

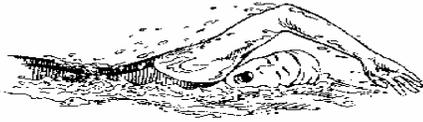


Water Digest

San Diego Chapter

www.Spa.and Pool.org

August 2000



Calendar of Events

Aug 23 - 26	Industry Leadership Conference	San Diego, CA
Aug 25	Deadline for Pool Awards Entries	Carlton Oaks Country Club
Sept 6,7	CPO Course	Novato
Sept 29	San Diego Golf Tournament and Pool Awards Dinner	Carlton Oaks Country Club
Oct 12-14	Pool Industry Expo: Monterey 2000	Monterey, CA.
Nov 8-10	NSPI International Expo & Conference	Orlando, Florida
Feb 8-10	Western Pool & Spa Show: 23rd Annual	Long Beach, CA

PRESIDENTS LETTER

Is it winter yet?

Another record month for the San Diego pool industry! All those years we prayed for it and now we have it. We must be happy. Well... Ask me again in December.

I know that it is a real challenge to hire, train and keep quality workers. We've got to keep standards high. So take care of them. Show them your appreciation! Make them proud to be a part of a dynamic forward looking industry.

One way you can instill pride and reward employee efforts, is by inviting them to the awards dinner. This is our night. The San Diego pool industry truly shines on that one special night each year. Enter your work. Let them rightly feel that they are part of something special. Let them see competitor's work. Let them get ideas for next year.

It could just be the best investment you make this year.

Thanks to the work of all the board members, this year's event is shaping up to be something really special. It could just set the pattern for other chapters to copy.

Thanks to David Hawes for a motivational talk about time management at last month's meeting. The new location, Quality Resorts, turned out to be terrific. I wish we had a few more folks show up. Give it a try. You might just learn something.

See you at the awards dinner

Phil Grider, NSPI San Diego President

San Diego NSPI Board of Directors

	Name	Company	Address (Snail Mail) Address (E-Mail)	Phone Fax Pager/Mobile
PRESIDENT	Phil Grider	The Pool Dentist	1340 Bulrush Court Carlsbad, CA 92009 Phil@pooldentist.com	800-215-7665 760-918-0987 619-994-2475
VICE PRESIDENT	Rick Church	Quality Pool & Spa Company	15476 Markar Road Poway, CA 92064-2313	858-549-8797 858-679-9042 858-679-8900 619-991-5994
SECRETARY	Mike Ramey	Blake Sales Associates	4229 Cielo Avenue Oceanside, CA 92056	760-941-3812 760-941-3782
TREASURER	Tom Casebier	Fletcher Hills Financial	7837 La Mesa Blvd. La Mesa, CA 91941	619-668-0770 619-668-0344
PAST PRESIDENT	Kenny Judd	Mission Pools	755 W. Grand Avenue. Escondido, CA 92025-2594	760-743-2605x2606 760-743-0384 619-418-9891
	Mike Galloway	Wateridge Insurance Service	10525 Vista Sorrento Pkwy. Suite 300 San Diego, CA 92121 msgallo@home.com	619-452-2200x193 619-452-6004
	Lisa Adams	Fiberkote	206 Walsh Street Oceanside, CA 92054	760-754-4552 760-754-4552 760-535-4015
	Kim "Red" Barrett	SCP, Inc	566 North Tulip Escondido, CA 92025	760-737-7655 760-737-7663 619-998-7328
	Matthew Gardiner	Caldera Spas	7092 Miramar Road Suite 125 San Diego, CA 92121 matthewgardner@email.msn.com	858-586-1125 858-586-7737
	A. J. Wilson	Like New Pool Service	10224 Baroness Avenue San Diego, CA 92126-1153 AJ@likenewpool.com	619-695-3461 619-695-3461(?51) 619-417-1709
	Rob West	Trendwest Pools	P.O. Box 20624 El Cajon, CA 92021	619-442-6889 619-447-1815
NEWSLETTER WEBMASTER	Rick English	English Pool Consulting	1445 Twenty Eighth Street San Diego, CA 92102 rick@english.net	619-338-9197 619-338-9167 619-331-8389





