

are part of a team, and the best way to avoid lawsuits is to work with their general manager to develop strong published policies and promote self-aware hiring practices. To that end, we have identified below a few of the most common pitfalls that plague superintendents in their hiring practices.

Interview Questions – Know Your Boundaries

Interviews are strange creatures and employers can often talk their way into trouble by trying to fill an awkward silence during an interview. Keep in mind also that interviews don't always take place between people wearing suits and meeting in a corner office. The rules governing interviews apply with equal force to a quick chat with an applicant beside a mower at 6 A.M.

Federal laws – such as Title VII, the Americans with Disabilities Act (“ADA”) and the Age Discrimination in Employment Act (“ADEA”) – all prohibit employers from considering certain characteristics in the hiring process. During an interview, the interviewer may not ask questions about an applicant's race, religion or sexual orientation. These types of prohibited inquiries are often familiar even to non-lawyers. However, even seemingly innocuous questions or small talk can inadvertently create liability. For example, an employer may not inquire about an applicant's marital status, whether they have children or whether they intend to have children. Such questions create serious risks for the employer. Similarly, a polite discussion about an applicant's health could intrude on protected confidential information. However, given that golf course maintenance



Key points

The rules governing interviews apply with equal force to a quick chat as they do to a one-on-one sit down.

- It may be unlawful to pass over an applicant based on information gathered from social media sources.
- It is critical that employers collect a candidate's proper documentation.
- Check to see if your state requires you to inform new hires in writing of their designated pay date, rate of pay, and overtime rate, if applicable.
- It's important to determine what type of employee you're hiring – ie, salaried vs. hourly; at-will vs. contract.

is physically strenuous work, a superintendant is entitled to ask questions that relate to necessary job requirements, including whether the applicant has the physical ability to perform the work.

Social Media – When Less Is More

Over the past few years, social media platforms have transitioned from a technological fad to a ubiquitous communication tool utilized by many of your potential employees. It is exceedingly easy to Google an applicant and, in a few seconds, uncover a wealth of information about that individual's personal and professional history. Curiosity is natural, but it also killed the cat.

Employers in search of extra information about their applicants are becoming more and more likely to find a lawsuit instead. As discussed above, certain applicant characteristics are off-limits when determining whether an applicant is suitable.

Once an employer's Internet search reveals an applicant's religion, marital status or genetic affliction, the employer cannot unring the bell. It is stuck with

that information. In any ensuing litigation for discriminatory hiring practices, the onus will be on the employer to explain how those characteristics did not factor into the hiring decision. Moreover, several states (such as New York, California and Colorado) have laws that prohibit employers from taking adverse action based on lawful off-duty conduct. So, if you stumble across social media evidence of an applicant drinking, smoking, or campaigning for a cause you do not support, it might be unlawful to pass over that applicant based on that information. Employment counsel can advise on the best way to use an Internet search without incurring liability, but when in doubt, a superintendant's best bet is not to let their curiosity get the better of them.

Air-Tight Hiring Procedures

Even employers that hire employees on a regular basis fall victim to simply “winging it” when it comes to progressing through the hiring process. It is critical that employers collect the proper documentation. For example, failing to check an applicant's immigration status and then sub-

sequently hiring an illegal alien can be costly. Repeat offenders can be liable for up to \$10,000 per illegal employee.

From I-9's to W-2's and any state-specific documents, the hiring process can be frustratingly complex and untangling that paperwork can be the last thing a superintendant needs to add to a busy day. Consistently following a system is the key to avoiding liability. Don't be afraid to ask your GM to provide a hiring checklist. If the GM won't handle the paperwork, then the superintendant should have that checklist handy to make sure nothing gets skipped. By establishing a solid checklist, an employer can face a lawsuit or even an audit with the confidence that they have covered all of the necessary bases.

Know Your Notice Requirements

Last year, the New York State Legislature passed the Wage Theft Prevention Act, which requires employers to inform new hires in writing of their designated pay date, rate of pay, and overtime rate, if applicable. In enacting this statute, New



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ALUMNI UPDATE

“The SBI was one of the best educational experiences of my career. The lesson most valuable and useful to me was the block of sessions revolving around employee morale, and learning to understand the differences between generations. One of the big challenges as a superintendent in the past few years has been dealing with declining employee morale (in the atmosphere of minimal pay increases), and attracting different new employees to our teams. Many superintendents believe employee relations is nothing more than a ‘crew carne asada’ once a month. There is so much more to understanding each employee and what actually motivates them. Learning this and understanding your employees will lead to stronger teams, better retention and ability to recruit. We have taken much of that information and used it to change our operation here at Coto De Caza.”



