

Present: Abbott, Jones, Mancini, McLain - Birmingham
Borgon, Heyman, Verdi-Hus, Woodard – Beverly Hills
Gallasch – Franklin
Ettenson – Bingham Farms

Absent: Kott - Birmingham

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

Chairperson 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 OF CABLE BOARD MEETING HELD ON NOVEMBER 15, 2006

A correction was made in the motion on page six to delete ‘plus benefits’.

Motion by Woodard, second by Mancini, that the minutes of a Cable Board meeting held on November 15, 2006 be approved as amended.

Motion passed.

PUBLIC COMMENTS

None

AMEND FY 2006-2007 BUDGET

Hagaman reviewed proposed amendments to the Cable Board fiscal year 2006/07 budget. The Executive Director line item was modified to reflect a change in personnel, and the Special Projects account was increased to cover the cost of the PEG survey.

Pfeifer mentioned that the Board had discussed a budget amendment to cover the cost of housing the production van. Hagaman responded that the van storage expense could be absorbed by the Contingency fund.

Mancini recalled that \$1,200 was approved for taping Birmingham planning commission meetings, and the Board approved the cost of additional equipment for use by BCTV. Hagaman stated that additional equipment for the PEG access operation can be covered under the capital equipment line item. The programming line item would accommodate the taping of additional meetings.

Motion by Woodard, second by Gallasch, to approve the amended Cable Board budget to reflect expenditures in the amount of \$286,400.00 for fiscal year 2006/07.

Motion passed.

EXECUTIVE DIRECTOR REPORT

Hagaman reported that four new complaints were received since the last meeting. Two complaints dealing with Birmingham condominiums have yet to be resolved and two were handled by Ishania Howze at Comcast. Three complaints were carried over from last month and two remain open.

Hagaman mentioned that the Cable Board office is now completely mobile with the use of a laptop and mobile phone. The BACB website has been updated, and the Board's bank accounts have been changed to reflect the approved signatories.

The By-laws of the Cable Board require that there be a Chairperson, Vice Chair, Secretary and Treasurer. The Treasurer and Secretary positions are vacant. Hagaman provided Board members with a description of the responsibilities of the Treasurer, noting that much of the work for the position can be done by the Executive Director. Hagaman added that the Secretary position is not time consuming.

ELECT TREASURER AND SECRETARY

MaryAnn Verdi-Hus volunteered for the position of Treasurer of the Cable Board. Verdi-Hus was elected to the office of Treasurer by acclamation.

Elaine McLain volunteered to serve as Secretary of the Cable Board. The Board elected McLain to the office of Secretary of the Cable Board by acclamation.

COMMITTEE REPORTS

Cable Action Committee

McLain reported that she and Brian Jones met with Executive Director Hagaman to review outstanding issues from last month's meeting. Topics included the decreasing number of complaints, status of the Board's request for a senior tier, and the fact that Comcast Call Statistics from the last quarter failed to meet the standards of the franchise agreement.

Recent telecommunications legislation was also a topic of discussion. During the last month, Board members and representatives from BCTV have made an effort to contact legislators and other officials regarding the pending Bill and necessary amendments.

The next meeting of the Cable Action Committee will be held on Thursday, January 4, 2007 at 5:30 pm at the Baldwin Public Library.

Attorney Tim Currier brought the Board up to date on House Bill 6456, which would create the Uniform Video Services Local Franchise Act. He distributed an executive summary of the Bill passed on December 12, 2006. Before the document appears on the Governor's desk for

signature, the Senate and House Committees will need to compromise on the minor differences between two bills.

Currier went through the actual Bill with the Board and presented a comprehensive outline of the content and requirements of the legislation, timelines that will be facing the communities beginning January 1, 2007, and the fiscal impact. He commented on a number of items that are not clear in the Act at this time and areas that he described as constitutional problems with the legislation. Currier thought there might be a challenge by the Michigan Municipal League and others to the signing of the bill as to the enforceability and effectiveness of this legislation.

Currier addressed questions from Board members. He stated that the federal government has control of the field of cable television. Statewide and uniform franchising agreements are new in terms of state legislation. The Federal Communications Commission is working on rules and will be issuing orders that will have to be resolved relative to the this Act. Between now and mid-February, the Board will see new FCC rules, uniform franchise agreements, and will be watching what Comcast does in terms of continuing with the existing agreement, amending it, terminating it, or bringing in a uniform agreement for consideration. The Board will also be waiting to see what AT&T is going to do.

PEG Committee report

Mancini reported on the last PEG Committee meeting. There was discussion of a request from the Oakland County Commission to tape and broadcast select meetings. The PEG Committee determined that there were elements of the request language that needed clarification. There was agreement that the mandate for PEG broadcasting does not provide for broadcasting selective meetings. Executive Director Hagaman was asked to communicate the response of the PEG Committee to the County Commissioners. Subsequently, Hagaman informed Mancini that the Commissioners contracted with Community Media Network of Troy to tape select meetings for airing on the basis that taping all meetings would be a cost consideration.

Another topic of discussion at the PEG Committee meeting was consideration of Mancini's eight-point plan for local access channel enhancements based upon the PEG survey results. Elements of the plan included target audience enhancements, demographics, print schedule distribution and copy considerations, broadcast reductions, more prime time programming, and electronic billboard enhancements. With regard to the last two elements, the Committee agreed that some enhancements could be accomplished, and they encouraged an exploration of opportunities with BCTV. Other elements were reserved for future discussion.

