SURROUND YOURSELF WITH THOSE YOU CAN DEPEND ON.

THE FULL LINE OF RAM COMMERCIAL VEHICLES

BEST-IN-CLASS CAPABILITIES

FUEL EFFICIENT ENGINES

UNSURPASSED 5-YR/100,000-MILE POWERTRAIN LIMITED WARRANTY

UP TO $1,500 IN ON-THE-JOB INCENTIVES PLUS NATIONAL RETAIL INCENTIVES

SPECIAL TAX SAVINGS

GUTS-GLORY

WE BACK YOUR BUSINESS WITH A DEDICATED DEALER NETWORK OF PROFESSIONAL SERVICE AND SALES SUPPORT, AND ON-THE-JOB INCENTIVES TO KEEP YOUR WHEELS TURNING AND YOUR BUSINESS RUNNING STRONG. THAT’S THE BENEFIT OF BUSINESSLINK.

RAMTRUCKS.COM

1) See RamTrucks.com for details on individual capabilities for models shown. 2) See your dealer for a copy of the powertrain limited warranty. 3) See your dealer for official program rules. Must take delivery by December 31, 2012. 4) Maximum tax expense eligibility is $139,000; consult your tax advisor for more details. Properly secure all cargo. Ram is a registered trademark of Chrysler Group LLC.
From left to right: 2012 Ram Chassis Cab, 2012 Ram 3500 Heavy Duty, 2013 Ram 1500 Tradesman, 2012 Ram C/V Tradesman.
WHAT’S INSIDE:
20 Define and manage your brand
22 Overcome exit-planning myths
26 Understand SEO
30 Analyze your equipment fleet
32 Better manage your time
34 Prepare for next year
36 Position your company for growth
40 Benefit from peer networking
44 Improve your work/life balance
46 Fire an employee
74 Work effectively with your spouse
76 Establish business systems
78 Prepare your business for sale
82 Be a woman in a male-dominated industry
84 Engage clients with social media
88 Become certified
90 Build a company that runs itself
94 Avoid customer service problems
96 Prepare Latinos for leadership
98 Sell sincerely
100 Prevent business failure
105 Resource Profiles
    Our annual round-up of Green Industry supplier information
140 Add-on Biz
    Healing gardens are a new venture for Monji Landscape Cos. by Casey Payton
144 My Biggest Mistake
    Eric Bruss now knows to let go of poor performers early on. by Casey Payton

DEPARTMENTS
6 News & Views
   H-2B update and more
9 Industry Snapshot
   The Green Industry at a glance
10 Risk Management
   Construction defect claims by Casey Payton
16 Weed Watch
   Purple deadnettle; henbit
140 Add-on Biz
   Healing gardens are a new venture for Monji Landscape Cos. by Casey Payton
144 My Biggest Mistake
   Eric Bruss now knows to let go of poor performers early on. by Casey Payton

COLUMNS
4 Editor’s Note
   by Marisa Palmieri
12 The Benchmark
   by Kevin Kehoe
14 Best Practices
   by Bruce Wilson

IN EVERY ISSUE
142 Classifieds
143 Resources

ON THE COVER
Illustrations by iStock International Inc.
BUSINESS OWNERS – TAKE ADVANTAGE OF OUR NEW OFFER OF $0 DOWN TODAY!* 

Since 1986 we have helped existing landscape service businesses become a success within our franchise network. Join us and it will change your life.

• Special Financing Options for Existing Businesses  
• Business Model For Success  
• Bidding & Estimating Systems  
• Sales & Marketing Programs  
• Corporate Purchasing Power  
• Ongoing Support by Industry Experts

New Offer for Conversions: 
If you already own your own business, we can help you reach your commercial growth goals. U.S. Lawns has brand recognition. We are the leading franchise company in the commercial landscape management industry! We have operational systems and support that are second to none. Seriously. Look us up. Ask our franchisees.

Now we are offering special finance options for those who are converting their business to a U.S. Lawns franchise. Not only will you be joining the leader in the industry, you will be taking advantage of our newest financial outreach to conversions. NO MONEY DOWN! That just is not an offer you want to pass up. If you were ever considering a franchise, now is the time and we are your future. We have the marketing you need. We have the systems for effective bidding, efficient routing, timely invoicing and business plans that set you on a growth path. The best part? We are NOT acquiring your business. You still retain ownership of your business.

With U.S. Lawns, get set to grow!