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WORK FORCE



Legal note

Some states and cities have local laws that are even more restrictive than the federal law, and you should consult an attorney when determining acceptable hiring practices in your jurisdiction.

York became just the latest in a long line of states that require employers to provide such notice to employees. Other states with similar laws include Connecticut, Colorado, Delaware, Illinois, Maryland, and Pennsylvania, just to name a few. Some states require employers to post certain payroll information in the workplace. Contact an attorney for more advice on the notice requirements for your jurisdiction.

Don't identify "who," identify "what"

So you have finally finished the hiring process. Now what exactly do you have in your new employee? The first question to ask is whether they're a contract employee or an "at-will" employee? Most employers prefer "at-will" employees, which means they can fire their employees for any reason or no reason at all. However, some states have found that language within an employer's handbook can create an employment contract that negates an employee's "at-will" status and ends the employee with added rights against termination. Does your course have an employee handbook or policy manual? If so, be sure to follow the handbook's guidelines. Practice trumps policy, so if something looks great in writing, but is not followed in practice, your policy will not protect you.

Almost all employees hired by superintendents will be "at-will" employees, but digging down a little further, an equally important question is whether the employee is a salaried or hourly employee. The distinction is important because hourly employees are entitled to overtime for hours worked beyond the limits set forth by state and federal laws. Claims for unpaid

overtime are common.

For example, in January 2012, a New Jersey golf course was sued in federal court by a former employee who claimed that he had worked 65-70 hours per week, but was classified as a salaried employee. He is now seeking unpaid overtime wages. The club's liability could exceed half a million dollars for that employee alone. If the club used the same allegedly impermissible practice for more employees, the total exposure could be far greater.

As this case demonstrates, simply calling an employee salaried does not make it so. In fact, many states have instituted task forces to crack-down on the misclassification of hourly employees as salaried employees. These task-forces include a variety of state agencies sharing information and conducting audits based on tips from disgruntled employees, or sometimes randomly and for no reason at all. That said, correctly classifying employees is also good business.

By hiring the correct number of hourly employees rather than relying on erroneous designations designed to skirt the law, a superintendent can cut down on costly overtime paid to their greens crew. Spending less is a surefire way to make any greens chairman smile. **GCI**

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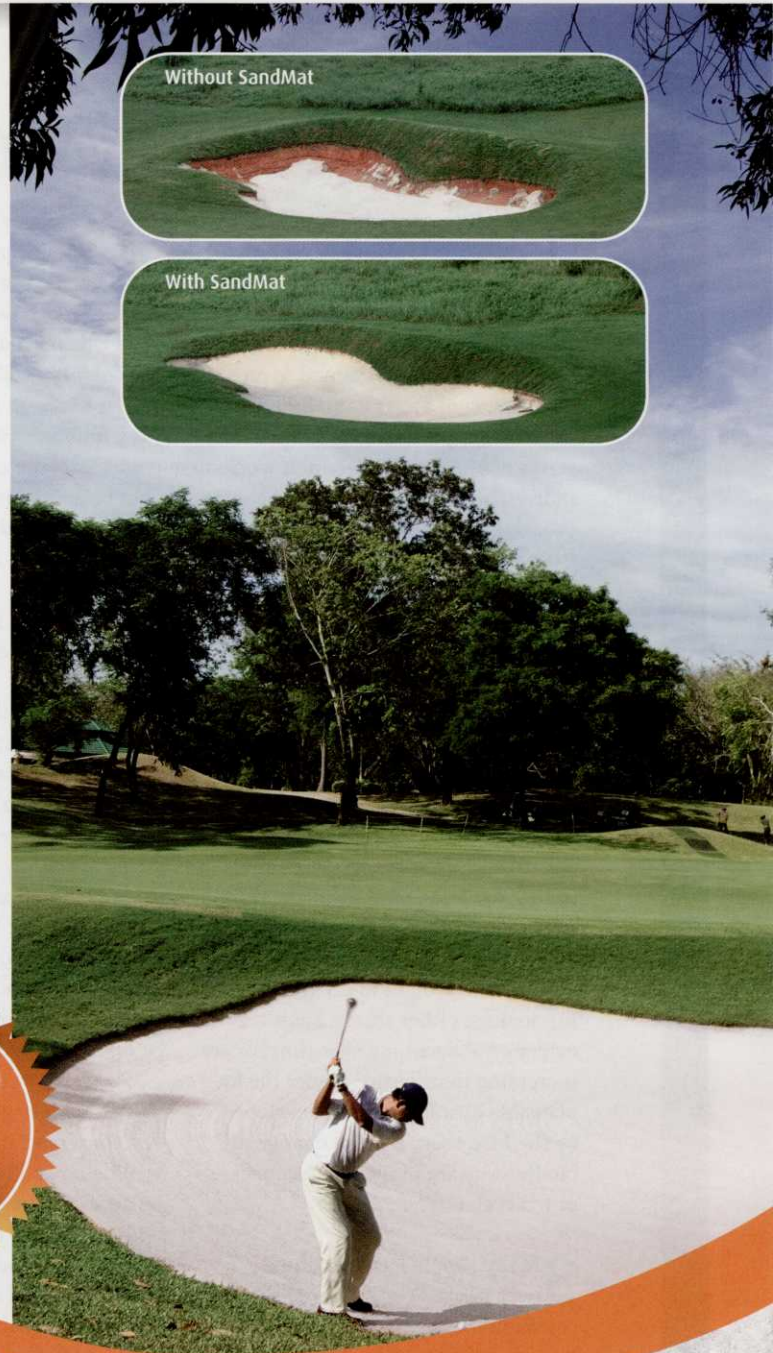
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BECOME CONSERVATION MANAGERS

