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A life of service in the trees…

I don’t think it’s by default that tree care companies are considered a service industry. You provide a highly skilled service to people’s property – a service they cannot perform themselves safely or professionally. Think about it – while the work is performed on a tree, it only happens after people have engaged with each other. When arborists fall in love with trees, I wonder whether they actually realize that the life that they are choosing is three-fold service: to nature, to the person(s) responsible for maintaining that piece of our creation, and in the case of owners, the people they are going to select to partner with in running the company?

I watch companies go through evolutions of birth and excitement around having the freedom to run things as they choose and to get to work with something of great beauty and necessity that inspires passion in those who are arborists. Gradually, the realization occurs that in order to truly be successful, they have to be of service not only to their clients but to the people with whom they are entrusting their name – and their company’s name – their employees.

Along with the freedom to do things one’s own way, comes the recognition that there are also responsibilities to others – as well as help required from employees. A wrestling match usually begins between a desire to command and control versus what it takes to have the best brought out in everyone. In the end, where peace is made with these concepts, the best results come when teams are formed and everyone is enlisted in a service mindset. Meaning is then added to everyone’s lives as they serve the client and the trees.

I began thinking about meaning in life and its connection to work when I had the opportunity to be with some people from my personal life who are at the end of their lives. The conversation revolved around what they had accumulated, where it came from and how much it cost. I left with a very heavy sadness realizing that all the years that had gone into what some of these spectacular lives had ended up not with great reminiscences of who they had taught and passed on their great skills to, or what was being done to help others, but literally an inventory of what they owned. The saddest part about this is that it won’t be for much longer that they will own those things upon which they base their meaning, and there is no way to add a legacy of meaning to what they could have given and how they could have been of service to others.

I see this as exactly opposite to how arborists contribute on a daily basis. When you drive around with arborists, they know houses by what kind of tree is in what part of each yard. The respect that is held for the client who can preserve trees of great historical significance or overwhelming beauty is palpable. The service that is rendered to people who love their properties and their trees as much as the arborist does is a legacy that will live on beyond any of us. The education of consumers and the love that many of you have instilled in children as you meet with the local schools or speak to Rotary Clubs and Garden Clubs is not just good business sense; it’s a tremendous service to the next generations and the earth.

Yes, you are professionals. Yes, you earn money for the unique skill sets that you have acquired. However, your generosity is something that is seen daily, whether it is helping with a Katrina clean-up, contributing to a Day of Service, or planting trees on Arbor Day. You have a sense of meaning that what you do is affecting the present while serving the future. This is a characteristic that is to be valued within our community.

A life of service is not only good for those around us and the trees; it’s good for us as people.

The tree care industry is a service business that provides support to our green infrastructure and serves people who have a passion for their properties that runs just as deep as yours. Serving both, from a life in the trees, is the blessing of meaning that you get to take home every day.

Cynthia Mills, CAE, CMC
Publisher

TCI’s mission is to engage and enlighten readers with the latest industry news and information on regulations, standards, practices, safety, innovations, products and equipment. We strive to serve as the definitive resource for commercial, residential, municipal and utility arborists, as well as for others involved in the care and maintenance of trees. The official publication of the non-profit Tree Care Industry Association, we vow to sustain the same uncompromising standards of excellence as our members in the field, who adhere to the highest professional practices worldwide.
Please circle 99 on Reader Service Card
The Argument Over One-Handed Chain Saw Use
By Paul Elcoat

Making the Cut at Tree Care Training School
By David Rattigan

Mini Lifts May Put More Profits Within Easier Reach
By Rick Howland

Creating a Culture of Safety
By Sam Steel

Diagnosing Herbicide Injury
By David L. Roberts

Dead Trees Standing – Drought, Stress and Borers
By Michael Raupp

Hybrids May Be Ending the Pain of Blister Rust
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On the Cover: Fall colors on a sugar maple overlook The Ancient Burying Ground, the oldest historic site in Hartford, Conn. From 1640, four years after the arrival of the first English settlers, until the early 1800s, anyone who died in town, regardless of age, gender, race, ethnic background, economic status, or religious faith, was interred here. It is a short walk from the Connecticut Convention Center, site of TCI EXPO 2007.

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ON THE COVER: Fall colors on a sugar maple overlook The Ancient Burying Ground, the oldest historic site in Hartford, Conn. From 1640, four years after the arrival of the first English settlers, until the early 1800s, anyone who died in town, regardless of age, gender, race, ethnic background, economic status, or religious faith, was interred here. It is a short walk from the Connecticut Convention Center, site of TCI EXPO 2007.
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Washington in Review
New Maine law requires removed shore area trees be replaced.

Management Exchange
By Paul Farrell
Cell phone use on the job – who is liable?

Branch Office
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Will your company weather the impending workforce crisis?

Going Green
Boston Tree Preservation becomes even more green.

Giving Back
Massachusetts Arborist Association day of service.

Tree Law
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Virginia case provides protection from neighbor’s trees.

Snow Business
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Soliciting new snow plow customers.

Letters & E-mails

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By Mark E. Battersby
S corps offer limited liability but allow income and deductions.

Accident Briefs

Member Forum
By Kirk Graenwald
Lessons learned from emerald ash borer treatments.

Innovations
By Don Dale
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By Mary McVicker
When is a sale a sale?

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By Celeste White
A tree is a terrible thing to waste.
Tree Gear Authority

Dr. John Ball

Author of over 120 publications on tree health care
Lecturer at more than 150 conferences and seminars throughout the world
Professor of Forestry
South Dakota State University
Forest Health Specialist
South Dakota Division of Resource Conservation
and Forestry

Active in the profession for over 30 years as a tree care company manager and college educator

Passions:
“Climbing: I’ve been doing it for three decades. I recently climbed Devil’s Tower in Wyoming. A great experience with no close encounters.”

Recent Accomplishment:
“Anytime I’m called to save a tree, I consider that the ultimate accomplishment.”

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“The F2 Felco pruners are the best for sample collection and the ARSPEED is valuable for examining the hidden, underground tree.”

Please circle 77 on Reader Service Card
In the course of my business, I get to observe many contracting companies and climbing arborists performing their day-to-day duties. I spend my time offering services as a ‘rent-a-director’ in arboricultural and landscape companies that need a helping hand with various aspects of their business. One of the areas that I have found can yield quick efficiency wins is looking at the on-site routines and practices. Things that I tend to note are:

- Safe working practices
- The efficiency of the observed working practices
- The appropriateness of the observed working practices
- Concurrent activity among the team or, indeed, the lack of it
- Anticipation of needs at all levels
- Effective use of equipment
- Further equipment needs
- Unproductive attitudes and relationships

I invariably find that my outlook is different from the arborists who I am working with in that while they are thinking about trees, personal income, going home in the evening and all of the other ‘look-forwards’ that individuals have on their minds, I am thinking commercial; how can we do this more efficiently and safely? How can we fit more paid opportunities into the day and maintain the effective fitness of our people?

At this point, let us consider the following set of assumptions. They are sweeping generalizations, but I am sure that you will get my point:

- Excellent tree work is the commodity that we sell to generate income.
- Increased efficiency as well as increased sales yield increased profit.
- Regardless of how professional we consider ourselves to be, to the domestic customer we are simply the people who take away the green refuse.
- We are, sadly, judged on price and clean up rather than the quality of our pruning.

Let me make it clear from here on in; the single-handed use of a top-handled chain saw as your normal operating technique is not acceptable.

- Accidents cost a lot of money.
- A damaged individual is not productive.
- A tired individual is not productive.
- Ill-maintained or inappropriate equipment is not productive.

The bottom line, whether you are the owner of the operation or an individual arborist, is that you owe it to yourself and your colleagues to take full advantage of the excellent tools and systems available to us nowadays and to adopt proven safe and efficient working practices as your standard operational procedure. Such operation will ensure profitability, continued income, staff welfare and customer satisfaction. Additionally, of course, it will enable you to develop a good working relationship with your local enforcement agencies; it’s great to have these experts on your side.

This nicely brings me to the subject of top-handled chain saws and their appropriate use by competent arborists.

An all-too-common observation is a climber using the “hold-and-cut” habit. They hold the piece to be cut off with their left hand and cut it off using a simple top to bottom cut with a top-handled chain saw held in their right hand. This is regularly justified to me as being “what these saws were designed for” and “how else would you do it!” Apparently it is the best way to ensure that the area below the tree remains undamaged and it facilitates the passing down of the cut section to the ground staff?

Once hold-and-cut has become part of the climber’s existence, they do it unconsciously all of the time. I regularly see people removing the last 12 inches of stub by holding onto it, cutting it off and then dropping it straight to the ground. More recently, arborists in the United Kingdom (where the author lives and works) have started to use bucket trucks to reduce the risks from working at height and a whole new suite of horrible practices have developed. Hold-and-cut while standing in the bucket or, worse still, several people in the bucket; one person driving, one person holding the lump to be removed and one person cutting with a chain saw.

I have seen, investigated and heard of enough accidents to be able to make a com-
ment about hold and cut:

IT IS VERY DANGEROUS – DON’T DO IT!
YOU WILL SERIOUSLY HURT YOURSELF OR YOUR COLLEAGUES.

Let me make it clear from here on in; the single-handed use of a top-handled chain saw as your normal operating technique is not acceptable. It is generally considered to be unprofessional and simply a demonstration of your inability to achieve a good work position and to make appropriate cuts. It significantly increases your exposure to risk and is likely to shorten your effective working life.

I hope I said that well!

Case studies
In the UK, professional arborists report incidents to the Health and Safety Executive (the UK version of OSHA) so that statistics can be analyzed and better standards developed. The HSE may also use the reports as anecdotes in their publications to illustrate a point.

The case studies below are taken from “Tree Work Accidents – an analysis of fatal and serious injuries,” (2003).

Case 1
A trainee arborist needed 35 stitches to his left arm after it came into contact with the running chain on a top-handled chain saw. He had failed to position himself correctly in the tree. To steady his position, he placed his free hand below and in line with the cut he was making on the branch. When the saw completed the cut, it dropped through onto his arm.

Top-handled chain saws should only be operated by arborists who have undergone specific training in their use. Where possible, top-handled chain saws should always be held with both hands. Poor positioning in the tree is not an excuse for one-handed use.

Case 2
A self-employed arborist cut the tendons and artery in his forearm when he tripped while de-limbing a felled tree in a domestic garden. He was using a top-handled chain saw one-handed.

Top-handled chainsaws are designed to be used up in trees. He should have used a conventional chain saw when working on the ground.

The photograph on the facing page shows the result of contact between a top-handled chain saw and a lower left forearm. This damage was sustained from a chain that was “running down” rather than being under power and subsequent investigation revealed that it was done by about six to 10 cutters on the chain. They simply counted the teeth with meat on them!

I am hoping that readers are starting to
identify a trend here.

