

Minutes of Meeting #427
Nebraska Educational Telecommunications Commission
Nebraska Educational Telecommunications Center
1800 No. 33rd Street
Lincoln, Nebraska
December 2, 2010

PRESENT: Commissioner Ken Bird
Commissioner Roger Breed
Commissioner Stan Carpenter
Commissioner Phil Dudley
Commissioner Dennis Miller
Commissioner Darlene Starman
Commissioner Dara Troutman

ABSENT: Commissioner Mandy Johnson
Commissioner Kim Dinsdale
Commissioner Dick Shoemaker
Commissioner Clay Smith

Advance notice of the public meeting was sent to Nebraska news media by means of a news release forwarded from the Commission office with Agenda posted in the NET Lobby, NET elevator bulletin board areas and on the State and NET web sites. LB 898 (related to Open Meetings Act) is also posted in the NET Board Room on 1st floor.

Chair Dara Troutman called meeting #427 to order at 9:33 a.m.

Following the call of the roll, Secretary Rod Bates determined that a duly constituted quorum of Commissioners to be present.

The Chair next called for public comment. There was none.

Chair Troutman requested approval of the minutes of meeting #426 as held on August 26, 2010. It was moved by Miller and seconded by Dudley to accept minutes of meeting #426 as presented. Roll call vote was recorded as follows: voting aye: Bird, Breed, Carpenter, Dudley, Miller, Starman and Troutman. Absent: Dinsdale, Johnson, Shoemaker and Smith.

Background information was presented regarding the Lease-Purchase Agreement entered into between the Commission and the NETC Leasing/Facilities Corporation for sale of bonds for the DTV project in 2000 and a Lease-Purchase Agreement for the sale of bonds for the Building project in 2002. Guests present for this event were NETC Facilities Corporation Board members: Phil Heckman, Jim Mastera, and Herb Schimek (Arlene Nelson and Ron Hull, absent); Scott Keane, Ameritas and John Miles, Cline Williams, Johnson & Oldfather, LLC. Certificates of acceptance for the DTV Bonds Series 2000 and Building Bonds Series 2002 were signed by NETC Chair Dara Troutman. Also General Assignment and Bill of Sale forms for DTV Bonds Series 2000 and Building Bonds Series 2002 were signed by NETC Facilities Corporation President Herb Schimek.

It was moved by Bird and seconded by Carpenter that the following Resolutions be approved:

RESOLUTION

WHEREAS a Lease-Purchase Agreement, dated February 1, 2000 was entered into between the Nebraska Educational Telecommunications Commission and NETC Leasing Corporation for the sale of bonds for the DTV project; and,
WHEREAS the project has been delivered, constructed, and installed in accordance with the NETC's specifications and has been fully accepted by the Lessee; and,
WHEREAS NETC has provided funds sufficient to retire the bonds;

NOW, THEREFORE, BE IT RESOLVED that the Nebraska Educational Telecommunications Commission accepts from the NETC Facilities Corporation all rights, title and interest according to the Lease-Purchase Agreement dated February 1, 2000.

UNANIMOUSLY ADOPTED in public meeting on the 2nd of December, 2010 at the Nebraska Educational Telecommunications Center, Lincoln, Nebraska.

Dara Troutman
Chair

J. Richard Shoemaker
Vice Chairman

RESOLUTION

WHEREAS a Lease-Purchase Agreement, dated April 1, 2002 was entered into between the Nebraska Educational Telecommunications Commission and NETC Facilities Corporation for the sale of bonds for the Building project; and,
WHEREAS the project has been delivered, constructed, acquired, equipped, furnished and installed in accordance with the NETC's specifications and has been fully accepted by the Lessee; and,
WHEREAS NETC has provided funds sufficient to retire the bonds;

NOW, THEREFORE, BE IT RESOLVED that the Nebraska Educational Telecommunications Commission accepts from the NETC Facilities Corporation all rights, title and interest according to the Lease-Purchase Agreement dated April 1, 2002.

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Dara Troutman
Chair

J. Richard Shoemaker
Vice-Chairman

Roll call vote was recorded as follows: voting aye: Bird, Breed, Carpenter, Dudley, Miller, Starman and Troutman. Absent: Dinsdale, Johnson, Shoemaker and Smith.

AGM-Administration & Finance Randy Hansen reviewed the 1st quarter budget report for period ending September 30, 2010 for both the Television and Radio Divisions. It was moved by Bird and seconded by Troutman to approve the 1st quarter budget reports as presented and attached to the minutes. Roll call vote was recorded as follows: voting aye: Bird, Breed, Carpenter, Dudley, Miller, Starman and Troutman. Absent: Dinsdale, Johnson, Shoemaker and Smith.

