

OWOSSO CABLE ACCESS ADVISORY COMMISSION

MARCH 8, 2010

5:00 P.M.

PRESIDING OFFICER: CHAIRPERSON JAMES GUTTING

PLEDGE OF ALLEGIANCE: CHAIRPERSON JAMES GUTTING

PRESENT: Commissioners W. Shaffer Fox, Christopher Hardwick, and Eddie Urban, Vice Chairperson Michael Tillotson and Chairperson James Gutting.

ABSENT: Commissioner Jack Johnson.

Motion by Commissioner Hardwick to excuse the absence of Commissioner Johnson due to an illness in the family.

The motion dies for lack of support.

SET TIME LIMIT AND RE-AFFIRM RULES OF CONDUCT

Motion by Vice Chairperson Tillotson to set a time limit of 60 minutes and re-affirm the Rules of Conduct.

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

APPROVE AGENDA

Motion by Commissioner Fox to approve the agenda as presented with the addition of a discussion on the definition of "Local" in the item on Programming Rules.

Motion supported by Vice Chairperson Tillotson and concurred in by unanimous vote.

APPROVAL OF THE MINTUES OF THE MEETING OF FEBRUARY 8, 2010

Motion by Vice Chairperson Tillotson to approve the minutes of the meeting of February 8, 2010 as presented.

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

APPROVAL OF THE MINTUES OF THE MEETING OF FEBRUARY 22, 2010

Motion by Commissioner Urban to approve the minutes of the meeting of February 22, 2010 as presented.

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

CITIZEN COMMENTS

Robert Churchill, 607 Division Street, asked whether the rules on one hour programs were being enforced, saying it was important to be fair. He also asked whether "Resurrection Life" out of St. Louis would continue to be broadcast. Chairperson Gutting noted that work is being done to try to break programs into 59 minute blocks, but it should be pointed out that public meetings would not be edited to fit into a time slot. He also indicated from outside the County would continue to get played as long as there was sufficient air time, but local programs would have priority according to the programming matrix.

Eric Stanton, 3969 North Baldwin Road, indicated he submits a program through KoK and asked whether there was movement toward a consistent schedule so that he could tell his viewers when to watch. Chairperson Gutting noted that while it is confusing now we are operating the best that we can with the limited equipment we have.

Councilperson Gary Martenis offered his support to the Commission but said that there are people who are under the impression that the City wants to eliminate religious programming from the channel. He noted that he was hoping for progress on a regular schedule and Council was looking forward to recommendations from the Commission that would help to forward the cable channels.

It was noted that there was no intention to eliminate religious programming but to integrate it with other programming. He was in the process of downloading and converting files to form an electronic library of programs that could easily be placed into a schedule.

Commissioner Fox stated his desire to see the channel used to promote the City.

Commissioner Hardwick noted his desire to see the DVD player used all evening, saying he thinks the player could handle the use.

Rebecca Tillotson asked if she submits a program and it becomes part of the library of programs does it become public domain. It was noted it would become public domain only if the originator of the program released copyright on it.

OCTS UPDATE

Commissioner Johnson was not present to provide an update.

ITEMS OF BUSINESS

COPYRIGHT RULES

City Liaison Amy K. Kohagen read aloud the current copyright policy:

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.

She encouraged the Commission to consider remove the last sentence to allow programs to be played without written copyright permission unless the Program Director has question about the status of copyright permission. It was noted that the more active role the Commission takes the more liability they have.

Chairperson Gutting distributed the copyright policy of Ancestry.com. There was discussion regarding the policy. Some Commission members felt it was a good policy while others thought it was too permissive.

There was discussion regarding going with a laissez faire policy or something more active. Some members preferred a more laid back policy while others liked the idea of tighter regulation. One member suggested previewing all programming prior to playback and asked that the Commission adopt resolutions governing what can and cannot be played on the channel. It was noted that such regulation would potentially be in violation of the First Amendment.

Motion by Vice Chairperson Tillotson to keep the current copyright language contained in the Owosso Community TV Access Policies and Procedures, replacing the words "written consent" with "written release".

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

PROGRAMMING RULES AMENDMENTS

Motion by Commissioner Hardwick to adopt the Owosso Community TV Access Policies and Procedures as presented, including the changes to the copyright policy adopted previously as follows:

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: <ul style="list-style-type: none"> 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. - 10:00 p.m. with at least 50% of a program being aired during this timeframe.
Weekend Primetime:	Friday through Sunday, 6:00 p.m. – 10:00 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 95.

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 7 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 95 is the public 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 OCTV 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 10:00 p.m. and 6:00 a.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 10:00 p.m. and 6:00 a.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 release, 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: DVD and various electronic file formats.

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 95 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 cannot 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

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

The Commission addressed the topic of the definition of Local. They agreed a program of a "local" nature needs to be something within the City.

