

Present: Frishman, Hirsch, Hollinshead - Birmingham
Borgon, Delaney, Pfeifer, Woodard – Beverly Hills
Ettenson – Bingham Farms
Gallasch – Franklin

Absent: Correa, Fredrick – Birmingham
Pinkos – Beverly Hills

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

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

Motion by Ettenson, second by Delaney, that the minutes of a regular Cable Board meeting held on August 18, 2004 be approved as submitted.

Motion passed.

OPERATING AUDIT – PLANTE & MORAN PRESENTATION

Beth Bialy and Monika Lesinski from Plante & Moran presented the audit report of BACB financial statements as of June 30, 2004. The format of the report differs from previous years in that provisions of the Government Accounting Standards Board (GASB) Statement No. 34 have been applied to the financial statements. The resulting document presents entirely new financial reports including the both the modified and full accrual basis of accounting. The Board has received a clean report.

Questions and comments from Board members were addressed by Bialy and Lesinski. Copies of the audit report are on file at the Cable Board office for public review.

Motion by Pfeifer, second by Woodard, to accept the Birmingham Area Cable Board Financial Report as of June 30, 2004.

Motion passed unanimously.

COMMITTEE REPORTS

PEG Committee

Hollinshead reported that the PEG Committee met on September 10, 2004 to review several matters. He updated the Board on the production of a second program in the Rouge River series covering wild life in the Rouge River basin.

In its effort to develop this program, Bloomfield Community Television is investigating available resources and has scheduled interviews with content experts. It is proposed to engage the services of consulting engineering firm Hubbell, Roth & Clark to assist with the production of the program. HRC was significantly involved in the production of the first program. The firm has received the endorsement of both Birmingham and Beverly Hills as being designated content and resource representative for those municipalities.

Board members are in receipt of a proposal from Hubbell, Roth & Clark outlining the services it can provide to assist in this program for a total estimated cost of \$4,425.40. Hollinshead expressed the view HRC's role is central to the execution of this program and would seek the Board's endorsement in the form of approval of the proposal. He anticipates that the program can be produced and completed this fall for airing by the first of next year.

Hollinshead commented on other PEG related developments. There have been discussions with the City of Birmingham on content for Channel 15 related programming with Joe Valentine named as its official liaison with the Cable Board on content matters.

Hollinshead mentioned the need to update the cable equipment in the Birmingham City Commission chamber in order to provide acceptable coverage of city meetings. Joe Valentine will be working with Jim Gillis of BCTV to determine what needs to be done to bring the video coverage of Birmingham city meetings up to a reasonable level with the addition of new equipment. A comprehensive proposal for the completion of this work within the current fiscal year will be presented to the Cable Board for consideration.

The PEG Committee was asked by Mel Ettenson to consider the possibility of cable television coverage of Bingham Farms Council meetings and other public deliberations from its meeting room. After examining the Bingham Farms meeting facility and discussing the situation with Jim Gillis and others from BCTV, a determination was made that the room as it exists in terms of size, layout, and acoustics is not adequate for live coverage of meetings. Ettenson has been advised that live broadcast is not something that the PEG committee would recommend at this time.

Board members received a copy of a quotation from ProVideo Systems for the acquisition of a new camera and related equipment for the BACB remote van. The quote expires on September 25.

Gillis has evaluated the remote van in terms of maintaining equipment levels. He explained that the difference between a three-camera truck and a four-camera truck is that the capabilities of the full vehicle is lost if one camera is out for service. Most mobile production units are four camera trucks. Gillis contends that the proposed expenditure for the mobile van is warranted and will provide flexibility if a unit is down.

Gillis believes that the proposal from ProVideo Systems is fair in terms of price. He has been working with the ProVideo engineering team to assure that the installation can physically occur within the space available in the truck. It is Gillis' opinion that the

additional camera should not be purchased from a second company and installed into the current vendor's system. It is important to retain continuity with the equipment to allow the ability to interchange items if necessary. The proposal consists of a full package including installation fee. Gillis recommends that the Board accept the proposal from ProVideo Systems. Questions from Board members were addressed by Gillis.

Gallasch asked if additional camera upgrades will be proposed. Gillis responded that there are good cameras in the truck currently. It is important to have a service check of the van every two years. He will submit a maintenance bid for performing operations such as tightening up all the screws and connections in the van and replacing solders.

Delaney questioned whether an assessment of the 13-year-old vehicle is needed before the Board spends more money on it. Another issue raised was winter storage of the truck. Gillis answered that the contract with BCTV includes performing general maintenance on the van, which is handled by Bloomfield Township fleet care. The vehicle has about 10,000 miles on it and is expected to last 20 years.