In the UK, the arboricultural industry is in the privileged position of working closely with several key stakeholders in the development of standards, and these stakeholders operate under the collective title of The Arboriculture and Forestry Advisory Group, or AFAG, as it is more commonly known. Standard-setting meetings are usually quite intense as the various issues are thrashed out and as each stakeholder argues his/her position. This has meant that our training, assessment and regulatory material all largely reflect the same consensus opinion, is finalized to be a reasonable response to accident statistics and is industrially credible.

Members of this partnership are:

- Representatives from industry
- Representatives from manufacturers
- The Health and Safety Executive (HSE)
- The Arboricultural Association (UK industry professional body for arboriculture)
- The Forestry Contracting Association (UK industry professional body for forestry)
- NPTC (NPTC develop the standards for competence assessment)
- Lantra Awards (Lantra Awards develop training material and courses)

Top-handled chain saw use

I would like now, to introduce some of the guidance that has been developed in relation to the use of top-handled chain saws in order to clearly explain the UK stance on appropriate use.

AFAG 308 – Top-Handled Chain saws

This is the industry guidance leaflet that describes best practice in straight-forward terms. It is the guidance that would be referred to as being the standard if enforcement action was being taken for negligence in the management of health and safety.

I have extracted the following guidance for your consideration:

Top-handled chain saws have two handles. To maintain proper control of the saw you must, wherever possible, grip both handles.

Poor work positioning in the tree is not an acceptable reason for one-handed use.

Keep the saw well clear of yourself and...
Tough Equipment for Your Tough Situations.

For ease of use and rugged reliability, it’s hard to beat ECHO high-performance outdoor power equipment and ECHO Bear Cat commercial grade, heavy-duty machines. Together ECHO and ECHO Bear Cat are the most reliable source for the best in tree care equipment. From Chain Saws and Power Pruners® to Chippers and Chipper/Shredders ECHO and ECHO Bear Cat can tackle any tree care situation. For more information visit www.echo-usa.com.
your climbing equipment at all times. Ensure you obtain the best available cutting position to minimize the risk of being struck by the saw (including kickback) or by severed pieces of wood. Incorrect, one-handed use significantly increases the risk of injury from the saw if it kicks back, skates or bounces on contact with a branch, or drops through at the end of a cut. Never ‘hold and cut’ a section. Do not attempt to catch a falling section. One-handed use should be restricted to circumstances where one hand is required to maintain a stable working position and the saw is used at extended reach with the other hand, e.g. while cutting at the extremities of limbs. (Note to the reader: This is not an ANSI Z133-condoned practice for the U.S.)

The chain saw may be attached to the climber’s harness by means of a strop. However, it should not be attached to the climber in situations where there is a risk of the chain saw being trapped or taken with a severed section. The chain saw should be switched off, or the chain brake applied, after each cutting operation. Do not leave the engine running for long periods when not in use. This and the other guidance leaflets can be seen at www.hse.gov.uk/pubns/forindex.htm Take a look, they are very good. They make ideal handouts for trainees or reference documents in the “truck file.” They can even be used as site-inspection checklists.

NPTC CS39 – Use of a Chain saw from a Rope and Harness

CS39 is the set of standards used by NPTC Assessors when observing a candidate prior to the award (or not) of the certificate of competence for the use of a chain saw from a rope and harness. Again, I have extracted some key content below:

Limbs and limb sections should be removed taking the following points into account:

Hit your target more often!

Use the “Bullet Bag” by Bishop Company.

The Bullet design offers greater accuracy, easier use and more durability. The long slim shape tends to fly straighter and with less deflection, whether you are tossing by hand or a mechanical device. The slender bag and smaller attachment dee-ring makes retrieval through tight spots possible. By reducing the number of pieces and seams in the bag construction and correctly matching the bag to shot volume to allow internal energy absorption on impact, the Bullet Bag will perform longer. Choose from five weights with color coding for easy identification.

To place an immediate order for a Bullet Bag or other arborist supplies, please CALL 800.421.4833, email sales@bishopco.com or now order online at www.bishopco.com.

ANSI Z133.1-2006, 6.3.7: When operating a chain saw, the arborist or other worker shall hold the saw firmly with both hands, keeping the thumb and fingers wrapped around the handle.
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With Big Beaver's ReTREEver, no human ever needs to touch the tree. Finally there's a new way to remove trees, even very dangerous trees, safely and competitively. The Big Beaver ReTREEver will bring the tree care industry up to the high tech standards of this new century! The "horse & buggy" days of tree removal are gone! Come see this new product on display at our location at Hartford this November! Or call us today for more detailed information. But you better call now and order soon, there is limited availability of this exciting new product.

You will deliver better tree services with greater safety and fewer problems for less money.

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Appropriate working position attained. Characteristics and properties of the wood allowed for. Manageable sections selected. Climber holding the saw using both the front and top/rear handles of the saw. Side or reducing cuts used where appropriate. Appropriate hinge left on sink-cut sections. Position of cuts on step-cut sections and a complete overlap of cuts achieved. Chain brake applied or saw switched off whilst breaking and casting sections. Hand-held sections are cast into a predetermined area. The branch collar and/or branch bark ridge is identified when pruning.

The pruning cut is left as smooth as possible. **Question:** State the circumstance when it would be necessary to use a top-handled chain saw in the tree one-handed. **Answer:** When working at the extremity of limbs and cutting is required while the other hand is needed to maintain the work position.*

**Question:** State the circumstance in which it may be necessary to use a chain saw in the tree left-handed. **Answer:** When normal working position cannot be achieved.*

* (Note to the reader: This is not an ANSI Z133-condoned practice for the U.S.)

At one point a few years ago, the HSE were so worried about the level of reported accidents as a result of the use of top-handled chain saws that it was proposed to get rid of them all together! The full standard and the standards for all other competences can be seen at www.nptc.org.uk. When you arrive at this page, click on “Assessment Schedules.”

Ban considered

At one point a few years ago, the HSE were so worried about the level of reported accidents as a result of the use of top-handled chain saws that it was proposed to get rid of them all together! Bear in mind that this was a reflection upon reported accidents and that it is acknowledged that the vast proportion of accidents go unreported by the poor misguided fools who seek to cover the situation up.

“For the past 10 years, the HSE has had concerns over the safety of the use of top-handled chain saws. These chain saws are of a fundamentally different design to conventional chain saws in that the rear handle is positioned on the top of the machine. This allows the chain saw to be
Can a chain saw company and 65,000 tree farmers possibly find common ground?

Not only have we found common ground, but we’re helping them put 5 million trees into the ground. STIHL, in an exclusive partnership with the American Tree Farm System and its more than 65,000 independent land owners, will help plant more than 5 million trees this year. STIHL is also a leader in other environmental areas including low-emission technologies as well as quieter and more fuel-efficient engines. STIHL and the American Tree Farm System – partners in caring for nature and the common good.

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used one-handed. It is the expressed opinion of the HSE that this design ignores one of the fundamental design aspects of conventional chain saws, namely that they should be held with both hands when being operated. One-handed use can result in the operator having less control over the chain saw. In one-handed use the saw may skate, bounce or kick back on contact with the material being cut, or may come into contact with the operator’s free hand/arm if used incorrectly.” (HSE, 2001)

Rather than take the draconian step of a complete ban, research into safe, effective and appropriate use was commissioned, and the full report can be seen at www.hse.gov.uk/research/crr.htm/2001/cr01402.htm.

The research was undertaken by a very well-respected training company called Treevolution in Wales, and, again, to extract the same message:

“Only in extreme situations should the chain saw be used one-handed. Top-handled chain saws should not be used one-handed either in place of poor work positioning or in preference to a handsaw whilst cutting smaller material at branch tips.”

Treevolution

Conclusion

Hopefully my brief review of the use of top-handled chain saws and the opinions expressed will stimulate debate and I expect many a discussion to ensue as a result of what I have written, but then isn’t that the point?

Professionals must question, reflect and self-criticize; that is what defines us as professionals.

Let me restate; you owe it to yourself and your colleagues to take full advantage of the excellent tools and systems available to us nowadays and to adopt proven safe and efficient working practices as your standard operational procedure.

I would be happy to take comments, via e-mail (via TCIA, staruk@tcia.org), or to put people in touch with the various agencies mentioned above.

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NHPP Update: Candidates continue to respond to non-profit issues

Carrying the message that not-for-profits are a significant basis for our nation’s health to both parties, Cynthia Mills, TCIA president, has been successful in personally meeting with a number of candidates since the New Hampshire Primary Project (NHPP) kicked off in June, building the political relationships and staff contacts necessary for the years to come.

A personal invitation to a WMUR-TV taping of “Conversation with the Candidates” provided an opportunity to meet Governor Bill Richardson (R-NM) and the chance to emphasize not-for-profits as critical partners for our country’s future. TCIA’s very existence is dependent upon the favorable treatment of organizations like ours.

A front row seat at a Manchester house party for Senator John Edwards (D-NC) provided Mills the chance to speak personally with the Senator about a partnership with non-profits for solution seeking. He promised to personally answer an e-mail with additional information, and the staff has followed up expressing interest in providing TCIA with an opportunity to host the Senator at our office.

These candidate and staff contacts are exactly what we are after – the connections that will live long after the election is over.

During August, Mills had conversations with four of the leading Republican candidates for president: Former Massachusetts Governor Mitt Romney, Former Arkansas Governor Mike Huckabee, Former New York City Mayor Rudy Giuliani and Senator John McCain (R-AZ). Surrounded by press at each event, TCIA and not-for-profit issues have been well-represented.

When Mayor Giuliani came to Manchester, N.H., Mills was tapped by the Mayor to ask the first question. Having been a guest of the Mayor’s at Gracie Mansion in New York City within two months of 9/11, it provided an instant link; the result of which was that the Mayor spent 50 percent of his Q&A time talking about the value of not-for-profits. Remembering the not-for-profit community gathering to support New York City, Mayor Giuliani came off the platform and shook Cynthia’s hand, thanking her for being present.

Later that evening at a Town Hall meeting for Governor Romney, Mills was again called upon to contribute a question to the conversation. Asked how he would engage with not-for-profits in his vision for America, Governor Romney immediately turned to his experience leading the Olympics and its interrelationship with the government. Governor Romney said that he thinks of non-profits as entities that are the seat of innovation. Ellen Sulforst, New York correspondent for Reuters America, the world’s largest international multimedia news agency, was present and conducted a 30-minute interview with Mills about TCIA, not-for-profits, and the New Hampshire primary process after the meeting.

While Senator McCain did not call upon us during his Q&A session, he did speak privately with Mills, expressing interest in not-for-profit issues and requesting that we provide information to his advance team leader.

At the Republican National Debates, Mills had the opportunity to speak with former New Hampshire Republican Congressman Jeb Bradley, TCIA’s 2005 Legislator of the Year. He has not forgotten us and will be running again in 2008.

Governor Huckabee was the first candidate to agree to meet personally with the not-for-profit community. This meeting resulted in television and print news coverage – a springboard to getting other candidates to meet with us throughout the fall.

