

Present: Armitage, Heldt, Kelly, Lurie, McLain, Thorsby - Birmingham  
Heyman, McFadden, Pfeifer, Verdi-Hus – Beverly Hills  
Ettenson – Bingham Farms  
Eads – Franklin

Absent: None

Also Present: Borgon – Executive Director  
Currier - Attorney for Cable Board  
Rota - Bloomfield Community Television representative  
Brogan – Comcast representative  
Armstead – WOW representative  
Dr. Hoffman - Birmingham Schools representative  
Valentine - Birmingham staff representative  
Burry – Beverly Hills Council representative

Chairperson McLain called the meeting to order at 7:45 a.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road. McLain welcomed new member Cynthia Kelly representing Birmingham.

#### **APPROVE MINUTES OF CABLE BOARD MEETING HELD JULY 20, 2011**

Motion by Eads, second by Pfeifer, that the minutes of a regular Cable Board meeting held on July 20, 2011 be approved as submitted.

Motion passed unanimously.

#### **PUBLIC COMMENTS**

Hildreth Buterbaugh of Beverly Hills observed that Channel 15 and Channel 915 are frequently blank during late hours. He brought up another issue related to his Comcast account. Leslie Brogan from Comcast said that she would look into the matter.

Buterbaugh explained a problem he is experiencing with a new digital television and his remotes. Efforts to resolve the matter with Comcast customer service representatives have not been successful. McLain suggested that Buterbaugh either call Comcast and attempt to talk with a specialist or submit a complaint to the Cable Board.

#### **APPROVE BCTV CONTRACT**

Board members are in receipt of a document that represents a Restated Agreement for Cable Access Management. Heldt related that this is an update of the Cable Board contract with Bloomfield Community Television to provide television programming services for the Government Access Channel and Public Access Channel servicing the communities of Birmingham, Beverly Hills, Franklin and Bingham Farms. The Board entered into the original contract with BCTV in the year 2000. Also included in the information are exhibits referenced in the contract.

At its May, 2011 meeting, the Cable Board approved a renewal of the contract with BCTV for three years at a rate confirmed in the document. The restated contract, which includes updates

and amendments adopted over the years, has been reviewed by Attorney Tim Currier and is ready for execution by the Board.

Comments and questions regarding the Agreement were addressed by Heldt. In response to an inquiry on paragraph 12 concerning disputes, Currier will include a number for the Revised Judicature Act referred to in that section. It was mentioned that paragraph 7 entitled “Quarterly Performance Reviews” indicates that the Board representative and BCTV will meet quarterly to review the balance between programming and compensation. This review has been transpiring for a number of years; BCTV also reports monthly at Cable Board meetings.

Motion by Heldt, second by Pfeifer, that the Birmingham Area Cable Board approve the Restated Agreement with Bloomfield Community Television for Cable Access Management.

Roll Call Vote:  
Motion passed (12 – 0).

It was noted that adoption of the Bloomfield Community Television Access Policies & Procedures document is assumed by approval of the contract.

#### **GRANT REQUESTS – CITY OF BIRMINGHAM**

Joe Valentine from the City of Birmingham presented a grant request to the Board for various cable and Internet services. He has compiled Birmingham’s current requests for this fiscal year and included new requests for public facilities wishing to provide cable programming to the public.

The Birmingham Police Department is requesting a monthly rate of \$66.95 for internet service for the investigative bureau. The Birmingham Historical Museum requests a grant for cable service in the amount of \$34.00 per month in order to continue broadcasting cable programming on the public access channel. The Department of Public Services includes two golf courses, an ice arena, and the DPS facility. A new request would cover these facilities that have begun to use cable services. Each of the facilities has a service fee of \$49.95 per month. The compilation of these cable related services results in a grant request of \$3,308.25.

Valentine addressed questions from Board members regarding the new facilities that will be offering cable programming and Internet service. In response to an inquiry, Valentine stated that Comcast is the provider for all of the cable and Internet services. He explained that there were some issues with the other providers relative to connectivity in the past; the various departments have chosen to remain with the current provider.

Motion by Heldt, second by Ettenson, to approve the grant request from the City of Birmingham in an amount not to exceed \$3,308.25 for cable and Internet related services.

