

Present: Armitage, Decker, Heldt, McLain - Birmingham
Borgon, Heyman, Woodard, Verdi-Hus – Beverly Hills

Absent: Abbott – Birmingham
Ettenson – Bingham Farms
Jahnke – Franklin

Also Present: Hagaman - Executive Director
Currier - Attorney for Cable Board
Rota - Bloomfield Community Television representative
Martinico - Director of Technology, Birmingham Schools
Gardner – Comcast representative
Valentine - Birmingham staff liaison
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

Motion by Heldt, second by Woodard, that the minutes of a Birmingham Area Cable Board meeting held on March 16, 2008 be approved as submitted.

Motion passed.

PUBLIC COMMENTS

None

EXECUTIVE DIRECTOR'S REPORT

Hagaman commented that member John Abbott has been reappointed to another three-year term to expire in 2011. Birmingham has two open seats to fill on the Cable Board.

Hagaman had no additional information on PEG channel relocation. She reported that four new complaints were submitted to Comcast since the last Board meeting. Three complaints related to reception issues; one concerned customer service and another field tech service.

An issue raised at last month's meeting was the Comcast policy to call customers complaining about price increases to advise them of available tier levels. These subscribers may want to voice their dissatisfaction about the cost of service without hearing about Comcast offerings. Hagaman discussed this with Gardner, and there was agreement to ask subscribers wanting to discuss a rate issue whether or not they would like a response from Comcast.

Hagaman has no information on the status of the AT&T U-verse rollout in the communities as AT&T will not release this information. Residents will have to wait for AT&T to contact them when the service is available. Heldt will provide an update on the truck build.

Bloomfield Community Television is organizing a group to walk in this year's Celebrate Birmingham Parade to increase exposure for the station. They are inviting their producers and

volunteers from the Birmingham area to join them. Borgon encouraged BCTV to walk in the Beverly Hills and Franklin parades also.

Hagaman regretfully submitted her resignation as Executive Director due to her responsibilities at the Village of Bingham Farms office and her increasing Cable Board administrative duties. She will no longer be able to spend the necessary amount of time to fulfill Cable Board obligations.

Borgon stated that Kathryn Hagaman has been with this Board since its initiation with a short hiatus when her position at Bingham Farms became full time. She will be missed by the Board. Borgon asked that Hagaman assist them through the transition period.

DRAFT OF FY 2008/09 BUDGET

Hagaman stated that the Board is in receipt of the draft Cable Board budget for 2008/09 along with a memo providing detail on revenue and expenses for the upcoming year. The budget assumes Franchise Fee revenues of \$243,640 and PEG revenues of \$375,435, for a total revenue amount of \$619,075. Total expenditures are projected at \$562,400, comprised of \$425,000 for PEG programming and productions and \$137,500 in Board expenses.

Treasurer John Decker referred to the Proposed Budget column of the handout, which is based on review of the current projected year-end expenditures, the approved budget for FY 2007/08, and proposed budget amounts with changes anticipated for next year. The budget review process is an opportunity for the Board to define itself and to question whether there are any changes that need to be made in the direction of the Board.

Decker asked for questions regarding the budget. He has received a comment from Armitage, who indicated that the reduction in membership fees was due to a decision not to renew Board membership in a specific professional affiliation at a cost of \$5,000. This does not mean that the Board would not desire to engage in other beneficial memberships. In response to this point, Decker changed the line item to the same amount budgeted last year (\$7,500), based on the suggestion that the Cable Action Committee or a member of the Board may propose joining another organization.

Questions on the draft budget from Board members were addressed by Decker and Hagaman. Once the Board finalizes the budget, it will be forwarded to the member municipalities for review and comments. The Cable Board Budget will be considered for approval at the June meeting.

COMMITTEE REPORTS

Cable Action Committee

At its March 26 meeting, the Cable Action Committee discussed action taken at the March Board meeting to assess liquidated damages to Comcast. There will be a closed session on that topic during this meeting. The Committee agreed to continue evaluating subscriber complaints.

McLain related that Kathryn Hagaman authored an informative article that will be used as an outline to submit to neighborhood association publications to explain the function of the Cable Board in the community and inform residents about what is occurring in terms of competition.

The Committee discussed a proposal from the Birmingham Farmers Market brought forth by Alan Heyman. The Board discussed establishing a presence at the Farmers Market last year with the intent of increasing awareness of the purpose and function of the Cable Board and provide community members with comment and complaint forms as well as cable television brochures. The Cable Action Committee is bringing this opportunity before the full Board as a sponsorship initiative for 2008.

Heyman stated that the Birmingham Farmers Market is operated by the downtown Birmingham Principal Shopping District. It is a community event that is held on Sundays beginning June 1, 2008 through October 26 from 9 am to 2 pm. Because he sits on the steering committee of the organization, Heyman will excuse himself from any vote on this matter.

