

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

Absent: Armitage - Birmingham

Also Present: Borgon – Executive Director  
Currier - Attorney for Cable Board  
Rota - Bloomfield Community Television representative  
Dr. Hoffman - Birmingham Schools representative  
Valentine - Birmingham staff representative  
Brogan – Comcast Representative  
Burry – 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 CABLE BOARD MEETING HELD JULY 18, 2012**

The following changes were made to the July 18, 2012 minutes: On page 3, paragraph under “Grant Policy Committee”, line one, replace ‘sent’ with ‘will send’. On page 4, first paragraph under “Executive Director’s Report”, third sentence should read: “Comcast has sent letters to three of the four communities....”. On page 4, change the paragraph entitled “AT&T” to read as follows: “McLain commented on problems with the Uverse PEG signal. The Management Information System contract ended 7/16/12 and the equipment contract ends 7/16/15. The Board is in contact with Robert Jones about the borrowed encoder.”

Motion by Heldt, second by McFadden, that the minutes of a regular Cable Board meeting held on July 18, 2012 be approved as amended.

Motion passed.

#### **PUBLIC COMMENTS**

None

#### **GRANT REQUEST – CITY OF BIRMINGHAM**

Joe Valentine outlined a grant request submitted by the City of Birmingham for cable and connectivity related services. He has compiled Birmingham’s request for cable services for the year relating to various departments including the Police Department, Historical Museum, and Department of Public Services. The proposal includes a request from the Information Technology Department for web based broadcasting and related services. The total amount of the grant request is \$22,656.00.

Questions from Board members relative to the grant proposal were addressed by Valentine. He was asked whether Comcast would be providing a rebate for cable service for the reason that Springdale and Lincoln Hills golf courses are not open the entire year. Valentine will clarify this issue, noting that Birmingham would reimburse the Board for any funds not spent on this grant request.

Motion by Heldt, second by Pfeifer, that the Birmingham Area Cable Board award a grant to the City of Birmingham in an amount not to exceed \$22,656.00 for cable and Internet related services for the 2012-2013 fiscal year as outlined in the August 8, 2012 memo from Joseph Valentine, Assistant City Manager.

Thorsby proposed that the Cable Board consider including these annual municipal expenses used for subsidizing cable and Internet services as a budget line item rather than a grant request. The budget requests would be reviewed annually.

Currier stated that, from a process point of view, the Board can consider funding proposals as a budget line item or a grant request. All funding requests must be reviewed with specificity either way. In the original franchise agreements, cable drops and services were provided by the carriers at no cost to the municipalities; providers have ceased providing those services. Grant requests were an opportunity to review proposals for various services in detail.

Board members discussed modifying the grant approval process to include these types of funding requests in a budget line item with input from the communities prior to preparing the budget. It was suggested that the Board's auditing firm be contacted for its input on the accounting change. There was agreement to assign the Cable Action Committee with the task of reviewing the proposed procedural change and recommending whether to modify the process for the next fiscal year budget.

Roll Call Vote:  
Motion passed (11 – 0).

#### **GRANT REQUESTS – VILLAGE OF BEVERLY HILLS**

Ellen Marshall, Assistant Manager/Clerk, presented a grant request from the Village of Beverly Hills in the amount of \$280 for the installation of a wireless router to be installed in the Beverly Hills Council Chamber to provide wireless Internet connection capability.

Board members discussed the proposal. Reference was made to the Open Meetings Act with respect to public officials' use of portable electronic devices during public meetings. Whether the wireless network will require a password was questioned. It was pointed out that wireless capability is considered a necessary accessory in recent times; it will be up to Beverly Hills to decide how to administer this service.

Motion by Eads, second by Ettenson, that the Birmingham Area Cable Board approve the Village of Beverly Hills grant request in the amount of \$280 for installation of a Wireless Router to be installed in the Beverly Hills Council chamber to provide wireless Internet connection capability.

Roll Call Vote:  
Motion passed (11 – 0).

Ellen Marshall requested renewal of a grant in the amount of \$80 per month for FY 2012/2013 totaling \$960.00 to cover Internet services for the Village Offices. Beverly Hills entered into a three-year contract with WOW for Internet services in May 2011 after conducting an open bidding process.

Motion by Heldt, second by McFadden, that the Birmingham Area Cable Board approve a grant request from the Village of Beverly Hills in the amount of \$960.00 to cover Internet services for the Village Offices for FY 2012/2013.

Roll Call Vote:

Motion passed (11 – 0).

Marshall reviewed that Beverly Hills has been webstreaming Council meetings twice a month and Cable Board meetings once a month since 2008. The current monthly charge for hosting is \$130.00, of which \$100 covers up to 15GB of live broadcast and \$30 for up to 3GB of on-demand hosting. At this time, PowerStream does not break out monthly hosting charges by meeting. Beverly Hills is requesting a grant in the amount of \$130 per month for FY 2012/2013 totaling \$1,560.00 to cover the hosting and live broadcast associated with web streaming BACB and Beverly Hills Council meetings.

