

BIRMINGHAM AREA CABLE BOARD MEETING

Wednesday, January 16, 2019 at 7:45 am

***Village of Beverly Hills

Council Chambers***

18500 West 13 Mile Road

1. Roll Call
2. Approve Meeting Minutes For Cable Board Meeting of December 19, 2018-M
3. Public Comments
4. Request to Approve Payment of Administrative Grants for FY 2017-18-M
5. Request to Approve Revised BCTV Policies and Procedures-M
6. Committee Reports
 - a. Cable Action Committee
 - b. PEG Committee
7. Executive Director's Report
8. Provider Related Topics
 - a. Comcast
 - b. AT&T
 - c. WOW
9. BAPA/BAMA Report
10. Old Business
11. New Business
12. Public Comments
13. Board Comments
14. Adjourn

PEG Committee meeting immediately following BACB meeting

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – December 19, 2018

Present: Abraham, Eick, Fenberg, McLain - Birmingham
 Bayer, Bresnahan, Gugni – Beverly Hills
 Ettenson – Bingham Farms

Absent: Borgon – Beverly Hills (arrived at 8:16 AM)
 Shand – Birmingham
 Stakhiv - Franklin

Also Present: White – BACB Executive Director
 Currier – Attorney for Cable Board
 Rota – Bloomfield Community Television

McLain called the meeting to order at 7:45 AM in the Village of Beverly Hills Municipal Building at 18500 W. Thirteen Mile Road.

APPROVE MINUTES OF CABLE BOARD MEETING HELD November 14, 2018.

Motion by Ettenson, seconded by Eick to approve the minutes of the Regular Cable Board Meeting on November 14, 2018 as presented.

White inquired if any board member remembered who moved and who seconded the motion to amend last month's agenda. With no one responding, McLain will listen to the tape.

On page 4, McLain highlighted the new Cable Board web address: BACB.org, which would be linked up to the new website.

Motion Passed (8 -0).

PUBLIC COMMENTS

None

MULTI-BANK SECURITIES (MBS) PRESENTATION

Charles Kipp, Senior Vice President, Multi-Bank Securities, Inc. gave a brief overview and a "Heads Up". The paperwork for the new Treasurer, Michael Fenberg, has been completed. He assured the Board members that the Cable Board's investments with MBS were FDIC-insured and they need not worry about what has been happening in the equity market in the last 45-50 days. He advised the Board that interest rates might be changing and explained how it would affect the BACB's investments and how the Board could be and should be most fiscally responsible. The change in the Cable Board's investments would depend upon the Cable Board's necessity for cash and for projects.

McLain requested that Kipp send an email to the Board, via White, with his analysis of the market trend(s). In the Cable Action Committee meeting there will probably be a discussion about the revenue stream and strategic planning. She noted that she would visit each community in January or February explaining how the Cable Board very carefully analyzes everything. Fenberg explained that the Cable Board was well positioned to be able to accommodate any cash requirements or uses for the monies.

AUDIT PRESENTATION FOR FISCAL YEAR 2017-18

Spencer Tawa, CPA Engagement Manager, Plante Moran, PLLC presented a draft copy of the Financial Report with Supplemental Information, June 30, 2018 to each Board Member. He conducted a power point presentation, “Birmingham Area Cable Board Audit Presentation – December 19, 2018”, which summarized everything for the Board. He gave an overview of each page including, General Fund Balance Sheet/Statement of Net Position, Statement of Changes in Fiduciary Net Position (Income Statement), Revenue Trend, Expenditure Trend, and Communication with Those Charged with Governance. On page 4, he pointed out and clarified the categories under **Equity**, Fund Balance: Restricted (PEG Fees) and Committed (Franchise Fees).

Last year two (2) items were identified as deficiencies; one related to the journal entry they had identified and the other one related to controlled wire transfers. This year all the support for the journal entries was supplied but the internal control related to wire transfers and the ACH approvals were still on-going with the Credit Union. The Board has a policy requiring two (2) signatures for any disbursement over a certain amount. However, there remained the issue with the Credit Union of a single person being able to initiate and release wire disbursement. He recommended that after White initiates a wire transfer the Credit Union would then contact the Treasurer to confirm and track that transaction. This would be a “preventative” control as opposed to an “after the fact” control which the Board had previously practiced.

Tawa ended his report by saying this was a very clean audit of the current year.

With Tawa’s permission this Audit Presentation will be posted on the Cable Board website. Based on her many years of working with non-profit organizations, Bayer complimented the Board on the great job it was doing.

Fenberg and White thanked Tawa for his professionalism and stated it was a pleasure working with Plante Moran.

McLain stated that the Cable Board is a volunteer board and has a tremendous responsibility as a municipal arm for the four (4) communities. Because it is an appointed board and not an elected board, the standards are higher and it takes the assets very seriously. This is a professional organization.

COMMITTEE REPORTS**Cable Action Committee**

Regarding the website, the launch is set for January 1, 2019; the address will be the same and there would be a link, BACB.org. In January White and McLain would be working with Muniweb to set up some training sessions on how to maintain the new website. Fenberg and anyone else might wish to be involved with this. The next Cable Action Committee meeting will be Thursday, January 10, not the 3rd, at 4:30 PM in the Baldwin Public Library.

