

**Lake Champlain Access Television**  
**Meeting of the Board of Directors**  
**June 29, 2011**  
**Colchester, VT 05446**

**Present:**

**BOD:** Dick Pecor; Sharon Osier; Carol Jones; Bob Sekerak; Sam Conant;

**LCATV Staff:** Kevin Christopher; Buddy Meilleur

**Public:** Judy Sekerak

**Call to Order:** Dick called the meeting to order at 5:39 pm.

**Approval of Agenda:** Sam made the motion, Carol second, to approve the agenda. Motion passed.

**Public / Board / Staff Comments:** There were no comments at this time.

**Approval of Minutes from 5/26/11:** Sam made the motion, Carol second, to approve the minutes of 5/26/11. Motion approved.

**Old Business:**

**Policy 12: Human Resources-Revisions 6<sup>th</sup> Reading/Action:** The Board reviewed the revised document and was satisfied with the language. Bob made the motion, Carol second, to approve Policy 12. Motion passed.

**2011 Contract:** Sam made the motion, Carol second, to table this item until Executive Session. Motion passed.

**Georgia Public Representative:** Carol has made contacts with several Georgia residents and Kevin will be following up with them to see if anyone is interested in joining the Board.

Kevin distributed a copy of the 'contract review procedure' to Board members on this committee.

**Treasurer's Report:** The Board reviewed the balance sheets as of 5/31/11 showing total assets of \$435,812.31. As discussed at the last meeting, Pete has rolled over a CD that came due. Kevin noted that around the first week in August renovations to update the control room will begin which will tap into the account at NEFCU. Carol made the motion, Sam second, to approve the Treasurer's Report. Motion passed.

**New Business:**

Discussion: P/E/G Distinctions: Kevin reviewed the issues which brought this discussion to our agenda. Colchester HS had their 36<sup>th</sup> annual commencement in June. LCATV covered the event. Many in attendance, including district staff, administrators and school board members, felt the speaker's address was inappropriate and offensive. The Superintendent requested that LCATV excise this address from the program and not distribute copies containing the offensive materials. Kevin agreed to honor this request. The local media picked up on this story and, ultimately, an article appeared in 7 Days questioning the decision to censor the speech. Kevin is interested in the Board's input to clarify how we move forward. Is there a difference between providing public vs. private services? Kevin felt that since the HS event was an invitation only, ticketed event it was private. LCATV had asked permission to attend and was invited to do so. He discussed this with Dick who raised other concerns. Dick felt this

may have been an open meeting. Whenever a quorum of school board members is present, even if not warned, it is technically an open meeting where business can be conducted. There was a quorum of school board members present at the commencement ceremony. This could, technically, be subject to the VT open meeting laws. Thus, if this technically was considered a public meeting, LCATV would not edit the content of a public meeting.

Carol reported that her feeling was that since this was a public school using public funds, the entire program should have been aired without editing. Kevin felt that ultimately an attorney might have to determine what constitutes public vs. private. He went on to ask more questions: What determines public vs. private? Each component of our station, political, educational and government does different things. How do we draw distinctions for each? Do we/should we draw distinctions for each? He used the example of educational access where we serve schools (students/teachers), districts (administration), parents and the public that supports those educational institutions. When the Colchester administration requested the editing of the graduation ceremony, it felt like the most positive way to serve the educational constituency at the time. As a Board, we may decide that this is incorrect and all three areas (P/E/G) will be treated as public. Dick reflected that this was a confusing issue as there were layers of policy and legal concerns.

Sharon wanted clarification that even though school board members were invited as guests to the celebration and not in their capacity as school board members, that this is what made the difference between private and public meeting. Dick stated that every time a quorum comes together, even though not warned, it technically is a meeting—making it subject to VT’s open meeting laws.

Sam referred to our policy on content and options outlined here: disclaimers / time slot management/edit out offensive language and thinks this might have covered the station in this instance. He also suggested consideration of a subcommittee to handle such requests in the future.

Carol reminded the Board that CHS picked the speaker, invited LCATV to film the event and they have to take responsibility for their share of the fallout resulting from this situation.

Sharon wanted to know who actually owns the recording. Kevin reported LCATV keeps the actual DVD. The content is owned by the person who did it.

Kevin did offer that if a parent came to LCATV requesting his/her video of the ceremony be aired, it would have been done. The difference is the distinction between what LCATV produces vs. what others produce.

Sam suggested that Kevin craft a question and get a legal opinion on our obligation under the law. Dick thought that this might be more involved than we think and that it would require research and a good amount of time and cost to us.

Moving forward, Kevin would like us to look at each component of LCATV (P E G) and ask ‘Are they one or should we be treating each one distinctively? If so, how?’ He would like clear guidelines in our policy dealing with content. Currently our guidelines are clear in dealing with public access content. After more research and discussion, Kevin would like the Board to consider whether breaking out educational and government content and putting effective guidelines in place is needed. More discussion is expected at future meetings.

**Future Agenda Items:**

- Board restructuring given potential for new territories
- Alternative funding sources / underwriting programs
- Station move/consider Exploratory Property Committee

**Executive Session:** At 6:52 pm Sam made the motion, Bob second, to enter Executive Session to discuss contract discussions. At 7:12 pm Sam made the motion, Carol second, to exit Executive Session. There was no action as a result of Executive Session.

**Adjournment:** At 7:14 pm. Bob made the motion, Carol second, to adjourn the meeting. Motion passed.

Respectfully submitted,

Kary Towne  
Secretary

**Next meeting will be scheduled for mid August.**