

## BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – December 15, 2021

Gugni called the meeting to order at 8:02 AM. in the Village of Beverly Hills Municipal Building at 18500 W. Thirteen Mile Road.

Present: Eick, Abraham, Cleary – Birmingham  
Gugni, Kamoo, Henry – Beverly Hills  
Mydloski - Franklin  
Absent: Fenberg, Shand, Tootell  
Also Present: McLain – former Chairperson of BACB  
Spencer Tawa, CPA, Plante & Moran  
Gojcaj – Attorney for Cable Board  
Rota and Black – Bloomfield Community Television

### **APPROVE MINUTES OF CABLE BOARD MEETING HELD November 17, 2021**

Motion by Eick, seconded by Henry to approve the minutes of the Cable Board meeting on November 17, 2021, as presented.

Motion passed.

### **PUBLIC COMMENTS**

Elaine McLain, former Chairperson of BACB and currently an elected member of Birmingham City Commission, addressed the Board.

Gugni, Chairperson of the Cable Board, presented McLain with a special gavel with a plaque stating, “To Elaine McLain, with deep appreciation from the Birmingham Area Cable Board. Chairperson 2006 – 2021”.

McLain stated that her involvement with BACB was her first experience in municipal government as an appointed official. It all began when she had a challenge with her cable provider and she came to her first BACB meeting. More meetings followed which eventually led to her taking on the role as Chairperson which she stated has been an honor of her life. She was proud of her connection with the Cable Board and will share her knowledge of connectivity of all whenever and wherever possible. She will do this with elected officials going forward.

Gugni spoke for the Board when he expressed how much she would be missed. McLain pointed out that in her opinion any appointed or elected official has a very high ethical standard of behavior; therefore, the sharing of knowledge, appreciation and participation by those officials as well as by the public can make a difference.

### **AUDIT PRESENTATION BY PLANTE & MORAN**

Spencer Tawa, CPA, Plante & Moran, presented the Audit Report of the Birmingham Area Cable Board which included the Cable Board Financial Report with Supplemental Information (June 30, 2021) and the End of Audit Letter to the Board, all of which were provided to each Board member. He noted that the Financial Report and Letter are in draft form as they are still being finalized. Through his PowerPoint presentation Tawa detailed and fully explained each slide: Financial Statement Opinion and Unmodified Opinion, Financial Statements ((General Fund Balance Sheet/Statement of Net Position, Statement of Changes in Fiduciary Net Position (Income Statement), Revenue Trend, Expenditure Trend)), Communication with Those Charged

with Governance – End of Audit Letter. The final report should be submitted to the State by the end of the month. The BACB received an Unmodified Opinion from the Auditor which is the highest level given by the Auditors.

Gugni thanked Tawa for a thorough job. He also noted and thanked White and Fenberg for all their work and help on this report.

**APPROVAL OF AMENDMENT TO BCTV CONTRACT**

Gojcai referenced an email he had sent to all the Board Members about the changes made to the contract. The document, THIRD RESTATED AGREEMENT FOR CABLE ACCESS MANAGEMENT, was prepared by BCTV’s counsel and basically duplicates what the Cable Board had done before and added items to the Recitals, including a history of what had previously occurred. Gojcai listed those other changes including the biggest which was in Exhibit B, the meetings to be covered by BCTV. He personally reviewed the contract and accepted it.

Motion by Mydloski, seconded by Eick to adopt the BCTV contract as presented at the December 15, 2021 Birmingham Area Cable Board meeting.

Roll Call Vote

Henry	Aye
Gugni	Aye
Kamoo	Aye
Abraham	Aye
Cleary	Aye
Eick	Aye
Mydloski	Aye

Motion Passed. (7-0).

Black commented that the next step for BCTV would be to take the contract to the Bloomfield Township Board of Trustees for approval. Its next meeting would be January 10, 2022. He looks forward to continuing the relationship with BACB and remarked that 2022 will mark 22 years working together.

**COMMITTEE REPORTS**

**Cable Action Committee**

Abraham reported there had not been a December meeting as there were no items to discuss. The next meeting will be Thursday January 6, 2022 at 4:30 PM in the Birmingham Baldwin Public Library. Abraham reminded Board members to let him know if they have any information they want included on the website.