*Individuals must qualify for $0 down financing. Qualifications are based upon credit worthiness & gross billings of the existing business.

Call us today at 1-866-781-4875  
franchise@uslawns.net • www.USLawnsFranchise.com 

See us at GIE+EXPO  
Booth #2005
Don’t wing it

You’ve heard them all, right? Failing to plan is planning to fail. Plans are useless; planning is indispensable. Plan your work and work your plan.

They’re clichés, but I like them. Unfortunately, we all know liking a motivational quote doesn’t mean you always live by its tenets.

I have to confess, I’m not “enthused” by the planning process like columnist Bruce Wilson is (“The power of planning,” page 14). But I know Bruce is right when he says plans can be road maps to success and great tools for tracking performance and improvement. And I do love the feeling of having a plan in place, especially when I know how I’m going to tackle the tasks before me.

It was with that in mind that we devised the “how to” theme for this year’s annual Business Planner edition of Landscape Management.

Strategic, long-range plans are vital, but sometimes you also need practical planning tips. Often, these ideas can be as simple as having a protocol in place or having the proper mindset for how you’ll handle a given situation.

That’s what we have for you here, starting on page 19. Twenty-one industry insiders share “how to” prepare for and deal with many business-limiting challenges.

Consultant and former ValleyCrest exec Bill Arman shares the importance of scripting how an employee termination will go so it doesn’t come back to bite you (“How to fire an employee,” page 46).

LM columnist Kevin Kehoe offers an example of a company that grew in 2012 by making some predictions about labor costs, gas prices, interest rates and internal processes—and laying out how it would deal with them throughout the year. It’s a must-read as you get ready for 2013. (See “How to prepare for next year” on page 34.)

Contractors Roger and Sue McCarthy share their key to a successful business and marriage: having a plan for when they talk about work and when they don’t (“How to work effectively with your spouse,” page 50).

The common denominator among these and the 18 other expert-written “how to” stories in this issue? Don’t wing it and hope things turn out well. Plan to succeed.

Let this issue of Landscape Management be your guide.
SAVE UP TO $600 A YEAR ON FUEL.*

CELEBRATE AT WILL

Meet the KOHLER COMMAND PRO® EFI ENGINE. A penny-pinching fuel sipper that uses less gas than comparable KOHLER carbureted engines — saving you up to $600 a year on fuel and fewer trips to the pump.* Every time gas prices spike, you save even more. See your savings at KOHLERENGINES.COM/EFI.

*KOHLER ENGINES. Compared to a comparable KOHLER Carbureted engine under comparable loads and duty cycles. Based on 600 hours of annual operation at $3.50/gallon.
Last month Congress voted to extend through March 27 the law that prevents the U.S. Department of Labor (DOL) from implementing the H-2B wage rule. It was part of a stop-gap spending measure to keep the government funded beyond the start of the fiscal year, which began Oct. 1.

Late last year, the DOL issued two rules that could hurt the H-2B guest worker program, potentially making it unusable for members of the Green Industry. The two proposed regulations are known as the wage rule and the program rule.

The wage rule would artificially increase labor costs associated with the H-2B program to an unmanageable level, according to the Professional Landcare Network (PLANET) and other user groups.

“PLANET will continue to fight for a longer-term prohibition, but we are happy in the meantime our members will not be subject to unprecedented wage increases,” the association said.

The program rule seeks to impose new costs, burdens and complexities. It can’t be implemented due to a preliminary injunction issued against it in April in Florida’s Northern District. The injunction applies nationwide.

“After the legal maneuvering in the case concludes, PLANET hopes the judge will make the injunction permanent,” the association said.

**BASF to acquire Becker Underwood for $1 billion**

BASF will acquire Ames, Iowa-based Becker Underwood for $1.02 billion. Becker Underwood is a global provider of technologies for biological seed treatment, seed treatment colors and polymers, as well as products in the areas of biological crop protection, turf and horticulture, animal nutrition and landscape colorants and coatings. Upon receiving the necessary legal approvals, the majority of Becker Underwood’s business will be integrated into BASF’s Crop Protection division.

“Becker Underwood has a strong position in North America,” said Markus Heldt, president of BASF’s Crop Protection division. “We will continue to expand this core business as we expand globally.”

