

Present: Brower, Devereaux, Kokubo, Kuhne, Laidlaw, Lane and Spivak – Birmingham
Borgon, Lacroix and Pfeifer – Beverly Hills
Leckie – Bingham Farms

Absent: DiSessa – Franklin

Also Present: Hagaman - Executive Director
Currier – Attorney for Cable Board
Martinico – Director of Technology, Birmingham Schools
MediaOne representative – DiMaria
Colgan – Create Tech representative
Helwig – BCTV representative

Kuhne called the meeting to order at 7:52 a.m. in the Rotary Room of the Baldwin Public Library at 300 W. Merrill.

APPROVAL OF MINUTES

MOTION by Leckie, supported by Devereaux, that the minutes of a regular Cable Board meeting held on December 20, 2000 be approved as submitted.

Motion passes unanimously.

PEG ACCESS

Helwig reported that Bloomfield Community Television has been up and running since January 2, 2001 covering municipal meetings. BCTV appreciates the cooperation from Bob Colgan with respect to playback of municipal meetings. Playback for Channel 15 will continue from the CreateTech studio until MediaOne strings fiber to the BCTV facility.

Helwig stated that the BCTV Program Development Committee and its Cable Access Board will be meeting soon. The Birmingham Area Cable Board will be appointing representatives today to serve on the Program Development Committee and the Cable Access Board. Helwig informed the board that BCTV has received two proposals for public access programs from Birmingham area residents.

Helwig addressed a question from a member of the board relative to a promotional spot on Channel 15 scripted by Devereaux for chairperson Kuhne. The spot is being aired along with bulletin board messages to make viewers aware of the change in service provider and introduce them to the expanded programming. Borgon asked to view a tape of this spot.

There was discussion on the development and distribution of both a monthly and weekly program schedule for both Channels 15 and 18. Bloomfield Community TV is currently providing a monthly program schedule for Channel 15 as required under the terms of the contract. A weekly program guide has been requested by a member of the board. Helwig will work with Hagaman on preparing and distributing a weekly program guide for Channel 18.

Appoint member to BCTV Program Development Committee

Kuhne opened the floor for nominations of a member to represent the board on the BCTV Program Development Committee.

Kuhne nominated Jim Lane. Lane accepted the nomination.

Borgon nominated Dave Devereaux for this position. Devereaux declined the nomination on the basis that he is interested in serving on the Access Management Commission.

In answer to an inquiry, Helwig indicated that Program Development Committee meetings are scheduled when BCTV receives program proposals. The Access Management Commission does not have regular meeting dates. Meetings are scheduled five or six times a year, generally at 8:30 in the morning on days that are convenient for most commission members.

There were no further nominations. The board voted unanimously to appoint Jim Lane as a member of the BCTV Program Development Committee.

It was indicated that there is no set term of office for either of these positions. Currier suggested that the Cable Board representatives to both the Program Development Committee and the Access Management Commission report to the Cable Board after gaining some experience on those bodies and offer a suggestion as to how long they think a member should serve in that capacity.

Appointment representative to BCTV Access Management Commission

Kuhne nominated Dave Devereaux to serve as Cable Board representative to the BCTV Access Management Commission. There were no other nominations. The board voted unanimously to appoint Devereaux to this position.

ELECTION OF OFFICERS

Currier clarified the action to be taken by this board with respect to the “Officers” provision of the newly adopted Bylaws. The Cable Board has appointed a chairperson with a term of office to expire on July 1, 2001. The current chair would have to be removed by the board in order to appoint a new chairperson. Currier does not believe that this was contemplated by the board with the adoption of Bylaws.

The board has three new officer positions that have not been filled. Kuhne opened the floor for nominations for Vice-Chairperson of the Cable Board.

Laidlaw nominated Bob Borgon, who accepted the nomination.

Brower nominated Spivak to serve as Vice-Chair. Spivak accepted the nomination.

There were no further nominations for Vice-Chairperson. Both nominees commented on their interest and qualifications for the position.

A vote was taken to elect a Vice-Chairperson. Borgon received seven votes. Spivak received four votes. Borgon was elected Vice-Chairperson by a 7-4 vote.

