

Present: Decker, Fredrick, Frishman, Jones, McLain - Birmingham  
Borgon, Pfeifer, Woodard – Beverly Hills  
Ettenson – Bingham Farms

Absent: Correa and Tarini – Birmingham  
Mach and Verdi-Hus – Beverly Hills  
Gallasch – Franklin

Also Present: Hanson - Executive Director  
Salhaney - Attorney for Cable Board  
Florance - Bloomfield Community Television representatives  
Martinico - Director of Technology, Birmingham Schools  
Beller - Comcast representative  
Valentine - Birmingham staff 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 MEETING MINUTES**

Motion by Ettenson, second by Woodard, that the minutes of a Birmingham Area Cable Board meeting held on Wednesday, January 18, 2006 be approved as submitted.

Motion passed unanimously.

#### **COMMITTEE REPORTS**

##### **PEG Committee**

Fredrick reported that the PEG Committee has been communicating with Comcast about initiatives that might offer greater visibility to the consortium's PEG stations. Joe Valentine had posed the question of whether local community programming can be included in the OnDemand service offered by Comcast. The cable provider has indicated that it is not able to do that at this time, but Comcast will run a promotion for the local stations on its stations. The PEG Committee will follow up with BCTV staff on producing a promo that will afford on-air publicity for Channels 15 and 18.

A continuing initiative of the PEG Committee is to work on strengthening its billboard content. Fredrick thanked the Baldwin Library for providing specific events and dates for the bulletin board. This type of input contributes to presenting a more vibrant billboard.

Fredrick maintains that the PEG programming area needs consistent monitoring in terms of individuals watching the channels and sharing their impressions with the committee. BCTV would also welcome that kind of input. This topic will be discussed at the next PEG Committee meeting scheduled for Wednesday, February 22 at 5:00 p.m. at Baldwin Public Library.

Fredrick mentioned that his term on the Cable Board ends in March, and he will not be requesting reappointment due to other obligations. He has enjoyed serving on the Cable

Board. Fredrick revealed that he has located an excellent replacement for his position, Bob Mancini, who is present today.

### **Cable Action Committee**

Jones reported that he and Ettenson met last month and discussed two issues, a cable franchise survey and a recent PROTEC meeting attended by Ettenson and Hanson.

Ettenson reviewed that there are pending revisions of the Telecommunications Act in Washington and in Lansing relative to the telephone companies wanting to get into the cable business. In order to maintain local franchising authority and the ability to govern their rights-of-way, municipalities have banded together with Michigan NATOA and PROTEC and are preparing a response to a filing made by the FCC supporting the telephone companies getting into the cable business without having to pay franchise fees. Municipalities have been asked to put together a survey focusing on what PEG channels do for their communities. Survey results are being compiled and sent to Washington to demonstrate the reasons and advantages of having local channels in the communities.

Hanson stated that a recent PROTEC meeting was basically a brainstorming session to collect ideas for the survey, which resulted in drafting an eight-page questionnaire to be submitted by February 13 on behalf of all Michigan municipalities who responded to the PEG survey. The purpose of the MML/PROTEC/Michigan NATOA survey was to represent cities and villages in Michigan collectively to be sent to Washington, D.C. as an FCC filing in response to the Notice of Inquiry.

### **TREASURER’S REPORT - DISCUSS PROPOSED INVESTMENT POLICY**

Decker has presented a draft Investment Policy based on the Beverly Hills Investment Policy for consideration by the Birmingham Area Cable Board. During the next month, Decker will be reviewing and assessing the financial reports prepared by Hanson and distributed to the Board. Hanson has entered the Board’s financial data into a Quick Books program, which will allow for improved and timely financial reporting as well as easier access to the data.

Charles Kipp from Multi-Bank Securities, who was scheduled to make a presentation at today’s meeting, was not present. Ettenson commented that the services of Mr. Kipp have been used by the Village of Bingham Farms for about a year during which time the Village’s interest earned on income has increased substantially.

