

**OWOSSO CABLE ACCESS ADVISORY COMMISSION**

**MARCH 9, 2009**

**5:00 P.M.**

**PRESIDING OFFICER:** Chairperson Steven Flayer

**PRESENT:** Chairperson Steven Flayer, Commissioners James Gutting, Christopher Hardwick, Jack Johnson, and Michael Tillotson.

**ABSENT:** Commissioner Christopher Perry.

**SET TIME LIMIT AND RE-AFFIRM RULES OF CONDUCT**

Motion by Commissioner Johnson to set a 60 minute time limit.

Motion supported by Commissioner Hardwick and concurred in by unanimous vote.

Commissioner Tillotson noted the Planning Commission has a two hour time limit.

Motion by Commissioner Johnson to re-affirm the Rules of Conduct.

Motion supported by Commissioner Hardwick and concurred in by unanimous vote.

**APPROVE AGENDA**

Motion by Commissioner Johnson to delete agenda item 12. Survey, until Commissioner Perry is present.

Motion supported by Commissioner Hardwick and concurred in by unanimous vote.

Motion by Commissioner Hardwick to approve the agenda as amended.

Motion supported by Commissioner Johnson and concurred in by unanimous vote.

**APPROVAL OF THE MINUTES OF THE MEETING OF JANUARY 12, 2009**

Motion by Commissioner Hardwick to approve the minutes of the meeting of January 12, 2009 as presented.

Motion supported by Commissioner Johnson and concurred in by unanimous vote.

**APPROVAL OF THE MINUTES OF THE MEETING OF FEBRUARY 9, 2009**

Motion by Commissioner Johnson to approve the minutes of the meeting of February 9, 2009 as presented.

Motion supported by Commissioner Hardwick and concurred in by unanimous vote.

**CITIZEN COMMENTS**

Rebecca Malek asked if there were two sessions of Citizen Comments. It was noted there were not.

Eddie Urban introduced himself and indicated he is hosting the new veteran's benefits show. He said he would like to see two periods of citizen comment. He asked if a set schedule could be established for his program and asked that all religious programming be moved from Wednesday broadcasts.

Chairperson Flayer indicated the desire for the future is to regulate a standard length for programs to make it easier to establish a regular schedule. He also said he would like to see a different arrangement between the three broadcasting entities suggesting the three share time equally and move to use one head end.

There was discussion regarding adding filler material to programs of an odd length such as board meetings or band concerts.

There was further discussion regarding whether decisions were made during the ad-hoc meetings held last year. It was noted the meetings were brainstorming sessions only and full minutes of the meetings had been presented to the Commission.

## **ITEMS OF BUSINESS**

### **CABLE COMMISSION BY-LAWS**

Motion by Commissioner Tillotson to approve the Cable Access Advisory Commission By-Laws as follows:

#### **BYLAWS OF OWOSSO CABLE ACCESS ADVISORY COMMISSION**

##### **ARTICLE 1. GENERAL**

Owosso Community Television (OCTV) has been established to provide support services necessary for video casting locally produced television programs.

It is the purpose of Owosso Community Television to provide the people of the city and organizations in the Owosso area with an opportunity to be involved in using the television medium to inform, communicate, educate, and entertain by providing locally produced program of public interest.

The Cable Access Advisory Commission (CAAC) has been established as an advisory body to the City Council with regard to all aspects of Owosso Community Television and public access cable service in the City.

##### **ARTICLE 2. PURPOSE AND DUTIES**

The purpose of CAAC shall be to serve as an advisor to the Owosso City Council.

The commission shall have the following specific duties:

- (1) Advise the City Council regarding general policy matters related to the services provided to public access producers and viewers pursuant to the Code of Ordinances of the City.
- (2) Encourage the use of public access channels among the widest range of institutions, groups, and individuals within the city.
- (3) Make an annual report to the City which shall include, but not be limited to, a summary report on the utilization of any public access channels and a summary report of the commission's deliberations throughout the year.
- (4) Request comments and encourage suggestions from the public regarding public access channels.
- (5) Perform such other functions as the City Council may direct.

- (6) Conduct public hearings at the request of the City Council.

