



The Skimmer

NEXT GENERAL MEETING

SEPTEMBER 17, 2008

MISSION VALLEY RESORT

875 HOTEL CIRCLE SO.

AUGUST

SAN DIEGO CHAPTER MONTHLY NEWSLETTER

2008

President's Message

Well this summer sure seems to be flying by. My hope is that your businesses are thriving and prosperous. As I'm sure you've figured out by now, the month of August had no general chapter meeting. There was discussion about holding a meeting, but there would not have been enough notice to ensure a worthwhile turnout. Maybe we will hold a meeting next year if there isn't a picnic again.

You should be aware that there is a proposal being put forth to make some minor changes and additions to the sick leave program. These include (1) requiring the sick member to attend all general meetings while out, (2) requiring sick member to attend the logistical distribution meeting with the sick leave chairmen to assist assigning pools to be covered, (3) increasing the per pool per visit reimbursement fee to \$10.00 for residential and \$15.00 plus chemicals for commercial, (4) requiring the sick member to pay these fees each week in advance of the chapter covering the pools. The decision to be reimbursed for coverage costs is still at the discretion of the covering member. These items and possibly more will be voted on during the October general mandatory meeting. The proposal may be voted on as a whole entity or voted on each item individually. Feedback is

B.K. Taylor Nominations Needed at September General Meeting

At the September 17th General Meeting, our Chapter will be awarding this year's recipient of the B. K. Taylor Memorial Award.

We are looking nominations at the General Meeting along with completed applications (enclosed).

Please take the time to nominate a worthy member of our Chapter.

Our Chapter winner will compete for the Region 7 award at the Region 7 Board meeting in late September.

more than welcome. Simply e-mail me at mtcurran@cox.net and your input will be published in the Skimmer for everyone to read.

Speaking of the Skimmer, all of the members of our chapter, all of our chapter supporters, all of our local distributors, and all of our manufacturer's representatives are welcome and encouraged to provide content for the monthly Skimmer. Please know that your expertise and experience is valued and your contribution to our newsletter would certainly improve the Skimmer.

Until next month, cheers.

Mark.



Chapter Sick Leave Policy being Reviewed

(Reprint from June Skimmer)

Recently there has been a tremendous amount of discussion and input from a large group of members offering a wide variety of opinions regarding what is considered by those involved to be necessary changes to the Sick Leave program's by-laws. Two board meetings and an additional focus group meeting have been held, concentrating strictly on this subject. So far the proposed changes include: 1.) Requiring the sick member to attend the logistical distribution meeting with the Sick Leave chairmen to assist with the yellow card assignments to the servicing members. 2.) Requiring the sick member to attend all general meetings while out on sick leave. 3.) Increasing the reimbursement of operating expenses to the servicing members to \$10.00 per pool per visit for residential and \$15.00 plus chemicals per pool per visit for commercial. 4.) Requiring the sick member to pay the chapter prior to each week of sick leave coverage at the above listed rates for each pool being covered by the chapter. All of the money not requested for reimbursement by the servicing member will be returned to the sick member.

Once this proposal is finalized, it will be put before the membership for ratification. Input is welcome.

Please Check the Chapter website for the extensive August Region 7 Review. BORD Report, Region 7 Board Minutes, Chapter Reports and more.

www.ipssasandiego.com/skimmer/0808r7news.pdf

IPSSA San Diego – Chapter Supporters (Updated 8/27/08) *Local Representative

Contact	Company	Phone
Gabriel Gurmilan <i>New Representative</i>	Abcana Industries - Abcanaindustries.com Wholesale Pool Chemicals - Pickup & Delivery	619-444-9900, 619-654-6724 cell 619-444-9804 fax
Leigh O'Brien	Advantis Technologies – advantistech.com - poolspacare.com Applied Biochemists, Blue Devil Chemicals	949-366-2153, 949-584-5220 cell
Eric Svensson	Alternative Pool Systems, Inc. Install/Repair/Service Automatic Pool Covers	619 445 9798
Kenan Sachs	American Leak Detection - americanleakdetection.com Electronic Leak Detection & Repair	619-233-5325, 858-650-0046 fax
Susan Flowers	Aquasalt, LLC - Aquasalt.net Swimming pool & spa salt producer	866-549-POOL (7665)
Lori Brumagen Derek Dalto*	BIODEX – bio-dex.com lori@bio-dex.com Superior Line of Pool and Spa Chemical Products	800-617-3477, 949-632-2390 619-565-5130 Derek
Tony Ruf	BriteTile Pool/Spa Remodeling - britetile.com Calcium removal, tile, deck-o-seal	619-260-1896 rruf@san.rr.com
Bill Kraus	CeRam-Kote - ceram-kote.com Ceramic Lining for Pools & Spas	858-924-9611, 8-775-8382 cell 858-485-8923 fax
Lisa Helm	First Investors Corp. - firstinvestors.com Financial goals, life Insurance, Investments, Retirement	858-650-6830, 858-650-6914 fax
Tom Cox	Gardner Pool Plastering – gardnerpoolplastering.com Quality Plastering/Remodels since 1969	619-593-8880, 619-593-8886 fax tomc@gardnerpoolplastering.com
Scott Ragsdale	Hasa, Inc. - Hasapool.com Manufactures liquid chlorine, distributes dry/specialty chemicals	661-259-5848, 951-634-1209 cell
Don Bowlin	Life Saver Pool Fence poolfence.com Safety Fences, Covers, Products	800-921-9681, 949-633-4292 714-751-1988 fax
Michael Mamula Ed Mumford*	Leak Detection USA – leakdetectionusa.com. Leak detection/repair for pools/spas/ponds–com.c./resd.	800-652-9062 ed@leakdetectionusa.com
Justin Robinett	Leak Terminators Leak Detection	619-563-7585
Regina Rakowski	Nelsonite nelsonitepoolanddeck.com Easy and Affordable, Quality Pool & Deck Coatings	800-544-1998 rrakowski@ellispaint.com
Richard Kersey Steve Schonberg*	Orenda Technologies, Inc. Specialty chemical products for pools & spas. - algae, stain, scale and phosphate control.	928-522-0194, 928-522-0256 fax 858-337-0502 Steve
Don Wall	The Pool Doctor sdpooldoctor.com Construction, Renovation, Remodel, Repair	619-445-4977, 619-445-4345 fax Dwall0001@aol.com
John Moss	Poolsafe Cover Systems poolsafe.com Service All Systems, Replacement, portable fences	760-580-4640
Mary Ann Downing	Pool Safety Solutions Pool safety education, Pool Safety Fending, Pool Safety Nets - Katchakid	858-603-2260
Kirk Chapman	Poolscape Unlimited Poolscapeunlimited.com Pool plastering - Complete Pool & Spa Renovations	619-561-0555, 619-561-1633 fax kirk@poolscapeunlimited.com
Rebecca Quintal	Quintal Insurance Services - aflac.com Individual and Group Insurance	619-757-6255 rebeccaquintal@earthlink.net
David Courey	Pool Surfacing 2000 - poolsurfacing2000.com Fiberglass and Fleck stone Specialist	858-273-9398, 858-273-2729 fax Davidps2000@pacbell.net
Sara Holloway	Son Energy, Inc. sonenergy.com Solar Pool Heating – referral program	760-738-4066, 760-738-8602 fax sonenergysolar@aol.com
Brandon Chase	SunChaser, Inc. Solar and Water Heating Specialist	619-390-5287 sunchaserinc@cox.net
Dave Baca	Suntrek Solar - suntreksolar.com Thermal-Solar Pool & Hot water heaters, Photovoltaic systems	760-788-2610, 619-384-3275 david@suntreksolar.com
Kevin Wallace	Underwater Unlimited Rust spots, Rebar, Cracks, Drain replacement	800-247-8393, 760-632-1822
Peter Gozdeck	3 Step Billing 3stepbilling.com Your Paperwork Alternative – Fax, Bill, Bank	619-339-7622 peter@3stepbilling.com
Samantha Larimer Luke Weiser	Weiser Pools, Inc. - Repairs, Installations, Heating and Automated Control Specialists	619-440-2480, 619-579-5396 fax weiserpools@cox.net

