

August 2008

TEXAS CIRCULATION  
MANAGEMENT ASSOCIATION

# TCMA Lone Star Review

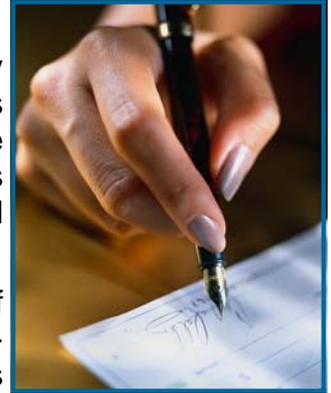
## President's Pen

Andy Nelson

Survey results are in...

As noted elsewhere in this newsletter, a survey was sent to TCMA members and non-members seeking feedback, opinions and ideas. We wanted to know how we could make TCMA and its conferences more effective and beneficial for all participants and attendees.

I was very pleased with the cross-section of responses we received from all levels of management and years of association with TCMA. I was also very appreciative of non-members who offered their feedback. Thank you to everyone who participated in the survey.



The common theme throughout the responses was simple: attendees want a quality program at a reasonable cost. I don't think that's asking too much. As we all know, budgets are tighter and the need to justify expenses are greater than ever. So why should you join TCMA and attend the conferences? The survey gave us some great insight.

The most important aspect of the conference is the networking opportunities. That is not to say TCMA is a social association. It is an association where members and vendors meet to share ideas, discuss best practices, and create business opportunities. It is an association that recognizes the challenges our industry is facing, and seeks to find opportunities as solutions to those challenges. It is an association that provides training and development for veterans and newcomers to the newspaper industry.

As important as networking is, a conference is nothing without a strong program. In Dallas, former President, Randy Schawe assembled one of the best panel discussions we've heard in years. Some of the best and brightest leaders from newspapers in Texas shared their vision on the future of our industry to a packed room.

Also, the TCMA conference is the only venue in which you can meet a room full of vendors who provide products and services to our industry.

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# THE ZINSER LAW FIRM

TCMA Legal Counsel

Attacks on independent contractor status continue unabated nationwide. I am pleased to report on a victory for newspaper publishers from opposite ends of the country. This case involves the *Bucks County Courier Times* in Pennsylvania, and the second case involves *The Register-Guard* in Eugene, Oregon.

**Bucks County Courier Times** – After the termination of his independent contractor distribution agreement, a home delivery newspaper carrier filed a claim for unemployment benefits under a Pennsylvania law. *Bucks County Courier Times* defended on the basis that the newspaper carrier was an independent contractor. The newspaper carrier purchased newspapers at a wholesale rate and resold them to subscribers. The parties had a written agreement identifying the geographical area of delivery. There was a delivery deadline of 7:00 a.m. Subscribers on Claimant’s routes all paid their subscription fees directly to *Bucks County Courier Times*. The newspaper carrier, by contract, purchased all necessary supplies. The newspaper carrier had the right to deliver newspapers for other publications.

In making the independent contractor finding, the hearing referee ruled that, “*Bucks County Courier Times* established that Claimant was free of its control or direction in his work. Claimant supplied the tools necessary to carry out his services. *Bucks County Courier Times* did not provide any day-to-day supervision of Claimant.” In addition to proving the absence of control, Pennsylvania law requires a conclusion that the Claimant was engaged in a business that is customarily an independent enterprise. In so finding, the hearing referee stated, “The parties agreed that Claimant able to perform these activities for anyone. Claimant agreed that if he wanted to he could have delivered papers for *The Philadelphia Inquirer*. In fact, Claimant is the only individual with a proprietary interest in his route.”

Had *Bucks County Courier Times* chosen to not fight this case, an employee ruling surely would have resulted. Pennsylvania State Unemployment Agency then would have used this as an excuse to conduct a full-scale audit of all independent contractor newspaper carriers and would have issued a tax assessment. This victory stopped all of that.

## Our Newest Members!

Ron Barden	Barden Circulation
David Runkle	Dallas Morning News
Rick Forepaugh	Midland Reporter-Telegram

## COTY Packets Coming

The 2009 Carrier of the Year applications and instructions will be arriving in your mailbox at work in a few days. There is also a link on the Carrier of the Year (COTY) page on the TCMA web site.

Included with the applications are the deadlines for the upcoming competition.

Does your newspaper have an on-going carrier recognition program? The TCMA COTY award program recognizes the best of the best. Each year you have the opportunity to nominate your carriers and/or your district managers/distributors. They are on the front lines every day, in all kinds of weather, delivering newspapers to our subscribers. In some cities carriers are even delivering multiple products.



### Online Applications

New for the 2009 Competition is an online application. It takes less and a few minutes to complete the application. Just a click sends your application to TCMA! Go to [www.texascma.org](http://www.texascma.org) and then to the COTY page.

Check out the videos from 2008 and 2007 on the web site to view previous winners.

Every newspaper has some deserving carriers needing to be recognized. It is easier than ever to nominate your deserving carriers. Do it today. They will thank you for taking the time to honor them!

(Continued from page 1)

Meeting these business men and women is worth the price of attending the conference alone, just to locate and identify the right product or service for your newspaper.



Nelson

TCMA is an association that recognizes and celebrates the hard working men and women who deliver our newspapers, through the COTY (Carrier of the Year) Program. Yet, as important as this part of the conference was rated, the participation level of newspapers is not near what it should be. This year we hope to introduce new and easier ways for your newspaper to nominate carriers for this prestigious award.