Mills has met personally with Representative Tom Tancredo (R-CO); and attended rallies for Senator Hillary Clinton (D-NY) and Senator Barack Obama (D-IL), having the opportunity to speak with Obama about not-for-profits as well.

Each of these interactions puts TCIA on the map as the representative of an important business segment in our nation. The repetition and familiarity provides a recognition that can be useful in the future as each individual returns to their various roles in government and one secures the White House. TCIA’s goal is to have enhanced access to those whom we will count on to support our industry and the vital role it plays in our communities and the overall health of the environment.
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Los Angeles arborist is new SMA president

George Gonzalez, the City of Los Angeles lead arborist, was recently elected president of the Society of Municipal Arborists (SMA). Gonzalez, chief forester for the City of Los Angeles, runs the Urban Forestry Division of the Department of Public Works, Bureau of Street Services, and is one of the project leaders of the city’s Million Trees LA initiative.

As president of SMA, Gonzalez will lead its membership of more than 1,400 public servants, consultants, commercial firms, and residents to promote and improve the practice of municipal arboriculture; facilitate public awareness of the beautification of urban areas through proper arboricultural practices; and initiate scientific studies and investigations to further the tree care industry.

Gonzalez is a 29-year veteran of the tree care profession. Prior to working for Los Angeles, he ran his own tree care and landscaping company. His municipal career began in 1985 when he was first hired as a tree surgeon. He made his way up as crew foreman, inspector, claims supervisor, training coordinator, and eventually street tree superintendent. Today, he manages the maintenance of 700,000 street trees and more than 300 acres of landscaped median islands that make up the largest, most diverse urban forest in America.

Gonzalez is a state of California-licensed pest control advisor and certified arborist, an ISA-certified municipal specialist, and a certified urban forester by the California Urban Forest Council. He is also past president of the Street Tree Seminar, Inc. and former member of the Western Chapter of the ISA Certification Committee. He currently serves on the American Public Works Association’s Facilities and Grounds Committee.

Ed Gilman receives ISA research award

The International Society of Arboriculture recently recognized Ed Gilman with the 2007 L.C. Chadwick Award for Arboricultural Research. This award is granted to individuals in recognition of research that has contributed valuable information to the arboriculture profession.

“This is a humbling award that reflects the quality of my staff,” said Gilman, University of Florida environmental horticulture professor.

Gilman has conducted more than 60 published, peer-reviewed research studies. These have contributed to widespread development and improvement of tree growth in urban and suburban areas. He has also authored six books about trees, shrubs and landscapes. Gilman’s Web site (http://hort.ufl.edu/woody) has more than 9,000 pages related to trees and shrubs. The site also provides more than 10,000 photos and illustrations on tree management. Gilman’s current research focuses on tree response during strong winds. Recent hurricanes have increased interest in tree sturdiness and safety, as well as prompted some homeowners to panic and cut down otherwise healthy trees.

Ben Meadows presents two forestry scholarships

Ben Meadows, national distributor of equipment for natural resources and forestry management professionals, has presented two scholarships created to benefit college students enrolled in natural resources programs.

Established in 2006, the Ben Meadows Natural Resources Scholarships provide two $2,500 awards, one for leadership and one based on academic achievement for juniors or seniors enrolled full time in a Natural Resources curriculum at the baccalaureate level. The scholarships are administered by the Society of American Foresters (SAF).

The winners for 2007 are Luke Gran of Iowa State University and Ritchie Vaughan of Virginia Polytechnic Institute and State University (Virginia Tech).

Gran is a senior forestry major at Iowa State whose instructors describe him as an outstanding leader in the classroom and other endeavors, which include a reforestation project in Oaxaca, Mexico. He plans to pursue post-graduate studies in forest biology and sustainable agriculture.

Vaughan is a junior forestry/environmental resource management major at Virginia Tech. Her academic achievements are magnified by her key roles in activities such as wildland fire management, wetland mitigation research and urban tree-work. After college, one of Vaughan’s career goals includes seeking a position as a silviculturalist with the U.S. Forest Service.

Michigan research funding available for IPM initiatives

Project GREEEN (Generating Research and Extension to meet Economic and Environmental Needs), Michigan’s plant agriculture initiative at Michigan State University, has issued its request for proposals for fiscal year 2008.

Approximately $1.3 million will be available for funding new research projects in 2008, and up to $2.3 million for continuation of multiyear projects started in fiscal years 2006 and 2007.

Proposals will be accepted in three categories: basic research, applied research and Extension/education/demonstration. New this year will be a special one-time $20,000 supplement to support integrated pest management (IPM) Extension activities.

Projects should complement ongoing programs or explore new ventures, and a proposal should demonstrate how the project will benefit Michigan’s plant-based agriculture industry. For an RFP application visit www.greeen.msu.edu/rfp.htm, or for an updated list of plant commodity research and educational priorities, visit www.greeen.msu.edu/priorities.htm.

Applications are due by 5 p.m. Jan. 7, 2008. Awards will be announced in early March, with funds becoming available in April.
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Kershaw Klearway 500 brushcutter

The new Kershaw Klearway 500 brushcutter is powered by a 202 hp Caterpillar C6.6 Tier 3 engine. The machine is designed for the sole purpose of clearing brush and small trees from utility right of ways and construction sites. The drive train consists of a hydrostatic drive with a 2-speed powershift transmission and Caterpillar axles with wet disc inboard brakes. The 500 is also equipped with a drive line mounted wet disc parking brake. The machine is capable of 50 degrees right or left steering and steering is enhanced by flow amplification technology. Cutterhead control is by means of a pilot-pressure joystick. A rear mounted 20,000 pound capacity winch is included. Twin disk rotary axe-type or shredder-type mulching cutterheads are available. Contact Kershaw Mfg. Co., at (334) 387-9100 or via www.kershawusa.com.

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Alturnamats’ new Turf Mat

Alturnamats Inc.’s new 3-foot by 6-foot portable AlturnaMat is a ½-inch-thick mat designed to protect against turf damage resulting from vehicles weighing up to 60 tons. When used over soft turf, the mats can save thousands of dollars in repair costs and virtually eliminate vehicles getting stuck in mud. They are fully guaranteed for six years. The 51-pound mats are easy to handle using two hand slots on each side. The mats are available with the same bold cleat tread design as the original AlturnaMats, with cleats on both sides, on one side, or smooth on both sides. They are ideal for a wide range of applications, including tree care, landscaping, cemeteries, golf courses, construction and drilling. Contact Alturnamats at 1-888-544-6287 or via www.alturnamats.com.

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Arborjet’s QUIK-jet delivery tool

Arborjet’s newest micro-injection delivery device for tree insect pests and disease, the QUIK-jet, also functions to assess tree health and uptake. QUIK-jet’s speedy delivery designed for fast uptake trees allows the applicator to work even more effectively and profitably in a variety of situations, particularly in deciduous trees with ample moisture.

In addition, large scale insect pest infestations on evergreen trees can be treated by utilizing a customized reservoir system, allowing hundreds of trees to be treated in a short period of time. As a diagnostic tool, The QUIK-jet can rapidly assess tree uptake. When tree vessels have shut down, or tylosed due to health or disease, or in periods of drought when uptake is compromised, the QUIK-jet will help you prescribe a proper treatment without wasting your time or your client’s money. The QUIK-jet combines technology from the high production Arborjet’s Air Hydraulic device Tree I.V., using the same “drill, plug, inject” methodology. Contact Arborjet at 1-866-272-6758 or via www.wesavetrees.net.

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Snow Dragon lowers the costs of winter operations by eliminating accumulated snow, cheaper and faster, with a savings of more than 50 percent compared to the typical hauling and trucking of snow. The Snow Dragon SND900 is designed for use at strip malls, schools, parking lots and is ideally configured for landscapers and contractors. This rugged unit economically melts up to 240 cubic yards of snow per hour or the equivalent to 12 to 14 tandem truckloads per hour. The SND900 is commercially fabricated on a tri-axle trailer so you can go to the snow with a one-ton truck. Easy to operate, the control panel is fabricated into the door, making it accessible from the outside. A low-maintenance system, features include one-man operation capabilities, plug and play components, quiet operation, built-in lighting system, and visual and audible alarm indication. Specifications include: Burner output at 9 million btu/hr; No. 2 fuel oil or diesel for mobile units, natural gas available for stationary models; fuel consumption of 40-60 gallons/hr (max); fuel storage capacity 550 gallons; 25-feet long x 18 feet 4 inches wide x 8 ½ -feet high. Contact Snow Dragon via www.SnowDragonSnowmelters.com.

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Davey's Arbor Green PRO fertilizer

The Davey Tree Expert Company's patent pending Arbor Green PRO tree fertilizer, on the market since September 1, is a slow-release, complete fertilizer that contains synthesized organic nitrogen fortified with plant-strengthening polyamino acids that allow for reduced application rates while improving plant health and soil structure. The technology is intended to mimic the natural availability of nutrients in the forest environment. Arbor Green PRO releases high-quality nutrients, including synthesized organic nitrogen, throughout the growing season. A slower, controlled release rate leads to uniform growth, a lower risk of winter leaching and greater efficiency of nutrient absorption. The polyamino acids enhance nutrient availability and microbial activity in the soil while maintaining the low salt index of the original Arbor Green. The reduced application rate and high safety factor allow the most sensitive trees such as those that are drought stressed or recently transplanted to be fertilized. Contact Davey via www.davey.com

Hiniker’s new V-Plow

Hiniker Company recently introduced its new 9000 Series trip-edge V-plow to equip this winter’s snow removal companies with the best in clearance equipment. The new design boasts a high-clearance, trip-edge design with laser-cut ribs and a high-tensile steel superstructure that provide exceptional strength. In addition, a 30-inch tall moldboard features a low-friction, high-density, polyethylene surface. Its super-bright quad halogen lights illuminate obstacles during snow emergencies and the quick Hitch Mounting System provides easy one-lever attachment of the plow to the truck so you can hit the road quickly. Contact Hiniker at (507) 625-6621 or via www.hiniker.com.

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November 8-10, 2007
TCI EXPO 2007
Tree Care Industry Association
Connecticut Convention Center, Hartford, CT
Contact: Deb Cyr 1-800-733-2622; cyr@treecareindustry.org; www.tcia.org

November 13-15, 2007
Empire State Green Industry Conference
Rochester, NY
Contact: Jill Cyr, nysta@nysta.org

November 14, 2007
Evaluating Trees for Hazards
The Morris Arboretum, U-Penn., Philadelphia, PA
Contact: Robert Wells, (215) 247-5777 x 144; well-srob@pobox.upenn.edu

November 20, 2007
NJ Green Industry Council Annual Meeting & Seminar
Trenton Country Club, Trenton, NJ
Contact: Nancy Sadlon, NJGIC (732) 563-9252

November 28-December 1, 2007
ASCA 2007 Annual Conference
Loews Vanderbilt, Nashville, TN
Contact: (240) 404-6482; www.asca-consultants.org

November 30, 2007
Pest Control Operators (PCO) Day
County College of Morris
Morristown, NJ
Contact: (973) 285-8300

December 5 & 6, 2007
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Spence Field, Moultrie GA
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December 10, 2007
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December 13-14, 2007
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95 FORD F550: Cummins, 250 hp. 9 spd trans, A/C, 49 GYW, 10 ton NATIONAL 400C CRANE, 56 ft hook ht, A28, winch, 12 ft steel flat / utility body. $29,500.