Board of Officers

President	Mark Curran	619-579-1720	PO BOX 9944, San Diego CA 92169
Vice President	Philip Gardiner	619-449-6345	302 Brookstone Pl. Santee CA 92071
Treasurer	Jim Bauer	619-997-7710	7108 Bobhird Dr., San Diego CA 92119
Secretary	James Morketter	619-708-4972	4784 Soria Dr., San Diego CA 92115
Past President	Mike Gregg	619-224-3863	944 Moana Dr., San Diego CA 92106

Committee Representatives

Sick Leave	Jim Hines	619-843-5884	PO BOX 19935 San Diego CA 92159
	Perry Mediate	619-463-0097	1609 Penasco Rd El Cajon CA 92019
Continuing Education	Brian Davis	858-688-3084	
	Stephen Heyer		
Manufacture Rebate	Jon McArthur	619-464-0211	
Insurance	Bob Fowler	619-464-6400	
New Members	Bill Peck	858-673-8556	
Entertainment	Jim Holmes	619-518-2776	
	Michael Lewis	619-261-1048	
Product Testing	Patrick Farrior	619-465-9545	
	Dale Eppard	858-571-1177	
Sfty/Drowning Prevnt	John Silcox	858-467-0507	
Blood Drive	James Morketter	619-708-4972	
Website & Skimmer	Paul Grimes	619-223-4523	
Region7 Diretor	Chuck Gough	760 434-7623	

IPSSA Corporate	888-360-9505
Info. Vickie Lester	FAX 888-368-0432
PO BOX 15828 Long Beach CA 90815-0828	
Billing	
Cramer & Associates	888-391-6012
	FAX 888-391-5603
7405 Greenback Ln #204 Citrus Heights CA 95610	
Arrow Insurance	800-833-3433
Ray Arousty	805-955-9555
	FAX 805-955-9535
40 W. Cochran Street #112 Simi Valley CA 93065	

SPEC Information

SPEC provides support and information to the Pool Industry. The San Diego Chapter donates \$200 per month to this worthy cause. We have posted several additional pages of SPEC information in the on-line version of the Skimmer this month. You can access the on-line Skimmer at www.ipssasandiego.com/skimmer/0808skimmer.pdf Along with a SPEC letter to Mark Curran, titles of SPEC articles in the on-line version are:

- OWNER-BUILDER PERMIT CRACKDOWN BILL HEADED FOR GOVERNOR
- MAJOR ILLEGAL CONTRACTOR PENALTY INCREASE BILL ADVANCES
- WARRANTS AND ARRESTS IN AQUARIUS POOL CASE
- NEW FED RULES IN WORKS TO EFFECT PUBLIC POOLS DROUGHT EMERGENCY DECLARED BY GOVERNOR – NEWSPAPERS SAY POOLS OK
- GOVERNOR SIGNS OWNER-BUILDER WARNING LEGISLATION
- BUDGET FIGHT PUTS ILLEGAL CONTRACTING PENALTY BILL ON HOLD
- SPEC APPROVES NEW LOBBY-MANAGEMENT FIRM AS BURNS PLANS RETIREMENT
- POOL INDUSTRY URGED TO HELP WITH WEST NILE VIRUS THREAT
- BUILDING OFFICIALS BEFUDDLED BY NEW POOL LAWS
- POOL BUILDER ARRESTED ON CHILD DROWNING
- L.A. COUNTY CLOSES 10% OF PUBLIC POOLS
- WORKERS' COMP BILLS STALLED
- POOL EXPERTS SERIOUSLY NEEDED BY CSLB

Calendar

NO PICNIC THIS SUMMER 

- 9/3 Chapter Board 7 pm**
Kensington Grill
- 9/17 Next General Meeting 7pm**
Mission Valley Resort
875 Hotel Circle North
- 9/20, Blood Drive 8:00 am**
Antique Row Café, Lemon Grove
3521 Lemon Grove Av
- 9/24 Region 7 Board Meeting 7pm**
SCP Conference Room
5648 Copley Dr
- 10/2-4 P.I.E. Show Monterey CA**

For sale:

04 Dodge Dakota Clubcab Sport V-8, auto., A/C, cruise, all power options
Upgraded stereo, intake and exhaust
Rhino lining, Bilstein shocks
Looks and runs great, must see.
86 k freeway miles \$9200.00
Marc Stewart 619-660-9606

General Meeting Minutes

General Meeting July 16, 2008
Call to order 7:05 PM

Welcome by Mark Curran
Pledge of allegiance-Mike Gregg

Secretary's report- James Morketter.
Board meeting minutes were approved.

Treasurer's report- Jim Bauer. We
are in good shape financially.

Bill Peck gave a presentation
regarding the phosphate "flash test". He
showed how the flash test can result in a
false positive if the water has high TA.
It is always best to use the appropriate
test kit whenever possible.

Prospective members were brought to
the front of the room. Present included:
Frank Hutter and Adrian Donnelly.

Chapter supporters current and
prospective were brought to the front of
the room. Present included:

Rebecca Quintal- Afflac

Alejandro Pinnick- Hybrid pumps

Matt Castillo - SCP San Diego

Travis Guevarra- Superior San Diego

Lisa Helm- First Investors

Brendon Chase- Sun Chaser Solar

Marc Dunn- PEP

Peter Gozdeck- 3 Step Billing

Phil Grider- The Pool Dentist

Derek Meere- Lifesaver Pool Fence

Don Wall- The Pool Doctor

David Courey- PS2000

Eric Svensson- Alternative Pool Systems

Mary Ann Downing-Pool Safety
Solutions

John Moss- Pool Safe

Sick Leave- Rick Rowe thanked

everyone for covering his pools

Continuing Education- Ladd Carlson
received a check for education
reimbursement.

Robert Venter and Steve Spence from
San Diego Department of Environmental
Health gave a presentation. A Q and A
session followed.

Paul Grimes announced that a
commercial pool has opened for bids in
Harbor Island.

Austin Gardiner addressed the
meeting. He feels that the Skimmer
newsletter is going in a negative
direction morally.

Raffle:

Dee Eakright won \$150 and a \$50 Gas
Card from SCP.

Mike Nelson won \$25

Baron Ortiz won 50# in Tabs from
Superior San Diego

Richard Hayes and Paul Grimes each
won a Bosch grinder

Marc Stewart won Padre Tickets

Meeting adjourned 8:20 PM.

Board Meeting Minutes

Board Meeting August 6, 2008.

James Morketter, Mark Curran, Paul
Grimes, Mike Gregg, Jim Bauer, Phil
Gardiner

Call To Order 7:35 PM

We discussed issues regarding sick
leave. Revisions to our current sick
leave policy will be voted on at the

mandatory October meeting.

Paul Grimes reminded everyone that
according to the R7 newsletter, our
nominations for the 2008 BK Taylor
award are due by the September R7
meeting. We will print the nomination
form in the August Skimmer.

We discussed the issue of
controversy regarding recently
published articles in the Skimmer.
Mark stated that the intent of these
articles was not to offend, but to
promote discussion and encourage
members to submit their own articles.

We discussed how difficult it has
been to get members to submit articles
to the Skimmer.

A motion was made to reimburse
Paul Grimes \$1000 for work he
performed on the member directory.
Motion passes unanimously. Good
Job Paul!

We decided not to have a general
meeting in August 2008.

Meeting Adjourned 8:55 PM.

