

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – November 15, 2023

Gugni called the meeting of the Birmingham Area Cable Board to order at 7:45 AM. in the Village of Beverly Hills Municipal Building at 18500 W. Thirteen Mile Road.

Present: Eick, Abraham, Brown – Birmingham
Kamoo, Gugni – Beverly Hills
David – Franklin
Hagaman – Bingham Farms
Also Present: Gojcaj – Attorney for the Cable Board
Black – Director, Community Relations, BCTV
White – BACB Executive Director
Absent: Cleary, Shand - Birmingham; Dobies, Henry – Beverly Hills

APPROVE MINUTES OF CABLE BOARD MEETING HELD September 20, 2023

Motion by Eick, seconded by Kamoo to approve the minutes of the Cable Board meeting on September 20, 2023.

Gugni made the correction that Shane Henry represents Beverly Hills, not Bingham Farms.

Motion by Eick, seconded by Kamoo to approve the minutes of the Cable Board meeting on September 20, 2023, as amended.

Motion passed unanimously as corrected (6-0).

PUBLIC COMMENTS

There were no comments from the public.

MUNICIPAL SUPPORT SERVICES GRANT REQUESTS (2) – VILLAGE OF BEVERLY HILLS

Kristin Rutkowski, Village Clerk/Assistant Manager, Village of Beverly Hills, presented the Village’s annual request for WOW! Business Internet Services for the Village Office, DPW Building and the Wi-Fi at the Beverly Park pavilion. The total amount is \$5,747.28 for the Fiscal Year 2023-2024 (July 1, 2023 to June 30, 2024).

Rutkowski answered Abraham’s inquiry that this would be the second year Beverly Park has been included in the request.

Motion by David, seconded by Hagaman and Eick, to approve a Municipal Support Services Grant for internet and Wi-Fi services for the Village of Beverly Hills in the amount not to exceed \$5,747.28 for the FY 2023-2024 (July 1, 2023 to June 30, 2024).

Roll Call Vote

Abraham Aye
Hagaman Aye
Eick Aye
Brown Aye

Gugni Aye
David Aye
Kamoo Aye

Motion Passed (7-0).

MUNICIPAL SUPPORT SERVICES GRANT REQUEST – VILLAGE OF BEVERLY HILLS

Kristin Rutkowski, Village Clerk/Assistant Manager, Village of Beverly Hills, presented the Village’s request for \$2,953.98 to purchase and install a new “smart” display screen for the Village Council Chambers. She stated that such a replacement was not anticipated, therefore, not budgeted for the current fiscal year.

Motion by Kamoo, seconded by Eick to approve a Municipal Support Services Grant for the Village of Beverly Hills for the purchase of a 75” interactive touch monitor screen, adjustable wall mount and set up/installation by the Village’s IT contractor in the amount of \$2,953.98.

Roll Call Vote

Hagaman Aye
Eick Aye
Brown Aye
Gugni Aye
David Aye
Kamoo Aye
Abraham Aye

Motion Passed (7-0).

MUNICIPAL SUPPORT SERVICES GRANT REQUEST – VILLAGE OF BINGHAM FARMS

Bill Pattyn, Treasurer of the Village of Bingham Farms, presented the Village’s request for \$3,396.22 for the Village phone system which remains through MISWITCH Communications and internet services which was switched from Comcast Business to AT&T Wi-Fi Internet Services. The Internet services switched from Comcast Business to AT&T to reduce costs.

Replying to David’s inquiry about the request to fund phones, White stated that BACB does not have a policy per se; however, she thought it would be an appropriate expenditure, as it is Municipal Support Services. White confirmed that this request would cover the Fiscal Year ending June 30, 2024. Pattyn understands that it would be necessary for him to return near the beginning of the next Fiscal Year for another request.

Motion by David, seconded by Kamoo to approve a Municipal Support Services Grant for the Village of Bingham Farms in the amount of \$3,396.22 for the Village's phones and Internet Services for the Fiscal Year ending June 30, 2024.

Roll Call Vote

Brown	Aye
Gugni	Aye
David	Aye
Kamoo	Aye
Abraham	Aye
Hagaman	Aye
Eick	Aye

Motion Passed (7-0).

TREASURER'S REPORT

David referred to the Financial Report which had been distributed to each Board member which included the summary of the bank balances, as of the end of September 2023. At the next meeting there will be a discussion about the allocation of excess funding for the year. A change in the policy might be appropriate due to the financial status of upcoming commitments.

AUDIT PRESENTATION OF FY 2022-2023 BY PLANTE & MORAN

Spencer Tawa, CPA, Engagement Senior Manager, Plante & Moran, distributed hard copies of the final Financial Statements and Audit. He gave a Power Point presentation of the June 30, 2023 Cable Board Audit Report which included the Opinion Letter, Financial Statements, Communication with Those Charged with Governance – End of Audit Letter and Questions. Each slide was fully detailed and explained.

Tawa stated that Plante & Moran has issued an unmodified opinion which is the highest opinion that it can issue.

For the benefit of the Board he explained some details of each page: **Financial Statements** General Fund Balance Sheet/Statement of Net Position, Statement of Changes in Fiduciary Net Position (Income Statement), Revenue Trend, Expenditure Trend. On page 8: Communication with Those Charged with Governance, Internal Control Related Matters Identified and Required Communication with Those Charged with Governance.

