

American Sod Producers Association

ISSUE HIGHLIGHTS

DISABILITIES ACT BROADENS to include firms with 15 or more workers, thus effecting more sod farms (P.1)

OKLAHOMA TAX LAW defines turfgrass sod production as an agricultural activity. (P.1)

TRUCKING SAFETY TIPS lights and courtesy is good business and good for business. (P.1)

LOW AD RATES FOR MEMBERS in "Landscape Architect & Specifier News" magazine provides cost-effective way for four-color ads. (P. 2)

BUSINESS READERS go to sports first, making it a great place for sod-selling ads. (P. 2)

ASPA RESPONDS TO ARTICLES provide by members on turf topics, sharing scientific information. (P.2)

TAKING CARE OF BUSINESS and MEMBER MARKETING TIP address two sides of credit terms (P.3)

DELAY OSHA, PAY THE PRICE is the expensive lesson learned, even when you're within your rights. (P.3)

PRICING A BUSINESS, FAIRLY can be accomplished between partners who use "Texas Showdown." (P. 3)

MEMBER RENEWAL DEADLINE rapidly approaching for 1994-95 (P.4)

ASPA ACTIONS focus on sod's gains in wetlands and crop insurance; '95 Midwinter Conference and possible anti-discrimination workshop. (P.4)

Turf Resource Center

Refer your local media to ASPA's Turfgrass Resource Center for scientific information about the benefits of turfgrass and sod.

Suggest that they call **800/405-TURF** 8:30 am - 5 pm, Monday through Friday for immediate assistance.

Disabilities Law To Impact More Businesses As Threshold Drops To 15 Or More Employees

As of July 26, any firm with 15 or more employees came under the American's with Disabilities Act (ADA), thus including more turfgrass sod farms than under the previous threshold of 25 or more workers. Firms with 1 to 14 employees remain exempt from these job-bias rules.

Under the 1992 law, it is illegal for a company to hire or fire or refuse to hire anyone because that person has a disability, unless that disability would prevent the individual from performing the basic functions of the job. The law also requires that employers must make reasonable efforts to improve access or otherwise accommodate a worker who uses a wheelchair, requires telecommunications assistance or has other needs.

According to the law, employers must decide whether a disabled job candidate is qualified by distinguishing between job functions that are essential and those that are peripheral. Most experts agree that carefully and accurately written job de-

scriptions, prepared well before the job vacancy is announced is preferable. One attorney has said, "you're going to be in a tough position to prove something was an essential function if you haven't got it listed in the job description."

More than 25,000 law suits have been filed with the Equal Employment Opportunity Commission for ADA enforcement. The penalties can be severe if proper actions aren't taken in advance of a discrimination claim being filed.

Information about implementing practices to meet the ADA requirements can be obtained from numerous sources including: U.S. Equal Employment Opportunity Commission, 800/669-EEOC; The President's Committee On Employment of People With Disabilities, 202/376-6200 or the Job Accommodation Network at 800/232-9675. Nongovernment organizations that also offer assistance would include Goodwill Industries and the National Easter Seal Society.

Oklahoma Exempts Sod From Sales Tax

At least in the state of Oklahoma, there is no longer a question about turfgrass sod farms being agricultural operations when it comes to the state's sales tax code. An amendment, sought for several years by the state's turf producers, specifies that "the term 'farm,' 'farming,' 'farming operation,' 'agricultural production' and 'production of agricultural products' shall be deemed to include the planting, growing, cultivation and harvesting of shrubs, flowers, trees and other plants for sale in the wholesale division of a nursery operation and the planting, growing, cultivation and harvesting of sod by commercial growers of sod." The law could serve as a model for other states who now have confusing statutes.

TRUCK SAFETY TIP: Be Noticed, Be Courteous

Anytime a truck with your company's name on it leaves the farm, it is a billboard, advertising how good or bad your operation is. Insist on every driver doing the following simple things:

1. Keep the truck's headlights on at all times to improve visibility and reduce safety risks.
2. Be known for being courteous by giving other people the space they need to merge into traffic, or to change lanes in heavy traffic.
3. Always know the speed limits and never exceed them.

PR/EDUCATION PROGRAM

Architect magazine offers members Discount advertising rates

"Landscape Architect and Specifier News," (LASN), the independent monthly magazine selected by the ASPA Board to reach landscape project decision-makers, is offering discounted advertising rates to all ASPA members.

For as little as \$750 for the year, members will be able to run a four-color, 50-word ad with a color background in a special section of all 12 issues of the magazine designed for turfgrass sod producers. A full-business card size ad will cost \$1,500 for the year, while a double business card size will be \$3,000.

In selecting LASN for the ASPA ads, the Board was impressed with the publication's circulation and high-level of readership. The monthly magazine goes to more than 16,500 readers across the U.S., with 61 percent identifying themselves as owner, principal or partner. An additional 28 percent are department heads or project managers. Over 13,000 (82 percent) of the readers are landscape architects and specifiers, the professionals responsible for determining not only the design of a project, but the components that will be used on the site. Nearly three-quarters of the readers (71 percent) report that they are responsible for more

than 100 acres of development in any given year.