### ARTICLE 3. ORGANIZATION

#### Section 1. Members.

The members of the Commission shall be appointed in accordance with the provisions of ordinance. Membership of the commission shall consist of nine (9) voting members. Seven (7) members shall consist of one (1) representative from each of the following; Owosso Public Schools, Shiawassee District Library, Shiawassee RESD, Baker College, Shiawassee Regional Chamber of Commerce, King of Kings (K.O.K.), and Owosso Community Television Studio (O.C.T.S.). Whenever possible, this representative shall be a resident of the city and/or a cable subscriber.

Two (2) members shall be citizens at large, appointed by the Mayor and approved by the City Council, and must be a current cable television subscriber and resident of the city. One member of the administrative staff of the City, designated by the City Manager as the OCTV coordinator, will serve as a liaison and ex officio member of the Commission but without the right to vote.

#### Section 2. Terms.

Each at large member of the commission shall be appointed for a term of four (4) years commencing on July 1.

The names of representatives from the Owosso Public Schools, Shiawassee District Library, Shiawassee RESD, Baker College, Chamber of Commerce, K.O.K., and O.C.T.S. shall be submitted to the City Clerk annually prior to July 1.

#### Section 3. Vacancies.

Vacancies of at-large member positions are to be filled through appointment by the Mayor, with the approval of City Council.

Vacancies of organizational member positions are to be filled through appointment by the respective organization, with the acknowledgement of City Council. Any position left vacant by an organizational member for more than 90 days will convert to a citizen-at-large position to be governed as noted above.

#### Section 4. Officers.

- (a) The officers of the commission shall be a chairperson and a vice-chairperson, who shall be members of the commission and a secretary, who shall be the City Staff Liaison as appointed by the City Manager.
- (b) The officers shall be selected by the voting members of the Commission annually during the first regular meeting of the commission in July of each year.
- (c) The terms of office for the officers shall be one year or such longer period as is necessary until a successor is appointed and assumes the office.
- (d) If an office shall become vacant before the officer has served his complete term, the commission shall appoint another officer to serve for the remainder of the term of office.

#### Section 5. Duties of officers.

(a) The chairperson shall be the presiding officer at all regular and special meetings of the commission, shall call special meetings under the by-laws, sign CAAC documents, and shall be the

spokesperson for the commission in all contacts with the City administration, City Council, and the news media.

(b) The Vice Chairperson shall assist the Chairperson in his/her duties and shall serve a the Chairperson in the absence of the elected Chairperson. In the absence of both the Chairperson and Vice Chairperson, the members of the Commission shall elect a temporary Vice Chairperson to carry out the duties of the Chairperson.

(c) The secretary shall have custody of the records of the commission, shall prepare and distribute the agenda for each meeting, and shall take minutes of all meetings of the commission,

#### Section 6. Meetings.

(a) The commission shall schedule regular meetings and shall approve the date, time, and place of such meetings. Special meetings may be called by the Chairperson or by a majority of the voting members of the Commission. All meetings of the commission shall be held in accordance with the Open Meetings Act (P.A. 267 of 1976, as amended).

(b) A majority of the voting members of the Commission shall constitute a quorum.

(c) The Chairperson shall be the presiding officer at all meetings of the commission. In the absence of the Chairperson, the Vice-Chairperson shall serve as Chairperson for that meeting.

### ARTICLE 4. FINANCE

#### Section 1. Budget.

(a) The Commission shall annually prepare and recommend to the council a budget for the fiscal year commencing July 1, which budget will show the anticipated revenues and expenditures for the operation of OCTV.

(b) The Staff Liaison shall present a proposed budget for consideration by the commission at its first regular meeting during the month of February.

(c) The Commission shall approve a budget for the ensuing fiscal year not later than the first meeting of March.

#### Section 2. Purchases.

The Staff Liaison shall have the authority to make purchases of such supplies and services as are necessary to carry out the activities of the Commission. Purchases not exceeding one hundred dollars may be made without prior approval of the Commission of the specific purchase. Purchases in excess of one hundred dollars necessitated by an emergency which must be addressed prior to the next regular meeting of the Commission may be made by the Staff Liaison after consultation with the Chairperson of the Commission.

