

## BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – May 20, 2020

Present: Abraham, Eick, Fenberg, McLain, Shand - Birmingham  
 Delaney, Gugni, Henry – Beverly Hills

Absent Mydloski – Franklin  
 Burry – Beverly Hills

Also Present: White - BACB Executive Director  
 Currier – Attorney for Cable Board  
 Rota – Bloomfield Community Television  
 Brunk – IT Manager, City of Birmingham

McLain called the meeting to order at 7:47 AM via Remote Zoom.us meeting.

**APPROVE MINUTES OF CABLE BOARD MEETING HELD April 22, 2020.**

Motion by Delaney, seconded by Henry to approve the minutes of the Cable Board Meeting on April 22, 2020, as presented.

Roll Call Vote:

Fenberg	Aye
Abraham	Aye
Shand	Aye
Delaney	Aye
Gugni	Aye
Henry	Aye
Eick	Aye
McLain	Aye

Absent: Burry and Mydloski  
 Motion Passed. (8-0).

**PUBLIC COMMENTS**

There were no public comments at this time.

**PEG GRANT REQUEST – FRANKLIN HISTORICAL SOCIETY**

In Mydloski's absence, White introduced this PEG Grant Request from the Franklin Historical Society to help with the cost of the internet for their museum for the upcoming Fiscal Year. The Cable Board has helped the Society for many years and the amount would be \$1,234.80. White added that there was money in the budget for this.

Motion by Delaney, seconded by Gugni to approve a PEG Grant request in the amount not to exceed \$1,234.80 to the Franklin Historical Society for the cost of the internet service at the Franklin Historical Museum for FY 2020-2021.

Roll Call Vote:

Abraham	Aye
Shand	Aye
Delaney	Aye
Gugni	Aye

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Henry	Aye
Eick	Aye
Fenberg	Aye
McLain	Aye

Absent: Burry and Mydloski  
 Motion Passed. (8-0).

**APPROVAL OF CONTRACT FOR CLOSED CAPTIONING**

White explained that Birmingham had advised her that under the Governor’s Executive Order virtual meetings were required to add Closed Captioning so as to provide access for those with hearing disabilities. Birmingham has a contract with Clearview Captioning & Interpreting and last month the Cable Board piggybacked on their account; however, BACB needed its own account which would be on an “as needed” basis. She and McLain signed a contract with Clearview (a copy of which was provided in the Board’s packet), which was subject to the ratification of the Cable Board. Rates were based on when the meeting was held and BACB would be charged \$120/hour. (Meetings held in the evening were more expensive.)

Motion by Fenberg, seconded by Gugni to approve the contract with Clearview Captioning & Interpreting, as presented.

Abraham questioned why Google Transcribe couldn’t be used? The process is automated and through the computer.

Currier did not have an update on the Governor’s Order of meetings which would last through June 30. The Stay-at-Home Order expires on May 28 and she (the Governor) might be issuing another Order. McLain suggested Abraham continue his investigating on Google Transcribe and share any information he comes across. She also pointed out that although Google Transcribe was very accurate and quick, there might be an issue of interruptions occurring. Because the BACB would not be in control of the transmission of a meeting and thereby not accountable to the public, Google Transcribe might not be completely compliant with the four communities.

Henry acknowledged this was not a long term situation. Therefore, he thought it prudent to approve the contract and be cognizant of other available technology.

**Roll Call Vote**

Shand	Aye
Delaney	Aye
Gugni	Aye
Henry	Aye
Eick	Aye
Fenberg	Aye
McLain	Aye
Abraham	Aye

Absent: Burry and Mydloski

Motion Passed. (8-0).

### **APPROVAL OF ADDITIONAL BUDGET AMENDMENTS FOR FY 2019-20**

White explained these were minor year-end wrap up amendments which she included in her memo, “Second Request to Approve Amendments to BACB FY 2019-2020 Budget:

1. Increase budgeted amount for bank service fees from \$60.00 to \$150.00 to cover BACB through the end of the year.
2. Increase the budgeted amount for truck expenses from \$10,000.00 to \$10,500.00. This reflects the amounts authorized and paid for truck equipment in the current year.

A draft Budget would be given to the Board members at the next meeting for the upcoming Fiscal Year, July 1, 2020 - June 30, 2021.

Motion by Delaney, seconded by Henry that the Birmingham Area Cable Board does hereby authorize the following amendments to the FY 2019-2020 BACB Budget:

Bank Service Fees increase from \$60.00 to \$150.00.

Truck Expenses increase from \$10,000.00 to \$10,500.00.

#### Roll Call Vote

Delaney	Aye
Gugni	Aye
Henry	Aye
Eick	Aye
Fenberg	Aye
McLain	Aye
Abraham	Aye
Shand	Aye

Absent: Burry, Mydloski

Motion Passed. (8-0).

