

BIRMINGHAM AREA CABLE BOARD MEETING

Wednesday, April 20, 2016 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 March 16, 2016-M
3. Public Comments
4. FY 2015-16 BACB Budget Amendments-M
5. Committee Reports
 - a. Cable Action Committee
 - b. PEG Committee
6. Executive Director's Report
7. Provider Related Topics
 - a. Comcast
 - b. AT&T
 - c. WOW
8. BAPA/BAMA Report
9. Old Business
10. New Business
11. Public Comments
12. Board Comments
13. Adjourn

PEG Committee meeting immediately following BACB meeting

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – March 16, 2016

Present: Heldt, McLain, Eick, Bozell (arrived at 7:48 AM) – Birmingham
 Burry, Schneider, Maly, Borgon (alternate) – Beverly Hills
 Stakhiv - Franklin

Absent: Ettenson, McAlear, Verdi-Hus

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

McLain called the meeting to order at 7:46 AM in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road. She welcomed new members Frank Maly from Beverly Hills and Jeff Bozell from Birmingham, who may be able to make the meeting.

APPROVE MINUTES OF CABLE BOARD MEETING HELD January 20, 2016

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

Motion passed.

PUBLIC COMMENTS

None

TREASURER'S REPORT

Treasurer Heldt passed out a copy of the complete package of the Feb. 29, 2016 Brokerage Account Statement from Multi-Bank Securities, Inc. He noted that one (1) CD was maturing and one (1) U.S. Government Bond had been called. He will be consulting with the Account Executive regarding future investments and investment strategies. The Board will be updated if and when he decides to do anything between now and the April meeting.

COMMITTEE REPORTS

Cable Action Committee

In Verdi-Hus's absence, McLain reported that due to a lack of a quorum there was no regular BACB meeting last month and no Cable Action Committee meeting was held as there were no follow up items to discuss. For the benefit of the new members of the Cable Board, McLain gave a brief background of the committee's duties and responsibilities. Meetings are held the first Thursday of each month at the Baldwin Public Library at 5:30 PM. Either White or Verdi-Hus, Chairman, would send out reminders and an agenda. White noted that the next meeting would be Thursday, April 7, 2016 upstairs in the Baldwin Public Library at 5:30 PM.

PEG Committee

McAlear, Chairman, was not in attendance. White stated that the committee had received a communication from BCTV, listing eight (8) upcoming sports events from the end of March to the middle of May. BCTV is asking for approval to cover these events at the cost of \$2,500 per event, totaling \$20,000.

Motion by Heldt, seconded by Burry, to approve the payment to BCTV in the amount not to exceed \$20,000 for broadcasting eight (8) sporting events (\$2,500 per event) from the end of March to the middle of May.

McLain explained to the new members that one of the primary missions of the Cable Board is the oversight and development of programming on Public and Governmental channels. The broadcast of BACB's unedited meetings for the public and providing grants to the schools for educational programming are examples. Producing and broadcasting sporting events are also components. The requested funding of such events is distributed from the PEG Fund which are restricted funds, only to be used for Public Educational and Governmental programming/equipment. Heldt clarified the translation of the anagram PEG (Public, Education, and Government).

Roll Call Vote
Motion passed (9-0)

Personnel Committee

Stakhiv, Chairman, reported that the committee met in January, 2016 to discuss the Executive Director's performance. A performance appraisal was completed in a closed session on March 12, 2016. In the handouts, Stakhiv provided a salary survey for an Executive Administrative/Director position that she had compiled from six (6) sources and a history of five (5) local municipalities' salary increases. In addition to those six (6) sources utilized, she also reached out to Birmingham's City Manager, whose advice was invaluable. She thanked the Board members for their 100% response to the performance appraisal. Based on this year's appraisal and the salary survey, the entire committee of herself, McLain, Ettenson, and Verdi-Hus support the following recommendation:

Motion by Stakhiv, seconded by Heldt, to increase the annual salary of the Executive Director by 3%, effective March 1, 2016 for a total annual salary of \$36,050.00.

For the benefit of the public, McLain read the average salary increases of local municipalities that Stakhiv had compiled: Birmingham – 2%; Beverly Hills – 2% ; Bingham Farms – 3%; Franklin – 2%; Southfield Township – 2%. The average is 2.2%. She continued by saying that White's first (1st) year was a "learning curve". The second (2nd) year there was a lot of independent training and learning regards to the finance mechanism and the third (3rd) year the major challenge has been with our fiduciary which is Beverly Hills and the unfortunate passing of a gentleman who had been responsible for providing us with a lot of the financial information. That impacted White and her position because she had to obtain monthly financial numbers with the support of transitional staff.

