

## CANDIDATE ADVERTISEMENT AGREEMENT FORM

See **Order** for proposed schedule and charges. See **Invoice** for actual schedule and charges.

I, Sherry McKibben, hereby request station time as follows:

IDENTIFY CANDIDATE TYPE 

☐

FEDERAL CANDIDATE

☒

STATE OR LOCAL CANDIDATE

### ALL QUESTIONS/BLOCKS MUST BE COMPLETED

Candidate name:

Sherry McKibben

Authorized committee:

McKibben for County Judge

Agency requesting time (and contact information):

☒

N/A

Candidate's political party:

Democrat

Office sought (no acronyms or abbreviations):

Walker County Judge

Date of election:

Nov. 8, 2022

☒

General

☐

Primary

Treasurer of candidate's authorized committee:

Cassandra McKibben

The undersigned represents that:

(1) the payment for the broadcast time requested has been furnished by (check one box below):

☒

the candidate listed above who is a legally qualified candidate, or

☐

the authorized committee of the legally qualified candidate listed above;

(2) this station is authorized to announce the time as paid for by such person or entity; and

(3) this station has disclosed its political advertising policies, including applicable classes and rates, discount, promotion and other sales practices (not applicable to federal candidates).

**THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.**

| Candidate/Committee/Agency                                | Station Representative                                      |
|---|---|
| Signature:<br><u>Sherry McKibben</u>                      | Signature:<br><u>Tim Johnson</u>                            |
| Name: <u>Sherry McKibben</u>                              | Name: <u>Tim Johnson</u>                                    |
| Date of Request to Purchase Ad Time: <u>Oct. 19, 2022</u> | Date of Station Agreement to Sell Time: <u>Oct 19, 2022</u> |

## **2022 POLITICAL DISCLOSURE STATEMENT**

**HEH Communications, LLC, Huntsville, TX (d/b/a KSAM & KHVL)** complies with federal law in selling time to candidates for political office. In accordance with that law, we provide reasonable access to station facilities for all legally qualified federal candidates. However, we reserve the right to determine the non-federal candidates to whom we will sell time. Once time is sold to a federal or non-federal candidate, equal opportunity rights are afforded to all legally qualified opponents of that candidate.

Most rates for both commercial and political advertising time sold on **the above-listed stations** are arrived at on an individually negotiated basis. Individually negotiated spot packages are equally available for purchase by political candidates. Negotiated buys may, for example, include spots in a number of different rotations or day-parts and combinations of different classes of spots. A description of various classes of advertising time offered to commercial advertisers is provided below. Rates for most classes of time vary on a weekly basis, based upon supply and demand. During the 45 day period before a caucus, primary or primary run-off election and the 60 day period prior to a general election, the ultimate charge provided to eligible political candidates purchasing spots for "uses" - that is, spots purchased on behalf of a candidate containing a positive appearance by a candidate in which the candidate's voice is readily identifiable --will in no event exceed the lowest price paid by any other advertiser for spots of the same class and length and for the same daypart or rotation which actually run during the same rate period as the political spots. A legally qualified Federal candidate will be eligible to receive the lowest unit rate only if the candidate provides to HEH Communication, the written certification required under Section 305 of the Bipartisan Campaign Finance Reform Act of 2002 ("BCRA"), and adheres to that certification throughout the campaign. At times other than the 45 and 60 day pre-election periods, candidates will be charged rates comparable to those charged to commercial advertisers, and will receive the same opportunities to negotiate individual packages that commercial advertisers receive. The lowest unit rate policies do not apply to "soft money" announcements (announcements not endorsed or sponsored by the candidate but rather by a third party) or for any form of "issue" advertising.

In accordance with FCC rules, eligible candidates will receive all discount privileges available to commercial advertisers, and will be provided with rebates for any overcharges, before the election when possible. The lowest or comparable rates for specific classes of time and rotations in which a candidate is interested will be provided upon request to Tim Johnson, General Manager for KSAM & KHVL, PO BOX 330, Huntsville, TX 77342, (936)295-2651. The precise lowest unit rate may not be determined until after particular spots have aired. Lowest unit rates provided to eligible candidates in advance represent the station's best good faith estimate of such rates, although the final rates may vary, in which event rebates will be provided if appropriate.