### **COMMITTEE REPORTS**

#### **Cable Action Committee**

Abraham reported that the committee did not have a meeting last month, as there was nothing to discuss. The next meeting is scheduled for June 4 at 4:30 PM. He was not sure if or where it would be held; however, he would notify everyone about any further information.

White would be in favor of possibly having a Zoom meeting which could include the public and answer any questions about the Budget before the regular BACB meeting. McLain verified with Currier that regular Zoom meeting rules would apply to the CAC meeting and would still require a quorum of the people in the” room”, not everyone on the Board.

Abraham and White would put together an agenda.

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Delaney was confused about the proposed Budget. McLain explained the process begins with a CAC sub-committee meeting, then the regular CAC meeting on June 4 and then the regular Cable Board meeting at which the proposed Budget will be approved by the Board as a whole. White confirmed she would send everyone the proposed Budget before the June 4 CAC meeting. McLain added that in preparation for the CAC meeting, White will work on and review the proposed Budget with Fenberg, the Treasurer, before she releases it.

### **PEG Committee**

In Mydloski's absence, White stated there had not been a PEG meeting after last month's BACB meeting; however, there will be one at the conclusion of this regular BACB meeting. McLain invited all who could stay for the PEG meeting as Dwight Levens, representative from the Birmingham Public Schools, would be joining them. She explained the purpose of Levens' attendance: request for a grant for technical upgrades in the studio at Groves which BACB had funded a couple of years ago.

### **Personnel Committee**

Gugni thanked everyone for submitting the evaluation forms. Next week he would be sending out a memo scheduling a Personnel Committee meeting. The Personnel Committee members are Eick, Mydloski and Gugni. McLain explained the first part of the meeting is open and then closed to review with White. The first portion would be on Zoom, conducted in the same manner as this one and then Brunk would put the meeting into a separate "room" for a closed session of evaluation.

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

White referred to her monthly report dated May 12, 2020. There had been one (1) complaint since her last report and a couple of others which were pending and she would report on them next month. The one (1) complaint was from an elderly woman who was having problems with her landline. This was especially problematic in that she relies on her "Life Alert" connection and she had no phone service. Both she and her daughter tried calling WOW and after several difficulties contacting a representative, she requested help from BACB. The complaint was resolved on May 7, 2020 after WOW confirmed that her issues were due to a power outage. This complaint was closed.

### **FINANCIAL**

Financial information for MBS, BBCU and Beverly Hills accounts as of April 30, 2020 was emailed to all Board members.

Since the last Board meeting White has written four (4) checks on behalf of the BACB, the largest being for the quarterly contract payment (April-June) to Bloomfield Township. The remaining checks were smaller payments: Worker's Comp Insurance, Annual Post Office Box fee and BCTV internet cost for three (3) months which BACB typically covers.

### **ADDITIONAL NOTES:**

Comcast has increased the speeds of its Internet Essentials home internet service. New households would be eligible for 60 days free service. Service for low income households was \$9.95 per month for home internet.

Comcast has deferred its May 2, 2020 plan to move Cartoon Network to the Digital Preferred or Preferred package. In addition, WE TV and WGN America have been added to the Entertainment Package.

During the COVID-19 National Emergency period, Comcast will continue to ensure its communications facilities and services are operating and maintained. This will include doing all the customer service type of operations which they would normally do to prevent loss of service or to restore service.

There is an excellent explanation of what 5-G is about on the website known as [www.governing.com](http://www.governing.com). Rollout will begin in 2020 and will give subscribers an exponential increase in speed. White explained other new technologies it would have. 5-G is not without complications and controversies, i.e., range of 5-G towers, security concerns and limits for rural broadband which she expounded upon. Currier complimented White on her summary and agreed with her understanding of the issues. He added that some Birmingham and Beverly Hills community members have voiced objections to 5-G for health reasons and requested that municipalities issue a moratorium on 5-G. However, the FCC stated they cannot, pursuant to the rule making authority given them by Congress. These rules are the equivalent of statutes. Currier gave more details concerning this issue and further added that this was evolving. Delaney commented that to him it sounded like there was going to be a lot of litigation regarding these issues. He inquired about Currier's involvement and on whose behalf would he be representing: the Cable Board or individual communities? Currier responded by saying the litigation was in the federal courts in the northwest of the country challenging the FCC rulings of the surrendering of the rights of way and health issues involved.

Responding to Delaney, Currier gave details about how intrusive the poles would be in specific communities such as Birmingham and Franklin.

Comcast has adopted and extended some COVID-19 response policies until June 30, 2020: no disconnects, waving late fees if the customer contacts Comcast first about payment difficulties, giving free Xfinity Wi-Fi (including non-Xfinity subscribers), allowing unlimited data at no extra charge and free Internet Essentials service to new customers through June 30, which might be extended.

McLain commented that there were some poles in downtown Detroit already and gave details. She thanked Currier for being observant.