The acquisition complements the company’s existing portfolio, especially in the area of seed treatments, seed coatings and biological, reports *LM*’s sister magazine, *Golfdom.* “A lot of the products they’ve commercialized, and just recently commercialized, are of great interest because they are new to BASF,” said BASF’s Nevin McDougall, senior vice president of crop protection for North America. “I think some of [Becker Underwood’s] future plans toward plant health are very interesting from the standpoint of our investment in that area and the future potential we see.”

Becker Underwood, which was expected to achieve sales of $240 million for fiscal year 2012, employs 479 people at 10 sites around the world. McDougall said BASF will take the next three months to create a plan to integrate Becker Underwood into BASF.

“The No. 1 goal of Becker Underwood and BASF is ensuring that our customers continue receiving the high-quality solutions they have come to expect from Becker Underwood,” Charlie Hale, Becker Underwood’s marketing strategy and support lead, said. “Except for a few already-planned lineup tweaks, including a couple new and/or improved products, no changes in the overall Becker Underwood product lineup is currently anticipated.”

**NEW TREE SERVICE FRANCHISE LAUNCHES**

A new Green Industry franchise, Monster Tree Service, launched earlier this year at the International Franchise Expo in New York, *The Inquirer* (Philadelphia) reported. The Fort Washington, Pa.-based Monster anticipates selling 150 franchise units within eight years.

The franchise fee is about $40,000. Several territories have been awarded on the East Coast, but no franchises have opened yet. Monster’s franchise disclosure document shows that in 2011, it had more than a half million dollars in EBITDA (earnings before interest, taxes, depreciation, and amortization) on sales of $1.46 million. Mark Elson, Monster’s director of franchise development, said he’s not guaranteeing that level of financial performance for potential franchisees, but that the profit opportunity is there.

“No one really owns this industry,” Elson said. “The opportunity is just phenomenal to be the household name.”
DESIGN SOFTWARE

PRO Landscape is the most complete design software on the market, providing the perfect set of design tools for landscape contractors, designers, architects, as well as garden centers. Use PRO Landscape for all your design needs:

- Photo Imaging
- Site Plans (CAD)
- Night & Holiday Lighting
- Complete Customer Proposals
- Irrigation Designs
- 3D Designs

For almost 20 years PRO Landscape has been the best selling landscape design software for professionals. The same easy-to-use tools that make it great for new construction also make it the best software for renovation projects.

Extraordinary is Just a Click or Call Away!
prolandscape@drafix.com
prolandscape.com • 800-231-8574
Introducing PLANET’s Community Stewardship Award

Gain recognition for your company’s commitment to volunteerism, community service, and civic responsibility through your work.

Deadline to enter: November 15, 2012

Visit LandcareNetwork.org/awards/communityaward for entry rules and application.

PLANET Professional Landcare Network

Media Partner: Landscape Management
By Lauren Wilson | FMC

As an applicator, some of the most important steps you can take to protect yourself and others after working with pesticides are also some of the simplest. Maintaining good personal hygiene helps ensure that family and friends won’t come into contact with the powerful materials you use on the job. Be sure to wash your hands and bathe after handling, mixing or applying pesticides. Wash and store your work clothes separately from your regular laundry. Finally, wear clean work clothes and gloves whenever you’re likely to come into contact with pesticides.

Lauren Wilson is the Technical Service Representative for FMC Professional Solutions.

Scan this tag with the Microsoft Tag Reader app on your smartphone for additional tips on safe and responsible pesticide use from our latest Stewardship Brochure. Need the mobile app? Get it free at http://gettag.mobi

Always read and follow label directions. FMC and Applied Knowledge are trademarks of FMC Corporation ©2012 FMC Corporation. All rights reserved.

$74.9 BILLION

Revenue forecast for the U.S. landscaping services industry in 2017, according to IBISWorld. Industry revenue is expected to grow 4.2 percent over 2012, largely driven by an increase in per capita disposable income and a 20.1 percent increase in housing starts. Revenue is forecast to rise about 4 percent per year for the next five years.

SAFE PARKING TIPS

Parking lot incidents are typically low-speed collisions, but they can lead to expensive repair bills. For fleets, parking lot crashes are some of the most common incidents.

Here are some tips for safe parking, provided by the Network of Employers for Traffic Safety (NETS), which sponsors Drive Safely Work Week (Oct. 1-5, 2012). The tips and tools downloadable on trafficsafety.org are useful for safety training year-round.

