Turfgrass Matters

April 1992, vol. 45, no. 2

Mid-Atlantic Golf Course Superintendents Newsletter

John Haley and WestWinds to host April 14 meeting

John Haley, superintendent of WestWinds CC in Frederick, welcomes MAAGCS members to the April golf outing. The dinner meeting will be at nearby Ceresville Mansion.

Although WestWinds was built in 1970, the last two years have seen major changes in this 18-hole championship course. Twenty-four new tees have been put in, and 15 sand traps have been rebuilt. John, his assistant Brian Zickafoose, and their crew have also done extensive drainage work on two holes. In addition, they have removed a number of trees and elevated 1200 others.

When John became superintendent in April of 1990, construction of residences for this planned community was just underway. Within a year and a half, the company installed 60 percent of its roads, many of which went right through the golf course. Along with the roads went lines for water, sewer and electricity.

"This required major rerouting," says John. "When I got here, the construction people were pretty much doing their own thing, so you quickly learned how to protect yourself from too much damage. There were no as-builts as to where the irrigation was. We had to find out through irrigation breaks, by guessing and by piecing things together-like a jigsaw puzzle. It was nightmarish for a while. We had no water the first year until June 1; we had to water by trucks. Even after the system was finally turned on, it wasn't automated until July.



John Haley shows his turf to golfing legend Billy Casper during one of Billy's visits to WestWinds.

We've all learned about five years worth of information in about two years."

Upcoming projects include tee-to-green continuous cart paths slated for construction this spring—this may be underway before the April meeting—and the start of a proposed three-year, \$90,000 master landscaping plan.

WestWinds is a privately owned facility with approximately 400 members who come from as far as Washington and Baltimore to play golf and/or tennis. Plans call for 400 upscale homes interspersed around the course. Originally designed by William Mitchell, the course is now managed by Billy Casper Design and Management company.

The course measures 6,482 from the blue tees. Greens are bent and poa; fairways and tees are ryegrass. They are mowed at 5/32" and 5/8" respectively.

John, a native of Potomac, earned a degree in business and finance at Mount St. Mary's College in Emmitsburg, Md. and a turf degree from Maryland University. Before coming to WestWinds, he assisted at Lakewood and Burning Tree Country Clubs. Time for his favorite extracurricular activities, golf and skiing—both snow and water skiing—may be trimmed a little next August because he and his wife Stephanie are expecting their first child.

SPERINTENDEN

Because the club does not yet have dining facilities to accommodate a group the size of MAAGCS, the evening meeting will be at Ceresville Mansion. **Directions.** Washington to WestWinds : I-270 N to Frederick, take Rt. 85 N to connect with I-70 E. Note "I-70 Truck Stop." Follow 70 E signs on left. Take 70 E toward Baltimore about 10 miles. **Take 75 N toward Libertytown about 3 miles. Left onto Central Church Road. Right on Gas House Pike. At top of hill, make left into WestWinds.

Baltimore to West Winds: 70 W. toward Frederick. Follow from * *above .

Washington to Ceresville Mansion: 270 N to Frederick. I-270 turns into 15 N (Gettysburg). **Take 15 N to Rt 26 to Libertytown. Cross Monocacy River Bridge. The Mansion is 100 yds on right.

Baltimore to Ceresville Mansion: 70 W to 15 N (Gettysburg). Follow from ** above.

WestWinds to Ceresville Mansion: Left out of club entrance, go 2..4 miles. Go right on McKaig Rd., go 1.2 miles, left onto Rt. 26, note High's on right, go 2.1 miles. Left into Ceresville Mansion before the 1st light..

Attention! New Dinner Reservation number: 301-490-6202

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© 1992 MAAGCS Editors: Betty C. Ford, 301-384-9666; fax: 301-384-4683; Marilyn Dorfman, 410-730-5877 Advertising: Rhys Arthur 301-871-0365 Published 10 times a year. Submissions welcome. Send information to MAAGCS, 12704 Rigdale Terrace, Silver Spring, MD 20904.

Shields Tourney

The 13th Annual Ray Shields Memorial Golf Tournament will be at Glenn Dale Country Club on May 8. It benefits the Turfgrass and Golf Course Management program at the U of M Institute of Applied Agriculture. If you are interested in participating as a player, tournament sponsor, or in donating door prizes please contact Kevin Mathias, 301-405-4692.

Legacy Awards

GCSAA Legacy Awards are available for children of GCSAA members. Call Lou Rudinski for application forms. Deadline is May 15.