(Borgon arrived at 8:16 AM)

McLain listed several significant items on the agenda relating to the new website which would be discussed, i.e., social media presence and some security issues, such as “ghosting”.

PEG Committee

Borgon stated there was one thing on this morning’s agenda which will be finalized and presented to the full Board in January: adoption of the BCTV Policies and Procedures.

Rota updated the Board that the Library equipment has been ordered and will arrive in January for installation in late January.

Ettenson reported that in past years the Village of Bingham Farms meetings had not been televised. Due to new Council members’ interest and the new Executive Director, this may be changing, as he has been advocating for many years. He has requested that Rota come to the January Council meeting to talk about and demonstrate the advantages of televised meetings and possibly have a Council “straw vote”. Hopefully, this item would be put on its agenda in February, March or April. Rota noted that about 8-9 years ago there had been a site survey of the meeting room. The situation and arrangement would be similar to that of Franklin. McLain explained the entire process of involving the PEG Committee, resulting in its recommendation. Fenberg suggested that before its January meeting Council members have a field trip to Franklin to look at the facilities. McLain explained that with Bingham Farms being one of the four (4) communities with which BACB partners, funding would be provided through a PEG Grant.

EXECUTIVE DIRECTOR’S REPORT

White referred to her monthly report dated December 13, 2018. There were two (2) new complaints since the November meeting. The first (1st) complaint came from a Board member who lost all of her Comcast service (cable, internet and phone). It was restored and her account has been credited. This complaint is closed. The second (2nd) complaint was submitted by a Bingham Farms resident regarding an AT&T line that was dangling close to the ground. She has submitted the complaint to AT&T and is waiting for a response. This complaint is pending.

The account balances for the MBS, BBCU and Beverly Hills accounts as of November 30, 2018 were provided to the Board. The Beverly Hills balance is significant due to receiving a lot of end-of-the year revenues, which is typical for November and December. She will be requesting a transfer of funds from Beverly Hills to the Credit Union which will be needed in January for the payments of the Administrative Grants.

Since the last meeting White has written three (3) checks on behalf of the BACB, two were for significant PEG Grants for the Baldwin Public Library and Birmingham Public Schools (both for equipment upgrades) and a Municipal Support Services Grant to the Village of Franklin.

Additional Notes

Fortune Magazine reported in its November 15, 2018 issue that after a decade of rapid increases, the average cable TV bill had barely budged this year. The magazine credited this to the growing “cord cutting” of pay TV altogether and the cutting of the number of channels by the “cord shavers” (mostly millennials who never received pay TV).

Michigan NATOA, along with several communities and entities, has filed comments with the FCC opposing the FCC's proposed rules that would reduce cable franchise fee revenues for local governments and which would negatively impact other cable franchise obligations, in particular PEG channels. Michigan Municipal League, Michigan Township Association, PROTEC, Meridian Township and Bloomfield Hills have joined the effort.

The Wall Street Journal reported on November 19, 2018 that this past quarter was one of the greatest seasonal drops in consumers cancelling their cable TV or satellite subscriptions. The Cable Board will have to wait and see what effect it will have on its revenues. In order to compensate for the losses, some cable companies are making arrangements with the streaming services for their subscribers. Unfortunately, profit margins for this service (skinny bundles) are in the negative.

TV Technology reported that a new study has revealed that consumers recommend online pay TV rather than traditional pay TV services. This is a challenge for the pay TV providers.

Comcast has notified BACB that there will be price increases beginning January 1, 2019 for certain services and fees, including the Broadcast TV Fee and the Regional Sports Fee. White distributed a chart showing the changes to the Board.

Comcast also notified the Board that it will be offering some new Xfinity channels which she outlined in her written report. The Board has also been notified that, as of December 31, 2018, Comcast's programming agreement with Fuse will expire. Comcast will be notifying customers of this and changes with other content providers in the bills and annual notices. White provided the website and toll free number for customers to reference programming contracts.

Ettenson inquired if the new services, scheduling and pricing applies to the business subscribers in Bingham Farms. White was unsure but would find out for him.

McLain highlighted two things: 1. She opined that the first complaint was from a Franklin subscriber who has had endless issues. She considered this as a recidivist complaint. Mazurek, Comcast representative and who frequently attends BACB meetings, is well aware of the problems. 2. She advised all subscribers to review their contracts with the cable providers before January 1, 2019. Residents should know what they currently have and what will be changing as of January 1, 2019.

PROVIDER RELATED TOPICS

a. Comcast

There was no representative present; however, White had some communication from Mazurek, Comcast representative. Comcast is going to launch Amazon Prime video on its Xfinity X1 platform which is consistent with her report about trying to link itself with the streaming service.

b. AT&T/Uverse/Direct TV

There was no representative present; however, McLain was aware that some AT&T products would also be linking with a streaming service but she did not have specifics.

c. WOW

There was no representative present and McLain was not aware that WOW was looking at this as part of its business plan.

BAPA/BAMA REPORT

Rota referred to his memo to BACB dated December 13, 2018. He listed the completed **BAMA** Programs which were nine (9) regularly scheduled municipal meetings, the BACB meeting, the Parks and Rec Board meeting, the Zoning Board meeting and two (2) Baldwin Public Library meetings.

For the **BAPA** Programs, from the BACB area individual producers and organizations, thirty (30) programs were taped, all of which he listed.

