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New property tax advertising issue appears in Levy County



Levy County Commission Chairman John Meeks opens the Nov. 8 meeting by mentioning a bit of trivia about former FSU Coach Bobby Bowden, although Nov. 8 was Meeks' 40th birthday. He urged everyone to vote if they had not already voted.

Story and Photos By Jeff M. Hardison © Nov. 9, 2016 @ 10:07 p.m.

BRONSON -- The death of Andy Andrews resulted in the death of the *Levy County Journal*. With the Journal no longer in existence, the Levy County Board of County Commissioners on Tuesday (Nov. 8) initiated a potential process to find a place to publish the next annual list of people who are delinquent in paying ad valorem property taxes in Levy County.

At the moment, some may see the solution as being relatively simple because a Kentucky-based corporation, with a satellite base in Crystal River, owns the weekly tabloid-sized newspaper that competed for that high dollar advertising job last time in 2014.



County Commissioner Rock Meeks says if a bid is not acceptable, then the county can reject it.

However, with the slate being cleared, the potential for some publication other than the Landmark-owned *Chiefland Citizen*, *Williston Pioneer* and *Cedar Key Beacon* to submit a bid does exist. Given that the

current law requires a paper-based medium, HardisonInk.com is not able to bid on those ads.

"I don't own an offset web press," *HardisonInk.com* owner Jeff Hardison said. "I don't see

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that as being the thing to buy nowadays, even if the Florida Legislature thinks there is some great need to hang on to that tradition.

“There can be a method to let every person see the list on a government website by people who use the public libraries,” Hardison said. “This subsidizing of paper-based media by the government paying to buy ads to list delinquent taxpayers is not required logistically, although the Florida Statutes still require it.”



Commissioner Danny Stevens made the successful motion to seek a vendor who can advertise the delinquent tax list through any legal means whatsoever, even an Internet-based newspaper if that is possible.

As for the laws that exist today and what is required, Levy County Coordinator Freddie Moody said the County Commission sought bids a couple of years ago.

That is when the Journal and the Citizen bid – twice.

The Journal won that bid and it is no longer in business.

Moody said he is seeking direction from the County Commission about whether to start the process to seek new bids.



County Commissioner Lilly Rooks does not see why the Chiefland Citizen cannot honor a price that the Levy County Journal has honored for the past two years, and would have done for another two years except for the death of Andy Andrews leading to the closure of that weekly newspaper.

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Moody mentioned the potential option of not seeking bids, but instead to simply negotiate with Florida Newspapers, LLC (whose sole stockholder is Landmark Community Newspapers, LLC of Shelbyville, Kentucky) – which is the company that owns the *Chiefland Citizen* and a couple of other tabloid-sized newspapers in Levy County.

Moody reminded the County Commission that the price of advertisement is paid by the investors who buy delinquent tax options, and the property owner may -- within limits and with some interest -- pay for the delinquent taxes.



County Commissioner Mike Joyner said he respects the work and decisions made by Commissioner Danny Stevens in the past 16 years, and he sees no need to wait on any decision the board needs to make -- to wait for Matt Brooks to accept the post in January.

The cost of the ads, therefore, is a burden for people who buy delinquent tax certificates; it is not a bill for Levy County taxpayers.

However, if those taxes are not paid because no one buys the delinquent tax certificates due to too high of a cost of advertising the properties, then the unpaid tax burden is shared by all Levy County property owners who carry the cross of delinquent taxpayers.

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Levy County Coordinator Freddie Moody stands near Linda Cooper as she speaks to the County Commission.



Levy County Coordinator Freddie Moody stands near Dale Bowen as he speaks to the County Commission.

Linda Cooper, a longtime Journal employee, spoke about matters she sees as worth considering in regard to the issue of where to advertise delinquent taxpayers' names and properties.