New Member Report-Bill Peck

We have four prospective members in
process. Aaron Ryan, Pool Time, will
be ready for a chapter vote at the
September meeting. Frank Hutter,
Hutter's Pool Service, still needs to
pass the Water Chemistry test and then
will be ready for a vote. Adrian
Donnelly, Neverwinter Pools, has
attended one meeting. Bill Lewis,
Crown Pool Service, attended one
meeting, paid, then disappeared...

CONTINUING EDUCATION FUND APPLICATION

Member Name: _____ **Date** _____

Company Name: _____

Address: _____

City: _____ **Zip:** _____

Course/Seminar/Program: _____

Course/Seminar/Program Date: _____ **Cost: \$** _____

**Note: The Education Committee Chairperson (ECC) must receive Application within 30 days of course
Completion. Receipt or proof of attendance must be submitted to ECC before reimbursement will be made.**

Give/mail to Education Committee Chairs: Stephen Heyer 4434 34th St San Diego, CA 92116-3389

Brian Davis 8070 La Jolla Shores Dr. #421 La Jolla, CA 92037

IPSSA REGION 7
B. K. TAYLOR MEMORIAL AWARD
Nomination Form

History: In 1995 IPSSA Region 7 initiated the Pool Technician of the Year Award. This honor has been awarded every year since to the Region 7 IPSSA member who best meets the criteria outlined below. In 1997, the award was renamed the **B. K. Taylor Memorial Award** in honor of B. K. Taylor, a long time outstanding member of the San Diego Chapter who passed away on May 19, 1997.

Award: The award consists of an inscribed plaque, complimentary dinner tickets and hotel accommodations for the recipient and a guest to attend the next annual IPSSA, Inc. Installation Dinner. The award is presented at the Region 7 Table Top Show prior to the Installation Dinner.

Procedure: Each Region 7 chapter and/or member is eligible to nominate a member for this award. Nominations should be received on this form by the incumbent Region 7 Director not later than October of the year under consideration. The incumbent Region Board shall make the election of that year's recipient at their October/November meeting.

Personal Information:

Nominees Name: _____ **Year joined IPSSA:** _____

Chapter(s) _____

Criteria: The member being nominated shall have contributed to the improvement of IPSSA and/or the pool service industry by any or all of the following. Describe nominee's significant contributions below.

- 1. Demonstrates professionalism (known to be an excellent technician, pursues course work to improve skills, conducts business in an ethical and professional manner)**

- 2. Contributes to IPSSA (willingly does sick route when called upon, serves as chapter, region or other officer or chairman within the organization, etc.)**

- 3. Assists other service industry members (helps chapter members or other pool service professionals with chemical problems, difficult repairs: either through hands-on assistance or sharing information)**

- 4. Contributes to his/her community (participates in church, charitable, or other community activities)**

Additional comments to support this nomination may be added on additional pages, if needed.

Submitted by: _____ Phone No.(____) _____

Excerpts from Region 7 Review

Director's Notes – IPSSA, Inc. B.O.R.D. Meeting August 2, 2008 San Jose, CA

- Terry Cowles Award deadline moved to Oct. 20 to accommodate the BORD having a chance to review at the November meeting.
- Dealt with grievance against R8 and the R8 Director, found a couple of minor errors of commission and omission, self corrected by the R8 director prior to committee report on the matter. No need for sanctions, etc. I will explain fully at the next Region 7 meeting if anyone is interested.
- Please use Hayward coupons, as they provide a \$ benefit to IPSSA Inc.
- NSF fees may now be paid by cashiers check, money order or credit card.
- Added E-Z Products; Spring Board Pool Route Brokers, Inc.; Trade Your Accounts LLC to our Associate Members. Magic Industries added conditionally; awaiting resolution of License question.
- Go to Arrow Insurance's new site, www.ipssainsurance.com, to instantly receive multiple quotes for health insurance.
- Lengthy report/discussion on Virginia Graham Baker Act and how and when it will affect our industry in California. At this time there are no acceptable replacement drain covers. Any acceptable cover must be marked that it conforms to ASME/ANSI A112.19.8 *American National Standard*.
- West Nile Virus – IPSSA has been asked to report all green pools to the Vector Control central number.
- Title 20 issue still pending further review by the CEC.
- A vote was taken on accepting Florida into IPSSA as Region 11. Due to a procedural error, the vote was rescinded and the issue tabled until the November BORD meeting.

IPSSA, INC. 7/23/08
IPSSA, Inc. – R7 Meeting
SCP Conf. Rm, San Diego
Attendees

Full Region 7 Review online

www.ipssasandiego.com/skimmer/0808r7news.pdf

Chuck Gough, R7 Director, Carlsbad; **Doug Hausman**, Carlsbad Pres.; **John Hackett**, Escondido Pres.; **Sean Byron**, Escondido; **Jordan Nelson**, N. Cty Coastal Pres.; **Brian Lindlar**, N. Cty Coastal VP; **Lance Clifton**, RDM Treas.; **Mark T. Curran**, SD Pres.; **Bill Peck**, SD; **Dick Allen**, SD East County Pres.; **Steve Elbik**, SD Metro VP; **Nancy Gillespie**, Recording Sec'y.

Approval of Minutes

Approved minutes of the April 14, 2008 meeting with the following change: 2) Reminder: *As per the bylaws*, every chapter is required to have at least *two* voting members in attendance at the R7 meetings.

Treasurer's Report

Chuck Gough reported:

1) Although he had missed several R7 meetings, **Loyal Johnson** wishes to remain R7 Treasurer through the end of the term in February. 2) Current balances approximately \$1,500 for General Fund with nothing outstanding, Emergency Fund \$2,000, Picnic Account \$2,600, and CD \$2,000. 3) Chapter billing had not been current, but Johnson just sent out the billing for three quarters. It might be tough on some chapters to pay three quarters at once. 4) R7 Picnic was not held this year because of lack of volunteers for the Picnic Committee. Picnic seed money, which comes from a \$10 per R7 member assessment, remains in the Picnic Account. *Motion* carried to move all Picnic money to a six-month CD until R7 can determine if the R7 Annual Picnic will happen next year. 5) Johnson had suggested raising dues 25¢ per member to increase cash flow to bring an additional \$891 into R7; however, once chapter quarterly dues are paid, the budget might be in good shape.

R7 Director's Report

1) Census – **Gough** reported the latest membership figures, not including employees and supporters, for each chapter: Carlsbad, 33; Escondido, 38; N County, 25; Rancho Del Mar, 20; San Diego, 110; SD East County, 45; and SD Metro, 26; for a total of 297. 2) R7 meeting dates – R7 Board meetings were scheduled to be held quarterly the fourth Wednesday of the month, which is a week and a half before the quarterly B.O.R.D. meetings. However, agendas get mailed out two weeks before the B.O.R.D. meetings, which is not enough time to get current R7 meeting minutes in the B.O.R.D. meeting packets. *Motion* approved to change quarterly R7 meetings from the fourth Wednesday of the month previous to the

B.O.R.D. meeting to the Wednesday two months before the quarterly B.O.R.D. meeting. Therefore, the next R7 meetings are: Sept. 24 and Dec. 17 (one week early because of the holiday).

B.O.R.D.

1) Administration – The B.O.R.D. has a new task force that will review possible policies regarding centralized processing of membership applications and uniform minimum membership criteria. He pointed out that IPSSA is technically a confederation, not an association, because members do not necessarily have commonality, i.e., no two chapters have the same membership requirements. The B.O.R.D. is trying to standardize that and centralize processing. **Gough** will be involved in making membership requirements uniform. 2) Grievance against R8. R8's Table Top was held at the Las Vegas Convention Center. As chair of the Table Top committee, a member put the event in her name. IPSSA Legal said cease and desist and won. Now she is filing suit against R8, claiming they did not have two reps at Region meetings and did not have proper minutes. This will be discussed at the upcoming B.O.R.D. meeting and dealt with. Good minutes and properly signed contracts are very important. If you have legal questions, run them by **Mark Alcorn**, IPSSA Legal.

