

## BRIEFS



## KSL FAIRWAYS PROMOTES FOURSOME

MANASSAS, Va. — KSL Fairways, the community golf division of KSL Recreation, has announced the promotion of Mark Burnett to vice president of operations. In his new role, Burnett is responsible for field operations at KSL Fairways' 22 courses. New additions to KSL Fairways' management team include Mark J. O'Neil, who leaves TPC at Avenel to become the northern regional director of operations; Mike Hawkins, formerly director of food and beverage operations for the PGA Tour, now serving as KSLF director of food and beverage; and Willy Choma, who joins KSLF as national director of retail operations, the same position he held for Las Vegas Discount Golf & Tennis.

## NGP DECLARES DIVIDENDS

SANTA MONICA, Calif. — National Golf Properties (NGP) Inc. declared a dividend of 42 cents per share for its fiscal quarter ended June 30 for each share of common stock owned by stockholders of record as of July 31. The dividend payment date is Aug. 15. NGP is a self-administered real estate investment trust specializing in the acquisition and ownership of golf course properties.

## MOVIN' ON UP

## Handling change key to Schlick's Marriott success

By PETER BLAIS

Variety, they say, is the spice of life. In Tom Schlick's case, it is what makes Marriott Golf's director of grounds operations look forward to coming to work each morning.

"I realized pretty early that I wasn't cut out to be a maintenance superintendent," said the University of Florida graduate,



Tom Schlick

who oversees Marriott's 19 golf facilities and has grown in two of them. "I like new construction. They can take three to five years to complete and things are changing all the time.

"Change is what appeals to me about this job. I'm involved with everything here — construction, architects, manufacturers. It's different every day."

Schlick hadn't planned on a golf industry career. After earning his bachelor's degree in ornamental horticulture, he started his own commercial landscape contracting business in New York. While bidding on Marriott's Wind Watch Golf Club in Hauppauge, Long Island, he was offered the assistant superintendent's post.

"I hadn't considered a golf career," said Schlick, who worked part-time on the University of Florida's Gainesville course grounds crew while in college. "I knew nothing about golf course maintenance. But it was the late 1980s and the recession was hitting strong in New York. So I decided to give it a try."

Schlick helped grow in seven of the Joe

Continued on page 42



The signature No. 12 island hole at the Country Club at Heathrow (Fla.), a RDC facility.

## RDC makes splash along East Coast

By PETER BLAIS

PARSIPPANY, N.J. — RDC Golf Management Co.'s recent purchase of Heritage Links Country Club (CC) in Gainesville, Fla., puts the relatively young management firm into double figures in courses. The semi-private club is RDC's third acquisition in the last year and gives the Parsippany-based company 10 courses at eight locations along the East Coast.

"We're looking to add an average of four courses a year through lease, purchase or management arrangements, although our preference is acquisitions," said company President Chris Schiavone, who co-founded the firm in 1993. "We're looking at properties from Florida to New England. We don't want to be the biggest, just the best in our regions."

RDC is planning \$500,000 in improvements to the Heritage Links' course and 25,000-square-foot clubhouse. The company has added \$100,000 to the course equipment purchase budget and will soon begin a major upgrade to the irrigation system and cosmetic changes to the course.

"The members and public guests will see significant improvements in all areas of Heritage Links' operations, with particular attention to course condition and the food and beverage operation," said RDC Vice President of Operations Steve Phillips.

These are two areas of particular importance to Schiavone, whose experience operating golf courses took root at 54-hole Fiddler's Elbow CC, a New

Continued on page 44

## Lightning liability a tricky issue at golf courses

The following article was reprinted with the permission of NewsLinks, a quarterly newsletter published by Golf Property Analysts of Harrisburg, Pa. Ian Meklinsky is an associate with the law firm of Fox, O'Brien & Frankel LLP in Philadelphia.

By IAN MEKLINSKY

A New Jersey court has handed down the nation's first known ruling that lightning is *not* an act of God when it hits a golfer.

On March 28, 1993, Spencer Van Maussner, a member of the Atlantic City Country Club, was playing the back nine when one of his golf partners saw lightning. Since there were no man-made shelters along the way, they proceeded toward the clubhouse. While they walked, Mr. Maussner put up his umbrella and was struck by lightning. Although he survived, he was severely injured and sued the Club and its owners.

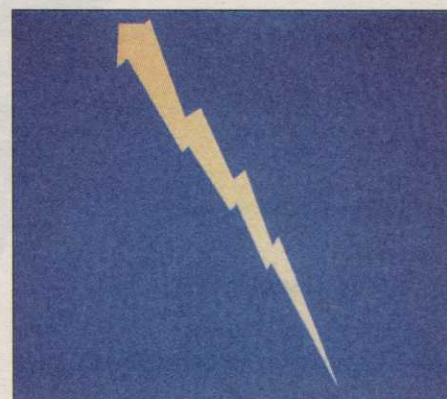
The case was dismissed before going to trial after the county Superior Court Judge found that the "proximate cause" of the injuries was lightning, an act of God, and that the "secondary cause" was the golfer's activities in exposing himself

to the possibility of being struck. Mr. Maussner appealed from this dismissal.