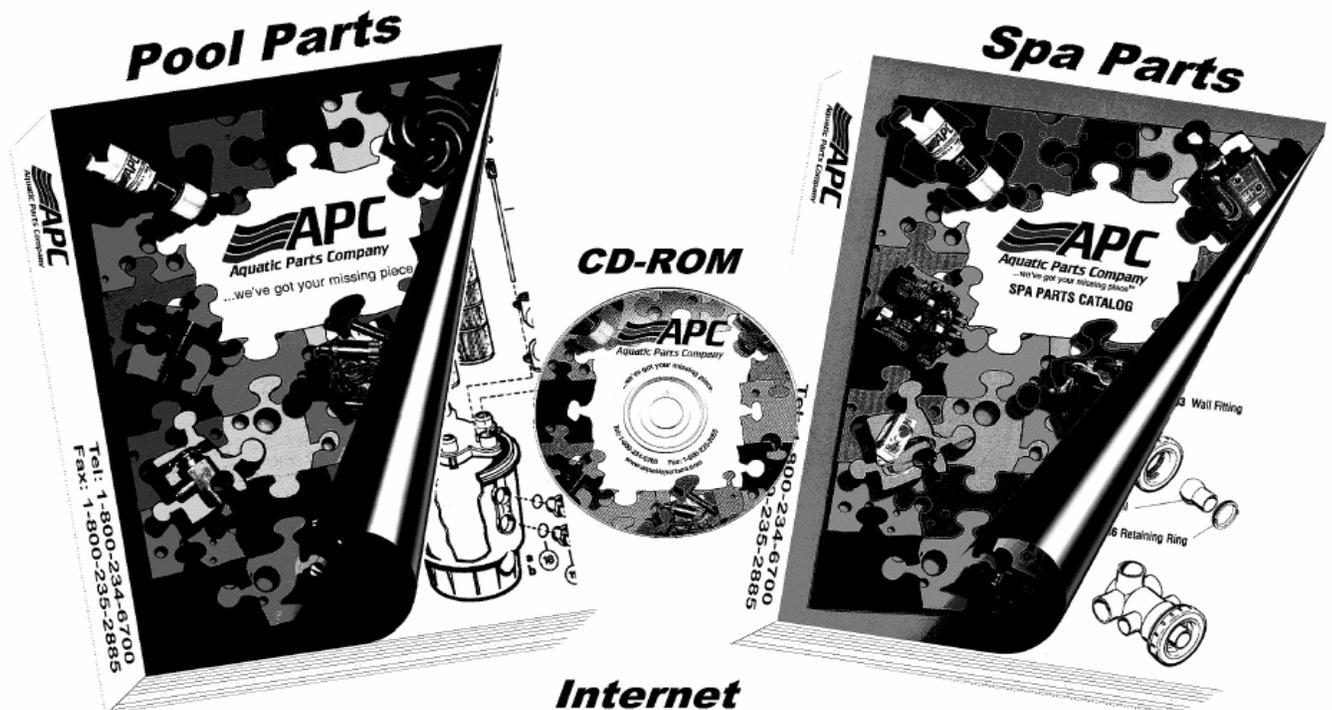
Aquatic Parts Company
...we've got your missing piece™

*** National Wholesale Distributor
of Swimming Pool and Spa Parts.**

*** Most Extensive Parts Books in the Industry.**

*** User-Friendly Catalogs with detailed OEM Schematics.**

*** 25,000 Different Parts Available for Shipping within 24 Hours.**



Internet

www.aquaticpartsc.com

**phone 1-800-234-6700
1360 Blue Hills Avenue**

**fax 1-800-235-2885
Bloomfield, CT 06002**

Court of Appeals Rules Against NSPI in Meneely Case

On Aug. 3, the Washington Court of Appeals upheld the \$6.6 million verdict against NSPI in Meneely v. NSPI. NSPI will appeal the ruling to the Washington Supreme Court. It could take months before deciding on whether to hear the case. If the state Supreme Court decides to take the case, it could issue a final ruling within a year.

In July 1991 a 16-year-old plaintiff dove off the diving board at a friend's house with his arms at his side. His head hit the bottom of the pool. He broke his neck and had a spinal cord injury. He is now a quadriplegic.

A Washington jury awarded the plaintiff \$11 million and found NSPI 60% at fault. NSPI's share is \$6.6 million. NSPI filed for Chapter 11 bankruptcy to prevent the plaintiff from seizing any of the association's assets. Last March, the court confirmed the NSPI plan for reorganization. NSPI emerged from bankruptcy. At the appeal, both sides were given 20 minutes to present arguments before a three-judge panel in Washington state. In its latest ruling, the Court of Appeals rejected each of NSPI's reasons why the lower court's decision should be overturned.

