

**NORTH SUBURBAN COMMUNICATIONS COMMISSION  
MINUTES  
MARCH 11, 2020**

**I. CALL TO ORDER**

Chair Kara Ries called the meeting to order at 7:00 p.m. at the NSCC/CTV North Suburbs facility in Roseville.

**II. ROLL CALL**

The following Commissioners were in attendance:

Craig Wilson, Arden Hills  
Sue Majerus, Falcon Heights, Vice-Chair  
Kara Ries, North Oaks, Chair  
Dan Roe, Roseville  
Bernard Walker, St. Anthony

Absent:

Kelly Dolphin, Lauderdale, Secretary/Treasurer  
Rick Montour, Little Canada  
Bill Bergeron, Mounds View  
Emily Dunsworth, New Brighton

Others Present:

Dana Healy, Executive Director  
David Rosenbloom, Business Manager  
Tim Domke, Production and Outreach Manager  
Patrick Cook, Senior Technician/Facilities Coordinator  
Vince Rotty, Attorney

**III. Approval of Agenda**

Roe moved to approve the agenda. Wilson seconded the motion. The motion was approved unanimously.

**IV. Approval of Minutes**

Majerus moved to approve the minutes of the regular meeting on January 16, 2020. Wilson seconded the motion. The motion was approved unanimously.

**V. Public Forum**

No one chose to speak at the public forum.

## **VI. Reports**

### **A. Executive Director's Report**

Chair Ries explained that Executive Director Healy is ill and is attending the meeting via video. She stated that tonight's Executive Director's report will be given by Dale Irving.

Mr. Irving stated that there were 7 complaints related to cable received and 6 were from a senior living facility in Arden Hills. He explained that Ms. Healy has contacted Comcast directly about the influx of complaints from this one particular area. He stated that CenturyLink has sent a letter confirming the elimination of Prisma TV. He noted that there are an upcoming series of price increases from Comcast and reviewed some of the other changes in channels and coverage.

### **B. Attorney's Report**

Mr. Rotty stated that there were oral arguments this morning in Cincinnati for the franchise fee and mixed-use appeal. He noted that they are expecting a decision on the stay motion within 30 days. He explained that they also met with Comcast attorneys last week to discuss resolution regarding the Comcast franchise fee issue. He stated that he is expecting Comcast to provide their initial proposal by the end of next week, but noted that he does not have a clear idea of what that will look like. He noted that they are working, at the federal level, on the Protecting Community Television Act which essentially rolls back the franchise fee portion of the order that was argued this morning and maintains status quo. He noted that both Senators McCullom and Omar have signed on as co-sponsors of the bill. He stated that this is really a bi-partisan issue which needs Republican support. He urged the Commission members to contact their representatives and ask for their support on this bill. He explained that at the State level there is an amendment to the open meeting law which would require audio and video recording of every public meeting and for the recordings to be kept a minimum of 3 years. He stated that the League of Minnesota Cities has asked for feedback from cities on their current practices.

### **C. Cable Company Reports**

#### **i. CenturyLink**

#### **ii. Comcast**

There were no representatives from the Cable Companies present.

## **VII. Treasurer's Report**

### **A. December Financials**

Mr. Rosenbloom reviewed and summarized the Treasurer's Report from December 2019.

Wilson made a motion to accept the Treasurer's reports. Majerus seconded the motion. The motion was approved unanimously.

## **VIII. General Business**

### **A. First Reading of JPA Resolution – Discussion**

Mr. Rotty stated that these are very simple amendments to the JPA that governs how the Commission operations. He explained that one change is to insert the term "local community media" in the mission. He noted that this is just a clarification of what the Commission is already doing. He stated that the other significant change is allowing non-contiguous cities and eliminating the geographic requirement for membership in the Commission. He stated that the other major change is a change in the voting structure.

Mr. Roe asked about the voting discussed in Section 8. He stated that in both the JPA and the By-Laws, he noticed that to take official action of any kind, this body has to have a vote of 2/3 of the authorized votes as well as the majority. He stated that he feels it is unusual to see a requirement for 2/3 of all votes for conducting normal business. He stated that since the Commission is already looking at the JPA he wanted to raise the question to see whether or not a change should be made in this area as well.