### ARTICLE 5. APPROVAL AND AMENDMENTS

#### Section 1. Approval.

These by-laws shall become effective following their approval by the Commission and by the City Council.

#### Section 2. Amendments.

The Commission shall annually during its first regular meeting in July review these by-laws and determine the need to make any changes, additions, or deletions. These by-laws may be amended as deemed necessary by the Commission. Such amendments shall be approved as provided in Section 1.

Motion supported by Commissioner Hardwick and concurred in by unanimous vote.

### **PROGRAMMING RULES - AMENDMENT**

Staff Liaison Amy K. Kohagen had reviewed the Programming Rules and proposed changes to bring the rules in line with the cable ordinance along with adding provisions for a denial and appeals process.

Commissioner Gutting was concerned with the specificity of some of the rules and was concerned they would stifle participation and restrict access. He also had reservations regarding providing definitions for terms like slander, libel, and obscenity. He suggested the rules and definitions be removed.

There was discussion regarding the conservative nature of the community, the idea of the Rules as a living document that can be changed at any time, and the fact that the Commission had already spent considerable time examining the rules prior to this evening's meeting.

Commissioner Tillotson asked why his programs were not seeing airtime on any days but Wednesday. Commissioner Johnson indicated he had explained this to Commissioner Tillotson many times and would not waste the Commission's time repeating himself.

Chairperson Flayer explained the three broadcasting entities had not merged and would handle their own broadcasts until such time.

Commissioner Johnson expressed his concern with the lack of a contract with the City making him responsible for playing items from the general public. He also expressed his concern with playing programs without the expressed consent of all the individuals on the recording.

Commissioner Tillotson distributed copies of emails he sent to Commissioner Johnson regarding his programming.

Motion by Commissioner Hardwick to adopt the amended Programming Rules as follows, noting the Rules are a living document.

### **OWOSSO COMMUNITY TV ACCESS POLICIES AND PROCEDURES**

#### **OVERVIEW**

Introduction- The City of Owosso established Owosso Community Television (herein after referred to as OCTV) by ordinance October 15, 2007 to provide citizens and others active in community life access to local television.

Mission- OCTV 's mission is to facilitate the production and cablecast of media programs which reflect the interests and activities of the community; allow a diversity of local voices to be heard and; inform and enrich the lives of the citizens of Owosso and neighboring communities.

Contractual Agreements- OCTV reserves the right to enter into a contractual agreement with local communities to provide video production services for them and their citizens. These contracts can and may vary in length and services provided and can be terminated at the request of either party. Priority will be given, when possible, to those residents of OCTV's service area, in terms of scheduling production/ studio time, use of production and editing equipment, facilities and program airing.

Definitions and Acronyms-	of terms used in this document.
Adult content:	video and/or sound which may be deemed inappropriate for younger or more sensitive viewers.
Air or Airtime:	although OCTV does not broadcast through airwaves, and is received only on cable television by subscribers, these terms are sometimes used in place of "cablecast" or "cable time."
CG:	computer generated
CAAC:	City of Owosso Cable Access Advisory Committee
OCTV:	Owosso Community Television
OCTV Series:	a program with a regularly scheduled timeslot produced by a local producer or using OCTV facilities or equipment.
OCTV Specials:	program submitted for airtime on a one-time or occasional basis produced by a local producer or using OCTV facilities or equipment.
Day Time:	Monday through Sunday, 7:00 a.m. - 6:00 p.m.
Government Access:	any governmental or independent unit producing or providing programming related to government.
Higher Education:	any institution of higher learning producing or providing programming related to education.
K-12 Education:	any public or private nonprofit school producing or providing programming related to education.
Length:	exact running time of a program, from first image to last image (including title, credits, etc. but NOT including bars & tone, slate, countdown, etc.). Length will be indicated in hours, minutes and seconds. Examples: 1:29:45 (one hour, twenty-nine minutes, forty-five seconds); 14:30 (fourteen minutes, thirty seconds).
Outside Series:	program with regularly scheduled timeslot not produced by a local producer or with OCTV facilities or equipment.
Outside Specials:	program submitted for airtime on a one-time or occasional basis not produced by a local producer or using OCTV facilities or equipment.
PEG:	Public, Educational and Government Access Television.
Producer:	someone that creates and produces video programming for playback
Programming Dept:	the part of OCTV which schedules and airs programs. The head of the department is the Program Coordinator. Others working in the department are Program Assistants.
Public Access:	individuals and organizations producing or providing programming of general community interest.

