

The NAB has now admitted that under the proper circumstances, it would agree to performance royalty after years of steadfast resistance. The deal outlined by the NAB and musicFirst roped in a third party, the consumer electronics industry, which isn't pleased to suddenly become part of the controversy. The plank of agreement tying a royalty in part to the presence of an FM chip in cell phones was anything but readily agreed to by manufacturers, and indicated the need for congressional intervention, which the recording and broadcast industries agreed to push for over manufacturers' objections. The NAB's new proposal, which tied the royalty rate to real-life radio/cell availability, took the royalty rate below 1% until certain levels of adoption are met. This has proven to be a non-starter with the music industry, which needs a 1% minimum to activate reciprocal non-domestic royalty payments from foreign broadcasters. The Consumer Electronics Association has always been a sure bet to fight any radio-in-cell mandate on Capitol Hill, and the NAB's new offer has musicFirst talking about returning to the Hill in pursuit of its goals. The complexity may well take more than one congress to sort out meaning that this issue could be dragging on not for months but for years.

Greater Media Pres./CEO **Peter Smyth** defends the latest NAB proposal, saying, "It is with disappointment that I read some of the commentary from radio observers assaulting the recent action of the NAB Radio Board, questioning the future of our business, and suggesting impure motivations by radio's leadership." Smyth blames, "a few misguided camps in radio who seek to divide our business." Concluding, he writes, "To be clear: Last week's vote was taken with great deliberation and with an understanding of the consequences. The easy solution would have been to simply continue screaming 'no' at the top of our lungs, leaving for the next generation of radio broadcasters the possibility that legislation

will be imposed upon us that threatens our very business model. In my view, that approach would have been a grave mistake."

Not all broadcaster's agree. Northern Broadcasting GM Charlie Ferguson has cancelled his company's membership in the NAB. Ferguson released a letter today, saying, "Following what the NAB board believes is a prudent path, the NAB board suddenly issued what they call a 'term sheet' to the musicFirst Coaltion. The 'term sheet' laid out a road map for Radio stations to begin paying a percentage of their gross sales to performers as a Performance Tax. This was a direct about-face for Radio's chief lobbying organization - and it was done without any consultation with the rank and file membership. It's time to re-name the NAB to properly reflect who they have come to represent. My suggestion is the National Association of Large Market FM Broadcasters Association or NALMFMBA....Gordon Smith has cut a back room deal for his own brighter future. The only way the Radio Industry can prevent the Performance Tax is to dump the NAB and let them represent 'Wall Street Radio.' The rest of us need to form a new group that understands the needs and desires of its members. The 'fix' is in, ladies and gentlemen, if we stay with the NAB."

Inside Radio dissected the PRA's chances of passage through the lens of Tuesday's election. Says the publication, "The power shift sweeping through Congress means both broadcasters and the music industry will lose some of their biggest supporters on Capitol Hill, while others will stay put into 2011 But with early signs that the lame duck session will be more than symbolic, the focus will first be on what happens in the next two months...Even if the proposed Performance Rights Act doesn't come up for a vote on its own, NAB president/CEO Gordon Smith says there's plenty of reason to worry about a lame duck. He warned at the Radio Show that bills that come to the floor could become 'a Christmas tree of everybody's wish lists' during a lame duck session. It's one reason why the NAB Board voted last week to forward terms of what could bring the record and radio industries together. Announcing the offer, Radio Board chair Caroline **Beasley** said, 'NAB remains 100% opposed to performance fee legislation pending in Congress'." COMMENT: The Inside Radio article illustrates that the uncertainty of the mood both of the lame duck Congress that will meet shortly, and the new Congress that meets after the beginning of the new year, is precisely the reason the NAB put forth their Term Sheet last week. That action would hopefully allow both parties to meet at the point of their respective arguments that each could live with. It would appear, however, the distance that apparently still exists between the two factions