1. Immediately Preemptible Spots Aired During Specific Rotations. These spots are not guaranteed to run and may be preempted without notice. These spots are sold to commercial advertisers with the understanding that they will run, unless the station sells out its inventory in a particular rotation or day-part. Accordingly, the probability of clearance varies constantly based on supply and demand. Whether a spot will be preempted depends on the price of a spot, length of a flight, and make-up of the schedule purchased. HEH Communications sells immediately preemptible spots for the following dayparts and rotations:

Monday-Friday 6:00 a.m. - 7:00 p.m.

Monday-Friday 6:00 a.m. - 12:00 midnight

Monday-Friday 12:00 a.m. - 6:00 a.m.

Monday-Friday 6:00 a.m. - 7:00 p.m.

Saturday 6:00 a.m. - 12:00 midnight

HEH Communications will also negotiate rotations other than those listed above, including narrower dayparts, based on the request of the advertiser. Advertisers may also purchase spots within particular programs. Immediately preemptible rates for these day-parts and for particular programs are subject to change on a daily basis, based upon supply and demand. During lowest unit charge periods, political candidates will be provided with the lowest rates for immediately preemptible spots for the specific dayparts and rotations in which candidates express interest. At other times, candidates will be provided with rates comparable to those received by commercial advertisers for immediately preemptible spots for rotations and dayparts in which candidates express interest. Because rates and clearance probabilities for these spots change frequently, candidates should contact us to receive the current rates when placing a buy. At other times, candidates will receive treatment comparable to that received by commercial advertisers with respect to preemption.

2. Non-preemptible Spots. Commercial clients often refer to this class of time as the "fixed rate." Candidates may purchase spots at these rates and be guaranteed that the commercials will air as ordered except for technical problems reasonably outside the control of HEH Communications (machine failures, power outages, sports over-runs, etc.) or acts of God. During time when the available supply of commercial time is exceeded by demand for commercial time, spots purchased at these rates will preempt spots purchased at the preemptible rates even if the preemptible rate is higher than the non-preemptible rate. HEH Communications reserves the right to raise its rates for non-preemptible spots for commercial advertisers as market demand dictates, but rates for non-preemptible spots will not be raised for eligible political candidates during the lowest unit rate period.
3. ROS (Run-Of-Schedule Spots). ROS spots are scheduled after all other spots have been scheduled to run during the rotation identified. ROS spots are not guaranteed to run in any particular daypart. We offer ROS spots in a variety of rotations, including: Monday-Sunday

6:00 a.m. to 12:00 midnight. They are scheduled by computer, based on the station's avails. They are the first paid spots to be preempted and have approximately a 60% - 70% chance of clearing. During lowest unit rate periods, eligible political candidates will be provided with lowest rates for ROS spots for the rotation in which the candidates express interest. At other times, candidates may purchase ROS spots at rates comparable to those received by commercial advertisers and will receive treatment comparable to such advertisers with respect to preemption. KSAM & KHVL, Huntsville will attempt to provide make-goods for ROS spots, but due to inventory constraints, cannot guarantee that such spots can be made good. However, make-goods will be provided to eligible political candidates. Lowest unit and comparable rates for ROS spots will be provided upon request.

4. Package Plans. HEH Communications offers individually negotiated packages that may include, for example, combinations of spots in various dayparts, bonus and discount overnight and/or ROS spots. Sponsorship packages which would imply a relationship between the station and a candidate are not available to political candidates. In addition, non-cash incentives of *de minimis* value or which would imply a relationship between the station and a candidate, which may be available in some package plans, are not available to candidates. All other packages that are made available to commercial advertisers are available to political candidates. However, the lowest unit rate for all dayparts and rotations is calculated to reflect all package discounts to ensure that eligible political candidates receive the lowest unit rates for all spots scheduled to air during lowest unit rate periods regardless of whether they buy an entire package.
5. Make-Goods. HEH Communications will make every effort to provide "make-good" spots prior to the election for spots purchased by eligible political candidates that are preempted. Although the station's policy is to offer all eligible political candidates make-goods prior to the election, we cannot guarantee to any advertiser that the make-good can be provided during the daypart or rotation originally purchased. If that is not possible because of inventory constraints, the station will offer make-goods of equivalent value. If these are not acceptable to an advertiser, the station will provide credits or refunds for preempted spots.
6. Available Spot Lengths. Typically, HEH Communications sells :30 second and :60 second spots. There is a rate distinction made between :30 second and :60 second spots. Prices for spots of lengths other than :30 and :60 seconds may be individually negotiated.
7. Sponsorship Identification. All spots must comply with the sponsorship identification requirements of Section 317 of the Communications Act and Section 311 of BCRA. If use spots do not contain the identification required under the Communications Act, we reserve the right to add appropriate identification and to bill the candidate for any production costs incurred by the station.
8. Rebates. If we sell advertising time to an eligible political candidate for a "use" during the prescribed "lowest unit rate" periods for a particular amount and class of time at a rate in