PRODUCER WORKSHOPS and/or CAMERA WORKSHOPS- BCTV is offering a one-on-one session for those who are interested in producing their own show and for those who want experience behind the scenes. Please call 248-433-7790 and BCTV will schedule a date and time for you. Rota encouraged those on the Board who have not toured the facility to make arrangements to visit the facility.

The **UPCOMING SPORTS EVENTS** coverage will be two (2) in January and two (2) in February: Boys Swim and Dive, Boys and Girls Hockey and Girls Basketball. This will complete the Winter Sports Schedule.

He wished the Board a Happy Holiday Season and Happy New Year. It has been a pleasure to work with the Board the entire year.

At McLain's request, Rota explained what the Programing Committee is, its purpose, how to schedule meetings and what he would recommend to those members of the public who might want to produce a program: Go to www.bloomfieldtwp.org , Government, Services, Cable, Forms, Fill out form, "Program Development Proposal Form", submit it to BCTV. Someone will contact the resident to schedule a meeting with you and the Committee to discuss your proposed show idea and offer suggestions. After an agreement about the program is reached, the program is submitted to him and he distributes it to the full time staff members, one of whom will direct the show. The Director will contact the new Producer to set up a meeting to discuss pertinent and specific details which he further listed, up to and including when the show would air on the channel. McLain confirmed there were policies and procedures which needed to be agreed upon and signed in order to move forward. Said documents were the same for all those who wish to produce a show. Rota explained that all the information, including the Policies and Procedures, can be found on the website.

Rota has spoken with Stream Dynamics which is responsible for streaming the content BCTV provides, whether it is government or public programing, and Muniweb about providing a button on the new website which when clicked would access live BAMA/BAPA programs.

OLD BUSINESS

McLain attended the Holiday event at NEXT which was a lovely event. She encouraged the public to check out NEXT's website for all its winter activities.

NEW BUSINESS

Rosemary Bayer, the newly elected State Senator of District 12, regretfully stated she would not be allowed to stay on the Cable Board. She thanked everyone in the community for their support in the election and to everyone on the Cable Board and those in Beverly Hills. Serving on the Board has been a great opportunity and allowed her to give some of her technical expertise and service to the community and to learn a lot about cable and its impact on/in the community.

McLain extended the Board's thank you to her for outstanding work ethic and her immeasurable help with the new website. Her sense of humor and creativity has been essential.

PUBLIC COMMENTS

None

BOARD COMMENTS

None

There being no further business, the meeting was adjourned at 8:45 AM.

Bloomfield Community Television

ACCESS POLICIES & PROCEDURES



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Phone: 248.433.7790
Fax: 248.642.7624

www.bloomfieldtwp.org/cable

Adopted May 2002
Revised February 2003
Revised March 2008
Revised May 2010
Revised March 2011
Revised June 2012
Revised May 2016
Revised May 2018
Revised August 2018
Revised January 2019

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1.0 Overview

1.1 Introduction

Bloomfield Community Television (BCTV) was established by the Charter Township of Bloomfield in 1983 to provide its residents and others active in community life access to local television. BCTV provides programming to Bloomfield Township and Bloomfield Hills according to its original franchise obligation, and to Birmingham, Beverly Hills, Franklin and Bingham Farms by contract with the Birmingham Area Cable Board (BACB).

1.2 Mission

The mission of BCTV is to facilitate the production and cablecast of television programs which reflect the interests and activities of the community and inform and enrich the lives of the people in our viewing area.

1.3 Definitions and Acronyms

- BCTV: Bloomfield Community Television,
- BACB: Birmingham Area Cable Board,
- BAMA: Birmingham Area Municipal Access,
- BAPA: Birmingham Area Public Access
- PEG: Public, Educational and Government Access Television,
- PDC: Program Development Committee,
- FCC: Federal Communications Commission,
- CAB: Cable Advisory Board,
- CG: Character Generator,
- Series: more than one program under one project
- VOD: Video on Demand

1.4 Cable Providers

- Comcast (offered as Xfinity)
- AT&T (offered as Uverse)
- Wide Open West (WOW)

2.0 Administration

2.1 Channel Operation

Programs produced by BCTV may be seen on Comcast Channel 15 and AT&T U-verse Channel 99 in Bloomfield Township and Bloomfield Hills and Comcast Channels 18 and 15, WOW Channels 18 and 10, and AT&T U-verse Channel 99 in Birmingham, Beverly Hills, Bingham Farms and Franklin. The BACB's Birmingham Area Municipal Access (BAMA) airs on Comcast channel 15 and WOW channel 10. The BACB's Birmingham Area Public Access (BAPA) airs on Comcast channel 18

and WOW channel 18 All municipal and public access shows air on AT&T Channel 99.

2.2 Financial Support

BCTV's operations are funded by franchise fees and public benefit monies paid by the cable operator under terms specified in Bloomfield Township's Cable Franchises and Bloomfield Township's Code of Ordinances, Chapter 34, Article II.

2.3 Bloomfield Township Board of Trustees

Bloomfield Township's Board of Trustees grants to residents of Bloomfield Township and Bloomfield Hills the privilege of using the Township channel for programs that benefit the community. The Board charges the BCTV staff, the Program Development Committee and the Cable Access Board the authority to implement appropriate programming.