With respect to winter storage of the van, Gillis related that the cameras are stored in BCTV's heated garage from November 1 through late March. Winter storage of the van is being worked out with Joe Valentine.

Frishman left the meeting at 8:30 a.m.

Members recognized the value of continuity with the current contractor while understanding that the Board has a fiduciary responsibility to spend money wisely. In answer to an inquiry from the Board, Gillis stated that he considers the proposal from ProVideo Systems to be reasonable in terms of pricing based on the quotes received for the original equipment, which went out for bids.

Currier commented that there are charter requirements for municipalities to go out for bids on certain expenditures. Most charters relieve governing bodies from that responsibility with professional services or certain technical matters. The idea of the bid process is to get a fair price and value for what you are receiving. The BACB accepted proposals on the original camera equipment for the mobile van.

Hollinshead suggested that the Board could request that the Bloomfield Township fleet management company provide a judgment on this vehicle in terms of its condition, age, expected maintenance and market value. This information might be useful to the Board in terms of timing for purchase of a new vehicle or equipment.

Motion by Hollinshead, second by Pfeifer, that the Board approve the expenditure of \$29,509.00 for acquisition of a Hitachi camera and related equipment for the BCTV channel 15 & 18 mobile production van from ProVideo Systems, Inc.

Motion passed unanimously.

The Board considered the proposal from Hubbell, Roth & Clark for programming assistance on the second program in the Rouge River series.

Motion by Hollinshead, second by Pfeifer, that the Birmingham Area Cable Board approve the proposal from Hubbell, Roth & Clark in an amount not to exceed \$4,500.00 to assist Bloomfield Community Television with the production of the second Rouge River program.

Motion passed unanimously.

In response to the recommendation that the Village of Bingham Farms facility is not appropriate for telecasting municipal meetings, Ettenson related that Bingham Farms is celebrating its fiftieth anniversary next year and will be doing cooperative work with the Bingham Farms schools. There is a possibility that the school district has a facility that would be available to Bingham Farms on a special occasion basis.

Cable Action Committee

Hirsch stated that the committee is mailing letters to subscribers who have complained about cable rates. The letter encourages subscribers to contact members of Congress and the FCC. It explains that this Board has no control over rates charged by Comcast or over the frequency of increases.

The Board is in receipt of a draft letter to the FCC Commissioners who participated in a public hearing in Dearborn last week. The Cable Action Committee viewed this meeting as an opportunity to express the Board's position on the need for cable rate regulation. However, that meeting was primarily focused on the Future of Media. Therefore, the committee members drafted a letter to the two commissioners expressing the Board's position on the need for cable rate regulation. There was agreement that Chairman Borgon should sign the letter.

Hirsch stated that Grant Pinkos has resigned from the Cable Action Committee due to time constraints related to a change in employment. Pinkos will remain on the Cable Board. Hirsch remarked that Pinkos has been a capable and creative participant on the committee, and his input will be missed. The Cable Action Committee is looking forward to the participation of new member Susan Frishman. Hirsch stated that there are many items on the committee's action plan, and the group could use more help from BACB members.

COMCAST RELATED TOPICS

Subscriber Complaints

Hagaman reported that there were two new complaints in the last month. Complaint #04-38 was a subscriber problem, which has been resolved. Hagaman is waiting for a formal reply from Comcast on Complaint #04-39.

Hagaman related a conversation with Mr. Louis Trudell regarding his complaint (#39). This subscriber was informed by a Comcast customer service representative (CSR) that

the Plymouth facility is the only 24/7 operation in the metro area. Once the Macomb and Southfield facilities close for the day and the weekend, all calls are rerouted to the Plymouth call center. Because of all the calls coming into the Plymouth center, they are not able to access the data necessary to establish a service appointment within the 24-hour time frame called for in the franchise agreement. The CSR makes an appointment for the day after and then reschedules that appointment the next day to make the repair within 24 hours of the call. Hagaman asked Beller to look into this situation and advise the Board.

Woodard questioned the Cinemax move from analog to digital and asked how subscribers will be notified of this. Beller responded that Comcast is investigating the details of this complaint due to inconsistencies and will have a report within the next week or two.

Currier related that, occasionally, a Comcast service representative will tell customers that premium channels are moving from analog to digital as part of a marketing scheme to have subscribers switch to the digital service at a higher cost.

Hagaman commented on an outstanding complaint from a subscriber who was personally offended by a Comcast advertisement, which the customer viewed as an affront to the Catholic religion. Beller responded that she has located the ad in question. That particular ad campaign has ended, but advertisements may be rotated and reinserted. Hagaman suggested that the Board may want to view the ad and evaluate it to determine whether it has the same concerns as this subscriber.

Monthly Subscriber Statistics

There were no comments on the system statistics for July and August.

