

ORION COMMUNITY CABLE COMMUNICATIONS COMMISSION BYLAWS

Adopted November, 1990
Revised April, 1996
Revised July, 2008
Revised June, 2011
Revised December, 2014

ARTICLE I

NAME AND OFFICIAL OFFICE

Section 1. The official name of this body is the Orion Community Cable Communications Commission (OCCCC) (herein referred to as "Commission") of the Charter Township of Orion and the Village of Lake Orion (herein referred to as "Governmental Units"). This Commission has been established by the Governmental Units for the purpose of administering the Cable Communications Franchises. The Commission shall maintain its mailing address at the Orion Center, 1349 Joslyn Road, Lake Orion, Michigan 48360.

Section 2. The Commission may use additional addresses from time to time as required to discharge Commission business.

ARTICLE II

PURPOSE AND RESPONSIBILITIES

Section 1. The Commission's authority and responsibilities are set forth in the Intergovernmental Agreement, and the Cable Communications Ordinances of each Governmental Unit. Those authorities and responsibilities shall be exercised to effectuate an efficient and effective cable system on behalf of the Governmental Units, and to maintain a proper liaison with the cable franchisees.

Section 2. The Commission has the authority to retain an Administrator. The Administrator shall receive payment as determined by the Commission and shall serve on a contractual basis entered into between the Commission and the Administrator. Said contract shall be reviewed and entered into annually. The Administrator shall:

1. Research, collect and present information to the Commission in report or presentation form. Perform similar duties for all committees at their request.

2. Prepare, coordinate, and follow up written correspondence on Commission matters for the Chairperson and all members upon request. Maintain and coordinate telephone correspondence for the Chairperson and all members.
3. Act as liaison between the Commission and local governmental units and between the Commission and Lake Orion Community Schools. Report to the governmental units as needed for the Commission.
4. Prepare agendas, meeting notices, and voucher reports for Commission meetings. Coordinate conference and seminar registration as necessary.
5. Maintain files and records for the Commission.
6. Monitor Franchise Agreements and report to the Commission the necessary steps to ensure their enforcement. Inform the Commission of any non-compliance or unfulfilled obligations.
7. Aid in drafting requests for necessary contracted services. Assist in evaluating proposals and assist the Commission to ensure maximum performance by a contractor.
8. Serve as a non-voting member of any Committee or Board designated by the Commission.
9. Record all financial transactions and maintain Commission fiscal records to supplement efforts of the Commission Treasurer as directed by the Treasurer.
10. Encourage good public relations by serving as liaison between subscribers and the cable/video providers. Act as liaison between the Commission and ONTV. Assist in promotion of local access.
11. Maintain inventory of Commission assets.
12. Maintain Commission website.
13. Perform such additional tasks as may be necessary for the most efficient operation of the Commission.

ARTICLE III

MEMBERSHIP

Section I. Membership – The Commission shall be determined by the terms and regulations of the respective Cable Communications Ordinances of the Governmental Units and the Intergovernmental Agreement. Four members shall be appointed by the Orion Township Board, two of whom must be an elected official of the Township, i.e., the Supervisor, Clerk, Treasurer or Trustee. Four members shall be appointed by the Lake Orion Village Council, two of whom must

be an elected official of the Village, i.e., a Councilman. One member shall be appointed by joint resolution of the Orion Township Board and the Lake Orion Village Council.

Section 2. Terms – Members shall serve two year terms. The terms of the members appointed from the Village Council shall expire November 30. The terms of members appointed from the Township Board shall expire November 30. The terms of all other members shall expire June 30.

ARTICLE IV

MEETINGS

Section 1. Regular Meetings – the meetings of the Commission shall be held as required by the Cable Communications Ordinances. Meetings shall take place at the call of the Chairperson and at such other times as the Commission may determine, but not less than four (4) times per year. All meetings shall be held in accordance with the Open Meetings Act (Act No. 267 of the Public Act of 1976).