Open Comments

Over the last several months, **Bill Peck** sent two detailed e-mails to **Gough** commenting on R7 issues. He addressed some of them tonight: 1) Treasurer – suggested having a treasurer's assistant; at the end of the treasurer's term, that person would step into the Treasurer position. **Gough** outlined the treasurer's duties: sending quarterly bills to each of the seven chapters in the region, paying a few bills, and at the change of Board officers visiting the bank to sign new signature cards. It is not difficult work but needs to be done consistently. To qualify to be region treasurer, one must be a region board member but not a member of the same chapter as the region director. **Mark Curran** suggested that if the Region was interested in hiring someone to handle treasurer duties, **Peter Gozdeck**, 3 Step Billing, is listed in the back of The IPSSAN as an Associate Member. **Gough** suggested that would be like the position of Region Secretary; now that **Nancy Gillespie** is here, she takes care of everything. Kudos, Nancy. 2) Picnic finances – said some San Diego chapter members asked for an accounting of picnic expenses in 2005 and never got it. R7 needs an accounting. **Gough** said **Johnson** knows the balance in the account but hadn't yet prepared a report.

Letter from Tom Richardson on Sick Leave

In the beginning there were a few poolmen who knew each other through mutual friends or from rubbing shoulders at suppliers' warehouses. These were sole proprietor pool servicemen. If they got hurt and couldn't work, it hurt not to work. There was no unemployment, they had no workman's compensation.

So, when someone couldn't work they chipped in to cover his accounts so he wouldn't lose his business or worse.

They formed an *association* to allow for more affordable liability insurance and instituted the sickleave program.

They called their association The Independent Pool Service Association, IPSA. The "Independent" was to differentiate themselves from pool stores or businesses that had employees to service-their routes.

We were all in the same boat, and sometimes needed one another.

Some members, inclined to do more than independently service their pools, hired people to "sub" their pools. At the time you had to have two years experience doing pools to become a member. Some members used this as an apprenticeship program. They became like pool stores. I remember when a vote was taken as to whether more than one or two employees would be allowed per member. It passed.

Now we have members who have employees that can cover pools if another employee is out. Also they have (or should have) workmans compensation benefits. Good for them. I applaud their ingenuity and business acumen.

However, what about us INDEPENDENT pool servicemen?

I would hate to see our sickleave program reduced to subbing the sick members' pools for a per-pool price plus chemicals.

You members who haven't had to use the sickleave program are fortunate. But, more than likely it will happen, sooner or later. And I don't care how good your health insurance is, it's going to hurt financially.

I, like the rest of you have covered lots of sickleave pools. I, like the majority of you never charged a dime. I, like many of you have done repairs for sick members and not charged the member for it, knowing he needed that income.

I hear too much whining about HAVING to cover a fellow members' pool. What happened to feeling good about helping a fellow Independent Pool Serviceman? There is no debating that costs have gone up. I remember gas at a buck nine, and a gallon of chlorine at 85 cents, of course I was doing twice a week residentials in La Jolla for 50 to 65 a month. We all get a lot more for once a week now.

I think the main problem with our sickleave program is members~ pools are all over the city. We haven't been selective enough when accepting new members relating to where their routes are. We should have directed prospective members to a chapter located where their pools are, instead we grew to encompass the whole city. That is what we should be addressing, the geographic boundaries of our sickleave coverage.

This institution of ours, this sickleave program is so unique! It has always been a testament to the nature and spirit of the Poolmen that are part of our association! To see it reduced to a pool sub program would be a shameful disgrace.

And yes, the sickleave program has helped me immensely on four occasions. Thanks to all who helped! I will gladly do the same.

Tom Richardson, thirty year poolman. Member and Vice President of original chapter, IPSA San Diego.

Phosphate Discussion

At the July meeting I tried to demonstrate that the white cloud which forms when phosphate remover is added to pool water is not phosphates falling out of solution. After I finished I realized I had not been very clear about some of this. Especially why I added bicarb to the water sample. So here is a review of the presentation which will hopefully be a little clearer.

In my early days of exploring the use of phosphate (PO4) removers I used the PO4 "flash test" where I would put a few drops of PO4 remover in the pool and if it clouded then I knew there were still phosphates to be removed. Perhaps some of you use the same "test". Well one day I did it in a pool which should have had NO PO4 left and it clouded! So I questioned my assumptions about the "test" and decided to do an experiment. This is the experiment I demonstrated. First I added a little PO4 remover to a sample of pool water with a PO4 level over 1,000 ppb. The water clouded as we would expect. Then I added a little PO4 remover to a sample of deionized water (TDS <20, no alkalinity) and no cloudiness formed. I then took another sample of deionized water and added a bit of baking soda (bicarb, alkalinity increaser). This was to create some alkalinity in the water just like pool water. Since no PO4 was added we should not expect any clouding, right? Well surprise, when the PO4 remover was added the water clouded, just like the first sample of pool water. So what happened?

The active ingredient in PO4 remover is Lanthanum ion. In most PO4 removers it is in solution as Lanthanum chloride*. When it hits the water it immediately forms Lanthanum carbonate. This is because it sees 200 or 500 or 1,000 carbonates for each phosphate. It's a numbers game at this point. This is what forms the white cloud. So the "flash" test does not work. And if someone tells you the white cloud in the pool is phosphates falling out that is also inaccurate. Now the Lanthanum prefers phosphates over carbonates but since there are so few phosphates compared to carbonates it takes TIME for the Lanthanum to pull out the phosphates. This is why the instructions on the bottle say to let the water circulate for 24 to 48 hours. It takes time for the Lanthanum to do it's work. If you plug the filter and backwash too soon you lose your PO4 remover. Now that's a waste.

So how can you reduce the chances of plugging the filter? I add filter aid to the PO4 remover (along with clarifier) when I dump it in the pool. For DE filters I use DE or Aqua Perl, for sand or cartridge I use cellulose fiber. Sure it adds to the cloudiness but hey cloudy is cloudy, right? This way when the PO4 remover hits the filter it is mixed with filter aid and it is far

less likely to plug the filter. How much? Usually twice the volume of the PO4 remover. I have had great success with this method. If you add PO4 remover and manually vacuum a week later it would be best to wait another day or two to backwash so the remover can do it's job.

* If you buy a bottle of Natural Chemistry PO4 remover it is a white solid material. This is because it is sold in the carbonate form, not the chloride form.

Any questions??

-Bill Peck

Response to Tom Richardson letter at June meeting.

At the June meeting Tom Richardson passed out a letter to the gathered members. His primary point, as I understand it, is that the problem with the Sick Leave Program is that we cover too much territory. He says "We haven't been selective enough when accepting new members relating to where their routes are." He says we should be addressing the boundaries of sick leave coverage, that is, making the coverage area a lot smaller.

When I joined the San Diego Chapter over 20 years ago it was just before the merger which is now known as IPSSA. The sick leave boundaries at that time were almost the same as they are today. A few years ago we had a big deal about the boundaries and in the end we agreed on the present boundaries. This is because so many members, especially newer ones, service pools over a wide area. In 20+ years I have NEVER heard of anyone being assigned a pool outside of the official boundaries. Because my route was from Poway to Mira Mesa MOST of the pools I have been assigned over the years have been OUTSIDE my normal service area. Since I knew up front where the boundaries were I did not realize I was allowed to complain about being assigned pools outside my service area. Recently a number of members got pools out of their area and even two pools. The howling began!