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keeps the issue at a stalemate. That impasse could trigger a worstcase scenario for radio referenced above: Congress passing PRA as a smaller part of a larger bill, including language that would allow the Copyright Royalty Board to set royalty rates for radio, an action that could cost radio millions of dollars more in artist royalties than proposed on the NAB Term Sheet. It will be interesting to witness the negotiations between the NAB and musicFirst over the next few days, as both sides weight the possible implications of their deadlocked conversations. - TK

The *Minneapolis Star-Tribune* today reported that a Minnesota woman ordered to pay \$1.5 million for sharing songs online is not planning to pay the recording industry, as her attorneys argue the award is not in line with actual harm suffered. **Jammie Thomas-Rasset** had been told by three separate juries that she must pay the recording industry for willfully violating the copyrights of 24 songs. In 2007, she was told to pay \$222,000. Last year, a second jury told her to pay \$1.92 million. The third jury said Wednesday she should pay \$1.5 million. One of her attorneys, **Kiwi Camara**, said Thursday that she won't pay, and he plans to argue that the statute allowing such high damages for copyright violations is unconstitutional. The **Recording Industry Association of America** says it hopes Thomas-Rasset accepts responsibility for her actions.

Tribune Co.'s unsecured creditors filed two lawsuits Monday against **Sam Zell**, the company's management and officers, and the lenders who back Zell's 2007 buyout of the company. The Official Committee of Unsecured Creditors filed the suits with the U.S. Bankruptcy Court in Delaware, alleging the buyout was a fraud and breached the defendants' fiduciary duty to shareholders, calling it "among the worst in American corporate history...designed to cash out the large shareholders of Tribune and to line the pockets of "Zell and the company's directors and officers. The suits follow the filing of three reorganization plans to compete with Tribune's own proposed plan; the plans all take different approaches to dealing with the lawsuits.

Some of the former **Clear Channel** executives recruited to **Tribune** by **Randy Michaels'** are following him out the door. Tribune Interactive Pres. **Marc Chase**, SVP/COO **Jeff Kapugi**, Director of Facilities at the Tribune Tower **John Phillips**, VP of Marketing for Tribune Interactive **John Martin** and EVP **Carolyn Gilbert** are all leaving the company. Meanwhile, former Clear Channel programming executive **Sean Compton**, now President of Programming at Tribune Co., is the subject of a profile at **Crain's Chicago Business**. Compton is one of the magazine's "40 under 40" list of rising executives in the Chicago area and the only radiorelated figure on the list.

BMG Billings Top 40 KRSQ/Billings, MT PD and morning host Jason "Big J" Harris is offering a \$1,000 reward for information about an attempted arson. Harris says he came home early Saturday morning following a Halloween party to find someone had thrown a fire bomb through his kitchen window. The good news? The fire did not ignite. "It's scary and makes me be onpoint a little more than usual. It's not just simple vandalism that's an inconvenience. I want to know who did it, even for my own peace of mind, and see some punishment."

CHUM Alternative CIMX/Detroit MD/Night guy **Jay Hudson** will be inducted into **Specs Howard School of Media Arts** Hall of Fame November 11th. The Southfield, MI facility is celebrating 40 years by honoring extraordinary graduates who have significantly contributed to the media industry. Other inductees include: **AI Johnson** (**FOX** News/Detroit), **Jeff Gesler** (**Detroit Tigers**), **Eric De Fino** (**Raygun**/Atlanta), **Tommy Brunswick** (films) and **Jim Bell** (Specs Howard Instructor).

Yesterday, the Conclave presents HERE SHE COMES: RADIO, WOMEN & NEW MEDIA, hosted by **Alan Burns** of **Alan Burns & Associates**. The webinar synopsized The Alan Burns and Associates study that surveyed over 2,000 female AC and CHR listeners between 15 and 54 during the summer of 2010 to measure their attitudes toward and usage of both radio and new media. If you missed it, you missed important information that could help your station. But all is not lost! If you missed the webinar, or want to have it to review or share with others, it is available now as a recording. To order, click on <u>http://www.theconclave.com/upload/</u> webinarorderform2010.pdf.

