

Present: Bello, Hollinshead, Laidlaw, Wilson – Birmingham
Borgon, Delaney, Lacroix, Woodard – Beverly Hills
Ettenson – Bingham Farms
Anderson – Franklin

Absent: None

Also Present: Hagaman - Executive Director
Currier – Attorney for Cable Board
Martinico – Director of Technology, Birmingham Schools
Helwig – Bloomfield Community Television representative
DiMaria - Comcast representative
Pfeifer – Beverly Hills Council liaison

Borgon called the meeting to order at 7:45 a.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road. Borgon acknowledged the passing of former Board member Judge Martin Doctoroff last week and expressed condolences to Judge Doctoroff's family on behalf of the Board.

APPROVE MINUTES

Motion by Woodard, seconded by Wilson, that the minutes of a Birmingham Area Cable Board meeting held on June 19, 2002 be approved as submitted.

Motion passed unanimously.

ELECT BOARD OF DIRECTORS

Chair

Borgon asked for nominations for Chairperson of the Birmingham Area Cable Board.

Lacroix nominated Bob Borgon as Chair of the Cable Board. Lacroix thinks that Borgon has done an outstanding job as Chair and would like to see him maintain that position. Borgon accepted the nomination. There were no further nominations.

Laidlaw mentioned the three City of Birmingham vacancies on the Cable Board and stated that he would have preferred having additional representation from Birmingham with respect to election of officers.

The Board voted unanimously to elect Bob Borgon as Chairperson of the Cable Board.

Vice-Chair

Laidlaw nominated Mel Ettenson for Vice-Chairperson of the Board. Ettenson accepted the nomination. There were no further nominations.

Ettenson was elected Vice-Chair of the Cable Board by a unanimous vote of the members.

Secretary

Delaney nominated Ray Lacroix to the position of Secretary of the Cable Board. Lacroix accepted the nomination. There were no further nominations.

Lacroix was elected as Secretary of the Cable Board by a unanimous vote.

Treasurer

Hollinshead nominated Bello for another term as Treasurer of the Board. Bello declined the nomination due to work requirements.

Laidlaw nominated Hollinshead as Treasurer. Hollinshead expressed his appreciation for the nomination but declined. He indicated that he would like to know more about the Board's financial structure before assuming the position of Treasurer.

Borgon mentioned that the positions of Secretary and Treasurer can be the same person according to the Board's Bylaws. Lacroix declined the suggestion that he serve in the position of Secretary/Treasurer.

Laidlaw nominated Delaney as Treasurer. Delaney declined the nomination. He suggested tabling the election of Treasurer to the next meeting to give members an opportunity to gather information about this position.

Motion by Laidlaw, seconded by Delaney, to postpone the election of Treasurer of the Cable Board until the next meeting.

Currier clarified that, if an office is unfilled, the prior officer remains in place until that position is filled.

Motion passed unanimously.

APPOINT REPRESENTATIVE TO BCTV PROGRAM DEVELOPMENT COMMITTEE

The Program Development Committee is a group of five people who meet to discuss new programming submitted to Channel 18 by the public. Helwig indicated that the committee meets as needed, based on submission of program proposals. Meetings are held at a time convenient to the members. Former Board member Jim Lane was the BACB representative to this body.

Woodard expressed interest in serving on the committee. Borgon appointed Carol Woodard as the Board's representative to the BCTV Program Development Committee.

APPOINT PEG COMMITTEE

Borgon discussed the importance of the Board's role in promoting the Public, Education, and Government (PEG) access channels. The PEG access committee established by the Board is down to one member, Laidlaw, due to recent resignations from the Cable Board. Anderson and Hollinshead volunteered to participate on this committee and work with BCTV on PEG access programming. Borgon appointed Anderson and Hollinshead to the PEG Committee and asked Laidlaw to chair the group.

Laidlaw suggested scheduling a discussion of the Board as a whole at some point to receive input from members relative to their ideas on local and government programming.

COMCAST RELATED TOPICS

Comcast Performance

Hagaman mentioned that she will be submitting an end-of-year summary report for Cable Board activities from July 1, 2001 to June 30, 2002. She noted that the Board handled 136 complaints from Comcast customers during this time period. Even though the number of complaints is decreasing, Hagaman suggests retaining this agenda item to monitor the performance of Comcast.

DiMaria suggested that the “Comcast Performance” agenda item incorporate reports requested of the cable company on a regular basis including the quarterly complaint log, quarterly statistics, call volume on a monthly basis, and a report on the credit situation.

Currier updated the Board on the process of resolving the liquidated damages issue with Comcast. He has been in contact with Jon Kreucher and other Comcast representatives regarding the Board’s request for a summary of the complaints before the Birmingham Area Cable Board and the number of credits issued including the amount of those credits so the Board can be aware of what has transpired since Comcast has taken over the franchise.

Currier commented that Comcast has committed to an ongoing effort to solve prior complaints and improve service across the board. It appears that the number of consumer complaints is decreasing dramatically. Comcast is working on preparing the data requested in a format that is useable for both parties. Hopefully, the Board will have that information by August.