Now as the person who has been doing the primary "screening" of new members for the last 5 years I can assure you that if a prospective member had pools outside the boundaries he was informed that they would not be covered. I can only remember one new member with pools outside the boundaries but there may have been a couple more. The point is, a new member can have one or a hundred pools in Oceanside, Ramona or Borrego and they will not be covered. If the majority of their pools are in our coverage area that is how they decide to join our chapter. Now if I was supposed to be screening out prospective members who had pools in the boundary area BUT in ZIP codes not popular with the whiners no one ever told me or supplied me with a list of "approved" ZIP codes. Since the boundary issue was addressed in the recent past I bet if we did it again the result would be the same.

But if we do revisit it, I will support a boundary 5 miles around my house.

So maybe there are some members who need to join a chapter that has a smaller coverage area. Or maybe hire another member to do your sick pool assignment that is "too far away". I have done that, it can work. One must look at the big picture.

Another problem Tom brought up is members "...whining about HAVING to cover a fellow members' pool." There are probably at least two reasons this happens. One is that as the chapter has grown many members don't know all that many other members, and this affects the way members look at sick pool assignments. The other major problem is some of us get real irritated when we are assigned a pool that suffers from excessive deferred maintenance, is green upon arrival, was abandoned the week before the member went out on SCHEDULED sick leave resulting in the servicing member needing to do catch-up work, and other such nonsense. I once arrived at a large commercial pool for the first visit and before even entering the gate the on-site manager's lackey walks out and says "Tony wants the tile cleaned today." WHAT??!! It looked like it had not been cleaned in SIX MONTHS and all of a sudden they want it cleaned? Well you bet it got cleaned but I was hoping the bar had been raised to a point I hoped the sick member would get some heat. And that was years ago and now that I am more ornery I will not be doing that again without charging the member! This kind of thing is utter B***S***!

Tom also makes a big deal of "Independent" (alone, no employees or subs) pool servicemen and longing for the days of old. Well I think an "Independent" pool service association should severely limit the number of employees, exclude pool stores, pool construction, plastering, etc but that ship sailed 20 years ago! And Tom, since you are claiming to be INDEPENDENT does that mean you got rid of YOUR longtime employee???? Just curious...

So I am very supportive of the changes announced by the Sick Leave Chairmen which they can implement without any Standing Rules changes, and I also believe, like many others, we need to make additional changes to improve the program long term. When the recommended changes are published please realize that every point was thoroughly beaten to death and there were people as far to each extreme as you can imagine. The final plan will be a meeting of the minds on a plan that the most people think will get the most support. No doubt there will be plenty of debate anyway. 110 members, at least 120 opinions... **Bill Peck**

Owners are wading into the murky realm of chemicals and pH. 'It's not very hard,' says one. Could be unsanitary, says a trade group.

By Conor L. Sanchez, Los Angeles Times Staff Writer August 16, 2008

Victor Pineda has found a pile of money in a hole in his Whittier backyard.

Pineda fired his pool maintenance serviceman after the price rose to \$72 from \$65 a month, which didn't include filter cleaning or pump maintenance. That works out to nearly \$900 in savings a year. Now he purchases chemicals every nine months to sustain appropriate levels of chlorine and pH.

Bikes help commuters get around gas... Rising fuel prices are a driving force..."It's not very hard to do it yourself," said Pineda, who has owned his pool since 1998. "I think I'm doing a good job. It's probably the only time during the week I can have to myself, but don't tell that to my wife."

It's hard out there for a pool boy.

The glamorous lifestyle of a Southern California pool cleaner has always been more myth than reality, and this summer it's been anything but a lazy backstroke. Rising transportation and raw-material costs have forced the industry, from manufacturer to pool cleaner, to increase prices. At the same time, sales are diving because pool owners are looking to save a few dollars by holding off on repairs or maintaining the pool themselves.

Danny Wurman services 18 pools a day, driving from his home in Sherman Oaks to the multimillion-dollar mansions of the Hollywood Hills and the suburban sprawl of the San Fernando Valley. He easily racks up more than \$600 in gasoline costs every month. This summer Wurman has increased prices 8% to pay for higher fuel and material costs.

"I try not to charge too much or else they will not hire me," said Wurman, who is originally from Argentina. "But everything is more expensive, so you need to optimize

as much as you can."

The 51-year-old pool serviceman said some customers were purchasing equipment online and installing it themselves. As a result, he's stepped up his game -- being on call at all hours, taking classes to improve his expertise and establishing stronger relationships with his current customers.

Thomas Cox, owner of a pool repair and installation service called TRC Enterprises, said, "Business is definitely not what it used to be. Customers say they've been on tight budgets. A lot of people who were scheduled for new equipment have canceled and decided to just let it sit for a few more months."

In the 38 years Cox has worked as a serviceman, this is the steepest decline in sales he has ever experienced. The entrepreneur, who started TRC Enterprises in 1993, began noticing a slowdown about a year ago but only recently has seen it "getting really serious," with sales dropping 40% to 50% for the Simi Valley company. Pool-supply orders usually kick in around late April, he said, but through June and July, customers were still reluctant to spend on repairs.

Said Don Dustin of his backyard pool, "If I didn't have it, I'd be a lot happier right now."

Dustin, 73, has owned the pool since he bought his Eagle Rock home in 1949. In the last two years, hired maintenance has jumped 20% to \$70 a month, forcing him to retire his gas-fueled pool heater.

"If I had the resources, I'd get a solar panel to power the pool, but I don't," he said.

The California Spa and Pool Industry Education Council is worried by the increase in do-it-yourself pool maintenance.

The Sacramento trade group's biggest concern is that pool owners who are trying to save on pool service could create a hazard if they aren't properly trained to keep their pool's water sanitary.

"People are trying to reduce the amount of chemicals they're using and trying to save a few dollars, but it's shortsighted because you'll eventually have a big problem," President Donald Burns said. "It will become unsanitary, and that's nothing you want your kids swimming in."

Adding to the industry sales drain is an escalation in prices for materials including petroleum-based products, chemicals and plastic hoses, which distributors pass on to pool workers and pool workers to pool owners. HASA Inc., a water-cleaning product manufacturer based in Saugus, has told customers that it is raising prices on several products because global demand for water-cleaning chemicals is outstripping supply. Especially in the developing world, demand for chlorine is growing for the production of plastics, pharmaceuticals, disinfectants, bleaches and insecticides.

"This is not a good thing," HASA President Mark Wilson said. "I've never raised prices in the summer before. It's a worldwide crunch."

For example, a pool conditioner made from a chemical called isocyanuric acid jumped to 98 cents a pound from 58 cents in July. Contributing to the increase was the closing of several isocyanuric acid plants in Beijing in an attempt to reduce pollution during the Olympic Games, Wilson said.

Swimming Pool Supply, a wholesale distributorship in West Los Angeles, brings in about \$4 million in annual revenue, but at the end of this year that figure could decrease by as much as 20%, owner Marty Nelson said.

"For customers, money is going into the gas can and to get food in their mouths," Nelson said. "And for the pool man, he has to raise prices to survive."

The 73-year-old Century City native, who started the distributing company in 1965, has been in the business for nearly 50 years. The company's customer base includes pool service workers, who account for 80% of its sales. Recently, however, pool owners looking to avoid paying a pool cleaner have inquired about maintenance, wanting to learn how to clean a filter or remove algae.

"The pool man," Nelson said, "is going to be in a world of hurt." conor.sanchez@latimes.com

SPEC 6/12/08 Morning Report

OWNER-BUILDER PERMIT

CRACKDOWN BILL HEADED FOR

GOVERNOR Coming to California

Soon: Before an application for an owner-builder permit to construct a swimming pool will be issued, the homeowner will be required to read a six-page, statutorily required document and certify that he/she understands the many legal implications of doing construction on the property. This will be the law when Governor Schwarzenegger, as is expected, signs AB 2335. Sponsored by the Contractors State License Board (CSLB) and the California Building Officials (CALBO), and authored by Assemblyman Alan Nakanishi (R-Lodi), the bill passed the Senate 35 to 0 last Thursday. According to SPEC Legislative Chairman Jerry Wallace, the target of this bill is the unlicensed "owner-builder consultant," who undercuts legal contractors by offering to manage home improvement projects and saving the homeowner "thousands of dollars" by not carrying insurance, taking only cash payments and paying no taxes. After reading the state-required owner-builder permit applicants' warnings, only a fool would proceed to use an illegal "consultant." AB 2335 is one of two bills pushed by SPEC this year to stop unfair and unlawful competition from unlicensed pool contractors. Key to the success of AB 2335 will be the enthusiastic enforcement by local building officials who have signed on as co-sponsors this year.