The first thing Cooper noted for the County Commission was that the decision need not be made until February. She said the County Commission may want to wait until Matt Brooks replaces Danny Stevens in January as the new commissioner was elected.

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Cooper told the County Commission that not everyone in the public can see all of the relevant documents from the past selection process, where there were two sealed bid opening events due to technical issues.

Carolyn Ten Broeck of the *Williston Pioneer* (of Landmark Community Newspapers, LLC of Shelbyville, Kentucky) said in her previous bidding documents, Cooper said, that the Pioneer is distributed only in the eastern part of Levy County.

“And they (*Williston Pioneer*) were allowed to print that (delinquent tax list) basically denying the people of Chiefland and Cedar Key an opportunity of having easy access to the information,” Cooper said.

Cooper reiterated that she would like to see the County Commission wait until Brooks takes his seat, and to put all of the documents related to this previous bid process online.

Cooper said the other issue is that two years ago the County Commission mixed delinquent tax list bids with the prices bid for other legal notices. She expressed her opinion that is not a best management practice.

Moody said County Attorney Anne Brown brought it to his attention that time is short, especially if the county chooses to seek new bidders on publishing the delinquent tax list.

Commissioner Stevens said that with families making plans for Thanksgiving and Christmas, there is a need to send out a request for bids now. Moody had mentioned the need to publish the request for proposals, as well as to set a time to review the responses and to award the bid.

County Commission Rock Meeks reminded everyone that if the County Commission does not like a bid submitted, it can reject any and all bids.

Chairman Meeks said last time it was the weekly from Chiefland and the Levy County Journal bidding. No other publisher even made a bid.

With the Journal gone, it looks like the newspaper with its sole stockholder from Kentucky will be the winner.

It was a four-year bid, Moody said, and if the Journal was still in business it would have been until Jan. 31, 2019 when that bid would expire.

Cooper said she sees that the county is putting out a bid that only the Kentucky-based corporation can bid upon, because no other existing publisher meets the mandatory minimum criteria to present a bid.

“You can go with the price that we bid as a small, local newspaper,” Cooper said. “They are a large conglomerate that has their own printing presses.”

She said the county should be able to negotiate with Landmark to have it honor the price that was applied for the past two years to publish the delinquent tax list.

Chairman Meeks said to Cooper that Landmark could refuse to accept that offer and then he asked her what the county would do then.

Cooper said County Attorney Brown could outsource the legal question to some attorney qualified to answer the question, because Cooper said she does not know the answer.

Cooper reminded the County Commission that the Journal published the list for the past two years at the price it bid.

Cooper is contending that the County Commission cannot put the publishing cost out for another bid, because Landmark has a monopoly on the market. She said the county should ask for the sole publisher to honor the price that the Journal submitted for its four-year offer.

Cooper said she will be more prepared to present her position at the next County Commission meeting, because she will be certain to have herself placed on the agenda for that meeting.

Dale Bowen of Florida Newspapers, LLC (whose sole stockholder is Landmark Community Newspapers, LLC of Shelbyville, Kentucky) also spoke.

Bowen said he would want to try and determine the number of pages to be published in the list this year and negotiate a price with County Coordinator Moody.

Levy County Commissioner Lilly Rooks said the Journal made a benchmark with a price it honored two years in a row, and she would not expect the *Chiefland Citizen* to go higher than

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that cost.

County Commissioner Stevens said he has seen advertisements in newspapers are going away, especially classified ads.

People are not buying newspapers like they used to, Stevens said, and they are looking on the Internet instead. He said he does not go on the Internet, and he does not buy newspapers, he mentioned.

Stevens said he believes there will be a time when the delinquent tax lists will not be required to be published on paper.

Stevens said Bowen should not have much difficulty in determining the average number of pages by looking at the past few years of annual publications of those lists.

Stevens said the county should seek bids. He noted there are Internet-based newspapers (like HardisonInk.com).