Decker asked for comments and questions regarding the proposed Investment Policy. Woodard referred to the paragraph in the Policy entitled Delegation of Authority, which says “daily management responsibility for the investment program is hereby delegated to the Treasurer, who will establish procedures and internal controls for the operation of the investment program consistent with this investment policy”. Woodard question whether this was an appropriate level of responsibility for a volunteer member of a local community board. In the past, the Executive Director has done most of the work associated with managing Cable Board money. Woodard remarked that there may be future Board members without John Decker’s interest or expertise. It was questioned whether the Treasurer would be bonded.

Decker agreed that it may be appropriate to revise the language to state that the Treasurer will have overall rather than daily management responsibility for the investment program with the advice and consent of the Chairperson or Executive Director. The Executive Director generally handles the daily management responsibilities of the Board.

Borgon commented that the Executive Director is involved with any investment strategy adopted by the Board. In the past, the Executive Director left the investment choices up to the bank. He thinks that the Board is taking a step in the right direction to optimize its assets.

Hanson indicated that the Bylaws for the Cable Board state that the authority is in the hands of the Treasurer, who might delegate that authority. Etnenson suggested that the Board should not overlook the possibility of engaging an investment advisor to assist the Treasurer with investment decisions.

Decker will reexamine the Investment Policy language in light of defining the Treasurer's role and bring the document back before the Board for consideration.

**APPROVE PROPOSED RESOLUTION #2006-02 TO ADOPT BACB INVESTMENT POLICY**

Motion by Woodard, second by Pfeifer, to postpone consideration of a Resolution to adopt a Birmingham Area Cable Board Investment Policy until the March meeting.

Motion passed unanimously.

**INVESTMENT PRESENTATION BY CHARLES KIPP**

The investment presentation by Charles Kipp, representative of Multi-Bank Securities, will be rescheduled due to his absence.

**COMCAST RELATED TOPICS**

Hanson reported that there have been 11 new complaints since the last meeting with three carried forward from previous months. The most prevalent complaint was reception (5 complaints); rates – 3; field tech service - 3; senior discount – 2; customer service – 2; cables/wiring – 1; and billing dispute - 1. An updated report submitted to the Board shows that three of the complaints have been closed.

Pfeifer related that she registered a complaint regarding problems with her HDTV box in terms of sound and pixellation. In addition, she has lost reception of Channel 15 on her digital set but not on the television with analog reception. McLain and Woodard indicated that they are also having problems receiving Channel 15. Beller responded that she will follow up on this problem now that it has been brought to her attention.

Borgon referred to a complaint that a subscriber's channel terminated during a Birmingham City Commission meeting. Zack Florance thought that the program may have been timed out incorrectly and therefore ended early. BCTV will work on having programs end at the correct time.

### **Monthly Subscriber Statistics**

There were no comments on the Comcast system statistics for December 2005 and January 2006.

### **Other Issues**

The Board received a letter dated January 20, 2006 from Mike Cleland, Comcast Area Vice President, announcing a price increase. The letter goes on to outline the offerings and accomplishments of Comcast. Borgon commented that he finds it hard to believe that Comcast cares about the community when there has been another price increase, especially a 12.9% increase in basic service, which has lost analog channels to the digital tier.

Louise Beller, representing Comcast, commented on the price adjustments in general explaining that the cost of entertainment is increasing. She stated that the cable company's competition, Dish and Direct TV, have also increased their prices while offering no local programming or PEG channels. Comcast's competition requires contracts and purchasing of equipment, and has no local technicians employed by their organizations. Comcast believes that its prices reflect a value that their customers are receiving.

Ettenson commented that the actual dollar amount increases are pretty uniform in terms of services offered. He noted a recent report in the press indicating that the cable industry in general lost one million subscribers in 2005. Ettenson suggested that, if another million subscribers drop out of the market, maybe Comcast will adjust its price increases accordingly.

McLain commented on the mission of this Board and its responsibility to the public. She related that she came to meetings when she was a member of the public and gave the numbers of Dish Network and Satellite TV to the audience so that they could research competing products. She questioned whether Board members should give information to the public on other options for receiving television channels.

Borgon responded that the Board has informed the public that there are alternatives to Comcast cable television. It is up to the subscriber to call about those rates and services. He added that it is a lose-lose situation when people leave Comcast, but he understands their frustration.

