



Board of Directors Regular Meeting
September 28th, 2020, at 6:00 pm
LCATV
63 Creek Farm Plaza, Suite 3, Colchester, Vermont 05446
or by Zoom

Board of Directors in Attendance: Greg Drew (GD), Curt Taylor (CT), Bob Shea (BShea) at 6:31, Ken Rocheleau (KR), Dick Pecor (DP), Greg Drew (GD)

Staff in Attendance: Kevin Christopher (KC), Michael Wright (MW)

1. Call to Order by DP at 6:00 PM.

2. Approve Agenda

Motion to approve agenda by KR, 2nd by CT, passed unanimously.

3. Public / Board Member / Staff Comment

No comments.

4. Approve Minutes of 8/10/2020 Meeting

Motion to approve by KR, 2nd by GD, passed unanimously

5. Executive Director's Report

KC reported that instead of candidate forums, LCATV is offering all candidates within the service area fifteen minutes of recorded airtime for a candidate's statement. The fifteen-minute spots will be played at various times during the month of October.

Field production has picked up including live-streamed school sports: football, soccer and perhaps hockey. Over the next month there are 30 sporting events scheduled.

6. Treasurer's Report

With the treasurer, Jeff Hathaway, not at the meeting KC covered related issues. He asked if the check report presented to the Board contains the information the Board requires. DP remarked that he likes seeing the checks as it provides more insight into the operations of LCATV. The decision was made to review financials at the next meeting in hopes that the treasurer would be available.

KC concluded by stating that there has not been the anticipated drop in revenue from either the pandemic or cable operators taking advantage of the recent FCC ruling.

7. Old Business

a. COVID-19 Response Plan

KC reported that all field producers, but one, are now back from furlough. The studio is open by appointment only.

b. FCC and Legislative Status Update

KC reported that the study into alternative funding sources from usage of right of ways has been included in the State budget. Vermont Access Network (VAN) has also been successful in getting some Coronavirus Relief Funds available to Access Management Organizations (AMOs) around the state.

c. Cable Line Extension Funding Proposal

DP reported that there is still not an agreement with ComCast for a cable line extension project on Middle Rd. in Colchester. Until ComCast provides the Contribution in Aid of Construction amounts for the project he does not know if LCATV funds might be used to further the project.

d. Policy # 1 Adoption and Amendment of Policies – Final Reading

Motion to approve Policy # 1 for 2nd and final reading by CT, 2nd by GD, passed unanimously

e. Policy #11: Financial Management Review

Because the treasurer was not in attendance this item was tabled until the next meeting.

8. New Business

a. Policy # 3 Election Programming

The preamble to Policy #3 raised the issue of 1st amendment rights. KC remarked that a Supreme Court decision (Manhattan Community Access Corp. v. Halleck) determined that because LCATV is not a governmental entity questions of 1st amendment rights do not apply. LCATV may determine what is appropriate content. DP pointed out that the 1st Amendment refers to what the governments, not businesses or individuals, can do or not do. The board decided to strike the sentence in Policy # 3 referring to the 1st amendment of the U.S. Constitution.

There was discussion about the paragraph dealing with Guidelines. KC will rewrite the paragraph. KC stated that he would like to expand the *LCATV Forums* portion of the policy to include Candidate Statements.

The board discussed how the forum moderator is selected and decided to leave that paragraph as it is. To conform with the policy, the board appointed KC as moderator until any change might be warranted.

KC also had a suggested change to the Deadline paragraph

There was extensive discussion about the portion of the policy that stops candidate coverage 24 hours prior to the opening of the polls. KC's concern was that much of that information is also available on LCATV online. Removing it from the website is problematic. KR raised the question of the legal implications of not removing such content from the website. KR will consult his legal council about this.

At the next meeting KC will present a re-write of Policy # 2.

b. Fiscal Year 2021 Budgeting – Discussion Items

i. Van lease

In May of 2021 LCATV's van lease expires. KC wanted guidance as to how to proceed. He recommended, and the Board agreed, that LCATV should lease a new model of the same van.

ii. FY2021 Employee Compensation

KC stated that it is time to consider FY2021 compensation changes. The Board decided to use the same Payroll Subcommittee as last time to review the issue. KR, GD and SP are the members. They will meet and have a recommendation for the Board by the October meeting.

KC reminded the board that future revenues are still very much an unknown. He also pointed out that LCATV may well end this fiscal year with a \$100,000 surplus. He hopes that by the spring of 2021 a better understanding of LCATV's finances will be available.

iii. Addendum

Before the meeting ended KC mentioned that VAN is very close to having a contract template agreement with ComCast. There should be no need for negotiations between LCATV and ComCast. Once the agreement is finalized, VAN membership will vote to approve or not. AMOs can then decide if there is a need for further individual AMO negotiations with ComCast.

9. Executive Session

There was no need for an executive session

10. Adjournment

Motion to adjourn at 7:32 PM by DG, 2nd by KR, passed unanimously

Respectfully submitted on October 19th, 2020 (DRAFT) by Curt Taylor – Secretary
Approved without revisions on October 26th, 2020