Lurie questioned whether the bandwidth purchased from PowerStream can be decreased for the reason that videos are going to be moved off of the Beverly Hills website onto the BACB website with its new platform. It was noted that Beverly Hills would reimburse the money to the Cable Board if its monthly fees were reduced.

Motion by Heldt, second by Eads, that the Birmingham Area Cable Board approve the grant request from the Village of Beverly Hills in the amount of \$1,560.00 to cover the hosting and live broadcast costs associated with web streaming Birmingham Area Cable Board and Village of Beverly Hills Council meetings.

Roll Call Vote:

Motion passed (11 – 0).

### **GRANT REQUEST – BEVERLY HILLS PUBLIC SAFETY DEPARTMENT**

Before the Cable Board for consideration is a renewal of the grant from the Beverly Hills Public Safety Department to cover the costs of Internet access to four computer services; local area network, building video; in-car video and audio recording. Comcast is currently providing Internet service at a cost of \$66.95 per month. The Department requests a grant in the amount of \$803 for FY 2012/2013 to cover Internet services for the Department.

Motion by McFadden, second by Heldt, that the Birmingham Area Cable Board approve a grant request from the Village of Beverly Hills Public Safety Department in the amount of \$803 to provide Internet services to the Department for FY 2012/2013.

Roll Call Vote:

Motion passed (11 – 0).

### **COMMITTEE REPORTS**

#### **Cable Action Committee**

McFadden stated that the next meeting of the CAC will be Thursday, September 6 at 5:30 pm at the Baldwin Public Library. At its last meeting, Chairperson McLain briefed the Committee on a conference she attended in Detroit sponsored by the Mobile Technology Association of Michigan. MTAM is a mobile/wireless industry trade association within the State of Michigan

whose mission is to increase demand for Michigan-based mobile technology products and services, thereby enabling growth of the state's mobile technology industry and the creation of increased entrepreneurial and enterprise-level opportunities and the creation of sustainable jobs which will grow Michigan's economy. The topic of the meeting was Mobile / Wireless Industry Economic Impact on Michigan.

Verdi-Hus reported that the website redesign subcommittee met with a representative of MuniWeb this week to finalize the components of the BACB website. Members will receive their first review of the new website in about three weeks with the understanding that subsequent changes will be made if necessary. A password protected beta website will be available for Board member review.

Lurie added that the subcommittee has been charged with reviewing all content on the website in the next few weeks to determine whether items should be updated, removed or remain. This will include videos on demand and project information. McLain will assist with this task. Borgon encouraged all Board members to provide input on the current website. Steve Rota from Bloomfield Community Television remarked that he has been sending updated video to MuniWeb for the BACB website.

#### **PEG Committee**

Heldt stated that there will be PEG Committee meeting following the regular Board meeting. The topic of discussion will be programming for the Fall school athletic broadcast season.

Joe Hoffman from Birmingham Schools stated that new Superintendent Dr. Daniel Nerad will be in the community to meet with stakeholders in the District.

#### **Personnel Committee**

McLain thanked Mel Ettenson for chairing the Personnel Committee since its inception. His commitments preclude continuing in this capacity. The position of committee chair will be transferred to Mark Armitage.

McLain reported that the Personnel Committee has met a couple of times in the last month. The Cable Board has an at-will, two-year contract with the Executive Director, who performs administrative services for the Board. The Committee met with Mr. Borgon, who indicated that he does not wish to accept another two-year contract renewal. The Personnel Committee plans to refine the job description to better reflect upcoming trends and changes in telecommunications.

McLain stated that it was the recommendation of the Personnel Committee that the Cable Board proceed with a month-to-month short-term contract renewal with Bob Borgon. This will provide an opportunity to conduct the necessary research to locate a candidate for the Executive Director position. The Personnel Committee will report back to the Board at its October meeting. McLain remarked that Bob Borgon has been a mentor to her. As a former chair of the Cable Board, Borgon provided her with much information.

Motion by Ettenson, second by Heyman, that the Birmingham Area Cable Board engage in a month-to-month short-term contract with Executive Director Bob Borgon.

Executive Director contract renewal will be an action item on the BACB agenda every month.

Roll Call Vote:  
Motion passed (11 – 0).

### **Grant Policy Committee**

Committee chairperson Pfeifer stated that letters were sent to the communities and entities that received Cable Board grants asking them to prepare an accounting of those grant funds and forward documentation to the Cable Board.

### **EXECUTIVE DIRECTOR'S REPORT**

Borgon reported that there were three official complaints this month; two directed at Comcast and one for WOW. Resolution was received on a Comcast complaint from last month regarding storm damage and outages. Borgon mentioned that he received six customer payments intended for Comcast this month due to the position of the Cable Board address on the Comcast bill; these bill payments were returned to the customers. Borgon encouraged residents to make sure that they send their payments to the Comcast address. The issue was discussed with Comcast representative Leslie Brogan but not resolved.