Hanson stated that he informs people that satellite television is an option when subscribers call the Cable office requesting competition. He noted that the satellite dish route does have drawbacks in terms of reception during a storm situation as well as no reception of PEG or local network channels.

Decker questioned whether it is appropriate for the Board to advertise or direct people to competition for wire based cable. People need to be aware that there are other options, but that is where the Board's obligation should end. The Board's stated mission is to work with the current cable provider and to manage that relationship and insure that people are receiving the best service from wire-based providers in the area. He is not sure the Board is in a position of authority to govern the manner by which residents receive television in general.

Fredrick concurred that the Board should maintain a certain distance and that it would be inappropriate for the Board to promote any other service. Woodard thought that the Board's job is to make the Comcast service the best it can be for our residents.

McLain read text from the BACB web site. She stated that it was the duty and responsibility of the Cable Board to apprise the municipalities of new developments in cable communication technologies, rate adjustments, etc.

Decker remarked that a wire-based cable television provider requires physical access and cooperation from the community. This Board was formed at a time prior to satellite dish technology. If this Board was established as media experts, he would agree that it would be its goal to find the most efficient and less costly manner to bring television programs into the homes of viewers.

Some of the Cable Board members recently toured Comcast's Plymouth Call Center. McLain described the environmentally-friendly facility and the behind the scenes activity that occurs at the Call Center. She was impressed by the friendliness and professionalism of the staff as well as the quality of training received by customer service representatives and technical staff. The administrative people are serious about watching the statistics and are concerned about complaints received.

Ettenson emphasized that there is a supervisor available in the customer service area. He commented favorably on the section of the facility where the technicians reside. Overall the facility represents a considerable investment for Comcast and an effort to make Comcast a better business and a better experience for the customer.

Beller stated that the Plymouth facility is a consolidation of the other call centers, multiple technical operations facilities, and other administration operations. Comcast is attempting to consolidate its space to be more cost efficient by having one central area for calls and the administrative people that manage that area. The facility also represents costs savings with respect to its design and resulting efficiencies.

Ettenson observed that a large part of the facility is dedicated to training. Hanson commented that he was impressed by the comprehensive application of metrics to every aspect of the operation. Beller outlined the training schedule and indicated that Comcast is measuring key areas and working on process improvements based on direct feedback from customers. She related that new metrics were recently put into place whereby their goal is that 85% of the time Comcast will have a same-day turnaround if there is a handoff between a technical person who has identified that the problem is not in the home and that something needs to be fixed in the field.

Woodard suggested that Board members arrange to tour the Call Center annually. Beller will try to schedule another tour in the spring.

Borgon referred to a letter received by the Cable Board from a family in Birmingham that is requesting that the Board insist that Comcast offer Spanish stations in this consortium.

Beller responded that she does not know of plans to launch a Spanish tier locally but will advise the board when this happens. She believes that Comcast has Spanish stations available on its subscription service. Beller is not aware of Spanish stations being offered in surrounding communities.

Beller reminded everyone that the 2006 Leaders & Achievers Scholarship deadline is February 17, 2006. Martinico related that she has received confirmation that an application will be submitted by one of the Birmingham high school principals. Beller announced the launch of Comcast's Exercisetv available to customers with video on demand.

### **EXECUTIVE DIRECTOR'S REPORT**

Hanson reported that he surveyed the production van with BCTV's Zack Florance, who pointed out items that need attention, repair, or replacing. Florance referred to his February 11 report outlining the equipment and repairs needed for the BACB production van. He proposes to take the truck to a repair and engineering facility and to prepare a quote for the Board's consideration. Borgon asked that the Board receive this information as soon as possible so that the truck will be in good condition for upcoming spring and summer events.

Hanson reported on the Michigan NATOA meeting, where the topic was preparation for the FCC filings. He filed a report on behalf of the BACB communities. Valentine mentioned that Birmingham received and submitted a PEG channel survey for Michigan's FCC Notice of Proposed Rulemaking filing. Cable Board attorney has Salhaney compiled a detailed filing on behalf of the BACB consortium in preparation for FCC hearings in March.