The floor was opened for nominations for the office of Secretary of the Cable Board. There was a question as to whether the offices of Secretary and Treasurer can be combined.

It was noted that the board decided not to combine these positions during discussion of the Bylaws. Currier remarked that the Bylaws state that the duties of the Secretary and Treasurer may be delegated by those officers to the Executive Director of the Birmingham Area Cable Board.

Borgon nominated Laidlaw as Secretary of the Cable Board. Laidlaw declined the nomination.

Devereaux nominated Dave Leckie for the position of Secretary. Leckie accepted the nomination.

Spivak nominated Ken Brower for the office of Secretary. Brower declined the nomination.

Leckie was voted unanimously to serve as Secretary of the Cable Board.

The floor was opened for nominations for the office of Treasurer of the Cable Board.

Laidlaw nominated Ken Brower as Treasurer. Brower accepted the nomination and was voted unanimously to fill that position.

COMCAST RELATED TOPICS

Subscriber Complaints

Hagaman summarized a complaint from Richard Fenton of Franklin. Ameritech placed new poles in the easement behind the home and replaced the phone wires. MediaOne was to place its cable lines on the new pole, which had not been done at the time of the complaint.

DiMaria responded that Ameritech did not inform the cable company about this matter. He reported that the cable lines are now reattached to the new pole. DiMaria apologized to the customer for the inconvenience.

DiMaria stated that there will be a market-wide press release announcing the change from MediaOne to Comcast probably late in the first quarter.

Update on Rebuild - Internet

DiMaria reported that work on one downtown building is delaying the certification of the last node for high speed Internet connection. There have been problems with accessing the 555 building for rewiring because it is private property. Comcast continues to work on this situation.

DiMaria mentioned that the term “Roadrunner” used by MediaOne for high speed Internet access may be changed by Comcast. He will keep the board informed on that decision.

Emergency Alert System

There is no change in the status from last month's report. The equipment that limits the warnings to zones and removes alerts for storm watches is still on back order. DiMaria stated that the engineering department will be working on this as soon as the equipment is received.

Monthly Subscriber Statistics

DiMaria explained the changes in the format of the System Statistics report. It was noted that there is a high percentage of new subscribers to the high speed Internet access service.

Kuhne asked at what point the cable company would re-examine a node in terms of network capacity. He commented that the service is slower than anticipated, particularly at peak times.

DiMaria stated that the amount of flow in each of the nodes has to be monitored. He described difficulties related to the acquisition of MediaOne customers by Comcast and the fact that AT&T would not allow Comcast into the system until the transaction was final. The cable company is trying to move on as many issues as possible since the sale was finalized 17 days ago. There are daily meetings regarding the system architecture.

ADMINISTRATOR'S REPORT

Hagaman stated that the mobile van is now registered in the board's name, and insurance has been secured. Beverly Hills has provided space to store the van on its municipal site. The approved drivers of the vehicle have yet to be determined. Hagaman requested a list of approved drivers.

Several alternatives are being explored with regard to having the mechanical condition of the vehicle checked. Comcast has agreed to pay the cost of correcting mechanical deficiencies. An update on the equipment in the mobile van will be prepared and distributed to the board. Devereaux volunteered to work with Helwig and Hagaman on preparing the mobile van for use.

Kuhne asked Martinico if there are high school students who would be interested in creating a web site for the Birmingham Area Cable Board.

Hagaman outlined changes in the financial reporting format with the transfer of MediaOne to Comcast. Franchise fees totaling eight percent of the revenue are sent to each of the municipalities. Three percent of that amount is for PEG Access and should be forwarded to the Board's account, which is managed by Beverly Hills. Letters have been sent to each municipality to inform them of the new distribution of funds and to recommend procedures that should be followed.

MLAC 15 REPORT

Create Tech

Colgan presented highlights of the January production report. He stated that his staff has been working with BCTV to coordinate the transition from Create Tech to Bloomfield Community Television.

Create-Tech will continue performing the playback functions of all municipal meetings and will produce scheduled programming. Create-Tech will also work with BCTV to bring them up to speed on equipment and program scheduling. Comcast has indicated that the cable lines needed to send live programming from BCTV to MLAC15 should be operational by mid-March. There are alternatives for the live feed, but replays will have to be done from the Adams Street facility until that time.

