

Present: Armitage, Decker, Heldt, McLain - Birmingham  
Briggs, Heyman, McFadden, Woodard – Beverly Hills  
Eads - Franklin

Absent: Verdi-Hus - Beverly Hills  
Abbott – Birmingham  
Ettenson – Bingham Farms

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

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

Motion passed.

Motion by Heyman, second by Heldt, that the minutes of a Cable Board meeting held on January 21, 2009 be approved as submitted.

Motion passed.

#### **PUBLIC COMMENTS**

Tom Maxwell on Lauderdale in Beverly Hills said that he was a satisfied Comcast subscriber. He was looking for a lower cost alternative and was glad to see AT&T in his area. Maxwell signed up for the U-Verse product and scheduled an installation date for March. AT&T installed the television and Internet options but could not get it to work; the service was then uninstalled. He was told that that the product was available in his area, but it was not. His neighbor experienced the same issue. Maxwell thought that AT&T was doing a marketing disservice in the community and in his neighborhood. He added that none of his phone calls were returned by the AT&T account person or regional manager.

McLain stated that the Board will follow up on this complaint and contact AT&T to make sure that this does not happen to other people. She asked that residents who experience this type of problem file a complaint with the Cable Board. Having a record of these incidents will make the process better.

Erin Onesko representing the March of Dimes spoke about the March for Babies event on April 25-26 in Michigan. There are several event locations throughout metro Detroit. The mission of

the March of Dimes is to improve the health of babies by preventing prematurity, birth defects, and infant mortality. Onesko asked that people get involved.

Borgon mentioned that Erin Onesko did a public service announcement for the March of Dimes that will air on the municipal cable station. He encouraged other community action groups in the area to approach the Cable Board about taping a public service announcement for their cause.

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

Borgon reported that the Board received eight new complaints this month, six from Comcast and two from AT&T. The AT&T complaints centered on pixilation and the availability of the U-verse product. Lori Doughty from AT&T has indicated that those complaints have been resolved. Comcast complaints focused on bundling service problems, billing/payment, and pricing. Borgon added that he receives between 15-25 calls each month from people who do not want to file an official complaint but relate issues about price increases.

Borgon referred to an article in USA Today this morning on the subject of seniors who rely on cable television to connect with the outside world. There is a concern that increased costs will price them out of the market.

Congress delayed the digital transition deadline from February 17 to June 12, 2009. As of February 17, about one-third of the nation's full-power TV stations had already gone all-digital, including several stations in this area.

Borgon mentioned that he listed the former production truck on Craigslist as suggested by Zack Florance. No inquiries have been received yet.

Borgon is continuing to work with Lew Eads and Ken McFadden on the completion of the updated Cable Board website. All three Cable Board bank accounts have been reconciled each month. He is working with John Decker to monitor the accounts.

The Board has received an invoice from the City of Birmingham for the Police Department Internet Reimbursement through the period of June 30, 2009 in the amount of \$275.70.

McLain related that there are FCC officials present in communities to assist with the digital transition in June. The Cable Board has been conducting outreach to inform people of the upcoming transition. If area residents need help with hooking up their television to a converter box, they can call a local retailer Don Lora Electronics, a business owner who is offering to assist people by phone with their questions about the digital transition (888-643-8809). Questions about the transition can also be answered by calling the FCC number at 1-888-CALLFCC.

### **GRANT REQUEST – BINGHAM FARMS/FRANKLIN**

Village of Bingham Farms Clerk/Administrator Kathryn Hagaman presented a grant request from the Franklin-Bingham Farms Fire Department for assistance in upgrading its Internet service for the purpose of better communication and faster access to emergency sites. It is a volunteer fire department. The Franklin-Bingham Fire Department currently obtains Internet access through a contractual agreement with AT&T using DSL service. This service was selected

based on cost and the ability to receive a static IP address in order to host the Department's website as well as communicate with personnel via a secure web connection.

The Franklin-Bingham Fire Department relies on access to the Internet to communicate effectively during normal times as well as during emergency situations. The Department is faced with increasing costs of doing business. For this reason, Fire Chief Tony Averbuch submitted a letter dated January 29, 2009 to request grant assistance to cover the Department's Internet connectivity cost of \$59.99 per month.

McLain reviewed that the Cable Board receives PEG (public, education, government) funds, which are restricted by federal law to be used for capital acquisitions. The Board is not precluded from awarding a grant to the Fire Department using the Board's unrestricted funds received from its consortium communities. It is a matter of sharing resources as well as a health and safety issue.

Motion by Eads, second by Heldt, to approve grant request from the Franklin-Bingham Fire Department to cover the monthly cost of Internet connectivity for the fiscal year to end June 30, 2009.