2.4 Cable Access Board

The Cable Access Board (CAB) is an advisory commission consisting of members acting under the jurisdiction of the Bloomfield Township Board of Trustees and the City of Bloomfield Hills. Its function is to manage, allocate and review the use of the public benefit resources provided by the cable operator and to recommend to the Township and the City appropriate regulatory actions that may improve the public benefits potential of the cable system. It meets as necessary throughout the year. The BACB appoints a representative to attend all meetings of the CAB.

2.5 Program Development Committee

The Program Development Committee (PDC) is an advisory committee consisting of residents of Bloomfield Township, Bloomfield Hills and a designee of the BACB. Its function is to review all program proposals for BCTV and the BACB with regard to their eligibility, the soundness of their concept, the practicality of their format and their demands on the resources of BCTV. It is the PDC's responsibility to work with each potential producer to develop programs of the highest technical and conceptual standards using the available resources.

2.6 Birmingham Area Cable Board

In January 2001, BCTV entered into a contractual agreement with the Birmingham Area Cable Board (BACB) to provide public and municipal and library access programming. BCTV is responsible for the day-to-day operations of this programming; all policies governing the two BACB channels are determined by the BACB.

2.7. Bloomfield Community Television (BCTV) Staff

BCTV staff members are employees of Bloomfield Township and work under the conditions set forth in the Bloomfield Township Employee Handbook. They carry out the production needs of BCTV and the duties agreed to in the contract between BCTV and the BACB.

3.0 Channel Identity and Content

3.1 BCTV: Community Access

Bloomfield Township's Channel BCTV is a government access channel governed by the Township's Board of Trustees. The Board of Trustees invites people active in community life to produce television shows that provide useful, enriching and entertaining information and programming to residents of Bloomfield Township and surrounding communities. The Trustees grant the Cable Access Board (CAB) authority to allocate resources and the Program Development Committee (PDC) the authority to set standards for programs.

3.2 BAMA: Municipal and Library Access

The BACB's Municipal and Library Television Channel (BAMA) is for the use of the communities represented by the Birmingham Area Cable Board. As per contract outlined in 2.6, public meetings, events and programs sponsored by the municipal governments and libraries are shown on this channel.

3.3 BAPA: Public Access

The BACB's Public Access Channel (BAPA) is a public access channel for Birmingham, Beverly Hills, Bingham Farms and Franklin. Residents of those communities may use the channel as a forum for free speech and express a diversity of viewpoints as outlined in the 1984 Federal Cable Act. The channel may also air the programs produced for the BCTV viewing community.

3.4 Program Placement

The channels BCTV and BAPA cablecast many of the same programs; therefore, a producer who is a resident of a community in one franchise area may, but is not entitled to, have his or her program also aired on the channel of the other communities. This dual privilege is granted for each channel by either the BACB or the CAB for their communities respectively.

3.5 Program Review

All shows are subject to review after three months and annually thereafter to confirm they adhere to BCTV and BACB standards and policies. Shows not in compliance are subject to cancellation.

4.0 Production Roles and Responsibilities

4.1 Staff

BCTV staff members are paid employees of Bloomfield Township and work under the conditions set forth in the Bloomfield Township Employee Handbook. They carry out the production needs of BCTV and the duties agreed to in the contract between BCTV and the BACB. They are responsible for all production aspects, including but not limited to:

- working cooperatively with producers, volunteers and community partners;
- providing all technical & production expertise for programming;
- training all community producers and volunteers;
- purchasing, maintaining and repairing equipment
- obtaining production crew;
- editing and post production;
- scheduling production in cooperation with producer;
- scheduling program broadcasts;
- operating channel playback.
- publicizing schedule of programs
- providing producer dubs

4.2 Producer

The producer is a community, municipal, library or public access user who creates, plans, writes, and makes necessary arrangements, appointments and reservations for a program. The producer must meet eligibility requirements, as set forth in section 6.0, and also must attend a Volunteer Workshop. There should be one producer per program, and that producer is the ultimate contact person/authority, on questions or concerns regarding the program. The producer is ultimately responsible for:

- All program content;
- Copyright approvals and FCC law;
- Creating and purchasing the set and having it approved by staff before booking production time;
- Scheduling pre-production meetings at times that are mutually convenient with BCTV staff;
- Scheduling the studio or other locations at times that are mutually convenient with BCTV staff;
- Making all arrangements for production locations, including confirming sufficient power and power outlets for equipment and determining audio needs;
- Contacting and scheduling all hosts and guests who appear on a program, and securing signed, accurate standard release forms;
- Confirming and submitting accurate CG information prior to a shoot;
- Requesting producer DUBs

It is the responsibility of the producer to contact BCTV staff to cancel a shoot. The producer must make all reasonable efforts to cancel 24 hours before a scheduled production.

A producer may schedule up to two tentative shoot dates per series at one time, which will be noted on the studio calendar. A tentative reservation will remain on the calendar for no longer than two weeks. After the two week time limit has ended the date must be confirmed by the producer. If it is not confirmed it will be removed from the calendar and the time slot freed up for other producers.

4.3 Endorser

An endorser is a person who meets the eligibility/residency requirements as set forth in Section 6.0, who chooses to preview, sign and sponsor a program for playback for residents and/or organizations outside the BCTV municipalities.