### **PROVIDER RELATED TOPICS**

The only provider representative who had contacted her was Kyle Mazurek from Comcast and she had included his news in her Report. She had not heard from any other providers.

#### **a. Comcast**

There was no representative present.

#### **b. AT&T/Uverse/Direct TV**

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There was no representative present.

**c. WOW**

There was no representative present.

McLain inquired if White had had any problems connecting with the different representatives concerning the two (2) complaints she had received. She replied that both involved Comcast and they were being addressed.

**BAPA/BAMA REPORT**

Rota reporting from the Bloomfield's Township control room, referred to his May 14, 2020 report and stated that all the regularly scheduled municipal meetings were covered. He thanked Eric Brunk and his team and the City of Birmingham for being in charge of covering the City Commission meeting, Planning Board Meeting, Zoning Board meeting and Multi-Modal Board meeting. He explained the process he goes through in order to play the meetings back on the TV channel. He further mentioned that he recorded the Village of Beverly Hills meeting, the Cable Board meeting, the Franklin Village Council meeting and the Bingham Farms meeting through Zoom from his home since they are not live. Because they were not live broadcasts he detailed the process he goes through to put them on the channel and website.

For the **BAPA** Programs, the producers have used Zoom to complete 23 programs, all of which he listed. From the BACB area organizations there were no recordings on location due to the pandemic and social distancing. He has been working with the Baldwin Library and the Birmingham Historical Museum to possibly do some shows through Zoom. He confirmed that the Celebrate Birmingham parade had been cancelled. The Memorial Day service at Shain Park has not been cancelled and the city has decided to shoot it through Facebook Live at 11 AM. The Beverly Hills parade has been cancelled so he will re-broadcast last year's parade. The band which usually performs at the parade is recording a concert for him which he will also put on the channel.

He has been updating the website for "video on demand" so residents could watch programs.

McLain thanked Rota for all he has done in the last eight weeks. The logistics of getting the programs out to the public have been complex and the BACB appreciates what he and BCTV have done. Even though their work is never taken for granted it has become more obvious what he and everyone have done to still communicate with the public in real time.

**OLD BUSINESS**

None

**NEW BUSINESS**

McLain stated she had received notification from the National NATOA that this year's conference had been cancelled. However, there were a lot of things which were of great concern happening with the FCC that affects everyone in PEG. NATOA may have a video conference to address these things as they might affect its revenue stream all over the United States. She is on the Board of the Michigan NATOA chapter and the current President, Deb Guthrie, was going to

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continue as such, and is also running for Clerk in Meridian Township. Guthrie will be chairing a Zoom meeting to update the Michigan Board and McLain will share any information at the next BACB meeting.

**PUBLIC COMMENTS**

There were none.

**BOARD COMMENTS**

Delaney had several concerns, one being his dislike for remote meetings. He said that last night he had received the email request from the Birmingham Schools for a grant. Because of the current tough times he had several concerns about the economic situation of the residents and businesses, the starting of schools in the fall and the getting back to public meetings. One of his concerns about this school request was timing. There had been a millage request in November for the school system and in March there had been a bond proposal. Now this \$85,000 PEG grant request comes from the schools. As background information he stated that not long ago BACB approved a grant request from the Birmingham Public Schools and soon after the schools asked for another grant for a large sum of money. He felt that BACB needed input from the four (4) communities to see what their needs might be in the future and to explore how much money BACB would need to fulfill those future requests. With litigation pending which might require money, how far could the PEG money stretch? He felt that the request from the Birmingham Schools should be postponed until public sessions were allowed and he would like some of his questions answered, all of which he finds difficult to accomplish in a remote meeting.

McLain remembered the complicated discussion about the two (2) large grant requests Delaney referred to; however, she thought one was for the library and the other for the schools. This current grant request has been discussed and commented upon in PEG committee meetings for many months. The Committee had even reviewed the PEG grant policy, especially how to share funds amongst the stakeholders. There is a process the PEG committee goes through to assess the request; however, it does not approve the grants. She reminded Board members that the PEG funds are restricted and can only be used for capital improvements. She added that one of the primary missions of BACB was to continue the revenue stream to the communities and the FCC Order might have some impact on that mission. She stated that the PEG meeting which will follow this meeting will include Dwight Levens who is the Communications Director for the Birmingham Public Schools; however, no decision would be made at the meeting. A PEG meeting was meant to be investigatory only. At McLain's request Currier added an explanation of the Governor's Executive Board Order 2025 regarding school requirements and the plan to establish a State School Advisory Board. McLain posed possible questions which she would like addressed in the committee meeting with Levens.

Delaney questioned if this was the appropriate time to consider and fulfill this specific request given the uncertainty of when the schools might be able to open? This was one of McLain's questions.

There being no further business, the meeting was adjourned at 8:49 AM.