DiMaria distributed a Plymouth call center volume report for 2002 in order to provide Board members with an understanding of trends with respect to cable related calls.

Board members have received a copy of the survey card that will be mailed to all subscribers beginning on Monday. The cards will be sent out on a controlled basis in order to assure the availability of customer service representatives to follow up with customers who return the surveys. DiMaria stated that Comcast will share the data received with the Board. He will be discussing the first group of data received with the Board shortly, which will include information on credits issued and truck rolls resulting from the survey.

In answer to an inquiry, DiMaria explained the August 31 expiration date on the upgrade offers included in subscribers’ July bill. The free pay-per-view movie coupons are good until December 31, 2002.

Subscriber Complaints

Complaint #02-79: Several complaints were held over from last month for resolution. Steven Edwards of Beverly Hills was being double billed for Internet service. Hagaman remarked that it appears to have taken Comcast some time to rectify the problem. The customer’s service was disconnected. There was confusion over an appointment window. Hagaman reported that the subscriber’s service is now working fine, and his account was credited in the amount of \$338.83.

Complaint #02-84: Mark Sayers of Birmingham reported a problem with his Internet service. DiMaria stated that Comcast representatives attempted to contact this subscriber multiple times. He has not responded to Comcast's calls.

Complaint #02-88: Howard Philip of Birmingham reported problems with both his Internet and cable television service. He has had difficulty contacting Comcast. DiMaria stated that Comcast tried to contact Mr. Philip a third time; no response has been received from this subscriber.

Laidlaw stated that he contacted Mr. Philip, who said that he called back three times in an attempt to reach Comcast. DiMaria questioned whether the customer called the main number, noting that Philip was given the advocate's direct phone number to call. DiMaria will check with Mr. Philip to make sure that he is calling the advocate directly.

Complaint #02-89: Mrs. Richard Gibson of Birmingham could not figure out Comcast's telephone menu when she called to have her cable box replaced. DiMaria stated that Comcast swapped her cable box.

Complaint #02-90: Peggy from Our Lady Queen of Martyrs Church complained about getting caught in a loop on the Comcast telephone menu when calling to change the name on the cable bill. Hagaman expressed interest in the responses received from the survey question regarding Comcast's telephone service.

Complaint #02-91: Sandra Rogal of Birmingham called Comcast to report several channels that were not clear and received an absurd response from a Comcast representative. The company resolved the reception problems to the customer's satisfaction. DiMaria will follow up with the call center director on the information given to the customer by the representative.

Birmingham Link

DiMaria stated that Comcast is identifying and mapping all underground utilities in the Birmingham downtown district. It is an extensive process, and Comcast expects the drawings to be completed by the outside engineering firm next month.

Monthly Subscriber Statistics

The Board reviewed Comcast Subscriber Statistics for June, 2002. DiMaria remarked that the low-growth figures for this month are not surprising considering normal summer fluctuations.

Comcast Telephone Log

The Cable Board received a chart entitled "Plymouth Call Center Call Volume 2002". Another handout received today is a "Plymouth Customer Service Center 2002 Monthly Total Service Factor". Board members and DiMaria discussed how this report can be clarified and improved. DiMaria will include a paragraph explaining the term 'total service factor' and how it is measured by the FCC.

Currier commented that there is franchise agreement requirement as to how many calls have to be answered within a certain amount of time. Information on how this is measured would be helpful.

DiMaria updated the Board on Comcast's merger with AT&T. Both groups of shareholders approved the merger last week, and about 92% of the franchises have been transferred at this point. Federal Trade Commission approval is expected in time for the anticipated close of the deal in September.

Currier reminded Board members that requests for reimbursement of costs incurred by individual municipalities in connection with reviewing the Form 394 Application for Transfer of Control of the Cable Franchise should be submitted to Hagaman so she can forward them to DiMaria for reimbursement by Comcast.

EXECUTIVE DIRECTOR'S REPORT

Hagaman reported that Request for Proposals for the franchise fee audit were sent to five companies with proposals due before July 31, 2002. She requested assistance from one or two Board members in reviewing the proposals and developing a recommendation to the Board as a whole. Hagaman anticipates that this will be an agenda item for the August 21 Board meeting. Questions regarding the Request for Proposal process for audit service were addressed by Hagaman and Currier.

There was a consensus of the Cable Board at last month's meeting to have Plante & Moran conduct an audit of the Board financials handled by Beverly Hills along with an audit of the Franklin Money Market Account. Beverly Hills acts as the fiscal agent for the Cable Board.

Currier related that auditors at Plante & Moran indicate that it would be appropriate to conduct a separate audit of Cable Board funds rather than include the BACB audit as part of the annual Beverly Hills audit. This appears to be a statutory requirement because this Board is an independent entity. The Board will receive a written report at the August meeting from the auditing firm including legal requirements and the cost of the proposed audit.

