

October 18, 2012

**Mountaineer Forum for Haywood County Commissioners**

October 16, 7:00pm

Held in the County Courthouse courtroom

This is a one way e-mail dialog between me and Vicki Hyatt, editor of the Mountaineer. I asked a simple question, but received no reply...

Monroe Miller  
19 Big Spruce Lane  
Waynesville, NC 28786

----- Original Message -----  
Subject: Haywood County Government Access Channel  
Date: Mon, 15 Oct 2012 16:43:06 -0400  
From: Monroe Miller  
To: Vicki Hyatt <vhyatt@themountaineer.com>,  
Denny King  
CC: Mark Swanger <markswanger@bellsouth.net>,  
Becky Johnson <becky@smokymountainnews.com>

Vicki,

Saw the banner on the mountaineer web site:



Funny thing... I was reading the Haywood County Government Access Channel Guidelines (attached).

It indicates:

II. Availability of the Government Access Channel:

HCTV is available for programming to any bona fide Haywood County local government entity, municipality, educational institution, United Way organization or any other department, agency or organization funded in whole or in part by local, state or federal government tax funds.

It also says:

B. Political Purposes

HCTV is not a medium to be used by elected or appointed federal, state or local officials for political or personal use.

**So, how is it that the mountaineer and you can sponsor a political event with two elected official (Swanger and Ensley) and get away with promoting this on the Government Access Channel?**

[Editors Note: emphasized question in bold for clarity].

Monroe Miller

[Editors Note: No reply from Vicki Hyatt].

## Haywood County Government Access Channel Guidelines

### I. Purpose:

The rules and regulations set forth below shall govern the availability and use of the Haywood County Government Access Channel (HCTV) as cablecast on Charter Communications and Carolina Mountain Cablevision in Haywood County, North Carolina.

### II. Availability of the Government Access Channel:

**HCTV is available for programming to any bona fide Haywood County local government entity, municipality, educational institution, United Way organization or any other department, agency or organization funded in whole or in part by local, state or federal government tax funds.**

### III. Programming Content Guidelines:

The programming content will consist only of material designed to inform and educate the public regarding:

- 1) Haywood County Government and municipal governments;
- 2) Agencies, departments and organizations funded in whole or in part by federal, state or local tax funds;
- 3) Material designed to examine the social, economic, and cultural history and future of the county and its municipalities.
- 4) Material designed to respond to an immediate short-term community situation or need.

### IV. Requests to Air Programming:

All requests to air programming on HCTV must be directed in writing to the Haywood County Public Information Office (see contact information below) a minimum of 15 days prior to the date or dates that you wish programming to air. The following guidelines will be used to determine the suitability of submitted programs:

#### A. Content Review Prior to Broadcast

The Public Information Officer will review all programming submitted for cablecast on HCTV to assure that it adheres to the guidelines set forth in this document. If a program is determined not to be suitable for cablecast by the Public Information Officer for reasons other than production quality, an explanation will be made in writing to the submitter. A decision made by the Public Information Officer to not air programming submitted to HCTV may be appealed in writing to the Haywood County Manager, 215 N. Main Street, Waynesville, NC 28786; Phone: (828) 452-6625.

#### B. Production Quality Requirements

Programming produced by eligible submitters and provided to the Public Information Office for cablecast must conform to the following requirements to ensure compatibility and to safeguard equipment:

1. All programs must be submitted on an "authored" DVD. If using a stand-alone DVD Recorder, please use either a DVD-R or DVD+R format;
2. Do not submit compressed files (such as those used on the web), even on DVD;
3. All programs submitted for use on HCTV must have a minimum of 10 seconds of black prior to the beginning and 30 seconds of black at the end of the program;
4. Continuous sync must be maintained for the duration of the program;
5. VHS tapes may be submitted and converted to DVD. All costs associated with conversion to DVD must be paid by the person or organization submitting the program.

The Public Information Officer reserves the right to reject any media that are not audible or not of reasonable picture quality.

