

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

Absent: Armitage, Thorsby - Birmingham
McFadden-Beverly Hills

Also Present: Borgon – Executive Director
Currier - Attorney for Cable Board
Helwig - Bloomfield Community Television representative
Armstead – WOW representative
Dr. Hoffman - Birmingham Schools 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 Heldt, second by Heyman, that the minutes of a regular Cable Board meeting held on October 19, 2011 be approved as submitted.

Motion passed unanimously.

PUBLIC COMMENTS

None

PLANTE & MORAN AUDIT REPORT

Beth Bialy and Kari Shea of Plante & Moran presented the audit report of the Birmingham Area Cable Board financial statements as of June 30, 2011. The Independent Auditor's Report indicated that the Cable Board's financial statements received an unqualified audit opinion for 2011. The letter to the Board members included a paragraph announcing that GASB Statement No. 54 was implemented this year; it has to do with Fund Balance Reporting and Governmental Fund-type Definitions.

Shea presented an overview of the financial statements handout. She commented on the Governmental Fund Balance Sheet/Statement of Net Assets noting that the findings were consistent with 2010 results. The Income Statement shows that Board revenues were up by about \$35,000 and expenditures down approximately \$10,000. There was \$189,000 added to the fund balance at the end of the year. Shea commented on the Budgetary Comparison Schedule, comparing the original budget with the actual budget and explaining reasons for variances.

Bialy reviewed the communications letter required under SAS 114. She referred to the paragraph regarding difficulties encountered in performing the audit; mention was made of a reporting issue with Multi-Bank Securities, Inc. Plante Moran received a statement from MBS confirming the value of Board held securities as of June 30, 2011. Bialy clarified that MBS only performs the task of recordkeeping; Pershing LLC is the custodian. Plante Moran was unable to confirm the existence of those assets with Pershing LLC due to their policy of not providing audit

confirmation. Plante Moran is required under auditing standards to receive confirmation from the actual holder of the investments and would prefer to receive direct confirmation from Pershing.

Attorney Tim Currier asked if there were negative ramifications for the Board resulting from Pershing's policy. Bialy did not think that there were but suggested that the Cable Board ask Pershing for confirmation of assets next year.

The Board was in agreement to make a concerted attempt next year through MBS to receive direct confirmation from Pershing regarding the value of its securities. Heldt suggested that the Cable Action Committee consider posing an ultimatum through MBS that either Pershing submit to the auditor's request for direct confirmation or the Board will move its money.

McLain thanked Bialy and Shea for their presentation. The audit report will be forwarded to the member municipalities with a link posted on the Cable Board website.

APPROVE AMENDED BUDGET

The Birmingham Area Cable Board budget for fiscal year 2011-2012 was approved at the June 15, 2011 meeting. Borgon outlined proposed amendments to the budget. There was a change in the Accounting Expense line item and the Operating Expense/Comcast item to reflect the new arrangement with Beverly Hills for handling Cable Board finances. The Conference line item was reduced due to the decision not to attend the National NATOA conference. Borgon commented on the increase in the grant budget line item. Questions and comments from the Board were addressed by Borgon and Currier.

Motion by Eads, second by Heldt, that the Birmingham Area Cable Board approve the budget amendments as proposed for the Cable Board Budget for fiscal year 2011/2012.

Roll Call Vote:

Motion passed (10 – 0).

GRANT REQUEST – BIRMINGHAM AREA SENIORS COORDINATING COUNCIL

Rene Cortright, Coordinator for the Birmingham Area Seniors Coordinating Council (BASCC), was present to request a grant for the senior center in the amount of \$1,440. This amount includes a renewal of the 2010 grant that covered basic cable service for the television in the BASCC lobby and the projector in the activity room.

Cortright related that BASCC is no longer eligible for complimentary Internet service from Comcast as of December of 2010. On January 5, BASCC entered into a two-year agreement with Comcast to provide Internet service for the computer room and staff computers. That additional cost has been added to the grant proposal. The grant request letter includes a breakdown of the BCTV request.

