

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – October 17, 2018

Present: Abraham, Eick, McLain - Birmingham
 Bayer, Borgon, Bresnahan, Delaney (non-voting liaison), Gugni – Beverly Hills
 Ettenson – Bingham Farms

Absent: Fenberg – Birmingham
 Stakhiv - Franklin

Also Present: White – BACB Executive Director
 Currier – Attorney for Cable Board
 Rota – Bloomfield Community Television

McLain called the meeting to order at 7:48 AM in the Village of Beverly Hills Municipal Building at 18500 W. Thirteen Mile Road.

McLain welcomed the newest member of the Cable Board, Sara Bresnahan, Beverly Hills resident. Borgon shared a few personal words about Sara, whom he has known all her life, as she and his daughter spent a lot of time together. He welcomed the next generation to the Cable Board. Sara stated she was eager to become involved in the community.

APPROVE MINUTES OF CABLE BOARD MEETING HELD September 19, 2018.

Motion by Borgon, seconded by Gugni to approve the minutes of the Regular Cable Board Meeting on September 19, 2018, as presented.

Motion Passed (8-0).

PUBLIC COMMENTS

None

COMMITTEE REPORTS

Cable Action Committee

Eick reported that the website was very close to completion. The new color and layout have been approved. He thanked everyone on the committee for their tireless contributions. McLain added her thanks to all the vendors for their assistance. White announced the next CAC meeting will be Thursday, November 1 at 4:30 PM at the Baldwin Library.

PEG Committee

Borgon reported there would be a meeting immediately following this meeting. There are a couple of grants to look at and consider: Baldwin Public Library and the Birmingham Public Schools, among others. He invited anyone interested to stay and participate.

EXECUTIVE DIRECTOR'S REPORT

White referred to her monthly report dated October 10, 2018. There were two (2) new complaints since the September meeting. The first (1st) complaint was from a Beverly Hills resident who had been having several problems with his WOW service, including pixilation, audio glitches and frequent loss of service. After complaining about ten (10) times directly to the company without any success and four (4) separate service appointments which were of no avail, he filled out a complaint on the Cable Board website. White submitted it to WOW and a service

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technician came out to his house to resolve the problems. This complaint is closed. The second complaint was from a Beverly Hills resident who had problems with her AT&T service. This resident had come to a Board meeting several months ago asking for help with her AT&T problems which had been resolved. Unfortunately, she was now experiencing more service problems and AT&T informed her that a technician could not service her home for several days. The delay was unacceptable so she submitted a complaint and a technician came to her house that next day. She called to thank White and let her know that service had been restored. This complaint is closed. In White's opinion both WOW and AT&T should be congratulated because both were very responsive and prompt.

Replying to Ettenson inquiry, White stated that WOW was in Beverly Hills and Birmingham, not in Franklin or Bingham Farms. AT&T was in Beverly Hills and Birmingham and part of Franklin and Bingham Farms. Comcast was in all four communities. She has reached out to WOW but was told that it was not in their business plan to expand its footprint at the current time.

The account balances for the MBS, BBCU and Beverly Hills accounts as of September 30, 2018 were provided to the Board. If a Board Member has a question about the reports, please let White know.

Since the last meeting White has written three (3) checks on behalf of the BACB to the Charter Township of Bloomfield for BCTV's filming of two (2) sports events in September, to the Charter Township of Bloomfield for July-September Comcast internet costs and for necessary truck equipment repair.

Additional Notes

The Wall Street Journal has reported that cord cutters need to be aware that streaming TV prices were increasing. TV Technology reported that AT&T has asked the US Appeals Court to uphold the approval of its acquisition of Time Warner.

As requested the following is the paragraph White provided the Board in its monthly packet:

The Michigan Chapter of NATOA has issued a press release setting forth their opposition to the most recent FCC rule making proceeding on cable franchising which negatively impacts government transparency, local authority and longstanding local revenue in exchange for use of taxpayer supported Rights of Way (ROW). The proposed rule would potentially allow cable/video service providers to claim the value of their PEG channels as a credit against franchise fee, which could exceed the franchise fees currently paid and this could mean the end of either franchise fees or PEG channels. Franchise and PEG fees for Michigan communities currently stand at approximately \$100 million dollars annually. These fees are now at substantial risk. The proposed order, if adopted, will allow cable companies to decide what local benefits are now to be credited against franchise fees and deduct it from the percentage of gross revenues owed. Cable companies have now apparently convinced the FCC that they need the same chap or free ROW access as the telecom industry has for wire lines (Metro Act) and are currently engaged in giving to the wireless industry under Michigan Senate Bill 637. Michigan

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NATOA is asking member communities and residents to contact their local and state representatives to urge them to VOTE NO on SB637 and tell them you want to keep YOUR local channel and YOUR public ROW fees that support government transparency.