White addressed Abrahams' inquiry about the reduction of PEG Fees and Franchise Fees. Over time PEG Fees decreased due to cable cutting and Franchise Fees remain at a standard percentage.

ANNUAL ELECTION OF OFFICERS

Gugni listed the current Officers: Gugni – Chairperson; Eick – Vice Chairperson; Kamoo – Secretary; David – Treasurer. The current Officers have agreed to extend their commitment to

another year. Gugini indicated that if anyone else has a desire to hold office or would like to nominate anyone for an office now is the appropriate time to do so. There were no additional nominations.

Motion by Hagaman, seconded by Brown that the current slate of Officers continue for the next year.

Motion passed unanimously (7-0).

Abraham has agreed to continue as Chairperson of the Cable Action Committee and Kamoo has agreed to continue as Chairperson of the PEG Committee.

REPORT FROM BOARD ATTORNEY RE: PROPOSED STATE LEGISLATION (HB4965)

Gojcaj gave the Board an update of House Bill 4965 which has passed the House. He is monitoring it. He does not think it has been taken up by the Senate.

Discussion ensued.

COMMITTEE REPORTS

Cable Action Committee

Abraham stated there had not been a meeting after the September Cable Board meeting nor will there be one after this meeting as there is nothing to discuss. If anyone has anything to discuss, please call him.

PEG Committee

Kamoo stated there was a brief PEG meeting after the last full Board Meeting. There was a discussion about the possibility that Bingham Farms might be requesting that their meetings be televised and possible future equipment proposals. There will not be a meeting following this one.

EXECUTIVE DIRECTOR'S REPORT

White reported there were 2 new complaints this month which she listed in her report. The first one was from a Beverly Hills resident who had attended the last BACB meeting. It dealt with a removal of a WOW cable in his backyard. WOW came out to his house the day after the meeting to fix the issue. This complaint is closed. The second complaint involved two (2) low-hanging cables on the fence line of a Birmingham resident's property: one from WOW and one from AT&T. The AT&T line was fixed but fell again due to the WOW cable line pulling it down. WOW did not respond to the resident's several calls, so she contacted BACB for assistance. The cable line has now been permanently fixed. This complaint is closed.

FINANCIAL

White provided the documents of the financial account balances for the MBS, Michigan United Credit Union and Beverly Hills accounts as of October 31, 2023, as well as BACB Financial

Reports as of October 31, 2023. Hard copies of these documents were distributed to Board Members at the meeting.

White pointed out that the balance of the PEG Fund has been carefully monitored due to declining revenues.

CHECK DISBURSEMENT

White wrote four (4) checks since the date of the last meeting and identified them in her report. She just added another one for the quarterly contract payment to the Charter Township of Bloomfield for BCTV in the large amount of \$77,000.

ADDITIONAL NOTES

The BACB meeting schedule of every other month is included in White's report. There is always an option to schedule special meetings.

WOW Cable TV has stopped selling its current cable TV service and has a deal with Google to offer YouTube TV.

Comcast has several price changes effective October 31, 2023: Curiosity Stream, Viaplay, Midnight Pulp and Screambox. Additionally, effective November 1, 2023, the reactivation fee for TV, Internet, Voice and/Home Security will change to a flat fee regardless of the number of services being reactivated.

Southfield Township is interested in filming and broadcasting its Board meetings. The Township Clerk contacted BACB about possibly doing this for them. Because the Township is not part of the four (4) local community agreement as is the City of Birmingham, the Village of Beverly Hills, the Village of Bingham Farms and the Village of Franklin, BACB asked its attorney, Peter Gojcaj, for his legal opinion. A letter was sent to the Township Clerk advising her that not only would the Township need the approval by BACB but also by each of the four (4) communities listed in the Interlocal Agreement. David was concerned about what the cost of equipment would be.

White participated in a webinar put on by the National Association of Telecommunications Officers and Advisors (NATOA) about a national proposed federal legislation, American Broadband Deployment Act of 2023 (H.R.3557). NATOA is concerned about some federal legislation regarding local rights-of-way.

The BACB Holiday Gathering is scheduled for December 7, 2023 at Brady's Tavern.

PROVIDER RELATED TOPICS

a. Comcast

There was no representative present.

b. AT&T/Uverse/Direct TV

There was no representative present.

c. WOW

There was no representative present.

BAPA/BAMA REPORT

Black stated that since the September Report all the regularly scheduled BAMA municipal meetings were completed and 25 programs were taped for the public access channel.

One-on-one Producer and Volunteer Workshops continue to be offered. On Thursday December 14 from 3-5:30 PM there will be an Orientation and Open House. If interested call 248-433-7790 or email him at GBlack@Bloomfieldtp.org.

Winter Sports Schedule is still being finalized: Wrestling, Basketball, Swim and Dive and Hockey.

Carrie LeZotte, Director of Cable and Community Relations attended the National NATOA conference this year. Black attended day 1 of the MICMA (Michigan Community Media Association).

White wrote a check for a CTI which is the tri-ax cabling (Cable that connects the cameras for the truck to the computers that run them.). White noted that the Board has given her the authority to approve expenditures of \$1,000 or less for equipment repair.

OLD BUSINESS

There was none.

NEW BUSINESS

There was none.

PUBLIC COMMENTS

There were none.

BOARD COMMENTS

Bob Borgon, long time member of the BACB Board, passed away in early October. The Board passes its condolences and sympathies to the family.

There being no further business, the meeting was adjourned at 8:52 AM.