2 TON HIAB
95 CHEVY 5500: 6.5L Turbo-diesel, auto, wood, 19 GYW, with 2 ton HIAB 025 CRANE, picks 2,760 lb at 11' max reach, winch, 10 ft steel flatbed with 23" wood sides. $12,500.

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96 INT 4700: 1144E4, 210 hp, 6 spd, 19 GYW, with 5 ton COPMA C11302 CRANE, picks 2,550 lb at 27' max reach, 18 ft steel flatbed / dump. $32,500.

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91 GMC TOPKICK: CAT 3116, 215 hp. Allison 5 spd auto, 33 GYW, 13½ ton ALTEC DB45ST DIGGER. 48 ft hook ht. auger, pole claws, 10 ft utility body, 120V inverter. $24,500.

14 TON JLG
95 WHITE / GMC ACL: 400 hp. Cummins, 13 spd, 00,000 lb GYW, with 14 ton JLG 1400BRT CRANE. 57 ft hook ht, winch, 16 ft wood flatbed. $39,500.

12 TON HIAB
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In the State of Maine, a new law requires that trees removed in shore land areas be replaced. It went into effect September 20.

The law requires that developers or individuals who illegally cut down trees in Maine’s shore land areas must do more than just pay a fine. Violators must replace trees as well as understory vegetation with plant material of a substantially similar size and species.

It is hoped that requiring violators to replant will discourage those who display the attitude that fines are the price they pay for a million-dollar view. Currently the fines are simply treated by some developers as part of the cost of doing business.

The genesis of this bill is a good example of how one can make a difference locally. While campaigning last year, the bill’s sponsor listened to an arborist relate how a coastal property owner had called him to cut down trees in violation of shore land zoning rules. He refused, as did another arborist, before an out-of-state company did the work.

This particular property owner readily accepted a fine of $25,000 in exchange for a “million dollar view.”

The “cut it now and pay later” attitude of those violating Maine’s shore land protection laws was a particular source of frustration for municipal officials in some of southeast Maine’s tourist spots, such as Kittery, York and Kennebunk.

Enactment of the bill created allies of local arborists and groups such as the Department of Environmental Protection, the Maine Municipal Association, the Maine Real Estate and Development Association, the Natural Resources Council of Maine, and Maine Audubon, who all voiced support of the bill.

Discovery of such offenses should be easy, the bill sponsor opined, with the vigilant nature of abutting neighbors.

Peter Gerstenberger is senior advisor for safety, compliance & standards for the Tree Care Industry Association.
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By Paul Farrell

It goes without saying that the use of wireless communication devices (cell phones, PDAs, Blackberries, etc.) has grown significantly in the past two decades. According to the Cellular Telecommunications & Internet Association, current estimates suggest that over 236 million people in the United States today use a wireless device as compared with approximately 4.3 million in 1990.

The use of these devices helps bolster productivity by using otherwise “dead” time to engage in management updates and even sales calls. The danger comes from talking or “texting” while driving. Even with hands-free devices, the conversations can be highly distracting. Although statistics vary, increasing emphasis is being placed on studying the role of wireless devices and vehicle collisions. A January 2007 survey of 1,200 drivers by Nationwide Mutual Insurance indicated that almost three out of every four drivers admit they talk on their cell phones while driving. “The 100 Car Naturalistic Driving Study” conducted by the National Highway Transportation Safety Administration (NHTSA) confirmed that conversations were a major contributing factor in distracted driving crashes. Researchers at the University of Utah have even coined a term – “inattention blindness” – to label the driving distraction caused by these devices.

Beyond the obvious consequences of injury and vehicle damages from a collision, there are increasing threats that businesses must consider:

First, in a growing number of states, talking on a cell without a hands-free device while driving is illegal. The employee can be ticketed and fined. This causes a far greater disruption in their schedule (measuring lost productivity) than any amount of cell phone use while driving could offset.

Second, more litigation is focusing on the use of cells while driving, and some of these cases are raising eyebrows at many firms. In December 2004, a driver was talking on his cell and was involved in a crash. The employer was brought into the case because the call involved business matters. The driver’s employer agreed to pay $5 million to settle.

In another example case, a Virginia jury awarded $2 million in damages to the family of a young girl who was killed by a driver who was using a cell phone at the time of an accident. The plaintiff also filed a suit against the driver’s employer after it became clear through an examination of phone records that the driver had been talking to a client when she hit the girl.

In a third example, a stock broker was talking on his personal cell, making “cold calls” to prospective clients, on his way to a non-business dinner. The brokerage was brought into the suit and settled out of court to avoid a negative judgment.

Vicarious liability is a legal concept that
says, simply put, that employers are responsible for the actions of their employees. An extension of this concept suggests that employers have a responsibility to implement policies to control their employees' behavior to avoid injuries and damages. In fact, more employers are instituting cell phone use policies and developing ways to monitor and enforce the policy. These policies vary from aggressive “no use while in vehicle” to “allowable use while pulled over or parked.”

Even with a clear policy\(^1\) in hand, it can prove challenging to train employees and monitor their compliance with the policy. Companies that implement restrictions need to enforce the policy to make it effective and might even consider potential disciplinary actions against violators. Specialized training to highlight the dangers of distracted driving (and how to avoid it) is available from training providers such as Comprehensive Loss Management, Inc.;\(^5\) the Network of Employers for Traffic Safety;\(^7\) and GoldCross Safety\(^8\).

In summary, wireless devices have provided us with fantastic benefits:
- They help us keep in touch with remotely located crews
- They let us call for help when we’re stranded or need additional resources at job sites
- They enable us to stay productive during breaks and downtime associated with set-up or clean-up periods

Unfortunately, they also have the potential to become the cause of pain and suffering due to distracted driving.

As employers, we are held to various standards of care ranging from the OSHA general duty clause to legal concepts such as vicarious liability. Litigation over business discussions held on wireless devices at the time of collisions is yet another compelling reason to consider adopting a policy, training employees and enforcing the policy on a consistent basis.

Paul Farrell is CEO of SafetyFirst Systems, LLC, an Associate Member and an affinity partner of TCIA, specializing in reducing commercial vehicle collisions through management information systems (www.safetyfirst.com).

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6 - www.clmi-training.com/products_result_details.php?viewproductID=70
7 - www.trafficsafety.org/distracted.asp
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Vicarious liability is a legal concept that suggests that employers have a responsibility to implement policies to control their employees' behavior to avoid injuries and damages.

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TREE CARE INDUSTRY – NOVEMBER 2007 35
The Perfect Storm: The Impending Workforce Crisis

By Gregory P. Smith

In the movie The Perfect Storm, a small fishing vessel has the misfortune of encountering the worst Mother Nature has to offer. Just like this boat, today’s employers are facing a combination of conditions just as threatening as this boat faced on the high seas. If businesses don’t prepare today they could face a similar misfortune.

Over the next decade or so, by 2020, the leadership talent pool (35-44) will be reduced by 10 percent, according to the U.S. Census Bureau, International Database.

Tamara J. Erickson, co-author of Workforce Crisis, delivered a thought-provoking presentation at a recent Society of Human Resource Management conference. In her presentation, “New Models of Work: Avoiding the Coming Crisis of the Changing Workforce,” she points to five issues all employers should be concerned with:

- **Issue One:** Not enough bodies. The growth in the working-age population is screeching to a halt.
- **Issue Two:** The workforce is getting older. The U.S. population 2000-2010 shows a rapid growth in the over-55 workforce. This means the leadership pool is shrinking.
- **Issue Three:** Inappropriately skilled workers. Over the next decade only 30 percent of the 21-year-olds will obtain a college degree, while more than 90 percent of the new jobs created in the U.S. will require a college degree.
- **Issue Four:** A highly diverse workforce. The emerging workforce has diverse values across the following generational groups: Traditionalist; Leading-edge Boomer; Trailing-edge Boomer; Generation X and Generation Y.
- **Issue Five:** Less desire for a leg up. All groups are showing a decline in their desire for greater responsibility.

Some Perspective

With a pattern of declining birthrates, skill shortages, and an increasingly older population, we see a common pattern affecting the workforce of the industrialized world. In the U.S., we have the added situation of boomers and echo-boomers, which indicates changes in the workforce are not going away in this century.

Compounding the issue during the next decade only 30 percent of 20 year olds will obtain a college degree. The bottom line is HR will have to change the requirements of job descriptions to desires, and employers will need to spend more time educating and training their workforce. That is according to Tamara J. Erickson.

Additionally, organizations face increased ethnic, generational and racial diversity. These diverse values and generational differences place greater demand on managers and leaders. They need to be managed and led in a different manner. Sadly, the educational system is not prepared for a knowledge economy needed to produce high-performance in organizations. Employers will have to fill the gap. They also need to be looking at ways to converge HR and training as a standard practice to keep pace in a highly complex labor market. Organizations need to be gearing up for this now.

Are your managers and leaders able to cultivate the diverse talents of diversity, generational differences and shifting talents?

Will they be able to lead teams to increased productivity and high-performance?

Have you put plans in place to increase
professional development in your organization? If your answer is no, or you are not sure, you may have a greater reason to be concerned.

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A Solution
Cultivate the potential of each person. Build greater flexibility in your work hours. Discover what satisfies and dissatisfies each generation. I assured a client recently that engaging in a retention plan to address this issue would put her organization in a better position to gain than lose her workforce to retirement or the competition. Her organization is already seeing the boomers looking for greater flexibility in taking time off for leisure. But, at the same time, they want to stay employed. Meanwhile, the 35 to 45 year olds are looking for more family time and are less willing to take on greater responsibility.

I recommended a plan that combines the following:

1. Start with a sound hiring strategy for the best talent that meets or exceeds current and future needs.
2. Create a plan for retaining new and identified existing talent in the organization.
3. Examine workplace dimensions such as leadership, communication, training, and recognition.
4. Examine, train and coach with a leadership style for existing managers and for up-and-coming leaders in the 25- to 34-year-old group that focuses on:
   - Maintaining and enhancing team member self-esteem.
   - Focusing on behavior (what team members do rather than their attitudes or personal characteristics).
   - Encourage team member participation in decision making and problem solving.

Fortunately, there is still time to act in putting your organizational plan in place. Recognize the world around you is changing. It includes the new millennium workforce that has totally different needs and expectations. It is about adapting. Prepare now and avoid being caught in the storm.

