

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – June 20, 2018

Present: Abraham, Eick, Fenberg, Heldt, McLain, Shand – Birmingham
 Delaney (non-voting liaison), Gugni – Beverly Hills
 Stakhiv – Franklin

Absent: Bayer – Beverly Hills
 Ettenson – Bingham Farms

Also Present: Currier – Attorney for Cable Board
 Rota – Bloomfield Community Television
 Averbuch – Fire Chief, Village of Franklin
 Kyle Mazurek – Comcast Representative

McLain called the meeting to order at 7:47 AM in the Village of Beverly Hills Municipal Building at 18500 W. Thirteen Mile Road. She reminded the public it could “live-stream view” BACB meetings on any device through VillageofBeverlyHills.com.

APPROVE MINUTES OF CABLE BOARD MEETING HELD May 16, 2018.

Under **Personnel Committee** on page 3, Stakhiv stated the first meeting consisted of McLain, Ettenson, Maly and herself. For the second meeting McLain, Ettenson, Gugni and she were in attendance. (Maly had resigned from the Board.)

Motion by Heldt, seconded by Gugni to approve the minutes of the Regular Cable Board Meeting on May 16, 2018, as amended.

Motion Passed.

PUBLIC COMMENTS

None

PEG GRANT REQUEST – FRANKLIN-BINGHAM FIRE DEPARTMENT

Stakhiv introduced Chief Tony Averbuch of the Franklin Bingham Fire Department highlighting his many responsibilities and achievements, locally and for the Federal Government. The Department’s request was for a grant to purchase a new computer server and its associated software/licenses. Averbuch detailed the server’s capabilities and the benefits the new technology would provide the Department personnel and the community.

Motion by Heldt, seconded by Stakhiv to approve the PEG Grant Request for an amount not exceed \$11,756.72, which is consistent with the letter received from the Franklin-Bingham Fire Department, dated June 18, 2018, for the purchase of a new computer server, new hardware, new licenses and labor for the installation, set up and transfer of data.

Fenberg had some technical questions for the Fire Chief regarding a monitoring system for security.

Roll Call Vote:
 Motion Passed (8-0).

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At McLain's request Averbuch explained the First Net System which had been established as a post-9/11 communication system for Disaster Responders to have priority communications.

TREASURER'S REPORT

Heldt distributed the Multi-Bank Securities statement, as of May 31, 2018, to the Board Members. The Cash, Money Funds and Bank Deposits totaled \$984,011.46 with the estimated Annual Income of \$16,133.00. He highlighted several items, including the return on the CD's which has trended slightly upwards.

AUTHORIZE PURCHASE OF NEW TRANSMITTER/RECEIVER FOR BEVERLY HILLS CONTROL ROOM (PEG)

White referred to the quote from Advanced Lighting & Sound, which was in this month's Board Packet, in the amount of \$1,872.00. This was for the purchase of the transmitter and receiver needed for the Beverly Hills Control Room to broadcast meetings "live" on television.

Motion by Fenberg, seconded by Stakhiv to approve the purchase of a new transmitter and receiver for the Beverly Hills Control Room in the amount not to exceed \$2,200.00.

Rota explained the extra money was to cover any additional costs he might need for the installation of the equipment.

Roll Call Vote:
Motion Passed (8-0).

REQUEST TO APPROVE FY 2017-2018 FINAL BUDGET AMENDMENTS

White explained and detailed the final Budget adjustments for the current Fiscal year in her June 9, 2018 Memorandum. She requested increases for line-item budget amounts for Administrative Grants, PEG Grants and the equipment upgrades for the Production Truck.

Motion by Heldt, seconded by Gugni that the Birmingham Area Cable Board does hereby authorize the following final amendments to the FY 2017-2018 BACB Budget:
Administrative Grants - Increase the annual amount from \$140,061.00 to \$522,497.00.
PEG Grants – Increase the annual amount from \$195,000.00 to \$200,500.00.
Production Truck – Increase from \$70,000.00 to \$88,000.00.

Roll Call Vote:
Motion Passed (8-0).

REQUEST TO APPROVE PROPOSED FY2018-2019 BACB BUDGET

White noted that the proposed Budget had changed since she had distributed the draft at the last meeting. At the last CAC meeting she indicated she wanted to be more conservative with the revenue numbers knowing that more people were switching from traditional cable to "streaming" services and PEG fees were going down from 2.25% to 2%. Therefore, revenue numbers were decreased as were some expenditure items so as to be aligned with the BACB philosophy that there would not be a surplus or deficit in the projected Budget. If needed during the year Franchise Fee reserves or PEG reserves would be available through Budget amendments.

