

BIRMINGHAM AREA CABLE BOARD MEETING

Wednesday, September 21, 2016 at 7:45 am

***Birmingham Public Schools' Education & Administration Center

Evergreen Room***

31301 Evergreen Rd, Beverly Hills

1. Roll Call
2. Approve Meeting Minutes For Cable Board Meeting of August 17, 2016-M
3. Public Comments
4. Committee Reports
 - a. Cable Action Committee
 - b. PEG Committee
5. Executive Director's Report-M
6. Provider Related Topics
 - a. Comcast
 - b. AT&T
 - c. WOW
7. BAPA/BAMA Report
8. Old Business
9. New Business
10. Public Comments
11. Board Comments
12. Adjourn

PEG Committee meeting immediately following BACB meeting

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – August 17, 2016

Present: Heldt, McLain, Eick – Birmingham
 Borgon (alternate), Maly, Gugni, Verdi-Hus – Village of Beverly Hills
 Ettenson – Village of Bingham Farms
 Stakhiv – Village of Franklin

Absent: McAlear, Bozell - Birmingham

Also Present: White – Executive Director
 Currier – Attorney for Cable Board
 Marshall – Assistant Manager/Clerk, Village of Beverly Hills
 Rota and Black – Bloomfield Community Television

McLain called the meeting to order at 7:47 AM in the Birmingham Public Schools' Education & Administration Center, Evergreen Room, 31301 Evergreen Road, Beverly Hills, MI.

McLain welcomed the newest member of the Cable Board from Beverly Hills, Gil Gugni.

APPROVE MINUTES OF CABLE BOARD MEETING HELD July 20, 2016

Motion by Heldt, seconded by Stakhiv to approve the minutes of the Regular Cable Board Meeting on July 20, 2016, as presented.

Motion passed.

MUNICIPAL SUPPORT SERVICES GRANT REQUESTS (3) – BEVERLY HILLS

Postponed until later in the meeting.

PUBLIC COMMENTS

None

COMMITTEE REPORTS

Cable Action Committee

Verdi-Hus reported that there was no meeting in July since there was no carry-over from the previous Board Meeting. The next meeting is scheduled for Thursday, September 1, at 5:30 PM upstairs in the Baldwin Library. The meeting is open to the public.

PEG Committee

McAlear, Chairman, was not present and White did not have anything to report. McLain said that there would be a brief PEG meeting following the BACB meeting this morning. Rota stated that he had some information about equipment. Rota referred to an email he had sent to McAlear, McLain, and White regarding coverage of the fall sporting events by BCTV. There will be six (6) fall events: volleyball, football, soccer, water polo, swim and dive, and tennis. In the past the cost has been \$2,500 per event.

Motion by Heldt, seconded by Eick to approve payment to BCTV in an amount not to exceed \$15,000.00 for the filming of six (6) fall sporting events.

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – August 17, 2016

For Gugni’s benefit, the newest member of the BACB, McLain explained that BCTV, our contractor, records, edits, and rebroadcasts sporting events of the two (2) high schools. It is part of the Public Educational Governmental programming. Rota further explained that BCTV only covers those games (boys and girls) between Groves and Seaholm, depending on the season.

Roll Call Vote:

Motion passed (9-0)

MUNICIPAL SUPPORT SERVICES GRANT REQUESTS (3) – BEVERLY HILLS

Ellen Marshall, Assistant Manager/Clerk, Village of Beverly Hills, referring to her Memo, dated August 4, 2016, presented the Village’s annual requests for three (3) different grants: Internet service with WOW! for the Village Offices at the cost of \$93.75 per month totaling \$1,125.00 for FY2016/2017; Web streaming and hosting of the bi-monthly Beverly Hills Village Council meetings and monthly Birmingham Area Cable Board meetings at the cost \$205.42 per month totaling \$2,465.00 for FY2016/2017; Internet service with Comcast for the Beverly Hills Department of Public Safety at the cost of \$82.90 per month totaling \$994.80 for FY2016/2017.

McLain clarified with White that these monies come out of the Municipal Support Services Grant budget line item. White confirmed that the account has \$70,000 budgeted for such grants for FY2016/2017 and is available to other communities.

Noting that Beverly Hills contracts with both WOW! and Comcast, Ettenson wondered if it could “bundle” its services. Marshall explained that the Village Office has a “bundled” rate for everything. Regarding the Public Safety Department, in the past there had been a monetary penalty if a contract was broken before its expiration, but she would again contact the Public Safety Department to see if it would consider switching over to WOW!

McLain referred Marshall to the Comcast’s representative to the BACB, Kyle Mazurek.

Motion by Stakhiv, seconded by Maly to approve three (3) Municipal Support Services Grants in the total amount not to exceed \$ 4,584.80 for Internet services for the Village of Beverly Hills offices; Web streaming and hosting to the Village of Beverly Hills; and, Internet services for the Public Safety Department for FY2016/2017.