Roll Call Vote
Motion passed (9-0)

EXECUTIVE DIRECTOR'S REPORT

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – March 16, 2016

White referred to her report dated March 5, 2016. Since her last report one (1) complaint which had been pending has been resolved. There were seven (7) complaints involving Comcast billing issues, all of which have been resolved and the cases closed. Some residents received credits and all got explanations as to why it was happening. McLain cautioned the public that if they have signed up for a promotional rate with any of the providers they need to call the 800 number found on their bill before its expiration date, so there isn't any confusion about the bill when it arrives. One (1) complaint by a Bingham Farms resident centered on his requested upgrade to his cable service and with problems with his internet service. After having problems with it he enlisted an outside contractor to fix the internet issue. After completing the cable service upgrade, Comcast credited the account for the cost of the technician visit fee. Another complaint was submitted by a Beverly Hills resident indicating that the Comcast number on his bill (1-800-Xfinity) was not a valid phone number. After speaking with an escalation team representative, the resident was able to pay his bill by dialing 1-800-266-2278. A Birmingham resident wanted to add Comcast phone service to his existing Comcast account. His subsequent bill did not reflect the quoted price he was promised. An escalation team representative was able to resolve the issue with Comcast honoring the original price. He was very thankful for the help from BACB and expressed his hope that the Cable Board would continue its good work. A builder's representative in Birmingham was in need of Comcast relocating a line which was interfering with the construction of a new home. This complaint is pending.

Since her last report, White has written eleven (11) checks on behalf of BACB, which were listed in her memo. The largest ones are for the quarterly contract payments to Bloomfield Township and the Administrative Grants to the four (4) municipalities (Bingham Farms, Birmingham, Franklin, and Beverly Hills).

She had an additional note concerning the replacement of a camera board for the BACB truck needed to film upcoming events before the next scheduled BACB meeting. Based on the authority previously given to her by the Board to authorize repairs up to \$1,000, payment was authorized and a DAC output board was ordered. The total was \$736.20 plus shipping costs of \$30.00 for a total cost of \$766.20.

Motion by Borgon, seconded by Burry, to ratify the purchase of a new camera board for the BACB truck in the amount of \$766.20.

Roll Call Vote

Motion passed (9-0)

White relayed an email message she received from a resident concerning the chronic loss of AT&T Uverse cable TV signal. Although the outages were short in length and only periodic, the resident requested that the BACB address the issue. White would like to arrange for Robert Jones, AT&T Representative, to contact the resident.

McLain mentioned that AT&T would be discussed more under the agenda item listed as **7. Provider Related Topic, b. AT&T**. She gave some background about the cable law and its evolution of the service providers before and after PA 480. She emphasized that one of the Cable Board missions was to help the communication between the residents and the various cable

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – March 16, 2016

providers. Because of the procedures established between BACB and the providers, resolution of problems is usually within 24 hours.

According to White, there has been a good development because the FCC is considering a proposal for consumers to buy and use cable boxes from companies other than their own cable providers. The rationale behind the proposal to “unlock the set-top box” is to create choice and innovation and, hopefully, lower consumers’ cable bills.

PROVIDER RELATED TOPICS

a. Comcast

There was no representative present and there were no new announcements. McLain pointed out there had been an increase of complaints but generally they were resolved within 24 hours.

b. AT&T/Uverse/Direct TV

There was no representative present but according to McLain AT&T has announced the next phase of its acquisition of DirecTV. An article about it would be included in next month’s packet and hopefully, there would be a statement from AT&T through Robert Jones, AT&T Representative. McLain updated the Board on the latest news on Uverse and DirecTV regarding incentives and number of subscribers. She continued by emphasizing the importance of this to the Cable Board. DirecTV does not pay franchise or PEG fees, whereas AT&T Uverse does and this would impact the revenue stream to the communities.

c. WOW

There was no representative present. However, Currier had received some communication from WOW which had been addressed to an unknown person and delivered to his building. It advised of a price increase. White will follow up with Ken Parson.

