



**Portsmouth
Cable Commission Meeting
3:30 p.m. – October 22, 2009
City Hall/City Manager’s Conference Room**

The Portsmouth Cable Commission met on Thursday, October 22, 2009 at 3:30 p.m.

- I.** Call to Order - The following were present:
John Gregg, Chairman
Kathy Pearce, Commissioner
Brian Gregg, Commissioner\
Bill Southworth, Commissioner

Also present were Suzanne Woodland, Assistant City Attorney and Alan Brady, Communication Supervisor.
Excused absence: Nancy Beach

Chairman John Gregg called the meeting to order at approximately 3:30 p.m.

- II.** **Approval of Minutes – October 8, 2009 - MOTION** made by Brian Gregg to approve the minutes of the October 8, 2009. Seconded by Kathy Pearce. Motion passed.
- III.** **Public Access Development** – The Chair referenced changes to two documents under discussion by the Commission: an additional Commission meeting for November 5 was provisionally scheduled into the timeline and grammar in the “Producer Agreement” was altered consistent with suggestions made at the last meeting.

The Chair then provided an overview of changes proposed to the draft bylaws: Directors to be elected by members rather than current Directors or a combination of Director voting and member voting, the Board to be comprised of 7 to 11 Directors rather than 7 to 13, and 2/3’s of all Directors to be stipulated as Portsmouth residents.

Attorney Woodland added that language was added permitting the appointment of one Director by the City Manager. That Director would not be eligible to be an officer of the Corporation and serve without tenure. She also referenced that the provision for members nominating new Directors from the floor of the annual meeting had been eliminated in favor of a provision to require that member nominations be made in advance of the meetings.

Kathy Pearce expressed concern that since members can include individuals living outside Portsmouth, there would be potential for an outside group to “take over” the corporation. After discussion, it was proposed to add a class of resident membership and requiring that petitions for adding names to the Director balloting require the signature of 1/10 or 25 resident members whichever is smaller. This was generally agreed upon.

Brian Gregg then stated a reservation with regard to the appointment of a Director by the City Manager. He indicated his concern was founded in the desirability of the Board of Directors being independent. He felt there were sufficient financial controls provided to the City through control of the trust funds and that further control would not be necessary.

There was considerable discussion regarding partnership of the public access organization with the City and ways to achieve a desirable balance.

A **Motion** was made by Kathy Pearce to amend Sect.4.04 to replace the Portsmouth City Manager appointment of a Director with a Mayoral appointment and amend Sect.4.05 so the Cable Commission and the Mayor or City Manager shall have authority to nominate a Director provided such nomination is provided to the Secretary at least 14 days in advance of the annual meeting. This motion was seconded by John Gregg for discussion purposes.

Ensuing discussion centered on providing for the Mayor to nominate Directors without limit.

The meeting concluded without a vote on the motion and agreement to carry over discussion to the next meeting.

For that meeting, attorney Woodland agreed to update the bylaws to reflect changes agreed upon to date and highlight points yet to be resolved.

The next meeting will be November 5, 2009 at 4 pm.

V. Adjournment