Section 2. Meeting by Communications Equipment – Members of the Commission may participate in a meeting of the Commission by using a conference telephone or similar communications equipment by means of which all persons participating in the meeting can communicate with each other.

Section 3. Quorum and Voting Procedures – A quorum shall be a majority of the members of the Commission physically present for transaction of business. At least one member appointed by the Township and one member appointed by the Village shall be in attendance at the meeting for there to be a quorum. Voting procedures shall adhere to the guidelines established by the Cable Communications Ordinance of the Governmental Units and the Intergovernmental Agreement. Each member shall be entitled to one vote. A negative vote by both elected officials of the Township or both elected officials of the Village shall constitute an absolute veto.

Section 4. Special Meetings and Notice – A special meeting can be requested by the Chairperson, Acting Chairperson, or three Commission members in writing delivered to the Chairperson. All Commissioners shall be notified. Written notice of such meetings will be given at least 18 hours in advance, and posted at the Orion Township Hall and the Lake Orion Village Hall.

Section 5. Public Hearings – The Commission shall conduct public hearings according to the guidelines set forth in the Cable Communications Ordinances. A public hearing will be conducted annually for the proposed budget, which shall not be effective until approved by joint resolution of the Lake Orion Village Council and the Orion Township Board.

Section 6. Meeting Records – Written records shall be kept of all public meetings and be available to the public as set forth in the Freedom of Information Act (“442 Public Act 1976”).

ARTICLE V

OFFICERS

Section 1. Officers – Officers of the Commission shall be a Chairperson, Vice-Chairperson, Secretary, Treasurer, and Deputy Treasurer.

Section 2. Chairperson – the Chairperson shall be Chief Executive Officer of the Commission and preside at all Commission meetings. The duties of the Chairperson include, but are not limited to:

A. Approve all meeting agendas and review information compiled by the Administrator prior to each Commission meeting.

B. Responsible for hiring and evaluating the Administrator and overseeing the Administrator's annual evaluation. Direct and monitor the activities of the Administrator regarding the execution of Commission business.

C. Serve as voting delegate at telecommunications conferences, or designate an alternate.

D. Execute the day-to-day business of the Commission.

Section 3. Vice-Chairperson – The Vice-Chairperson shall serve in the absence of the Chairperson.

Section 4. Secretary – The Secretary shall oversee the recording and maintenance of the minutes of the Commission meetings.

Section 5. Treasurer – The Treasurer shall maintain all financial records and report all financial matters at the scheduled Commission meetings. The Treasurer shall also prepare an annual budget and be responsible for having an annual audit conducted by a qualified third party.

Section 6. Deputy Treasurer – The Deputy Treasurer shall serve in the absence of the Treasurer.

Section 7. Terms of Officers – All officers shall be elected by a vote of Commission members. A majority vote of those members present shall constitute election to office. Election of Officers shall be held at the December meeting of the Commission, requiring at least one elected official from each Governmental Unit.

ARTICLE VI

REPRESENTATION AND CONFLICT OF INTEREST

Section 1. It is the understanding of the Commission that at any meeting with a cable franchisee, operator, vendor, or representative, outside of regular or special meetings, at least two (2) members of the Commission shall be present. These members may be an officer of the Commission (Chairperson, Vice-Chairperson, Secretary, or Treasurer) and any other Commission member or group of members designated by the Chairperson.

Section 2. It is understood that if, in the transaction of Commission business, a member has a real or perceived conflict of interest as a result of such transaction, then that member shall abstain from voting on that issue.

ARTICLE VII

CONFERENCES

Section 1. Expenses – The Commission encourages its members to stay abreast of the technical and administrative changes in the cable/video services industry. The Commission will cover certain expenses of its members, Administrator, and invited guests when attending regional and/or national conferences and/or seminars following the guidelines established by the Commission’s Travel and Education Policy. (Exhibit A)

ARTICLE VIII

COMMITTEES

Section 1. Purpose – A temporary committee may be appointed by the Commission to make recommendations on any matter the Commission may feel appropriate. There shall be no standing committees of the Commission.