Borgon inquired about the attendance of the Provider Reps. White replied that the Reps are notified about meetings when a quorum has been established. Borgon felt that Provider representation at meetings was important and should be encouraged. McLain will send out a letter emphasizing such. Kyle Mazurek, the new Comcast Rep., had stated that because of the change of his new territory and the transitioning, he would be here at least once a Quarter. White reported that Parson contacted her and said he planned on attending this meeting. Kyle Mazurek from Comcast said he would like to be at the April meeting.

BAPA/BAMA REPORT

Steve Rota referred to his memo to BACB, dated 3/9/16, and pointed out the thirteen (13) completed **BAMA** Programs which were regularly scheduled municipal meetings, two (2) Board of Zoning Appeals Meetings, two (2) Baldwin Library Board and Trust Meetings, Birmingham Advisory Board Meeting, Multi Modal Transportation Board Meeting, and the BACB meeting.

For the **BAPA** Programs, from the BACB area individual producers and organizations, fifty-two (52) programs were taped. He listed all the programs.

Rota reminded the Board that the format of the Producer Workshops was now “one-on-one” sessions. They are for those volunteers interested in taking a camera workshop and/or producing

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – March 16, 2016

their own show and for those who want to experience the “behind the scenes” process. Residents can contact BCTV at 248-433-7790 to schedule an appointment date and time.

Last night a Girl’s Scout Troop of nine (9) girls came in for a tour.

There will be eight (8) upcoming Spring Sport Shoots which is about average depending upon which season it is: 3/29/16 Girls Water Polo, 4/15/16 Boys Lacrosse, 4/26/16 Girls Softball double-header, 4/27/16 Girls Lacrosse, 5/5/16 Girls Soccer, 5/16/16 Baseball double-header, and 5/18/16 Baseball single game. The date for Girls Tennis has not been announced but will be in May.

Rota commented on the replacement of the Monitor Output Board on Truck Camera 4. Per the Board’s approval in October, the purchase of uniforms (ponchos to be kept in the truck and T-shirts and polo shirts) has been completed.

Borgon inquired as to the process a local BACB organization should follow to get a program recorded. He was asking on behalf of NEXT whose lecture series had become very popular. Rota explained that the appropriate contact at NEXT should call as soon as possible with the request. Usually a two (2) week notice is sufficient and, if possible, BCTV would cover it. Borgon will relay the information to NEXT’s Executive Director.

OLD BUSINESS

None

NEW BUSINESS

McLain invited the new members to the Cable Action Committee meeting which will meet on Thursday, April 7. She thanked White for the roster with all the phone numbers and emails. White will have another updated list next month which will include the newest members of the BACB.

PUBLIC COMMENTS

None

BOARD COMMENTS

None

The meeting was adjourned at 8:31 AM.

BIRMINGHAM AREA CABLE BOARD
FIRST AMENDED BUDGET
FY 2016
 (July 1, 2015 through June 30, 2016)

Income	
Franchise Fee	
Beverly Hills Franchise Fee	80,000.00
Bingham Farms Franchise Fee	15,000.00
Birmingham Franchise Fee	210,000.00
Franklin Franchise Fee	25,000.00
Total Franchise Fee	330,000.00
Expense	
Board Expenses	
Accounting Expense	2,400.00
Administrative Grants	197,763.00
Advertising/Promotion	1,000.00
Bank Service Charges	61.00
Conferences	6,000.00
Contract Labor	4,800.00
Executive Director	39,000.00
HR Services	1,000.00
Insurance	6,000.00
MILEAGE	3,000.00
Memberships	1,500.00
Operating Expense	
Office Expense	3,000.00
Telephone	1,700.00
Website	4,500.00
Total Operating Expense	9,200.00
Professional Fees	
Accounting	8,200.00
Legal Fees	40,000.00
Tech. Support/Consult	2,000.00
Total Professional Fees	50,200.00
Total Board Expenses	321,924.00
Municipal Support Services	70,000.00
Total Franchise Fee Expenses	391,924.00
NET FRANCHISE FEE INCOME	(61,924.00)

Income	
PEG REVENUE	
Beverly Hills PEG	125,000.00
Bingham Farms PEG	20,000.00
Birmingham PEG	325,000.00
Franklin PEG	35,000.00
PEG Interest	
MBS Gains/Losses	6,200.00
Total PEG Revenue	511,200.00
Other Income	
Interest Income	500.00
Other Income	11,000.00
Total Other Income	11,500.00
Total PEG Income	522,700.00