excess of the rate charged another advertiser for the same amount and class of time in the same time period which clears as scheduled, the Station will afford the candidate the benefit of the lower rate by means of a rebate, a credit against future purchases, or a refund of the difference, as determined by the candidate. No adjustments will be made for purchases not subject to the "lowest unit rate" requirements.

9. Value Added Features. If scheduled during the prescribed lowest unit rate periods, eligible political candidates may purchase spots with value-added elements in conjunction with air time on the same terms as offered to commercial advertisers, including non-cash promotional incentives, unless the nature of the promotional incentive is *de minimis* (such as coffee mugs or other give away items) or might imply an endorsement by or other relationship with the station, in which case such promotional features are not available to political candidates. "Billboard" or program sponsorship arrangements are not available to political advertisers. Details will be provided upon request.
10. Credit Practices. We require all new advertisers and all advertisers in volatile businesses or those whose operations are intermittent or of limited duration, including political candidates, to pay for all spots in the form of certified or cashier's check, money order, wire transfer or cash in the full net amount of the schedule being ordered in advance of the schedule's commencement. All payments must be received by HEH Communications no later than two business days prior to air date.
11. Receipt of Materials. All tapes must be received by HEH Communications offices no later than one business day prior to air date. Tapes for schedules commencing on Saturday, Sunday or Monday must be received no later than noon on the Friday prior to air date. HEH Communications cannot guarantee make-goods for schedules which do not air due to a delay in receipt of tapes.



**CERTIFICATE OF DISCLOSURE**

CANDIDATE Sherry McKibben  
REPRESENTATIVE (if applicable): \_\_\_\_\_

METHOD OF DISCLOSURE (check any that apply):

- ☐ By telephone to \_\_\_\_\_ (person's name) on \_\_\_\_\_ (date).
- ☐ Mailed to \_\_\_\_\_ (person's name on \_\_\_\_\_ date.
- ☐ By facsimile to \_\_\_\_\_ (person's name) on \_\_\_\_\_ (date).
- ☒ In person to Tim Jensen (person's name) on Oct 19, 2023 (date).
- ☐ By e-mail to \_\_\_\_\_ (person's name) on \_\_\_\_\_ (date).

ACCOUNT EXECUTIVE (initials) TJ

RECEIVED BY: Sherry McKibben  
Candidate or Representative

DATE: 10-18-2022



Today's Best Country And  
All Your Favorites

## HEH COMMUNICATIONS, LLC

PO Box 330, Huntsville, TX 77342

Office: 936-295-2651

Fax: 936-295-8201

[www.KSAM1017.com](http://www.KSAM1017.com)

[www.ILoveTheLakeRadio.com](http://www.ILoveTheLakeRadio.com)



More Music  
More Fun

Effective May 1, 2022 • Local Net-To-Station

### 101.7 KSAM Monthly Package Announcements Used in Four Weeks or Less

Rates Quoted Specified Dayparts

| Per Month     | :60  | :30  |
|---------------|------|------|
| Mo-Fri 6a-7p  | \$29 | \$24 |
| Mo-Fri 6a-12m | \$26 | \$22 |
| Mo-Su 12m-6a  | \$10 | \$ 8 |
| Mo-Su 6a-12m  | \$22 | \$18 |
| Sa-Su 6a-7p   | \$20 | \$15 |
| Sa-Su 10a-3p  | \$22 | \$17 |