ARTICLE IX

GRANTS

Section 1. A grant program has been established by the Commission to promote the use of the Orion cable system and to extend the use of the system to educational, government, and community institutions. Grant review will be held at regularly scheduled meetings of the Commission. Details and rules of the grant program are covered on the grant application form. (Exhibit B)

ARTICLE X

BIDS

Section 1. Bids requested by the Commission should be sealed and submitted directly to the Commission or the Administrator for review for jobs exceeding \$5,000.00.

Section 2. The Commission shall accept the lowest qualified bid.

ARTICLE XI
AMENDMENTS

These Commission bylaws may be altered or amended or repealed by a two-thirds (2/3) majority affirmative vote of the Commission providing the amendments have been introduced at two or more regular or special meetings called for that purpose.

I hereby certify that the above bylaws, adopted on the 8th day of November, 1990, have been revised December 11, 2014.

Lucy Koscierzynski, Chairperson

John D. Ranville, Secretary

Exhibit A
Orion Community Cable Communications Commission
Travel and Education Policy
Revised 6/9/11

Recital

The Orion Community Cable Communications Commission encourages its members, support staff, appointed board members and selected community leaders to participate in local and/or national cable conferences to educate themselves with regards to cable issues. In order to promote cable education while containing costs associated with such opportunities, the Commission establishes this policy relative to travel funded by the Commission.

Guidelines

1. All travel and education funded by the Commission must have prior approval of the Commission in accord with its own by-laws and/or the Ordinances under which it conducts its affairs, except that Commission Officers and the Administrator of the Commission do not require prior Commission approval to be reimbursed for local ground travel while conducting Commission business.
2. All requests for travel reimbursement must be approved by the Commission prior to actual reimbursement.
3. The Commission shall reimburse applicants for actual miles traveled at a rate equivalent to the per mile deductible allowed by the federal government for business travel, except as otherwise stated in this document.
4. All Commission sponsored travelers are expected to attempt to reasonably minimize travel expenses by taking advantage of available discounted rates such as: special rates arranged by the event's sponsoring organization, booking early, using off-site, long-term parking, traveling coach class, sharing a rental vehicle, etc.
5. The Commission, at the recommendation of its Chairperson or Treasurer, may deny full reimbursement for unauthorized or blatantly unnecessary expenses associated with any travel, provided the requester has been previously notified and given the opportunity to justify the expense before the Commission.
6. Travel to the event will be reimbursed for either the lesser of the cost of mileage or airfare, except that airfare will be covered for distances greater than 240 miles even if mileage is less expensive. Travelers to events within approximately 240 miles are requested to drive or carpool to such events and submit requests for mileage reimbursement as indicated in item #2. Alternative travel, such as by train, is also acceptable provided it is competitive in cost with air travel or the individual has a medical necessity or fear of flying. Travelers seeking exception to this rule should apply for exception as early as possible to improve the feasibility of obtaining discounted fare on alternate transportation.

7. The distance used for reimbursement for travel to and from Detroit Metropolitan Airport is fixed at 50 miles one way regardless of actual miles traveled.

8. Reimbursement of excess fares or reimbursements of unused, pre-paid room rental expenses are the property of the Commission.

9. Frequent flyer miles or other credits such as partial discounts on future room rentals may be retained by the traveler.

10. Travelers are requested to keep and submit receipts for all expenses incurred, including but not limited to, airfare boarding passes, parking receipts, hotel and restaurant receipts. They are requested to submit these receipts to the Commission Administrator or Treasurer at least three days prior to the day of the Commission meeting at which reimbursement is to be approved. Travelers are also requested to fill in the Commission's travel expense form to expedite processing. In the event that a receipt is not available, the individual should provide written documentation, i.e. for meals paid in cash to someone else on the trip who is submitting a receipt inclusive of two or more person's meals, or reasonable amounts for tips actually paid.

