

Cable Communications Commission Regular Meeting Minutes

Administrative Conference Room
Meridian Municipal Building, Okemos, MI

September 2, 2015

Present: Commissioners: Chair, Walter Benenson; Commissioner, Tunga Kiyak;
Commissioner, Brian Seipel
Staff: Deborah Guthrie, Communications Director and
Andrea Smiley, Administrative Assistant
Township: Trustee, Ron Styka
Comcast: None
AT&T: None
Haslett Schools: None
Okemos Schools: None

Call Meeting to Order: Chair, Benenson called the meeting to order at **6:02 pm.**

Public Remarks: Mr. Wayne Beyea - 5273 Meridian Rd.

At the September 2, 2015 Cable Commission meeting, Mr. Wayne Beyea voiced a concern about extending Comcast services in Meridian Township. Mr. Beyea lives at 5273 Meridian Rd., north of North Meridian Park. Mr. Beyea made contact with Communications Director, Deborah Guthrie regarding not being able to have internet service at his home address. He first approached the township on the topic back in February trying to seek out some of the options available through Comcast. Comcast informed Mr. Beyea that it would cost about \$5,000 to be able to get internet access. Mr. Beyea contacted the Township to try and figure out some solutions.

It was explained to Mr. Beyea that his home is outside of the 150 foot policy for Comcast to extend services. Mr. Beyea measured and discovered his home is actually 195 feet. He also doesn't understand the 150ft rule or policy.

Mr. Beyea wants to work with the commission on coming up with a solution. He has been a resident for 15 years and has been at the same address with two children currently at Haslett High School and two children attending MSU, also graduates of Haslett High School; without internet access, it's like being in a third world. He explained that it's gotten to the point that literally his kids can't come home for the summer because they need internet access for online courses. He compared it to being without water or sewer. He's been patient working with Comcast and waiting to hear back from them. Every time they say they will provide a written estimate, he never receives it.

Mr. Beyea also provided information on a federal program for communities to apply for loans to cover costs of providing internet service to the community. He feels as a resident and a citizen of Meridian Township, he deserves to have internet cable access, beyond reasonable hookup fees. Everyone has to pay \$100 or around there, but to say that you can't have it unless you put \$5,000 is ridiculous.

Again, Mr. Beyea is looking to the commission for help. He has taken it as far as he can. He would like the Township Manager or the Director, Deborah Guthrie to set up a meeting to make things happen. He doesn't want to have to keep calling customer service and not getting a response. Not having internet

service is impacting the children and the family because everything is online now. He just can't have everyone hanging out at the library all night in order to have internet service.

Director Guthrie provided an update. She had communications with John Gardner, Comcast representative, and he thinks that the letters were sent to the wrong address. The Township assessment has Mr. Beyea listed as Haslett, but it also showed Williamston. Mr. Gardner took a look at the cost for extending services and confirmed the \$5,000 would pay for the extension down Meridian road to both Mr. Beyea and his neighbor. Mr. Gardner is also resending the letter with the cost estimates. Director Guthrie also spoke with Township Assistant Manager, Derek Perry and discussed some options for the Township to help out because it isn't a public utility, it's a private company. There was also discussion on doing an assessment or doing a loan or other options that would be feasible for the Township. Mr. Perry is also meeting with Mark Kieselbach, the Director of Planning & Development, about the extension of services, as well as looking at the Township for other holes. It's not a short term solution, but the Township is looking at options.

Currently, Mr. Beyea is using a hot spot through Verizon, but it gets expensive because of data and the number of devices in the household. Chair Benenson asked if there was any law that states since the Township has a franchise agreement with Comcast, should they provide services to all the residents.

Mr. Beyea confirmed that Comcast has the correct address. He is looking for a letter that states an equitable solution. If Comcast has flexibility on the 150 feet policy, then it would show that they really wanted to work on this issue. He is looking for a solution this year, before Christmas. He requested a meeting with Comcast and the Township Manager or Assistant Township Manager.

Commissioner Kiyak commented that one of the items on the agenda was to discuss broadband within the Township.

In order for a cable provider to have service within the Township they have to apply for service. The Township has no exclusivity, they favor competition. Director Guthrie stated that she will speak with Derek Perry and set up a meeting with John Gardner from Comcast, as well as email his information to Mr. Beyea. That way Mr. Beyea can contact Mr. Gardner directly. She will also ask Mr. Gardner to send a copy of the letter that was sent to Mr. Beyea for the commission to review.

Mr. Beyea brought up the loan option again and Commissioner Tunga stated that after reading the information about the loan, it only pertains to whether there is 15% of the Township not receiving internet access. Commissioner Seipel brought up the point that if Comcast is willing to pay up to 150 feet, then how much would it cost the consumer to pay the additional 45 feet? The cost is all about extending the service from Piper Road down Meridian Road.

Commissioner Kiyak summarized the public comments provided by Mr. Beyea and stated a copy of the estimate to extend services would be provided to commission, a meeting would be scheduled to discuss the option of extending services and if the cable commission is needed to sit in on meeting, then Tunga would be willing to sit in on that meeting.