MAJOR ILLEGAL CONTRACTOR PENALTY INCREASE BILL

ADVANCES Next Monday the Senate Appropriations Committee will hear testimony from SPEC and other home improvement contractor association representatives urging the Committee to approve, and send to the Senate floor for final legislative action, AB 2414. As reported by Morning Report earlier, this is the second major bill this year aimed squarely at stopping illegal contracting. On June 10th the Senate Business, Professions and Economic Development Committee passed this SPEC-supported legislation on a 9 to 0 vote. Officially sponsored by the Los Angeles City Attorney and the CSLB, AB 2414 is authored by Assemblymember Mike Eng (D-Monterey Park), the measure has been passed unanimously by five legislative panels thus far. With no costs to the state, it is expected that the

measure will be on the Senate floor for approval in two weeks. From there it will go to the Governor where his signature is expected. When the measure goes into effect next January 1st, the penalty for a first time unlicensed contracting conviction will increase from \$1,000 up to \$5,000 or imprisonment in the county jail for up to six months, or both. A second offense will be the greater of 20% of the contract price, 20% of the aggregate payments made to the unlicensed contractor, or a mandatory \$5,000 fine. In addition, such an offender will face mandatory imprisonment of 90 days. Third and subsequent convictions will result in a fines of not less than \$5,000 or more than \$10,000, plus imprisonment for not less than 90 days or more than one year.

(NOTE: You can read the text of these bills, and information on all bills being followed by SPEC today, by going to the association's Web site – www.calspec.org.)

WARRANTS AND ARRESTS IN AQUARIUS POOL CASE It is almost two years ago when Sacramento's Aquarius Pools abruptly closed its doors and announced that it was out of business – leaving some 60+ families from Marysville to Elk Grove with unfinished swimming pools. Although the company had been paid for work completed, more than 60 of its subcontractors had not been paid for their work. Several million dollars were reportedly owed to subcontractors. The potential public smear to the industry is obvious. SPEC organized a program where member builders volunteered to complete the Aquarius pools at cost in order to prevent a public relations disaster. As a result the Sacramento pool industry received praise from the region's newspapers and TV consumer reporters. SPEC's Board Chairman Bruce Done commented, "If that action alone doesn't convince Sacramento area builders to support SPEC, nothing will!"

Late last month the Sacramento County District Attorney, cooperating with the CSLB's investigation, obtained a warrant and arrested Gregory Wolfe and his wife Teresa Wolf. The two face 11 felony charges of mishandling company finances, defrauding consumers and subcontractors and willfully filing false income tax returns. Both have been in county jail with bail set at \$120,000 each.

The Wolfes managed the company's day-to-day operations when it became insolvent and shut its doors. Aquarius Pools' owners Kevin Towle and Richard Carnation were in the process of selling t Greg Wolfe at the time of its demise. He was listed as the RMO, CEO and President on the Aquarius license. It filed for bankruptcy in late 2007.

The Wolfes are charged with using the

company's assets for personal gain. A forensic accountant conducted an analysis of various bank accounts and determined that between January 2004 and August 2006, the couple diverted Aquarius Pools' assets through fraudulent payroll and business expenses, purchases of personal items, vacations and personal expenses. These included a timeshare in Cancun, Mexico, multiple vacations and Sacramento Kings season tickets. They also used Aquarius money to pay various credit card bills, put three children on Aquarius' payroll, paid rent and/or security deposits for two sons, made payments on one son's vehicle, and for home improvements such as new garage cabinets.

The State Franchise Tax Board initiated its own investigation and recommended to the District Attorney that criminal charges be filed against the Wolfes for under-reported income of \$400,000 for those two years.

"This is one of the longest and most complicated investigations the CSLB has ever been a part of," said Registrar of Contractors Steve Sands. "Our staff has been diligent in searching for the truth and making sure that those responsible for harming consumers pay the price."

In addition, the CSLB is moving ahead with its administrative case against the two owners of Aquarius. The CSLB is seeking to revoke the license, along with four other contractors' licenses held by Carnation and Towle. The two run an extensive public swimming pool construction business in the San Francisco Bay Area. A hearing by an administrative law judge was scheduled to begin last week.

Investigations are also being conducted by other government agencies and could result in charges against Carnation and Towle,

In its press release on the arrests, the CSLB wrote, "CSLB worked closely with the California Spa and Pools Industry Education Council (SPEC) to help families harmed in the Aquarius bankruptcy. SPEC gathered a group of licensed contractors to step in and finish up the jobs at a reduced price. Many victims utilized this and all homeowners now have their pools finished."

This story hasn't ended, quite obviously. The Morning Report will keep you informed as the cases develop.

(Continued on next page)

NEW FED RULES IN WORKS TO EFFECT PUBLIC POOLS Far-reaching new rules are about to be proposed by the Bush Administration that would give people with disabilities greater access to tens of thousands of courtrooms, golf courses, stadiums, theaters, hotels, retail stores and – yes – swimming pools. The proposal would substantially update and rewrite federal standards for enforcing the Americans With Disabilities Act. A new swimming pool with a perimeter of more than 300 feet would have to provide “at least two accessible means of entry,” like a gentle sloping ramp or a chair lift.

DROUGHT EMERGENCY DECLARED BY GOVERNOR – NEWSPAPERS SAY POOLS OK Ten days ago a drought emergency was declared by the Governor in the nine Central Valley counties from Sacramento to Kern, ordering the state to carry out “creative water deliveries” to help. This at the same time that many newspapers throughout the state publish special “start of summer” swimming pool home sections. This past Saturday the San Francisco Chronicle, which has heavy circulation throughout Northern and Central California, included a beautiful swimming pool and summer home recreation special section. A boxed story on its front page headlined, “Water District Neutral On Pool Construction.” The article began, “Despite the East bay Municipal Water District’s mandatory water rationing – and the governor’s declaration of a state-wide drought – the utility remains neutral on the issue of new pool construction. It agrees with studies showing that a pool and an irrigated lawn use about the same amount of water” (emphasis added). SPEC has for years distributed to water districts, newspapers and the pool industry in California and to pool industry associations facing droughts nationwide, the Sacramento area water district’s study showing exactly that. We couldn’t have a better sign from any source than this Chronicle article. The “Chron” went on to outline a number of ways homeowners can save water with their pools, and even laid out its costs for filling new pools. The East Bay MUD’s charge, depending upon gallons required, ranges between \$100 and \$250. That is considerably less than the costs of hauling water by tanker truck from private courses that the industry experienced during the ‘70’s droughts!

SPEC has successfully fought off attempts in previous droughts to ban swimming pool construction. While we are now geared up for a full bore fight against any similar acts this year, it appears we will have a friend in the media. The Chronicle article was cheering, to say the least. SPEC members are urged to pay close attention to their local water districts for any indications in the media that drought-inspired pool water restrictions are under consideration. Call SPEC IMMEDIATELY should you get wind of such possible action. We will target any such regulations without hesitation. Another reason to.....SUPPORT SPEC!

