

Present: Correa, Greenslade, Hirsch, Hollinshead, Kuhne, Wilson - Birmingham
Borgon, Delaney, Pinkos, Woodard – Beverly Hills
Anderson – Franklin
Ettenson – Bingham Farms

Absent: Camp – Birmingham

Also Present: Hagaman - Executive Director
Currier – Attorney for Cable Board
Helwig – Bloomfield Community Television representative
Martinico - Director of Technology, Birmingham Schools
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.

APPROVE MINUTES

A change was made on page 2, paragraph 6, to replace ‘A member of the Board’ with ‘Kuhne’. On page 5, paragraph 5, delete the second from the last sentence beginning, “The Board would then discuss... “.

Motion by Delaney, seconded by Ettenson, that the minutes of a regular Cable Board meeting held on Wednesday, June 18, 2003 be approved as amended.

Motion carried.

ELECT BOARD OFFICERS

Borgon opened the floor to nominations for chairperson.

Ettenson nominated Bob Borgon for the position of chair. Borgon accepted the nomination.

Kuhne nominated himself as chairperson. There were no further nominations.

Borgon called for a vote on Kuhne as chairperson. By a show of hands, Kuhne received one vote. Borgon was elected chairperson by a show of hands.

Borgon opened the floor to nominations for vice-chairperson. Delaney nominated Mel Ettenson. Ettenson accepted the nomination. There were no further nominations.

Ettenson was elected vice-chair by unanimous consent of the Board.

Nominations for the position of Board secretary were accepted. Grant Pinkos nominated himself as secretary. There were no further nominations. Pinkos was elected by acclamation.

Borgon opened the floor to nominations for the position of treasurer. Wilson nominated James Delaney as treasurer of the Cable Board. Delaney accepted the nomination. There were no further nominations. Delaney was elected treasurer by unanimous consent of the Board.

COMMITTEE REPORTS

PEG Committee

Hollinshead reported that a Request for Proposal for cable access management services has been mailed to access facilities. Advertisements have been placed in the Birmingham Eccentric and AdCraft magazine and website. The deadline for receiving RFPs is August 18, 2003 at 2:00 p.m. The Birmingham City Clerk's office is accepting proposals for the Board.

Hagaman stated that the PEG Committee will review the proposals received by the August 18 deadline and schedule interviews with the selected companies. The Board as a whole may be asked to interview the leading applicants and make a decision as to which company should be offered a contract. Hagaman would like to have a Board decision by the October meeting.

Cable Review and Liaison Committee Report

Hirsch stated that scheduling conflicts precluded a meeting of the entire committee last month. He met informally with Carol Greenslade, and they covered several subjects. They discussed ongoing efforts to liaise with neighboring cable boards including the Western Oakland County Cable Communications Authority (WOCCCA) and the Intergovernmental Cable Communications Authority (ICCA). The committee will continue attempts to arrange a meeting date with the executive directors of these bodies with the belief that it is important to develop a common, more powerful voice in dealing with our responsibilities.

Hirsch referred to the legal opinion provided by Tim Currier in a letter dated June 25, 2003 on the question of whether or not the Cable Board may affect cable policy of its member communities and whether doing so would violate the Lobbying Act. Board members are in receipt of this correspondence. The opinion provided renders it legal for the Cable Review and Liaison Committee to proceed with its efforts to work in unison with other cable authorities.

COMCAST RELATED TOPICS

Subscriber Complaints

Hagaman stated that the four complaints received this month have been resolved. DiMaria answered questions from the Board on the resolution of specific issues and addressed two complaints held over from last month.

Birmingham Link

DiMaria reported that Comcast engineers were able to work everything out to the satisfaction of Birmingham Engineer O'meara to proceed with underground fiber link to the Birmingham City Hall. Work is most likely underway on an underground crossing of Woodward, a priority due to the deadline on an MDOT permit.

In answer to an inquiry, DiMaria related that he received a 99% probability that BCTV will be able to monitor BACB channels once the work on the wide-area network is completed.

Monthly Subscriber Statistics

The Board reviewed Comcast subscriber statistics for June, 2003.

Other Issues

Borgon questioned the status of a report requested from Comcast on the dates and amounts of rate increases during the last two years. He noted that a subscriber had submitted a chart of percent increases in Comcast fees as part of a complaint.

DiMaria stated that Fred Eaton from Comcast followed up on that customer complaint with a letter to the subscriber and indicated that the subscriber's information is accurate. DiMaria will provide the Board with a copy of the letter sent by Comcast to this customer.

Borgon related that Jon Kreucher was in attendance at a recent Board meeting and said that he would look into Comcast giving senior discounts to eligible subscribers. Borgon questioned the status of senior discounts.

DiMaria responded that Mr. Currier has also raised this issue during a conversation about three weeks ago. Senior discounts is a topic that will continue to be discussed.

DiMaria announced that Friday, July 25 is the date available to conduct a tour of the new call center facility at 16 Mile and VanDyke with Comcast representatives including Ms. Patton, Vice-President of Customer Service for Michigan. The tour can be arranged to take place at lunch time or at about 3:30 or 4 p.m. in the afternoon. Hagaman asked Board members to state their preference after the meeting.

