

1. CALL TO ORDER by David McWilliams, president of the Board of Directors, at 6:00 p.m. at the BFA Annex at 4 Academy Drive. Also present for the board were Rick Tatro, vice-president, and Directors Bill Walker, Lori Jordan and Gregg Gervais, as well as Executive Director Elizabeth Malone and staff member Joanne Montanye. Absent were Directors Marilyn Grunewald, Joey Russo, Larry Dugan and Jack Bergeron.

2. **Brief Review of Freedom- of- Speech Issues (Attached)**

Ms Malone introduced this subject as an open discussion. She identified the topic as one that probably everyone had heard of. She told the board that at the beginning of March the Supreme Court had ruled in favor of the Westboro Baptist Church, which she described as a group that appeared at military funerals to protest. "This really caught my eye and my mind because we had a discussion back in September about some content on our channel that was really very controversial. We got some feedback from the public and I think the general consensus among the board members and staff was that it probably was not what we would say is truthful or factual material. And yet when we did the research we saw that there is really not anything that we can do about this. I think that's the good and the bad part about operating in America. We have this First Amendment which guarantees, among other things, the right to free speech."

"The other event that came up was in Europe, actually in France, where there was a designer called John Galliano who used to work for the Dior House. He lost his job and was arrested for making hateful remarks that he made. These were anti-Semitic remarks in favor of Hitler, and that kind of thing. The next day he apologized because he had been very drunk. So anyway, that's the difference between how the Europeans - specifically France's - approached freedom-of-speech and how America approaches freedom-of-speech. Yes. There are laws about hate crimes in America but not about hate speech - because we have that First Amendment. Whereas in Europe, much of it is the result of WWII. They were originally very concerned about anti-Semitic remarks and denial of the Holocaust, etc. So they have many laws about hate speech."

"We here don't have those laws. So if we were to create a policy - and it is our right to limit the content that we have on by saying, "We don't want this type of programming," but we have to be very specific about it. So if we were to say, "We don't want anything that is hateful towards a religious group or certain sexual orientation or gender, or anything like that then, it changes the format that we operate in. Then it's not the American, "We're fighting for your right to have your say." It turns around to now we're policing what you have to say. A perfect example is Mel Gibson, who can go out there and say all the anti-Semitic things he wants. It's our choice. Do we listen to him or not? Do we write him off or not? In France, it's the actress Bridget Bardot who has been fined five times and convicted five times for expressing views on Islam and race. So it's just a different mind-set and we need to keep that in mind in the future when tough things come up that it's the American prerogative to say, "I may not like what you have to say but it's our job to defend your right to say it."

Mr McWilliams-"Can't we object to it if we don't like a particular show at 2:00 in the morning?" Ms Malone-"No. You can't go show-by-show. We do have guidelines. If there are nudity or profanity, or that kind of thing, then we have overall guidelines. But what we can't do is decide show-by-show. That's the place where we get ourselves into trouble. If it does meet the criteria that we've laid out of obscenity is not allowed at all, but nudity and profanity, and that sort of thing, is only allowed under certain circumstances."

Mr Tatro-"I thought you did a superb job a few months ago when we talked about, You were very thorough. I'm the type of guy who believes in the right to free speech. When people burn the American flag, I think it's despicable, but I also think what a great country we live in where we let idiots do these things. Of course, in the Westboro case if they had agreed to disallow them to appear, that would have set a very bad precedent for free speech down the road, as despicable as those people may be." Ms Malone-"It's not an easy position to defend everyone's right " Mr Tatro-"Getting down to reality here, how often have we really had any issues verbal issues here? We certainly can talk theory all night long, but in reality I haven't even seen one instance other than maybe that show from a year ago." Ms Malone-"The one that I'd say gets under the radar a lot is pastors - some of the more evangelical pastors that appear - both local ones and other sponsored ones from outside the area. Many people would watch it and say that it's anti-Semitic just because that's simply their views about history and their take on it." Ms Montanye-"So if someone took issue with the content, saying that it defames a certain group or they're using fighting words, they would have to take it up with the person who put it on the air?" Ms Malone-"Fighting words are different than defame, I would say. Fighting

words are a call for action. That's not allowed by national statutes. You're not allowed to call for violence against someone. But if it's slanderous, or that sort of thing, that's between the person who produced the show and the person who feels he's been offended. It's not our position to decide what the truth is. That would be the court's job."