A two-judge appeals panel reversed the lower court and ruled on April 4 in Maussner v. Atlantic City Country Club, Inc. that breakthroughs in engineering and forecasting have given golf courses the capability to protect golfers from lightning better than ever. Therefore, though courses do not have an affirmative duty to protect their patrons from lightning, they are liable if they establish protective systems and the systems do not work.

The appeals court found that the Atlantic City Country Club had, by its actions (the Atlantic City club's practice was to monitor the weather, and it had an evacuation plan that consisted of golf course personnel driving onto the course to warn golfers), assumed a duty to warn golfers and that it is for a jury to determine whether the club exercised the duty reasonably. On remand, the court must permit discovery of industry data to help the jury determine what protection the club offered to its golfers and whether the club reasonably instituted and carried out these precautions.

The ruling sets the stage for proceed-



The painting is the work of artist Paul Reger of Shrewsbury, N.J. Reger has completed several different lightning paintings intended to heighten golfer awareness of the dangers of lightning and safety precautions golfers should follow during storms. The framed 48-by-48-inch paintings sell for \$4,800. Reger can be reached at 908-842-1236.

ings that could lead to a finding that would hit golf course owners in their pocket-books; the first judicially recognized industry standards for lightning warning and protection.

Significantly, the Maussner opinion contains the suggestion that courses can escape liability if, in effect, they decline to interpose themselves between God and golfers. The court noted that all golf

Continued on page 42

## Palmer selects 1st course franchisee

ORLANDO, Fla. — Arnold Palmer Golf Management recently signed on its first franchisee, Braeburn Golf Course operated by Reflection Ridge Corp. in Wichita, Kan.

"As our first franchised course, Braeburn is our newest prototype and will be closely watched by both the industry and the thousands of independent owners around the United States," said Peter Nanula, Chief Executive Officer of Palmer Golf Management.

Said Braeburn owner Reg Boothe: "I decided recently that a franchise opportunity with Palmer Golf was the perfect opportunity for Braeburn. To me, association with the Palmer system is a major launching pad to distinguish our course from the rest of the competition."

The idea to franchise courses under the Palmer brand came to executives of the company who observed that many course owners were either unwilling to sell their facilities or to bring

Continued on page 44

## Schlick

Continued from page 42

Lee-designed holes under construction at Wind Watch and eventually took over as head superintendent. He stayed on for a year after the course opened.

"Tom was the first superintendent I'd ever met who understood a course's entire business operation," said Marriott Director of Golf Operations Bill Nault, who

has worked with Schlick since the two were first paired at Wind Watch in 1989. "He was able to balance the growing of turf with the business decisions the pro makes to maximize rounds and make the operation profitable. Bringing those two needs together is a tough thing to do."

Added Schlick: "It's critical in the daily-fee environment for a superintendent to understand the

need to make a profit and to work with the pro and golf director toward that goal. An owner expects to make his 10- to 15-percent return. If the general manager is having a bad month, the superintendent can help by delaying costs, like an ornamental planning, for a few months. I've worked with good golf directors and they'll usually return that money to the maintenance budget as soon as they have

a good month."

Schlick earned a Golf Course Superintendents Association of America regional Environmental Stewardship award at Wind Watch (1992) and both a national (1993) and regional (1994) award at Marriott's Shiloh Falls Golf Club in Preswick Dam, Tenn., where he served as site manager during construction of the Jerry Pate-designed layout.

As the Marriott Golf empire grew, then-Marriott Golf President Roger Maxwell, generally regarded as a golf merchandising genius, realized he needed a director of agronomy to deal with that side of the business. Forty candidates were considered for the job. Maxwell recommended Schlick before he left to start his own company. Maxwell's replacement, Claye Atcheson, offered him the position.

"It helped that I already worked for the company and knew the Marriott method of doing things," Schlick said of his selection. "But I also felt I had proven myself on two tough projects. If I didn't know the answer to a problem, I kept asking people until I found the answer. That is an important ability for a person in my position in an industry that is evolving as rapidly as golf."

Relationships changed as Schlick moved up the corporate ladder. Peers became employees. Critiquing a former co-worker's performance occasionally caused problems.

"But again, I was fortunate to work with good people who, once the dust settled, handled things professionally and moved on. I've made mistakes and it's helped to admit my error in those cases. You are dealing with intelligent, college-educated people. If I make a mistake, they know it."

Schlick enjoys his job, although the 70,000 miles he travels yearly can be taxing, especially with a 2-year-old at home.