Public Remarks: Mr. Neil Bowldy - 6202 Beachwood

Mr. Bowldy stated that he wanted to speak with the commission and have a discussion in regards to a handout that he presented to the commission (Attachment A). The handout titled, "Appointment Processes for Boards and Commissions", outlines how members of the various commissions are appointed. Mr. Bowldy stated that there are many different ways, written into the ordinances, that commissioners are appointed. The written rule for the Cable Communications Commission states that

“the commission consists of five residents of the Township appointed by the Township Board”. Mr. Bowldy stated that the custom has always been, and verified in the December Township Board packet, that the supervisor makes the appointments and board either accepts or rejects to select their own people. Mr. Bowldy stated that he underlined the way each commission handles the process in the handout and he was asking or suggesting when the discussion comes up during the meeting that the commission discuss the method of the appointment process. He also stated, in order to remain uniform, that he would also bring the topic up to the Township Board and other commissions. All the appointment ordinances should be uniform and written down so the process can't be changed. Mr. Bowldy stated that he was asking the commission to take this simple step to get in line and then the other commissions could follow.

Mr. Bowldy stated he had a second comment concerning the itemized PEG fees appearing on his most recent Comcast bill. Director Guthrie stated that Comcast is now required to pay 1% PEG fees to Meridian Township with the new uniform agreement. Mr. Bowldy asked the question about Comcast passing those fees down to the customers. Director Guthrie commented that Comcast could pay or pass along to customers as a fee, but the money is being paid to Meridian Township.

Director Guthrie asked to go back to Mr. Bowldy's first comment about the appointment process ordinances and explained that the Cable Communications Commission approves all programming, not the Township Board. The CCC makes a recommendation to the Board and the supervisor and then the supervisor appoints the commissioners so that the elected officials aren't approving programming and using as an election platform. Director Guthrie stated that there are a few steps missing from the information presented. Mr. Bowldy stated that the information came from the December packet when the Board appointments are done. Director Guthrie stated that in November or December, the Commission will look at the appointments and make a recommendation to the Board and those recommendations will appear in that memo. All recommendations are funneled through the supervisor. Mr. Bowldy clarified by saying that “customarily” the supervisor makes the appointment and the Township Board ratifies. If the commission recommends someone and the supervisor actually makes the appointment, then that statement should be reflected in the rules and procedures. Director Guthrie stated that she was glad Mr. Bowldy pointed that out to the commission attention and thanked him. Mr. Bowldy stated that the ordinance should read, “Appointed by the Supervisor with approval by the Township Board”.

Commissioner Seipel asked the question if “custom” was in writing somewhere and is “custom” the official language and if so, he asked for a copy of the verbiage. Mr. Bowldy responded that “custom” is just “the way business is done”. Commissioner Seipel stated that if “custom” defined was in writing then it would be a lot easier to have uniformity with the ordinances. Mr. Bowldy responded that it's not in writing but “custom” is how it's always been done in the past. Commissioner Seipel stated that he wasn't really concerned with how processes have been done in the past but that the processes are done by the rules and follow the ordinances. Commissioner Seipel then asked the question, “What is custom?” “How do we know what's custom if we don't have the history?” Mr. Bowldy responded again that “custom” isn't written, it's just the way things are done. And this is the way things have been done, appointments, as long as I can remember and that's only been a couple years. Commissioner Seipel summarized by stating that it was Mr. Bowldy's recommendation to make all ordinances in regards to the appointment process the same and the way that Mr. Bowldy understood them to be. Commissioner Seipel stated that ordinances are in writing and you can't compare them to “custom” because that is not in writing. Mr. Bowldy stated that if “custom” is contrary to what's in writing then writing only takes precedence if someone raises a concern or objects. Commissioner Seipel stated that it was his understanding that the ordinance, what's in writing, should always be followed. Mr. Bowldy just wanted to make a point in hopes of creating a uniform appointment process. Commissioner Kiyak commented that this topic is more of a Board issue.

Approval of Agenda:

Commissioner Kiyak **MOVED TO APPROVE**, Seconded by Chair Benenson .

Voice vote: Motion carried unanimously.

Approval of Minutes:

Commissioner Seipel moved **TO APPROVE THE MINUTES OF July 1, 2015.**
Seconded by Chair, Benenson.

Voice vote: Motion carried unanimously.

Communications/Announcements: None

Old Business:**1. Township Website Redesign Update**

Director Guthrie commented that the RFPs were narrowed down to two (2) companies, Civic Plus and Vision Internet. Discussions were held after the presentations to learn more about some of the backend features and how it functions. Director Guthrie commented that she and Commissioner Kiyak had spoken about the two companies and that he provided some recommendations. Chair Benenson asked the question about whether the website redesign was tabled, as announced at the leadership meeting because the money needed wasn't available. Director Guthrie responded that she spoke with Township Manager, Frank Walsh and discussed the option of doing the Township Branding and Website Redesign at the same time. Trustee Styka commented that the Township Board members were told that the branding would be done first. Director Guthrie stated that from their conversation, it was decided to send out an RFP for Branding and that the RFPs were narrowed down to two (2) companies out of the four (4) submitted. Those two (2) companies will give a presentation to the branding selection committee. Director Guthrie also announced the people on the selection committee; Brandie Yates, Communications Specialist, Frank Walsh, Township Manager, LuAnn Maisner, Director of Parks and Recreation, Peter Menser, Associate Planner and herself.