Congratulations to **The Radio Mall**, which celebrated its 25th anniversary last Monday (11/1). Said chief Mall-er, **Dave Dworkin**, "The company was launched by placing three one-inch ads in **Radio & Records** on 11/1/1985 under the name of Ghostwriters. It's so odd that they are gone and we're still here". Radio Mall markets sound effects, production music and imaging elements. It also offers a database of all of America's broadcast Radio stations, and is a longtime Conclave supporter/exhibitor.

The 36th Conclave Learning Conference July 13-16, 2011/Minneapolis Tuition \$149 for a limited time only Details www.theconclave.com

Cleveland Cavaliers radio voice **Joe Tait** passed out at his home Sunday and was rushed to the hospital with a blood clot in his lung. Tait has been of the air since a bout with pneumonia during the preseason and is scheduled for a double bypass and aortic valve replacement. The Cavs, heard on **Clear Channel** Talk WTAM-AM/Cleveland, say Tait is resting comfortably.

The **Chicago Tribune** has dropped **Steve Dahl's** column. Dahl's tweet Friday said, "Unceremoniously dumped by the Chicago Tribune today. Apparently my \$400 a week was preventing them from exiting bankruptcy," last summer's Conclave Rain Summit keynoter wrote. Dahl continues his podcast and blog at Dahl.com.

Sheyanne Valley Broadcasting Country KQLX/Lisbon, ND has increased their power to 10,000 watts. APD/MD **Broadway Boe** reports the station "has re-launched with a new name and attitude, positioning itself as – 'Thunder 106-1 the Legends and the Young Guns.'"

Artistic Media Partners grabbed the "first all-Christmas station of 2010" title last week with South Bend-market "Stream" WSMM. The station will reportedly return to its AC format after Christmas.

Leighton Broadcasting's sport KCNN-AM/Grand Forks, ND has flipped to rock as Rock 107.9.

The Scrubs in the Morning Show, originating from Citadel Country WTNR/Grand Rapids, MI can now be heard on Citadel Country KATC/Colorado Springs, CO. The Scrubs started in Grand Rapids in 2007 and is also heard on Citadel Country WFBE/Flint. All three stations carry the show live with plans to add more stations in the future.

PLANNING AHEAD! The Conclave Learning Conference for 2011 is July 13-16, 2011 - with an incredible tuition offer to go with it. The 36th Learning Conference will begin Wednesday evening July 13, 2011 with the **WECAN Networking Event**. Thursday July 14th kicks off with the 2nd annual **Jacobs Media Summer Schoo**l, concluding with the 8th annual **Promotion Summit**. Friday July 15th will be highlighted by **Conclave College** and the weekend concludes Saturday afternoon July 16th with the 2nd annual **RAIN Summit**. The usual array of cutting edge Conclave sessions will populate dozens of hours in between! The Learning Conference will once again be hosted in Minneapolis. Effective immediately, "earliest-bird" tuition for the 2011 Learning Conference will be \$149 – the lowest, most-affordable registration fee of any industry conference announced in 2010 <u>OR</u> 2011! Registration is being taken now via the Conclave website, <u>http://www.theconclave.com</u>.

Midwest Communications Top 40 WMGI/Terre Haute, IN morning duo **Jay and Storm** celebrated exceeding their goal of 2,000 fans on their **Facebook** page by going pink for breast cancer awareness. Storm Avery dyed her hair pink...and will keep it pink for the entire month of November, while Jay Michaels sported a pink beehive wig.

After airing a ton of political commercials during the past month, **Townsquare Media**/Fort Collins dropped every commercial on Wednesday. "These ads have been so nasty," says OM **Mark Callaghan**. "This is one way we can thank our listeners for sticking with us." Commercial-free music started at midnight November 3rd and continues until midnight November 4th.

Illinois Bible Institute Christian AC WBGL/Champaign, IL just completed their fall Sharathon reaching its goal of 2,000 friends 45 minutes earlier than scheduled, ending with 2,029 pledges totaling \$402,199!

Hubbard/Minneapolis ups **Dan Seeman** as the new VP/GM at Sports KSTP-AM, the broadcasting home of the **Minnesota Twins**. Seeman has been serving as VP/Ops Manager over KSTP-AM for the past few months.