11. Travelers who choose to drive to an event will be reimbursed the lesser of an amount equal to the cost of the best rate airfare obtainable as confirmed by the Administrator, or the cost of mileage based on distances between Orion and the site of the event, using distance charts from Mapquest, a similar travel resource, or actual mileage driven.

12. Commission sponsored travelers to events are expected to attend and/or participate in a majority of the conference sessions or activities. Written conference reports are expected from each attendee and should be submitted to the Administrator as soon as possible upon return from the conference, and before a reimbursement request is processed. These reports will be placed on file for future reference. Failure to do both may result in the Commission's denying a request for reimbursement, requesting repayment of pre-paid expenses, and/or denial of payment for attendance at future events.

13. The Commission may allow 1 or 2 attendees at an approved conference to rent a vehicle and be reimbursed provided that the vehicle is used to provide transportation for other OCCCC attendees.

14. The Commission normally will pay for:

- *All event registration fees.

- *Some special event fees, such as an event related awards banquet or luncheon.

- *Daily hotel rates (usually the site of such events), including one evening prior to the first registration day of the event, and the night of the final day of the event. Hotel rates covered are for the least expensive of the rooms offered.

- *Daily meal allowance of up to \$40/day of the event (from registration day to the day of the last event activity attended) plus \$40 for each of two travel days if needed. Meal expenses are based on actual expenses of the person authorized to attend and should have receipts to verify them. They are not automatically reimbursed at \$40/day.

- *Travel to and from the event.

*The mileage for one round trip to the airport in Detroit plus the cost of long term parking, or the cost of two trips to the airport if the attendee chooses to be dropped off at the airport rather than park their car at the airport. Or, the cost of alternative travel to the terminal provided that such costs are reasonable, i.e. limo ride for five might be cheaper than the alternative of three or four cars driving to the terminal and paying parking fees.

*The cost of transportation from the terminal to the hotel and back. Cars may be rented provided they cost no more than the cost of the least expensive alternative, i.e. bus or taxi.

*In the event that a car is rented and is more expensive than the alternatives, the Commission will pay the equivalent of the least expensive alternative. The requester must provide written documentation of the less expensive alternative.

*The Commission does not pay for alcoholic beverages of any kind.

Exhibit B
Orion Community Cable Communications Commission
Cable Grant Program
Application for Grant

DATE _____ APPLICATION # _____

APPLICANT

Name of Organization _____

Address _____

Contact Person _____

Address _____

Phone _____

Total Amount of Request \$ _____

Itemized:

Description of Project

-Attach Plan of Operation and any other information you wish considered for your request-
-Attendance at the grant review meeting is requested-

Orion Community Cable Communications Commission Cable Grant Program

General Information

The intent of the Orion Community Cable Communications Commission Cable Grant Program is to promote the use of the Orion cable system and to extend the use of the system to educational, government, and community institutions. Community institutions are defined as those supported by public funds. Additionally, grant applicants may apply to the Orion Community Cable Communications Commission if the scope of the grant application falls outside the parameters of the grant program of Orion Neighborhood Television. Programming produced with funding, or with equipment provided by grant funds, must be cablecast initially on one of the three (3) Public, Educational, or Governmental (PEG) access channels in the Orion franchise area.

Deadlines

Grant applications will be reviewed at regularly scheduled meetings of the Orion Community Cable Communications Commission. The Commission meets on the second Thursday in February, April, June, August, October, and December. Applications should be received by the first day of the month in which they are to be reviewed. Send completed applications to:

OCCCC Cable Grant Program
Orion Community Cable Communications Commission
1349 Joslyn Road
Lake Orion, MI 48360

Eligible Applicants

Educational institutions, public safety agencies (police, fire, EMS, etc.), public supported institutions (libraries, etc.), government bodies supported by public funds, as determined that the applying agency is within the Orion cable franchise area.

Length of Awards

Projects funded must be completed within one (1) year of award. Equipment purchases awarded under this program must be bid and purchased within one (1) year of award. Continuation of funding will require re-application after one (1) year.

10/05; 12/14