#### Run of Schedule Annual & Consistent Announcements

| Monday – Friday   | :60  | :30  |
|-------------------|------|------|
| 1-4 times per day | \$27 | \$22 |
| 4+ times per day  | \$20 | \$17 |

*NOTE: These rates are available only to the advertiser who runs a continuous daily schedule for a minimum of 3 consecutive months.*

### KHVL The Lake Monthly Package Announcements Used in Four Weeks or Less

Rates Quoted Specified Dayparts

| Per Month     | :60  | :30  |
|---------------|------|------|
| Mo-Fri 6a-7p  | \$22 | \$18 |
| Mo-Fri 6a-12m | \$20 | \$16 |
| Mo-Su 12m-6a  | \$ 8 | \$ 6 |
| Mo-Su 6a-12m  | \$18 | \$15 |
| Sa-Su 6a-7p   | \$19 | \$16 |
| Sa-Su 6a-12m  | \$17 | \$15 |

#### Run of Schedule Annual & Consistent Announcements

| Monday – Friday   | :60  | :30  |
|-------------------|------|------|
| 1-4 times per day | \$20 | \$18 |
| 4+ times per day  | \$17 | \$15 |

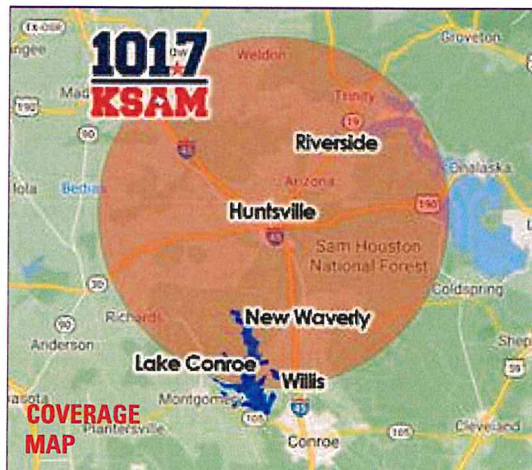
*NOTE: These rates are available only to the advertiser who runs a continuous daily schedule for a minimum of 3 consecutive months.*

#### Live Broadcasts: **KSAM** or **KHVL The Lake**

2 hours Mon-Sun \$850 (20 promos, 20 commercials)

#### Online Advertising: **KSAM** or **KHVL The Lake**

\$150/mo Top Banner \$95/mo Right Side \$50/mo Bottom Ad



104.9 THE LAKE  
P. O. Box 330  
Huntsville, TX 77342  
936-295-2651

Order #: 2985-00002 (PN 20221019.1)  
Description: Sherry McKibben for Walker County Judge  
Date Entered: 10/19/2022  
P.O.#:  
Salesperson: Johnson, Tim  
Invoice Frequency: Billed at end of Media Month, Sorted by Date  
Phone/Fax: 979-739-2045

Sherry McKibben for Walker County Judge 979-739-2045

Sherry McKibben  
Attn: Sherry McKibben  
10 Hickory Hollow  
Huntsville, TX 77320

**Pending New Order**

**On-Air Schedule**

| Start Date    | End Date   | Station | Scheduled Time/Event | Repeated | Length | Qty | Rate  | Total   | M | Tu | W | Th | F | Sa | Su |
|---------------|------------|---------|----------------------|----------|--------|-----|-------|---------|---|----|---|----|---|----|----|
| +1 10/23/2022 | 11/7/2022  | KHVL-AM | 06:00:00 to 19:00:00 | CUSTOM   | :30    | 80  | 15.00 | 1200.00 | Y | Y  | Y | Y  | Y | Y  | Y  |
| 10/23/2022    | 10/23/2022 |         |                      |          |        | 5   | 15.00 | 75.00   | 0 | 0  | 0 | 0  | 0 | 0  | 5  |
| 10/24/2022    | 10/30/2022 |         |                      |          |        | 35  | 15.00 | 525.00  | 5 | 5  | 5 | 5  | 5 | 5  | 5  |
| 10/31/2022    | 11/6/2022  |         |                      |          |        | 35  | 15.00 | 525.00  | 5 | 5  | 5 | 5  | 5 | 5  | 5  |
| 11/7/2022     | 11/7/2022  |         |                      |          |        | 5   | 15.00 | 75.00   | 5 | 0  | 0 | 0  | 0 | 0  | 0  |

Order Start Date: 10/23/2022 Order End Date: 11/7/2022 Spots: 80

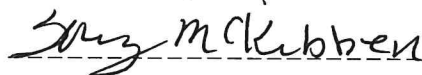
Total Charges: \$1,200.00

Thank you for your business.