^{*}Suggested by legendary air talent, Cindy Huber!

The Conclave is proud to announce its 2011 Radio and Music Industry Scholarship Program, worth over \$87,000! Effective immediately, qualified persons may apply for scholarships to Broadcast Center in St. Louis (MO), Brown College (3 to be awarded) in Minneapolis (MN), Specs Howard School of Communication Arts in Southfield (MI), or McNally-Smith College of Music in St. Paul (MN). In addition to the Radio and Music Industry scholarships, the Conclave will be awarding a scholarship to Kean University/Union, New Jersey. The Broadcast Center's offerings includes the costs of all applicable materials, and is valued at \$10,900 (Broadcasting Program) or \$6,900 (Advanced TV & Video). The Brown College scholarships include three half- tuition scholarships, each worth \$15,750 for a total scholarship award of over \$47,000. The Specs Howard scholarship includes tuition, application fees, and books - and is for the Diploma Program in Radio-TV Broadcasting. It is worth \$11,995. The McNally-Smith Music Business scholarship is an award of \$4000 per semester for up to four semesters total. The scholarship is valued at up to \$16,000. The Kean University scholarship, valued at \$1000, will be awarded to a deserving student at Kean, selected by the University on the basis of achievement and financial need. Since 1979, the non-profit Conclave - in keeping with its mission of educating the broadcast industry - has awarded over \$1 million in scholarships to deserving students desiring an education inside the radio and music industries.

Fort Myers Broadcasting Hot AC WINK-FM and News WINK-AM/Ft. Myers PD and Conclave Agenda Committee/former faculty member **Chad Rufer** is the new PD at **CBS** Hot AC KZZO/ Sacramento.

Clear Channel Top 40/Rhythmic KPTT/Denver is moving KYLD/ San Francisco-based **Chino** from nights to mornings. The new morning show Chino and Mile High Hits debuted Monday and will be music intensive.

Saga AC WSNY/Columbus, OH morning show co-host **Shawn Ireland** exits the Dino and Shawn Morning show to start her own venture. Dino will fly solo until a replacement is found.

CBS Hot AC WQAL/Cleveland afternoon host **Jen Toohey** moves to mornings, joining **Allan Fee**.

Clear Channel AC WRVF/Toledo PD **Tom Cook** is upped to OM; adding PD duties for Top 40 sister WVKS. **Dave "Boomer" Mazur** remains MD of WVKS. Also at CC/Toledo, **John "Sid" Siddall** is named PD of heritage Rocker WIOT and **Nathan Reed** is named Digital Content Dir. for the cluster and APD for NT WSPD.

Condolences to family and friends of **Deborah (DeFraites) Lewow**, a promotions rep living and working in the Atlanta market for almost 40 years. She'd worked with **ABC-Dunhill**, **United Artists**, **GRP**, **MS Distribution**, most recently operating her own Smooth Jazz/AC music promotions and marketing company, Arts. She lost her battle with ALS last week.

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CBS Radio Minneapolis seeks a Chief Engineer to oversee, plan and develop all aspects of radio technical facilities for its radio stations: WCCO AM, WLTE FM, and KZJK FM. This candidate will be responsible for integrity of the on-air product. Select, install and maintain high-power transmitters and all associated equipment; modify and document all broadcast circuitry. Purchase studio equipment: maintain mixing consoles and all associated in-studio equipment. Work with technicians to troubleshoot circuits; cross connect in-house circuits. Review logs and complete EAS tests and tower lighting requirements. Generator testing, fueling and supervision of maintenance. UPS testing and supervision of maintenance. Supervise Broadcast Engineers and Technicians. Supervises and coordinates over-all facility and building maintenance, and work with building management. Ten years experience in broadcast engineering including experience with directional antenna arrays and broadcast transmission systems. Must understand FCC regulations. Vast knowledge of digital and analog studio equipment required. SBE Certification required; knowledge of CAD systems & techniques desirable. Valid state driver's license for operation of company vehicles is required. Management experience and/or training desirable. Interested applicants please apply to: http://www.cbsradio.com