Roll Call Vote:  
Armitage - yes  
Heldt - yes

Kelly	- yes
Lurie	- yes
McLain	- yes
Thorsby	- yes
Heyman	- yes
McFadden	- yes
Pfeifer	- no
Verdi-Hus	- yes
Eads	- yes
Ettenson	- yes

Motion passed (11 yes – 1 no).

Valentine outlined a second grant request from the City of Birmingham for reconfiguration of their commission meeting room. The Cable Board provided a grant in 2005 for broadcasting equipment for the Birmingham commission room. Since that time, minor modifications have taken effect. This request is for relocation of a presentation screen and accompanying electrical and audio visual equipment that would facilitate an easier viewing atmosphere for the room.

Quotes have been obtained on the relocation of equipment and are included in the packet distributed to the Cable Board. Valentine emphasized that they are not seeking new equipment but a provider to relocate existing equipment for the most part. The grant request is for \$5,862.75.

Thorsby asked to recuse himself from the vote because he is involved in ongoing discussions with one of the three proposed vendors.

Motion by Heldt, second by Pfeifer, that the Birmingham Area Cable Board approve the grant request from the City of Birmingham to reconfigure the commission meeting room as set forth in a memo dated August 3, 2011.

Armitage	- yes
Heldt	- yes
Kelly	- yes
Lurie	- yes
McLain	- yes
Thorsby	- abstain
Heyman	- yes
McFadden	- yes
Pfeifer	- yes
Verdi-Hus	- yes
Eads	- yes
Ettenson	- yes

Motion passed (11 yes – 1 abstention).

Pfeifer remarked that she finds both of the requests from the City of Birmingham appropriate in terms of how the Board should be issuing grant money. She proposed that the Cable Board develop a grant policy in terms of how grants should be directed and funded. Pfeifer asked for authority from the Board to draft a policy that might address questions raised in the past regarding grant requests. She proposed to confer with members McFadden and Thorsby as well as Executive Director Borgon. Input from other Board members would be appreciated.

There were no objections from the Board to establish this committee. Chairperson McLain appointed Dorothy Pfeifer to head a Grant Policy Committee consisting of Gordon Thorsby, Ken McFadden, and Bob Borgon.

## **COMMITTEE REPORTS**

### **Cable Action Committee**

McFadden reported that the Committee addressed a couple of action items since its last meeting. The “How to Choose A Cable Provider” brochure has been reprinted. The Cable Action Committee is continuing a couple of other projects. Their next meeting will be held on Thursday, September 8 at 5:30 pm at the Baldwin Public Library.

McLain was present with Alan Heyman at the Board sponsored booth at the Birmingham Farmers Market last Sunday. There were several interesting contacts made, questions addressed regarding AT&T coverage, and complaints received. Cable Board members will staff a booth at the Farmers Market later this month on September 28.

### **PEG Committee**

Heldt reported that the completion of the new BCTV contract is the most significant activity recently undertaken by the PEG Committee. There will be a meeting of the PEG Committee immediately following today’s Board meeting. The Committee will be gearing up for fall athletic broadcasting.

Joe Hoffman related that August is a busy time for school districts. Parking lots are being paved and work is being done on the building and grounds. We are all looking forward to the first day of school on September 6.

### **Personnel Committee**

Ettenson stated that the Personnel Committee has been meeting on a regular basis since June. Its purpose is to enlist volunteers for openings on the Cable Board. We were successful in having Cynthia Kelly appointed to the Board. There remains one opening for a City of Birmingham position.

The primary business of the Personnel Committee has been the performance evaluation review of the Executive Director. The Committee utilized a matrix developed by the City of Birmingham, which was modified for the purpose of evaluating the Executive Director. It is a 12-page evaluation report that included input from all Board members, providers, and subscribers on a number of different factors. The consensus of all of the Committee members based on the input received was that the overall evaluation of the Executive Director was

satisfactory. On that basis, the Personnel Committee is recommending that the Board continue its contract with Bob Borgon.

McLain noted that the existing contract with the Executive Director extends from September 2, 2010 through August 27, 2012.

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

Borgon reported that new member Cynthia Kelly was appointed to the Board by the Birmingham City Commission at its August 8 meeting. She will serve the remainder of Mike Urcan's term to expire on March 30, 2012.

There were four official complaints this month with three regarding Comcast service and one for WOW/BCTV. The complaints dealt with billing problems, refund for outages, and wait time for service. The complaints were resolved within 24 hours of being received.

