

Present: Heldt, Kelly, McAlear, McLain - Birmingham
Burry, McFadden, Pfeifer, Verdi-Hus – Beverly Hills
Stakhiv – Franklin

Absent: Lurie, Thorsby - Birmingham
Ettenson – Bingham Farms
Heyman – Beverly Hills

Also Present: Executive Director – Cathryn White
Currier - Attorney for Cable Board
Galbraith - Birmingham Schools representative
Florance - Bloomfield Community Television representative
Valentine - Birmingham staff representative
Silvio – WOW 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 MARCH 20, 2013

A correction was made on page 2 in the sentence before “Committee Reports” to delete the word ‘organization’ and insert ‘Board of Directors’.

Motion by Heldt, second by Pfeifer, that the minutes of a regular Cable Board meeting held on March 20, 2013 be approved as amended.

Motion passed.

PUBLIC COMMENTS

None

TREASURER’S REPORT

Treasurer McFadden outlined the Quarterly Investment Report through March 31, 2013 submitted to members as required by Board policy. He addressed questions from the Board.

McFadden proposed a resolution to amend the budget.

Motion by Heldt, second by Pfeifer, to adopt the following resolution to amend the FY 2012-13 Cable Board Budget as recommended by Treasurer McFadden.

Whereas:

A)The Birmingham Area Cable Board may, during the course of the fiscal year, amend its operating budget to incorporate demands on either, or both, Board operating or PEG fees and/or expenses.

B) The Board has a sufficient PEG Fund Balance to fund anticipated shortfalls in current PEG operations.

- C) The Board has approved three one-time charges as well as two material changes to assumptions used to develop the current budget.
- D) Incorporating changes to the current budget will not materially impact the overall fund balance.

Be it resolved that the FY2013 Birmingham Area Cable Board Budget shall be amended to:

- 1) Recognize a one-time, non-recurring charge for PEG Programming Expense
- 2) Increase PEG Grants to accommodate a one-time, non-recurring grant made to Birmingham Public Schools
- 3) Recognize a change in funding level for the Board's Executive Director compensation
- 4) Recognize a one-time periodic charge for a User Survey to support upcoming provider negotiations
- 5) Recognize a periodic return of fees to participating municipalities in the form of Administrative Grants as approved by Board resolution.

Questions and comments regarding the budget amendments were addressed by McFadden.

Roll Call Vote:
Motion passed (9 – 0).

PROPOSED 2013-14 BUDGET

Treasurer McFadden presented an Income & Expense Budget Overview report comparing the budget and actual for 2011/12, the 2012/13 budget, and the proposed budget for FY 2013/14. The 2013/14 Cable Board budget will be reviewed and considered for adoption by the Board at next month's meeting.

McLain outlined several changes and additions that have been included in the proposed budget. McFadden and McLain addressed questions from the Board regarding a format error, the need for a year-to-date column, and the municipal service support line item. Modifications suggested by the Board will be incorporated into the budget for consideration at the May meeting.

COMMITTEE REPORTS

Cable Action Committee

McLain reported that the Cable Action Committee met and discussed the proposals received in response to a Request for Proposal to conduct a subscriber survey. McFadden informed the Board that three bids were received from Michigan companies, all of which have a strong background with respect to the type of service required by the Board. The vendors have different philosophies and methodologies. McFadden referred to a vendor evaluation grid prepared to assess the three proposals. The vendors were identified as Vendor A, B and C on the handout.

McFadden read a resolution for Board consideration to accept the bid from Vendor "C".

Attorney Currier commented on Michigan P.A. 517 of 2012. The Michigan Legislature passed legislation in late 2012 to prohibit persons who have certain economic relationships with Iran from submitting bids on requests for proposals with this state, political subdivisions of this state,

and other public entities; to require bidders for certain public contracts to submit certification of eligibility with the bid; to require reports; and to provide for sanctions for false certification.

Joe Valentine, Birmingham Assistant City Manager, asked that the vendors be identified. If any Board members have a potential conflict with a vendor, it should be known prior to the vote. McFadden named the three bidders: WJSchroer Company (A), A&K Research (B), and Intellitrends (C). Questions on the vendors, their methodology, and cost factors were addressed by McFadden and McLain.