Roll Call Vote:

Motion Passed (9-0)

EXECUTIVE DIRECTOR’S REPORT

White referred to her report dated August 11, 2016. Since her last report she has received six (6) complaints. One was submitted by a Board member who had a problem with the placement of a DirecTV (AT&T) satellite dish on his roof and the servicing of it. The complaint is now closed. The second complaint came from the president of a condominium association in Birmingham and dealt with the burial of cables within a condominium property. Within this past year WOW! and Comcast have removed their cables on the building but AT&T had not, and DirecTV has installed some dishes without prior approval. This complaint is pending.

For the public's and Gugni's review, McLain gave a brief history of the Cable Board, its main purpose being to deal with cable complaints. Now with the merger of AT&T and DirecTV, a different product is being delivered through a satellite which does not run through the rights of way and is not governed by the Cable Board. The Cable Board does not receive franchise fees or PEG fees from those bills, and in fact, the BACB has no authority over what they do, cannot regulate, and cannot guide. However, out of courtesy, the BACB refer the complaints to the Board representatives. If this does not work and involves DirecTV, the customer might wish to go directly to the FCC for a resolution. McLain hopes the BACB can partner with AT&T to escalate

these issues as they are starting to expand in the market. At the moment it is not BACB's primary responsibility. If the public needs information about contacting the FCC, the BACB's Executive Director White can be of assistance.

A Franklin resident submitted a complaint claiming that Comcast had left some branches in his trees after they were trimmed. The Comcast escalation team explained to the resident that Comcast does not cut, trim, or remove trees or branches from customers' properties. This complaint is closed because neither Comcast nor DTE took responsibility for the trimming. Another closed complaint was submitted by the City of Birmingham regarding low hanging WOW! wires over some city streets. WOW! resolved the problem. A complaint was received through the website from a Birmingham resident who had been waiting since July 31, 2016 for Comcast to contact him concerning the installation of a new cable line for the cable box in his complex to his unit. The escalation team has been notified of this issue. This complaint is pending. The last complaint from a Birmingham resident is closed and involved the removal of a Comcast cable line from the outside of her condominium unit.

The account balances for the MBS, BBCU, and Beverly Hills accounts were provided to the Board, in addition to the Revenue and Expense Budget reports for FY2016/2017.

Since her last report, White has written four (4) checks on behalf of the BACB for the grants which were approved last month and one (1) for the MMRMA liability insurance. She explained that in past years MMRMA has rebated a large amount back to the BACB, noting the two (2) checks she recently received.

Additional Notes:

She spoke with Kyle Mazurek, Comcast representative, who informed her that Comcast customers can now pay their bills at over 7,700 7-Eleven stores nationwide. She gave the step-by-step directions, beginning with using the XFINITY My Account app on the customer's phone. She added there is a \$1.25 convenience fee per transaction. The payment would post within 48 business hours.

White updated the Board about the opening of five (5) new Comcast call centers nationwide, the addition of thousands of new employees, the redesign of 177 stores, and indicated that on-time arrivals for tech appointments was reaching 98.7 %. Borgon inquired about the locations of Comcast stores and providing what type of services. McLain suggested obtaining a list from Mazurek of the closest stores to our communities.

Comcast has announced plans to begin Xfinity Prepaid Services which is a “pay-as-you-go” program for TV or internet services for either seven (7) or thirty (30) days, with a one-time set – up fee for necessary equipment and a complimentary thirty (30) day trial period. There are no limitations as to how many times the service can be renewed. White elaborated on how it would work and who it would benefit. She questioned as to what would happen if it were not renewed in a timely manner and it lapsed. She would discuss this with Mazurek, as well as McLain’s concern for those residents who go on vacation for extended periods of time and Maly’s question about whether the rates were competitive, i.e., is the week rate 25% of the monthly rate?

Another item from Comcast: starting August 29, 2016, customer account numbers and monthly due dates will change because of a change in the billing vendors they use. These changes would have a minimal impact on the customers. Customer will need to update their Comcast account number if they make payments online or through their bank and would be receiving emails informing them of these changes. White had a sample of the communication which would be going to the customers. Ettenson requested that White report at the next BACB about how this is progressing.

White reported about an article in the press concerning WOW! planning to offer an ultra high-speed internet, up to 1 gigabit per second in Grosse Pointe Shores and four (4) other markets nationally. This coincides with what Mazurek (Comcast representative) informed us about at the last meeting of their offering ultra-speed internet. She listed the benefits of this faster broadband service. As for offering such a service to our communities, she received a response to her inquiry from Robert Dinardo, who stated that they are constantly evaluating communities to expand their network based on a number of factors, one being a demand from customers for such a service. She advised WOW! customers in the four (4) communities who are interested in such a service to write letters to WOW! and/or call WOW! encouraging them to expand. McLain even suggested the residents use the comment form on the BACB website and White would escalate it to WOW!