Ms Malone-"Just one quote from Chief Justice Roberts, which I thought summed up probably most everyone's feelings" "Speech is powerful. It can stir people to action, and move them to tears of both joy and sorrow - and, as in the case here, inflict great pain On the facts before us (referring to the case), we cannot react to that pain by punishing the speaker." Ms Malone-"Are there any other thoughts before we move on?" Mr Gervais-"I thought it was a powerful decision myself. It's okay to incite but when you're incited you can't act upon it - but you can get in there and ask certain things. I certainly was not in favor of the finding. It's just like you can't holler "Fire" in a theater. There are limits to free speech. I think that this crosses the line." Mr McWilliams-"Any other discussion?" (None)

### 3. Executive Director's Report (Attached)

Ms Malone-"Any questions from going over the financial manual? The big thing in the studio is that Adam is no longer with us. Postings have gone up in some places and will be finished on Wednesday." Mr Tatro-"Is there anyone in-house who you think is going to apply for the position?" Ms Malone advised that one person had already applied. Ms Malone invited Mr McWilliams to update them on the Friday class they had attended. The Chairman pronounced it to have been a good class even though he had to get up at 4:00 a.m. "I went by your house and honked the horn," he told Mr Tatro. He went on to say that they had listened to topics such as working with your board and your executive director - and the executive director working with the chairperson. He described the class as a hands-on class led by Jim Lafree, (sp?) an instructor with an open style. He said he had found the 8-hour class to be enlightening insofar as making people aware of some of their weak spots to which he admitted having one or two. "Overall I thought it was very good and I will use it to make myself better and make the board better. Why don't you add a couple of words, Elizabeth?" Ms Malone-"Yes. It was really a unique chance. There are plenty of classes for an executive director to find out how to run an organization but this was the first time I'd seen a work shop specifically for executive directors and the board president. That was a really great chance to sit down with others that are dealing with the same concerns."

Chair-"Another thing I'd like to get into is last month we talked about setting up committees. I know Rick is not available until after tax season." Mr Tatro-"If you want to get into that, I've talked to Mike Parizo, a realtor, about the Building Committee so we've got a professional there. Elizabeth will be working with us. I'll be talking more at length with her in the near future because I'm going to have to get a blueprint from her - a paper and pencil- type of thing - before we can make it look professional. to see what kind of space for her fantasy- world she would want.

The chairman said they should probably meet with somebody from Comcast first. "Say, for instance, we look at a place down at St. Albans Bay where Comcast can't take our wires and transfer them down there." He said they needed to know the limits of their area. Ms Malone-"Yes, but I think we would always be right in the center of St. Albans." Mr Tatro-"Yes, or within a mile's radius of here." Ms Malone said she wondered about the idea of inviting Comcast in prematurely. The Chairman said he just wanted the board to keep in mind that sooner later they would be meeting with Comcast.

Mr Tatro updated Lori Jordan on their recent activities, saying he was preparing a report to show Comcast in the event that the studio did have to move - that they did have strong preliminary plans of what they expected to do instead of letting funds just sit around and that they were been serious about having a game action plan in place. Lori Jordan responded that in the planning process they might consider conversing with a project manager. She said, "If the day ever comes when we have to move, Elizabeth will have to stay focused on the day-to-day operations to make sure the move is done seamlessly without disruption." The chairman agreed that the executive director's role would have to be separate from that of any future project manager but at this point they were just interested in seeing what was available in the area and the price ranges. He said they also wanted to set up an Outreach Committee and said that Bill Walker would be a member of that, adding that he would also sit on that committee, being the chairperson. Ms Malone suggested that before they set up meeting dates they should ask Lori and Gregg what committees they might be interested in. There's the Underwriting Committee, which would be quite short-lived, just setting out a fee structure and making a plan for how we'll approach the business end. There's the Building Fund Financial

Committee just looking at real estate. The last one is the Outreach Committee and just addressing some of our goals and reaching out to the public more."

The chair said if they wanted to pick an easy one he would suggest the Outreach Committee. Mr Gervais said as long as it was not too time-consuming he could participate in one of them. He said "It really doesn't matter. I don't have a strong preference. Probably one of the last two would be more likely than the Building Committee." Mr Walker-"As far as my time, I would say the tax season, too, but not for the same reason. The chairman suggested they begin holding meetings in May. Mr Walker-"Late April or May. Sure." The Chairman told them they didn't necessarily have to meet here. He said they could meet at a member's house.