Gregory Smith is president Chart Your Course International, a management consulting firm located in Atlanta, Georgia, specializing in how to reduce employee turnover and build high retention workplaces (www.ChartCourse.com). He has written seven books and more than 300 articles on business management, speaks at conferences and conducts management training.
Celebrating 30 years, Boston Tree Preservation becomes even more green

Peter M. Wild, president and founder of Boston Tree Preservation and a 20-year TCIA member, has consistently been a forerunner in the use of organic treatments for trees, shrubs, lawn and soil care. (He is also the owner of the Arborjet, Inc. brand of tree injection products.)

In celebration of 30 years in business, Wild has expanded his environmentally safer landscape programs to include a commitment as a company to become carbon neutral, lessening their footprint on the planet and helping to reduce the effects of global climate change.

He is in the process of converting his fleet of 30 diesel trucks and sales vehicles to biodiesel fuel. In partnership with Whole Foods and local restaurants, their used vegetable oil is recycled at the Boston Tree Preservation facility and converted into biodiesel fuel. This will considerably lessen their carbon emissions.

Woodchips from the tree care business are recycled for energy in neighboring biofuel power plants. Boston Tree Preservation’s entire 10,000 square foot facility is heated with wood, another obvious byproduct, in an energy efficient, state-of-the-art wood stove.

Organic fertilizers used in compost tea sprays are produced from the castings of 5 million worms in Boston Tree Preservation’s worm farm.

The offices were renovated with green building supplies – biodegradable natural linoleum flooring made from linseed, wood fibers and cork; odorless, low VOC paints for the walls; low flush toilets; full spectrum lighting; and sustainable bamboo accessories.

“Our goal is to recycle every byproduct of our business,” says Wild, “including, obviously, all paper products, bottles and cans. We want to do our part to help preserve the earth for present and future generations.”
Freedom of movement

FAE’s FORESTRY equipment is a clear leader in its field. It offers a perfect combination of power, technology and safety in a range designed for land reclamation and maintenance, as well as the reclamation of dirt roads, forestry trails and firebreaks.
Some people will tell you that they’d like to work in tree care, but when they get into the field they just can’t cut it. “What they can’t fathom until they get out into the field is that when it’s hot, it’s hot; when it’s cold, it’s cold,” says Shawn Huff, who has done plenty of hiring as the general foreman at Wright Tree Service’s branch in Omaha, Nebraska. “Some people cannot handle those temperature extremes,” Huff says. “This is Nebraska – it gets 30 below in the winter and 110 in the summer. “To me, that’s the big thing. People don’t realize what they’re in for. It’s hard work, the weather is a factor, and you’ve got to put some effort into it.”

For the right person, tree work is rewarding and enjoyable. But finding the person who’ll be a good fit for the industry can be time consuming and frustrating for employers.

Maintaining a competent workforce is one of the major challenges for companies in the tree care industry, and a new training program is addressing that challenge in a unique way.

“We continually hear from our customers that they just can’t find workers, and there are retention issues as well,” says Kristi Roose, segment manager for Vermeer Manufacturing Company, based in Pella, Iowa. “As we kept hearing about the problem, we started talking to industry leaders. We learned that it was hindering the profitability of our customers.”

From those conversations, Vermeer developed an alliance with Manpower, Inc., the international workforce training and placement firm, to create a one-week TechReach training program specifically geared to the tree care industry. Federally funded, and with equipment provided by Vermeer, SherrillTree and Husqvarna, the program includes a detailed screening process, hands-on training in the basic skills of tree care, and a mini-job fair held at the end of the week to match the newly trained workers with potential employers.

Roose calls the week-long training a kind of “boot camp” in basic tree care skills. Three days of training is provided by ArborMaster Training, Inc., which focuses...
on fundamental ground skills, such as how to work with the equipment in a safe environment, and what to expect on the work site.

“We’re giving them a foundation in basics,” says Ken Palmer, president of ArborMaster. “This is what they’ll be expected to do at an entry level. Every company, and even every crew leader, will have specific expectations. This gives them a good introduction, so they’re not green going in.”

Another day is Vermeer training, using various types of equipment. A fifth day is given over to Manpower trainers, who cover general workforce issues relating to being a good employee.

“We’re not just giving these folks a job so that they may go into the construction industry six months later,” Roose says. “That’s not the idea. The idea is to pick the right people for the industry so they progress through their (tree care) careers, so that they grow and the industry grows. This person will be a ground-worker, and then he or she moves up in the company.”

Pilot programs have been run in Florida and Nebraska. The plan is to expand it to other states in the coming months, with multiple programs planned in different parts of the country for 2008. Some will be English-only, and one or more will be conducted for bilingual or Spanish-speaking workers. The official launch is scheduled for TCI EXPO in Hartford, Conn., November 8-10.

The training program itself is new to the industry, but the fact that it was generated from Vermeer gives it another wrinkle. To have an equipment manufacturer become involved in the training end of any industry is unusual, Roose acknowledges.

“We really pride ourselves as a company on providing more than equipment,” Roose says. “We want to align with our customers to help them to be more successful, because if you think of it, then we’re more successful as well. To grow the whole industry, that’s the goal. This is just another way to do that. (A shortage of quality workers) is certainly a pain point we keep hearing over and over. The workforce crisis is coming, and coming fast. Who’s going to help? Who’s going to step up to the plate?”

The TechReach program is designed to develop the ground person – the entry-level position that pays (on average) $14 per hour. ... It is seen as a position that can introduce workers to the industry and potentially become a building block to other positions in arboriculture.

Worker shortage carries costs

The shortage of dependable, skilled workers is one of the major issues that the green industry faces.

According to a Vermeer report culled from its own research and industry sources, the commercial tree care industry in the United States employs approximately 225,000 persons. Divided among approximately 15,000 independent tree care companies, this comes out to an average of 15 employees per company. The availability and retention of these workers is one of the most prevalent challenges facing the industry.

As urbanization, urban sprawl construction, natural disasters, invasive plants and insects, and tree diseases continue to drive the demand for growth in tree services, the personnel issue is slowing the growth of the industry.

Specifically, the TechReach program is designed to develop the ground person – the entry-level position that pays (on average) $14 per hour. The ground person is responsible for equipment operation and transportation, climbing support and pruning services. It is seen as a position that can introduce workers to the industry and potentially become a building block to other positions in arboriculture.

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The average tree care company in the U.S. experiences an annual turnover rate of 25 percent, or an average of four persons. Fifty percent of the turnover is in ground operations, which results in a potential ground operations workforce need of 30,000 persons annually.
Through a study of its own customers, competitors and industry experts, Vermeer found that 54 percent of respondents identified recruitment and retention of qualified tree care workers, specifically ground persons and tree climbers, as one of the most prevalent challenges in their businesses. As an industry need, it was second only to business insurance/workers’ compensation costs.

Additional research concluded that 82 percent of the workforce need in the industry exists within the tree climber and grounds person job classification.

“It’s everywhere, not just in pockets,” Roose says.

While the lack of workers and poor retention rates have slowed industry growth, they’ve also provided real financial pain with new workers who are hired but don’t work out. Typically, Roose says, a tree care company will put an employment ad in the paper, but applicants for the job may not understand the particular challenges of tree work.

“Some folks don’t really understand what they’re getting into, and may not be a good fit,” Roose says.

One of the strengths of the program is the assessment process that Manpower puts potential employees through. Included is Manpower’s Web-based NetSelect, a pre-screening tool that features a series of questions to identify whether a worker is a likely fit the industry. Among things they look for are applicants in proper shape for physical work, who enjoy working outdoors, and who have a good attitude about hard work and customer service. Of the hundreds of people considered, there were just 10 to 12 spots filled in the pilot classes, an indicator of how thorough the screening was.

“Your odds of retention are significantly higher,” because of the assessment, Roose says. “You’re not accumulating that cost because you’re putting the right person in the career.”

Manpower also does background checks and drug screening, which an independent company wouldn’t likely do until the end of the hiring process. “That can also be a cost,” Roose notes.

Bojan Cubela, regional program manager/workforce development for Manpower, created the program based on a model developed for other industries. The tree care program was unusual because of the specific needs of the industry, and the pre-screening process was thorough.

“We looked for several things,” says Cubela, including a willingness to attend the program despite the fact that the training paid no money. “When we trained them, we went to elaborate lengths to explain the requirements and difficulties of doing this job. We were very fortunate to work with Vermeer, a tremendous company with a big vision for reinventing the industry.”

While the program was developed near Vermeer’s headquarters in Iowa, the initial pilot program was held in Boynton Beach, Florida, in July 2007.

“At Boynton Beach, they were a little nervous, like any entry-level person would be, but they were excited, with high anticipation and expectations,” says Palmer, who ran the first training session for ArborMaster. He says that it was a good opportunity for trainers and Manpower to assess the program.

“This is a pilot year, so we’re really focused on learning how to do it, and doing it well,” he says.

Cubela observed the week-long training
and was pleased that the training was executed effectively.

“It went really well,” he says. “Everything we’d planned on paper was viable. Obviously we would tweak it wherever we felt it was necessary, but we were happy with that.”

Sixty percent of participants made it through the program. It is too early to comment on how many of the participants have secured and kept jobs. This will be evaluated over the next three to four months.

“We’re still learning as this process goes,” Roose says. “This isn’t a science yet, by any stretch. The more people we get through this, the more educated we get to help pinpoint the person and the profile who is going to be successful in this industry.”

Enthusiastic results

Another pilot program was held in Lincoln, Nebraska, in early October, just before this article went to press. One of the students was Darnell Henderson, 39, a U.S. Army veteran who has worked for 10 years running his own lawn service company, and also worked a variety of construction jobs.

“I was looking for something more career-minded, and the opportunity to grow with a company,” the former Army medic says. “I’ve done just about everything out here, but thought this was a great opportunity. This is a really good program for guys getting started in this industry. There’s a lot I learned this week; it’s incredible.”

Starting with safety practices and covering the wide variety of tree care skills, Henderson soaked up the training.

“I’m used to working outside, but this is something new for me,” he says. “There are a lot of steps to it. It’s been a great experience for me.”

Of the 11 students in the program, all but one completed the course.

“The instructors were great,” Henderson says. “If you didn’t understand something, they made sure you got it.”

Henderson’s optimism was shared not only by others in the program, but by the employers who came out for the mini-job fair held on the final day.

One of those employers was Huff, representing Wright Tree Service, Inc., which keeps utility lines clear and does other maintenance work for Omaha Public Power District.

“The information they’re teaching is good information. It’s what you want them to know,” Huff says. “I can’t help but think this is nothing but a good thing. We get an individual, he’s tied knots before – he knows what a one-hand bowline knot is, knows what a climbing hitch is. And he’s been taught safety techniques. We will reiterate those, of course, and implement our company policies, but he’s got the basics. That’s outstanding.”

The cycle of hiring and training employees that wash out shortly after taking the job can be a grind on a company, Huff acknowledges.
“There are times you’ll find that you’re dragging one position, because that position is (constantly in) turnover,” Huff says. “You get no good use out of that 40 hours a week if you’re constantly training somebody.”