Mr. Rotty stated that he thinks it is a fair question. He stated that it is written that way to prevent the larger cities from getting together and voting for something that would not be interest of the smaller cities. He stated that the Commission can discuss making a change if they would like.

Mr. Roe stated that to him, it seems like if the Commission can undertake business with a quorum, which right now is at least 5, and the way it is written would essentially require all of the

votes. He questions whether that is a workable way to do business.

Mr. Wilson stated that he read that a bit differently because it says "votes cast", so, in Mr. Roe's example of there being 5 member cities present, 3 of the 5 could vote and conduct business.

Mr. Rotty stated that he reads it as the 2/3 vote as requiring a higher quorum threshold in order to take action. He reiterated that when this Commission was formed, they built in a mechanism to protect the smaller cities, but the language could be revisited.

Mr. Roe stated that he would like to revisit that issue.

Mr. Rotty reviewed the process for making a revision to the JPA.

Ms. Majerus stated that she welcomes the change of including the non-contiguous cities. She asked if there was any other language in the JPA that relates to how staff provides service to the cities outside the nine member cities.

Ms. Healy stated that this is just beyond providing services and would make them eligible to be member cities like the existing 9 member cities. She stated that they would have equitable voting privileges and be treated the same as the current member cities.

Roe moved to table for future discussion. Wilson seconded the motion. The motion was approved unanimously.

## **B. Liability Insurance - Vote**

Mr. Rosenbloom explained that this is something that is done annually and required by the League of Minnesota Cities. He stated that the decision is to waive or not waive statutory tort limits and noted that in the past the Commission has always made the decision not to waive the limits. Staff recommends the same decision.

Wilson moved to not waive the monetary limits on the municipal tort liability. Roe seconded the motion. The motion was approved unanimously.

**IX. Approve Consent Agenda**  
**A. Approval of check register**  
**B. 2020 Proportional Votes Based on By-Laws**

Wilson moved to approve the Consent Agenda, as presented. Majerus seconded. The motion was approved unanimously.

**X. Community Announcements**

Mr. Wilson stated that on April 11, 2020, Arden Hills will have a spring egg hunt from 10:00 a.m. to 11:00 a.m. at Cummings Park that will be \$8/child. He stated that from 11:00 to 12:00 noon the adults can have a turn for \$10/adult. He stated that Arden Hills is also trying to prioritize potholes and asked people to let them know if there are any particularly egregious potholes.

Ms. Majerus stated that on Wednesday, March 18, 2019 from 6:30 p.m. to 8:00 p.m., there will be a vegetable gardening class at Falcon Heights City Hall.

**XI. Adjournment**

Majerus moved to adjourn the meeting. Wilson seconded the motion. The motion was approved unanimously, and the meeting concluded at 7:23 p.m.

Respectfully Submitted

---

Kelly Dolphin, Secretary/Treasurer

**NORTH SUBURBAN ACCESS CORPORATION**  
**March 11, 2020**

**Minutes**

**I. Call to Order**

President Kara Ries called the meeting to order at 7:23 p.m. at the NSCC/CTV North Suburbs facility in Roseville.

**II. Roll Call**

The following Commissioners were in attendance:

Craig Wilson, Arden Hills  
Sue Majerus, Falcon Heights, Vice-President  
Kara Ries, North Oaks, President  
Dan Roe, Roseville  
Bernard Walker, St. Anthony

Absent:

Kelly Dolphin, Lauderdale, Secretary/Treasurer  
Rick Montour, Little Canada  
Bill Bergeron, Mounds View  
Emily Dunsworth, New Brighton

Others Present:

Dana Healy, Executive Director  
David Rosenbloom, Business Manager  
Tim Domke, Production and Outreach Manager  
Patrick Cook, Senior Technician/Facilities Coordinator  
Vince Rotty, Attorney

**III. Approval of Agenda**

Wilson moved to approve the agenda. Roe seconded the motion. The motion was approved unanimously.

**IV. Approval of Minutes**

**A. Regular Meeting, January 16, 2020**

Mr. Roe noted that the minutes reference Chair and Vice-Chair and should be changed to President and Vice-President for the NSAC.