According to LASN readership surveys, advertisements and product information are rated second and third in importance, following only feature articles. Combining initial circulation with pass-along readership, a total of 46,000 people read the publication each month.

Because LASN architects often work on projects outside of their own office area, they are expected to turn to the publication to help them identify suitable suppliers. A turfgrass sod farm's 12-time advertisement in the magazine is one cost-effective means to make the farm's presence and products known to a nationwide audience of turfgrass specifiers.

ASPA expects to begin running its advertisements in the publication in the fall, following approval of the material by the Marketing Committee. The ad will feature, "Turfgrass: First-Aid For the Earth," and point-out the many environmental benefits of turfgrass and the immediacy of sod.

Additional information about advertising the LASN magazine can be obtained by calling Advertising Sales Manager Chuck Casey at 714/979-5276.

Business Leaders Show Unexpected Reader Habits

Intuition might tell you that to reach presidents and vice presidents of large companies with a newspaper ad, you'd want to have be in the business section because that's what would be read first. Not so, says Eric Yaverbaum, president of Jericho Promotions who surveyed a large number of *Fortune* 1,000 executives.

Nearly a third of the executives reported that the first newspaper section they read is sports. This was followed by lifestyle (21%), front page (18%), horoscope (16%), comics (10%) and business pages (2%).

Given these findings, a turfgrass sod producer wanting to be noticed in a newspaper would be well advised to seek placement in the sports or lifestyle sections. Because of the high percentage of female readership of lifestyle sections, that is probably the best overall segment of a newspaper to contact both decision-making executives and decision-making heads of households.

Most publications are able to sell ad space in a specific section, but there may be slight premiums for placement.

PR Program Relies On Members

ASPA Responds to Negative & Positive Articles

The reach and readership of ASPA's world-wide membership is once again demonstrating the value of combining strengths. With thousands of general and specialized consumer and professional publications, no single person or office can afford either the time or money to review all of them. However, in the ASPA program, individuals are encouraged to make the ASPA office aware of information they come across in their own readings.

Even in its early stages, the ASPA response program is proving effective and

worthwhile. In practically its first month of existence, the effort has generated a wide variety of articles and responses. As an example, the following publications have been contacted by ASPA: Kitchener-Waterloo (Canada) Record; Lethbridge (Canada) Herald; Malcomb (Michigan) Daily; Hartford (Connecticut) Courant; Wall Street Journal. In addition to these newspapers, the following magazines have been contacted: Illinois Landscape Contractor; California Landscaping; Landscape Architect and Specifier News; and Scuba Diving. As a result of member provided items, information on

turf's benefits and attributes also went to the Lake Michigan Inter-League of Women Voters, the City of Novato, CA mayor; the Connecticut Department of Natural Resources and Frank's Nursery and Crafts.

For the program to continue this high level of information exchange, **all members are encouraged to send articles directly to the ASPA office. Be sure to include contact information needed for a complete response such as the a publication's or writer's office address, phone numbers. Faxes are encouraged.**

Taking Care Of Business

By Wayne Thorson, Todd Valley Farm
Mead, Nebraska

CUSTOMER CREDIT SERVICES

One statement I often hear from potential customers is, "I wish I had the money so I could sod the entire yard." This quite often happens when a homeowner is spending several thousand dollars on sod.

To help this situation, we began accepting VISA and MasterCard credit cards this Spring. Most of these charges are over \$1,000, so our rate paid to the bank is 3 percent. Although this is \$30 out of every \$1,000 charged, it has helped increase our sales size, as some customers will pay part cash and then put the balance on their credit card. This enables them to do the entire yard at once.

Another method we have started using is 90 days interest free. This idea came about after visiting with Doug Barberry last Spring and hearing his enthusiasm for it. With this, we have contracted with a financial service (we chose Norwest, but there are others such as AVCO) to handle our accounts. When our customers choose this method, we have them fill out a credit application which is faxed to Norwest. They in turn, send us a check so we have our money and they have a loan which is interest free to the customer if it is paid off within 90 days. If not, they are charged 18 percent interest. The charge to my company for this can be negotiated with the financial institution, but usually it is in the 1 - 3 percent range, depending

on the competition.

A word of caution. One customer asked about the 90 day offer, but indicated he would go ahead and pay cash. When the job was done, he wanted to do the 90 days interest free program, but he hadn't made an application or been approved. He assumed he could change his mind at any time. After some confusion, things worked out, but we learned we have to be very specific about the details of the program to avoid situations like that.

These have been good programs for us. People are so used to using credit, they are offended if you don't offer it. We consider it a marketing tool and feel that sales on credit will be increasing in the future. It's just part of keeping up with the times.

Delaying OSHA Officials Proves Very Costly

Even though you are within your legal rights to insist upon a warrant before permitting an OSHA inspection of your company, such a delay could prove to be very costly, according to Matthew Carmel, an OSHA insider.

Companies that insisted on OSHA inspectors having a properly drawn warrant had 4.6 violations, compared to firms that allowed immediate access who suffered only 2.6 violations. On average, the penalties were higher as well...\$3,224 versus \$1,862.