In his career, Huff has dealt with the frustrations that come with hiring new employees. He liked the idea of pre-screening to eliminate potential employees who wouldn’t be a good fit in the field.

“Oftentimes a person will say that they’re interested in the work, but when you get them out on the job site and really get them hands-on, they’re not interested at all,” Huff says. “Once you weed out those individuals, then what you’re left with is people with an understanding of what you’re going to be asking of them, and, hopefully, you’ve eliminated that turnover possibility.”

When his company began its contract with Omaha Power in September 2006, Huff had to hire a 30-person crew. Within the first three months he needed to fire half of them and go through the process again. In most cases, he says, it was because the people he’d hired weren’t prepared for the challenges of the job.

“If they had this on September 1, 2006, I would have used everybody they put through this program,” he says. “You know that screening process is there, and I’m comfortable with the fact that it was very thorough.”

While those involved are optimistic for the industry, an additional benefit that Roosevelt has noticed has been the impact it may have on people’s lives.

“Literally, we had students coming up to us, tears in their eyes, saying, ‘I can’t believe you’ve given me this opportunity. This is going change my life.’”

Kristi Roose
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Why would anyone in their right mind want to pay from $65,000 to nearly three times that for a mini lift (or “spider lift”) just so they can trim some trees?

Well, there are actually several reasons, and they all boil down to the bottom line. The biggest, most obvious reason is that the mini lifts can get you the business you might not otherwise be able to get, namely that backyard-through-the-garden-gate job. They’re self-propelled, yet most will pass the 36-inch-wide test for that gate. Many offer tires or easy-on-the-sod tracks, which not only give you an advantage for jobs like trimming at golf courses and estates, but they also reduce or eliminate the cost (most likely to your company) of repairing sod, regardless of how minimally it was intruded upon.

Right now, you may be thinking, “I’ve got a good bucket truck, and I’m a good climber – plus I have other good crew members who can get the job done. So, why should I even bother with a mini lift?” It’s a matter of money and, to a lesser extent, safety.

We spoke with a couple of TCIA members who have just completed extensive research on the subject of mini lifts, and their results might very well save you significant time and misspent, or “mis-saved,” money. (Mis-saved means the money you lose by thinking you’re saving money by not making a capital business purchase.)

Michael Roche runs Stowe Tree Experts in Waterbury, Vermont. Just this fall he finished his rather extensive mini lift research and says he won’t buy one – at least not right now. Come the spring, well that’s a very different story.

“I didn’t buy one at this time (early fall) because of the payments over the winter,” he says. “You have to be careful. I have a hard time trying to justify an expense like that, over $100,000.”

Roche reckons that he will likely make the commitment in the spring, having figured out that a spider-type or mini lift will nearly double the effectiveness of a climber – and “I’ve got great climbers!” He bases his observation on the fact that workers in a bucket can do twice the number of trees in a day as a climber. And Roche figures not only can workers in a spider or mini lift turn the same amount of work as a bucket, they also have greater mobility than if they were in a bucket truck. It means they can get at more work. Roche says he determined that the cost of a man and spider lifting unit is the same amount of work as a bucket, they also have greater mobility than if they were in a bucket truck. It means they can get at more work. Roche says he determined that the cost of a man and spider lifting unit is the same as the cost of a climber for two days.

The important thing is, he says, that when pulling the trigger on such a major purchase, you have to know there’s work sufficient for the new lift and that your lift will do about twice the work as existing...
equipment and manpower for it to pay for itself. “If you’re doing one or two trees at a time, I don’t think it’s worth it. By the time you drive the lift on a truck or trailer, drive it onto the ground and set it up, you could be in and out with a couple of climbers,” he says.

“You’ll need volume work like that at the ends and tops of trees. Lots of trees with low deadwood your climbers can do,” Roche adds.

His recommendation? “Nail down a couple of really big accounts, and know that your machine will be kept busy so you can justify the expenditure. I’m just asking of my customers that I need a commitment for next year.”

Another thing to consider, he says, is the kind of work you do. Smaller (shorter-reach) equipment may reach 50 to 60 feet or so, Roche says, with costs ranging from $65,000 to $75,000. “If you’re thinking of a 75-footer or more, Roche points out, the next 15 feet can cost anywhere from another $25,000 to a total of nearly $130,000 or more. One unit with a longer reach that Roche looked at topped $150,000. “If you don’t have to go that high, you can find something suitable for your business for around $65,000,” he says.

“I would not buy a spider-type lift without a half-day demo in real-life use to see how it is in real operation on uneven ground.” He recounts an appointment to “test drive” one brand on his type of job. It got canceled at the last minute. “Makes you wonder!”

Roche’s is a young business, but it is growing fast. Right now, virtually all his time is spoken for. “I know one (a spider lift) is definitely in my future, but I need to know all my other expenses are under control and that I have enough business for this machine at the start of the season; other-

“We have to look to a future when we can’t find climbers. Aerial lift operators don’t necessarily climb well and not every tree is bucket-accessible. So, we need a combination of buckets and self-propelled lifts for backyards and patios.”

Dan Christie
wise I would not do it,” he concludes.

Dan Christie, president of Metropolitan Forestry Services in Ballwin, Missouri, represents a larger enterprise with a longer history. “I’ve been toying with the idea of a mini lift for 10 years,” he says. For Christie the situation is as much access to backyards as it is overcoming a limited supply of skilled climbers.

Running four crews and three aerial lift bucket trucks, Christie says his company turns away more business every year than most people could get! “A spider lift could be a life-safer,” he says. “We have to look to a future when we can’t find climbers. Aerial lift operators don’t necessarily climb well and not every tree is bucket-accessible. So, we need a combination of buckets and self-propelled lifts for backyards and patios,” says the 35-year industry veteran.

Christie describes his business as 95 percent residential with a smattering of commercial and no utility work. “With a mini or a spider we could increase business

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50 percent at least,” Christie says. “We’ve had customers with 12- to 15-week waits; that’s bad business. A spider lift could definitely help out.”

Christie said he, too, rented a couple, but they turned out to be flimsy and dangerous for his kind of work. At the time of this interview, he had just made a decision to make a $120,000 expenditure for a spider lift.

The manufacturers’ view

So, what’s going on with respect to the manufacturing side of the picture?

NiftyLift, headquartered in South Carolina, makes track-mounted, self-propelled mini lifts, and John Hedlund, national sales manager, says the company has seen a 25 percent growth in demand for its specialized lifts. “Tree care demand is up like crazy,” he says. “I get seven to 10 calls a day looking for bigger, towable lifts.”

Worthy of note, he says, are units like the SD64, a 70-foot, self-propelled mini lift featuring what Hedlund calls “a big footprint, making it excellent for use on turf.”

He pointed out that this one is insulated. (Not all mini lifts are insulated for use around power lines, so compare features, benefits and capabilities in consideration of your business type.) “The NiftyLift is noted for its cost (about $100,000), and ease of maintenance,” Hedlund says.

At Teupen America, President Lenny Polonski says a trend that’s been popular in Europe is en route to the U.S., a move toward the 100-foot lift. “These (mini lifts) are extremely popular and very competitive with truck mounted units, and less expensive. We have found that in the past two years that most companies will eventually follow the European path, in this case to have a 100-foot lift.”

Polonski was planning to have the first truck-mountable, 100-foot lift in the United States at TCI EXPO in Hartford, Conn., in November. As Polonski explains it, this self-propelled unit can be operated from the bed of the truck just like a truck-mounted aerial lift by simply lowering the outriggers to the ground. Or the operator can self-unload the lift and drive it to the work location. This is accomplished by lowering the outriggers, raising the unit off the bed, drive the flatbed out from under it, then lowering the lift to the ground and driving wherever you need to go.

Polonski says the mini lifts make a lot of sense for the arborist when compared with a four-wheel bucket truck, especially with
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a 75-foot bucket lift running about $177,000 and a 75-foot mini lift running $30,000 to $40,000 less.

Of the 10 models Teupen America offers, Polonski says, most popular among arborists is the LEO23GT, now in its third generation. For example, new Teupen units feature 60 percent more horsepower and 25 percent longer tracks (at 5 feet). Additionally, high tech additions such as angle sensors and processors calculate the boom angle and help the lift work faster and smoother overall – and more safely.

Mike Hrycak has been in the tree care business for about 14 years, incorporating Green Mansions Tree Company, headquartered in Syosset, N.Y., and covering an enviable 10-mile radius in the affluent North Shore/Nassau County of Long Island. He had owned one brand of lift, but found it to be over-engineered and susceptible to repairs and maintenance.

Then he tried a new model, the Italmec, an Italian make spider lift, with a 68-foot...
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working height and 40-foot side reach. At 35 inches wide, it is a tracked, self-propelled, radio-remote-controlled lift that can get through that garden gate. It’s powered by a 13-horse, German-made Hatz diesel, but is also set up for dual power, meaning it can run off a 110-volt electrical source, great for indoors, with no internal combustion engine needed in closed spaces. The Italmecc can operate on slopes up to 30 percent and is self-leveling. At 6,500 pounds, it can be trailered behind a heavy-duty pickup.

Hrycak was so pleased with the performance that he became the sole importer and distributor of this brand into the U.S. a year ago. “I felt it was the best general-use lift for tree care,” he says. There are now three units in the field along with two dealers and two service centers on the East Coast. One of the first units sold, to a tree care professional, already has more than 900 trouble-free hours on the clock, he says.

ReachMaster, Inc., headquartered in Kingwood, Texas, is a wholly owned subsidiary of the Danish lift maker, WorldLift, and its mission is to cover the Americas and Australia.

According to Kathy Bourne, office manager for ReachMaster, WorldLift produces two brands of lifts targeting this market for a variety of uses, starting with the Falcon, which has an articulated reach of 85 to 138 feet. Falcons are available in either wheeled or tracked configurations. Many models can fit through a single door, others through a double door, and they are built for both indoor and outdoor use.

The Basic Line, as the next model group is called, is essentially the former Denka-made line of lifts (Denka was purchased by WorldLift), with working heights of 72 to 92 feet, Bourne explains. These are straight booms and wheeled versions only.

With these two lines a bit on the pricey side for the arborist (Falcons start at $250,000), ReachMaster has made a conscious effort to reach out (no pun intended) to tree care professionals. Beginning this year, there is a new Italian-built unit that ReachMaster will distribute and sell in its markets. (A model is expected to be featured at TCI EXPO 2007 in Hartford November 8-10.) The smaller Hinowa-made LL46 and LL63 (46- and 63-foot reaches, respectively) are track-based mini lifts that fit through standard doors (and garden gates!) and are engineered for indoor and outdoor work. They are available with non-marking tracks. The Hinowa-brand lifts start at about $60,000 and top out at under $100,000, Bourne says.