Board members discussed the Resolution language. It was clarified that the decision not to name the vendor was an attempt to show that there was no bias in terms of the bidders. The majority of Board members requested that the Resolution indicate the name of the vendor and the amount of the bid for transparency purposes. Currier added that, when it comes to a public vote, he has not seen a situation where a vendor is not identified. The price should be included in the Resolution when the Board is spending money.

Motion by Burry, second by Pfeifer, to adopt the following Resolution:

**Birmingham Area Cable Board Community User Survey
Resolution**

Whereas the BACB has conducted research into the viewing habits, customer satisfaction, and PEG utilization of members of our communities in the past;

AND, the most current survey was conducted prior to the deployment of a new provider (WOW) in two of our communities;

AND, the technological impact of internet TV as well as alternative television viewing continues to evolve;

AND, the Board desires to know and understand the viewing habits and concerns of citizens prior to renegotiation of the current Cable Contract;

AND, the Board has authorized the issuance of a RFP to conduct similar research this year;

AND, the Board has received bids from three vendors, after posting publicly to solicit a bid;

AND, as a requirement prior to formally accepting a bid from any vendor, the Board will require compliance with 2012 MI PA 517;

Be it resolved that the Board shall accept the bid from Intellitrends as indicated on the Evaluation Grid in the amount of \$18,310 and enter into an agreement to develop, field, analyze, and report on information desired for the BACB regarding television viewing, cable provider satisfaction, and PEG program awareness and viewing habits.

Roll Call Vote:
Motion passed (9 – 0).

McLain handed the gavel to Vice-Chair McFadden and left the meeting at 8:17 a.m.

COMMITTEE REPORTS

PEG Committee

Heldt announced that there will be a PEG Committee meeting immediately following today's Cable Board meeting.

Grant Policy Committee

Committee chair Pfeifer stated that the purpose of this Committee was to develop a grant policy, which was accomplished. There has been little oversight by this committee, because grant review and approval belongs before the Board as a whole. Pfeifer questioned if there was a need to continue with the Grant Policy Committee.

McFadden proposed that Pfeifer's recommendation for dissolution of the Grant Policy Committee be a topic of discussion at the next Cable Action Committee meeting. A decision on this could be considered next month.

Motion by Heldt, second by Pfeifer, to add an item to the agenda under 'Committee Reports': 'Personnel Committee'.

Motion passed.

Personnel Committee

Stakhiv reported that the Personnel Committee has completed an agreement with Payroll 1, a payroll processing company engaged to provide employee payroll service for the Executive Director. Payroll 1 has been responsive to the Board during this process.

EXECUTIVE DIRECTOR'S REPORT

Executive Director White stated that there were no formal complaints this last month. Board members have been provided with monthly financial reports. She met with McLain and McFadden in the last month to discuss the proposed FY 2013/14 budget. Check disbursement information is included in the Executive Director's report.

White read a letter from the President of the Board of Education and the Birmingham Public School Superintendent thanking the Board for the technology related resources that the Birmingham Cable Board is providing for the District's new administration building.

A communication dated March 18, 2013 was received from Comcast regarding changes to the channel lineup. Effective April 19, 2013, WMYD-Cozi (Ch 286) will be added to Limited Basic Service. Effective about May 22, 2013, Fox Business Network and FBN HD (Ch 06/243) will move from Digital Preferred Service to the Digital Starter Service.

White reported that a letter from Comcast dated March 26, 2013 regarding a realignment of the HD programming lineup indicated that the realignment will allow Comcast to better organize its HD program offerings by creating new "genre-based" neighborhoods utilizing 4-digit channel

number capabilities. Further communication will be provided to customers before changes are made.

PROVIDER RELATED TOPICS

Representatives from Comcast and from AT&T were not in attendance. Dominic Silvio, Broadband Manager from WOW, had no updates to report. In answer to an inquiry, Silvio responded that WOW has no plans to expand into Franklin at this time.

BAPA/BAMA REPORT

Zack Florance highlighted programming outlined in 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 March 21, 2013 – April 17, 2013).

There were seven residents who participated in the most recent camera workshop. The next camera workshop is scheduled for Tuesday, July 23 from 10:00 am until noon and 6:30 to 8:30 pm. BCTV staff gave Cub Scouts troops tours of the studio in the last month.

OLD BUSINESS

None

NEW BUSINESS

None

PUBLIC COMMENTS

None

BOARD COMMENTS

None

The meeting was adjourned at 8:30 a.m.