PRESIDENT'S MESSAGE

My thanks to our co-hosts for the March meeting, Lee Carroll and Mitch Williams. Both men went out of their way to accommodate us.



I would like to use this month's President's Message to report on some of the activities of your Board that are outside its normal responsibilities:

✓ I am pleased to report that the MAAGCS has a new office arrangement. As many of you know, for the past eight years we were granted some space with the MAPGA. As both associations have grown, we had the need for space of our own. More details are in the article on page 8.

✓ In January we voted to join two important pesticide policy activist organizations, the Coalition for Sensible Pesticide Policy and the Maryland Alliance for the Responsible Regulation of Pesticides. A contribution was made to the MARRP. In addition, at least one Board member has attended each meeting of the Governor's Council on Pesticides. We hope to continue supporting those groups working on our behalf to educate lawmakers and the public as to the benefits of golf courses.

I look forward to seeing you at WestWinds on the 14th!

Ken Ingram CGCS President, MAAGCS

Area 410

MAAGCS members whose area code has changed to 410 must inform Rhys Arthur, 301-871-0365 (leave message) in order to be properly listed in the 1992 directory.

Also, be sure to up-date your dues renewal information for National for their 1992 directory.

GOLF NOTES

Golf activity at Northwest Park, our first meeting site of 1992, was slow due to the prediction of foul weather. Although our competition finally did get rained out, we had 14 players who braved the elements. Winners were: 1st low net, Ken Braun; 2nd low net, Glenn Smickly.

April's meeting at WestWinds CC will be a net and gross tournament. Members and guests may tee off from 11:00 a.m. till 1:00 p.m. Cart fees will be \$11/person; tournament fee will be \$5/person. Limited shower facilities available.

Again I would like to thank Lee Carroll and his staff at Northwest Park GC for their hospitality and hard work!

> Bill Shirk, CGCS Golf Chairman, MAAGCS

Attention CEU Seekers

by Dean M. Graves, MAAGCS Education Chairman Effective July 1, 1992 no Continuing Education Units (CEUs) will be awarded for a seminar/ educational talk that is shorter than five hours and that does not have a pre-approved written test involved with the session. The logic of this, according to the GCSAA, is that a test will measure the amount of learning that has occurred. In the past, only attendance has been needed for CEUs during local association meetings.

How will this effect CEU seeker in the future? (1) No CEUs for monthly MAAGCS meetings, and (2) no CEUs for local seminars unless a pre-approved test is submitted and the attendee passes the test.

The MAAGCS Board is contemplating a one-day winter seminar that would be solely dedicated to the golf course superintendents needs. This seminar would be eligible for CEUs. More on that later.

RHYS'S PIECES

O Tom Mynaugh, former assistant at Manor Country Club, is now superintendent at the Walden Golf Course. Best wishes Tom!

O Bob and Donna Miller are grandparents again. Bob's daughter Debbie presented them with a 7-lb., 10-oz. granddaughter Jessica Leona Sergi on February 24. Congratulations!

O Russ Bull, formerly at G.L. Cornell is now at N. J. Richardson & Sons, Inc.

O Mark Merrick has announced

that Ladies Night will be held this year on the Spirit of Baltimore Cruise Ship, which will depart out of Baltimore City on Sat., Oct. 10, 7:00 - 10:00. Look for more information on Ladies Night in future *Turfgrass Matters*.

O Last month's issue of this newsletter incorrectly reported that nonresident member Joel Ratcliff won low net in his flight at the National Championship. Actually, Joel won low gross, and is not the sandbagger most of you think he is.



The Western Section of the MAAGCS played at Cochise Golf Course in Scottsdale, Ariz. in February. Present were (I-r) Virgil Robinson, host, Desert Mountain Courses; Bill Black, Congressional CC; Tom Regan, Ariz. State's Karstan GC; Bill Emerson, Paradise Valley CC

1992 Legislative Update

by Mark Schlossberg, Pro-Lawn Plus, Inc. There are several bills in the Maryland Legislature this spring that would have an effect on the turfgrass industry in the state. The Maryland Alliance for the Responsible Regulation of Pesticides (MARRP) has been working to get our industry's viewpoints known to the legislators. We have hired Jim Doyle, who has been a lobbyist in Annapolis for over 20 years, to represent us.

Following is a list of the bills that affect us and their status as of March 6, 1992:

HB 762/SB 549 - Pesticides - Uniform Regulation. This bill would preempt local jurisdictions from enacting their own pesticide regulations. We are obviously for this bill. As of March 6, the bills had hearings in the House and Senate. However, the Prince George's and Montgomery County delegations are strongly against this bill. We feel we probably can get the bill passed, but we may need to compromise to accomplish that.

