

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

Absent: Lurie - Birmingham

Also Present: Borgon – Executive Director
Currier - Attorney for Cable Board
Helwig - Bloomfield Community Television representative
Dr. Hoffman - Birmingham Schools representative
Valentine - Birmingham staff representative

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 CABLE BOARD MEETING HELD SEPTEMBER 21, 2011

Motion by Armitage, second by Eads, that the minutes of a regular Cable Board meeting held on September 21, 2011 be approved as amended.

Motion passed unanimously.

PUBLIC COMMENTS

None

TREASURER’S REPORT

Treasurer McFadden prepared the BACB Quarterly Investment Report for July 1 – September 30, 2011. There were no questions or comments from the Board.

McFadden referred to a sheet he distributed to the Board today outlining proposed modifications to the Birmingham Area Cable Board Investment Policy. Plante & Moran recommended several changes to the investment policy language as part of its current audit of the BACB financial statements. The proposed modifications will bring the Board’s investment policy in compliance with specific wording required by the FDIC.

Motion by McFadden, second by Eads, that the Birmingham Area Cable Board adopt modifications to the BACB Investment Policy dealing with Credit Risk, Interest Rate Risk, Custodial Credit Risk, and Foreign Currency Risk, which will be addendums to the Investment Policy.

Roll Call Vote:

Motion passed (11 – 0).

McFadden reported that, upon examining the status of Cable Board funds and the fund balance, it is recommended that the Board take action on an Administrative Grant for 2011 that will rebate funds to the consortium communities. McFadden affirmed that, each year when funds are available, the Cable Board augments PEG programming to assure the development and delivery

of high value public, educational and governmental programming for its constituents. Due to revenues exceeding budgeted forecasts as well as solid fiscal management, the Cable Board is able to distribute these funds to its member municipalities.

Motion by McFadden, second by Eads, that the Birmingham Area Cable Board authorize Administrative Grants to the four participating communities based on the percentage of franchise fees received from each of the communities from the 2009, 2010 and 2011 fiscal years. The gross amount of the grant will be \$275,831.

Questions and comments from the Board were addressed by Currier and McFadden. It was noted that the rationale for these Administrative Grants is derived from provisions of the Interlocal Agreement stipulating that any surplus money shall be returned after completion of the purpose of the Interlocal Agreement. The distribution is as follows:

Birmingham	\$	169,987
Beverly Hills	\$	69,339
Franklin	\$	25,184
Bingham Farms	\$	<u>11,321</u>
	\$	275,831

Roll Call Vote:
Motion passed (11 – 0)

COMMITTEE REPORTS

Cable Action Committee

McFadden reported on topics discussed at the last Cable Action Committee meeting. The Committee is reviewing this year's audit to make sure that the BACB complies fully with regulatory and oversight issues.

McFadden referred to a notification Comcast customers received with their bill regarding cable service. Subscribers were informed about the formal complaint process as stipulated under Michigan PA 480. While this is the formal process, there is another process for complaint resolution that involves utilizing the Cable Board as an advocate.

McFadden affirmed that it is the mission of the Cable Board to be an advocate for its consortium communities and its citizens in order to maximize services. The Board has established relationships with various vendors, who work with the Board on a complaint resolution basis. Complaints received from subscribers have decreased over time, which speaks to the effectiveness of the Board in terms of promoting communication between the two parties and resolution of issues. McFadden encouraged anyone with an unresolved cable television issue to contact the Cable Board.

The next scheduled meeting of the CAC will be Thursday, November 3 at 5:30 p.m. at the Baldwin Public Library. McFadden asked for an update from the Grant Policy subcommittee chairperson, Dorothy Pfeifer.

Pfeifer reported that the Grant Policy Subcommittee met on October 8 and drafted policy language. The committee will meet again on November 5, 2011 at 10:30 am at her house to prepare a final draft that will be submitted to the Board's attorney for review. Interested members of the Board are welcomed to attend. Upon approval by the attorney, the draft policy will be submitted to the Board as a whole for consideration.

McLain commented on the last scheduled appearance of the Board at the Birmingham Farmers Market on October 9. She noted that it was a successful season.

PEG Committee

Heldt reported that BCTV will broadcast three athletic competitions this week between Groves and Seaholm High Schools. The events are: Girls Swim and Dive on October 18; Boys Water Polo on October 19; and Boy's Football on October 21. Heldt received a proposal from Dr. Hoffman to broadcast sporting events in December, January and February. These events will be discussed from an administrative and production standpoint at the next PEG Committee meeting before coming to the Board for consideration at the November meeting.

