

Present: Decker, Heldt, McLain - Birmingham
Heyman, McFadden, Verdi-Hus and Woodard – Beverly Hills
Ettenson – Bingham Farms
Eads - Franklin

Absent: Abbott, Armitage - Birmingham

Also Present: Borgon - Executive Director
Currier - Attorney for Cable Board
Rota - Bloomfield Community Television representative
Martinico - Director of Technology, Birmingham Schools
Valentine and Glenn - Birmingham staff liaisons
Pfeifer – Beverly Hills Council liaison
John Gardner – Comcast representative
Lori Doughty – AT&T representative

Chairperson McLain called the meeting to order at 7:47 a.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

APPROVE MINUTES

Motion by Heyman, second by Heldt, that the minutes of a Cable Board meeting held on September 17, 2008 be approved as submitted.

Motion passed (9 – 0).

AMEND AGENDA

Attorney Tim Currier requested that the Board consider a motion to amend the agenda to conduct the closed session as the next item on the agenda. It will be a short session with no action required of the Board.

Motion by Ettenson, second by Woodard, to amend the agenda to move the closed session to the next item on the agenda.

Motion passed (9 – 0).

CLOSED SESSION

Motion by McFadden, second by Heldt, to go into closed session to receive attorney client privileged communication.

Roll Call Vote:

Motion passed (9 – 0).

The Board went into closed session at 7:51 a.m. Joe Valentine, Toya Glenn, and Dorothy Pfeifer were in attendance.

The meeting was reconvened in open session at 8:04 a.m.

PUBLIC COMMENTS

Beverly Hills liaison Dorothy Pfeifer introduced newly appointed member Ken McFadden, who will represent the Village of Beverly Hills on the Cable Board.

EXECUTIVE DIRECTORS REPORT

Bob Borgon reported on a meeting with Keith Potter from Ibex Insurance Agency to review the Board's insurance coverage. There are two entities that insure government entities, the Michigan Municipal League (MML) and MMRMA (Michigan Municipal Risk Management Authority). All of the member municipalities except Birmingham are insured under MMRMA at this time. The Board currently has \$10 million liability limit as well as \$1 million for property. Both vehicles and Board members are covered under the policy. The Board is currently paying \$8,145 in premiums. However, the premium was reduced by 0.6% due to length of membership and no claims. Rebates have increased from \$333.00 in 2006 to \$2,466.00 in 2008.

Borgon talked to the agent about an incident that occurred in Shain Park this summer when someone tripped on a wire from the production truck and fell. The insurance policy provides \$2,000 coverage with no deductible for an incident. The agent recommended that, if this should happen again, the BCTV staff should call an ambulance for the injured individual and send them to the hospital for treatment and documentation.

Plante & Moran has completed the Cable Board audit. Borgon will review the audit report with Treasurer John Decker and attempt to schedule a presentation by Plante & Moran for the next meeting.

Borgon related that his AT&T Internet service has been down for three days, noting that there have been numerous AT&T trucks working in Beverly Hills in preparation for the U-Verse product.

A final fourth quarter report was included in the Board's packet. Decker has converted the Excel financial reports to the Quick Books program. Documents will be distributed in the new form beginning in November.

Decker reported that there were funds moved from the Franklin Bank account to the Multi Bank Securities account, which allowed the Board to maintain funds in Franklin Bank under the FDIC insured limit. Decker stated that the Board has received the final financial statements prepared by Kathryn Hagaman; a discrepancy in the figures was pointed out and will be corrected.

Borgon related that the new production truck is parked in the Beverly Hills municipal parking lot. There will be an opportunity to view the truck and receive a brief demonstration following today's meeting. The truck was rolled out once last week to tape the Birmingham Bloomfield Orchestra at Temple Beth El; the production went well.

PEG committee chairperson Heldt is in the process of negotiating a place to house the truck indoors. A written policy is being drafted for operators and drivers of the equipment.

Board members have received cost estimates for applying graphics to the production truck. Estimates were provided by All Type Truck & Trailer Repair in Warren, Graphik Concepts of

Farmington Hills, and Fast Signs in Birmingham. Pricing ranged from \$4,500 to \$6,700 depending on the amount of detail requested. Borgon recommended that the Board take action to approve the expenditure of funds to proceed with applying the logo on the truck.

Heldt disclosed that the owner of All Type Truck is a long time client of his; he will recuse himself from voting on the selection of a company to do the graphics work. Heldt provided information on the type of work done by All Type Truck & Trailer Repair. There are details to discuss in terms of how the graphics are applied. He suggested that the Executive Director and Chairperson be authorized by the Board to make a final determination on the vendor and scope of work.

Motion by Ettenson, second by McFadden, to authorize the Board Chairperson and Executive Director to finalize the procurement of graphics for the production truck at a cost not to exceed \$5,500.