''

The primary issue on review is whether a trade association such as NSPI owes a duty of care to the ultimate consumer," said Judge John A. Schultheis in writing the court's opinion. **"We hold it does when it undertakes the task of setting safety standards and fails to change those standards or issue warnings after it becomes aware of a risk posed by the standards."**

The judges ruled that the superior court correctly held that the six-year statute of repose did not apply in this case. NSPI also argued that the superior court erred when it determined that the association owed the plaintiff a duty to exercise reasonable care when it formulated and promulgated its safety standards. But the Court of Appeals upheld the lower court's decision, saying that the facts of the case "fall squarely within the voluntary rescue doctrine"

By publishing industry standards used by pool

and board manufacturers, NSPI voluntarily assumed the duty to warn all divers of the risk posed. NSPI did not exercise reasonable care in performing that duty. NSPI not change the standard after it knew that the pool and board combination was dangerous.

NSPI argued that failure to warn the consumer and failure to change the standards were not the cause of Meneely's injuries.

Once again, the Court of Appeals rejected NSPI's argument

In an Aug. 7 E-mail to NSPI members, the association's CEO Roger Galvin said, "While we are extremely disappointed in the ruling, we also recognize this is only one step in the overall legal process. We have begun the appeal process to the Washington State Supreme Court, where both NSPI and the plaintiff will submit briefs. We have 30 days to submit our notice to appeal; the Supreme Court will then take three to four months to determine if it will hear our case and set a hearing date, which we estimate to be approximately eight months from now. A final ruling could take from one to one and a half years."

Galvin went on to assure members that "NSPI will continue to operate and provide all the programs and services to you during this time period. This ruling has no effect on our daily operations or finances."

Nevertheless, there is a strong possibility that the courts could rule against NSPI. So the Finance Committee of NSPI is working with NSPI staff to prepare plans that will allow the association to pay the debt and not change any of the benefits or services members currently receive, Galvin says. "In fact, our goal is to have NSPI in a position to expand member benefits, independent of the outcome of the appeal," he says. "As of this date, we have the resources and a draft plan that will allow us to accomplish this goal should the courts rule against us."

2000 Design Awards Categories

❖ Awards Banquet will be held Friday, September 29, 2000 ❖

A	Concrete Pool	0 - 400 square feet
B	Concrete Pool	401 - 500 square feet
C	Concrete Pool	501 - 600 square feet
D	Concrete Pool	601 - 700 square feet
E	Concrete Pool	over 700 square feet
F	Concrete Pool	Commercial Project
G	Concrete Pool	Natural Design
H	Concrete Pool	Unique Design
I	Water Feature	Must have separate plumbing and be a separate entity
J	Concrete Spa	Must have separate plumbing and be a separate entity
K	Manufactured Spa	Spa manufacturer must be listed on entry form under "Equipment"
L	Remodel	Before and After photos must be submitted
M	Vinyl Liner Pool	Liner manufacturer must be listed on entry form under "Equipment"
N	Safety Cover Pool	Cover manufacturer must be listed on entry form under "Equipment"



San Diego Chapter
National Spa & Pool
Institute
(888) 269-1589

Entry Submissions

Each entry must contain the following:

- Completed Entry Form - Both pg.A & pg. B
- Entry fee of \$45.00 per entry
- Two 8x10 or 8x12 color photographs, showing two views of the project (To be used for judging). In the event your project wins and you have a preference which view should be used for your award plaque, mark it with a "P" on the reverse side of the photo.
- Four color photographs of each view, any size. (To be submitted for publication in magazines and/or newspapers) [optional]

Entry Qualifications

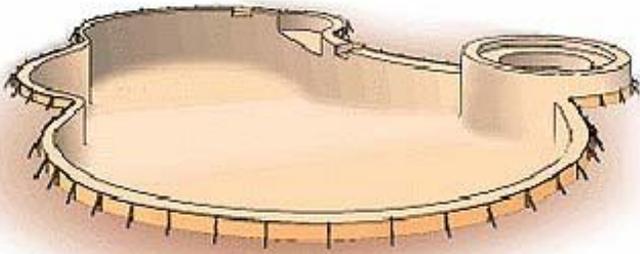
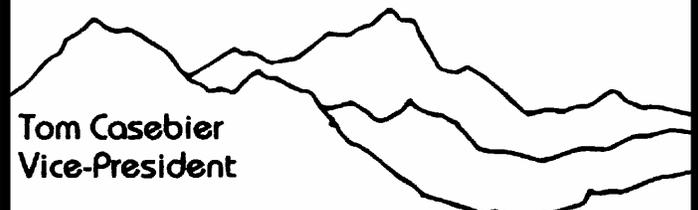
- ☞ Builder submitting entry must be a member of the San Diego Chapter NSPI.
- ☞ Entered project must be located in San Diego County.
- ☞ You may submit a maximum of two entries in each category.
- ☞ Each entry must be entered in the proper category
- ☞ A project may be resubmitted in subsequent competitions if it meets all the qualifications and has not won an award in previous years' competitions.

