

Illinois club sued over cart mishap

By JOE DEVANNEY

VERNON HILLS, Ill. — A recent lawsuit winding its way through the Illinois courts demonstrates the need for golf course developers, architects and managers to take a proactive approach to prevent on-course accidents.

Following a mishap in July 2000 where he flipped a golf cart, Donald Nelson is suing White Deere Run Golf Club alleging that faulty design led to the accident that left him with spinal injuries.

Nelson was golfing with three friends at the club when he flipped his golf cart as he approached the tunnel that runs between the 16th and 17th holes.

The path twists downhill and continues into another turn as it nears the tunnel. Nelson stated that, as he ap-



Emergency personnel attend to Nelson.

proached the tunnel he applied the brake on the cart, but it nonetheless skidded and toppled on the drivers' side with the wheels apparently locked. His companion Gary Joy was unhurt, but Nelson was pinned underneath. Although Nelson was airlifted to a local hospital, he suffered spinal injuries that, he claims, leave him unable to walk without assistance.

ACCIDENT POTENTIAL

Nelson, represented by attorney David C. Wise of the law firm Corboy and Demetrio in Chicago, is suing the Village of Vernon Hills, which owns

the golf club, and Dick Nugent Associates, which designed and developed the course.

In the complaint, which was filed in

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Intrawest to expand Raven brand

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Raven club in Phoenix had its best year ever. The Raven courses have done better than any of the others in our portfolio."

This is the primary reason why the company is eager to expand the brand beyond its existing Raven courses in Arizona, Colorado, Florida and West Virginia.

"We want to go into every major market and align new Raven courses with existing Intrawest properties," said marketing manager Ben Keilholtz. "For example, Cabo San Lucas makes sense because we already have the Intrawest Club there and other real estate interests. It makes sense to add them where we have more than one revenue stream."

PROTECTING THE BRAND

However, the Intrawest team is working hard to ensure that the Raven brand does not get diluted — a task made more difficult when dealing with management clients.

"A lot of courses would like to have the Raven brand on them," said Stipec. "But if you don't protect the brand it loses value. We will not put the Raven name on any course unless they add value to the Raven brand."

Stipec said that each potential Raven club must meet four criteria:

- courses must provide a high level of service;
- be maintained to a high conditioning standard;
- be playable by both high- and low-handicap golfers; and
- be located in dramatic settings.

"The first two requirements can be met at any course," he said. "The last two requirements you either have or you don't. At our Raven facilities you have dramatic landscapes from the Appalachian Mountains to the Rockies and from the desert

to the ocean."

Playability is also a large concern when it comes to repeat play. "There are plenty of big name courses that people only go to once because they are too hard," Stipec added. "We want to provide a challenge, but we also need to give people the ability to get around the course without being too penal."

When it comes to signing third party contracts, the company has to be especially vigilant.

"Cabo is the first property where we have branded a course we did not own," said Keilholtz. "The contract is more extensive. It is for a longer term than usual and it is more strict on what the

owner, The Resort Group, is required to do in terms of capital expenditures. We have to ensure that when we fly the Raven flag our brand equity is protected."

As a result, the course at Cabo will not only be renamed The Raven Golf Club at Cabo San Lucas, The Resort Group will be investing capital to renovate the Pete Dye-designed layout.

"We are not concerned with the level of service or operations, but course conditions need to be improved and that will take time," added Keilholtz. He expects the Raven flag to fly in Cabo by February.

ATTACKING NEW MARKETS

Intrawest is currently working on its first Raven property in Canada. The Raven at Lora Bay outside Toronto is in the design phase at the moment and the company is working to finalize environmental permits. Keilholtz said the course could open as early as 2003.

