audio programming and closed captioning features of its PEG service. The company continues to roll out its product.

### **MLTV15/ PA18 REPORT**

Rota presented the Bloomfield Community Television report 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 November 19, 2009 – December 16, 2009).

Rota mentioned that he met with Bob Borgon to discuss changes to the program guide. A recall on the production truck was repaired by the dealer last week. The next volunteer camera workshop is scheduled for Monday, January 11, 2010. Interested individuals should call 248/433-779 for more information.

**OLD BUSINESS**

McLain updated the Board on the status of resident, Jim Stevenson, who filed a complaint against Comcast with the Michigan Public Service Commission. His response from the MPSC was unsatisfactory. The agency highlighted portions of printed information and sent it back to Mr. Stevenson without a cover letter or date.

**NEW BUSINESS**

None

**PUBLIC COMMENTS**

Hildreth Buterbaugh commented that an individual should receive a same day response to an inquiry or complaint about business class service from Comcast. He suggested that the Comcast program guide should list programs on channels 15 and 18.

Buterbaugh related that pixilation on more than one channel can often be rectified by rebooting the system. This involves removing the power cord from the back of the converter box for a minute and plugging it back in.

**BOARD COMMENTS**

McLain commented that the National Energy and Commerce Committee has been busy with health care issues. Depending on what happens with health care at the end of this legislative session, the committee may or may not be ready to move on FCC guidelines. This is important because it affects funding for PEG programming. The Cable Board will be requesting support from communities for Public, Educational and Governmental programming in order that subscribers can view all of the municipal meetings and public programming that occurs in their community.

The meeting was adjourned at 9:56 a.m.