Deadline for Entries: Friday, August 25, 2000

Entries are to be dropped off with the Branch Manager at either SCP Location:

SCP ~ San Diego
9540 Chesapeake Drive, #101,
San Diego, CA 92123
858-467-9495

SCP ~ Escondido
566 N. Tulip Street
Escondido, CA 92025
760-737-7655

Tom Casebier
Vice-President

FLETCHER HILLS FINANCIAL
(619) 668-0770
FAX #668-0344

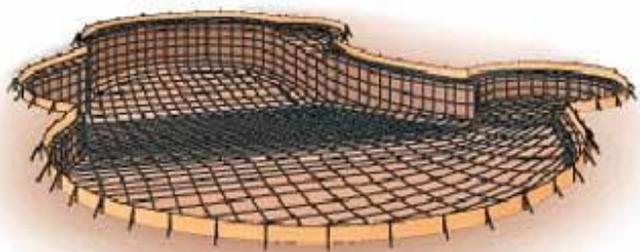
7837 La Mesa Blvd.
La Mesa, CA 91941-3609

English Consulting
Richard J. English
 Swimming Pool Consultant
 1445 Twenty Eighth Street
 San Diego, CA 92102

Pool Inspections
 • Close of escrow
 • Forensics
 Pool Design
 Pool Sales Training

1-800-864-7946
 rick@english.net
 www.Rick.English.net

Member
 California Real
 Estate Inspectors
 Assn



Paul Eisler
 District Sales Manager
 Email: desert2244@aol.com



ISO 9001 Certified
 www.raypak.com

Raypak, Inc 3111 Agoura Road, Westlake Village, CA 91361
 Telephone (818)889-1500 FAX (818)8894522
 (760)564-6698 Telephone & Fax Pager (800)207-7855

ARTISAN PAK

In 1681, on the outskirts of London, in a small coffeehouse known as Lloyd's, several men put up their capital to ensure the safe voyage of the vessels at sea. A promise to ensure was drafted, and the men signed their names under this promise.

That is the history of the first generation of underwriters.

We are HDR Insurance Services, underwriters for the NSPI Pool Pak program, and here is our promise to you.

HDR Insurance Services, in cooperation with INSCORP and our agents around the state, is committed to offering our insureds the highest quality insurance program available. Customer focus will be our first priority as we continually strive to satisfy our policyholder's insurance-related needs.

NSPI, we are your HDR Insurance Services underwriters, We thank you and your agent for placing your coverage and trust with us.

*Sunday Sandle
Barbara L. Neal*

*Michelle Storey
Nancy Freidiger*

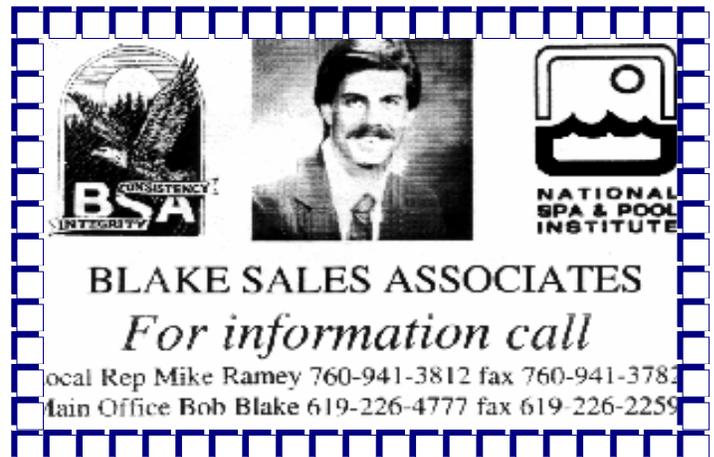
For further information, please contact Mike Galloway at Wateridge Agency 1-800-223-6756.

News From SPEC

The California Spa and Pool Industry Education Council (SPEC), which represents the interests of the state's pool and spa industry in regulatory and legislative matters, is opposing government efforts aimed at changing regulations regarding disclosure of consumer complaints against contractors.