So, when it comes to mini lifts, size and price matter, as do the type and volume of work you do are going to do. And, while tools, generally, are developed to solve problems in one way or another, one that helps address the shortage of good help prevalent in the tree care industry warrants a hard look.
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The trees are looking bare and brown right about now, reflecting the end of another growing season. At the earlier part of the growing season, when the trees were looking less bare and a little greener, the Massachusetts Arborists Association (MAA) participated in their 28th annual volunteer project, this year at the Eleanor Cabot Bradley Estate in Canton, Mass. This project was part of the Arbor Day Celebration in May of 2007. More than 150 MAA members pruned, planted, fertilized, transplanted and removed an array of mature shade trees throughout one of the state’s most treasured landmark properties. The value of the service provided by the MAA volunteers was estimated to be $250,000.

This is the fourth year that the MAA has partnered with the Trustees of Reservations. The MAA was recently honored with the Trustees’ Volunteer of the Year Award. Since 1891, The Trustees’ conservation work has helped to protect more than 53,000 acres of open space across the state. “We can’t thank the arborists enough for their generous contribution of professional tree care,” said Andrew Kendall, president of the Trustees of Reservations.

Dr. Gordon King, left, professor emeritus of Arboriculture and Park Administration at University of Massachusetts, Amherst; Dan Mayer, MAA president, and Tom Houston, retired from the Stockbridge School at UMass, Amherst, during a break at the Bradley Estate.

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Understanding the differences between worker culture, corporate culture and safety culture can be very confusing. Within many green industry businesses, there may be a diverse group of employees from many cultural backgrounds. Their awareness, beliefs, attitudes and understanding about safety may be quite different and create serious conflicts between management and labor, not to mention the constraints and concerns experienced between businesses and their insurers. One thing is clear however: developing a positive safety culture is a total organizational commitment.

Let’s take an in depth look at safety in the arboricultural workplace and reach some conclusions about some best management practices for a safer work environment. The questions that we should explore are:

- What is safety culture in the workplace?
- Who is involved in the development of safety culture?
- What role do you and your employees play in safety culture?
- How do you know if your safety culture is really effective or not?

Safety culture is the overall status and scope of safety attitudes, knowledge, policies, programs and incentives that hopefully lead to a safe and healthy workplace for all employees – from top to bottom. Any one of these components, if missing or not emphasized, can lead to preventable incidents. If this is the case in your business, then you are not happy; your employees are not happy; your insurer is not happy; and your bottom line suffers.

Let’s look at safety attitudes first.
Employees come to work each day impacted by attitudes that are the result of previous work and personal experiences. These attitudes may negatively affect other employees. Setting good safety examples each day is crucial for members of the management team and sets the tone for all employees. Greeting workers with a positive attitude and one that genuinely stresses safety at work is crucial. For example, if personal protective gear is required to be worn by crew members on the worksite, then supervisors and managers who spend any amount of time at that worksite should be wearing the same appropriate safety gear. Those who don’t are only sending the message that it’s really not all that important.

What about safety knowledge?
It’s an easy one to deal with if management agrees that employee safety and health training are an integral part of their overall business plan. You can start from ground zero with employees who have little or no safety knowledge and train them regularly and continually about safe work practices.

By Sam Steel
it is presented with enthusiasm;
- it is relevant to the type of work employees are asked to do; and
- it is never sacrificed because the seasonal workload is just too heavy.

If employee attitudes become more receptive to doing their work safely, and if they are now exposed to good safety training, then adding a third phase of policy establishment and enforcement becomes easier. Policies define rules for all employees within the business. It is important to emphasize "all employees," since "exceptions to the rules" are all too often obvious to other workers. If one individual violates policies and is not held accountable, then others will feel they have the right to do the same. Your safety policies become meaningless. Accident and property damage incidents may begin to raise their ugly heads and all of the hard work put forward in developing positive safety attitudes and a higher level of safety knowledge is sacrificed. You may have to start all over from the beginning – and that gets very expensive and time consuming.

Safety programs can come from many sources, including insurance companies. Don’t be afraid to ask them for help. It is not an admission of failure on the part of management. Rather, it should be part of putting together an effective and efficient safety training program for your business.

Professional trade associations are also excellent sources of effective safety training programs. TCIA and PLANET specifically offer safety training options, including certification programs that will benefit most green industry businesses. If existing programs from insurers and other safety organizations are relevant to the type of work that your employees perform, you may recognize significant savings over developing your own program.

Safety programs are very important for another reason. They are most likely required by law for your business. One of the most oft-sited infractions of OSHA regulations is the lack of a written safety program. Make sure that you have your written safety training program in an easily accessible location and review it periodically to make sure it still reflects your mix of work.

When it comes time to deliver the written portion of your safety program, make sure that it is in a language that the workers can understand. If your employees have difficulty understanding or reading their spoken language, use a liberal supply of graphic images or photos that clearly depict the safety message that you are providing. These images are often referred to as pictograms, and if carefully chosen, they will deliver safety information that is more easily understood by most workers. Some pictograms are universal symbols of safety messages and are more effective than written words in trying to describe unsafe conditions in the workplace.

Safety training programs often come with a rewards system, also known as safety incentives. Many firms have developed an incentive program that rewards safe behaviors in the workplace. It is rare that this type of rewards system is not recognized as a positive thing among your workers. The incentives that workers receive from this type of on-going recognition are contagious. It can result in some friendly competition among work crews and their supervisors. Any time you can get the crew leader or supervisor actively involved is a plus, especially if they are the one responsible for training programs at the worksite.

You are well on your way to establishing an effective safety culture with these components in place:
- safety oriented attitudes;
- increased employee knowledge about safe work practices;
- fair and enforceable policies;
- effective and appropriate written training programs; and
- employee incentives for a safe job well done.

The culture of safety becomes infectious and should begin to invade your business operations!

One method of shoring up these components is an employee safety committee. It should be representative of all the workers at your firm and it should function in a non-threatening atmosphere where the input of all workers is respected and expected. The keys to an effective safety committee are:
- full support of management;
- good representation from all worker groups;
- regularly scheduled meetings;
- an open and honest exchange of ideas;
- action on the part of management to investigate all reported hazards in the workplace;
- positive action by management to install new safeguards and programs to reduce preventable incidents; and
- an incentive program that rewards safe behaviors, ideas and actions by employees.

During the establishment of a workable safety culture for your business, there is one method which has been universally
applied by safety professionals over the years. This involves the application of the 3 ‘E’s of safety – namely engineering, enforcement and education. Each is useful in limiting workplace hazards and risks. Put simply, it works like this:

ENGINEER out the hazards that can result in illness, injury or death to workers. If the equipment generates excessive noise, then isolate or protect the workers from the noise source. From a maintenance perspective, ensure that all mufflers on equipment and machines are properly maintained and installed as per original specifications. From a worker protection perspective, provide properly designed and engineered hearing protection to the workers that will effectively reduce their exposure to the noise.

ENFORCE all safety policies and rules evenly across the company’s structure. As noted previously, individuals who violate safety policies without some type of remedial action may create a sense among all
workers that it is okay to disobey or ignore safety rules. When this occurs, injury incidents may increase and your business gets on the radar screen of enforcement agencies.

**EDUCATE** all employees about hazards and risks they may be exposed to while working, while driving to and from work, and while at home. This safety education should be in a language that the workers understand. It should encourage active participation among the workers since interactive, hands-on training has proven to be most effective in getting across your safety message.

Unfortunately for the green industry (and others as well), these historic three E’s of safety in the workplace are being replaced by what I will refer to as the three “new” E’s of safety – namely economics, efficiency and effectiveness. Depending on how you look at it, this can be either good or bad. If for example your primary consideration is the cost of training, you may...
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Safety training effectiveness is an ongoing process, one by which management should constantly assess by observing how well your safety and health training is being applied by the workforce.

be cutting corners at your worker’s expense. Keep in mind that one serious incident among your workers could cost a lot more than any training initiative that you undertake, so don’t let the economic short-term impact overcome the long-range economic goals of your company.

Efficiency is also among a new E’s in today’s workplace that often translates into money. The more efficient your workforce becomes, the more money that can be returned to the bottom line. But if efficiency is what employee training is all about, then training programs might not really deal with the root causes of accidents, injuries and illnesses. An efficient training program takes advantage of the real reasons why incidents occur and is targeted at the root causes. An efficient training program is also timely and mitigates hazards and risks before they become a serious incident.

Finally, there is the effectiveness of your training. Many businesses do not know until the end of the season when they use their insurance claims history as a determining factor of safety training effectiveness. This may be too late! Effectiveness is an ongoing process, one by which management should be constantly assessing it by observing how well your safety and health training is being applied by the workforce.

All of these factors contribute to the Safety Culture of your business. Green industry businesses should take advantage of their worker’s cultural backgrounds. Constantly remind them that fast work does not necessarily translate into safe work. Stress the importance of safety and being able to return to their families at the end of each day.

Next, increase their level of awareness about workplace hazards in ways that may be entirely different from their previous experiences. Among some Latino workers, there are misunderstandings about the benefits of chemicals in the workplace. For example, pest control products may not be seen as hazardous to their health and they may misunderstand poisoning symptoms.

Adapt universal safety images and pictograms that are understandable to all cultures. Keep the text to a minimum and encourage discussion among the workers centered on the pictograms that relate to the work that your company engages in.

A Safety Culture is an evolutionary process. It encourages (even demands) that workers get involved. Not just as students, but as contributors to the safety and health program of your business. It urges them to report unsafe conditions, actively participate as beneficiaries of incentive programs, and work as a team to develop an exemplary safety program for your business.

Sam Steel is a senior research associate in the Department of Agricultural and Biological Engineering at Penn State University, University Park, Pa., and formerly served with the National Safety Council.
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By Lew Bloch

The Supreme Court of Virginia recently handed down a decision that we, as arborists, will find both interesting and important, with fodder that we can add to our palettes for assisting homeowners who may be threatened by their neighbor’s trees.

Of course we have to be careful not to get involved emotionally with neighbor disputes and to remain advocates for the trees. In my opinion, this finding is important, but not really a new concept nationally. Virginia is merely the latest state to gradually put the old Massachusetts Rule to sleep and recognize the Hawaii Rule. Sorry, my New England colleagues, but Hawaii sounds more glamorous and inviting anyway. This ruling was sent down to the Virginia trial court to rule whether an injunction should be issued in this case.

Richard A. Fancher v. Joseph B. Fagella
(Record No. 062339, taken from www.courts.state.va.us/synopsis.htm)

Richard A. Fancher, the plaintiff, owner of a townhouse, sued the defendant, Joseph B. Fagella, owner of an adjoining townhouse, seeking an injunction to restrain the damage caused by the invading root system of a large tree on the defendant’s property. The evidence showed that the tree’s trunk was within two or three feet of the property line, that the trunk was now two feet in diameter but would eventually reach six feet in diameter at maturity, that the tree’s root system had displaced a retaining wall that ran along the property line, had undermined and caused cracks in the foundation of the plaintiff’s house, had displaced masonry pavers on the plaintiff’s patio, and had obstructed the plaintiff’s water and sewer lines. The plaintiff presented expert testimony that the tree would continue to expand its root system and that there was no practicable way to restrain it by cutting the roots back to the property line.

