

Present: Decker, Mancini, McLain - Birmingham
Borgon, Heyman, Pfeifer, Woodard – Beverly Hills
Gallasch – Franklin
Ettenson – Bingham Farms

Absent: Verdi-Hus - Beverly Hills
Jones - Birmingham

Also Present: Hanson - Executive Director
Currier - Attorney for Cable Board
Martinico - Director of Technology, Birmingham Schools
Helwig - Bloomfield Community Television representative
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 MEETING MINUTES OF CABLE BOARD MEETING HELD JUNE 21, 2006

Motion by Woodard, second by Pfeifer, that the minutes of a Birmingham Area Cable Board meeting held on June 21, 2006 be approved as submitted.

Motion passed.

ELECTION OF OFFICERS

The bylaws of the Birmingham Area Cable Board require that officers be elected annually at the first meeting of the new fiscal year. Borgon opened the floor for nominations for the office of chairperson of the Birmingham Area Cable Board.

Gallasch nominated Robert Borgon to the position of chairperson of the Cable Board. Borgon accepted the nomination. There were no further nominations. A voice vote was taken, and Borgon was elected chairperson.

Nominations for the position of vice-chairperson of the Cable Board were accepted. Borgon nominated Mel Ettenson. Ettenson accepted the nomination and was elected vice-chairperson by acclamation.

Borgon opened the floor for nominations for Treasurer of the Cable Board. It was noted that the Treasurer and Secretary position can be combined. Pfeifer nominated John Decker to serve as Treasurer of the Cable Board. Decker accepted the nomination and was elected Treasurer by acclamation.

Gallasch nominated John Decker as Secretary of the Cable Board. Decker accepted the nomination and was elected Secretary/Treasurer of the Board by acclamation.

COMMITTEE REPORTS

PEG Committee

Mancini reported that three major items were discussed at the June 21 PEG Committee meeting. The group discussed surveying consortium communities with the research objective of obtaining an assessment of subscriber use and preference for PEG programming on channels 15 and 18. Topics of discussion included telephone versus mail questionnaire, length of the questionnaire, and acquiring revised cost estimates based on the shorter length of the survey. The committee reviewed the supplier recommendation from the Executive Director based on cost, the questionnaire itself, and quality of service.

Another topic of discussion at the PEG meeting was the BCTV promotion of open positions on the Birmingham Area Cable Board. The committee also talked about bulletin board/program schedule format changes to incorporate professional quality program listings similar to the Comcast program guide supplied by TV Guide.

Mancini met with Tom Hanson on July 13 to discuss revised responses from four potential suppliers for the survey. The responses incorporated information from the firm recommended by Board member Dorothy Pfeifer. Proposals were evaluated, and there was agreement on the recommendation of a vendor, which Hanson will present to the Board at today's meeting. The PEG Committee will ask for a motion to approve a supplier, expenditure for the research, and the mode of questionnaire.

With respect to the BCTV promotion, Mancini thanked Steve Rota, senior production specialist, for providing information on scheduling and how it would be accomplished. The vacant position will air every day in July every time the bulletin is on and in rotation. The bulletin content was provided to BCTV by Hanson.

Format changes were discussed in depth with Lisa Antuna, operations manager at BCTV. There was agreement that major progress could be made in this area, and there is a video machine available to accomplish the task at a reasonable cost. It is likely that an agenda item for the next Cable Board meeting will be to approve the expenditure of a new video machine to enhance the quality of the electronic billboards. Mancini remarked that the new technology would provide an opportunity to announce the upcoming survey to the public, which would enhance the response rate.

Cable Action Committee

McLain stated that a letter was sent to Comcast on April 26, 2006 requesting a senior tier package. The Cable Action Committee would like to follow up with Comcast on this proposal. Ettenson understood that the letter was forwarded from corporate headquarters to Comcast's local marketing department for review and consideration.