SPEC 8/7/08 Morning Report
GOVERNOR SIGNS OWNER-BUILDER WARNING LEGISLATION SPEC – supported AB 2335 has been signed into law by Governor Schwarzenegger. This measure will require that every applicant for a residential owner-builder building permit to read and sign off on a multi-page state form warning the homeowner of the serious legal liabilities he or she faces when acting as his or her own home-improvement contractor. No permit will be issued by a county or city building department until the homeowner signs under penalty of perjury that no unlicensed contractor or “consultant” will be employed. Sponsored by the Los Angeles City Attorney and the California Association of Building Officials, and strongly supported by the Contractors State License Board (CSLB) and SPEC, the bill will go a long way toward ridding California of unlicensed pool builders and “owner-builder consultants” who have become a plague. Most of these illegal contractors at one time held contractor licenses but had them revoked for violating state law. SPEC and the CSLB have been cooperating for the past half dozen years and more on arresting these individuals who prey on homeowners by promising to save them thousands of dollars over the costs of pools constructed by legally licensed contractors. This new law will go into effect on January 1, 2009. To read the actual form owner-builder applicants will be required to sign, go to SPEC’s Web site (www.calspec.org) and click on “Legislation.” “By the time a homeowner finishes reading the legal pitfalls of acting as an owner-builder, licensed contractors are going to look like the bargains they are,” SPEC Board Chairman G. Bruce Dunn noted.

BUDGET FIGHT PUTS ILLEGAL CONTRACTING PENALTY BILL ON HOLD Yesterday afternoon the Governor announced that he will sign no more bills until the long overdue state budget is on his

desk. AB 2412, a measure vigorously supported by SPEC, which would dramatically increase the present penalties for contracting without a license, is set for final action by the Senate today. Were it to be voted out today, the bill could wind up on the Governor’s desk before the budget. The Governor promises that bills caught in this situation, and there will be many, will be vetoed. SPEC has suggested to the bill’s author, Assemblyman Mike Eng (D-Monterey Park), that AB 2412 be held on the Senate floor until after the budget has been passed. “It appears that this has been done,” SPEC Legislative Chairman Jerry Wallace stated.

SPEC APPROVES NEW LOBBY-MANAGEMENT FIRM AS BURNS PLANS RETIREMENT After 36 years as SPEC’s founding CEO and senior governmental advocate for the pool and spa industry in California, Don Burns has set June 30, 2009, as his retirement date. For the past two-plus years, with the Board of Governor’s full knowledge and support, a search for the best possible replacement has been underway. At the SPEC Board’s Annual Meeting July 30th, attorneys John Norwood and Peter Conlin, of Norwood and Associates, one of Sacramento’s top 10 legislative advocacy firms, were interviewed by the Board members and unanimously approved. Norwood and Associates will succeed OMI Government Relations, the firm owned by CEO Burns, next year. Board Chairman Dunn outlined the long search process for the Board members last week. Other top firms had been considered and interviewed by Dunn and Burns and the top recommendation for the Board to interview and consider was the firm headed by Norwood. Burns has worked closely with Norwood on legislative issues for nearly 30 years in the Capitol. Norwood and Conlin will work closely with SPEC over the coming year, gradually taking over more and more SPEC work. “We are all dedicated to make this change as seamless as humanly possible,” Burns told the Board.

OMI and Norwood and Associates have now joined their offices so that both firms are already working together on SPEC governmental relations cases as well as administrative work. Please note the new mailing address for SPEC: 915 L Street, Suite 1110, Sacramento, CA 95814. Everything else remains unchanged.

(Continued on next page)

POOL INDUSTRY URGED TO HELP WITH WEST NILE VIRUS THREAT

Adding significantly to the dangers of California's present West Nile Virus outbreak threat are thousands of potentially stagnant pools and spas at homes abandoned following lender foreclosures. SPEC, in cooperation with the Mosquito and Vector Control Association (MVCAC), an organization of local government vector control and mosquito abatement agencies, is asking the cooperation of its members to locate and report bodies of water where mosquitoes can breed. The virus is carried by mosquitoes, which require standing water for their larva to develop. Pool industry professionals are in an excellent position to provide information on shut-down pools. When a house has had its power turned off and its pool and spa has left without maintenances, it should be reported to the local vector control office as soon as possible. Local abatement officers can then go to the pool and release mosquito fish into the water. The fish feed on the mosquito larva, removing that threat of West Nile Virus spreading. SPEC members are urged to report any abandoned pools they may find in their daily work. The MVCAC's Web site has a listing of all California control district offices, their telephone numbers and mail addresses. That Web address is:

www.mvcac.org/agencies.htm. SPEC urges you to go to the association's Web site, find your local district's telephone number, write it down and keep it handy in order to promptly alert vector control offices in your area.

BUILDING OFFICIALS BEFUDDLED BY NEW POOL LAWS

Throughout the state building officials are displaying confusion over recently enacted laws and regulations relating to swimming pool safety. The state's Uniform Building Code has major conflicts with California's statutory requirements for residential pool and spa barriers causing all sorts of unique and illegal local interpretations by building departments. On top of that we have the new federal Pool and Spa Safety Act which will set mandates effective next December 19th, but only for public pools. Some building officials are applying the federal act to residential pools right now, when they will never so apply. The City of Los Banos is even requiring that residential property line fences must meet the state's barrier requirements for four-sided pool isolation fences – even when the new

pool buyer has selected alternative barriers to fences! They have told builders that they have to trespass onto neighboring properties and re-build the back side of their existing boundary fences to meet the isolation fence law's climbability requirements. SPEC is working with these officials in an attempt to provide correct understanding of the conflicting and confusing tangle of barrier requirements. But we are finding that it often requires action by city attorneys and county counsels to clarify the laws for building officials. All this takes time and creates major frustration for frustrated builders and homeowners alike. Should a SPEC member builder encounter such a problem, it should be reported to SPEC for action: (916) 447-4113.

POOL BUILDER ARRESTED ON CHILD DROWNING In Stamford, CT, pool contractor David Lionetti, has been charged with one count of second degree manslaughter following the pool entrapment death of a six-year-old boy late last month. This is believed to be the first time in the U.S. that a swimming pool contractor has been arrested for violating pool safety codes. Police charged the builder with failure to properly install legally required safeguards. The youngster drowned in his home pool when his arm became trapped in the pool's main drain. The pool drain's cover was missing and the pool lacked properly designed dual main drains, which are required in Connecticut. Dual main drains have been required in California new pool construction for the past 10 years, thanks to SPEC-sponsored pool safety legislation. There have been no reported entrapment incidents in pools with dual drains in this state or anywhere else. Lionetti's arrest came three days after a fire destroyed his company's warehouse, causing 13 police officers to be treated for chemical exposure. The pool contractor was released on a \$25,000 cash bond. We will be following this case and keep you informed.

L.A. COUNTY CLOSES 10% OF PUBLIC POOLS Over the past three and one-half years, the Los Angeles County Department of Public Health has closed at least once 10% of the county's 16,000-plus public swimming pools for lacking sufficient disinfectant to be in a clean and healthy condition. Apartment and condominium pools were the worst offenders. Other reasons for closures by county inspectors included electrocution dangers (SPEC legislation requires all public pool GFCIs to be inspected at least annually following the electrocution of a 12 year-old girl some 10 years ago in a Daly City condominium pool) and missing, loose or broken main drain covers.

WORKERS' COMP BILLS STALLED Two measures designed to reverse SPEC-

supported reforms in California's then financially debilitating and out-of-balance Workers' Compensation laws adopted shortly after Governor Schwarzenegger took office, have been stalled in the Legislature. AB 1717, authored by Senate President Pro Tem Don Perata (D-Oakland) has been held on the Assembly's Inactive File after having sailed through the upper House on a straight party line vote. Two almost identical Perata bills last year were cited by the Governor as being too costly and were vetoed. SB 1115, by Senator Carole Migden (D-San Francisco/Marin) has been sitting on the Assembly floor since the end of June awaiting vote. Both bills are strongly opposed by SPEC and the state's employer community. While neither of this year's pro-labor comp bills are likely to win approval, many observers believe that a more serious threat faces business next year, especially if a Democrat wins the Governor's chair.