4.4 Community Access Volunteer

BCTV volunteers are required to attend a BCTV Volunteer Workshop prior to using BCTV equipment. Volunteers are not responsible for the programs on which they crew; volunteers are responsible for the following:

- Using the equipment in a professional manner, as to not damage or misuse the equipment in any way;
- Signing up or contacting BCTV staff to volunteer crew productions;
- Adhering to accepted policies & procedures and rules of conduct.

5.0 Program Development Process

Prospective producers must attend a Volunteer Workshop before submitting a Program Proposal. They must also read the Policies and Procedures and sign the form acknowledging they have done so. The Program Development Committee will meet as needed (when Program Proposals are submitted) to consider proposals. Once a proposal has been approved and assigned to a staff member, the producer must produce a show within six months. If a program does not begin production within six months, or if a show begins production but then ceases production activities for six months or more, a new Program Proposal must be submitted to the Program Development Committee and the prospective producer must go through the process again.

Before anyone can go on to produce a program he or she must work as a volunteer camera operator on three separate dates. In most cases a series will not begin to air until the producer has produced at least four shows.

Current producers who do not produce a new show for a period of six months or more must present a new Program Proposal to the Program Development Committee in order to resume production.

6.0 Eligibility/Residency Requirements

All producers and endorsers must meet one of the following eligibility requirements in order to use the resources of BCTV or the BACB. The person must be 18 years of age or older to be eligible to use access facilities, equipment and channels. Those persons under age 18 may qualify for certain community access services by having a parent or legal guardian accept full legal and financial responsibility for the actions of the minor by signing a waiver (see section 6.3 for complete policy regarding minors).

The communities for each channel are:

BCTV: Comcast Channel 15 and AT&T Channel 99 in Bloomfield Township and Bloomfield Hills

BAMA: Comcast Channel 15, WOW Channel 10 and AT&T Channel 99 in City of Birmingham, Village of Beverly Hills, Village of Franklin, and Village of Bingham Farms

BAPA: Comcast Channel 18, WOW Channel 18 and AT&T Channel 99 in City of Birmingham, Village of Beverly Hills, Village of Franklin, and Village of Bingham Farms.

6.1 Residency

Residency in one of the municipalities served by BCTV, which are Bloomfield Township and Bloomfield Hills, or the BACB, which are Birmingham, Beverly Hills, Bingham Farms and Franklin, as long as the BACB contract is in effect, must be proven by a driver's license and/or a current utility bill which clearly shows the name and address of the person requesting to produce a program. A copy of proof of residency document will be made at the time the program proposal is submitted and kept in the program file. The person providing the document may designate any information on it other than their name and address as information of a personal nature, the public disclosure of which will be considered to be a clearly unwarranted invasion of that individual's privacy.

6.2 Non-profit Organizations

A nonprofit 501(c) 3 organization serving Bloomfield Township, Bloomfield Hills, Birmingham, Beverly Hills, Franklin and/or Bingham Farms may produce a public or community access program. It must register its proof of nonprofit status with BCTV and shall designate one member of the organization to be responsible for all producer responsibilities. This producer is not required to meet the usual eligibility requirements as defined in section 6.1.

6.3 Bloomfield Township Policy for Bloomfield Community Television Regarding Minors Involved in Television Productions

Youth and teenagers between the ages of 12 and 17 are welcome at Bloomfield Community Television (BCTV) as production volunteers. For their safety, the following rules apply:

- A parent or guardian must attend the initial volunteer workshop with the prospective volunteer.
- Youth between the ages of 12 and 15, inclusive, must be accompanied and supervised at all times by a parent or legal guardian during all studio and on-location productions.

Occasionally, BCTV produces programs that involve children as on-air talent. For their safety, the following rules apply:

- A parent or guardian must sign a standard release form, giving BCTV permission to include the child in each program in which the child will appear.
- Children and youth up to age 15, inclusive, must be accompanied and supervised by a parent or guardian at all times.

7.0 Programming Definitions and Restrictions

BCTV program content regulations are pursuant to the Communications Act governed by the Federal Communications Commission (FCC).

7.1 Obscene Broadcasts Are Prohibited at All Times

Obscene speech is not protected by the First Amendment and cannot be broadcast at any time. To be obscene, material must meet a three-prong test:

- An average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest;
- The material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and
- The material, taken as a whole, must lack serious literary, artistic, political, or scientific value.

7.2 Indecent Broadcast Restrictions

The FCC has defined broadcast indecency as “language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community broadcast standards for the broadcast medium, sexual or excretory organs or activities.” Indecent programming contains patently offensive sexual or excretory references that do not rise to the level of obscenity. As such, the courts have held that indecent material is protected by the First Amendment and cannot be banned entirely.

It may, however, be restricted in order to avoid broadcast during times of the day when there a reasonable risk that children may be in the audience.

Consistent with a federal statute and federal court decisions interpreting the indecency statute, the Commission adopted a rule pursuant to which broadcasts -- both on television and radio -- that fit within the indecency definition and that are aired between 6:00 a.m. and 10:00 p.m. are subject to indecency enforcement action.

The Bloomfield Township Board of Trustees reserves the right not to air a program on BCTV between 10:00 PM – 6:00 AM based upon its expressed community broadcast standards concerning indecency.