Hanson recapped legislative developments on the state and federal level since the last meeting. He related that AT&T is expected to introduce legislation in Michigan, adding that legislation has been passed in favor of state-wide franchising in Indiana, Virginia, and Missouri.

Hanson stated that the Board can look forward to a series of Public Service Announcements on Channel 15 and 18 produced by NATOA. BCTV's Lisa Antuna scripted the non-political statewide PSA series designated to educate the public about PEG (public, educational, and government) programming. This is the first project of a new group formed as a division of Michigan NATOA called MI-NATOA PRO. On the national level, there are legislative PSAs that this consortium may be seeing on its channel.

Hanson has entered BACB financials into a Quick Books program to facilitate processing and reporting of revenue and expense reports, financial projections and bank reconciliations. He has provided the Board with financial summary statements and Franklin account reconciliations for the first two quarters of fiscal year 2005/06. The financial report includes a summary of expenses not projected for FY 2005/06. Hanson reviewed that a recommendation of the audit report was that the Board consider adopting budget amendments at some point during the year to account for unanticipated expenses.

Decker remarked that the suggestion received from the Beverly Hills Finance Director was that it is appropriate to amend the budget once a year to reflect actual expenditures. This action will be taken at an upcoming Board meeting.

**MLTV/15 PA18 REPORT**

Zack Florance from BCTV reported that six municipal meetings and one BACB meeting were taped during the last month. County Commissioner Chuck Moss taped three “Eye on Oakland” programs and the Birmingham Youth Assistance annual dog show held last week will be aired this month.

Twenty-six shows were taped for PA 18. The Program Development Committee met to work with a Birmingham resident on his new program proposal. The Birmingham YMCA mini-documentary is progressing well.

Florance reported that 14 people attended the BCTV volunteer workshop. He and Hanson met to inspect the van as outlined in his February 11 report. At the direction of the Board, he will prepare a quote on the repairs.

Florance related that Michigan NATOA PRO and BCTV staff members are moving along with developing a PSA promoting PEG channels. It should be ready for airing by the end of the month.

Florance stated that BCTV has provided the BACB with a logo inserter for PA 18 as part of a recent equipment upgrade.

Pfeifer asked about the possibility of rebroadcasting the state of the county address given by L. Brooks Patterson. Florance responded that this broadcast will be aired on a regular rotation.

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**BOARD COMMENTS**

Woodard commented that she attended a Program Development meeting at BCTV at which time the group reviewed a proposal for a new program being presented by Birmingham resident Greg Thrasher. The committee did see value in the program, and it is in a pre-production phase.

Ettenson stated that there will be a volunteer recognition dinner in mid-April with the date to be announced. He observed that the FCC has come out in favor of a la carte pricing whereby viewers of cable television may have the option of subscribing to only the channels they want to watch.

Ettenson referred to a correspondence dated January 31, 2006 from Tim Currier to Comcast requesting a reply regarding the franchise fee underpayment settlement. Beller indicated that she will have a reply to the Board by the next meeting.

**PUBLIC COMMENTS**

Hildreth Buterbaugh of Beverly Hills commented that municipal meetings aired on the municipal channel are truncated. He has observed that programs go off the air and are not replaced with programming for a period of time. This is something that BCTV might want to investigate. Buterbaugh also observed the lack of programming on channel 15 or 18 on the weekend.

Buterbaugh reported that approximately one-half of this channels went out between Christmas and New Year's. Board members advised him to call Comcast when he has reception problems.

The Board questioned how problems occurring with Channel 15 or 18 on the weekend are handled. Florance responded that an emergency pager notifies BCTV personnel of problems on weekends. If something needs attention, someone will come into the studio and take care of the problem. With regard to detecting a frozen screen issue, BCTV does not have a digital monitor on which to view and detect a problem on Channel 15 occurring on the digital level.

The number to call on the weekend regarding problems with Channels 15 and 18 is (248) 433-7790 (BCTV studio).

Motion by Pfeifer, second by Woodard, to adjourn the meeting at 9:26 a.m.

Motion passed.