Lori Jordan-"I'd like to get on all of the committees but I just can't commit right now - not until July. However, I will stop in because I think I could offer some valuable advice as far as connecting with businesses. Lori told the board she had a spreadsheet of all of the businesses downtown that would be beneficial for their purposes. "I could also talk to you about some of the purposes of Lindsey Bryan, the new downtown manager," she added. Ms Malone-"Yes, she's doing a show now." Lori-"Good. I think you might be able to team up with her and be successful as far as what your goals are. Then there's the portfolio management for this organization as far as our strategic vision, that I would recommend you looking at as part of a 5-year plan." Ms Malone-"Yes. We'll look at that again in October. That would be a good idea." The chair noted that Lori was busy pursuing her master's degree. Hearing no further questions, the chair invited a motion on Ms Malone's report.

**Mr Walker-"I move to accept the Executive Director's report as written." Seconded by Mr Tatro. No discussion was heard. Chair-"All in favor signify by saying aye." (All in favor. None opposed)**

#### MOTION CARRIES

#### 4. Financial Report (See attached)

Ms Malone invited questions. Chair-"Just to let you know, from what we've heard no one has applied for the scholarships." Mr Tatro-"All of them?" Ms Malone explained that the Paul Legassey scholarship recipient was chosen by appointment by Dan Marlowe. She told the board she expected to see they would get at least one applicant. She based that on the fact they had tech students who presently came into the studio from which group there was at least one senior who was applying. Lori-"Do we do marketing so people are aware of scholarships - like through the Guidance Counselor's office?" Chair-"Yes." Mr Tatro-"We kind of threw the onus for scholarships to Marilyn, didn't we?" Ms Malone-"Well, it's in the Guidance Department." Mr Tatro-"I don't believe we did one for Larry Dugan last year. So is that dragging now, too?" Ms Malone-"Right. The deadline is April 1st. In typical teenager style, they wait until the last minute." Lori Jordan-"It might be a good idea to put into our plan that we run an ad each year for scholarships because parents don't always know what's happening at school." The Chair agreed they should put the word out because actually a scholarship could be awarded to either BFA or MVU. Mr Tatro expressed misgivings that scholarships weren't attracting more students. Ms Malone said the reality was that scholarships were often never applied for. Mr Gervais-"Do you do advertisements on your channel?" Chair-"No, but that's a good idea." Mrs. Montanye-"That's already running with like 3 other scholarships so it's not like you'd be breaking be breaking new ground."

Chair-"As you look at the Financial Report, just be aware that from 2009 we carried over \$6,350. We haven't spent any money yet because, basically, Elizabeth hasn't come up with her wish list as far as what she's going to need for extras. I just wanted to make you aware of that. Overall, I think we're pretty well within our budget." Mrs Malone-"Are there any questions about the checks?" (None) Chair-"Another big one is for \$2,736. but when it's broken down it shows you how it's split for items like cameras, batteries, lights, \$1500.worth of cable and adapters." Lori Jordan-"Was Gena Clark the contractor we hired under Bookkeeping Review? Was that for an audit?" Ms Malone-"No. It wasn't an audit. It was just going over the books. She's made one more appearance and will probably come back once more to do a full review of the books." Lori-"What the co-pay. Is that for Comcast. Mrs Malone-"No. It's for our own purposes because the books kind of evolved in an very organic way but at this time they could be a bit more professional and reflect more clearly to anyone looking at the books what's is truly going on. It's very transparent now as it is but there are some categories that are not quite common bookkeeping practices so she's helping us correct that.

Lori asked about the Health Care Plan. Ms. Malone-"We reimburse the deductible amount for our employees. There's a large deductible on that Health Care Plan. We can discuss that under Personnel. Lori Jordan-"Okay. I understand. That would be for check #3905." Ms. Malone-"Do you have a question?" Ms Jordan-"No, I remember." Chair-"Is there a motion on the floor to accept the Financial Report?"

Mr Walker-"I move to accept the Financial Report." Chair-"Is there a second?" Seconded by Lori Jordan. Chair-"For discussion, I wanted to make you aware that Jack Bergeron is supposed to be coming up. He will sit down with Elizabeth and help her tidy up the books." Ms Malone-"It's to file the taxes." Chair-"Yes. Motion has been made and seconded. Is there any further discussion on the Financial Report?" (None) All in favor say aye." (All in favor. None opposed)

### MOTION CARRIES

#### 5. New Business

Chair-"I think we've pretty well covered Old Business in our discussion of committees and we'll be addressing that in May. Under New Business they commenced a discussion involving BFA's newspaper, The Mercury. Ms Malone-"The update is that their deadline is this Friday and The Mercury staff and the Northwest Technical Production students are planning to be recording in the studio section." Mr Tatro asked if they were enthusiastic. Ms Malone-"Yes. I haven't worked with The Mercury students yet but the Tech students are very enthusiastic. They actually had an exam in the studio last week and they all did extremely well." She added that there was a nice balance between the retiring teacher and the first-year teacher who were working together on the project. "Between the two the level of enthusiasm is good." Mr Tatro-"Your prediction? Will we see an actual show?" Ms Malone-"Yes. I'm confident they will. They've already started recording several pieces." She updated the board's new director, Mr Gervais, on a current project of The Mercury, which consisted of students from a BFA writing class together with students of the NW Tech Center, who are enrolled in a production class. She explained that they had joined efforts in staging a production and had been working in the TV studio for a couple of months.