**Projected Media Month Billing Totals for Sherry McKibben / 2985-00002 :**

|               | <u>Spot Count</u> | <u>Net Billing</u> |
|---------------|-------------------|--------------------|
| October 2022  | 40                | \$600.00           |
| November 2022 | 40                | \$600.00           |
| <b>Total:</b> | <b>80</b>         | <b>\$1,200.00</b>  |

Confirmed & Accepted for 104.9 THE LAKE By:



Accepted for Sherry McKibben By:

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Please Sign and Return One Copy



KSAM-FM  
P. O. Box 330  
Huntsville, TX 77342  
936-295-2651

Order #: 2985-00003 (PN 20221019.1)  
Description: Sherry McKibben for Walker County Judge  
Date Entered: 10/19/2022  
P.O.#:  
Salesperson: Johnson, Tim  
Invoice Frequency: Billed at end of Media Month, Sorted by Date  
Phone/Fax: 979-739-2045

Sherry McKibben for Walker County Judge 979-739-2045

Sherry McKibben  
Attn: Sherry McKibben  
10 Hickory Hollow  
Huntsville, TX 77320

**Pending New Order**

**On-Air Schedule**

| Start Date    | End Date   | Station | Scheduled Time/Event | Repeated | Length | Qty | Rate  | Total   | M | Tu | W | Th | F | Sa | Su |
|---------------|------------|---------|----------------------|----------|--------|-----|-------|---------|---|----|---|----|---|----|----|
| +1 10/23/2022 | 11/7/2022  | KSAM-FM | 06:00:00 to 19:00:00 | CUSTOM   | :30    | 80  | 17.00 | 1360.00 | Y | Y  | Y | Y  | Y | Y  | Y  |
| 10/23/2022    | 10/23/2022 |         |                      |          |        | 5   | 17.00 | 85.00   | 0 | 0  | 0 | 0  | 0 | 0  | 5  |
| 10/24/2022    | 10/30/2022 |         |                      |          |        | 35  | 17.00 | 595.00  | 5 | 5  | 5 | 5  | 5 | 5  | 5  |
| 10/31/2022    | 11/6/2022  |         |                      |          |        | 35  | 17.00 | 595.00  | 5 | 5  | 5 | 5  | 5 | 5  | 5  |
| 11/7/2022     | 11/7/2022  |         |                      |          |        | 5   | 17.00 | 85.00   | 5 | 0  | 0 | 0  | 0 | 0  | 0  |

Order Start Date: 10/23/2022 Order End Date: 11/7/2022 Spots: 80 Total Charges: \$1,360.00

Thank you for your business.

**Projected Media Month Billing Totals for Sherry McKibben / 2985-00003 :**

|               | <u>Spot Count</u> | <u>Net Billing</u> |
|---------------|-------------------|--------------------|
| October 2022  | 40                | \$680.00           |
| November 2022 | 40                | \$680.00           |
| <b>Total:</b> | <b>80</b>         | <b>\$1,360.00</b>  |

Confirmed & Accepted for KSAM-FM By:

Accepted for Sherry McKibben By:



Please Sign and Return One Copy



**Client: Sherry McKibben**

**Title: Experience**

**Date:10/19/2022**

**Length: :30**

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**Vote Sherry McKibben for Walker County Judge because Experience Matters. Sherry McKibben is the only candidate with over 12 years of professional experience working with the city of Huntsville and other municipalities. Sherry McKibben partnered with Federal, State and local agencies including FEMA, to secure funding for roads, drainage, sidewalks, and downtown revitalization. Sherry McKibben will find new funds to enhance Walker County. Experience Matters. Vote Sherry McKibben. Political advertising paid for by the Sherry McKibben for Walker County Judge campaign.**

*Sherry McKibben*