

Designation of an Official Newspaper for Public Notices in 2013

The ABC Newspapers (Anoka Union, Blaine/Spring Lake Park Life & Coon Rapids Herald) have been proud to serve our local communities and this region for the past 145 years. During this time we have stood as the pillar of information for the citizens in the area covering the governing bodies' meetings and reporting on the actions in our newspapers and websites. During this time we have also been the trusted source for disseminating local public notices for communities and other government activities.

It has been brought to our attention that a web-based "publication" has the intention of bidding to publish Public Notices for your local government municipality – the Anoka County Record. This entity, which is possibly unknown to you at this time, should be given a hard look before you would consider them as your "official publication" and their qualifications under the laws of the State of Minnesota governing official publications for Public Notices should be carefully examined.

The Anoka County Record's claim of being "*a new media newspaper*" is both arbitrary and not relevant to the law as it relates to Public Notices for your jurisdiction. (331A-02-a)

A store front address in the county does not instill confidence that they have met the "Known office of issue" criteria (331A.02-e). (They also have a mailing address different than their street address - which is puzzling as well. There doesn't appear to be a sign for their business at the listed address from their *Legal Newspaper Status Application*). In contrast, both our parent company, ECM Publishers, Inc. and the ABC Newspapers offices themselves are located within the Anoka County boundaries - the statute designated (331A.04, Subd2) choice for legal notice publication in Anoka County.

In addition, the Record's claim that "*The primary newspaper distribution method is online*" may very well not hold up to the requirement of "*circulation in the political subdivision which it purports to serve*" (331A.02-d).

They also state that distribution to *“libraries, county, city and township buildings are within reasonable distance of all residents”* – thus implying that they are expecting your residents to travel to these buildings to have access to viewing your Public Notices – this is definitely not a hoop that many of your citizens will want to (or should have to) jump through or is it legally addressed anywhere in *Chapter 331A Qualified Newspapers*.

The Anoka County Record’s subscription rate is listed at *\$50.00/year*, for 26 issues (since they “publish” only every other week). Besides being over twice as high priced per issue vs. an ABC Newspaper, they show “0” paid subscriptions on their paperwork submitted to other municipalities. This again suggests that you should carefully scrutinize the Record’s qualifications under 331A.02.

And while the Record has submitted a *Legal Newspaper Status Application* to the Secretary of State, this does not offer you, the governing body, any assurance as to the applicant’s qualifications to meet the statutes’ requirements of a legal newspaper. The Secretary of State’s office just acts as a filing agency that acknowledges the form was received – there is no verification of that publication’s compliance with the provisions of any sections within 331A.02. Indeed, 331A.02-j states: *“Acceptance of a filing fee does not constitute a guarantee by the state that any other qualification has been met”*. You will want make sure the exposure you risk with untested published legal notices are justified should any actions of the board or its use of Public Notices be called into question.

I would also like to point-out a few facts about our publications and company:

ABC Newspapers publish and distribute over 21,000 qualified legal newspapers every week in towns and cities throughout Anoka County. All our newspapers are audited for verified circulation. We are unwavering with our commitment to the highest standards and compliance as your qualified legal newspaper publisher.

With over 125 employees working in Anoka County, we estimate the economic impact of our workforce spending at more than \$250,000/year here in Anoka

County. We have 69 employees that live in Anoka County – many as your neighbors – that pay taxes and contribute to your local communities.

The property from which we operate the ABC Newspapers as well as the corporate offices for ECM Publishers, Inc. (ECM is the publisher of 51 newspapers throughout the state, with over 650,000 circulation each week) are located right here in Anoka County. We paid \$117,399.79 last year in county property taxes.

We cover your governmental meetings and events with information and publicity in your local papers every week – as we have done for over a century and will continue to do. Will the Record be doing this?

The ABC Newspaper website is one of the busiest websites in Anoka County as well. We see over 42,000 “unique visitors” a month come to our website in search of information of all types – including an archived Public Notice section that stores and displays your Public Notices to meet and exceed 331A.02-Subd.5.

And in making your decision, we urge you to also take the above considerations into account.

I look forward to continuing our relationship as it pertains to the publication of Public Notices for your needs. I would be happy to meet with you to discuss the value and assurances that ABC Newspapers offer through our Public Notice publication services.

Sincerely,

Tom Murray
General Manager
ABC Newspapers /ECM Publishers, Inc.
4101 Coon Rapids Blvd.
Coon Rapids MN 55433
763-712-3533
Cell – 612-741-7055