- Sponsor:** person or persons who fills out and signs the OCTV Agreement and Release that accompanies each videotape/DVD or other media format or series of videotape/etc, submitted for airing on OCTV. The sponsor is often- but not necessarily- the producer of the program. The sponsor takes full responsibility for the content of all videotapes/etc, which he/she submits.
- Standard Length:** preferred running time for programs on OCTV. The standard length for a program in a 30- minute timeslot is 29:00 (twenty-nine minutes, zero seconds); for a 60 minute timeslot, the standard length is 59:00 (fifty-nine minutes, zero seconds). Similarly, a 1.5 hour program should run 1:29:00, a two- hour program should run 1:59:00, and so on.
- Timeslot:** period of time when programs are aired. The most common timeslots on OCTV are 30 and 60 minutes. See standard length.
- Volunteer:** classified as either:
- a) users- individuals that are certified to use the OCTV facilities and equipment,
  - b) producers- individuals who accept responsibility for their programs aired,
  - c) supporters- individuals or organizations that through their actions further the goals and philosophy of OCTV.
- Weekday Primetime:** Monday through Thursday, 6:00 p.m. - 11:00 p.m. with at least 50% of a program being aired during this timeframe.
- Weekend Primetime:** Friday through Sunday, 6:00 p.m. – 11:00 p.m. with at least 50% of the program being aired during this timeframe.

## **ADMINISTRATION**

**Channel Operation-** Programs produced by or for OCTV that may be seen on Charter Cable channel 3.

**Financial Support-** OCTV's operations are funded by franchise fees, public benefit monies paid by the cable operator under terms specified in City of Owosso Cable Franchise and Cable Ordinance, and donations from the public.

**Owosso City Council-** Owosso City Council grants to residents of the OCTV operations area, the privilege of using the city channel for programs that benefit the community. The council charges OCTV staff and the CAAC with the authority to implement appropriate programming.

**Cable Access Advisory Committee (CAAC) -** The Cable Access Advisory Committee is an advisory committee consisting of 9 members acting under the jurisdiction of the Owosso City Council. Its function is to manage, allocate and review the use of the public benefit resources and to recommend to the City Council appropriate regulatory actions that may improve the public benefits potential of the cable system. It meets monthly.

**OCTV Staff-**

**Program Coordinator –** administrative member of City staff as appointed by the City Manager to implement and administer the program at the direction of the CAAC and City Council.

## **CHANNEL IDENTITY AND CONTENT**

Community Access- OCTV Channel 3 is the government access channel governed by the City of Owosso. The city invites people active in community life to produce television shows that provide useful, enriching and entertaining information and programming to residents of Owosso and surrounding communities. The city grants CAAC the authority to recommend the allocation of resources and to set standards for programs.

## **PRODUCTION ROLES AND RESPONSIBILITIES\***

\* As of the date of adoption of these rules, OCTV does not have studio facilities. It is the intention of COCAAC to provide such facilities as resources become available in the future. Any rules referencing a production facility, rules for the use of a production facility, and the conduct of its employees, volunteers, and users made in these rules will apply upon the occasion of the establishment of such a facility.