HB 655 - Fertilizer and Pesticide Tax - State Water Protection. This bill would have established an 8% tax on all non-agricultural fertilizer and pesticide sales and use to establish a state water protection program. Turf is considered non-agricultural in this bill. The hearing was on February 19 and, as of this writing, it was not voted on. However, we feel we made strong arguments on the damage this tax would do to Maryland business. Basically, we could buy our materials from out-of-state suppliers and avoid the tax because taxing the "use" would be difficult to enforce. We hope to receive an unfavorable report on this bill.

SB 571 - Clean Bay and Groundwater Protection - Fertilizer and Pesticide Tax. This bill would establish a 2% tax on all fertilizer and pesticide sales Continued on page 4



and use in Maryland to set up Bay protection fund. A hearing was held on March 2. We feel that this bill will probably be given an unfavorable report. A major hydroseeders and grounds maintenance business reason is the uncertainty over the overall changes in the tax structure—so introducing a special interest tax such as this in 1992 is unlikely.

now. Thus, legislators and environmental groups look register your opinion.

at us as a target. I strongly feel that the entire industry including golf courses, sod producers, lawn care, must be organized politically and fight for our interest. We must get our message out. It is important that you call your delegates and senators at 410-I believe the turfgrass industry is in the public eye 841-3000 (Baltimore) or 202-858-3000 (Washington) to

Pesticide Perceptions

As an example of the bad perception that the media shows toward our industry, the following article submitted by Lary Ott is from the New Orleans Times Picayune on February 15. It "reports" on the Friday meeting of the GCSAA Conference on Environmental **Issues:**

"Golf-course greens might be a little less so in the future, thanks to tougher regulation of the pesticides golf course superintendents use to help keep them that way," a pesticides expert said Friday.

Jay Feldman, coordinator of the national Coalition Against the Misuse of Pesticides, told the greenskeepers meeting at the New Orleans Convention Center that they'd better start replacing their select grasses with less spectacular but hardier local varieties that don't require intensive chemical treatment to kill chomping bugs and wilting fungi. Murmurs among the crowd of more than 1,000 members of the Golf Course Superintendents Association of America showed they were not pleased with the message.

Victor Kimm of the federal EPA said that a federal law requiring manufacturers to prove existing pesticides aren't harmful probably will lead to many being taken off the shelves, including several that are popular on golf courses.

Kimm explained a key concern relates to the contamination of groundwater by pesticides that is being found throughout the country. While in many cases the problem is chemicals used in agriculture, golf courses also can be to blame.

Feldman urged the greenskeepers to do their own research to determine how risky chemicals were. He said he didn't expect them to throw away their pesticides immediately. Rather, he suggested they phase out pesticide use, replacing it with less toxic pest management programs and by careful selection of bug and fungus-resistant grasses.

Obviously the article is misleading and judgmental. Its use of phrases such as "chomping bugs and wilting fungi," and the term "greenskeeper" shows some of the limits of the writer. The writer assigns more authority to Mr. Feldman's comments than they perhaps deserve. He also fails to mention the

third speaker at the session, John Stossell, a reporter from the ABC network, who approached the pesticide issue as one of risk versus benefit, and who also discussed allowing the free marketplace to determine the limits of pesticide use.

For those of you who were there, is this how you would have reported the session?





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Contract Protection—What is Included

In the first of this three-part series, I attempted to discuss the overall import of a written contract with club owners and management. In this segment, I will attempt to highlight the types of contractual provisions which would customarily be incorporated in any employment contract document.

In any discussion involving employment agreements, it is important to recognize the critical points to be addressed. Initially, the first concern is to specifically identify the name and capacity of the employer. This seemingly obvious component often results in the inability of an employee to seek relief against an employee to seek relief against an employer who has breached a contractual agreement. The name of the employer and its corporate existence should be included.

Secondly, the term of the agreement should be clearly spelled out. Some agreements are for a term of years, while others are effectively "at will." Care should be exercised by any party to a contract or will, especially where a contract specifically denotes a specified term while at the same time indicating that the contract may be terminated by either party upon notice given. The effect of such a provision is to nullify the operation of the term of years and to cut short the term of the contract as stated in the termination provision.