Comcast representative Louise Beller stated that she has responded to the Board by explaining the process with regard to program related changes. Comcast's local marketing team evaluates this type of request based on programming obligations, market needs, customer feedback, etc. Making a determination on something of this magnitude will not result in a decision within a month or two.

When questioned further as to when the Board would receive an answer, Beller responded that the only definitive answer that she can provide at this time would be that Comcast does not offer a senior tier and does not have plans to offer a senior tier to customers in the Birmingham area. Should there be a decision to add a senior tier, Comcast would provide the 30-day notification to inform the Board and subscribers.

Borgon asked whether Comcast considers this a local or a national issue. Beller responded that Comcast conducts negotiations and works with its programmers on a continual basis on offerings and agreements from a national perspective. Programming that might be specific to certain needs of a local market are also considered. That is where the local decisions and recommendations come in. The request for a senior tier has been sent to the appropriate parties at both levels.

McLain commented the need for a senior tier continues to be of tremendous concern to our communities.

McLain reported that not much progress has been made in terms of locating production van parking. She will speak to Joe Valentine regarding the availability of space in Birmingham service parking facilities.

Regarding Board vacancies, McLain related the name of a Birmingham business owner who was a previous Cable Board member and is interested in becoming involved as a Birmingham representative of the Board. McLain thinks he would be a good addition to the Board. The Cable Action Committee will be meeting on Wednesday, July 26 at 5:30 p.m. at the Baldwin Public Library.

Ettenson commented on the senior tier initiative, which the Board views as being of interest to Comcast as a national issue. Typically, this Board does not tell Comcast how to run its business. We express the interests that reflect the communities that we represent. A copy of the letter requesting a senior tier was sent to Ralph Roberts, chairman of Comcast and also a senior. Ettenson thinks that the Cable Board should continue to follow up on its efforts to request a senior tier.

Mancini added that one of Comcast's competitors in an adjacent area has a senior discount program in place. It would behoove Comcast to give that some serious consideration.

VIEWERSHIP SURVEY – APPROVE FUNDING AND VENDOR

Hanson reviewed that the Board is interested in learning the viewers' preferences as far as PEG access programming. There have been discussions relative to engaging a firm to conduct either a mail or telephone survey to achieve this result. Hanson has spoke with each of the vendors that submitted a proposal and determined that each candidate is capable of handling the project. The vendors are Crossbow Research, Intellitrends, RDA Group, and PSC Inc. The company that has been most impressive with its level of skill and detail was Intellitrends, a company out of Clarkston at a cost of \$16,724 for a mail survey.

Intellitrends has recommended that 12,500 mailings go out to provide a statistic range on which to base results. Hanson related that all of the vendors contacted recommended proceeding with

a telephone survey on the basis that they are quick, accurate, statistically sound and competitively priced with a mail survey. This will be a decision of the Board.

Mancini commented that he would acquiesce to the professionals who say that the phone survey is the best way to go. However, the data shows that the cost of a telephone or mail survey is comparable and the response rate is between 350-400 either way. He favors a mail survey because the vendor will send out 12,500 mailings to the bulk of our constituents. Whether or not a person responds to the mail, they are at least receiving a correspondence from this Board that says it cares about what they think. With a phone survey, the company will continue to call individuals until they reach 375 or 400 responses. He is concerned that people will respond quickly to complete the survey and get off the phone.

Ettenson asked if an e-mail survey was considered. Hanson said it was recommended that the Board do a web based survey as a supplemental means of gathering data whether it proceeds with a telephone or mail survey.

Hanson stated that a key component of the survey is to publicize it in the Eccentric newspaper and possibly receive broadcast news coverage. Borgon suggested that the Board liaisons talk to their communities to advise residents about the survey. A letter could be sent to the municipal clerks.

Ettenson questioned whether Comcast has any comments regarding surveys it has done with respect to response rates. Beller responded that Comcast has done a variety of phone and mail surveys and indicated that the average number of responses noted in the proposals received by this Board are typical response rates.