Ettenson invited the chairpersons of the Cable Board and PEG Committee and a BCTV representative to attend the November 28 meeting of the Bingham Farms Council at 8 p.m. to discuss broadcasting their council meetings.

Personnel Committee

Ettenson reported that the Personnel Committee has received input from the providers regarding the Executive Director's evaluation report with the exception of the AT&T representative.

EXECUTIVE DIRECTOR'S REPORT

Borgon reported on two new subscriber complaints received this month, one dealing with Comcast and the other with AT&T. Plante & Moran will present its audit report of the Cable Board financial statements at the November meeting.

Board members have received updates from American Community Television. ACT has been visiting local Senate offices to monitor activity on the CAP Act. Borgon provided the Board with a list of all PEG centers in Michigan. He will be attending the next Michigan NATOA meeting on November 7 from 2-4 p.m. at the Livonia City Hall.

Borgon made reference to a note from Lori Rondelle from the Birmingham Farmers Market thanking the Board for their sponsorship and support this year. At the Board's direction, Borgon has prepared an analysis of the PEG and Franchise Fees collected from each provider by quarter. He commented on the results of the report.

PROVIDER RELATED TOPICS

Comcast

Leslie Brogan introduced Kyle Mazurek, part of the Comcast Government Affairs team. He was present to observe Comcast's interaction with a local Cable Board.

Brogan talked about the Leaders & Achievers Scholarship program available to high school seniors who are nominated by their school principals. They are awarded for community leadership as well as academics. Deadline to nominate students is in early December. Brogan provided handouts outlining the program.

AT&T

McLain commented that she will be speaking to AT&T representative Robert Jones today. She mentioned that there is a notice in the meeting packet about an FCC hearing regarding the way AT&T delivers PEG programming, which has been an ongoing issue.

WOW

Kathy Armstead announced the launch of new bundled packages with prices guaranteed until 2014. WOW also launched its new Internet speed. Armstead informed the Board that channels that are currently on the WOW Digital Value lineup will be added to Basic Cable.

McLain referred to an informal complaint received last month from a Birmingham resident who indicated that WOW staff had disregarded their “no solicitation” sign. Joe Valentine from Birmingham related that Birmingham staff met with Armstead and have resolved solicitation issues.

BAMA/BAPA REPORT

The Board is in receipt of 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 September 22, 2011 – October 19, 2011).

Leslie Helwig mentioned that BCTV broadcast the first sporting event between Groves and Seaholm high schools last night, October 18. She noted that BCTV is taping the Oakland County Commission meeting for future airing. Helwig informed the Board that BCTV will be losing the Plane Ideas program because producer Greg Thrasher is moving to Washington D.C. The next volunteer camera workshop is scheduled for Monday, January 9, 2012.

Gordon Thorsby left the meeting at 8:27 a.m.

Helwig reported that the production truck was taken to ROSCOR for equipment repairs, which are listed in the written report. The estimated cost of the repairs is \$2,000; BCTV staff has confirmed that the work was necessary.

Motion by Armitage, second by Pfeifer, that the Birmingham Area Cable Board authorize an expenditure not to exceed to \$2,500 for cable equipment repairs to the production truck.

Roll Call Vote:

Motion passed (10 – 0).

There was discussion of ongoing problems with the truck's generator and a recommendation from ROSCOR to have an electrician to investigate the generator issues. McLain thought that it was important that the Board have the problem examined and documented. BCTV staff will be monitoring the work.

Motion by McFadden, second by Eads, that the Birmingham Area Cable Board authorize an amount not to exceed \$1,000 for work on the production truck generator.

Roll Call Vote:
Motion passed (10 – 0).

OLD BUSINESS

None

NEW BUSINESS

McLain reported on the NATOA "Over the Top" programming seminar focusing on ways of receiving video. The presentation is available online.

Pfeifer referred to information in the meeting packet regarding American Community Television. The FCC will be holding a hearing on the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA) on November 1st. The FCC is asking for input on the way AT&T delivers PEG channels. Pfeifer questioned whether the Cable Board will provide input on this issue.

Borgon responded that the Cable Board is involved through its Michigan NATOA membership. Helwig explained how Michigan NATOA representatives are coordinating efforts with people from the Michigan Municipal League to communicate their positions on mutual issues to the Legislature. One of the most important issues is the way AT&T delivers its programming.

PUBLIC COMMENTS

None

BOARD COMMENTS

None

The meeting was adjourned at 8:38 p.m.