AGM-Administration & Finance Hansen presented the BKD LLP Independent Auditors' Report and Management Letter fiscal year ended June 30, 2010. BKD performed the audit of the combined statements for the Nebraska Educational Telecommunications Commission, the

Nebraska Educational Telecommunications Facilities Corporation and the NET Foundation. The period included in the audit was the fiscal year ended June 30, 2010. It was moved by Carpenter and seconded by Dudley that the Commission accept and place on file the BKD LLP report on the Commission's combined financial statements and related management letter for the fiscal year ended June 30, 2010. Roll call vote was recorded as follows: voting aye: Bird, Breed, Carpenter, Dudley, Miller, Starman and Troutman. Absent: Dinsdale, Johnson, Shoemaker and Smith.

AGM-Content David Feingold presented the Fall Content report indicating that November was a busy and productive month for all content departments covering various sports events, editing documentaries, producing weekly programs and specials. NET News recently added a News Director to their staff with the employment of Dennis Kellogg, originally from Hastings. He is responsible for all NET's journalism in radio, television and digital media. Dennis introduced himself to Commissioners with background information, in addition to what he is now doing at NET. He briefed Commissioners regarding the launch of Harvest Public Media, a partnership of Great Plains public radio stations and NET television.

AGM-Engineering Stacey Decker reviewed activities related to the Engineering Department. He indicated the possibility of FCC's plan to capture UHF broadcast spectrum due to the need and urgency that could soon become a reality. The United States faces a future spectrum deficit for mobile wireless services and needs to free up 300 MHz within the next five years and a total of 500 MHz over the next decade so that the general welfare of U.S. citizens and the country's economy will not suffer. This could also create nearly 300,000 jobs worldwide and generate billions in revenue. Bandwidth from both urban and/or rural area will be targeted for reallocation.

Chair Troutman next called for the UNO report from Jim Adams, Assistant General Manager, UNO Television who reported on activities at UNO.

Secretary Bates reported on government relations indicating the importance of Commissioners contacting Nebraska Congressional delegation stressing the importance of public broadcasting in Nebraska. There is presently a bill in Congress to eliminate all funding from the federal government budget for public broadcasting. It is important to be either an advocate or ambassador for NET with special emphasis on lay representation contacts with Nebraska Congressmen and Senators.

Chair Troutman called for additional business. Commissioners Starman, Carpenter and Breed were appointed to serve on the Nominating Committee. They will present their report at the February, 2011 meeting.

Commissioner Carpenter left the meeting at 11:02 am.

Secretary Bates indicated that NET will be conducting a 3-Year Strategic Plan. Mac Wall of Kentucky will be the facilitator. Composition of the Committee to date is Ken Bird and Dick Shoemaker, NETC; Ellen Weisinger and Gary Kebbel, UNL; Cara James, NET Foundation for Television and Radio; Andy Russell, PBS. Additional members will be added representing the NET Foundation.

The following resolution was next presented:

RESOLUTION

WHEREAS Dennis Miller was appointed to the Nebraska Educational Telecommunications by Governor Dave Heineman on February 28, 2006, replacing Commissioner Paul McIntosh, and reappointed by Governor Heineman for a four year term on February 15, 2007 representing the Nebraska Community Colleges and has combined and intensified that relationship for many years, and;

WHEREAS He has been a most effective Nebraska Educational Telecommunications Commissioner during his term in a variety of significant capacities and roles, and;

WHEREAS Dennis has so successfully provided leadership to the Commission and the people of Nebraska; and,

WHEREAS Dennis has logged many miles to regularly attend the NET Commission meetings;

NOW, THEREFORE, BE IT RESOLVED that the Nebraska Educational Telecommunications Commission hereby:

- Expresses its deepest and most sincere gratitude to Dennis Miller for his continuous service to Nebraska educational and public telecommunications;
- Acknowledges with pride his artful advocacy, loyal leadership, personal persistence and dynamic dedication in furtherance of Nebraska public telecommunications;
- Proudly recognizes his myriad contributions to the quantity and quality of program services now available to Nebraskans of all ages, background and statewide locations, and;
- Wishes Dennis Miller all the best in the years ahead.

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Dara Troutman
Chair

J. Richard Shoemaker
Vice-Chairman

It was moved by Breed and seconded by Starman to accept the resolution which was unanimously approved. Commissioner Miller expressed his appreciation for having the opportunity to serve on the Nebraska Educational Telecommunications Commission the past 4 years.

Meeting dates for 2011 are as follows:

January – No Meeting
February 3 – Regular Meeting at NET
March – No Meeting
April 7 – Videoconference Meeting
May 5 – Videoconference Meeting
June 23 – Regular Meeting at NET
July – No Meeting
August 25 – Regular Meeting at NET
September – No Meeting
October 13 – Videoconference Meeting
November – No Meeting
December 1 – Regular Meeting at NET

There being no further business, Meeting #427 adjourned at 11:49 a.m.

Respectfully submitted,

Rod Bates
Secretary