7.3 Profane Broadcast Restrictions

The FCC has defined profanity as including language that “denote[s] certain of those personally reviling epithets naturally tending to provoke violent resentment or denoting language so grossly offensive to members of the public who actually hear it as to amount to a nuisance.”

Like indecency, profane speech is prohibited on broadcast radio and television between the hours of 6 a.m. to 10 p.m.

The Bloomfield Township Board of Trustees reserves the right to not air a program between 10:00 PM – 6:00 AM based upon its expressed community broadcast standards regarding profanity.

7.4 Slander

The speaking of false and malicious words concerning another whereby injury results to his or her reputation. Slander is prohibited at all times.

7.5 Libel

A false and unprivileged publication in print, writing, pictures or signs of defamatory material. Libel is prohibited at all times.

7.6 Defamation

The unprivileged publication of false statements which result in injury to another (injure reputation, diminish the esteem, respect, goodwill or confidence, or to excite adverse, derogatory or unpleasant feelings or opinions against another). Defamation is prohibited at all times.

7.7 Candidate and Political Programming

PEG Access Channels are not legally obligated to adhere to the FCC “equal opportunity” rule or the Fairness doctrine. These rules state that a channel that airs one candidate or controversial issue on its channel, that the opponent or opposing view must get equal opportunity to air time.

8.0 Underwriter and Sponsor Guidelines

8.1 Underwriting

Underwriting (the exchange of goods, service and/or money) is allowed only for the support/improvement of a production. (For example, a business may provide financial assistance, materials, equipment, location, artist fees, or other forms of in-kind support.) Underwriting is not allowed for the personal gain of the producer, crew or sponsor or for the payment of labor and time.

8.2 Recognition of Contributors

Contributors may be recognized in the programs credits under the following conditions:

- A listing of the type of product or service provided by the contributor;
- One credit cannot be longer than 10 seconds;
- The credit may be given once before and once after the program;
- The credit cannot be within the content of the program;
- An official slogan or jingle may be used as long as it is used elsewhere in their ordinary course of business. For example: "Flowers for the set were supplied by Flowers Forever, Inc...bringing joy through flowers to Oakland County."

BCTV and/or any contractual clients accept no liability for any disputes arising from underwriting contracts.

8.3 Prohibitions

The following is prohibited from any show produced for, with or by BCTV:

- Commercial (solicitation of goods and/or services) content in any access program;
- Advertising by or on behalf of a political candidate;
- Soliciting for money;
- Lottery information;
- "Call to action" statements (e.g., "call us at ..." or "ask about our new line of products...")
- Inducements to buy, sell, rent or lease;
- Specific pricing information;
- Use of 1-800 and 1-888 (and similar) telephone numbers;
- Use of websites with direct links to purchase.

9.0 Producers and Volunteers Workshop Curriculum

Everyone who wishes to become involved in access programming in any capacity must attend at least one workshop, and subsequent workshops, depending upon level of desired involvement. The Introductory workshop will be held at times mutually agreed upon by staff and prospective producer/volunteer. Other production workshops will be provided following the introductory workshop at BCTV staff discretion.

A person with prior experience in television production or with other television production qualifications may be able to bypass some of the production workshops at the discretion of the BCTV staff. A test will be administered to determine if the person qualifies to “test out” of the workshops.

Below is a summary of the course outline; each session and/or series may vary slightly depending upon class composition and BCTV staff.

9.1 Introduction to BCTV – Prereq: None

1 two-hour workshop

- Orientation to BCTV’s history, policies and procedures, and role in community;
- Basic camera operations

If a person is not interested in producing his or her own program but wants to actively volunteer, this one workshop will be sufficient preparation and he or she may continue to volunteer for production crews as a camera operator only. If the volunteer wishes to learn additional skills, he or she should sign up for additional workshops at a later time.

9.2 Production Van Volunteer Workshop – Prereq: Intro to BCTV

1 two-hour workshop

This workshop is for the person who wants to volunteer as a crew member on BCTV and BAPA productions. It will cover set-up and strike down of equipment as well as advanced camera operations.

9.3 Community Access Production 101 –Pre-requisite: Introduction to BCTV and crew on three productions.

2 two-hour workshops

This class is for the person who wants to work with BCTV staff to have a program produced at the BCTV studio. It will consist of two workshops. Upon completion, the potential producer will be able to schedule the pre-production of his or her own show. Topics addressed will be:

- Program Format
- Intro to Scriptwriting
- Importance of Sets/ Locations
- Underwriting Polices

At the discretion of staff this material may be covered during the program development process.

10.0 Access Policies

It is the responsibility of every producer and volunteer to know and understand all applicable policies and procedures. BCTV reserves the right to change, modify or alter policies and/or procedures at any time without notification.

For a full description of the roles and responsibilities of staff, producers and volunteers, and for eligibility requirements, please see Section 4.0 – 5.0 of this document.

BCTV resources may be used only for productions intended for cablecast on BCTV, BAMA and BAPA.

If a producer derives income from any program produced with BCTV equipment, vehicles, staff and/or facilities, he or she must notify the BCTV General Manager and share 20% of the gross income with Bloomfield Township.

BCTV and BACB assume no responsibility for the actions of any producer or volunteer and shall be indemnified and held harmless for any claims or damages resulting from a producer or volunteer's actions while working on a production.