McLain pointed out that the survey verbatims from the public requested specific types of programming. The Committee may consider those requests on a multi-step basis after a decision is reached relative to hiring an additional producer. This will not be implemented until all options are reviewed and a vendor contract is awarded.

Mancini related that he and Chairman Borgon attended two meetings on December 4 in order to begin the process of programming enhancement. The first meeting was with TVTN (TelVue Corporation), the vendor supplying programming for local access television in the form of traffic reports, weather, station break fillers, etc.

The second meeting was with Bloomfield Community Television management to determine immediate and future actions that might be implemented to enhance program quality and viewership. Mancini related that BCTV has tabled implementation of the proposed enhancements pending the Board's decision on the cable access management contract. Current state legislation further complicates implementation issues. Mancini stated that specifics regarding the initiatives and legislative implications will be shared with the PEG Committee following today's Board meeting. All members are invited to attend.

An advertisement for the Request for Proposal (RFP) for a supplier of public and governmental television access to BACB consortium communities was placed in the Birmingham Eccentric and the Birmingham-Bloomfield Eagle newspapers. Due to the publication of December 20 in the Eagle newspaper as the bid opening date, the plan to schedule opening of bids for December 18 was modified in the interest of meeting legal requirements and public scrutiny. The intent had been to share the results of the bid opening at today's meeting and request that the Board approve negotiations to begin on a contract with the recommended vendor. Bids will be opened at 2 p.m. today. A vendor will be recommended to the Board at next month's meeting with the contract to become effective retroactive as of January 1, 2007. It was noted that there may be further information available for the January meeting on the impact of the new state legislation.

COMCAST RELATED TOPICS

Subscriber Complaints

Complaints were reviewed as part of the Executive Director's report.

Comcast Updates

Beller had nothing new to report.

Other Issues

Currier noted that Comcast did not comment on the new telecommunication legislation. He asked if the company had a target date as to when Comcast would make its intentions known. Beller did not have a date.

MLTV15/ PA18 REPORT

Rota stated that it was suggested to the Board at last month's meeting that there is a need for a graphics character generator system for the Beverly Hills Council chamber control room. It was determined that the equipment that would function optimally with the existing equipment would be Complx Media 5000. Three vendors were contacted and quotes were received from Roscor and Duncan for the CG system and a monitor. Roscor quoted a cost of \$4,384 including shipping and handling; the cost from Duncan without shipping and handling was \$4,206. An installation fee of approximately \$90/hour for an estimated four hours was not included in the bids. Rota recommended that the bid be awarded to Roscor on the basis of the quality of work that they have done previously for BCTV.

Mancini suggested that action on this item be delayed until the Board makes a decision on awarding a contract for a cable access management service provider. Woodard countered that the equipment purchased would remain in the Beverly Hills control room regardless of the provider.

Motion by Woodard, second by McLain, that the Birmingham Area Cable Board authorize the purchase of a Complx Media LCG 5000 and a VG 17” LCD monitor at a cost not to exceed \$5,000 including installation.

Motion passed unanimously.

Rota reported on programming taped for Channel M15 and PA Channel 18 during the last month. BCTV has provided a breakdown of BACB programming by community as requested by a member of the Board.

Steve Rota, Zack Florance, and Leslie Helwig met with BACB chair Bob Borgon and PEG Committee chair Mancini for several hours last month to discuss special requests for the M15 bulletin board. BCTV staff was asked to research the feasibility of the requests and prepare a written report of their findings for the PEG Committee.

Eight candidates were interviewed for the open production position at BCTV. A decision will be made pending the outcome of the contract award. Rota reported that the production van is being housed in the new storage area.

Due to the delay in awarding a contract for cable access management, Ettenson recommended extending the contract with Bloomfield Community Television for 30 days, which received agreement from the BCTV representatives present.

Motion by Ettenson, second by Woodard, to extend the current contract with Bloomfield Community Television for 30 days.

Motion passed unanimously.

OLD BUSINESS

None

NEW BUSINESS

Attorney Tim Currier stated that, with respect to new legislation, the ICCA consortium has requested that his firm prepare a presentation for a meeting of their board, city managers, and city attorneys in order to receive information on uniform franchise agreements and related items. Currier thought it would be worthwhile to have one informational meeting to include BACB members, managers, and attorneys representing that consortium as well.

Martinico stated that the Birmingham Public Schools have asked the Cable Board for an annual grant for the last three years in the amount of \$25,000 for equipment to supplement cable television production for the School District. Six years ago, BPS requested and received a grant for \$145,000 to supplement the television programming and cable production in the schools. Martinico stated that state funding for education has decreased over the years. She would like to come before the Board with an itemized list of needs and request a grant in the amount of \$300,000. Borgon proposed scheduling this item on the agenda for the February Cable Board meeting.

BOARD COMMENTS

McLain would like the public to understand that, while the Cable Board is discussing changes in budgetary restrictions, members of this Board serve as volunteers. They are not trying to preserve a franchising process for any personal gain. Currier supplemented and supported McLain's remarks.

Borgon wished everyone a happy holiday season.

PUBLIC COMMENTS

Leslie Helwig, General Manager of Bloomfield Community Television, stated that BCTV has submitted a proposal to the Birmingham Area Cable Board for another three year contract for cable access management. The company has put together a package that will serve the communities well. BCTV has more than a 20-year history of community access programming. They have worked hard to serve this consortium for six years and to reach a high level of professionalism in delivering public services. Helwig hopes that the Cable Board will consider the BCTV proposal favorably.

The meeting was adjourned at 9:11 a.m.