Intrawest also has plans for three more Raven properties in the works. The company is eyeing markets in the Northeast, California, Texas and south Florida. ■



BCG-managed Stoneleigh GC to enhance layout

ROUND HILL, Va. — Billy Casper Golf (BCG) has announced a \$1 million capital-enhancement program at Stoneleigh Golf Club in Round Hill, Va. Nestled in the rolling hills of Loudoun County, Stoneleigh is less than 10 miles from the Appalachian Trail and less than one hour from Washington, D.C.

To improve the club's layout, condition,

and playability Stoneleigh is adding new bunkers, building four new tee boxes and expanding the irrigation system. The club is also obtaining new maintenance equipment and a new fleet of golf cars, and is paving the golf car paths throughout the course. Ault, Clark & Associates designed the layout enhancements and T.A. Turner Construction Services is handling construction.

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Accident victim blames defective cart path design

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the Lake County court, Wise made several allegations concerning the accident. One problem, he wrote, was the steepness, sharpness and narrowness of the cart path, particularly its requirement that a driver had to take a "sharp, blind turn" to the right before entering the tunnel. It should have been clear, he alleged, that safety warnings were necessary along the path. Wise also said the path was designed and built with a downslope and turning radius that, in his words, was "too steep and too sharp and without proper sight lines to be safe. . ."

The E-Z-GO cart was also the focus of Wise's complaint. He stated that the cart had speed control settings that permitted Nelson to operate the cart at a pace too fast for the path terrain.

Wise also alleged that there were no adequate tests performed by the defendants on the cart path to determine safe speeds. He noted that, prior to July 2000, golf cart skid marks were noticeable on the path just before its sharp turn. These skid marks, in his view, should have put White Deer Run on notice about the

potential for an accident.

"The defect in design is the fact that the cart path is a blind, sharp downhill curve without a warning of the condition," said Wise. "This causes cart operators to slam on the brakes in order to negotiate the turn and avoid rolling the cart over."

"The present procedural sta-

tus of the case," he added, "is that it is filed and the defendants are in the process of being served with summons."

Although the complaint is filled with the necessary legal terminology, the fundamental cause of action against the defendants rests upon the belief by Wise and Nelson that the accident, in many ways, was foreseeable and could have been averted

with better planning.

Whatever its outcome, however, the golf industry should take a lesson from this case. Specifically, it is not enough to just design pleasant and attractive surroundings. In developing the necessary proactive protections against lawsuits, everyone has to be as diligent as possible and try to foresee how the design could lead to accidents. ■

Crested Butte

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just made sure that the basics were always taken care of."

Things began to turn around in 1996 when Rick Devine took over ownership of the golf course and surrounding property. Devine hoped to upgrade the facilities and course to help drive surrounding home sales. He began to put some cash infusion into the golf course by purchasing much-needed equipment for Rau's crew. However, when Devine needed more financial support, he turned to Cordillera.

After Devine developed a partnership with the firm last year, Rau met with Taagen to develop a game plan to bring the course up to their standards.

Taagen knew it would take a long-range approach to bring the course back, but he developed a plan to create immediate changes that would excite the existing membership. Cordillera increased Rau's budget from \$390,000 to \$550,000 and bought a slew of new equipment. Rau's crew was also bumped up to 21 men.

"Our members noticed the improvements. It was such a change hand mowing the greens instead of using the triplex like we had for years. We also could do more aerification in the spring around the tees and greens," Rau said.

The Cordillera Group's philosophy is that everything should be done top drawer and that idea carries through every facet of a club. "We have embarked on a five year program to upgrade Crested Butte," Taagen said. "We will eventually install a new irrigation system and get the golf course on to the same maintenance program that we use on our six other golf courses. Then we can do purchasing as a group for all of our facilities." ■

GOLF COURSE NEWS

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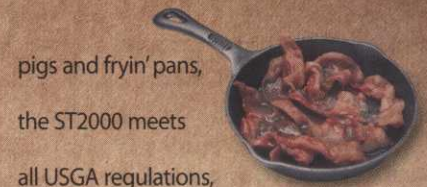
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