

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, 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."



Tom Schlick

"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

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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

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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.

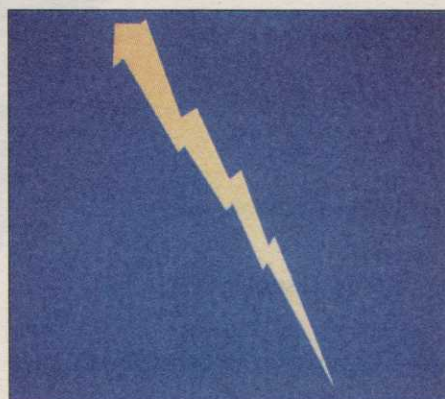
The case was dismissed before going to trial after the county Superior Court Judge found that the "proximate cause" of the injuries was lightning, an act of God, and that the "secondary cause" was the golfer's activities in exposing himself

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 pocketbooks; 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

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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

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