Roll Call Vote:  
Motion passed (9 – 0).

#### **GRANT REQUEST – VILLAGE OF BEVERLY HILLS**

Beverly Hills Assistant Manager Ellen Marshall presented a funding request for purchase of analog dictation equipment used by the Village's recording secretary with a digital system. The recording secretary records meetings and prepares minutes for all Beverly Hills Council and Board meetings as well as the Birmingham Area Cable Board meetings.

Marshall outlined the need to replace the undependable and outdated analog equipment with a digital system. It is proposed to purchase a Philips digital recorder and conference kit for transcribing meetings from a local Southfield vendor at a cost of \$1,327. Beverly Hills requests the BACB to consider a grant to the Village in the amount of \$650, or approximately 50% of the cost of a new digital recording system. Comments and questions regarding this purchase were addressed by Ms. Marshall.

Motion by Woodard, second by Armitage, that the Birmingham Area Cable Board approve a request from the Village of Beverly Hills and authorize the expenditure of \$650 towards a digital dictation system for use by the Village's recording secretary.

There was discussion on the motion. It was mentioned that the Board's ability to fund requests from the municipalities is not unlimited. In answer to an inquiry, recording secretary Bernard commented that an Internet search determined that the quote from the local supplier was comparable to what was being charged by other vendors.

Currier suggested that this should be designated as an expense rather than a grant request for the reason that the expenditure will partially fund equipment used by the Board similar to an expense to replace equipment for BCTV.

Hildreth Buterbaugh noted that Beverly Hills Council meetings and Birmingham Area Cable Board meetings are taped and aired on the cable channel and are web streamed on the Internet. He questioned the need for recording and transcription equipment. It was explained that there is a practical issue with the process of transcribing a meeting. Further, all Village board and committee meetings are not videotaped and aired on cable television.

Roll Call Vote:  
Motion passed (9 – 0).

## **COMMITTEE REPORTS**

### **Cable Action Committee**

Armitage reported that the Cable Action Committee reviewed the updated website at its last meeting and continued its discussion on Michigan NATOA's (National Association of Telecommunications Officers and Advisors) public awareness campaign.

There is a lot of energy and commitment being generated from communities around the state to work on four major issues that are common to all of us. They are questions regarding local control of rights-of-way; local control and improvement of the complaint resolution process; public education on governmental channels and how to improve and keep these channels from being discriminated against in legislation and commercial practices; and the issue of competition.

It is encouraging that communities are interested in joining in a common approach to stimulate ideas and public awareness on these issues that will extend beyond discussions at monthly cable board meetings. The idea is to have public relations professionals and others working with the communities and volunteers on an ongoing basis.

The Cable Action Committee unanimously recommended that the Birmingham Area Cable Board make a substantial contribution to Michigan NATOA in order to underwrite its participation in this public awareness initiative. It was thought that the longer that this undertaking continues, the more communities will participate and address concerns about competition, the complaint process, and other legislative issues. McLain added that this Board is concerned with the fallout from Public Act 480, the Uniform Video Services Local Franchise Act of 2006.

Heldt stated that there is ongoing litigation in the state, none of which directly involves this consortium. However, area cable entities need to be ready to fight the next battle. If an effort is not made to keep the Legislature informed about the issues that the BACB deals with daily, it is not realistic to expect any Legislator to understand our perspective about the cable business. There is a need to communicate local issues to Legislators so that they will know how to best establish public policy. We need to maintain the level of education that is responsive to our communities' needs and preferences.

Motion by Heldt, second by Eads, that the Birmingham Area Cable Board contribute to the Michigan NATOA Public Education Campaign in the amount of \$10,000.

Currier understood that there was a consensus that the BACB would also contribute leadership if it was agreed to contribute money. He asked if a Board member would be taking the lead in this Michigan NATOA initiative.

Heldt affirmed that members of the Cable Board will maintain an active presence and involvement at Michigan NATOA. Armitage anticipated that members will rotate in and out with respect to participating in meetings. The Executive Director will also be involved.

Heldt stated that PEG funding from cable providers is at risk. It is important to protect a revenue stream that Congress recognized back in the 1980s for the purpose of broadcasting municipal meetings, school activities, and provide a forum for private citizens to air their own educational programming. Those funding sources are important, and we need to be ready to defend them.

Currier commented that there are areas where cable providers have successfully eliminated PEG contributions are now going after the franchise fees.

Decker said that he is inclined to support this contribution due to his understanding of NATOA and the statements made by Board members. He questioned whether the BACB shares a similar mission statement as that of NATOA.