Borgon provided information on monthly financial statements, checks written, and website statistics. National NATOA Board of Director election results show that Deborah Guthrie, former President of Michigan NATOA, was elected to a position on the National Board of Directors.

Borgon attended a Michigan NATOA meeting last month; discussion focused on the City of Detroit and Comcast court ruling. McFadden commented on the ongoing discussion in terms of whether state or federal law covers cable franchises. This will be a point of discussion going forward.

### **PROVIDER RELATED TOPICS**

#### **Comcast**

Comcast representative Leslie Brogan commented that subscribers can go to Video on Demand and watch replays of the Olympics. Brogan provided an early announcement of Comcast's continuing digital network enhancement. The next and final phase will be taking the Basic 1 channels and providing them in a digital format. Comcast will be doing several types of customer notifications to explain what the company will be doing and the equipment that will be needed.

McLain commented on issues related to Comcast complaints received by subscribers in the last month. In response to an inquiry, Brogan stated that customers should call Comcast to request reimbursement for an outage.

#### **AT&T**

Borgon stated that he received a call from an AT&T subscriber indicating that he was unable to view programming on the municipal channel through U-verse. Borgon informed the customer that the Cable Board is working with AT&T on continuing problems with viewing PEG channels.

McLain provided background information and an analysis of what is being done to remedy the program interruptions of public meetings on the AT&T U-verse product. The Cable Board's contract with Management Information System to deliver the signal from U-verse ended on July

16, 2012. The Board will embark on a new way to deliver the signal through Comcast that will allow BCTV staff to view programming at their facility.

### **WOW**

Borgon received a letter dated July 24, 2012 from WOW announcing that the company completed the purchase of a competitive broadband provider and that General Manager Mark Dineen will be heading that operation based in the southeastern United States. Weldon Feightner will assume responsibility for S.E. Michigan Operations as Vice President and General Manager.

McFadden and Pfeifer left the meeting at 9:05 a.m.

### **BAMA/BAPA REPORT**

Steve Rota highlighted programming outlined in the 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 July 29, 2012 – August 15, 2012).

The next camera workshop is scheduled for Thursday, October 25 from 10:00 am until noon and 6:30 – 8:30 pm.

In response to an inquiry, Rota stated that the a program produced by Mark Armitage called “Detroit Insight” is currently airing. The program documents Detroit architecture.

### **OLD BUSINESS**

McLain said that she was reviewing information from the FCC and FTC regarding a report that was published on the state of competition and what is happening with PEG programming. She will keep the Board informed.

### **NEW BUSINESS – NATOA**

Borgon provided a sheet to the Board summarizing information and costs related to the NATOA (National Association of Telecommunications Officers and Advisors) Annual Conference on September 27-29, 2012 in New Orleans. He reviewed that Cable Board members have been attending most of the national NATOA conferences until the financial crisis in 2008. Two or three members were sent to the conference in order to attend as many sessions as possible and bring back valuable information. The NATOA budget was \$5,000-\$7,000 annually before a travel freeze was instituted by the municipalities. Borgon commented on the importance of the NATOA convention.

McLain related that she spoke with Birmingham City Manager Bob Bruner, who indicated that restrictions on government travel and conference spending were lifted in Birmingham; the city is in the process of drafting a policy on the topic. McLain talked about the NATOA Conference in New Orleans highlighting the benefit of having a member of the Birmingham Area Cable Board in attendance to represent consumers and have access to FCC officials and provider representatives. There is much to learn and contribute at these conferences.

McLain suggested that the Cable Board authorize the expenditure for a member to attend the NATOA Conference in September. She asked that the Board consider sending her to the conference. Board comments and questions on the NATOA Conference were addressed by McLain and Borgon.

Motion by Eads, second by Heldt, that the Birmingham Area Cable Board authorize the expenditure of \$6,000 to send up to three Board members to the NATOA Annual Conference held in New Orleans on September 26-29, 2012.

Roll Call Vote:

Heyman	- yes
Burry	- yes
Eads	- yes
Ettenson	- no
Heldt	- yes
Kelly	- yes
Lurie	- yes
McLain	- yes
Thorsby	- no
Verdi-Hus	- yes

Motion passed (8 – 2).

Thorsby left the meeting at 9:26 a.m.

There was discussion on how to go about expediting the selection of members to attend the Conference.

Motion by McLain, second by Heldt, to authorize Elaine McLain to represent the Cable Board at the NATOA Conference held in New Orleans on September 26-29, 2012 and to select two other delegates to attend.

Motion passed.

**PUBLIC COMMENTS**

None

**BOARD COMMENTS**

None

The meeting was adjourned at 9:25 a.m.