We're going to work hard to make TCMA an association that is meaningful and beneficial to you. And to do that, we need your comments, feedback and ideas. Please contact me or any of the TCMA board members anytime we can be of service. But remember; what you get out of TCMA is what you put into it.



# Texas Roundup!

## Corpus Christ Caller Times Promotions

**Jeff DeLoach**, Circulation Vice President of the Caller Times, recently announced the promotion of **Mike Arnold** to Circulation Manager of Operations. Mike will be responsible for Metro Home Delivery , State Circulation and Transportation at the Caller Times.

**Sonia Burke** will be leading the Sales and Administration Department. She will be responsible for all aspects of circulation sales, subscriber retention, single copy and Newspaper in Education.

## Star-Telegram Announces New VP

**Dolan Stidom** has been named Vice President, Circulation of the Fort Worth Star-Telegram. During his 30 year career, Stidom has worked as a Sales Crew Manager, Home Delivery Area Manager and Operations Director before becoming the number two person in the department in 2004. He served as President of TCMA in 2006 and was its Board Chairman last year. Stidom succeeds Weldon Whiteman, who retired.

Source: NAA Weekly Circulation Update

## Former TCMA President Dies

Long time newspaper man **Billy Tuma** passed away on July 16, 2008. Billy was Circulation Director for the Galveston Daily News for 20 years. He was a board member of the International Circulation Managers Association and TCMA President in 1983.

He won numerous awards for his innovative circulation ideas for increasing newspaper circulation including an award from the ICMA in the late 1960's.

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# 2009 Conference

## Conference Site Selected

The TCMA Board has selected The Omni at the Colonnade in San Antonio, Texas, for the site of the ninety-fifth annual TCMA Conference. The dates will be March 9-11, 2009.

TCMA last met in San Antonio in 1999 at the Adam's Mark Hotel (now Crowne Plaza) in downtown San Antonio.

The board selected the Omni at the Colonnade because of the response of our members during the recent survey after the 2008 conference in Dallas. There was an overwhelming response to keep the hotel rate under \$125. The Omni is providing us with a rate of \$115 single and \$125 double. The hotel has complimentary parking.

The board looked at hotels along the famed River Walk, but the rooms rates were well over \$225 a night and all of the hotels had parking rates of \$23 -\$28 a night.

The Omni at the Colonnade is located just minutes from downtown on I-10 at the Wurzbach exit.



## Pay in 2008

As you plan your budgets for 2009, be sure to include your travel expense for the TCMA Conference in March, 2009.

If you have some remaining travel money or registration fees in your budget this year, use the money to pay for your Conference expenses in 2009.

TCMA will provide you with an invoice for the expected costs of the conference in San Antonio. If the amount you pay is more than the actual fee in 2009, your newspaper will get a refund. If the actual fee is more than you pay, then you win! You will not pay any more than what you paid in 2008.

Now that's a deal you just can't pass up! If you are interested, contact our Secretary/Treasurer at [tcma@texascma.org](mailto:tcma@texascma.org).

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## Buyers Guide Update

TCMA values the support of our Associate Members (Vendors). Each year we publish a buyer's guide in conjunction with the annual conference.

The TCMA Board has asked our printer and Associate Member, **Jeffrey Ferrazzo** of Ultimate Print Source, to provide us with a specification sheet and instructions on how you can assure the highest quality reproduction of your ad in the guide by converting your ad to a PDF. The enclosed flyer has specific directions on how to make sure your ad will represent you.

In response to our vendors, TCMA will provide an invoice/order form that will include your ad space, booth space, registration fee, etc all on one form. This one-stop shopping experience will give you the assurance everything is in order with just one payment. If you would like to keep your buyers guide order/invoice and registration separate, we will handle that, too.

Buyer's guide order/invoices will be mailed in early December with a January 15, 2009 deadline.



Check out the Visitors Bureau at

[visitsanantonio.com](http://visitsanantonio.com)

# TCMA Post Conference Survey Results

Immediately following the 2008 TCMA Conference in Dallas, Texas, President Andy Nelson, sent the conference attendees and TCMA members a short online survey.

If you participated in the survey, thank you. Your input will be used as the board plans the next conference in San Antonio. The following is a review of some of the responses to the survey:

## What is your TCMA Affiliation?

TCMA Newspaper Member	<b>66.0%</b>
TCMA Associate Member	13.8%
Non Member	19.1%

## Number of years associated with TCMA?

10 + Years	31.9%
5-9 years	8.5%
0-5 years	<b>59.6%</b>

## Number of TCMA Conferences attended?

0	25.5%
Less than 5	<b>43.6%</b>
5 or more	30.9%

## How would you rate the program segments?

	<b>Very Important</b>	<b>Important</b>	<b>Somewhat</b>	<b>Not Important</b>
<b>Speakers</b>	<b>54.0%</b>	41.3%	4.8%	0.0%
<b>Vendors</b>	29.0%	<b>48.4%</b>	22.6%	0.0%
<b>Networking</b>	<b>79.0%</b>	21.0%	0.0%	0.0%
<b>President's Dinner</b>	20.3%	<b>42.4%</b>	33.9%	3.4%
<b>Hot Ideas</b>	<b>40.0%</b>	<b>40.0%</b>	18.3%	1.7%
<b>COTY Banquet</b>	<b>54.1%</b>	31.1%	14.8%	0.0%

## The cost of the hotel rooms needs to be around:

Under \$100	20.3%
\$100-\$120	<b>47.5%</b>
\$120-\$140	32.2%
\$140-\$160	0.0%

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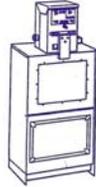
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