McLain responded that there are no Michigan NATOA mission statements that could not be supported by this Board. Armitage added that all Michigan NATOA communities are faced with the same issues. He was encouraged by the fact that divisions and groups are falling away and people recognize that everyone needs to work together on this effort. The Michigan Municipal League and the Michigan Township Association is welcoming the efforts of NATOA.

Roll Call Vote:  
Motion passed (9 – 0).

Lew Eads reported on meetings with Municipal Web Services of Birmingham regarding ongoing improvements to the Cable Board website. Content has been added and the design was altered based on input from Board members. The web site will convey the message that the BACB is in the business of working with the communities on cable issues and providing PEG programming. Eads talked about work being done to organize the content. The goal is to have the site active by the end of the month.

### **PEG Committee**

Heldt announced a PEG Committee meeting following the Cable Board meeting. The PEG Committee continues to discuss and analyze options with respect to a rollout of PEG channels onto the U-verse product. That will be a topic of discussion today. Heldt reported that he has a meeting scheduled next week with Leslie Helwig from Bloomfield Community Television to confirm a definitive proposal for the shared use of the production truck.

### **Personnel Committee**

It was noted that Mel Ettenson will be out of town until April and unable to attend a meeting of the Personnel Committee to discuss the Executive Director's six month performance review. Members Decker and Woodard will meet in open session prior to the March Cable Board meeting and speak with Ettenson regarding the Personal Committee's recommendation following that meeting.

### **COMCAST RELATED TOPICS**

Comcast representative John Gardner was not present. Gardner informed the Board in a letter dated January 26, 2009 that Comcast announced the addition of Retirement Living Television to the Digital Classic service on Channel 125.

McLain conveyed a concern expressed by Mel Ettenson that Comcast may be claiming that complaints were resolved if they could not reach the subscriber within two or three contacts. In fairness to Comcast, the subscribers should provide the Board and Comcast with a phone number where they can be reached and the best time to contact them.

Currier observed that the name of the company's contact person is no longer provided on the resolution portion of complaint reports. Only the name of the department is listed. The Board requested that Comcast provide the name of the contact person.

### **AT&T RELATED TOPICS**

Lori Doughty representing AT&T was not present. McLain stated that inquiries continue regarding where AT&T U-verse service is available. She quoted a statement from AT&T on this topic, "We do not give this information out in advance of launch because scheduled dates can change; and as part of our competitive strategy we do not publish or announce where we will be launching next". This does not help people who are frustrated with trying to figure out where competition allegedly created by Public Act 480 is available.

### **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 January 22, 2009 through February 18, 2009).

The next BCTV volunteer workshop is scheduled for Wednesday, April 8. Interested parties can sign up by calling 248/433-7790.

The Program Development Committee met on February 5 and reviewed four proposals, one of which was from a Birmingham area resident. The producers have all been assigned to a staff director and are beginning the pre-production phase. The programs include a religious talk show, a library program, an art program and a seniors program.

McLain related that Board member Carol Woodard has indicated that she is no longer able to serve on the Program Development Committee. Rota sated that the committee will meet two weeks after every workshop to talk to the producers and review program ideas. It is anticipated

that the committee will meet approximately four times per year. Heldt suggested that this could be a topic of discussion at today's PEG Committee meeting.

Borgon commented that municipal meetings are recorded and replayed without editing. It would enhance the programming if a board or council member would provide the operator with a phone number or reference they would like aired prior to the meeting so it can appear on the screen.

Eads complimented Steve Rota on the outstanding programming done for Franklin Village on the moving of the 1860's Kreger farmhouse to the Franklin village green. It was very professional and well done from an editorial point of view. In answer to an inquiry, Rota commented that he will submit this program on behalf of BCTV for a Philo and a NATOA Hometown award.

### **OLD BUSINESS**

Borgon encouraged residents to continue to call their cable provider and ask for any savings or discounts that may be available.

### **NEW BUSINESS**

Currier stated that the FCC is receiving comments regarding referred questions from the Eastern District of Michigan on the movement of PEG channels. He is preparing comments that are consistent with the Board's position that its wants to see PEG channels maintained in the current location on every tier provided.

### **PUBLIC COMMENTS**

Hildreth Buterbaugh of Beverly Hills commented that digital converter boxes are conveniently available at a CVS drug store in Birmingham. In answer to an inquiry, he was informed that there are four Beverly Hills representatives on the Cable Board. Buterbaugh reported that he has had a number of Comcast contacts over the last two weeks, and they have all been very satisfactory.

### **BOARD COMMENTS**

McLain mentioned that the digital converter box coupon program, which was stalled, has now received another \$350 million dollars. People can get back on the list to receive coupons in the mail.

The meeting was adjourned at 9:04 a.m.