MLTV15/PA18 REPORT

Helwig reported on MLTV15 and Channel 18 meetings and programs produced during the last month. BCTV produced four Birmingham Concerts in the Park, the Band Jam, and two Summer in the City concerts. They worked with the Village of Franklin to produce a segment introducing each of their committee and council members, which will follow MLTV programs. BCTV is scheduled to tape the two Sunday Jazzfest concerts and the Beverly Hills Concerts in the Park.

Helwig was asked if there is an issue of rights since BCTV is taping performers. She responded that limitations and restrictions on taping are determined by the individual performers. BCTV obtains a signed release from artists or individual at every event it tapes.

Laidlaw thanked the BCTV volunteers who work on a regular basis on taping events. Laidlaw questioned the status of the program, Franklin/Bingham 48025. He has spoken with Chief Glomb, who expressed an interest in continuing this series. Borgon suggested that the PEG access committee come up with recommendations for programming.

Helwig reported on the BCTV facility expansion. She anticipates that the improvements will be underway by next month. Part-time producer Emile Bradshaw has resigned to move to California. BCTV is using hourly workers temporarily to fill the gap.

At its June meeting, the Cable Board authorized the purchase of two S-VHS machines for a total not to exceed \$750. Laidlaw made a motion to approve the final bill in the amount of \$688.35 for the purchase of video tape decks for BCTV. Borgon indicated that another motion to approve this purchase is not necessary. The motion failed for lack of support.

Laidlaw commended BCTV on its programming and informed the Cable Board and audience about very good producers and programs on Channel 18, the public access channel.

OLD BUSINESS

Hollinshead raised the issue of special offers that have been made to the subscriber base as a result of the settlement that the BACB reached with Comcast in lieu of pursuing liquidated damages for defaults. Special offers went out with a recent Comcast billing statement. The subscriber has not received a mailing that explains why these offers are being made to the people of Birmingham, Beverly Hills, Bingham Farms and Franklin. Hollinshead recognizes that this may not be the responsibility of Comcast, but he thinks that the Board has been remiss in not communicating the terms of this settlement and the reason for this offer to its constituents. It would be a way of informing citizens that the Cable Board serves as an advocate for the people in the municipalities.

Borgon mentioned that the offer has been publicized on Channel 15. The Board indicated an interest in issuing a letter explaining its position on the agreement with Comcast, and Currier has discussed issues relative to such a mailing with Jon Kreucher.

Currier related that he concurs with Kreucher's analysis that Comcast is subject to the Federal Privacy Act whereby it cannot transmit its subscribers' names to other entities. A mailing from the Cable Board would require sending a letter to all of its citizens based on municipal records, which becomes expensive. If the Board considered asking Comcast to place a mailing in its monthly bill, there are logistics and cost issues. In the interim, information on the offers resulting from the agreement was placed on public television and mentioned at municipal commission and council meetings as well as at these Cable Board meetings. Articles on the settlement have been published in the Eccentric and other newspapers.

Bello thinks that there is confusion among the public about the offers, what transpired, and how the parties reached a settlement. He agrees with Hollinshead that it is the Board's responsibility to communicate with its constituency, and he supports a direct mail piece coming directly from the Board.

Hollinshead suggested an oversized postcard mailing or a four-panel piece sent out postal patron to inform the constituents of our municipalities about these offers and how and why the parties reached the point of offering them. Hagaman estimated the cost of a full mailing sent bulk mail to be approximately \$6,000-\$7,000.

Delaney commented that he is more concerned about the future and would be interested in the communities including a piece in their newsletters describing the complaint process and asking subscribers to register any complaints with the idea of improving service. He does not support a costly blanket mailing to all residents.

Ettenson remarked that the Board talked about having municipalities include an article on this topic in their quarterly newsletters. Borgon suggests that the newsletter article serve the dual purpose of recapping what happened and outlining the complaint process. Hagaman mentioned that she drafted an article for the Bingham Farms newsletter relative to the agreement with Comcast. She will send the article to Borgon and Hollinshead for their input, and forward an article to the four communities for inclusion in their newsletters.

Currier concurs that this will be a cost effective way to distribute information to the Board's constituents. He suggested that the newsletter article include a phone number to call if a subscriber did not complete the survey card and need relief from cable television problems.

There was a question raised at the last meeting relative to the contest offered by the Board in 2001 to develop a logo for Channel 15. Currier indicated in his letter of July 15, 2002 that the contest had certain eligibility requirements as follows: "the Birmingham Area Cable Board Logo contest is open to all high school students (public & private), grades 9-12 in the Birmingham School District. Only one winner will be chosen. Children of employees of the Birmingham Area Cable Board or children of members of the Board are not eligible."

Laidlaw asked that the Executive Director prepare a proclamation thanking Stephanie and Molly Borgon for their contribution in designing a logo.

BOARD COMMENTS

Delaney thanked Currier for his efforts with respect to the settlement with Comcast in lieu of levying liquidated damages for defaults. He thinks the action taken was a step in the right direction to improve service.

Motion by Bello, seconded by Ettenson, to adjourn the meeting at 9:14 a.m.

Motion passed unanimously.