Roe moved to approve the minutes with the amendment to the terms Chair/Vice-Chair, as directed. Wilson seconded the motion. The motion was approved unanimously.

## **V. Reports**

### **A. Executive Director's Report**

President Ries explained that Executive Director Healy is out ill and her report will be given by Dale Irving.

Mr. Irving gave an overview of the Executive Director's activities related to community engagement and operations. He noted that the auditors have begun the 2019 audit.

Ms. Majerus stated that she wants Executive Director Healy to know that her endless list of community engagement activities is not going unnoticed. She expressed her appreciation to the entire team for getting out in the communities and showing their excitement.

### **B. Operations Report – Dale Irving**

No report was given.

### **C. Technical Report – Pat Cook**

Mr. Cook gave an overview of the equipment installation and city support that they have been doing. He noted that the surplus equipment has been sold and removed from the building. He stated that he is actively looking at how technology may be able to be used in relation to the COVID-19 outbreak and include ways to have virtual participation but still get the meetings out the public.

## **VI. Treasurer's Report**

### **A. December 2019 Financials**

Mr. Rosenbloom gave an overview of the December 2019 Financials and noted that he had included pie charts that he is hoping will make the information more easily understood by non-financial individuals.

Mr. Wilson stated that he appreciated the inclusion of the graphs which he found very informative. He asked if there could be a line graph of revenues and expenses of the last 5 years to do a comparison and see the trend line.

Wilson moved to approve the December 2019 Financials as presented. Roe seconded the motion. The motion was approved unanimously.

President Roe echoed Mr. Wilson's comments regarding the graphs and noted that she feels any illustrative ways of presenting this information is very helpful.

## **VII. General Business**

### **A. Review of 2019 Annual Report**

President Ries explained that in the absence of Executive Director Healy, this item will be presented by Dale Irving.

Mr. Irving stated that the Annual Report turned out well and reviewed some of the general information that was included. He stated that they are asking for Commission approval so they can start distribution.

Roe moved to approve the 2019 Annual Report. Wilson seconded the motion.

Mr. Roe stated that he feels this is a very nice report, however, in light of the previous discussion regarding graphs and illustrations related to finances, he wanted to note that would be the perfect thing to include in an annual report for next year.

Ms. Majerus stated that she likes the graphics and the color of the annual report and believes it is very well presented.

The motion was approved unanimously.

### **B. First Reading of By-Laws – No vote**

Mr. Rotty noted that the Commission has just approved new voting percentages, but there is no longer 2/3, so he believes that the Commission may need to re-approve everything that was done at this meeting at the next meeting. He noted that the amendments to the By-Laws mirror the amendments discussed for the JPA that was discussed at the Communications Commission meeting. He gave a brief overview of some of the changes such as eliminating the contiguous requirement for member cities and changing votes and quorum requirements. He stated that no action is required.

Mr. Roe stated that he thinks he agrees with Mr. Wilson's interpretation that the 2/3 refers to the votes "cast" and not the overall possible votes. He stated that the voting tonight has all been unanimous so he believes that they may stand for both the By-Laws and the JPA. He stated that he would suggest, in light of some of the confusion related to titles, unless there is an important reason that the President is called that rather than Chair, and Vice-President rather than Vice-Chair, he would like to see that changed to Chair and Vice-Chair to be consistent between the two entities.



Mr. Rotty stated that there is no statutory requirement for the differing titles and noted that he accepted the interpretation by Mr. Wilson and Mr. Roe regarding the 2/3 vote requirement.

**VIII. Approve Consent Agenda**

- A. Approval of check register
- B. Approval of credit card transactions

Majerus moved to approve the Consent Agenda, as presented. Roe seconded the motion. The motion was approved unanimously.

**IX. Crew Introductions**

President Roe introduced the members of the crew in the control room and thanked them for their excellent work.

Mr. Roe stated that this was President Ries' first meeting and commended her for handling it very well.

**X. Adjournment**

Roe moved to adjourn the meeting. Wilson seconded the motion. The motion was approved unanimously, and the meeting concluded at 7:44 p.m.

Respectfully submitted,

---

Kelly Dolphin, Secretary/Treasurer