Staff- paid employees of the City of Owosso and work under the conditions set forth in the City of Owosso Employee Handbook. They carry out the production needs of OCTV and the duties as agreed upon in their contract. They are responsible for all production aspects, including:

- working cooperatively with producers, volunteers and community partners
- providing all technical & production expertise for programming
- training all access users
- purchasing, maintaining and repairing equipment
- obtaining production crew
- editing and post production
- scheduling production in cooperation with producer
- scheduling program broadcasts
- operating channel playback
- publicizing schedule of programs
- 

Producer- community, municipal, library or public access user who creates, writes, plans, and makes necessary arrangements, appointments and reservations for a program. The producer must meet eligibility requirements as set forth in the "Eligibility/Residency Requirements" section and must also attend an orientation session. There should be one producer per program, and that producer is the ultimate contact person/authority, on questions or concerns regarding the program. The exception to this rule is currently existing programs with co-producers, who shall be credited with equal responsibility for the program. The producer is ultimately responsible for:

- all program content
- copyright approvals and FCC law
- creating and purchasing the set and having it approved by staff before booking production time
- scheduling pre-production meetings at times that are mutually convenient with OCTV Staff
- scheduling the studio or other locations at times that are mutually convenient with OCTV
- making all arrangements for production locations, including sufficient power and power outlets for equipment and determining audio needs
- contacting and scheduling all hosts and guests who appear on a program, and securing
- signed, accurate standard release forms
- confirming and submitting accurate CG information prior to a shoot
- requesting producer DUBs

Volunteer- persons that agree to assist OCTV in its mission free of charge; volunteers are required to receive proper training prior to using OCTV equipment and/or facilities. Volunteers are not responsible for the programs they broadcast on behalf of OCTV or on which they crew; volunteers are responsible for:

- utilizing the equipment in a professional manner, as to not damage or misuse the equipment in any way
- signing up or contacting OCTV staff to volunteer to crew productions
- adhering to accepted policies & procedures and rules of conduct

### **ELIGIBILITY/RESIDENCY REQUIREMENTS**

Residency- defined as one who resides within the municipality of the City of Owosso or in one of the municipalities served by OCTV, as proven by a driver's license and/or a current utility bill which clearly shows the name and address of the person requesting to produce a program.

Non-profit Organizations- a nonprofit 501(c)3 charitable, service or political organization serving any part of the areas served by OCTV may produce a public or community access program. It must register its proof on nonprofit status with OCTV and shall designate one member of the organization to be responsible for all producer responsibilities.

Minors involved in Television Productions- youth and teenagers between the ages of 15- 17 are welcome at OCTV as production volunteers. For their safety, the following rule applies:

- a parent or legal guardian must attend the initial volunteer workshop with the prospective volunteer and sign the Agreement and Release for any program broadcast.

### **RULES OF CONDUCT FOR ACCESS USERS**

1. Access user shall not engage in activities that violate federal, state, and local laws and ordinances.
2. Access user is expected to be courteous and respectful to staff and other access users at all *times*.
3. No loud or unnecessary sounds or noises which disturb the quiet of other people or staff.
4. No loitering in or around OCTV facilities.
5. No harassing, intimidating, disturbing, or threatening any person by word or act or interfere with anyone's use of OCTV facilities.
6. No alcohol beverages or illegal drugs are allowed on any community, municipal or library access premises.
7. Anyone suspected to be under the influence of alcohol or illegal drugs will not be allowed on any community, municipal or library access premises.
8. No smoking is allowed while working on any community, municipal or library access production.
9. No weapons including, but not limited to any firearm, knife (blade longer than three inches), any switchblade or mechanically operated knife, blackjack, brass/metal knuckles, bar, club, or bludgeon. Exception- law enforcement or security personnel.
10. No food or beverage is allowed in any studio, control room, edit suite, production vehicle or other placed designated off-limits for these activities. An exception will be made for food or beverage used as part of the content of the program.
11. No producer, crew, talent or guest may use offices, storage areas, closets, office equipment, phones or supplies without permission from staff. Office equipment, phones and supplies are for business use only.

Failure to follow these rules may result in denial of access to the OCTV facilities for up to a period of 180 days.

## **PRODUCERS AND VOLUNTEERS WORKSHOP CURRICULUM**

Everyone who wishes to become involved in access programming in any capacity must attend at least one workshop, and subsequent workshops, depending upon level of desired involvement. The Introductory workshop will be held a minimum of x times per year. Other production workshops will be provided following the introductory workshop at OCTV staff discretion.

A person with prior experience in television production or with other television production qualifications may be able to bypass some of the production workshops at the discretion of the OCTV staff. A test will be administered to determine if a person qualifies to "test out" of workshops.