PROVIDER RELATED TOPICS

a. Comcast

There was no representative present.

Stakhiv has noticed that in the last two (2) weeks she and other residents were having some issues. She even had a problem with the Olympics and another program being superimposed on her DVR for 30 minutes. Her TV had been freezing up during the Olympics so she has had to reboot it at least four (4) times. This usually happens during the peak hours (8-11 PM). She has experienced a lot of pixelating. Residents have contacted her about their DVRs cutting off at the last minute at the end of a program. She figured out that the problem was not with the setting of the clock, as all were set correctly. She will write up these complaints and send to the Executive Director.

b. AT&T/Uverse/Direct TV

There was no representative present.

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – August 17, 2016

Maly has noticed a slowing of his internet service over the last couple of weeks. He is a new DirecTV/AT&T internet customer and was told he would have faster internet service. At the moment his is half that of what he had before he switched. He was hoping this was short term. If not, he, too, would be contacting the Executive Director.

Currier related that the communities should be receiving a letter seeking a renewal of the local AT&T franchise agreement. If any of the Clerks in the other three communities receive such a letter, they should contact Currier so that a consistent approach is taken in each community.

c. WOW

There was no representative present.

Borgon was having the same problems as Stakhiv: pixelating and freezing screens during the Olympics.

BAPA/BAMA REPORT

Steve Rota referred to his memo to BACB, dated August 4, 2016, and pointed out the six (6) completed **BAMA** Programs which were regularly scheduled municipal meetings, Board of Zoning Appeals meeting, Birmingham Advisory Board Meeting, Multi Modal Transportation Board Meeting, the BACB meeting, and the Baldwin Public Library Board Trustee meeting.

For the **BAPA** Programs, from the BACB area individual producers and organizations, twenty-two (22) programs were taped. He listed all the programs, including a new series, *Managing the Problems of Daily Living*.

Regarding the **PRODUCER WORKSHOP**, Rota reminded the Board that one-on-one sessions are offered for those who are interested in producing their own show and to those who want to learn how to run the equipment. This change in format seems to be working out better. Residents can contact BCTV at 248-433-7790 to schedule an appointment date and time. There is no fee for those living in one of the four communities. He extended an invitation to Gugni, as a new member of the Board, to come to the studio and take a tour of the facility. He also gave more details about the workshop.

OLD BUSINESS

None

NEW BUSINESS

None

PUBLIC COMMENTS

Currier had a Public Service Announcement from the City of Birmingham. West Maple Road will be open Friday, September 2, the Friday before Labor Day.

BOARD COMMENTS

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – August 17, 2016

White stated that the Cable Board meetings will continue to be held in the Evergreen Room in the Birmingham Public Schools' Education & Administration Center at 31301 Evergreen Road until the end of the year. Renovation of the Village of Beverly Hills Offices is on-going.

The meeting was adjourned at 8:32 AM.

MEMORANDUM

DATE: September 16, 2016

TO: Board Members

FROM: Cathy White

Re: Monthly Report

CUSTOMER COMPLAINTS

Complaint No. 2016-21, which was pending on the date of our last meeting, has been resolved. This complaint was submitted by a Birmingham resident who was having difficulty getting his Comcast service installation completed. The installation has now been done and all services and equipment in the home have been activated.

We have received five (5) complaints since the date of my last report. Complaint No. 2016-22 was submitted by the Village of Bingham Farms on behalf of a resident who was complaining about a low-hanging wire. Although the complaint was submitted to Comcast, it turned out to be an AT&T line that was subsequently repaired. This complaint is now closed.

Complaint No. 2016-23 was submitted directly to our website by a Birmingham resident who needed assistance getting a cable buried by WOW. The work has now been completed and this complaint is closed.

Complaint No. 2016-24 was submitted by a Birmingham resident who had previous issues with Comcast and was told her rate would be locked in at \$149.99 per month. Comcast has been increasing her bill each month and will no longer honor the rate that she was promised. This complaint is pending.

Complaint No. 2016-25 was received from a Birmingham resident who has been trying since June to get a low-hanging Comcast wire removed or relocated. The low-hanging drop has been replaced and this complaint is now closed.

Complaint No. 2016-26 was received from a Beverly Hills resident who wants to cut down a tree on his property and needs to know which cable provider(s) have wires on the poles behind his house. He is trying to work with the providers so that the lines are protected when he cuts down the tree. This complaint has been sent to all three providers. WOW has informed us that they will be sending someone out tomorrow to take care of this for the customer.