Director Guthrie commented that her conversation with Township Manager, Frank Walsh was that there was no reason to hold off on the website because of the amount changes that are needed on the backend, as well as all of the information that has to be transferred. While all of the phases of the branding process are happening, the Township could possibly launch the new website and brand campaign at the same time. Commissioner Kiyak explained that all the data merging from the old system to the new system, as well as training the staff would take some time and could occur while the new brand is being decided.

Chair Benenson commented that it is very important to have a good website, for instance people choose colleges based on the website design. Trustee Styka commented that the website has become like a window or a welcome center.

Trustee Styka announced that the board approved \$30,000 last year for the new website and now there is an additional \$50,000 in the budget, bringing the total to \$80,000. Director Guthrie announced that the website proposal came in at around \$20,000-\$30,000 and the branding proposals have come in at around \$60,000. The plan is to meet with the City of East Lansing because one of the companies being looked at worked on their website.

2. CTC Audit – Final Report**3. Equipment Budget: Reallocation of 2015 Cable TV Funds**

Third quarter budget amendments are due and I will be submitting the Cable Commissions recommendation to the Finance Director concerning reallocation of funds to purchase equipment.

New Business:

1. 5 Year Equipment Plan & Long Term Vision

Directed Guthrie commented that the HD Camera purchases will be the final conversion for HOMTV going from analog to digital. Chair Benenson asked the question/comment whether Director Guthrie is satisfied with the budget and the equipment purchases. Director Guthrie commented that she never had the opportunity to speak with Township Manager Walsh about increasing the part time staff to full time. She stated that she still needs to have that conversation because it's really a burden not having the additional help within the department. Chair Benenson asked Director Guthrie what the commission could do to help with the staffing issues. She stated that possibly encouraging the Township Manager to have an open mind and have healthy discussions with her about the expectations of the Communications Department and the staffing necessary to meet those expectations. Trustee Styka commented that the budget is now at the stage where the Township Board offers input so that the budget could be approved in the next couple weeks. Trustee Styka commented that he wasn't aware of the issues and if Director Guthrie wanted a statement made at the Township meeting then she would need to present him with the staffing needs, supported by facts, numbers and reasons to back up those needs. Trustee Styka clarified that the information has already been discussed by the commission and everyone was in agreement about the staffing recommendations. Commissioner Kiyak commented that you lose out on training and expertise with part time employees. Director Guthrie commented that the two (2) part time positions continue to have turnover.

Chair Benenson asked the question as to whether HOMTV could ask for a millage for funding, similar to the Parks Department. Commissioner Kiyak stated that maybe if it was tied to internet then there may be a possibility but not on its own. Director Guthrie stated that the topic would be great for long term vision and a possible separate meeting.

Commissioner Kiyak commented back to the budget that he feels the budget needs to include unexpected purchases, contingency plans. Director Guthrie commented that there is an equipment repair line item that funds are allocated to for unexpected repairs. She also commented that typically at the end of the year there is money left over that is transferred into the fund balance. This year she and Brandie Yates, Communications Specialist are looking at a new website for HOMTV and utilizing some of that funding.

Director Guthrie commented that, in regards to long term vision, Brandie Yates, Communications specialist will be working with the consultants on the communication needs assessment. The Communication Needs Assessment can now be repurposed and not be focused so much on the Franchise Renewal.

2. CCC Rules and Responsibilities

Trustee Styka asked the intention of adding this section to the meeting. Director Guthrie commented that one of the commissioners requested the current rules and responsibilities of the commission. Commissioner Kiyak stated that the issue came up because he asked the question as to whether internet access fell under the commission's authority. The language under the current rules and responsibilities doesn't include municipal broadband service. Chair Benenson stated that he feels in the future every city will have broadband and Meridian Township doesn't want to be the last one. All agreed that a discussion about the current rules and responsibilities should occur to include current verbiage and then proceed with a recommendation to the board. Director Guthrie asked the question whether she should email some optional language that could be forwarded to the Township Board explaining the responsibilities of the Cable Commission by the next meeting.

3. Township Branding RFP

Reports:

1. Cable Compliments/Complaints:
2. Video Service Provider(s):
3. Communications Director's Report: Nothing to Report
4. Chair's Report: Budget Approval for 2016
5. Township Information: Nothing to Report
6. Programming: No discussion
7. Viewership/Promotions: No discussion
8. Finance: No discussion

Other Business & Announcements:

Public Remarks: Nothing new to report

Adjournment:

Commissioner Kiyak moved **TO ADJOURN THE MEETING**. Seconded by Commissioner Seipel.

Hearing no objections, Chair Benenson **ADJOURNED THE MEETING AT 7:24 pm.**

NEXT MEETING:

The next scheduled meeting is **October 7, 2015 in the Administrative Conference Room.**