Currier remarked that BASCC has always had a connection to the Birmingham School District as well as having a quasi-municipal function that qualifies to receive PEG funds. When the Comcast franchise agreement was negotiated, the BASCC headquarters at Midvale School was considered a municipal school district site that received a complimentary drop. It was noted that Birmingham and Beverly Hills contract with BASCC for senior services.

Board members understood that the BASCC Board has entered into a two-year contract with Comcast for Internet service. They suggested that the BASCC organization seek competitive quotes for cable and Internet service next year prior to requesting a grant from the Cable Board.

Pfeifer asked to be recused from voting on the grant due to the fact that she is a member of the BASCC Board. Greg Burry, Beverly Hills Council representative to BASCC, also asked to be recused from voting.

Motion by Heldt, second by Eads, that the Birmingham Area Cable Board approve the grant request from BASCC for one year in the amount of \$1,440 for basic cable service and Internet service.

Roll Call Vote:

Motion passed (8 yes – 0 no – 2 recusals).

COMMITTEE REPORTS

Cable Action Committee

The branding of the production truck to reflect new channel logos was discussed at the last Cable Action Committee meeting. There were three estimates from one supplier based on a complete re-wrapping of the truck, a partial re-wrapping, and a spot logo application. Competitive bids for this work will be sought from other suppliers. Borgon will meet next week with BCTV staff to discuss the project and hoped to have a recommendation for the December Board meeting.

Questions and comments regarding the administrative grant to municipalities were addressed at the last Cable Action Committee meeting. McLain reported that Borgon is working on drafting the Cable Board Annual Report.

PEG Committee

The PEG Committee discussed the broadcast of four high school athletic competitions at its October meeting.

Motion by Heldt, second by Eads, that the Birmingham Area Cable Board approve the broadcast of four athletic events featuring Groves and Seaholm High Schools at a cost of \$2,500 per event paid to Bloomfield Community Television. The events are as follows:

Boys Unified Hockey	Birmingham vs. Howell	Thursday, December 1, 2011
Boys Varsity Basketball	Groves vs. Seaholm	Friday, December 9, 2011
Girls Varsity Basketball	Groves vs. Seaholm	Monday, January 30, 2012
Boys Varsity Wrestling	Groves vs. Seaholm	February 1, 2012

Roll Call Vote:

Motion passed (10 – 0).

Dr. Hoffman related that School Board meetings are video streamed and archived; they are available for viewing on the district website.

Personnel Committee

Ettenson announced that there remains an opening on the Cable Board for a City of Birmingham representative.

Grant Committee

The Grant Committee has drafted a BACB Grant Policy, which has been distributed to Board members. Committee chair Pfeifer proposed that no action be taken on the policy at today’s meeting. She asked that the Board review the document and contact her with any proposed modifications. This will be on the agenda of the December meeting for Board consideration.

Pfeifer related that the document was drafted to be concise yet flexible enough to recognize that community needs fluctuate. Currier has been involved in reviewing the language. Pfeifer read the proposed Grant Policy as follows:

BIRMINGHAM AREA CABLE BOARD GRANT POLICY

STATEMENT OF PURPOSE:

The Birmingham Area Cable Board shall, at its discretion, set aside funds for grants to be awarded to the consortium communities, educational institutions, libraries and other qualifying entities. These grants shall be provided in the annual budget, and the amount shall be determined on an annual basis.

The responsibility of the BACB is to provide support for customer service complaints; oversee, develop programming and provide funding for the PEG channels; and administer the elements of the Interlocal Agreement.

DISTRIBUTION OF FUNDS POLICY CRITERIA:

Recognizing these funds are created by fees collected from the consumers using Cable services, it shall be the intent of the Board to award these grants to services based upon the following criteria:

- a. The primary benefactor shall be the cable customer;
- b. Grants shall be intended to enhance communications properties;
- c. Grantees shall include the consortium municipalities, educational institutions, libraries and other qualifying entities.