"If the right resort project came along, I'd consider going back to the field to grow it in," he said. "It would have to be a huge project, like our Desert Springs facility near Phoenix."

## Lightning

Continued from page 41

courses must post signs that identify safety procedures to be used, but it added: "[i]f a particular golf course uses no safety precautions, its signs must inform golfers that they play at their own risk and that no safety procedures are being utilized to protect golfers from lightning strikes."

In reaching the conclusion that the act-of-God defense was not dispositive, the appeals court looked to cases that hold that the imposition of a duty turns on whether it is fair under all circumstances in light of public policy considerations. Continuing, the court indicated that lightning is increasingly falling into the category of hurricanes and tornadoes; disasters that have become more predictable.

Although there are a number of companies that provide protective systems that reduce the risks, courses must now carefully consider the extent, if any, they are willing to "interpose" themselves between their patrons and God.

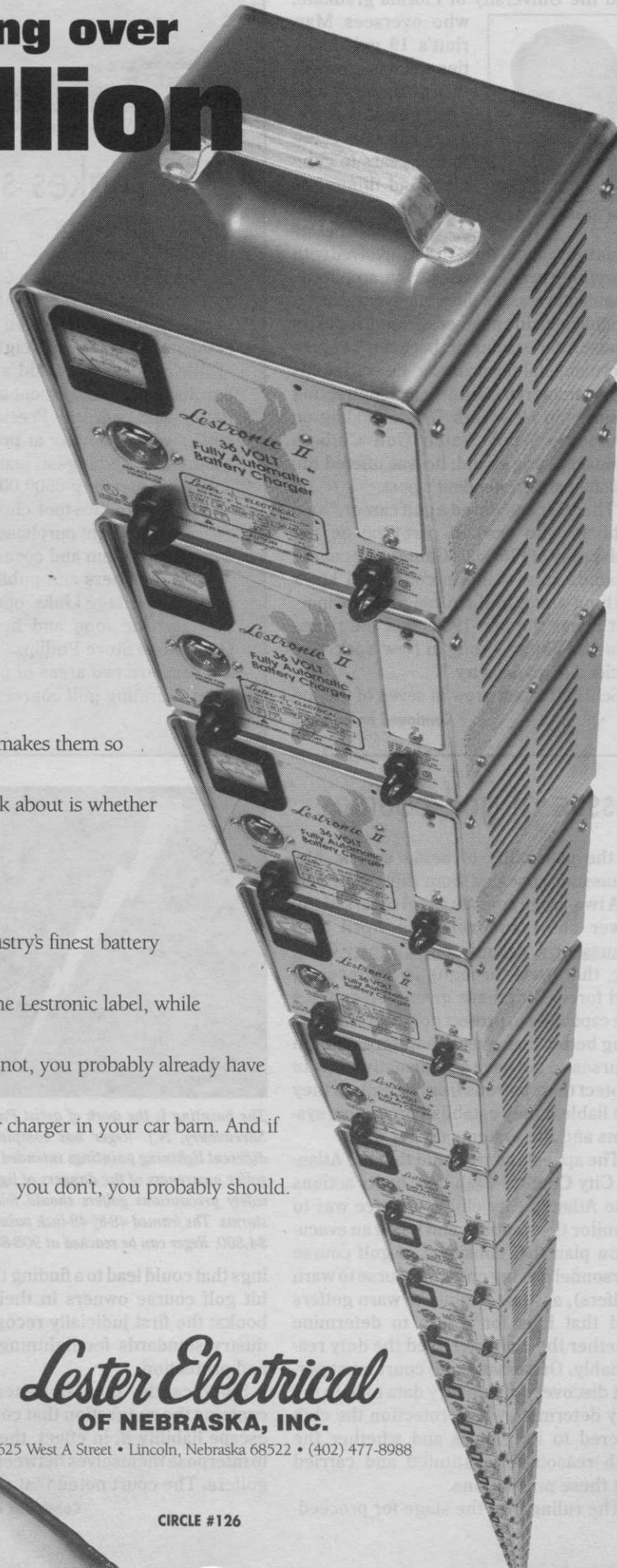
GOLF COURSE NEWS

# After manufacturing over one million dependable battery chargers, why is this ad the most memorable thing we've produced?

The fact that our chargers are so forgettable is what makes them so remarkable. After all, the last thing you want to think about is whether or not your golf cars have been properly charged.

For over 30 years we've manufactured the golf industry's finest battery chargers under strict quality controls. Many carry the Lestronic label, while others are private labeled. Whether you know it or not, you probably already have

a Lester charger in your car barn. And if you don't, you probably should.



**Lester Electrical**  
OF NEBRASKA, INC.

625 West A Street • Lincoln, Nebraska 68522 • (402) 477-8988

CIRCLE #126