Borgon reported on financial reports and check disbursements. The Cable Action Committee recommended reprinting Cable Board stationary with changes recommended by the Board. Borgon provided members with a quote for printing letterhead, envelopes and business cards.

It was questioned whether the Board should seek competitive bids. There was agreement to set a limit on the expenditure for this printing service and to proceed with a lower bid if one is available from an alternate vendor.

Motion by Ettenson, second by Thorsby, that the Cable Board authorize an expenditure not to exceed \$585.00 to cover the cost of printing Cable Board stationary, envelopes and business cards.

Roll Call Vote:  
Motion passed (12 – 0).

Borgon reported on the Cable Board meeting attendance of service providers for 2010-2011. Comcast sent a representative to 8 of 12 meetings; AT&T attended 6 of 12 meetings; WOW attended 10 of 12 meetings. Borgon hoped to receive the vacation policies for all the providers by next month's meeting.

Borgon received a \$2,000 rebate on one piece of equipment that cost \$20,000 due to the efforts of Zack Florance and Steve Rota from BCTV.

### **PROVIDER RELATED TOPICS**

#### **Comcast**

Comcast representative Leslie Brogan updated the Board on its "Internet Essentials" program, which is up and running. The target audience is low-income households that have at least one child enrolled in a national school lunch program. The goal is to increase broadband adoption to families throughout the Comcast footprint. A household that meets the criteria can apply for the Internet Essentials program, which will allow them to receive broadband service for \$9.95 per month. It will also give them access to a computer of not more than \$150 and digital training.

Brogan brought some materials to leave with the Board including a handout geared toward recipients and one geared towards Comcast partners. There has been good response from non-profit organizations and community business organizations that are helping disseminate information on the program.

McLain had a question on a Comcast complaint involving a dispute over return of equipment. She provided Brogan with an email from the individual. Brogan indicated that there have been several attempts to contact that subscriber.

McLain related another complaint involving repeated outages in an area. Brogan said that Comcast monitors these nodes, and that the area in question is heavily treed. She did not have a resolution.

In answer to an inquiry, Brogan explained that XFINITY is their new branding of its totally advanced platform; XFINITY is Comcast. There is no difference in equipment.

#### **AT&T**

The representative from AT&T was not present.

#### **WOW**

Kathy Armstead clarified the procedure for outages. If there is an individual WOW customer that has a service out, the company rolls a truck out the same day up until 8 pm at night. However, if there are three WOW customers on the same node with their service out, the company rolls a truck out immediately 24-7 on any day.

McLain referred to a complaint regarding WOW service involving a signal issue, which was resolved by the company quickly after coordinating efforts with BCTV.

#### **BAMA/BAPA REPORT**

Rota outlined the Bloomfield Community Television report on programming taped for Municipal Channel 15 (BAMA), PA Channel 18 (BAPA), and programming from BACB area organizations during the last month (information included in BCTV monthly report for July 21, 2011 – August 17, 2011).

The next volunteer camera workshops held at BCTV will be on October 5, 2011 at 10 am and 6:30 p.m.

Upcoming programs and events include the Village of Franklin Labor Day Parade and Art Show on September 5. On September 9, the Birmingham Bloomfield Art Center is having a culture art award ceremony. BCTV will film the Harvest Festival events at the Birmingham Farmers Market on September 18.

Rota summarized four new shows approved by the Program Development Committee last week that will be on the air soon.

Rota addressed reasons why a video loss on BAMA could have been experienced during certain times following a live production.

McLain gave credit to BCTV staff for addressing program interruptions of public meetings on AT&T U-verse by reconfiguring the feed.

McLain talked about a meeting she attended regarding closed captioning under the Americans with Disabilities Act. Guidelines state that communities are to provide closed captioning on public or municipal access channels when possible depending on public need and funding. Doing this requires purchase of equipment and programming, etc. Our consortium has not had a request for closed captioning.

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**PUBLIC COMMENTS**

None

**BOARD COMMENTS**

Borgon announced that this Saturday, August 20 is the date of The Longest Lemonade Stand event in Beverly Park, at which time a group including Beverly Elementary School families will attempt to enter the Guinness World Records by creating and operating the Longest Lemonade Stand ever assembled.

The meeting was adjourned at 8:53 a.m.