RELEASE FORM CHANGES

Commissioner Hardwick noted his desire to see the scheduling matrix he developed used and publicized.

Motion by Commissioner Hardwick to approve the changes to the Release Forms as presented, noting "local" is within the City of Owosso as follows:



Received: _____

Expiration: _____

Program #: _____

SERIES COMPLETED PRODUCTION Agreement and Release

301 W. MAIN • OWOSSO, MICHIGAN 48867-2958 • (989) 725-0599 • FAX (989) 723-8854

SPONSORING INDIVIDUAL (required) _____ DATE _____

SPONSORING ORGANIZATION (optional) _____ DATE _____

PROGRAM TITLE _____ LENGTH (Hr:Min:Sec) _____

Please check one box in each column:

- | | |
|--|--|
| I am a: <input type="checkbox"/> Government Producer
<input type="checkbox"/> City Resident
<input type="checkbox"/> County Resident
<input type="checkbox"/> Outside Shiawassee County | This program is: <input type="checkbox"/> Local in nature
<input type="checkbox"/> County-wide in nature
<input type="checkbox"/> Outside the County |
|--|--|

Requested Timeslot:

Day	Date	Time
1.		
2.		
3.		

(Please recognize that during our transition from private to public broadcast we will attempt to schedule programming according to preference but we reserve the right to move programs within the schedule to better suit the needs of the channel.)

Please check one box:

- OCTV may play this program in unscheduled timeslots in addition to scheduled times
- OCTV may not play this program in unscheduled time slots

Please see the reverse for important required information.

OCTV reserves the right to refuse to cablecast any program if there is a failure to disclose that the program contains any of the following:

Please check off any that apply to program's content:

- ADULT LANGUAGE:** A program that includes profanity, vulgarity, cursing, or is otherwise inappropriate for minor children will be cablecast no earlier than 10:00 pm and will finish by 6:00 am
- VIOLENCE:** A program that includes actual or depicted acts of violence or physical abuse will be cablecast no earlier than 10:00 pm and will finish by 6:00 am.
- NUDITY:** A program that includes the showing of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in the discernibly turgid state will be cablecast no earlier than 10:00 pm and will finish by 6:00 am.
- SEXUAL CONTENT:** A program that includes actual, depicted, or descriptions of sexual conduct or activity will be cablecast no earlier than 10:00 pm and will finish by 6:00 am

I hereby acknowledge my responsibility for the total program content of this video tape submitted for cablecast. I agree to indemnify, defend, make good and hold harmless the City of Owosso from any claim, loss, damage, costs, charges, legal fees, recoveries, judgments, penalties, fines and expenses which may be imposed upon the City of Owosso by virtue of cablecast of this program including infringement or violation or alleged

violation of any copyright by a third party. I acknowledge that program material, which contains the following content, is prohibited and City of Owosso reserves the right to not cablecast the program if it contains any of the following:

- Advertising
- Any material that is obscene, indecent, or an invasion of privacy
- Any material concerning lottery information, gift enterprise, or similar scheme
- Any material requiring union residual, or other payment including but not limited to talent and crew unless payments have been executed or waived.
- Any material that is slanderous or libelous

Further, I shall assume full legal and financial responsibility for the use of all production facilities and equipment, except for ordinary wear and tear. By the use of the production facilities and equipment, I agree to release, indemnify and hold harmless the City of Owosso and its officials, officers, employees, agents and servants from any and all liability, accountability or responsibility arising out of said use.

SPONSOR(S) SIGNATURE _____

PHONE _____

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

TEMPORARY SYSTEM EDUCATION

The Commission briefly recessed at 6:16 p.m. to move to the cable broadcast room in City Hall to learn about the equipment assembled to perform temporary broadcast duties.

The Commission returned at 6:27 p.m.

CITIZEN COMMENTS

Kent Telesz, 1007 Corlett Drive, inquired whether the system still had the capability of broadcasting live. It was noted that nothing in the system had changed other than Charter had switched the input permanently to City Hall. The Commission would be open to exploring the idea of a live broadcast.

Jeff Gulick, 300 Clinton Street, thanked the Commissioners for tackling a tough job. He said that discussions on content were moot as the FCC dictates exactly what can be played. He also stated that it was his opinion that all programs must be previewed prior to playback and content must be rotated evenly after approval and that most leased access stations have no set schedule for playback. He went on to say that State law cannot supersede Federal Law.

Chairperson Gutting noted that it is his view the City is offering free access to channel 95 to the public, it is not the Commission's responsibility to restrict access. He went on to say that he hoped the programs submitted would be those that uplift the community.

Commissioner Fox encouraged a thorough review of the Federal regulations.

ADJOURNMENT

Motion by Vice Chairperson Tillotson to adjourn at 6:47 p.m.

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

Amy K. Kohagen, City Clerk