Residents of the OCTV service area are eligible to register for the workshops. Further requirements are:

- a) must be 15 years of age or older
- b) must have proof of residency within OCTV service area
- c) identifying information includes, but is not limited to, name, address, phone number, drivers license or Michigan ID
- d) payment of the workshop fee (if required)

## **PROGRAMMING DEFINITIONS AND RESTRICTIONS**

*Obscene Broadcasts are Prohibited at ALL Times* - obscene speech is not protected by the First Amendment and cannot be broadcast at any time. To be obscene, material must meet a three-prong test:

- an average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest;
- the material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and
- the material, taken as a whole, must lack serious literary, artistic, political, or scientific value

**Indecent Broadcast Restrictions** - the FCC has defined broadcast indecency as "language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community broadcast standards for the broadcast medium, sexual or excretory organs or activities." Indecent programming contains patently offensive sexual or excretory references that do not rise to the level of obscenity. As such, the courts have held that indecent material is protected by the First Amendment and cannot be banned entirely. It may, however, be restricted in order to avoid broadcast during times of the day when there is a reasonable risk that children may be in the audience. Therefore, OCTV has adopted a rule to which broadcast that fit within the indecency definition and that are aired between 6:00 a.m. and 10:00 p.m. are subject to indecency enforcement action.

**Profane Broadcast Restrictions** - the FCC has defined profanity as including language that "denote[s] certain of those personally reviling epithets naturally tending to provoke violent resentment or denoting language so grossly offensive to members of the public who actually hear it as to amount to a nuisance." like indecency, profane speech is prohibited on broadcast television between the hours of 6:00 a.m. to 10:00 p.m.

**Slander** - speaking of false and malicious words concerning another whereby injury results to his or her reputation. Slander is prohibited at ALL times.

**Libel** - a false and unprivileged publication in print, writing, pictures, or signs of defamatory material. Libel is prohibited at ALL times.

**Defamation** - the unprivileged publication of false statements which result in injury to another (injure reputation, diminish the esteem, respect, goodwill or confidence, or to excite adverse,

derogatory or unpleasant feelings or opinions against another). Defamation is prohibited at ALL times.

Candidate and Political Programming - PEG Access Channels are not legally obligated to adhere to the FCC "equal opportunity" rule or the Fairness doctrine. The rules state that a channel that airs one candidate or controversial issue on its channel that the opponent or opposing view must get *equal* opportunity to air time.

Sponsors that fail to follow these rules may be denied access to the OCTV facilities for up to a period of 180 days.

### **UNDERWRITING AND SPONSOR GUIDELINES**

Underwriting- the exchange of goods, service and/or money is allowed only for the support/ improvement of a production. (For example a business may provide financial assistance, materials, equipment, location, artist fees, or other forms of in-kind support.) Underwriting is NOT allowed for the personal gain of the producer, crew or sponsor or for payment of labor and time.

Recognition of Contributors- contributors may be recognized in the programs credits under the following conditions:

- a listing of the type of product or service provided by the contributor
- one credit can be no longer than 10 seconds
- the credit may be given once before and once after the program
- a maximum of six (6) underwriters are allowed per show
- the credit can not be used within the content of the program
- an official slogan or jingle may be used as long as it is used elsewhere in their ordinary course of business
- when a program contains underwriting credits, they must be included in the total program length
- OCTV accepts no liability for any disputes arising from underwriting contracts

Prohibitions- the following is prohibited from any show produced for, with or by OCTV:

- commercial (solicitation of goods and/or service) content in any access program
- advertising by or on behalf of a political candidate
- soliciting for money
- lottery information
- "Call to action" statements (e.g., "Call at at..." or "ask about our new line of products...")
- inducements to buy, sell, rent or lease
- specific pricing information
- use of 1-800 and 1-888 (and similar) telephone numbers
- use of websites with direct links to purchase

### **ACCESS POLICIES**

Cancellation Policy- it is the responsibility of the producer to contact OCTV staff in person or by phone to cancel a shoot or broadcast. The producer must make all reasonable efforts to cancel 24 hours before a scheduled shoot.