Volunteer producers and crew may not represent themselves as an employee of, representative of, or a paid producer for the BACB or BCTV or any cable provider.

Producers must secure all releases for use of copyright music in any production submitted for playback. BCTV reserves the right to request an original signed release to keep on file. Programs with copyright music without written consent will not be broadcast on any channels under BCTV jurisdiction.

11.0 Rules of Conduct for Producers and Volunteers

1. The access user shall not engage in activities that violate federal, state or local laws and ordinances.
2. The access user is expected to be courteous and respectful to staff and other access users at all times.
3. No alcoholic beverages, marijuana or illegal drugs are allowed on any community, municipal or library access premises.

4. Anyone suspected to be under the influence of alcohol or illegal drugs will not be allowed on any community, municipal, or library access premises.
5. No smoking or vaping is allowed while working on any community, municipal or library access production.
6. No food or beverage is allowed in any studio, control room, edit suite, production vehicle or other places designated off-limits for these activities. An exception will be made for food or beverage used as part of the content of a program.
7. No producer, crew, talent or guest may use offices, storage areas, closets, office equipment, phones or supplies without permission from staff. Office equipment, phones and supplies are for business use only.

12.0 Dub and Playback Policy

12.1 Dub Policy

Anyone who would like to have a dub (duplicate tape/DVD) of a BCTV, BAMA or BAPA program must fill out and submit a dub request form.

Dub prices and media formats are detailed on the dub request form. Prices are based on format. Payment must be received before the dub is made; staff may make exceptions for regular producers. It may take up to five business days to process most dub requests. There is an additional charge for shipping and handling.

A producer may receive one dub of each of his (her) programs at no fee on DVD media format. As many programs as possible will be copied onto one DVD.

12.2 Playback Terms and Conditions

All persons submitting shows for playback on BCTV, BAPA and BAMA must fill out a Request for Program Playback and Statement of Compliance for each program. If the person submitting the show is not a resident of Bloomfield Township, Bloomfield Hills, Birmingham, Beverly Hills, Franklin or Bingham Farms, an Endorser is needed in order for the show to air. An Endorser must be a resident of BCTV participating municipalities; and must sponsor and sign the form (for all residents and/or organizations outside BCTV participating municipalities) in order for that program to air. Failure to do so will result in the program not airing. If the program is a series that will be submitted on a regular basis, then only one form needs to be submitted and renewed (resubmitted) on a quarterly basis.

BCTV staff reserves the right to refuse any tape or DVD that does not meet our standards of technical integrity, including but not limited to:

1. a minimum of 30 seconds of black video at the end of the program;
2. all tapes, DVDS and cases must be clearly labeled with the program name, producer and total running time.

12.3 BCTV Disclaimer

The station will carry the following disclaimer:

“Views and opinions expressed in this program do not necessarily reflect those of BCTV staff, the BACB and the municipalities BCTV represents. Therefore BCTV and the municipalities BCTV represents do not assume any liability for the programming content.”

12.4 Video Format

BCTV can only accept the following formats: Digital file and DVD. Only one program per DVD is permitted.

12.5 Playback Producer/Endorser Responsibility

It is the presenter’s responsibility to deliver their program to the studio and to pick it up when it is off the playback schedule. All DVDs not retrieved 30 (thirty) days after final scheduled playback may be discarded. It is the Producer/Presenter’s responsibility to follow BCTV’s program schedule to determine when to pick up the program. If the program is part of a series, and airs on a regular basis then it is the producer/presenter’s responsibility to follow the schedule and coordinate program deliveries and retrievals. Failure to provide regular programming in a series may result in loss of a regular time slot.

13.0 Program Scheduling Policies

13.1 BCTV

Scheduling is done at the discretion of BCTV staff. Shows will play for a one-week period, and in some cases longer. Staff will make every effort to air programs of a live community event, or programs of a timely nature, the week after the event takes place.

13.2 Playback Priority

BCTV accepts all programming for BAPA on a first-come, first-serve, non-discriminatory basis. BCTV does not pre-screen or censor programs submitted for playback. However, BCTV does reserve the right to refuse any program that does not meet standards of technical integrity. Programs submitted for BCTV, BAPA and BAMA will be scheduled for playback based on the following priority:

1. Programs produced in joint copyright with BCTV have first priority on BCTV’s playback schedule.
2. Second priority are programs produced by governmental entities, elected officials, or non profit organizations serving Bloomfield Township, Bloomfield Hills, or the communities represented by the BACB;
3. Programs produced elsewhere but submitted by residents of the above communities.

All programs submitted for playback must be accompanied by a completed Public Access Playback Request Form that will be reviewed quarterly to ensure fair and equitable playback; and to update program and residency information. Reasonable efforts will be made to provide a regular time slot, but this cannot be guaranteed.

13.3 BAMA

Scheduling is done by BCTV staff, following the wishes of the communities served by the BACB. Each municipality is given the same number (or as close as reasonably possible to the same number) of time slots, in total, for its public meetings. Each governmental unit will have its latest meeting play in its time slot until its subsequent meeting takes place.

Every effort is made to ensure that each program plays in a morning, an afternoon, and an evening slot each week, but this cannot be guaranteed. Programs of a live community event, or programs of a timely nature, will usually, but not always, depending on staff time commitments, play the week after the event takes place.