GUIDELINES FOR THE DISTRIBUTION OF FUNDS:

These guidelines do not require strict adherence because the BACB recognizes that the fees will fluctuate each fiscal year. However, it is the goal to approve grants in proportion to the percentage of fees collected annually from each consortium community, and will be distributed as follows:

COMMUNITIES	50%
EDUCATIONAL	40%
LIBRARIES AND OTHER	
QUALIFYING ENTITIES	10%

Once the policy is approved by the Board, copies will be distributed to member municipalities and the School Board. The Grant Policy will also be made available to any person or organization requesting grant funds from the Cable Board.

EXECUTIVE DIRECTOR'S REPORT

Borgon reported on four complaints registered against Comcast this month; all four were resolved. He thanked the escalation teams from Comcast and WOW for their prompt response to complaints.

Borgon highlighted topics discussed at the November 7, 2011 Michigan NATOA meeting, including their Public Platform that will reinforce the National platform. The next meeting will be held in Ann Arbor in January.

Board members received a copy of the BACB Investment Policy approved at the October Board meeting. Borgon commended Ken McFadden for emailing articles on recent developments in the telecommunications area. A recent article discussed how AT&T is slowing down its U-Verse installations in many areas.

Comcast has created a web page listing upcoming programming contracts that could expire in the next three months. The information is included in a correspondence from Comcast representative Leslie Brogan.

Borgon announced that Roscor, Media and Information Technology, has filed for bankruptcy. Roscor is a favorite supplier of the Board; BCTV may be taking advantage of their liquidation sale. Leslie Helwig informed the Board that former Roscor employees who serviced the BACB production truck have been in contact with BCTV staff. Those individuals will be in a position to service the truck if needed.

PROVIDER RELATED TOPICS

Comcast

McLain highlighted Comcast complaints received within the last month. Borgon mentioned that calls are being received from Birmingham residents regarding Comcast crews installing new wires for their Xfinity product. Their method of using door hangers to notify residents that service will be suspended for a period of time has not been effective. McLain added that Comcast employees must display visible identification.

AT&T

McLain stated that a national test of the emergency alert system was broadcast on all stations earlier in the month. Notification was received that AT&T was opting out of that national test. McLain was assured that AT&T has a functioning emergency alert system.

WOW

Kathy Armstead was present representing WideOpenWest. In answer to an inquiry, she stated that WOW participated in the national test of the emergency alert system. There was an issue with the PEG channels, which is being investigated.

BAMA/BAPA REPORT

Leslie Helwig referred to the written report from Bloomfield Community Television 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 October 20, 2011 – November 16, 2011). She pointed out two programs that occur once a year, the Oakland County Commission Meeting and the DAR Veterans Day Wreath Laying Ceremony.

The Board approved an expense last month to repair the truck's generator. BCTV followed through on this work; the repair bill was within the approved limit. The first bill of approximately \$600 covered diagnostic efforts that took most of a day. The electrician believed he had located the problem, and a repair was made to the truck's generator. The total cost of the repair was \$770.00.

The Program Development Committee met last week to approve a legal show with a panel proposed by a Birmingham resident. The next BCTV volunteer workshop is scheduled for Monday, January 9 with a morning session at 10 am and a later session at 6:30 pm.

Ettenson related that he will be bringing a proposal before the Bingham Farms Council to approve the broadcasting of their monthly meetings. Because the meeting facility is small, meetings would have to be taped with a hand-held camera. Ettenson asked Helwig if a BCTV staff member could attend the November 28 Bingham Farms Council meeting to make a presentation.

OLD BUSINESS

None

PUBLIC COMMENTS

None

BOARD COMMENTS

None

The meeting was adjourned at 8:44 pm.