Copyright- Producers must secure all releases for use of copyright materials in any production submitted for playback. OCTV reserves the right to request an original signed release to keep on file. Programs with copyright materials, without written consent, will not be aired on any channels under OCTV jurisdiction.

Right of Refusal - The Program Coordinator shall have the authority to refuse broadcast of any program that is in violation of the rules contained within this document.

Appeals Process – Any sponsor that is refused broadcast by the Program Coordinator may make a formal appeal to the CAAC at its next regular meeting.

### **DUB AND PLAYBACK POLICY**

Dub Policy- Anyone who would like to have a dub (duplicate tape) of a OCTV program must fill out a dub request form. Dub process and media formats are detailed on the dub request form. Some programming may be unavailable for dubbing, as original programs are returned to the producer. Prices are based on the length of the program. Payment must be received before the dub is made; staff may make exceptions for regular producers. It may take up to 10 business days to process a dub request. (Shipping and handling costs may vary.) As many programs as possible will be copied onto one tape in an effort to economize.

Playback Terms and Conditions- all program submitted for playback on OCTV must fill out an Agreement and Release for each program. If the program is a series that will be submitted on a regular basis, then only one form needs to be submitted and renewed (resubmitted) on a biannual basis.

OCTV staff reserves the right to refuse any program that does not meet our standards of technical integrity, including but not limited to:

1. minimum of 20 second leader at beginning of program;
2. leader consisting of a minimum of 10 seconds of SMPTE bars and 10 seconds of 1 (one) kHz tone;
3. leader consisting of a ten-second countdown;
4. minimum of 30 seconds of black video at the end of the program;  
all tapes and tape cases must be clearly labeled with the program name, producer and total running time;
5. all tapes must include credits and the OCTV disclaimer at the end of each program.

Disclaimer- all programs will carry the following disclaimer:

"Views and opinions expressed in this program do not necessarily reflect those of the OCTV staff and the municipalities OCTV represents. Therefore OCTV and the municipalities OCTV represents do not assume any liability for the programming content."

Tape Format- OCTV can only accept the following program formats: VHS and DVD.

Airing Producer/Endorser Responsibility- it is the sponsor's responsibility to deliver their program to the studio and to pick it up when it is off the airing schedule. All programs not retrieved 30 (thirty) days after final scheduled airing may be recycled or destroyed. It is the Producer/Sponsor's responsibility to follow OCTV's program schedule to determine when to pick up the program if the program is part of a series and airs on a regular basis then it is the producer/ sponsor's responsibility to follow the schedule and coordinate program deliveries and retrievals. Failure to provide regular programming in a series may result in loss of a regular time slot.

## **PROGRAM SCHEDULING POLICIES (BY CHANNEL)**

- Scheduling- scheduling is done at the discretion of the OCTV staff. Shows will play for a two-week period. Programs of a live community event, or programs of a timely nature, will play the week after the event takes place. (Except in cases of technical difficulties)
- Playback- OCTV accepts all programming for Channel 3 on a first-come, first-serve non-discriminatory basis. OCTV does not pre-screen or censor programs submitted for playback. However, OCTV does reserve the right to refuse any medium that does not meet standards of technical integrity.

Programs submitted for playback will be scheduled based on the following priority:

1. Programs produced in joint copyright with OCTV have first priority
2. Programs produced by government entities, elected officials or non-profit organizations serving the City of Owosso have second priority.
3. Programs produced by residents of the City of Owosso of a local nature have third priority.
4. Programs produced by government entities, elected officials or non-profit organizations serving the OCTV service areas have fourth priority.
5. Programs produced by residents of the communities served by OCTV of a local nature have fifth priority.
6. Programs produced by residents of the City of Owosso not of a local nature have sixth priority.
7. Programs produced by residents of the communities served by OCTV not of a local nature have seventh priority.
8. Programs produced by those outside of Shiawassee County not of a local nature have last priority.