Board members will be receiving an invitation in the mail to attend the grand opening of the IT support center in Ann Arbor. That facility has been up and running for about two months.

Delaney asked that Comcast provide information on High-Definition TV that explains to the consumer how to determine what they need to purchase in terms of HDTV equipment as well as what Comcast provides.

DiMaria responded that material was distributed to the Board a number of months ago explaining some of the technical aspects of HDTV. He will prepare a handout that is easy to understand.

Ettenson remarked that there has been national publicity lately regarding increased cable fees for all carriers. The cable industry is blaming spiraling fees on increased programming costs. When Brian Roberts, President of Comcast Communications, was in town recently he indicated that there was some movement to make some of the increased programming costs optional. Ettenson asked for an update.

DiMaria recalled that Brian Roberts mentioned the possibility of an optional sports programming package in an attempt to mitigate price changes that are driven by sports programming. DiMaria commented on recent FCC and congressional hearings on cable price increases, noting that there is nothing definitive to report at this point.

Hollinshead asked if there is action the Board can take to work with Comcast on structuring a different tier. DiMaria responded that tier restructuring would happen on a national scale rather than occurring as a programming change introduced in one area. Comcast will attempt to use its market influence to negotiate better programming contracts.

Borgon stated that the Executive Director attended a Michigan NATOA meeting last week where three Comcast issues came up. It was learned that Comcast has increased its franchise fees in many communities to 6% to recoup money they paid to municipalities.

DiMaria responded that an FCC ruling came down about six months ago that permits the company to recoup fees paid on non-subscriber revenues. This is something to discuss with Jon Kreucher, Division Vice President of Government and Regulatory Affairs, in conjunction with franchise fee issues. He added that Comcast attorneys are formulating information to provide some understanding of what plays into how fees are calculated.

In answer to an inquiry, DiMaria stated that Tech TV was removed from the lineup in communities that did not have a prior existing contract to carry Tech TV.

DiMaria was asked about an Internet cable wiring issue and cable guard fee. He clarified that a \$.99 fee is included in the price of any digital package to insure the wiring. Customers can receive this add on without a package but are not required to receive the service.

Hagaman brought up the topic of computers being bombarded with pop-up ads on the Internet. She asked if there is something that Comcast can do for its subscribers to alleviate this nuisance in connection with its high-speed Internet service.

DiMaria answered that Comcast has an association with McAfee whereby high-speed Internet customers can download and receive one year of free firewall protection. It is important for consumers to install firewalls and programs that block pop-ups. He stated that Comcast has spent time and money to install and continuously update numerous filters in its servers. It is an ongoing program that will continue until there is legislative relief, although pop-ups will never be completely stopped. DiMaria suggested that people with pop-up issues can contact Comcast techs who will assist the subscriber in mitigating problems.

Kuhne related that Governor Granholm's recent bill addressed Spam, which is the direct advertising that goes into your e-mail address. Pop-ups are triggered by a site visited whereas Spam is an intrusion into a person's e-mail address. Kuhne mentioned that there are free anti-adware programs available on download.com that will eliminate pop ups.

DiMaria commented on the Governor's recent anti-Spam legislation and mentioned that there is discussion in D.C. about legislation to eliminate both Spam and pop-ups. He noted that state law only covers Michigan, and the momentum is now towards some kind of national legislation.

EXECUTIVE DIRECTOR'S REPORT

The BACB Annual Report will be distributed for the August meeting. A final fiscal year financial report will be available in September.

MLTV 15/ PA 18 REPORT

Five regular municipal meetings have been produced by BCTV this month, one BACB meeting, and a special Birmingham meeting about the proposed ethics ordinance. BCTV has covered three Birmingham Concerts in the Park, one Mayor’s Roundtable, and a Java Jam. The first Beverly Hills concert in the park will be taped tonight.

Studio productions have been down this month while the studio was under construction. It is now back in operation. BCTV did Jim Lane’s “Talk of the Town” last night. The entire facility is at the end stage of construction.

Two additional laptops have been ordered for editing purposes. The use of laptops for editing provides flexibility and frees up physical space.

Helwig stated that BCTV is looking at its program lineups. She mentioned that Rabbi Wine was recently informed that BCTV would no longer produce “Center for New Thinking” for the reason that the program is not consistent with BCTV guidelines.

OLD BUSINESS

None

NEW BUSINESS

Borgon asked Martinico for a school district update. She responded that Birmingham Schools are enjoying the new equipment provided by the Board over the last few years. They look forward to coming back to the Board with a new request in the near future.

BOARD COMMENTS

None

PUBLIC COMMENTS

None

CLOSED SESSION

A closed session was scheduled in anticipation of a response from Comcast on audit issues that may have needed an attorney/client privileged communication. A response was not received; therefore, the closed session is not required.

Motion by Delaney, seconded by Wilson, to adjourn the meeting at 8:30 a.m.

Motion carried.