Board members are in receipt of a complete list of sponsorship opportunities. Heyman related that the Farmers Market steering committee has addressed the needs of the Board and is providing a public service opportunity to educate and inform its constituents about the upcoming digital transition as well as providing a forum for distributing brochures and materials to the public.

The Market Enthusiast package at the \$1,000 level was adapted for the Cable Board. The benefits received would be as follows: The BACB name would be included on Farmers Market advertising, signage at the market and around the community, and in the weekly program. The Board would have an opportunity to display brochures at a sponsor information table every weekend and would be able to staff a table at the Farmers Market twice during the season. Heyman elaborated on the advertising opportunities.

Attorney Tim Currier reviewed that the Cable Board was created by the four communities with an Intergovernmental Agreement. Its function is to administer Franchise Agreements and address matters involving cable television. As such, the communities have encouraged the Board to educate the subscribers as to where they can register complaints, deal with issues between the providers and the customers, evaluate PEG programming and work with BCTV to involve more producers in the process. The Board has taken it upon itself to produce brochures informing citizens as to the alternatives available with respect to telecommunication options. The Board has also been asked to monitor and bring information to the communities regarding cable television legislation and rulemaking, including the upcoming digital changeover.

Currier stated that it would not be permitted for the Cable Board to grant money to an organization for non-capital related equipment. This proposal can be considered a public service if it is viewed as an opportunity for Board members to staff a table at the Farmers Market to educate citizens about cable television options, the digital transition, how to file complaints and to promote involvement in public access.

There followed a discussion by the Board on this proposal. Borgon expressed the view that this was an important time to reach people in light of the upcoming digital changeover. He would like to see if the Board could get a table for more than two weeks. Heldt questioned whether there is interest in manning a booth at the Farmers Market every Sunday for the entire season. Decker viewed this as a bargain in terms of becoming involved with this opportunity from a marketing perspective.

Motion by Heldt that the Cable Board authorize the expenditure of up to \$5,000 for a sponsorship opportunity at the Birmingham Farmers Market with the caveat that Board members resolve how they will staff a booth on a weekly basis for the 2008 season.

Motion failed for lack of support.

There was concern expressed with a motion that would authorize more than the \$1,000 sponsorship level. It was mentioned that the level initially discussed would not provide for a Board member to sit at a booth for the full season.

Heyman clarified that the \$1,000 level would provide an opportunity to have brochures displayed throughout the entire season and a staffed table for two Sundays. He noted that the Farmers Market has shown a willingness to work with the needs of the Cable Board and would be amenable to discussing ways to expand the package if the Board came in at a higher level.

Heldt suggested that the Board take action to authorize funding in order to proceed with this opportunity if a schedule can be developed to staff the table for the season.

Borgon thought it was important to have Board members there to talk to people who have questions. There is information to communicate to the public that isn't in the brochure. He suggested that the production truck on site would promote public access involvement. Borgon proposed that Heyman go back to the steering committee and request more leeway in terms of the Cable Board presence at the Farmers Market.

Decker concurred with the idea of asking the Birmingham Farmers Market if there is a new proposal that might incorporate benefits between the \$1,000 and \$5,000 level. Heyman stated that he could make inquiries to determine if there was a desire to offer something in excess of what has been proposed. He mentioned that today would be the last opportunity for the Board to vote on a sponsorship and maximize exposure in all the advertising.

Pfeifer cautioned against setting a precedent in terms of paying for a sponsorship opportunity and questioned if this was an appropriate use for spending Cable Board funds.

Motion by Heldt, second by McLain, that the Birmingham Area Cable Board authorize an amount not to exceed \$2,000 to rent space at the Birmingham Farmers Market for the 2008 season and allow the Cable Action Committee to negotiate terms with respect to opportunities available to the Board for up to \$2,000. The Committee will resolve how many weeks a table could be staffed with Board volunteers.

Beverly Hills resident Hildreth Buterbaugh stated that he would take issue with a non-profit organization contributing to another non-profit unless they are buying a service. If the production truck were brought in, it could be an opportunity to broadcast the event.

Currier emphasized that it is not permissible for a governmental entity to make a donation. It can contract for services. He stated further that all of the member municipalities hold community events that deserve equal consideration in terms of distributing Cable Board information. How much the Board spends now could have an effect on what is spent later.

Borgon stated that there is money in the special projects line item of the budget for this Farmers Market opportunity.

Decker clarified that this is a good financial investment because it offers access to the residents in light of the upcoming digital transition and public access programming issues. It is essential that the Board communicate with the public during this particular time period. The same degree of communication may not be necessary in the future. Decker affirmed that his vote would not sanction engaging in this type of advertising with other parties. Each opportunity would be considered on its own merits.

Armitage thought that there were unanswered questions and expressed concern about the sponsorship opportunities being decided at the committee level. He would favor the Board as a whole receiving a report from the committee at the next meeting before taking action.

Roll Call Vote:

Heldt	- yes
Armitage	- no
Decker	- yes
McLain	- yes
Borgon	- yes
Heyman	- abstain
Verdi-Hus	- yes
Woodard	- no

Motion passed (5 yes – 2 no – 1 abstention).