Motion by Decker, second by Eads, to amend the motion to authorize an amount not to exceed \$6,700 to provide graphics for the production truck with the determination on the vendor to be made by Chairperson McLain and Executive Director Borgon.

Vote on Amendment:

Yes: Decker, Eads, Heyman, McLain, Verdi-Hus and Woodard
No: Ettenson and McFadden
Abstain: Heldt

Motion passed (6 yes – 2 no – 1 abstention)

Roll Call Vote on Amended Motion:

Decker - yes
Heldt - abstain
McLain - yes
McFadden - no
Heyman - yes
Verdi-Hus - yes
Woodard - yes
Eads - yes
Ettenson - no

Motion passed (6 – 2).

McLain recently reviewed an Ethics Guidelines presentation by Tim Currier. BCTV has provided the Board with a CD of this presentation, which will be available for review by Cable Board members.

Borgon reported that there were three new Comcast complaints this month and one AT&T complaint. One of the Comcast complaints was about the lack of competition; the other related to the discontinuation of a Comcast promotion. Borgon stated that the Board is working with AT&T on providing community access to PEG programming with the U-verse product.

Borgon mentioned that Dorothy Pfeifer did some research on PROTEC; information has been provided in the Board packets.

Borgon reported that he has been in contact with an individual from Gorilla Interactive, the company that designs and hosts the Board's web site. It is time to renew the Cable Board's domain name. Borgon will be in contact with the individual about the cost, which is expected to be nominal. The Board has spent approximately \$500 a year with Gorilla Interactive.

The current domain name is birminghamareacableboard.org. It was suggested that use of a ".com" extension with the BACB domain name be rerouted to the ".org" web site to make it easier for people searching for site.

McLain forwarded a Wall Street Journal article to Lew Eads regarding web site development. He will be working on improving the BACB web site. Ken McFadden was invited to participate in this endeavor.

Borgon stated that Mel Ettenson, Mark Armitage and he attended the annual NATOA meeting in Atlanta. Reports on the conference are included in the Board's information packet.

NATOA RECAP

The NATOA (National Association of Telecommunications Officers and Advisors) conference was held in Atlanta, Georgia from September 16-21, 2008. The conference focused on three categories: Community Network, Programming, and Policy & Legal. The conference provides a venue for exchanging information with people from all over the country. Two Board members and the Executive Director attended and submitted their reports to the Board.

Ettenson thought that it was beneficial to learn about the experience that various states have encountered with the Uniform Franchise Act. He observed that Michigan has had the worst experience in terms of trying to create competition as was intended by the Act. There are states that have better consumer protection enforcement. The knowledge gained from the conference will be channeled to Attorney Tim Currier and other attorneys in order to assist with the process of influencing future changes to the current legislation.

COMMITTEE REPORTS

Cable Action Committee

McLain reported that the Cable Action Committee meets monthly to follow up on details from recent Cable Board meetings as well as to explore other initiatives. Topics discussed at last month's meeting were the NATOA Reports, review of Cable Board financial reports, web site status, progress relative to training on the use of the production truck, and the digital transition.

McLain reported that the government has released additional coupons towards the purchase of a digital converter box. The units are out of stock regularly so people should call ahead before going to purchase a converter box. McLain remarked that consideration is being given to moving the date for the digital transition back due to concern about the Super Bowl.

PEG Committee

Heldt noted that PEG Committee business has been discussed as part of the Executive Director's report. An important activity of the PEG Committee has been to take delivery of the production truck and move forward on contracting to provide graphics on the truck. Members will have an opportunity to tour the truck following today's meeting. There will be a short meeting of the PEG Committee after the Board meeting.

McLain commented on the state-of-the-art high definition production truck. The truck is an expensive capital item that comes with tremendous responsibility. There are security measures in place.

Borgon mentioned that Roscor Corporation would like to photograph our truck for its web site advertising once the graphics are done.

Personnel Committee

Ettenson commented that the Personnel Committee is charged with a six-month review of the Executive Director. The Committee is currently organizing a farewell dinner for the Board's former Executive Director, Kathryn Hagaman. The event will be held on Monday, November 17 at 7 p.m. at Peabody's in Birmingham. The cost will be shared by the attendees because the Board is not authorized to use Cable Board funds for this purpose.

COMCAST RELATED TOPICS

John Gardner reported that Comcast is doing a number of things to prepare people for the digital transition. Information is available at the Comcast wet site, www.Comcast.com/dtv.

Comcast has a promotion available that will provide Basic cable for free to those who have Comcast Internet or telephone service. For new customers, Comcast is offering Basic cable service for \$10/month. Gardner was asked about the time limit for this promotion. Another service available to Comcast business clients is Triple Play. Gardner announced that all of the presidential and vice-presidential debates are available for viewing with the Comcast On Demand service.

Gardner referred to the complaint regarding premium services and explained the programming issues involved.