The Millennium Ecosystem Assessment (MA) was carried out between 2001 and 2005 to assess the consequences of ecosystem change and to analyze ways to enhance the conservation and sustainable use of ecosystems and their contributions to our wellbeing. The MA responded to information requests received through the Convention on Biological Diversity and other international conventions and is designed to meet the needs of other stakeholders, including business, civil society, and indigenous peoples. It has been nearly 8 years since the MA was produced and distributed. The key findings still hold true, only the status of biological diversity is worse than it was a decade ago. While working on individual sites – such as a golf course – might be a fine idea, this site-by-site approach is not getting the job done. We must link individual landscapes and work from a regional perspective. Here is a summary of the MA 2005 findings.

1 Biodiversity benefits people through more than just its contribution to material welfare and livelihoods. Biodiversity contributes to security, resiliency, social relations, health, and freedom of choices.

2 Biodiversity changes due to human activities were more rapid in the past 50 years than at any time in human history, and the drivers of change that cause biodiversity loss and lead to changes in ecosystem services are either steady, show no evidence of declining over time, or are increasing in intensity. Under the four plausible future scenarios developed by the MA, these rates of change in biodiversity are projected to continue, or to accelerate.

3 Many people have benefited over the last century from the conversion of natural ecosystems to human-dominated ecosystems and from the exploitation of biodiversity. At the same time, these gains have been achieved at growing costs in the form of losses in biodiversity, degradation of many ecosystem services, and the exacerbation of poverty for other groups of people.

4 The most important direct drivers of biodiversity loss and ecosystem service changes are habitat change,

climate change, invasive species, over exploitation, and pollution.

5 Improved valuation techniques and information on ecosystem services demonstrate that although many individuals benefit from biodiversity loss and ecosystem change, the costs borne by society of such changes are often higher. Even in instances where benefit and cost knowledge is incomplete, the precautionary approach may be warranted when the costs associated with ecosystem changes may be high or the changes irreversible.

6 To achieve greater biodiversity conservation to improve human well-being and reduce poverty, it will be necessary to strengthen response options that are designed with the conservation and sustainable use of biodiversity and ecosystem services as the primary goal. These responses will not be sufficient, however, unless the indirect and direct drivers of change are addressed and the enabling conditions for implementation of the full suite of responses are established.

7 Trade-offs between achieving the 2015 targets of the Millennium Development Goals and the 2010 target of reducing biodiversity loss are likely, although there are many potential synergies between the various

internationally agreed targets relating to biodiversity, environmental sustainability, and development. Coordinated implementation of these goals would allow the consideration of trade-offs and synergies.

8 An unprecedented effort would be needed to achieve by 2010 a reduction in the rate of biodiversity loss at all levels. (*This goal was not met.*)

9 Short-term goals and targets are not sufficient for the conservation and sustainable use of biodiversity and ecosystems. Given the characteristic response times for political, socioeconomic and ecological systems, longer-term goals and targets are needed to guide policy and actions.