## **COMMUNITY BULLETIN BOARD**

The following policies apply to the bulletin board:

1. All submissions may be edited at the discretion of OCTV for space and for clarity.
2. If the notice is intended to publicize a public or non-profit event, it must be submitted at least two weeks in advance of the event.
3. Notices must not have any commercial content. They can not be used for personal or corporate benefit.
4. Notices cannot publicize a fundraising raffle or lottery.
5. You may email, fax or mail a Bulletin Board Request- contact numbers and addresses are listed below:

Owosso City Clerk's Office  
301 West Main Street  
Owosso, MI 48867

(989)725-0500  
(989)725-0526 fax  
[rkramer@ci.owosso.mi.us](mailto:rkramer@ci.owosso.mi.us)

Motion supported by Commissioner Johnson. Voice vote. 4 – Yes, 1 – No.

## **ORDINANCE AMENDMENT – CABLE COMMISSION MEMBERSHIP**

Chairperson Flayer detailed the proposed changes indicating the membership would be lowered from 9 to 7, all seats would convert to citizen at large seats, quorum would be adjusted to 4 members and terms would be 3 years instead of 4.

Commissioner Johnson strenuously objected to the amendment indicating he would be excluded from future membership because he did not reside in the City. He further objected to the eventual exclusion of OCTS as a stakeholder. He expressed his hope that if other communities were to join the OCTV they would have representation on the commission and also indicated his desire for his continued participation on the Commission.

It was noted the current membership would be phased out over time.

Commissioner Johnson inquired as to the impetus for the changes. It was noted the Commission has lost representation from 3 of the original stakeholders as they did not see the value in their continued participation. The Commission has also struggled with reaching a quorum for meetings lately and the changes would lower the number needed to 4 members. It was also noted the intention from the start was to establish the structure for the channel then employ a commission of citizens to govern operations.

Motion by Commissioner Gutting to approve the cable ordinance amendment changing the make-up of the Cable Access Advisory Commission as follows:

That Sections 9-105 through 9-107 of Chapter 9, Cable Television, Article III, *Owosso Community Television*, is hereby amended to read as follows:

**Sec. 9-105. Same--Membership.**

Membership of the commission shall consist of seven (7) citizen at large voting members possessing the qualifications to hold appointed office as stated in Charter Sections 4.2 and 4.3. Whenever possible, members shall be cable subscribers.

The person from the administrative staff of the city who has been designated by the city manager as the OCTV coordinator shall be an ex officio member of the commission but without the right to vote.

**Sec. 9-106. Same--Term of members.**

Each at large member of the commission shall be appointed for a term of three (3) years commencing on July 1 except that the members at the time of this reorganization shall begin their terms immediately with two (2) of said members being appointed for term ending June 30, 2009, two (2) said members being appointed for terms ending June 30, 2010, and three (3) said member being appointed for terms ending June 30, 2011. Terms for current members previously appointed annually will be determined by drawing. Seats originally assigned to members representing local organizations will convert to citizen at large positions upon the expiration of their assigned term.

**Sec. 9-107. Same--Internal administration.**

The commission shall select one of its voting members as chair and shall designate the ex-officio member as secretary. The commission may adopt such rules as it deems necessary for the transaction of its business. Any decision of the commission shall require the concurrence of four (4) members. The commission shall meet as often as necessary with at least one (1) meeting each calendar quarter and all of its meetings shall comply with the open meetings act.

Motion supported by Commissioner Tillotson. Voice vote. 3 – Yes, 2 – No.

The proposed amendment will be forwarded to City Council for consideration.

### **COPYRIGHT INFRINGEMENT**

Commissioner Johnson pointed out there was a program broadcast that contained the FBI warning against broadcasting copyrighted materials without permission. He inquired whether the Commission wanted to take formal action to require written permission to broadcast copyrighted materials.

There was discussion whether the release forms signed by sponsors holds the City harmless in such instances. There was also discussion regarding whether the Programming Rules properly addressed the issue. Chairperson Flayer suggested the language regarding copyright permission be reworded and presented at the next Commission meeting.

Commissioner Tillotson suggested the Commission adopt a second session of Citizen Comments.

### **ADJOURNMENT**

Motion by Commissioner Gutting for adjournment at 6:32 p.m.

Motion supported by Commissioner Tillotson and concurred in by unanimous vote.

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Amy K. Kohagen, City Clerk