In response to inquiries, Hanson clarified that the surveys would be sent to residents whether or not they are a Comcast subscriber. Responses from non-subscribers and people who misrepresent themselves would be taken into account in the design of the survey. Hanson added that it has been recommended that the survey try to cover people who do not necessarily watch PEG channels but who are Comcast subscribers. With a phone survey, the person conducting the survey would end the call if the respondent is not a Comcast subscriber.

Board members discussed whether to do a mail or telephone survey. There was a preference towards the mail survey method, but Board members were in agreement to let the professionals make the decision on the best way to proceed based on input received from the Cable Board and consultation with Mancini and Hanson.

Ettenson recommended starting with a web based survey and consider how much feedback is received before pursuing a mail or telephone survey. The web based survey could be accessed by a link on the BACB web page. Ettenson has talked to Attorney Tim Currier about whether other cable consortiums have done this type of survey.

Currier related that none of his clients have done a survey of this type before. The Western Oakland County Cable Communications Authority conducted an extensive cable needs assessment that involved surveys and inquired about the support of PEG channels. That Board considered whether to do a phone or mail survey, and opted to conduct a phone survey. There

were some misgivings afterwards for the reason that a mail survey would have sent a communication out to everyone in the community. The WOCCA group contacted subscribers and non-subscribers with the view that these cable boards are extensions of the government and represent everyone whether they are a subscriber or not. The funds derived by the cable franchise is the public's money.

Ettenson made a motion that the Cable Board consider a web based survey linked to the BACB web site and postpone the telephone/mail survey pending the results of the web based survey. The motion failed for lack of support.

Mancini questioned whether a web based survey would be representative of the community at large. There was further discussion on whether to proceed with a phone or mail survey.

Motion by Mancini, second by McLain, that the BACB award the viewer survey contract to Intellitrends at a cost not to exceed \$17,000. The preference of the Cable Board is to conduct a mail survey because of the public relations aspect, but the Board agrees to leave the survey method up to the decision of its Executive Director in discussions with the vendor in order to secure the absolute best response and quality of information. The Executive Director will review his recommendation with the chair of the Cable Board and PEG Committee chair before a decision is made. The Board would like a guarantee of at least 375 respondents.

Roll Call Vote:

Decker	- yes
Mancini	- yes
McLain	- yes
Borgon	- yes
Woodard	- yes
Pfeifer	- yes
Gallasch	- yes
Ettenson	- no

Motion passed (7 yes – 1 no).

COMCAST RELATED TOPICS

Subscriber Complaints

Hanson stated that there were 10 complaints received this month. He indicated which pending complaints have been resolved and closed. Beller added to the list of closed complaints.

McLain stated that she has reviewed the complaints and observed a level of frustration. People are seeking alternatives for cable service and are asking that the Board do something about providing competition. Subscribers should know that the Cable Board reads every complaint and takes them all seriously.

McLain related a frustrating incident she experienced trying to get a question answered by phone regarding her account with Comcast. She stated that miscommunication she experienced

is unacceptable. She will provide Louise Beller with a written summary of her specific situation.

Beller outlined Comcast's process with respect to verifying a caller's identity to determine whether they are authorized to make changes to an account. She will look into McLain's specific situation to determine what occurred with respect to her account.

Comcast Updates

Beller stated that subscribers have been notified of an immediate channel change that Comcast made in the interest of customer service. Customers have been experiencing ingress problems with ESPN as a result of recent channel changes effective June 27. Effective July 15, 2006, Comcast will be temporarily simulcasting ESPN on Channel 72 in addition to Channel 7. Permanent channel changes are in progress, and subscribers will receive formal notification once those changes are finalized.