The moral: be ready all the time!

'Texas Showdown' Method Setting Realistic Buyout Prices

It may not be for the faint of heart, but when business partners want to fix a price to finalize a company buyout, Steven Roth, chairman of CR Management, a Lexington, MA based turnaround adviser, suggests his "Texas Showdown" method might work best.

In this approach, Partner A gets just one chance to make an offer to buy out Partner B. Partner B must either accept the offer, as stated, or make a higher counter offer that Partner A must accept.

While a bit on the extreme side, the basic concept seems sound. In determin-

ing his original offer, Partner A must take into account the option Partner B might choose to make. Thus, the original offer can't be too low and be in Partner A's sole interest. For Partner B, he knows that if the first offer was supposedly fair and reasonable in Partner A's mind, then his obligation to make a higher offer is balanced by the fact that it has to be accepted.

While the "Texas Showdown" method was designed for two current partners, it might also work in other circumstances, such as establishing prices for large orders of turfgrass sod, or any other item, where both parties have an equal interest.

Member Marketing Tip

By Ronald Nixon, Cowikey Turf
Eufaula, Alabama

LIMIT CUSTOMER CREDIT

Try to keep as many sales on a cash basis as possible. With too much credit outstanding with your company, it may become financially beneficial for your customers to purchase their turfgrass sod somewhere else rather than to pay off their account with you.

One way we encourage customers to

keep current with their payments is by giving them a special incentive. We price our sod so that we can afford to deliver it free for customers who meet certain criteria, including have no outstanding balance with our company.

EDITOR'S NOTE: This "Marketing Tip," and Wayne Thorson's column, "Taking Care of Business," show just

how individualized the turfgrass sod industry can be, and actually is.

While Wayne's article encourages the use of credit, he's writing about one-time consumer buyers. Ron's article, on the otherhand, focuses on repeat, wholesale buyers.

Two good ideas that are both right for the people who are using them. Try either, or combine them.

Final Renewal Date Rapidly Approaches

Firms have only until the end of August to renew their 1994-95 ASPA membership. After that date, firms will be deleted from the membership roster and no longer receive many important benefits.

Among the benefits that non-renewing firms will miss-out on would include: listing in the ASPA directory that more and more buyers are using to identify potential sources; bi-monthly issues of "Turf News" magazine and the "Business Management" newsletter; information and materials related to the Public Relations Program and marketing materials. For U.S. Class-A growers, non-renewers will also lose any accumulated accidental death and dismemberment insurance benefits, which can total as much as \$13,000.

Requests for renewal information should be made immediately by calling the ASPA office at 800/405-TURF or 708/705-9898.

**ORLANDO '95
ASPA's Winter
Conference
February 8-10**

ASPA Action

WETLANDS & DISASTER ASSISTANCE INCLUDE TURFGRASS SOD:

Nearly three years of work in Washington, D.C., are starting to payoff, as legislators and administration officials are recognizing the fact that turfgrass sod should receive treatment equal to other agricultural activities when it comes to issues such as wetlands and disaster assistance.

The Senate's Clean Water Bill contains language that recognizes sod farming as an agricultural activity, with language identical to that used by the administration (see April/May newsletter for details). The House is expected to accept very similar language when it takes up the wetlands issue later this session.

On the crop insurance/disaster assistance front, the House Agricultural Subcommittee accepted language jointly developed by ASPA, the American Association of Nurserymen, the Society of American Florists and Iowa's specialty crop growers. Prior to the joint action, only "food and fiber" crops were being considered in new legislation that will overhaul the federal program. Assurances have been received in the Senate that turfgrass sod and other specialty crops will be included.

'95 MIDWINTER CONFERENCE DETAILS COMING IN "TURF NEWS":

Complete details, registration forms and hotel reservation materials will be included in the September/October issue of ASPA's bi-monthly magazine. Because of the popularity of the Hilton Hotel located within the Walt Disney World village of Lake Buena Vista, everyone is encouraged to reserve their hotel rooms as early as possible. The single or double room cost at the Hilton will be just \$148 per night; only eight dollars higher than when ASPA met there five years ago.

The education program's theme will focus on the future, with speakers talking about solutions to today's and tomorrow's problems. In addition to sessions on the agronomics of turfgrass sod production, there will also be sessions on marketing and business management. A large number of exhibitors are also expected because of the record-setting attendance that always turns out for an ASPA meeting in Orlando.

ASPA WORKS WITH NCAE FOR ANTI-DISCRIMINATION WORKSHOP:

Increased Department of Labor and Immigration and Naturalization Service enforcement and extremely large fines are gaining considerable publicity and the attention of agricultural employers everywhere. ASPA is now working with the National Council of Agricultural Employers (NCAE) to determine if a special training workshop on immigration-related unfair employment practices can be held in the near future. **Watch this space and look for mailings to obtain additional details.**

BUSINESS MANAGEMENT

**American Sod Producers Association
1855-A Hicks Road, Rolling Meadows, IL 60008**

FIRST CLASS MAIL

U.S. POSTAGE

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Rolling Meadows, IL 60008

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