13.4 BAPA

The BAPA playback schedule is often, but does not have to be, the same as the BCTV schedule. It follows the same ranking of priorities, with the substitution of BACB area residents respectively instead of Bloomfield Township and Bloomfield Hills residents and governmental bodies.

13.5 Guaranteed Times

Each regular series produced at BCTV will be assigned presentation times at the discretion of BCTV. These times will be retained for that series as long as the producer continues to produce new shows. If no new shows are produced in a three-month period, these guaranteed times may be lost and the series will, in most cases, no longer be aired until four new shows are produced. At that time the series will once again receive two guaranteed time slots, although they will not necessarily be the same as the original guaranteed times. BCTV staff reserves the right to periodically review and re-assign guaranteed times.

13.6 Video on Demand

After a show airs on BCTV we will make every effort to put the show on the website. Once a show airs on BCTV it will remain on for a minimum of one week.

14.0 Community Bulletin Board

The following policies apply to BCTV, BAMA and BAPA Bulletin Boards.

- All submissions for the Bulletin Boards may be edited at the discretion of BCTV staff for space and for clarity.
- If the notice is intended to publicize a public or nonprofit event, it must be submitted at least two weeks before the event.

- Notices must not have any commercial content. They cannot be used for personal or corporate benefit.
- Notices cannot publicize a fundraising raffle or lottery.

You may email, fax or mail a Bulletin Board Request – contact numbers and addresses are listed below.



BLOOMFIELD COMMUNITY TELEVISION

4200 TELEGRAPH ROAD

PO BOX 489

BLOOMFIELD HILLS, MI 48303-0489

PHONE 248.433.7790

FAX 248.642.7624

EMAIL cable_dept@bloomfieldtwp.org

www.bloomfieldtwp.org

CONTACTS

General Manager: Greg Kowalski

Operations Manager: Steve Rota

Studio Coordinator: David Sommerfeld

Production Specialist: Greg Black

Office Manager: Jo Marengere

MEMORANDUM

DATE: January 11, 2019

TO: Board Members

FROM: Cathy White

Re: Monthly Report

CUSTOMER COMPLAINTS

We have received two (2) complaints since the date of my last report. Complaint No.2018-37 was received from a Birmingham resident who had questions about what the amount of his Comcast bill would be after the promotion period ended and had not been able to get through to a Comcast representative over the phone. A member of the escalation team has discussed this with him and he was given a promotion for the HD Tech fee which would decrease his bill by \$9.95 per month for 12 months. This complaint is now closed.

Complaint No. 2019-01 was filed on behalf of a Beverly Hills resident who had questions as to why her Comcast bill was increased by \$6 to \$7 this month. An escalation team representative explained to her that she was notified of the increase in her November bill and that her 2-year agreement specified that taxes, fees and equipment charges were subject to increase at any time. This complaint is now closed.

FINANCIAL

The account balance for the MBS, BBCU and Beverly Hills accounts as of December 31, 2018 will be e-mailed to all Board members. This information will also be provided via hard copies at the meeting, as well as budget to actual figures.

CHECK DISBURSEMENT

Since the date of our last meeting, I have written one (1) check as follows:

1. Birmingham Bloomfield Credit Union (Visa- Chamber of Commerce event): \$10.00

ADDITIONAL NOTES:

1. We have launched the new website and training on navigation, updating and adding content is scheduled for January 18, 2019.

2. Comcast has notified us that, effective January 5, 2019, Star India will cease offering the following linear television channels to Comcast and other video programming providers in the United States: Star Bharat, Star India Gold, Star India Plus and Vijay. As a result, these channels will be removed from the Comcast lineup.

3. Comcast has also notified us that MGM TV has terminated its contract with Comcast for distribution of MGM HD and Impact, effective February 1, 2019. Comcast will therefore be removing this programming from its line-up and on-demand library on January 31, 2019.



Bloomfield Community Television

Memorandum

Bloomfield Township

To: BACB

From: Steve Rota

Subject: Report December 20th, 2018 through January 16th, 2019

Date: January 9th, 2019

Cc: Greg Kowalski; Cathy White; Elaine McLain

BAMA Programs

During this time period we've completed Five regularly scheduled municipal meetings, the BACB meeting, Parks and Rec Board meeting, Zoning Board meeting, Advisory Parking Committee meeting and the Multi-Modal Board meeting.

BAPA Programs

From BACB area individual producers and organizations we've taped 21 programs. From individuals:

- ❖ Three *Managing Problems of Daily Living* hosted by Linda Sircus.
- ❖ Three *Making A Difference at TCH* hosted by Bill Seklar.
- ❖ Eleven *Michigan Entrepreneur* hosted by Tara Kachaturoff..

From BACB area organizations:

- ❖ Birmingham Bloomfield Chamber *Economic Forecast*.
- ❖ *Women Officials' Network* Lecture.
- ❖ BACB Sports *Girls Hockey*.
- ❖ *Plant Based Nutrition Support Group* Lecture.

PRODUCER WORKSHOP

We are offering a one on one session for those who are interested in producing their own show and to those who want experience behind the scenes. Please call 248-433-7790 and we can schedule a date and time with you.

UPCOMING SPORTS EVENTS

Boys Swim and Dive

Boys Hockey

Girls Basketball