**PEG Committee**

Mydloski stated that there would be a brief PEG meeting following this one. The following three (3) items had been discussed in the last PEG meeting and was now being brought before the Board for further discussion and a vote:

1. Purchase of equipment for WOW upgrade
2. Purchase of internet service for WOW upgrade

According to Rota, WOW wants to expand its service to include PEG channels 10 and 18 onto the WOW! tv+ streaming video service for HD quality. This expansion would require a one-time purchase and installation of equipment (IP encoders) totaling \$4,375.00 and the need to upgrade the Business Internet speed (\$293.40 monthly or at the cost of \$7,041.60 for a 24-month term agreement). Rota added there might be a one-time installation charge of \$119.95 for the Business internet.

These purchases are only for WOW customers, not for AT&T or Comcast customers.

Motion by Henry, second by Kamoo to purchase WOW Peg Bundle – SD/HD Peg Encoder with Comcast Business Internet (Equipment and Install - \$4,375), the cost of the Business Internet Upgrade (\$293.40 monthly – 24-month term agreement of \$7,041.60) and the one-time installation charge of \$119.95 for the Business Internet in the amount not to exceed \$11,700.00.

Roll Call Vote

Gugni	Aye
Kamoo	Aye
Abraham	Aye
Cleary	Aye
Eick	Aye
Mydloski	Aye
Henry	Aye

Motion Passed. (7-0).

3. Approval of BCTV Filming Winter Sports Events

Rota commented that this item need not be discussed as it is part of the contract and automatically would be approved if the Board approves the contract. Under the advisement of Gojcai, this item should be approved separately. If the contract is signed this commitment would have a starting date of January 1, 2022.

Motion by Cleary, seconded by Kamoo and Eick to approve the filming of winter sports up to eight (8) sporting events at \$2,500 each and not to exceed \$20,000.

Roll Call Vote

Kamoo	Aye
Abraham	Aye
Cleary	Aye
Eick	Aye
Mydloski	Aye
Henry	Aye
Gugni	Aye

Motion Passed. (7-0).

**EXECUTIVE DIRECTOR’S REPORT**

White referred to her December 9, 2021 monthly report to the Board Members. Four (4) complaints were received last month, two (2) of which were equipment related: a Bingham Farms resident had problems with his email service which were resolved once he was disconnected from Spectrum Network and a Birmingham resident had DVD issues which Comcast resolved. The other two (2) problems dealt with low hanging wires in Beverly Hills. Neither resident knew which provider owned them, therefore, all three (3) providers were contacted. Both complaints are pending.

**FINANCIAL**

White stated that the November 30, 2021 fund balances for MBS, Michigan United Credit Union and Beverly Hills accounts were emailed to all the Board members, as well as the BACB financial reports. The balance at Beverly Hills is getting high and will necessitate a transfer of funds to the Credit Union which she will do.

**CHECK DISBURSEMENT**

White wrote four (4) checks since the last meeting. The larger ones were to the Charter Township of Bloomfield for the Quarterly Contract Payment and for BCTV’s filming of September sporting events.

**ADDITIONAL NOTES**

Comcast has notified the Cable Board that as of January 2, 2022 the prices for certain services and fees will increase which she detailed and noted that all subscribers will be notified. Abraham reminded those customers who have gone paperless to check their statements online which will show the increase. Comcast also related that as of December 31, 2021, NBC Sports Network (NBCSN) will cease operation.

**PROVIDER RELATED TOPICS**

**a. Comcast**

There was no representative present and no new information received.

**b. AT&T/Uverse/Direct TV**

There was no representative present and no new information received.

**c. WOW**

There was no representative present and no new information received.

**BAPA/BAMA REPORT**

Rota referred to his memo to BACB, Report November 18, 2021 through December 15, 2021, dated November 8, 2021. In his report he noted the list of all completed **BAMA** regularly scheduled municipal meetings.

For the **BAPA** Programs, 22 programs by producers and organizations were taped, all of which he listed.

**PRODUCER AND VOLUNTEER WORKSHOP**

Rota reminded everyone that anyone interested in producing or volunteering behind the scenes should call the office to schedule a one-on-one appointment, 248-433-7790.

Rota wished everyone Happy Holidays and Happy New Year.

**OLD BUSINESS**

There was none.

**NEW BUSINESS**

There was none.

**PUBLIC COMMENTS**

There were none.

**BOARD COMMENTS**

Henry thanked Gojcai for all his hard work on the new contract with BCTV.

Mydloski welcomed the new Cable Board Chairman.

There being no further business, the meeting was adjourned at 8:45 AM.