

GOLF COURSE NEWS

THE NEWSPAPER FOR THE GOLF COURSE INDUSTRY

A UNITED PUBLICATION
VOLUME 8, NUMBER 8
AUGUST 1996 • \$4.50

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First Soil Labs Certified

Brookside Laboratories and Thomas Turf Services beat others out of the block 15

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Georgia aquifer off limits

By HAL PHILLIPS

BRUNSWICK, Ga. — Salt water is invading the Floridan Aquifer, the primary source of drinking water for the state's southeastern region, the Hilton Head area of South Carolina and Jacksonville, Fla.

If a Georgia Department of Natural Resources (DNR) proposal gains approval, new golf course developments here in coastal Georgia will no longer be allowed use of the Floridan. Further, the DNR has warned existing golf courses now utilizing the aquifer that other irrigation options should be explored.

"We will be talking to

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Court backs club's right to privacy

By PETER BLAIS

CHICAGO — The recent Chicago Club court ruling reaffirming the exempt status of private clubs from certain federal employment provisions is a victory for the club industry, but should serve as a warning that clubs, including golf clubs, must be prepared to defend themselves against discrimination charges.

"There are groups out there willing to litigate and the private club industry needs to be ready," noted James Singerling, executive director of the Club Managers Association of America, adding that The

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Peter Jacobsen

Jacobsen to keynote Public Golf Forum

By HAL PHILLIPS

CHICAGO — Touring professional and course designer Peter Jacobsen will keynote the Public Golf Forum here at the Lincolnshire Marriott on Oct. 28. Sponsored by *Golf Course News*, the Forum is the only national conference and trade show specifically serving superintendents, owners, managers and developers of public-access golf courses.

Jacobsen/Hardie Golf Design, a joint venture with Houston-based golf course architect Jim Hardie, has specialized in the development of public-access

courses. All four of Jacobsen/Hardie's finished products, in addition to five under construction, are open to public play. At the Forum, Jacobsen's keynote address will explain why the public-access market continues to dominate not only his firm's attention but the nation's golf course development market, as well. During his keynote, Jacobsen will also discuss life on tour and take questions from the audience.

A six-time tour winner, including back-to-back victories at Pebble Beach

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A CUB'S-EYE VIEW

A curious Cub Scout inspects a birdhouse during a trip down the Blue Bird Trail at Glynn's Creek Golf Course in Long Grove, Iowa. Glynn's Creek provides great examples of environmental activism and community outreach. For story, see page 15.

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NUGENT'S HARBORSIDE HONORED

The American Academy of Environmental Engineering (AAEE) has awarded Harborside International Golf Center — a 36-hole development built on a former landfill in Chicago — its 1996 award for Superior Achievement in Environmental Engineering. The AAEE honor is but one of several earned by Harborside, designed Long Grove, Ill.-based architect Dick Nugent who will present a case study of the Harborside project at The Public Golf Forum in October. For details on the Forum and Harborside's growing list of accolades, see page 38.

Irrigation solves biological application problems?

By MARK LESLIE

EAST LANSING, Mich. — Sparkling results despite horrid weather and soil conditions have researchers and golf course superintendents predicting a bright future for once-disparaged biological-control agents.

"We're right at the beginning of what should be a fairly long road to biological control," said Dr. Joseph Vargas of Michigan State University here. "At least we have the key to open the door. That key is a means of frequent application."

The frequency provider to which Vargas refers is BioJect, a sort of on-site brewery for disease-suppressive bacteria manufactured by EcoSoil Systems of San

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PUMPING STATIONS,
SEE PAGES 32-35

Diego, Calif. Because it is connected to a course's irrigation system, the 175-gallon BioJect "bioreactor" can deliver the bacteria — like Vargas' *Pseudomonas aureofaceans* — to the turfgrass daily. Thus it

overcomes the major roadblock to effectiveness of the biological-control agents: the need for frequent application to build up a population in the soil. Until now, the only method of applying *Pseudomonas aureofaceans* was by mixing dormant bacteria from a bottle into a spray wagon.

When Vargas discovered *Pseudomonas*, a broad-spectrum, general-contact fungicide, and tried applying it once a week, or

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NGP strikes Myrtle Beach deal with new management firm

SANTA MONICA, Calif. — National Golf Properties Inc. has acquired Colonial Charters Golf Course, an 18-hole resort course in Myrtle Beach, S.C., for \$4 million. Colonial Charters will be leased to The Links Group, a golf course operating company with 10 golf courses under management in the Myrtle Beach market.

NGP, a self-administered real estate investment trust, owns 91 golf courses in 23 states. National's portfolio includes 45 daily-fee, 27 private and 19 resort courses.

"The Links Group is an experienced, high-quality golf course operator," said Richard Price, president of National Golf Properties.

"The cross-marketing opportunities from The Link Group's network of courses along the Grand Strand offer substantial growth potential at Colonial Charters. The Links Group has developed very impressive centralized marketing and reservation systems."

In other news, NGP announced it has issued \$75 million of fixed-rate, unsecured 10-year notes to a group of institutional investors. The money will be used to complete the purchase of 20 courses and other assets from Golf Enterprises Inc. and for other uses, according to Chief Financial Officer Edward Sause. The Golf Enterprises transaction was expected to close in late July.

Chicago Club

Continued from page 1

Chicago Club incurred four years of legal fees during its battle with the Equal Employment Opportunity Commission (EEOC).

"The regulatory industry is still active, even though President Clinton pays lip service to downsizing the federal government. Government agencies are still looking to manipulate local culture and clubs need to be ready."

The EEOC had also targeted nearby Medinah Country Club

before settling on The Chicago Club, a city club, as the subject of this case, according to Elizabeth Kirby Hart, vice president of legal and government relations for the National Club Association.

"The EEOC could target a golf club as easily as a city club," Kirby Hart said.

The EEOC filed the suit against The Chicago Club in 1992. The government agency claimed the club was not a bona fide private membership club exempt from coverage under Title VII of the Civil Rights Act of 1964 and therefore must file an EEO-1 employment profile report describing the background of each employee.

The case was not based on any charge of discrimination "but rather appeared to be an effort by the EEOC to eliminate or at least seriously restrict the private club exemption under Title VII," according to a NCA statement. "This exemption excludes clubs from liability arising from certain employment discrimination claims and various reporting requirements."

The Chicago Club chose to defend itself as a matter of principle and on behalf of other tax-exempt clubs. NCA helped The Chicago Club with its legal costs.

A summary judgment was granted in favor of the club in March 1995 on the basis that the club met the standards of privacy required of a private club. The Equal Employment Opportunity Commission appealed to the United States Court of Appeals for the Seventh Circuit. That body also returned a positive decision for The Chicago Club earlier this summer.

The Court of Appeals criticized the EEOC stating, "If we were to endorse EEOC's eviscerating interpretation of the private club exemption, no organization in the United States could meet the statutory definition of a private membership club."

It continued: "In the hopes of altering the playing field for all private clubs under Title VII, EEOC decided to go after the biggest fish in the pond [The Chicago Club]. In the process, it has diminished its reputation and needlessly squandered both its own resources and those of the federal courts."

Added Singerling: "That's also four years worth of legal fees, money that could have been better spent in the local community rather than federal court."

"The cost of potential litigation is something golf clubs need to know about. Any club that wants to keep its tax-exempt status could be targeted."

Private clubs are still seen as bastions for the rich. The truth is, they provide high wages to minority workers. In fact, they provide the highest wages in the hospitality industry. Other businesses rise and fall. But private clubs are generally stable employers."

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