Mr Tatro-"The Mercury has been around for 60 or 70 years. They actually put it in The Messenger and did a good job. I had just come up with an idea a few months ago - We've got a newspaper. Let's make a TV news magazine! So Liz and I met with a teacher a couple months ago. It sounds like it's slowly coming to fruition. Obviously, the hardest show they do will be the first one. One thing we're hoping for is that if this TV Mercury team becomes successful, we'd love to have MVU do a version of their own." Ms Malone-"But they don't have a paper up there. Is that right?" Mr Gervais-"I don't believe so." Mr Tatro-"They must have audio visual equipment...?" Ms Malone-"No. I don't think they have that any more. The teacher retired." Mr Tatro-"Once we've reached a level of success with BFA we can call up there and see if there's interest." Mr Gervais-"You talk about a show. Is this an interview?" Ms Malone-"Yes. I think he brought on some students who would talk about what is going on, or just to feature a staff member, or just to talk about some interesting project that they're working on."

Chair-"You sit on the Missisquoi School Board, Gregg?" Mr Gervais Yes." The chairman recalled that at one time the studio had arranged to have the principal have his own show on public access. He suggested that Mr Gervais might want to give the new principal an opportunity to appear and tell Swanton's townspeople what they're doing at MVU.. Ms Malone's recollection was that it hadn't been of long duration, only lasting two or three episodes. The Chair agreed and suggested that a once-a-month schedule might be a good fit. He emphasized the fact that the studio was interested in following activities both at BFA and MVU. "We don't pick and choose our high schools." Mr Tatro-"Yes. We definitely have a lot of opportunities with MVU." Chair-"Next year when you're sitting on the school board we could probably get an estimate on what it would cost to put a cable to the school. We'd be willing to talk about what our share would be." Ms Malone-"Well, if it costs \$19,000 to go two floors, I can't imagine what it would be to go two thousand feet."

Mr Tatro said he looked forward to the time they got a Program Director on board. He harked back to their annual meeting when they had interacted with an audience and had recorded a number of ideas from that audience. He said that once that person got settled in, he would love to see - aside

from that person's day-to-day activities - some new ideas take off. He stressed the goal that a programmer needed to be on the alert for fresh programming. "Obviously, it's always better when someone comes to Elizabeth because they're already showing enthusiasm. But where the Swanton Library has something going on, let's talk to the people at the library." He said that was where he'd like to see a programmer's sights focused. Lori Jordan-"Yes. When we promote other things via our programming, we're promoting ourselves." Mr Walker-"To carry on your idea, too, the local library puts out an email every month on what's coming up. Everything that they put in that email - all their programs that are coming up for the month, and what they're doing for the kids, etc., would make a great little show."

Lori Jordan-"I had a thought and I don't know if the library would go for it or not. If they invited us to film some of the home-schoolers' sessions that they have twice a month at the library, that would be a way to get their content out to other home-schoolers who maybe can't get in or who are otherwise tied to their homes." Chair-"I was at a nursing home on Thursday and one thing I know is if you do individual shots of individual people, you need written permission from the power of attorney. I took what they call a shot of a panoramic view, and I had permission from the Holiday House because they wanted to show their music on public access and they had no problem with it. In fact, they went around to each individual and asked if they wanted public access to video tape their singing." Ms Malone-"Yes. The law is different when you're out in public as opposed to being in a private establishment. In public you basically sign away your right."

Lori Jordan-"Also a lot of facilities, and I'm not sure if Holiday House is one of them, but when people get into a facility, a lot of times right from the start they're asked to sign a release form because the facilities themselves do a lot of promotional materials that go out to the community - or they may go back around and ask. Usually facilities will cover themselves right at the point of entry."