The Board was reminded that the Budget had been reviewed at two (2) Board meetings and one (1) Cable Action Committee meeting.

Motion by Heldt, seconded by Fenberg to approve the Birmingham Area Cable Board Budget for Fiscal Year 2018-2019, as presented.

Roll Call Vote:
Motion Passed (8-0).

PROPOSED RESTATEMENT OF ADMINISTRATIVE GRANT POLICY

Heldt distributed copies of the current Grant Policy on Franchise Fees and his 2018 proposed Policy. He explained the reasons why an amended Policy was needed with the result being a second distribution of Administrative Grants made to the communities during FY2017-18. He read the last sentence of the proposed restatement, emphasizing its great importance, “Our overarching goal is to maximize, to the extent fiscally prudent, a return of excess franchise fees to our communities.” This decision would be made once a year after the Audit presentation has been made to the Board.

Motion by Heldt, seconded by _____, to approve the proposed restatement of the Administrative Grant Policy, as presented.

For the benefit of the residents, McLain pointed out the many on-going discussions about this issue which began about six (6) months ago and led up to and resulted in this decision. As suggested by Fenberg and Gugni, the paramount factors were the safety net and the flexibility of meeting the needs and necessities of the Board in any given year in order to be responsive to the four (4) communities. Gugni and Fenberg spoke to the positives of the Policy. Gugni suggested the word “overarching” in Heldt’s last sentence of the Policy be deleted. Fenberg had some concerns regarding the Auditors’ response to the Policy. Delaney was interested in the timing of the distributions made to the communities.

Motion by Heldt, seconded by _____, to approve the proposed restatement of the Administrative Grant Policy, as submitted and amended.

Roll Call Vote:
Motion Passed (8-0).

COMMITTEE REPORTS

Cable Action Committee

Eick updated the Board that Muniweb would report on the results of the survey at the next Committee meeting. The last installments of the two (2) small BACB ads were placed in local magazines, Thrive and Venture Michigan. The next regularly scheduled meeting for the Cable Action Committee would be Thursday, July 5, 2018 at 4:30 PM at the Baldwin Public Library but because of the holiday the date might be problematic.

PEG Committee

In Borgon's absence McLain reported there had not been a meeting last month. However, she thought Borgon would be setting one up for Tuesday, July 10, at BCTV at 11:30 AM. All are welcome to attend.

EXECUTIVE DIRECTOR'S REPORT

White referred to her monthly report dated June 11, 2018. There were eight (8) complaints filed since her last report in May. She updated the Board on the complaints filed by the two residents who had attended the last meeting to report they had been without service for some time. On the afternoon of the BACB meeting, AT&T technicians restored the service. These two (2) complaints are closed. The third (3rd) complaint came from a Beverly Hills resident who requested AT&T remove a large cable spool and tree branches which had been left in his yard after the installation of a new line. Subsequently, the resident removed the debris before the AT&T workers had arrived to do so. This complaint is closed. The fourth (4th) complaint was from a Birmingham resident who requested that a bundle of cable hanging from a pole behind her garage be cleaned up. Originally it was thought to belong to WOW but turned out to be a Comcast bundle. The Comcast technician who came to the house informed the resident that it could not be removed as it served many homes. The original WOW complaint has been closed; however, White has submitted a subsequent complaint to Comcast (see the last complaint). The fifth (5th) complaint was from a Birmingham resident who needed a downed Comcast line removed in his backyard. Work has been completed and this complaint is closed. The sixth (6th) complaint from a Cable Board member was submitted because she had been having several different problems; i.e., scheduling a service call with Comcast, replacing faulty and unacceptable noisy equipment and burial of the cable line. The unacceptable service issues and numerous service contacts with Comcast would be detailed later in this meeting. This complaint is pending. A seventh (7th) complaint from a Beverly Hills resident was received concerning a low-hanging cable line that hangs along her backyard as well as her neighbor's yard. The resident believed it belonged to Comcast; however, because she did not subscribe to Comcast she requested some assistance in getting Comcast to address the situation. At the time of the written report the complaint was pending but since then White has received notice that it has been closed. The eighth (8th) and last complaint is related to the one involving Comcast that originally had been submitted to WOW. White has requested that the Escalation Team send another technician to the home to reevaluate and resolve the issue. This complaint is pending.