McLain informed Board members that a tour of the AT&T video hub office is scheduled for Friday, April 25 at 9 a.m. The address is 1177 Merriman Road in Livonia.

The next Cable Action Committee meeting is scheduled for Wednesday, April 23 at 5:30 pm at the Baldwin Library.

PEG Committee

Heldt reported that there is a possibility that the production truck chassis will be delayed unless the Board authorizes a 40 gallon gas tank in lieu of the 60 gallon diesel tank indicated in the contract. The timeline for completion of the truck was based on the delivery of the truck chassis. Heldt did not think this was his decision to make.

There was a discussion on the pros and cons of a 40 gallon versus 60 gallon gas tank. Roscor suggested that there should not be a problem with a 40 gallon tank because the truck will be used locally. It was questioned how long the generator would run with a 40 gallon tank. Board members suggested that Roscor should provide a price adjustment or trade-off if the Board settles for a 40 gallon tank.

Motion by Armitage, second by Decker, to authorize Board members Borgon and Heldt to resolve issues up to \$5,000 related to the production truck build.

Hildreth Buterbaugh commented that a 60 gallon tank will be in demand for trucks due to the cost of fuel. A vehicle with a 60 gallon tank will have a different rear suspension than a vehicle with a 40 gallon tank. He thought that the Board should know how much fuel a diesel generator will consume.

Motion passed unanimously.

Heldt reported that the PEG Committee is continuing its discussion with Bloomfield Community Television regarding contract renewal. There will be further review of the topic at the PEG Committee meeting immediately following the Cable Board meeting. Heldt did not anticipate any major changes in contract terms. The PEG Committee will also be considering approval of one or two requests for programming.

COMCAST RELATED TOPICS

Subscriber Complaints

There were four new complaints from Comcast since the last Board meeting. Borgon reported that a Comcast customer service representative assisted him with successfully reprogramming his remote.

McLain outlined a complaint from Birmingham resident Ralph Deeds regarding relocation of C-Span2 to the digital tier when C-Span1 was left on the basic tier. It was explained as a management and marketing decision. Mr. Deeds wanted to go on record as being unhappy that he can only receive one C-Span channel when he is paying the same amount of money.

John Gardner representing Comcast commented on the elements that go into the channel lineup. A decision was made to deliver C-Span2 in the digital format to free up capacity and provide other channels or services. Gardner remarked that C-Span2 was moved to the digital starter level. A person at the expanded basic level could move up to the digital starter level for a small additional cost and receive, not only C-Span2, but access to music, parental controls, digital interactive guide, and Video on Demand.

AT&T RELATED TOPICS

Carmen Johnson from AT&T was not present. McLain stated that people living in a house over 50 years old may have intermittent problems with their television or Internet service due to old wiring.

Borgon mentioned that AT&T has not provided the Board or the communities with specific guidelines in terms of what is needed in order to receive municipal and public access programming. Several Beverly Hills residents are asking when AT&T will be able to air Beverly Hills municipal meetings.

McLain responded that she has asked AT&T representative Carmen Johnson for specific guidelines. Borgon proposed that the Cable Board send a letter to AT&T requesting that they provide the Board with guidelines that indicate how to proceed with receiving municipal and public access stations and costs involved. McLain will consult with Borgon and Hagaman on preparing the letter.

Woodard and Verdi-Hus left the meeting at 9:16 a.m.

MLTV15/ PA18 REPORT

Steve Rota from Bloomfield Community Television reported on programming taped for Municipal Channel 15 and PA Channel 18 during the last month and noted upcoming programs of interest (information included in BCTV monthly report for March 20, 2008 – April 16, 2008). BCTV is hosting a workshop on April 29th. Interested individuals can call 248.433.7790. Dave Carey worked this month on updating the BAPA and BAMA logo. Board members have received copies of the changed logos. Rota is hoping to go forward with the new look for Channels 15 and 18.

Rota reported that he and Zack Florance met with Bob Borgon and the BASCC (Birmingham Area Seniors Coordinating Council) Board to discuss new program ideas. William Townsend is moving ahead with a new program directed by Florance featuring Christian music.

Rota stated that the computer graphics system ordered by the Board last year will be discussed at the PEG committee meeting.

OLD BUSINESS

None

NEW BUSINESS

Borgon stated that he will appoint a search committee for an Executive Director. He asked members interested in volunteering for this committee to contact him. An advertisement for the position will be updated.

ENTER INTO CLOSED SESSION

Motion by Heyman, second by McLain, to go into closed session to discuss attorney client privileged communication.

Roll Call Vote:

Motion passed unanimously.

The Board went into closed session at 9:20 a.m. Joe Valentine was in attendance.

RECONVENE IN OPEN SESSION

Motion by Pfeifer, second by Armitage, to return to open session at 9:55 a.m.

Motion passed unanimously.

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