Chair-"We're on to the review of the Financial Manual. Before we get into that, one of the things we had touched on is our bank account balances. I just want to make you aware that we haven't changed any. It shows you where our bank accounts are and where the money is." Mr Tatro-"I had one question for Elizabeth - volunteerism versus being paid. We show a lot of BFA hockey on TV - Channel 15. Is the person recording being paid?" Ms Malone-"No. Not at a BFA hockey game." Mr Tatro-"At any sporting events with camera people are they being paid?" Chair-"If we send people." Ms Malone-"Basically, for everything except for BFA hockey." Mr Tatro-"I mentioned to you a month or ago about the interest of MVU varsity baseball being on TV. If I talked to that person, would I be out-of-line by saying this person would receive payment for recording the game, even if it's a high school game?" Ms Malone said she wouldn't approach it that way. The better way to sell it is they can get a free copy, but we can talk about that later." Mr Tatro-"I'm talking about the person recording the actual game." Ms Malone asked if he was trying to find someone to record the game or was he asking the studio to provide a staff person. Mr Tatro-"I would have the varsity baseball coach, since he's a teacher at the school, and he knows the kids and could find someone - but he did inquire would this person be paid. I said I wasn't sure so that's why I'm asking you the question. Because if all these other sporting events on Channel 15 have camera people who are being paid, I'm just trying to find some consistency here."

Ms Malone-"Right. They're part of our staff. I don't want someone else hiring camera people for us. I'm not going to pay someone that I didn't hire. Does that make sense?" Mr Tatro-"It doesn't really make sense to me. So what's the difference?" Ms Malone-"It makes sense to me because if I hire people who are valuable to the organization and have skills, I don't want to pay someone who has no skills." Mr Tatro-"Right. So if this person requests, "I would like the MVU varsity baseball games filmed," should I go to you and have your staff do this?" Ms Malone-"Yes." Chair-"Or a volunteer." Mr Tatro-"I can talk to you later. Thank you."

Mr Gervais-"That gets us into a little bit of what I talked to you about - the idea of getting a high school group or maybe a club, or something like that, where the kids would be trained to use cameras and the kids could be turned loose to go out and take pictures of the various activities that go on at the school - whether they're athletics or School Committee meetings rather than sending a paid person out. At the very beginning, we would have to have the paid person there and have the kids be trained, but a year down the line or two years down the line, you'd have some trained kids and the kids would be responsible and you could send them out in years to come to cover events." Lori Jordan-"A word of caution, though. She said that in the past there had been occasions where things had been recorded that were not an assigned event. "We have to be careful if we're going to give a camera to a

kid." Mr Gervais-"First of all, it wouldn't be live. They'd be coming back with a tape so you'd have an idea. Also they would be school-sponsored kids. It would be for activities of the school so the school would have the responsibility to see that the kids are responsible. I think it would be a very positive thing, and the kids that would be participating may be training for a future vocation." Lori-"Especially if the onus is on the school." Mr Tatro-"Obviously the more volunteers you have, the less you have to pay out to staff." Chair-"One thing we don't do around here very much is we don't recognize our volunteers. I've been to Colchester and Burlington where they recognize their volunteers for one, two or three years of service. Sometime we should think about doing that because some volunteers are not even recognized as being volunteers." Lori reminded them of the annual dinner that she said couldn't fail to please anybody, including the volunteers.

**6. Policy Review (Attached)**

They turned to the agenda item Ms Malone-"We'd better get to this 30-page policy. This is what Marilyn Grunewald did. She started with the Franklin County Caring Community manual. She showed it to me and it's extremely comprehensive. She pared down some of it and what I did was I went through and made it reflect what our true practices are because I don't believe in having policies that we do not follow, no matter how well intended. I think our policy needs to be true to what we do. It begins with a mission statement and just covers what we do and why we do it. I'm not sure about the best way to go through this. I doubt that anyone has had time to read this in its entirety." Mr Gervais-"No. I haven't even started." Lori Jordan-"Would it be acceptable to ask that we have a little more time for this in case we have questions? Could we could take it home and take the time to digest it?" Mr Tatro agreed, saying he needed time to jot down questions. They settled on the date of Monday, April 4th at 6:00 p.m. to review the document.

**7. Executive Session**

Chair-"We've completed everything on the agenda except for Executive Session for the Executive Committee." The chair entertained a motion to enter Executive Session to discuss personnel and invited the Executive Director.

Mr Tatro-"I make a motion to enter Executive Session to discuss personnel." Seconded by Lori Jordan. Chair-"We have a motion and a second. Is there any discussion on the motion? (None) All in favor say aye." (All in favor. None opposed)

**MOTION CARRIES**

**8. Adjournment**

Upon conclusion of Executive Session wherein no action was taken, Mr Walker moved to adjourn the meeting at approximately 7:30 p.m. Seconded by Mr Tatro. The Chair called for a vote, which resulted in a unanimously favorable decision to adjourn.

**MOTION CARRIES**

**NORTHWEST PEG-TV BOARD OF DIRECTORS**

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