Beller made announcements on the following topics:

- Annual notification of channel lineup and rate cards are being mailed to customers July, 2006
- Updates on new content ON DEMAND
- Comcast High-Speed Internet speeds increased from 6mg to 8 mg on July 6, 2006 at no additional charge.
- PowerBoost network speed enhancement for higher tiered Internet customers. A speed chart was provided to show speed comparisons with other forms of accessing the Internet
- Comcast free Film Series in partnership with Campus Martius on Saturdays this summer

Other Issues

Beller advised Comcast customers of the "Phishing" Internet scams and how to identify them. Some Comcast customers may have received e-mails appearing to be from Comcast asking them to update their personal information. These emails are not valid and were not sent by Comcast. Comcast will never ask for customer passwords or billing information via e-mail. Users should be suspicious of any e-mails that request personal account information, such as solicitations for usernames, passwords, account numbers or any other personal data.

EXECUTIVE DIRECTOR REPORT

Hanson reported that he has faxed the offices of Joe Knollenberg, Carl Levin and Debbie Stabenow requesting opposition to SB 5252 (Stevens Bill).

Board members will receive the fourth quarter financial report in August. Hanson is scheduled to meet with the auditor Plante & Moran on August 2 to begin the 2005/06 Cable Board financial audit. The Annual Report for 2005/06 is in progress.

Hanson provided the Board with an update on what is occurring on the State and Federal levels in terms of pending telecommunications legislation with respect to creating competition in the cable provider market. In Michigan, AT&T Memorandums of Understanding continue to be presented to select Michigan communities. They are requesting special permission to begin using rights-of-way for video delivery. Bills HB 5895 and SB 1157 continue to reside with the

Energy and Technology Committee. Up to about 20% of all states are adopting versions of statewide franchising. That percentage is not as important as the legislation that appears in each state. Hanson provided examples of fair statewide franchises.

Hanson informed the Board that the Stevens Bill was voted on and approved by the Commerce Committee by a vote of 15-7 in June. The Amendments were closely contested, and this bill may struggle to find the 60 votes it needs to succeed on the floor. In the bill, Senator Kerry's build-out amendment lost narrowly; Senator McCain's a la carte amendment failed. A net neutrality amendment failed and will be hotly debated on the Senate floor. The Stevens Bill is now a consolidation of other Senate telecom bills and has received a new name, Advanced Telecommunications and Opportunity Reform (ATOR) Act. Hanson will be monitoring the progress of this Act closely.

Currier stated that he is aware of a number of communities that have talked to AT&T with respect to the memorandums of understanding that they are attempting to secure. To his knowledge, none of the communities have gone forward to enter into a memo of understanding. Most of the city attorneys have said that there is a Michigan Constitutional requirement that the utilities using the rights-of-way have to obtain a franchise. Cities are aware that their current provider(s) have franchise agreements including "most favored nations" clauses that will affect those franchises. The status seems to be that cities are reluctant to go forward with memorandums of understanding.

Pfeifer called the Board's attention to a letter from Farmington Hills Mayor Vicki Barnett addressed to Congressman Joe Knollenberg regarding his vote on the COPE legislation.

In answer to an inquiry, Pfeifer was informed that Hanson is drafting a policy memo to municipalities regarding videotaping of meetings. He will be in contact with Chairman Borgon and BCTV before finalizing the letter. Pfeifer commented that this is a timely issue for Beverly Hills.

MLTV 15/PA18 REPORT

Leslie Helwig provided the Board with an update on power outages experienced in Bloomfield Township that have interrupted playbacks. BCTV is doing what it can to alert viewers to the outages.

During the last month, M 15 has taped seven regular meetings plus the BACB meeting. Other programs include two *Eye on Oaklands*, Birmingham Concerts in the Park, Beverly Hills Concert in the Park, and one Summer in the City, which takes place on Friday nights. There was a special meeting taped for Beverly Hills in addition to one Franklin meeting and two special Birmingham meetings.

Jazzfest performances are planned for Thursday, July 20 and Saturday, July 22. David Sommerfeld and Steve Rota went with the County Drain Commissioner John McCullough to various sites in Oakland County to do on-location taping for his next *H2Oakland*.