Other Issues

Beller highlighted items included in a written report to the Board. Subscribers now have access to Comcast Local, a locally-based 24-hour programming channel available exclusively to Comcast customers. It offers coverage of local events, entertainment and sports. Comcast Local will initially be available in southeast Michigan.

Comcast in conjunction with Partnership for a Drug-Free America and the Prevention Coalition of Southeastern Michigan has participated in a Comcast/PDFA Detroit Town Hall meeting. This will be aired on various channels including the Comcast Local channel.

Comcast is a media sponsor for the 2004/2005 Michigan Heart Walk, including the major southeast Michigan walk event at Oakland Community College on October 2nd.

In partnership with the Birmingham Bloomfield Chamber of Commerce, Comcast is supporting the first annual 2004 Vine & Dine event to benefit the Oakland County Food Bank.

Comcast has aligned itself with Cranbrook's "Science on the Go" program, an outreach program designed to bring the Cranbrook Science lab curriculum to schools unable to fund a field trip to the Science Center.

Beller announced that Comcast Cares Day is October 2nd. This year Comcast is providing support to the Birmingham Area Senior Coordinating Council center.

Borgon commented that he is looking forward to meeting Michael Brady, new Comcast VP of Government and Regulatory Affairs for the Michigan region. Beller extended an invitation to Board members to visit Comcast facilities and tour the head end. This could be combined with a meeting with Michael Brady. Hagaman will contact members and arrange a date for this event.

Delaney asked if there is anything new on the TV guide channel format. Beller responded that the new TV Guide format should be appearing in this area at the end of September or early October. She will confirm this.

EXECUTIVE DIRECTOR REPORT

Hagaman announced that Birmingham has appointed Ron Fredrick to the BACB. Mr. Fredrick had a conflict with today's meeting date but is looking forward to joining this Board.

Hagaman reported that she and Susan Frishman attended the annual NATOA conference last week. Hagaman attended a session on regulatory issues that focused on a major issue in coming years related to the bundling of companies. The question will be where local government fits in with the changing telecommunications environment and who will regulate certain areas to maintain standards for customer service. There was discussion on what is considered true competition for cable. Hagaman was involved in several programming sessions on topics including promoting access channels and web streaming. She will present the Board with a full report on the conference next month.

Hagaman stated that the Beverly Hills Finance Director has been occupied with the Village audit. Hagaman hopes to have the 2003/2004 Cable Board financial report included in the material for the October Board meeting.

The Cable Board Annual Report was tabled last month in order to allow time for Board members to review the document prior to forwarding it to its member communities. The only change was a suggestion to add "as of June 30, 2004" after "Current Board Members".

Motion by Delaney, second by Pfeifer, to accept the Birmingham Area Cable Board Annual Report for fiscal year 2003-2004 and present it to the four municipalities in the consortium.

Motion passed unanimously.

MLTV15/PA18 REPORT

Gillis reported that during the last month BCTV completed the production of six regularly scheduled municipal meetings, one BACB meeting, two Birmingham concerts and a recycle program for the BACB communities. He mentioned that three Birmingham concerts were rained out this summer. An additional concert was taped during the Ryder Cup event. On September 26th Steve Rota will be shooting a “Meet the Candidates” program for 6th Circuit and 48th District Courts at Baldwin Library.

BCTV completed a total of 27 programs for playback on PA 18 for this time period. Of this total, BACB residents produced three programs (all Spectacles).

The mobile van upgrade was covered earlier in the meeting. With regard to the Rouge River program, Steve and Zack shot an interview with Joe Rathburn, bug expert and B-roll on September 3rd at Franklin Cider Mill and Quarton Lake. Zack will be attending Waterfest at Cranbrook, a two-week event on Thursdays and Fridays, working with an individual from the Bloomfield Township Department. On October 6th an interview is scheduled with Sally Patrella, who is a frog and toad expert.

Gillis will be meeting with Joe Valentine from Birmingham on a number of issues in the coming weeks.

OLD BUSINESS

None

NEW BUSINESS

None

BOARD COMMENTS

Gillis informed the Board that the meeting was not live for a few minutes earlier this morning due to an unplugged modulator in the control room.

CLOSED SESSION

Motion by Ettenson, second by Woodard, to go into closed session to discuss confidential attorney/client privileged communication exempt from disclosure.

Roll Call Vote:

Motion passed unanimously.

Members of the Board and Haganan met in closed session with Attorney Currier at 9:18 a.m. and reconvened in open session at 9:55 a.m.

The meeting was adjourned at 9:56 a.m.

THESE MINUTES ARE NOT OFFICIAL. THEY HAVE NOT BEEN APPROVED BY THE CABLE BOARD.