Expense	
PEG Operations	
Cable Contractor	250,000.00
Communications Expense	2,500.00
Equipment Purchase	45,000.00
Grant	150,000.00
Production Truck	24,000.00
Program Expense	60,000.00
PEG Expenses	531,500.00
Other Expense	
Capital Reserve	50,000.00
Total PEG Expenses	581,500.00
NET PEG INCOME	(58,800.00)
NET INCOME	
NET FRANCHISE FEE INCOME	(61,924.00)
NET PEG INCOME	(58,800.00)
TOTAL NET INCOME	(120,724.00)

MEMORANDUM

DATE: April 13, 2016
TO: Board Members
FROM: Cathy White
Re: Monthly Report

CUSTOMER COMPLAINTS

Complaint No.2016-7, which was pending on the date of my last report, is progressing toward a resolution. This complaint involves a request from a builder seeking to have Comcast remove or relocate its line which is interfering with the construction of a new home. Comcast has advised the builder of the cost to relocate its facilities and, as of March 31, 2016, Comcast was awaiting payment before working on rerouting the line. This complaint, therefore, is still pending.

This has been an unusual month in that no complaints have been received since the date of our last meeting.

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

Since the date of my last report, I have written nine (9) checks as follows:

1. The Hartford (workers comp insurance) \$329.00
2. Village of Franklin (Municipal Support Services Grant) \$4,000.00
3. Village of Franklin (Municipal Support Services Grant) \$2,300.00
4. Charter Township of Bloomfield (BCTV filming one sports event) \$2,500.00
5. Charter Township of Bloomfield (BCTV internet costs) \$419.55
6. Michigan Graphics and Awards (nameplate) \$18.50
7. Birmingham Bloomfield Credit Union (Visa- Carbonite backup) \$189.00

8. U.S. Postal Service (P.O. Box annual fee) \$70.00

9. Charter Twp of Bloomfield (reimbursement for truck equipment repair) \$1,060. 00

ADDITIONAL NOTES:

1. A new roster of Board Members has been prepared to add the contact information for our new members. A copy is attached hereto for your information.

2. Multichannel News reported in its March 14, 2016 edition that the pending merger between Charter Communications and Time Warner Cable continues to move toward the finish line and that most analysts believe that the deal will receive the necessary approvals albeit with some conditions imposed by the FCC.

3. Comcast has notified us of a change to the channel lineup. As of April 12, 2016, Al Jazeera America (Channel 107) has ceased operations and its programming.

4. The Village of Beverly Hills will be remodeling its office and temporarily moving all of its staff operations into the Council chambers. Once construction begins, it is anticipated that it will take four months to complete. During this time, we will need to move the location of our BACB meetings. I am currently working with the Birmingham Public Schools to hopefully move our meetings to their new Administration Building.

**BIRMINGHAM AREA CABLE BOARD MEMBERS
APRIL, 2016**

CITY OF BIRMINGHAM 48009

JEFFREY HELDT, TREASURER
1415 Lakeside
(248) 646-4678 (h)
jheldt@kotzsangster.com
3/30/16 (3/22/07)

JEFFREY BOZELL
1564 Penistone Street
(313) 204-5489
jeffrey.bozell@gmail.com
3/30/18 (2/22/16)

ELAINE MCLAIN, CHAIRMAN
425 N. Eton #302
(248) 225-9903
ekmclain@gmail.com
3/30/17 (1/09/06)

MATT McALEAR
1742 Latham
(248) 420-5635
mbmcalear@gmail.com
3/30/18 (2/25/13)

DAVID EICK
559 Greenwood St.
Birmingham, MI 48009
(248) 231-8067
eickhouse@comcast.net
3/30/18 (12/14/15)

VACANT 3/30/17

VILLAGE OF BEVERLY HILLS 48025

MARY ANN VERDI-HUS
20150 Elwood Dr.
(248) 647-1475
jhus@peoplepc.com
6/30/17 (12/04)

FRANK MALY
31152 Pickwick Ln
(248) 320-4573
Frank_A_Maly@hotmail.com
6/30/17 (3/15/16)

GREG BURRY, SECRETARY
32742 Pierce
(248) 642-2574
gregoryburry@sbcglobal.net
6/30/16 (11/3/15)

PATRICIA SCHNEIDER
17116 Dunblaine
(248) 561-4683
pschneider0180@gmail.com
6/30/16 (9/3/13)

VILLAGE OF BINGHAM FARMS

MEL ETTENSON
30720 Ivyglen 48025
(248) 258-5657 (o)
melettenson@gmail.com
9/30/16