BACK IN, NOT OUT. Where legal and where parking spaces are not angled, fleet safety experts agree it’s safest to back into or pull through a parking space so your vehicle is facing out when it’s time to exit.

GET THE FULL PICTURE. Having your mirrors properly adjusted for the best possible view is important for all driving maneuvers, but it’s particularly so for safely backing into a parking space.

GET IT STRAIGHT. Once you’ve backed in, before exiting the vehicle, turn the wheel to straighten your tires so they are ready for you to drive out safely.

APPROACH SLOWLY. When pulling through to a parking space, particularly if there is an SUV or van on either or both sides, go slowly and be alert for other drivers coming from the opposite side that may not see you and could be approaching the same spot.

IF YOU MUST BACK OUT: Complete a vehicle walk-around to check for children and other objects before backing out. Once all is clear, exit promptly and cautiously, as conditions may change. Some fleet programs require tapping the horn twice before backing to alert others.
Beware the legal theory of construction defect

LANDSCAPE FIRMS THAT WORK FOR HOME BUILDERS SHOULD SIGN CONTRACTS CAREFULLY.

SINCE THE RECESSION, insurance companies are seeing a greater volume of claims from property owners, including construction defect claims. The little things a homeowner may have once ignored are now bringing on lawsuits. A construction defect claim is when a property owner makes a claim that there’s something faulty in the construction. Landscapers can easily be brought into these claims, so we asked Hortica’s casualty claim manager, Jud Ankrom, to break down what they mean.

While construction defect claims can be made anywhere, Ankrom says Hortica sees most of them in California, Arizona, and Nevada, possibly because court decisions may be more liberal in these states. Whatever the reason, it’s a type of claim that can be devastating to a landscape business owner.

For example, say a homeowner contracts with a builder for a new home and the builder subcontractors a number of people to do the work, including a landscape contractor.

“In our experience, the landscape contractor may do only a small bit of work—maybe $1,200 to install some shrubs and do some finishing work,” Ankrom says. “But the general contractor has made the landscaper sign a contract that says he will hold the general contractor harmless, pay any loss or defend the general contractor against any claims arising out of faulty work.”

If the homeowners get into the home and realize it leaks, they will file a suit against the general contractor, who may turn to all the subs to get them on the hook, too. It could cost hundreds of thousands in defense costs, Ankrom says.

“When you’re talking about multiplying the lawsuit by 300 or 400 homes—that’s huge,” Ankrom says. “As a result, we’re finding that landscape contractors who do much of their work with national home builders are in a big dilemma. While they like the steady work, they can really be on the hook in construction defect lawsuits. As a result, I’ve seen these accounts finding it increasingly difficult to get insurance based on the problem of dealing with today’s gigantic homebuilders and the growing number of lawsuits in the industry.”

Words of wisdom
Ankrom has a few pieces of advice for landscapers:

1. Use the help of your legal counsel when it comes to signing contracts. “I know a lot of landscape contractors scoff at spending $300 or $500 an hour for an attorney to review their contracts, but when it comes to the cost of what a potential construction defect claim could be, that’s peanuts,” Ankrom urges. “You need to go into these contracts with your eyes wide open, and having a professional with your best interest in mind review the contract is critical.”

Once the contract is reviewed and you know what you’re getting into, Ankrom advises asking for your own protections and for cross agreements. “Everyone should bear his or her own responsibility,” he says. “I do understand that with the advent of these ‘hold harmless’ clauses in contracts, that can be hard. But you need to be bold enough to ask for some protection of your own.”

2. Landscape contractors also should be prepared to have their own subcontractors sign contracts. “I understand that with the way things are right now, landscape contractors often have to sign a contract with a ‘hold harmless’ clause and they don’t have a lot of ability to negotiate,” says Ankrom. “But I’m astounded how many of those same contractors don’t then look their own subs into agreements where they’re held harmless. Say you have an electrician do some outdoor wiring for your landscape project and a fire starts. If you didn’t have that electrician sign a contract that holds you harmless from their faulty work, that’s now your responsibility. While there may be a common law right of subrogation, you’ve made your life that much more difficult.”

3. Be prepared to walk away when the risk is too big, Ankrom adds. “Some jobs just aren’t worth taking,” he says. “I do realize that in this economy it’s hard to walk away from work. But if you’re not confident you can fully perform the job or there is looking like a lot of risk involved, you’re better off just walking away.”

Casey Payton is a freelance writer who has covered the landscape industry for seven years.