POOL EXPERTS SERIOUSLY NEEDED BY CSLB Experienced swimming pool contractors are badly needed by the Contractors State License Board to assist the state's field investigators evaluate pool owner workmanship complaints. Although CSLB field people are trained to use the SPEC-developed California Pool Workmanship Guidelines, frequently a proper on-site evaluation requires the experience of a seasoned pool contractor. CSLB's Chief of Investigations David Fogt reports that the vast majority of consumer complaints against pool builders are settled at the site when an expert witness is involved. The problem today, however, he reports, is a lack of pool experts. SPEC urges member contractors to volunteer to provide occasional assistance to the CSLB by going on its Web site (www.cslb.ca.gov), download an Expert Witness form, fill it out and send it to Dave. SPEC has been working with the CSLB over the past several years to improve on its contractor expert program so that pool builders' work will be properly evaluated when subjected to a consumer's complaint. "This has provided pool contractors with considerably more fairness in such situations than was the case in previous years," SPEC CEO Burns noted. "Our main job is to attract experienced experts and then make certain that both they and the field investigators are properly trained before being turned loose to judge our members work," Burns concluded. Another reason to.....SUPPORT SPEC!!!



SPEC

Protecting Pool Owners and Professionals Since 1973

July 28, 2008

Mr. Mark Curran
President
San Diego Chapter, IPSSA
P. O. Box 70192
San Diego, CA 92167-1192

Dear Mark:

We have just closed the books on another SPEC fiscal year and, largely because of your organization's financial assistance over the past 12 months, we not only did our job very well, but we ended the year in the black.

This was no easy task. We started our 2007-2008 fiscal year in the red because of serious legislative attacks in the previous year that required the swimming pool and spa industry to borrow against this past year's income. Through prudent money management and, most importantly, because you and your colleagues came to SPEC's rescue and contributed the funds we required to defend our self interests, we successfully beat back every attack. And we accomplished this without creating a deficit.

The recent plague of unlicensed pool "owner-builder consultants" has been hit hard by legislation SPEC co-sponsored and fought hard to see enacted. One of these new laws will require applicants for "owner-builder" pool construction permits to initial and sign a six page document informing them of their legal liabilities should they illegally use unlicensed pool contractors. They will also have to sign, under penalty of perjury, that they will not use unlicensed "consultants" or other unlicensed contractors to build their pools. This bill, AB 2335, has now been signed into law.

Coming right behind that measure is AB 2412. This second arrow in SPEC's legislative attack on unlicensed pool contractors will significantly increase penalties for contracting without a license. It is set for its final vote by the full Senate when the Legislature returns from its summer vacation next week. Penalties for unlicensed contracting will go from today's \$1,000 wrist slaps, to financial fines as high as \$10,000 and mandatory sentences of up to six months in a county jail. This measure will pass the Senate and it will be signed by the Governor.

California Spa and Pool Industry Education Council

915 L Street, Suite 1110 Sacramento, California 95814

(916) 447-4113 Fax: (916) 444-7835 Website: www.calspec.org Email: spec@calspec.org

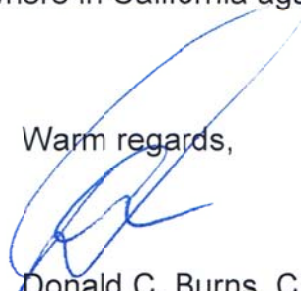
Because of your important financial assistance this past year, our industry has been able to take major steps to rid California of the scofflaws who have increasingly plagued homeowners - and our industry - over recent years. With the increased enforcement resources provided to the Contractors State License Board over the past two years by the Governor and the Legislature, and with this year's new penalties, we anticipate that a great many of today's illegal pool contractors will be moving on.

With the recent success of vacuum switch manufacturers in legislating mandates of their products in eastern states, we have every reason to believe that California's swimming pool industry will again face a major legislative battle when the Legislature convenes its 2008-2009 session in early December. California, with its huge swimming pool market, is back on the vacuum switch promoters' legislative agenda for the coming year.

With your continued support, our industry will be able to defeat any repeat attempt by these manufacturers, whose products seem to require legal mandates rather than quality products, to gain customers. With your continued financial help, SPEC will be on the battle line, ready and able to defend California's swimming pool and spa owners and the industry that makes the California dream come true.

Again, thank you, and all of your colleagues, for making it possible for our industry to protect itself anywhere and everywhere in California against those who would destroy our businesses.

Warm regards,



Donald C. Burns, CEO

BLUE CARD - SAN DIEGO IPSSA (Fill form completely) Date: _____

Name: _____ Spouse: _____ H.Phone:() _____

H. Address: _____ City: _____ Zip: _____

Company Name: _____ E-Mail: _____

B. Address: _____ City: _____ Zip: _____

B.Phone:() _____ Pager:() _____ Cellular:() _____

CIRCLE ZIP CODES THAT YOU SERVICE (Mail cards to Chapter PO Box or give to Paul Grimes)

NORTH CITY	METRO NORTH	METRO SOUTH	SOUTH BAY	EASTCOUNTY
92007 - Cardiff	92037 - La Jolla	92101 - Downtown	91902 - Bonita	91901 - Alpine
92014 - Del Mar	92108 - Mission Valley	92102 - Golden Hill	91910 - Chula Vista	91935 - Jamul
92024 - Encinitas	92109 - Pacific Beach	92103 - Hilerst/MsnHl	91911 - Chula Vista	91941 - La Mesa
92064 - Poway	92111 - Clairemont	92104 - North Park	91913 - Chula Vista	91942 - La Mesa
92067 - Rancho S Fe	92117 - Clairemont	92105 - City Heights	91914 - Eastlake	91945 - Lemon Grove
92075 - Solana Beach	92119 - San Carlos	92106 - Pt. Loma	91915 - Eastlake	91977 - Spring Valley
92091 - Morgan Run	92120 - Grantville	92107 - Ocean Bch/PL	91932 - Imperial Bch	91978 - Rancho SD
92121 - Sorrento Valey	92122 - Univ. City	92110 - Midway/O.T.	91950 - National City	92019 - El Cajon
92126 - Mira Mesa	92123 - Mission Village	92113 - Logan Heights	92118 - Coronado	92020 - El Cajon
92127 - Rancho Berndo	92124 - Tierrasanta	92114 - Encanto	92154 - Otay Mesa	92021 - El Cajon
92128 - Rancho Berndo		92115 - Rolando	92173 - San Ysidro	92040 - Lakeside
92129 - Penasquitos		92116 - Normal Hgts		92071 - Santee
92130 - Carmel Valley		92139 - Paradise Hills		
92131 - Scripps Ranch	poolservicepros.com listings are by your Zip codes.		DO NOT list me for referrals on www.poolservicepros.com	

I, the undersigned, waive any and all claims against IPSSA, Inc, IPSSA Management Company, IPSSA Chapters and/or its individual members, arising out of my participation in the IPSSA Sick Leave Program, including, but not limited to claims for lost income resulting from improper maintenance performed by IPSSA members. I have read and understand the standing rules for the Sick Leave Program and agree to participate in that program.

SIGNATURE REQUIRED _____ DATE _____

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**San Diego Chapter
Independent Pool & Spa
Service Association
PO BOX 70192
San Diego CA 92167-1192
www.ipssasandiego.com/members**



**No Meeting or Picnic
this August**

**We'll nominate and vote
in this year's B.K. Taylor
winner at the September
Meeting**

**Next General Meeting
September 17, 2008 - 7 p.m.
Mission Valley Resort
875 Hotel Circle South
Mission Valley, south of I-8
1/4 mile west of SR 163**