#### C. Collaboration on the Development of New Material

Limited opportunities may exist for Haywood County to partner with a submitter to develop and share costs associated with the production of a video project for cablecast on HCTV, and for additional educational and informational uses. Requests to collaborate on development of a production must be made in writing to the Public Information Office a minimum of three months before the project needs to be completed.

To be considered for a collaborative project, the submitter must meet at least one of the criteria outlined in Section III. Programming Content Guidelines.

#### V. Programming Restrictions

The following restrictions will be placed on any material submitted for cablecast on HCTV:

##### A. Obscene and Indecent Material

No program, production or presentation shall be permitted to be transmitted on the Government Access Channel that involves “obscene” or “indecent” material, defined as follows:

1. Any material in a program and/or presentation that could subject the supplier thereof, Haywood County and cable providers to prosecution or penalty under local, state, or federal law for the presentation of obscene or indecent material.
2. “Obscenity” is programming or programming content that meets each of the following criteria: - Has no artistic, social or educational merit, appeals to prurient interests or is definable as obscene according to contemporary community standards.
3. “Indecency” is programming or programming content that contains in whole or in part, subject matter, pictures or words or any other material that describes or depicts sexual or excretory activities or organs in a patently offensive manner as measured by contemporary community standards.

##### **B. Political Purposes**

**HCTV is not a medium to be used by elected or appointed federal, state or local officials for political or personal use.**

##### C. Advertising and Promotion

Programs that contain advertising, or which may be defined as having parts, or material, or content of an advertising nature, will not be cablecast. Advertising is defined as any programming which in whole or in part contains material of a commercial or advertising nature, or which would subject the supplier, Haywood County and/or the cable providers to prosecution under federal, state or local law for the misuse of Government Channel resources.

##### D. Requests for Financial Support

Agencies wishing to use a program cablecast on HCTV to seek financial contributions from the public must receive prior approval from the Haywood County Board of Commissioners. To accomplish this, the submitter is asked to make this request in writing to the Public Information Office so that the request can be presented during a regularly scheduled meeting of the Board of Commissioners. \*

##### E. Sponsorship and Acknowledgement

Sponsorship (financial assistance) by a business, individual or non-profit organization is permitted. Sponsorship contributions are for production expenses exclusive of time (i.e. videotapes, props, special effects) and may not exceed the cost of production.

Sponsorship acknowledgment is allowed utilizing the following guidelines, which allow limited identification of sponsors without creating an advertising or promotional effect:

Sponsor credits may appear one time during the entirety of the program;

Sponsors may be identified by name and location; however, no call to action to patronize the business will be permitted. On screen talent and/or a voice-over may accompany a graphic acknowledging the business for no more than ten seconds during which the sponsor is identified and thanked for helping to support the program.

#### F. Producer Acknowledgement

Producer acknowledgment is allowed utilizing the following guidelines, which allow limited identification of the producers without creating an advertising or promotional effect:

1) Producer credits may appear one time during the entirety of the program;

2) Producer may be identified by name and location; however, no call to action to patronize the business will be permitted.

#### VI. Legal Permissions

Eligible program submitters should secure all rights, licenses, permissions and consents necessary for their productions. Neither Haywood County Local Government nor the cable providers will assume a role of legal advisor in these matters. All users of the Government Access Channel shall neither represent themselves as an employee or agent of Charter Communications or Carolina Mountain Cable, nor make any statement on behalf of Charter Communications or Carolina Mountain Cable in the course of the program or in any media.

Contact information for Haywood County Public Information Office

Address: 215 N. Main Street, Waynesville, NC 28786; Phone: (828) 452-7305; Fax: (828) 452-6715; Email – [dteague@haywoodnc.net](mailto:dteague@haywoodnc.net)

\* Commissioners meetings are normally held on the first and third Mondays of the month. Items to go before the board must be submitted no later than 5 p.m. on the Monday prior to a regularly scheduled meeting. For questions, contact the Public Information Office at the number above.