10 Improved capability to predict the consequences of changes in drivers for biodiversity, ecosystem functioning, and ecosystem services, together with improved measures of biodiversity, would aid decision-making at all levels.

11 Science can ensure that decisions are made with the best available information, but ultimately the future of biodiversity will be determined by society.

So, what does this mean for superintendents? It means we need to walk the walk of conservation management for the good of the individual courses we are responsible for, and we must see beyond our individual borders and encourage golf outsiders to follow our lead. We must think about watersheds and all the various land uses within that region and make connections with the people, companies and municipalities who manage them.

This will be great for the game of golf, but critical to the future of our environment. **GCI**

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“The effluent is clean by most standards, but we are a little concerned about sodium, chloride and bicarbonates.”

— Rick Owens, Laurel Hill Golf Club

by David McPherson

Laurel Hill Golf Club really doesn't care what side of the political fence you're on. The golf club in northern Virginia recently tapped into the Norman M. Cole Jr. Pollution Control Plant Water Reuse project – part of the federal aid program and coordinated with and permitted by, the Virginia Department of Environmental Quality and other local agencies; it is also partially funded through the American Recovery and Reinvestment Act. This hefty H₂O handout was a government gift the six-year-old course in Fairfax County, Va. could not refuse.

With water conservation top of mind in Washington and water levels in the nearby Potomac River and Chesapeake Bay an issue, this project was a win-win for everyone. It was good for the environment, good for the County, good for the federal government, and most importantly good for the golf club as it gets a relatively clean water source at 75 percent of what they were previously paying.

“The water authority gets credit for not dumping into the Potomac River and eventually the Chesapeake Bay as everyone is very concerned about the health of the Bay,” says Laurel Hill Superintendent Rick Owens. “We knew we weren't going to have enough water from the get-go since the irrigation lake we had is not big enough and permit issues prevented it from being enlarged. So this project is a very good thing for us.

“You can debate the political merits of the [government's] stimulus package all you want, but as a county-owned golf course, we didn't have to pay for that effluent line coming our way, other than a few expenses to hook it up ... so it was a windfall.”

While the summer of 2012 is the first full season the course has used effluent water, results of extensive testing have already shown no ill effects.

“The effluent is clean by most standards, but we are a little concerned about sodium, chloride and bicarbonates,” Owens says. “It is also written into the contract that the County will pay for us to buy gypsum if needed, which helps precipitate out the salt. For example, if we buy \$10,000 in

gypsum that comes off the top of our water bill.”

Laurel Hill Golf receives the effluent via an eight-inch line coming from the water treatment plant, which is located about five miles away. The line dumps the reclaimed water into the club’s wet well in its pumping station. The wet well has a check valve going out into the lake, so water can’t go out into the lake.

“It operates on a sensor,” Owens explains. “If we get down to a low level in our pond, then the reclaimed water starts dumping into the wet well and another valve ensures we don’t pull water out of the pond anymore. Reversely, we can shut off the flow of effluent if we have enough lake water.”

With a dry summer, the lake level is way down; Owens says

odds are they will use mostly reclaimed water for the rest of this season. The Water Reuse Project will provide up to 24 million gallons of treated reclaimed/reused water to irrigate not only the golf course, but also the baseball field at Lower Potomac Park. According to Owens, there is no chance this water source will dry up anytime soon.

“There will always be plenty of water,” he added. “It’s a treatment facility for Fairfax County, which has one million people and is steadily growing, so I don’t think that will be an issue.”

While many clubs consider switching to effluent water for the environmental savings alone, the set-up costs are often an issue and an expense too great to overcome. Just ask Doug Heinrichs.

Catching up with Heinrichs,

CGCS, at Montreux Golf & Country Club (the host of the PGA TOUR’s Reno-Tahoe Open) he says water management is one of his biggest challenges. Since Montreux sits close to 6,000 feet above sea level, all their irrigation water comes from a nearby mountainside creek. A mild winter that saw only four to five inches of snowfall compared to an annual average of six to ten feet, and the creek is at the lowest level he has ever seen in his 14 years at the Jack Nicklaus-designed course.

“I haven’t had to cut back to the point where we are losing turf, but I’ve had to be more prudent than ever this year managing our water,” Heinrichs says.

Faced with this lack of water, is effluent an option the seasoned superintendent would consider

in the future?

“We looked at it a few years back, but it’s not cheap to convert to effluent,” he commented. “We are at nearly 6,000 feet so you have to get the effluent up here ... that alone is very expensive. If it was readily available next door, it might be a different story. People think effluent water is free ... it certainly is not.”