A third consideration should address the specific duties and responsibilities imposed on both parties under the contract. Under the duties and responsibilities provision, an employee should be properly advised of the scope and limitation of the duties and responsibilities imparted to him/her so that an employer cannot exact a

by Bruce Marcus

greater level of employment accountability than that which was originally contemplated by the parties at the time that negotiations took place.

Termination provisions should be included in a contract. Essentially, there are two forms of termination provisions. The first is dealing with a termination "with cause" and a second type of termination provision which is generally referred to as "without cause." Termination "without cause" effectively allows either party to be relieved of further contractual liability upon notice given to the other party. As indicated above, contracts which are terminable "at will" are effectively the contracts without a specific duration. Contracts which are terminable "at will" should be avoided at all costs. Conversely, contracts which are terminable "for cause" also have certain pitfalls but are generally more acceptable to employees. The problematic portion of "for cause" termination provisions, is the definition of "for cause." Such things as dishonesty, theft, illegal conduct, and other social deviations are generally considered within the purview of "with cause" termination.

However, such things as conduct which is perceived to be unbecoming a professional, may also be included as the basis for termination under a "for cause" termination provision. The difficulty with this type of amorphous and undefined type of provision is the applicable standard to be applied by a reviewing body in determining whether or not a person's conduct is "unbecoming." These types of interpretations cause great problems and unquestionably foster disagreements and potential lawsuits in the interpretation and application of such provisions.

The next area is possibly the most difficult one to negotiate, possibly the least important in many instances, and the least important in the overall scheme. and yet the most immediate concern for both parties. The question of compensation, prerequisites and related benefits is the area on which most parties to contracts focus. In the area of compensation et al., there are a number of specific issues. Wages, salary, disability insurance and/or benefits, health benefits, vacation, sick leave, clothing allowance, automobile allowance, cellular phone, educational opportunities, retirement benefits, club playing privileges and club utilization for the employee and family, food allowances, bonuses, and other forms of economic and noneconomic benefits.

As I indicated during my lecture, there are no "standard" contracts. Each club and/or owner has established certain perimeters for itself based on want, need and ability to provide contractual benefits to its employees. To the extent that individuals have the ability to negotiate higher compensation levels, these issues most often are driven not so much by the ability of an individual to negotiate but by the financial realities which confront each club. In assessing the types of benefits and compensation which an employee seeks, the tax consequences of compensation need

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also be addressed as there are a number of acceptable methods to reduce federal and state income tax liability while effectively increasing income.

In the last of this three-part series, I will discuss negotiating strategies. In closing, I would strongly urge all members to address the issue of employment agreements with their clubs and simultaneously propose that the association as a body, take a stand which will allow individual members the ability to represent to the clubs and/or owners that the association to which they belong has imposed as a benefit to its members, a proposed employment agreement similar to that used by Professional Golfers Association of America. The analogy of the PGA contract provision will not be new to most clubs and as such, a relation may prove to facilitate the use of written agreements by members. of the Association and their employers.



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New Office for the MAAGCS

Beginning April 1, 1992 the MAAGCS will move from our current office arrangement with the Mid-Atlantic Section of the PGA into a nearby office suite at 9101 Guilford Road, Columbia, Md. 21046. Our phone number will change to **410-490-6202**.

Our new office is part of an office suite called Executive Office Link. We have all the services we need such as telephone, mail, secretarial and reception, and a conference room for Board meetings.

We would like to thank the MAPGA for allowing us to share its office for the past eight years. It provided us with a permanent address and telephone for the first time, and was a convenient meeting site before their board room was subdivided into offices. Our association has grown as well and it was time to have our own office. We hoped to find an Annapolis location which is our geographic center but were unsuccessful. The Columbia location is very convenient and fits our needs very well.

MAAGCS Awards 1992 Scholarships

by Dean Graves, MAAGCS Education Chairman Our Association has given \$5,000 in scholarships for the 1992 school year. Eight deserving students received \$625 each. Seven of the students are attending the University of Maryland's Bachelor of Science or Associate Degree programs. One recipient is enrolled in the Rutger's program of Professional Turf. Most of the students have changed their professions or education processes to attend their respective program. Student ages range from nineteen to late their thirties.

Our honored recipients are: Michael Augustin, Ed Brown, Ryland Owen Chapman, David Anthony D'Orazio, Harry Harshman, Mark Kingora, John Pollaro, David Smith.

The Board of Directors feels it is vital for our association to help promote prospective superintendents in their education process. Again, scholarship applications should be received by the association by September 15 for the 1993 school year. Any student academically studying turf under a MAAGCS member is eligible.

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