Stevens made a motion to advertise for bids by the Internet or by paper – any legal means whatsoever. It was seconded by County Commissioner Rock Meeks, and met with a 5-0 vote.

Publisher's Note: With the death of Bill Kilborn, *HardisonInk.com* switched servers and some archived stories were not moved to the new system of archiving stories. The following story was published on Nov. 5, 2014 in *HardisonInk.com*.

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## Levy County commissioner solves issue of selection of newspaper for ads

By Jeff M. Hardison © Nov. 5, 2014

**BRONSON** – Andy Andrews, owner of the *Levy County Journal*, and Thomas Tenbroeck an employee of the corporation that owns the *Chiefland Citizen*, *Williston Pioneer*, *Cedar Key Beacon*, a shopper, the *Citrus County Chronicle* and other media outlets, have both repeatedly approached Levy County Commissioner Ryan Bell as they both want to run ads paid for with tax dollars.

The big ticket item is the annual list of people who failed to pay taxes on time – the delinquent tax roll.

Bell said he has heard both sides of those men's arguments. He has conferred with staff and has spoken with his constituents about this issue.

Since most other products and services purchased by the county are bid out, Bell suggested that rather than alternating year after year between the *Journal* and a couple of the other weeklies, the best method is to seek bids from qualified publications.

The company that offers the lowest per-column-inch rate is the winner, he said.

This will be on a four-year cycle starting with 2015 to keep it out of an election year. Bell made the motion and Commissioner Danny Stevens seconded it. It passed 3-2.

As Bell explained his “best bang for the buck” theory, Bell compared it to buying a Ford one year and a Chevy the next, rather than to seek competing bids. Bell said the Chamber of Commerce sometimes picks Bell's Catering for the annual dinner and sometimes it picks some other caterer.

“If we are true capitalists, Republicans and fiscal conservatives,” Bell said, “why would we not accept this approach?”

Bell said there will be times when the need to advertise quickly will occur and the weeklies cannot be considered, and those will be the exceptions to this contractual agreement with one weekly paper for a four-year term.

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Bell stressed that he is not saying Andrew's publication is the best, nor is he saying that any of weeklies from the corporation Ten Broeck works for are the best.

Levy County Commissioner Chad Johnson said when he came on board, he just followed the established method of one paper one year and another paper the next. The efficient and equitable distribution of tax dollars is a goal of the County Commission, Johnson said.

"Being an auctioneer," Johnson said, "I am a bid kind of guy. So I say let's bid it."

Everything from paper good contracts, to lawn mowers to \$100,000 excavators are bid out by the county, Johnson said.

Commissioner Stevens said he followed tradition about alternating between the two companies for running annual delinquent tax rolls in weekly newspapers.

Williston City Manager Scott Lippmann asked the County Commission what would happen if two bidders presented the same amount as their bid. County Attorney Anne Brown replied that the purchasing department has asked the tying bidders to draw straws or flip a coin to decide the winner when that has happened in the past.

And if a municipality is involved and there is a need to advertise specifically there rather than only the winning publication, then the county will provide for that option too, Bell said.

Linda Cooper of the *Levy County Journal* asked Bell why he was doing this as a non-agenda item. Bell said it is his last regular meeting as a county commissioner and he has the right to do his job all the way to the end.

Bell noted that American business is based on competition.

Ten Broeck said the *Chiefland Citizen* has 1,100 subscribers and the Journal has 400. (*HardisonInk.com* is averaging 10,000 unique visitors every month in 2014.)

After more discussion, Bell made his motion to advertise for bids for qualified publications to bid on the county's legal ads for four years starting in 2015. Stevens seconded Bell's motion.

Another aspect of this method is that staff will decide a winner from the bids. There will be no presentation to try and show one publication has more subscribers than another.

Bell, Stevens and Johnson voted in favor of it. Commissioners John Meeks and Mike Joyner voted against it. Joyner said he likes the idea, but he prefers it to be on an annual basis.