Getting back to Owens, luckily for him, the effluent was almost free. There were no installation costs for putting the line in other than a few incidental expenses. While this is the first summer the club has been irrigating with reclaimed water, the superintendent is already seeing significant savings.

“For the water treatment plant our cost is 75 cents on the dollar for what we were previously pay-

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ing for the treated water,” Owens says. “In a dry year, we can easily buy more than \$100,000 of water, so right there that’s a \$25,000 savings.”

EFFLUENT EVERYWHERE IN THE SUNSHINE STATE. Kevin Sunderman, superintendent at Isla del Sol Yacht & Country Club in St. Petersburg, Fla. is also a fan of using effluent water. He has no choice since that’s the only irrigation source he’s had available at the trio of courses in the Sunshine State where he’s worked for the past decade.

Because reclaimed water is all he’s used lately, Sunderman says it’s hard to compare the costs of reclaimed water versus other water sources. With no irrigation lake, well, or potable source available, Isla del Sol sources its

water directly from the city’s treatment plant.

“We have pumps that boost up the pressure for use on the golf course,” he explains. “The lakes are not an option because we are on Barrier Island, so we would have a lot of salt content in our lake water.”

Avoiding a water source high in salinity is one of the main reasons Sunderman says they use effluent. Overall, the quality of their reclaimed water is good, but it varies week-to-week.

“It has a lot to do with how much it rains and how many people in the area are using their supply because in the wintertime there are a lot more people here flushing toilets, etc. While in the summer, there are not as many people here, so it doesn’t have as much impact on our supply.”

Bicarbonates and salts are the two major issues the course faces when it comes to the quality of the reclaimed water. To combat this, they flush their soils with gypsum and spray the course with other flushing agents to knock the sodium off. The course also get traces of nitrogen build up from time to time in their effluent water – about a pound of nitrogen per 1,000 square-feet of turf in a year.

Sunderman says they pay approximately \$30,000 per year for their effluent water, plus an additional \$5,000 to treat the soils.

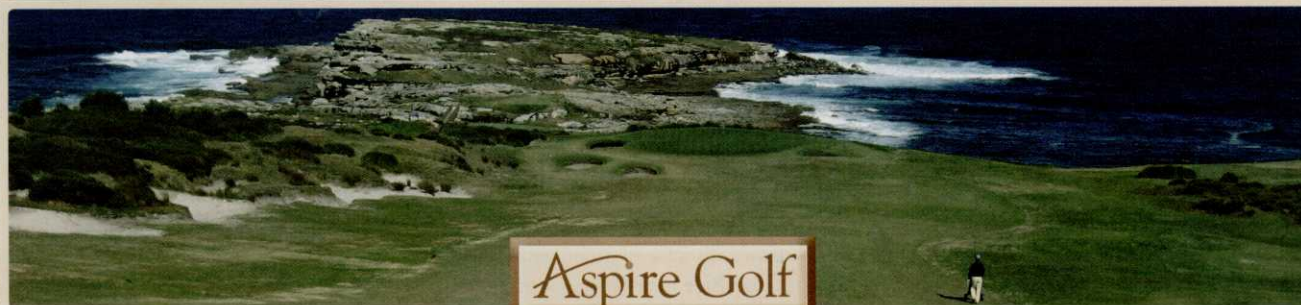
“The cost is better than spending nothing and not getting any water, so we are lucky to have that option,” he says. “Potable water would be much more and we would have restrictions on our use. If you don’t have a water

source, or if it is an unreliable source, effluent is a great option. Certainly, in terms of the environment, probably a better option than if you are getting potable water from lakes. We only have so much good water to go around on this planet.” **GCI**

David McPherson is a Toronto-based freelance writer and frequent GCI contributor.

For more online

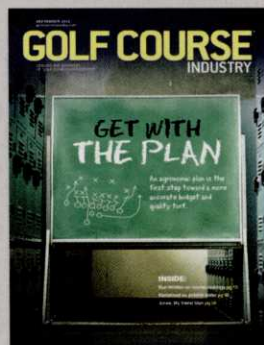
For an outline of the costs and maintenance practices necessary to manage reclaimed water, enter bit.ly/RYP35d into your Web browser for article published in the Green Section Record: “A Step-By-Step Guide For Using Recycled Water,” authored by USGA agronomist Pat Gross.