Currier reported that MML and MTA remain neutral on this matter. He added that the FCC has a proposed rulemaking which would preempt SB637 and would be even worse than SB637. Currier advised the Cable Board what other communities were doing in response. White added that the costs of lobbying efforts are huge on the state and federal level. Shand pointed out the consequences to the communities if such federal action was approved and McLain, who is on the Michigan NATOA Board, gave background information, purpose and advantages of having the Birmingham Area Cable Board. Referencing the proposed legislation, White explained to the public and the newest member of the Board that the right-of-ways are important and valuable assets to the local communities. She continued by saying this was a very important issue and a great concern that the funding for the communities might disappear. McLain stated that this has been a Board concern for a very long time and prompted it to have a conservative and cautious approach to spending those funds and to be very transparent with that. She re-iterated the Cable Board's responsibilities and it being financially accountable to the four (4) communities which created it.

McLain advised the public to call the Cable phone with questions, 248-336-9445 or go to the website, www.birminghamareacableboard.org, and submit a criticism, comment or feedback on the comments/complaints tab.

Borgon requested White to provide a new list of the Board Members for next month's meeting.

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.

White always invites the representatives to attend the Cable Board's monthly meeting. Kyle Mazurek, Comcast representative contacted her and shared information about its Internet Essentials Program and the news that Comcast and Amazon have announced a partnership to launch Amazon Prime Video on Xfinity X1 later this year which will be available to all Comcast customers.

Borgon spoke to his personal frustration with his cable provider, WOW, about service to one of his TVs. Not happy with the response that a technician could be out to his house later in the week, he called Leslie Bowman, the new WOW representative, directly who then arranged for someone to be at his house the following day. He encouraged all residents to go to the website

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and contact White with their frustrations about service because that process works and reduces a lot of anxiety. McLain requested that Board members who have problems to submit written complaints. These are then reported to Lansing about what the Board does and also creates a written document which can be referenced.

McLain explained to the public the purpose of the Escalation Team and its responsibilities in the process of handling complaints. White added that every year, by state law, the Michigan Public Service Commission does a survey of the providers and of local units of government, asking specific questions. Every year the BACB participates in this survey. She also pointed out that the Board is cognizant of the privacy issue with regards to complaints. Therefore, in her report of complaints to the Board at these Board meetings she will never mention specific names. McLain emphasized that those names are not put on the website and only provided to the Board members.

BAPA/BAMA REPORT

Rota referred to his memo to BACB dated October 11, 2018. He listed the completed **BAMA** Programs which were five (5) regularly scheduled municipal meetings, the BACB Meeting, the Parks and Rec Board Meeting, the Multi Modal Meeting, the Zoning Board Meeting, Advisory Parking Committee Meeting, the Baldwin Public Library Board and Trust Meeting and a Special Birmingham Point Meeting.

For the **BAPA** Programs, from the BACB area individual producers and organizations, twenty-four (24) programs were taped, all of which he listed.

PRODUCER WORKSHOPS and/or CAMERA WORKSHOPS- BCTV is offering a one-on-one session for those who are interested in producing their own show and for those who want experience behind the scenes. Please call 248-433-7790 and BCTV will schedule a date and time for you.

The Baldwin Upgrade and the Drone Coverage will be covered in the PEG meeting following this meeting. As White reported, the truck cables were repaired. The last two (2) sporting events consisting of Volleyball at Seaholm and Football at Groves will be coming up this week. Weather concerns were discussed relating to equipment and TV coverage.

Delaney inquired about the ability to broadcast live a meeting which was held in other locations other than this particular building (referring to the Beverly Hills Council Chambers). Rota stated that the Evergreen Room in the Birmingham Public Schools Administrative Building on Evergreen has a room equipped for live broadcasts. The schools are in charge of the equipment and, if available, they would cover any meeting and it would go live. BCTV would get the file and would be able to re-broadcast it. Dwight Levens, Executive Director of Technology Services for the schools, stated that it would depend on the availability of that room. The live broadcast would be on Channel 17, not 15.

OLD BUSINESS

None

NEW BUSINESS

McLain reminded the public to vote on November 6.

PUBLIC COMMENTS

None

BOARD COMMENTS

McLain advised the Board that Levens, representing the Public Schools, and a representative from the Baldwin Public Library were in attendance for the PEG meeting which would follow this one.

There being no further business, the meeting was adjourned at 8:27 AM.