Kuhne questioned the status of wiring of the BCTV facility. DiMaria responded that he met with the engineers to discuss preliminary cost estimates to lay new fiber to reach BCTV, which will not be economically feasible. A meeting is scheduled for next week to talk about using existing excess capacity node fiber to route those signals from BCTV. The engineers are proposing to use a switch at the hub site that either reads video or bulletin board. March is the time frame that the cable company is shooting for to configure the system to get live signals out from existing fiber.

Bloomfield Community Television

Helwig was asked by Laidlaw about the possibility of BCTV videotaping a Birmingham planning meeting scheduled for this Saturday.

The board discussed the issue of program requests of this type. It was indicated that the contract with BCTV specifies certain community meetings, library programs, and special events that are to be covered. Kuhne suggested that the PEG committee discuss how to cover individual events that are not part of the contract with BCTV. The board will have to establish a reasonable protocol for programming requests.

Currier remarked that the four communities have been open as far as providing cable television coverage of their meetings. He cautioned the board to be sensitive to that fact in that the board did not receive a request from the governing body of the City of Birmingham to cover that planning meeting. Without a request from a governing body, the board may not want to presume which meetings a municipality wants covered.

OLD BUSINESS

It was mentioned that Martinico's grant proposal on behalf of Birmingham Public Schools for money to upgrade cable-related equipment in the school district was not placed on the agenda for discussion at this meeting.

Hagaman reviewed that Martinico developed a list during the franchise negotiation process that approximated the proposal submitted to the board. This was taken into consideration during the negotiations when an agreement was reached with MediaOne and money was designated to support PEG access. The board agreed to get through the transition period before deciding how much money should be allocated to the schools.

Kuhne asked board members to review the proposal submitted by Martinico for discussion at next month's meeting. Devereaux stated that part of that discussion should involve a cost estimate for renovating and outfitting the mobile van.

Currier suggested that review and updating of the Interlocal Agreement be a topic for the next meeting.

NEW BUSINESS

Currier commented that there are lease matters that have arisen involving the housing of PEG access operations and government replays of meetings during the transition period between public and governmental program providers. This is a subject matter that may be discussed in closed session in accordance with the Open Meetings Act. A closed session would require approval of two-thirds of the members present or eight votes.

MOTION by Laidlaw, supported by Pfeifer, to go into closed session for the purpose of considering purchase or lease of real property under the Open Meetings Act.

Roll Call Vote:

Motion passes unanimously.

The board went into closed session at 9:11 a.m. for the purpose of discussing the potential lease of property. The meeting reconvened in open session at 9:45 a.m.

RESOLUTION by Pfeifer, supported by Borgon, to authorize the Executive Director of the Birmingham Area Cable Board to work with Bob Colgan of CreateTech on a month to month lease for housing cablecasting equipment during the transition period from Create Tech to Bloomfield Community Television, and that the Executive Director be authorized to spend up to \$1,350 per month in that regard.

Resolution passes unanimously.

Board members have received a copy of a draft letter that has been prepared to give CreateTech the required 60-day notification of the termination of their contract to supply programming for MLAC15.

MOTION by Brower, supported by Pfeifer, to authorize the Chairperson of the Birmingham Area Cable Board to execute the letter giving notice of termination of Contract for Programming Services to CreateTech effective on March 31, 2001.

Motion passes unanimously.

Laidlaw is asking who is ultimately responsible for programming on MLAC15 during the transition period. Kuhne responded that he believes that BCTV is responsible for providing programming. The consortium has two providers assisting it through this transition time. CreateTech is providing its expertise to BCTV.

In response to an inquiry from Laidlaw, Colgan stated that CreateTech will provide the board with an inventory of its equipment and tapes.

BOARD COMMENTS

Pfeifer informed the board that the Beverly Hills Village Manager, Tami Hanlin, has resigned her position and moved to Atlanta. Public Service Director Renzo Spallasso has been appointed as Interim Manager while a new manager is being sought.

The meeting was adjourned at 9:59 a.m.