**VILLAGE OF BEVERLY HILLS
ALTERNATE MEMBER**

BOB BORGON
32340 Drury Lane
(248) 388-1191
rjborgon@gmail.com

VILLAGE OF FRANKLIN

MIRA STAKHIV, VICE CHAIRMAN
26750 Crestwood 48025
(248) 855-3263
miramls@hotmail.com
11/30/17

BIRMINGHAM SCHOOLS

KEVIN J. GALBRAITH
Executive Director for Information and Technology
Birmingham Public Schools, Technology Services
1525 Covington Road
Bloomfield Hills, MI 48301
(248) 203-4608
Kg10bps@birmingham.k12.mi.us

CABLE ATTORNEY

TIM CURRIER
200 E. Long Lake Road
Bloomfield Hills, MI 48304
(248) 645-9400
tcurrier@beierhowlett.com
www.beierhowlett.com

OTHER CONTACTS**EXECUTIVE DIRECTOR**

CATHY WHITE
P.O. Box 165
Birmingham, MI 48012
BACB (248) 336-9445
Cell (734) 347-1527
execdir@birminghamareacableboard.org

PEG ACCESS (MLAC15)

GREG KOWALSKI BCTV
4200 Telegraph
Bloomfield Hills, MI 48303
(248) 433-7791
gkowalski@bloomfieldtpw.org

CITY OF BIRMINGHAM

LAURA PIERCE – Clerk
P.O. Box 3001 48012
(248) 530-1802
lpierce@bhamgov.org

VILLAGE OF BINGHAM FARMS

KATHRYN HAGAMAN – Clerk
24255 Thirteen Mile #190 48025
(248) 644-0044
clerk@binghamfarms.org

VILLAGE OF BEVERLY HILLS

ELLEN MARSHALL – Asst. Manager/Clerk
18500 W. Thirteen Mile Rd 48025
(248) 646-6404 ext.223
emarshall@villagebeverlyhills.com

VILLAGE OF FRANKLIN 48025

EILEEN PULKER – Clerk
32325 Franklin Rd
(248) 626-9666
clerk@franklin.mi.us

COMCAST CABLE COMMUNICATIONS

KYLE V. MAZUREK
Manager, External Affairs
41112 Concept Drive
Plymouth, MI 4817
(734) 254-1557
Kyle.Mazurek@cable.comcast.com

WIDE OPEN WEST

KEN PARSON
Executive Customer Advocate
32650 N. Avis
Madison Heights, MI 48071
(248) 677-9050
k_parson30@wideopenwest.com

AT&T

ROBERT JONES
External Affairs
444 Michigan Avenue, 17th Floor
Detroit, MI 48226
(313) 929-0727
rj1961v@att.com

Memo



To: BACB
From: Steve Rota
cc: Greg Kowalski, Cathy White & Elaine McLain
Date: 4/14/16
Re: Report March 17th, 2016 through April 20th, 2016.

BAMA Programs

During this time period we've completed seven regularly scheduled municipal meetings, Board of Zoning Appeals meeting, two Baldwin Library Board and Trustee meetings, Birmingham Advisory Board meeting, Multi Modal Board meeting, the BACB meeting, four Baldwin Library lectures and the Birmingham Recommended Budget show.

BAPA Programs

From BACB area individual producers and organizations we've taped 33 programs. From individuals:

- ❖ Two *About You* hosted by Ellen Rogers.
- ❖ Three *Making A Difference at TCH* hosted by William Seklar
- ❖ Four *Michigan Entrepreneur* hosted by Tara Kachaturoff.
- ❖ Five *Patriot Lessons* hosted by Judge Michael Warren.
- ❖ Six *Eye on Oakland* hosted by Chuck Moss and David Potts.
- ❖ Three *Self Talk* hosted by Danco Sotirovski.
- ❖ *Two County Corner* hosted by Marcia Gershenson.

From BACB area organizations:

- ❖ Birmingham Bloomfield Chamber: *Real Estate Forecast*.
- ❖ First Presbyterian Church *Lunch and Learn* Lecture.
- ❖ BACB Sports *Boys Lacrosse*
- ❖ BACB Sports *Girls Water Polo*.
- ❖ Two *Plant Based Nutrition Support Group* Lectures.
- ❖ *Birmingham Musicales* Concerts.
- ❖ TCH *Bates Street Society Kids Kicking Cancer* Event.

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.