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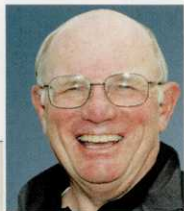
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Monroe Miller is a retired golf course superintendent. He spent 36 years as superintendent at Blackhawk Country Club in Madison, Wis. Miller can be reached at groots@charter.net.

MY PILGRIMAGE TO ST. ANDREWS

It was 30 years in the making – a pilgrimage to Europe to visit the home of my ancestors.

This was the summer. My 42-year-old daughter – a language teacher who lived in Europe for two years -- joined us to serve as our driver and tour guide. This allowed Cheryl, my wife, and me to focus on our core mission – genealogy.

And it was a success. We visited the Foulis Castle near Inverness, Scotland, the ancestral home of the Clan Munro (where my first name comes from). We spent three days in St. Andrews, Scotland. Those days were, in a way, part of our genealogy effort. I left St. Andrews with a keen sense of the profession that was mine for 40 years. Really, it was an opportunity to get close to Old Tom Morris.

St. Andrews is a small town, medieval in appearance, and easy to walk. We stayed at the Albany House hotel, right across from St. Andrews University, the place where Prince William met Kate and the institution he calls his alma mater. The walk to the golf courses on one end of town was short, and on the other end the Cathedral, the St. Andrews Castle, St. Rule's Tower, the cemetery and the museums were even closer.

We spent hours at the British Golf Museum and were welcomed by the same statue of Old Tom Morris that welcomes you to GCSAA's Lawrence, Kan. headquarters. Museum admission is free on Sundays, the same day the Old Course is closed and filled with walkers enjoying it as a park. We walked the Old Course backwards and learned a lot.

For example, I understand now how it is possible for 18 holes of golf to have only 11 greens. The double greens are enormous! I paced a couple of them and roughly calculated the areas at just under an acre. Imagine

mowing straight lines over those lengths. I was expecting all fescue grasses, but I saw a lot of *Poa annua*. No surprise – it was cool and rainy and wet while we were there. The courses were a little greener than I expected, likely due to the weather. During our visit, we only experienced one day above 70 degrees.

It was fun chatting with crew members who were working and mowing on Sunday. Everyone was friendly, a common trait of the Scottish people.

We sandwiched our trip before the London Olympics and after Queen Elizabeth's Diamond Jubilee celebration. To celebrate Victoria's Diamond Jubilee, St. Andrews opened its third course in 1897 and named it "The

...I understand now how it is possible for 18 holes of golf to have only 11 greens.

Jubilee Course." I wanted to see it for that reason, and because Gordon Moir, St. Andrews' director of greenkeeping, has his office near there. Gordon was a wonderful host, friendly and a great conversationalist. Mindful of his hectic schedule, I took a few minutes to tour his shop and to introduce him to my wife and daughter.

We took time to see The Himalayas Putting Green, which I'd read about any number of times. Tom Morris built it in 1866 and you really have to see it to believe it. I would have liked to give it a try, but to play it you have to be a member of the St. Andrews Ladies' Putting Club.

The Road Hole (17) merited two trips back and forth. We did the same with the home hole. We were surprised that the Old Course hotel was located where it is; you get a different perspective when you actually are visiting a place. It's owned by the Kohler

Company, no stranger to golf and the hospitality industry in Wisconsin. We posed for pictures on the Swilcan Bridge and then headed off to learn more about Old Tom Morris.

My library has only eight books about Old Tom Morris, and three are duplicates by different publishers. The best is the most recent: David Malcolm and Peter Crabtree's magnum opus, "Tom Morris of St. Andrews – the Colossus of Golf 1821 – 1908." From reading and rereading the books and supplementing them with journal articles I found over the years, I had a lot of facts about this durable and amazing man. However, standing in his shop (his great-great granddaughter lives above the shop yet today),

pausing in front of his home for so many years and seeing the house on North Street where he was born, the facts I had took on much greater meaning. I leaned on the fence along the 18th hole and watched the world go by in the same way he watched players finish their rounds of golf. We saw St. Mary's Church where his funeral was held, and we spent some quiet time at his grave, humbled to be so close to him in a physical way.

As we traveled through Scotland we'd stop at courses that were designed by Old Tom. That also amplified to me his expansive influence on the game and the talent he had and so humbly expressed.

For me, I felt a sense of closure or finality in my desire to learn as much as possible about the man who we give tribute as the father of our profession. And he was quite a man. **GCI**