Two League of Women Voters panels are planned: 7/18 Tuesday, 7 p.m. at Baldwin Library: Candidates for State Senate, 13th district; 7/20, Thursday, 7 p.m. at Baldwin Library: Candidates for County Commissioner, 20th district. These are deemed to be appropriate for M15.

BCTV has taped 14 shows for PA 18 this month. Five were from BACB producers: *Talk of the Town* (1); *The Community House – Senior Women’s Club* (2); *Plane Ideas* by new Birmingham producer Greg Thrasher; and *Talk of the Town* and two more *Spectacles* are planned for taping by this meeting date.

Helwig announced that BCTV is saddened by the resignation of Lisa Antuna effective July 7. She had an offer from the private sector with broader responsibilities than government programming. Helwig will be preparing and posting a job description for the open position at BCTV.

Helwig reported that Bloomfield Township Road Department repaired the leak that was occurring in the BACB truck causing mold and odors. She advised the Board that BCTV has received quotes for three DVD players and controllers for playback of M15. Helwig asked for Board approval for the purchase of this equipment in an amount not to exceed \$600.

Motion by Woodard, second by Pfeifer, to approve the expenditure by BCTV for three DVD players and controllers in an amount not to exceed \$600.

Motion passed unanimously.

BCTV held two volunteer workshops on July 11 with a total of 11 people in attendance. Some of them have already signed up to work on shoots.

Pfeifer commented on a rebroadcast of a Beverly Hills Council meeting that was scheduled but cut off to the bulletin board. Helwig will look into this. Borgon suggested that Board members report problems to BCTV or to him when they occur so they will be easier to detect.

OLD BUSINESS

Woodard stated that it has come to her attention that Executive Director Tom Hanson was not receiving a salary increase in 2006-07 for the reason that he signed a two-year contract without a pay increase. Woodard believes that Hanson has done an exemplary job. At the time he signed the contract, no one could have imagined what his position would entail due to the state-wide franchising initiative, which made his job more complicated and time consuming. Hanson probably knows pending state and federal legislation better than anyone in the area and has done a fine job of bringing the Board and the community up to speed on this topic.

Woodard would like to propose a bonus for Tom Hanson. The Board has given a bonus in the past to its executive director when the individual went beyond the contract expectations.

Motion by Woodard, second by Gallasch, that the Birmingham Area Cable Board approve a one-time bonus for Executive Director Tom Hanson in the amount of \$1,000.

Board members offered their vote of confidence to Tom Hanson.

Motion passed unanimously.

Hanson remarked that he appreciated the Board’s recognition. He is totally inspired to be in the telecom arena and work with the talent that sits on this Board.

Borgon reported that a decision has been made that he and Elaine McLain will represent the Cable Board at the NATOA convention this August in Florida.

Borgon stated that Beverly Hills has appointed a new member to the Cable Board to represent the Village. He urged the involvement of interested Board members on the PEG Committee or Cable Action Committee.

NEW BUSINESS

Pfeifer stated that the Beverly Hills Council appointed Alan Heyman to represent the Village on the Cable Board at its meeting last night. Mr. Heyman is the audience observing today's meeting.

BOARD COMMENTS

None

PUBLIC COMMENTS

Bingham Farms resident Colleen Bayoff was present to make the Cable Board aware of problems her family has been having with Comcast service and technicians and the impact that intermittent service issues have had on her household. She has not been able to keep a consistent Internet connection for over three years. It has been determined that the problem may be with the service from their house to the outside connection. There is also a reliability issue with their cable television service.

Bayoff confirmed that there are no alternatives available for high speed Internet in her area. She commented on the time and effort that has been spent on communicating with Comcast and on service calls. She never receives promised call backs from Comcast. Bayoff is spending almost \$180/month for service that is unacceptable. She is asking the Board to understand her frustration and is requesting that it advocates competition in the area.

Borgon informed Ms. Bayoff that the Board's jurisdiction does not extend beyond cable television to cover Internet service issues. This Board will investigate her cable television problems and anticipates that Comcast is listening to her Internet issues.

The meeting was adjourned at 9:36 a.m.