SPORTS DIRECTOR! **Red Rock Radio Corporation** in Duluth, Minnesota is seeking an experienced and entertaining broadcaster to oversee all sports programming on four radio stations. Ideal candidates will have a substantial knowledge of sports and play-byplay skills. The individual would schedule, write and create imaging, and program all activities on Red Rock's all-sports station, and oversee live broadcasts of nationally ranked football and hockey programs from the University of Minnesota/Duluth. The person will also report sports on three FM morning shows in Duluth. Letters, resumes and sample broadcasts to can be sent to mailto:jobs@redrockradio.org.

If you hate sleeping in, love to do extra work just because, are a born self starter, like interviewing people, find managing and working with others fun and rewarding, and actually yearn to follow simple rules of our organization, this is for you! Even if you have years of experience, can show us a documented winning history, know the operation of a top-notch market-leading radio station like the back of your hand, and if you are a proven Audio Vault geek, can make Adobe Audition and/or Pro Tools do back flips while blindfolded, have an interest in and appreciation of local issues needs and

concerns, can discuss celebrity birthdays ad nauseam, and even if you enjoy watching C-SPAN and reruns of Seinfeld, we'll get along great. We know you will insist that we have you get out of the building on a regular basis to care and feed relationships with local community stake holders and elected leaders. In the Joplin, Missouri market, KMXL and Fabulous 1490 KDMO is hiring an Assistant Operations Manager slash News Director slash Morning Show co-host with a firm grasp on most everything in the first paragraph. Why not throw in some daily production and the occasional remote as needed? This locally owned, market leading AM/FM combo seeks a key person who can make stuff happen. No corporate radio here. Southwest Missouri is considered one of the most affordable places to live in the country. If you seek a new challenge in this Arbitron rated small/medium market, and are serious about making a change, this full time opportunity is it. This job is available now, but we aren't hiring just anyone. You should be a serious candidate and can start work in a few weeks. Make anything you send us worth our time. Let your resume and mp3 speak for themselves and email it all to mailto:jobs@cbciradio.com.

NextMedia Radio Group seeks a Traffic Director for its Aurora and Joliet, IL markets. This is a data entry position that requires a high level of time management, multi-tasking and attention to detail skills. Responsibilities include, but are not limited to, entering sales contracts; daily scheduling of commercials for both over the air and streaming products; daily reconciliation of traffic logs; completion of affidavits; and assisting the Sales Managers & Business Manager as needed. Although previous Traffic Director experience is preferred, it is not necessary. You must possess strong computer & keyboarding skills, along with a positive attitude. Marketron experience is a HUGE plus! Please send resume with cover letter to Stacy Thomas at mailto:sthomas@nextmediachicago.com .

WLDS-WEAI, Jacksonville, IL seeks a news reporter/anchor for a station committed to local news. Experience a plus, but not required. Salary negotiable. Need to be able to gather, write, report and anchor news and sportscasts. Will cover meetings and events. Send resume and tape/CD/mp3 to **Eric Brooks**, News Director, WLDS-WEAI, PO Box 1180, Jacksonville, IL 62651, or email at <u>mailto:news@wlds.com</u>.

95-7 WAOR is looking for a highly motivated, self-starter with ability to handle multiple tasks, and a passion for the Classic Rock format & lifestyle. Candidate should have previous on-air experience, board operation, and a familiarity with digital editing. Creative, positive attitude a must! Close Proximity to South Bend preferred. Candidates who meet the above requirements should email (or snail mail) their resume and short demo of on air work to: **Mike Ragz**, Program Director, WAOR Radio, 237 West Edison Road, Mishawaka, IN 46545, Fax: (574) 258-0930, <u>mailto:ragz@waor.com</u>.

Do you have a CHR attitude with a Country heart? Do you love being in the community? If you can handle wake-up duties in a great college town, send your mp3 and resume to: **Joel Burke** <u>mailto:jburke8899@gmail.com</u>.