McLain related that she received a phone call at home regarding a Comcast complaint. She encouraged the subscriber to call Comcast directly. The individual apparently tried to call Comcast and was placed on hold for a significant amount of time. McLain urged subscribers who cannot reach the Comcast call center to go to the BACB web site and submit a complaint. She suggested that people who reach Comcast to voice a complaint take notes and record the facts.

McLain referred to complaint #08-59 from Sherry Suggs regarding the lack of competition and difficulty getting through to the Comcast call center. Her concerns have been addressed. McLain noted that Ms. Suggs applied for a position on the Cable Board representing Beverly Hills.

McLain visited the Comcast office on Delemere in Royal Oak and did not see any flyers available to the public regarding the digital transition. Gardner will look into this.

AT&T RELATED TOPICS

McLain welcomed the Board's new contact from AT&T, Lori Doughty. With her was Greg Clark, Vice-President of External Affairs.

Doughty commented that the digital transition will be seamless for AT&T U-verse customers. She apologized for the phone and Internet outages experienced by Bob Borgon; the good news is that AT&T is upgrading the infrastructure in his area. Doughty added that AT&T just rolled out its total home DVR (digital video recorder).

Doughty announced that J.D. Power and Associates, global marketing information services firm, has released a survey indicating that the AT&T U-verse product ranked the highest in customer satisfaction among residential television customers. The survey shows the regions of the U.S. where AT&T was ranked. She left a copy of the survey with the Board.

Heldt stated that it is the hope of the Board that AT&T will satisfy a large customer base in our area.

McLain commented that she attended a recent Franklin Village Council meeting to review the topic of competition. She talked about Public Act 480 and informed the public that AT&T is offering a new product. She asked if the build out requirement for AT&T as a new entrant is 20% or higher. Doughty will look into this.

McLain commented on a glitch she experienced with her AT&T service involving the need to reset the system. She reported being on hold with AT&T for 30 minutes, which is not acceptable. Customers are not pleased when television providers do not answer phone calls from subscribers and there are no messages regarding outages in the area. McLain said that her issue was resolved and the representative was helpful, but it should not have taken that long. McLain will register a formal complaint with AT&T. Etnenson added that the Franchise Agreement includes specific guidelines relative to the length of hold time.

Greg Clark introduced himself to the Board as the Vice-President of External Affairs for AT&T and also a resident of the Village of Beverly Hills. Clark stated that he looks forward to working with the entire Board on the rollout of the AT&T product.

MLTV15/PA18 REPORT

Steve Rota from Bloomfield Community Television reported on programming taped for Municipal Channel 15 (BAMA) and PA Channel 18 (BAPA) during the last month and noted upcoming programs of interest (information included in BCTV monthly report for September 18, 2008 through October 15, 2008).

Rota stated that the new production truck was delivered on September 29th. BCTV staff received training on the truck. The production truck is outside in the parking lot this morning so that Board members can take a look and step in for a demonstration of the equipment.

Two volunteer workshops were held by BCTV on Tuesday, October 14. There were eight participants.

OLD BUSINESS

John Gardner from Comcast followed up on a question about the \$10 offer to new subscribers for Basic cable television service or free Basic service for Internet or telephone subscribers. It is a 12 month offer.

Eads asked if the Board has paid the final bill for the production truck. Borgon responded that he will have the Chairperson sign the check today for the final payment of \$85,100.42.

McLain related that she is taking an accounting course at Walsh College to review basic accounting principles.

NEW BUSINESS

None

PUBLIC COMMENTS

Hildreth Buterbaugh from Beverly Hills commented that the Consumer Report magazine has a comprehensive article on digital converter boxes. He informed the Board about credits available for a cell phone purchase at the Verizon store. Buterbaugh suggested that the Board charge Roscor a fee for use of the production truck in their advertising. He mentioned that the local channel logo is somewhat obtrusive during broadcasts of municipal meetings.

Buterbaugh commented that he appreciated the On Demand feature offered by Comcast. He related that the Delemere office does have information available on the digital transition located in their inner lobby area.

BOARD COMMENTS

Dorothy Pfeifer, Council liaison from Beverly Hills, informed the Board that this will be her last Cable Board meeting. She is not running for a seat on the Beverly Hills Council. Pfeifer thanked Board members for the courtesies they have shown her over the past nine years. She has enjoyed serving with the Cable Board and found it to be one of the most professional bodies that she has worked with.

McLain expressed the Board's appreciation to Dorothy Pfeifer for her involvement and contributions to the Cable Board. She invited Pfeifer to continue to participate in monthly meetings.

In closing, McLain commented that the Board members are volunteers and Executive Director Bob Borgon does the behind-the-scene work to support the Board. Everyone has something to give and a different perspective.

McLain read a letter that will be mailed to Kathy Kiste of Wide Open West requesting that the company provide cable service to our consortium communities.

The meeting was adjourned at 9:16 a.m.