The account balances for the MBS, BBCU and Beverly Hills accounts as of May 31, 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 five (5) checks on behalf of the BACB, with the largest ones to Bluewater for the truck equipment and to the Charter Township of Bloomfield for the BCTV quarterly contract payment.

Additional Notes

The Birmingham Bloomfield Chamber of Commerce contacted White about putting a BACB ad in their Membership Directory and Community Guide which would cost \$1,046.00. This is the same as last year and includes a 30% discount. She requested the Board authorize this purchase.

Motion by Fenberg, seconded by Gugini to authorize the Executive Director to purchase a BACB ad in the Birmingham Bloomfield Chamber of Commerce Membership Directory and Community Guide in the amount not to exceed \$1,046.00.

McLain described the banner ad which would be placed on the side of a page.

Roll Call Vote:

Motion Passed (7-0). (Eick was not present at the time of the vote)

The Village of Bingham Farms has requested that BACB cover its membership in PROTEC this year in the amount of \$138.00. White explained the purpose of this governmental organization and added that BACB has paid this in the past.

Motion by Heldt, seconded by Stakhiv that the Cable Board cover the cost of the 2018-2019 PROTEC Membership dues on behalf of the Village of Bingham Farms in the amount not to exceed \$138.00.

Roll Call Vote:

Motion Passed (7-0). (Eick was not present at the time of the vote)

At the suggestion of the Cable Board, White sent a letter to all three (3) cable providers requesting a representative from each company attend BACB meetings on at least a quarterly basis. She acknowledged the presence of Comcast's representative, Kyle Mazurek, at this particular meeting and noted she had been in direct contact with AT&T and WOW. She detailed those conversations.

Comcast has notified the Cable Board of certain upcoming programming changes beginning July 1, 2018.

On June 12, 2018 the Wall Street Journal reported that a Federal District Court has ruled against the Justice Department in the attempt to block the merger of AT&T and Time Warner. The merger was more of an attempt to gain a piece of the growing market of subscription streaming rather than dominating the market for cable television. The Cable Board is watching such a trend. McLain added that the merger had been finalized Tuesday, June 19, 2018.

PROVIDER RELATED TOPICS**a. Comcast**

McLain thanked Kyle Mazurek, Comcast representative, for attending this meeting. He reported on two (2) updates: (1) In late February Comcast launched its 1Gig Solution Service across southeast Michigan which impacts the BACB communities and (2) Comcast has awarded ninety-one \$1,000 student scholarships (Leaders and Achievers) to Michigan High School

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seniors. From the BACB area there was one (1) student from Country Day in Beverly Hills and one (1) in Bloomfield Township. McLain questioned Mazurek about the 1 Gigabit service: Was it for homes or was it geared more for businesses? What was the price? Mazurek responded that pricing depended on the package.

Stakhiv read her written report relating her on-going issues over the last month with her Comcast service. Her advice: Comcast has to start responding to its customers in a more efficient and timely manner.

McLain reminded the residents that there are issues in all customer service experiences and Cable Board Members do not get special escalation or any special services. The issues and resolutions are the same for everyone.

Mazurek apologized for Stakhiv's experiences. He acknowledged the company needed to improve. He will make sure the Escalation Team follows up with her until the issues are fully resolved. He confirmed that a certain number of phone conversations with customers are recorded and notes should be made on customer service calls.

b. AT&T/Uverse/Direct TV

There was no representative present.

c. WOW

There was no representative present.

BAPA/BAMA REPORT

Rota referred to his memo to BACB dated June 12, 2018. He listed the completed **BAMA** Programs which were seven (7) regularly scheduled municipal meetings, the BACB Meeting, Parks and Rec Board Meeting, Advisory Board Meeting, Multi Modal Meeting, the Zoning Board Meeting, Birmingham Special Joint Meeting and two (2) Baldwin Library Board and Trust Meetings.

For the **BAPA** Programs, from the BACB area individual producers and organizations, thirty-eight (38) programs were taped. It was a busy month and he listed all the programs. He added that the Concert in the Park series would start this evening and every Wednesday evening until the middle of August, but will skip July 4.

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 can schedule a date and time for you.

One show in the development stage is a collector's program; i.e. stamps, memorabilia, coins.

Rota added that during the Memorial Parade there had been a camera failure in a truck. He provided details. At the moment he is waiting for a quote for the equipment replacement.

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OLD BUSINESS

None

NEW BUSINESS

None

PUBLIC COMMENTS

None

BOARD COMMENTS

None

There being no further business, the meeting was adjourned at 9:04 AM.