Federated Media/Ft. Wayne is a product driven company and is looking for the next Operations Manager of legendary WMEE radio and its digital brands. This is not a "fixer upper" but could use a fresh coat of paint. WMEE continues to have the highest cume audience among Women 25-54 year olds. And among our ultracore (women 25-44), WMEE is ranked #1 in the market (M-F 6a-7p). You will have all of the tools you need to achieve anticipated growth including a promotional budget and the consulting services of Allan Burns and Associate consultant, Jeff Johnson. Preferred candidates will have some Hot AC, Top 40 programming or APD experience and will want to be on air. Regardless of experience if you feel you have the talent and can prove it to us we want to hear from you. Knowledge of the five step Marketing Strategy Model is a plus. Federated Media is an equal opportunity employer. Please email your resume and a brief note describing what Content is King means to you to: Mark DePrez, General Manager, WMEE/WOWO/ ESPN 1380/K-105, mailto:makebabies@federatedmedia.com.

Metro Networks, a **Westwood One** Company, has an opening for a FT or PT airborne Traffic Reporter in the St. Louis market. Ideal applicants will have prior airborne traffic reporting experience and knowledge of St. Louis area roadways and traffic patterns. The job requires someone who can multi-task and work in a fast-paced team environment. We are looking for someone to deliver conversational yet authoritative traffic reports in morning and afternoon rush hours. Please send all resumes and demos to mailto:chicago_jobs@westwoodone.com.

NRC Broadcasting is looking for an Assistant Engineer to work at our stations in the Vail, Steamboat, Aspen and Breckenridge area. Qualified candidates should possess some broadcast experience, knowledge of computers and networks and basic electronics. Must be comfortable working outdoors in winter conditions. Snowmobile experience preferred as well as the ability to lift 70 lbs. E-mail resume to mailto:klaughlin@nrcbroadcasting.com

Clear Channel Radio Detroit is hiring two Promotional/Marketing professionals to join our local staff. We are looking for people that are very creative, highly organized and detailed oriented to manage on-air, on-line and on-site promotions. Only people that are team players with a "can do" attitude can be successful in this position for you will be working with a variety of departments, personalities and listeners. This is not just your day job! Nights and weekends are required as you work and oversee the events that you have helped conceive. Must be able to train, motivate, supervise, schedule and inspire a part-time staff. Responsibilities also include prize fulfillment, event packing, event calendars, proposal and promotional spot writing. Flexibility and good decision making skills are necessary.

Excellent written and verbal communication skills, computer expertise and organizational skills are a must! Experience in a promotional/marketing environment required (preferably media). Must be able to lift 50 pounds, have a good driving record and reliable transportation. We are passionate about our local stations, WDFN-The Fan, FM 98 WJLB,WNIC 100.3, CHANNEL 955, 1067 THE BEAT AND MIX 92.3 and need someone with the same passion and understanding of our formats to enjoy this job! For consideration, please send resume and cover letter to; **Michael Isabella**, Director of Marketing & Promotion, 27675 Halsted Road, Farmington Hills, MI 48331. e-mail : <u>mailto:MichaelIsabella@clearchannel.com</u>

If you are sitting at your desk in the middle of the day reading this, please stop. If you don't know where every AE that reports to you is right now and exactly what their plan is there, then please, this opportunity is not for you. If you have not been in front of a client yourself in the last 24 hours, you will not like this job. If you are not currently serving as a Board Member, Chamber Council Member or Community Volunteer, then you really don't get it. We are looking for that special manager that realizes that everything you do TODAY will determine your success. Someone who embraces challenges, leads by example and has the courage to make a difference. An individual, who recruits, trains and inspires others to their full potential. If you are still reading this, then you should email me your resume TODAY. **Floyd Evans**, General Manager, Mile High Station Trust. mailto:milehighstationtrust@hotmail.com.

We're looking for part-time board operators for sports broadcasts and live remote programming. Must be available evenings/weekends. This is a great place to break in to the business. Send info in an email to <u>mailto:rick.ucchino@cbslradio.com</u>

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