Under current regulations, complaints are reviewed to determine if they have sufficient merit before they are released to the public. California's Contractors State License Board (CSLB) is considering revamping that policy. SPEC's fear is that any changes could compromise contractors' due process rights.

According to SPEC president Don Burns, making public



BLAKE SALES ASSOCIATES
For information call
Local Rep Mike Ramey 760-941-3812 fax 760-941-3782
Main Office Bob Blake 619-226-4777 fax 619-226-2259

Zodiac North American Pool Care Sector



3420 Northwest 53rd Street, Ft. Lauderdale, FL 33309
Phone: 954.735.9700 Ext. 208 800.937.7873
Fax: 954.739.3683 Orders Only: 954.735.7952

Michael Felechner
Western Regional Manager



Natural Mineral Purifiers
for Pools and Spas



uninvestigated consumer complaints would invite irresponsible complaints, do irreparable damage to contractors' reputations, and provide no real safeguards for consumers.

The group voiced its concerns in a CSLB meeting July 28. Burns said he was optimistic that changes to the regulations were not forthcoming.

Burns said: "I don't think much is going to come out of it, certainly not soon, But we do have more hearings that we have to go through."

NSPI CD's Available

N SPI's Awards of Excellence are now available to NSPI members. Builders are making our CDs an integral part of presentations and displays. These CDs are also a resource for creation of design ideas.

E ach CD has a search engine. The engine allows you to search by type of pool, spa or hot tub, and specific features.

T he series includes:

◆ NSPI Award Winning Pools, Spas & Hot Tubs Disc III: Residential Vinyl lined, Fiberglass and Aboveground Pools.

\$35.00

◆ NSPI Award Winning Pools, Spas & Hot Tubs Disc IV: Residential Hot Tubs and Spas \$35.00

◆ NSPI Award Winning Pools, Spas & Hot Tubs Disc I & II: Residential Concrete Pools (2 CD set) \$59.00

◆ NSPI Award Winning Pools: A Complete Set (features all the CDs featured above) \$89.00

N SPI can create a customized CD, featuring your most creative pools and spas. Your personalized CD can also have the enhanced features of our Awards of Excellence CDs! This

Regional Crisis

L ast month we described the problems at regional. We ran out of money from HDR.

I n Aqua Magazine it was noted that Region XI (that's us) might be turning to NSPI National for management assistance.

N SPI National, which already manages the Region IX office (which includes Maine, Massachusetts, New Hampshire, Rhode Island and Vermont), believes it can manage Region XI for less than the members there are currently spending.

A t press time, the Region XI board had tentatively approved the proposed change. The objective of this arrangement would be to increase membership growth and retention, as well as

increase member participation in NSPI programs.

S ome NSPI board members expressed concern at a July meeting that if NSPI National were to take over management of Region XI, it would be moving the structure of the entire organization in a new direction. NSPI says that National's management services are strictly "fee for hire" and that the regional boards direct the activities of those regions, not National.

M eanwhile, Region VIII (which includes Alaska, Idaho, Montana, Oregon and Washington) could be the next region to seek National's management services, observers say.

W hat all of these regions have in common is a relatively apathetic membership and no regional trade show to help generate

"THE LOWEST WORKERS' COMP RATES ANYWHERE!"

Available To All NSPI Region XI Members

Minimum Annual Premiums Now Reduced!

Why Pay More?

**Call your INSCORP agent for a rate quote
or call:**

WCIP

Wateridge Compensation Insurance Plan

1-800-223-6756

Mike Galloway

Wateridge Insurance Services License #0827781

Builders

Service

Distributors

Retailers

Manufacturers

Subcontractor

NEW LOCATION

**14,000
SQ. FT.
FACILITY**

SCP

**COMPLETELY
STOCKED
GREAT PRICES**

SOUTH CENTRAL POOL SUPPLIES

NEW

SAN DIEGO BRANCH
9540 CHESAPEAKE DR.
SAN DIEGO, CA. 92123
PH# 619-467-9495
FAX# 619-467-9488

***CHECK
US OUT!
YOU'LL
BE GLAD
YOU DID!***

REMODELED

ESCONDIDO BRANCH
566 N. TULIP
ESCONDIDO, CA. 92025
PH# 760-737-7655
FAX# 760-737-7663

MEMBER



**NATIONAL
SPA & POOL
INSTITUTE**

**San Diego Chapter NSPI
1445 28th Street
San Diego, CA 92102**