FINANCIAL

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

CHECK DISBURSEMENT

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

1. Birmingham Bloomfield Credit Union (Visa – equipment) - \$768.00

ADDITIONAL NOTES:

1. The Village of Bingham Farms has requested that the BACB fund their PROTEC membership dues for the fiscal year beginning July 1, 2016 in the amount of \$138.88. PROTEC is the Michigan Coalition to Protect Public Rights-of-Way and has been in existence for over twenty (20) years. We have paid these dues in the past and I am requesting authorization from the Board to pay the attached invoice. Sufficient funds have been budgeted for this purpose.

2. We have received a very nice thank-you note from Derby Middle School for the recent PEG grant we authorized. They stated that: “The positive impact your generosity will have on our community of learners is far-reaching and profound. We are very excited to utilize this technology to enhance all aspects of our school. We also look forward to sharing the good things to come with you and the board as we begin to implement its use.”

3. The following regular meeting dates are proposed for 2017: January 18, February 15, March 15, April 19, May 17, June 21, July 19, August 16, September 20, October 18, November 15 and December 20.

4. The following dates are proposed for Cable Action Committee meetings in 2017: January 5, February 2, March 2, April 6, May 4, June 1, July 6, August 3, September 7, October 5, November 2 and December 7.

5. Multichannel News reported on August 8, 2016 that the State of Washington has filed a lawsuit against Comcast alleging more than 1.8 million violations of Washington’s Consumer Protection Act. Washington’s attorney general claims that Comcast’s \$4.99 monthly service protection plan was deceptive and that Comcast charged for services it led consumers to believe were free and did not sufficiently inform customers about the plan’s limits. The AG’s office cited Comcast’s claim the plan was comprehensive and covered the cost of all service calls for inside wiring when it did not cover wiring inside walls, “which constitutes the vast majority of wiring inside homes.” Comcast disagrees, saying that wall-finished (and thus not readily accessible) wiring is “pretty rare.” It should be noted that Comcast’s Service Protection Plan is a nationwide program and that other states could file similar lawsuits.

PROTEC

The Michigan Coalition to Protect Public Rights-of-Way

26000 Evergreen Road
Southfield, MI 48076
TEL: 248-796-4503
FAX: 248-796-4505

Application for PROTEC Annual Membership: Fiscal year beginning July 1, 2016.

Membership dues are based on population figures as reported in the 2010 Census (\$.125 per resident, capped at \$12,500).

Dues for the community of
Bingham Farms

would be
\$ 138.88

MEMBERSHIP INFORMATION:

Please complete membership information and return with your payment.

Contact Person	<u>Kathryn Hagaman</u>
Title	<u>Clerk/Adm.</u>
City/Village	<u>Bingham Farms</u>
Address	<u>24255 Thirteen Mile Rd #190</u> <u>Bingham Farms, Mi</u>
Zip Code	<u>48025</u>
10 Digit Phone	<u>248-644-0044</u>
10 Digit Fax	<u>248-644-3254</u>
Email Address	<u>clerk@binghamfarms.org</u>

Checks should be made payable to PROTEC and mailed to:
Michigan Municipal League
P.O. Box 7409
Ann Arbor, MI 48107-7409

Board of Directors: City of Dearborn, City of Livonia, City of Southfield
Fiscal Agent: Michigan Municipal League

* A copy of this statement has also been sent to your municipality's Attorney.

Memo



To: BACB
From: Steve Rota
cc: Greg Kowalski, Cathy White & Elaine McLain
Date: 9/14/16
Re: Report August 18th, 2016 through September 21st, 2016.

BAMA Programs

During this time period we've completed six regularly scheduled municipal meetings, Board of Zoning Appeals meeting, Birmingham Advisory Board Meeting, the BACB meeting, Special Birmingham Commission Meeting and the Baldwin Public Library Board meetings. Also we taped the Annual Franklin Labor Day Parade.

BAPA Programs

From BACB area individual producers and organizations we've taped 22 programs. From individuals:

- ❖ Nine *Managing the Problems of Daily Living* hosted by Linda Sircus.
- ❖ Three *Making a Difference at TCH* hosted by Bill Seklar.
- ❖ Three *Eye on Oakland* hosted by David Potts and Chuck Moss.

From BACB area organizations:

- ❖ *Plant Based Nutrition Support Group Lecture*.
- ❖ *TCH Women's Club Lecture*.
- ❖ *Birmingham Bloomfield Republican Women's Club Judicial Forum*.
- ❖ *Birmingham Bloomfield Republican Club Candidates Forum*.
- ❖ *In the Park Concerts*.
- ❖ *BACB Sports Boys Water Polo*.
- ❖ *BACB Sports Boys Soccer*.

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.

PROGRAM DEVELOPMENT COMMITTEE MEETING

The next Program Development Committee Meeting will be held on Thursday, September 29th to discuss two new shows. One show will highlight non- profit organizations and the other will highlight financial planning.