The circuit court, following a decision made by the Supreme Court of Virginia in 1939, ruled that injunctive relief was not available, but continued the case for an award of damages.

On appeal, the Supreme Court decided to reverse its 1939 decision, and held that in circumstances in which the parties occupy adjacent residential lots, it is reasonable to impose upon each owner the duty to use his property in such a way as to avoid inflicting substantial damage upon his neighbors. The Supreme Court further ruled that injunctive relief would be available if self-help by cutting the invading roots and branches back to the property line would not afford the plaintiff an adequate and permanent remedy. The Supreme Court held that such injunctive relief could extend to an order requiring the defendant to remove the offending tree entirely, if the circuit court should find that to be the only adequate and permanent remedy. The case was remanded to the circuit court for the consideration of injunctive relief.

Figure 1 – The roots of a neighbor’s tree were damaging this client’s property.

The Massachusetts Rule states that landowners are limited to self-help measures to stop encroaching tree limbs and tree roots from a neighbor’s tree, and has been recognized nationally for a long time. The Hawaii Rule recognizes that encroaching tree parts may be a nuisance when they cause actual harm or pose an imminent danger to the adjoining property. It further states that a neighbor can force a tree owner to abate the nuisance or, if any damage occurs, to look to the neighbor for recovery. Dropping leaves, fruit, flowers or twigs are not considered to be a nuisance; merely inconveniences.

In this case, Fancher v Fagella, which occurred in a suburb of Washington, D.C., the trial court cited the so-called Virginia Rule, which states that a condition has to be “noxious.” The Supreme Court ruled that the term noxious was an inappropriate deciding factor.

In this particular case, the plaintiff’s property had significant damage from the neighbor’s sweet gum tree roots that damaged his retaining wall and patio, caused blockage in sewer and water lines, and began to buckle the foundation of his house. The plaintiff attempted self-help from the encroaching branches several times, but was told by his arborist that the only way to stop the root problem was to remove the tree.

A case (Pierce v Casady) in Kansas from 1985 cited and used the Hawaii Rule at that time; 22 years ago. So it appears as if case law in regard to trees, especially border/boundary line trees, is moving in a new direction. Victor D. Merullo, on his www.treeandneighborlaw.com site, seems to predict this with the following:

“Concluding that the Massachusetts Rule was a relic of a more rural, bucolic age, it (Va.) decided that the Hawaii Rule was the better fit for the modern, helter-
skelter suburban life.”

Much of my work involves neighbor disputes; some serious and some petty, but we, as consultants need to stress to our clients that even though they may be quite emotional about the tree issue, we cannot be. The photo in figure 1 was from a report in which tree roots were damaging my client’s property. The two photos in figure 2a and 2b are from a report I did for a client who was worried about this decaying silver maple tree that was jeopardizing her property. Both situations would have been easier to resolve had the Hawaii Rule been followed.

So, will all of this result in more litigation? You betcha! Will people use this as a tool in order to spite their neighbors? Certainly! Will arborists be careful in what kind of reports they write for their clients in these situations? Let’s hope so!

Please, please, please – this was not written by an attorney, so one must seek legal advice to interpret any of the aspects of this case or any legal situations.

Lew Bloch is a registered consulting arborist and author of Tree Law Cases in the USA, which can be purchased through TCIA.

Figure 2a – The decaying silver maple on the left was seen by the neighbor as a danger to her house.

Figure 2b – A close up of the silver maple in the picture at left shows the decay.

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Snow Business

The Business of Snow Plowing: Soliciting New Customers

By John Allin

One of the major questions that arises when plowing contractors get together is, “How do I get new customers, what with all the cutthroat one-truck operators out there giving away their time?”

Maybe this is the wrong attitude. Might it be better if we (as the contractor providing services) were in such a position that we interviewed customers who we wanted to have instead of quoting work “hit or miss?” Target marketing is key to success in any business. Why should it be any different with snowplowing business?

If you have a shopping plaza that you are servicing during winter months, then it would be in your best interest to have additional business that is close to that location. Assuming that you are providing tremendous service to your own customer – then pay attention to what is happening across the street. If their lot is not plowed on time, make a mental note of this. In spring, send a letter to the person in charge of that other site, requesting an opportunity to speak with them about their plowing. Do this in the spring so that the problems of the past winter are still fresh in their minds. You may not get an opportunity to secure that business in the spring, but by staying in touch with that potential customer you should be able to get the needed opportunity when the time comes to renew plowing contracts for the upcoming winter season.

You might consider targeting all potential customers in the immediate vicinity of your satisfied customer. Ask your customer for a letter of recommendation that you can use when discussing the possibility of securing new customers in the immediate geographical area around the site that you
Avoid taking on customers that have gravel parking lots unless you can charge for the increased time it takes to plow such lots.

are already servicing. If you are charging “per push,” having new customers in the immediate vicinity will cut down on travel time between jobs. If you are charging “per hour, per truck,” with a minimum travel time charge between customers, it will mean increased revenue per truck if you eliminate travel time. Additionally, it is easier to incorporate a new customer into the schedule if they are close to an existing site that you currently service. It just makes good sense to “cluster” your accounts strategically.

Avoid taking on customers that have gravel parking lots unless you can charge for the increased time it takes to plow such lots. Or, you might have to include a disclaimer that allows you to charge the customer to redistribute the gravel in the lots at the beginning of the spring.

When a potential customer calls to get a price for plowing services, some contrac-
tors want to know why that customer is considering changing vendors. It is a fair question. If the customer is unsatisfied with the service provided by the previous contractor, this is a customer worth spending time with in order to ascertain the reasons for being unsatisfied. You might find that the previous contractor was undercharging for his services thus necessitating the need to “shortcut” the job in order to make a viable profit. In these cases you may need to be frank with the customer and tell them that they were not paying enough for the service and that you are going to be more expensive – but the quality of work will be better. A potential customer that wants you to provide better service at the same price is not looking for quality and dependability. They are looking for the cheap price.

If they are just looking to “check pricing,” then you may want to avoid getting involved with such tactics, unless you do need the practice quoting work without getting anything in return. Price shoppers will change vendors next year or, worse yet, mid season just to get a cheaper price. In this industry, the cheap price usually ends up being unjustified by the second significant snowfall, when the service just isn’t there.

When talking with potential customers, extol the virtues of dealing with your company. If you are a large contractor with a large fleet of equipment, you might point out that there is no excuse for not showing up on time (if enough snow falls soon enough to allow you to complete the plowing in the allotted timeframe). You probably have a mechanic on staff (or readily available) to get breakdowns fixed quickly so that the equipment is back up and running in short order. You may have a full-time dispatch team to insure that “special requests” can be addressed in a timely fashion.

For small contractors, sell the fact that you don’t have a large number of customers – so that every customer gets “personalized service.” You don’t have to keep track of a large contingent of trucks, so you always know where everybody is working. Personalized service means that you care about that customer’s needs, almost exclusively.

Don’t hide the fact that you are making a profit at providing this service. While it may seem like everyone is plowing snow, the fact is you are in the minority. You provide a necessary service that requires specialized equipment, special talents and tremendous dedication to your customers. They should be glad you are there – ready and willing to provide services under terrible, and often unsafe, conditions. Sell these benefits of dealing with your company, no matter what size fleet you run.

Most importantly, keep in mind that you are in the snow and ice management business year round. While most of our
customers only think of snow just before the season, we should be thinking about

snow all year long.

When you are asking about the land-scape maintenance business, ask about the

snow business, too. When you do a tree

maintenance service project, ask who does

the snow removal. Are they happy with the

service they are receiving? If they say yes

– then this is good for your customer. Tell

them that they are lucky to have a good

contractor, but if they become unsatisfied,
could you please have the opportunity to

secure the business?

Also, if they are happy with their current

contractor, ask what they are being

charged. If for no other reason than to see

what the competition is charging, you

should always ask. It’s no threat to the

incumbent as you know that your customer

is satisfied. Then write down this number

somewhere where it will not get lost. In a

couple years, if you get a call to quote the

work, you will have some idea where the

numbers are for that particular customer.

For those contractors who are in the

plowing business to make a profit, it is a

high profit center that gets considerable

attention throughout the year. You proba-

bly don’t have a problem quoting new tree

care business in January. You shouldn’t

have a problem quoting snow business in

June, July or October either.

John Allin is president of Snow Dragon,

LLC in Cleveland, Ohio. In June 2002, Mr.

Allin’s book “Managing Snow and Ice,”

which is available for sale through TCIA,

was first published as a textbook guide for

those wishing to enter, or grow in, the

snowplowing business.

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Please circle 38 on Reader Service Card
Recalling Oscar Stone

When we lose a friend, it’s not a loss if the memories live on. Oscar Stone was the type of guy everyone liked. Even at first glance, you could see that big smile coming at you, ready to reveal some old time knowledge like a gentle grandfather does for a youngster.

What a contrast to us young bucks. But here he was, happy to be with the guys, talking like old friends, dispensing wisdom and humor as only he could. From the way he held up three fingers describing decision making in pruning apple trees, to the strange way he pronounced Elm (“Elum”).

He was accepted. He was accepted because he chose to pass the torch on to all of us.

Twenty years later, I still remember his calm way of interacting as I myself strive to serve, but not to yield.

Thank you, Oscar, for showing us a selfless life of sharing and dedication that still inspires me whenever I need it.

My final dream is also to pass the torch. Trees are the answer.

(Special thoughts for Andy Driscoll, RIP.)

Rob Muller
da/b/aka The Tree Man
(Professional climber since 1980)
Fitzwilliam, N.H.

Editor’s note: Oscar P. Stone, 93, of Marlboro, Vt., died July 2. An announcement ran in the August 2007 TCI magazine, page 74. He was a long-time and essential member of the Connecticut Tree Protective Association, a member of the ISA, and a privileged member of the Tree Care Industry Association.

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According to the Internal Revenue Service, more than 1.7 million small businesses operate as S corporations. The recently passed Small Business and Work Opportunity Tax Act of 2007 included a package of S corporation reforms. The changes affect the treatment of passive investment income, partial sales of qualified subchapter S subsidiaries (QSubs), interest deductions by electing small business trusts (ESBT), as well as reduction in earnings and profits (E&P).

Stimulating S corporations

The S corporation is often far more attractive to the owner of a tree care business than a standard (or “C”) corporation. That is because an S corporation offers a number of appealing tax benefits while still providing the owner or owners with the liability protection of a corporation. With an S corporation, income and losses are passed through to shareholders and included on their individual tax returns. As a result, there is just one level of federal tax to pay.

An S corporation is a creature of the federal tax laws. For all other purposes, it is treated as a regular corporation. This means that in order to form an S corporation, you first must incorporate under state law.

Then, you must file a special form electing to be taxed under a special provision of the tax law that preserves the corporation’s limited liability under state law, but avoids taxation at the corporate level. As a result, the annual income or losses of the S corporation are passed through to shareholders in much the same way that a partnership passes through such items to partners.

In addition, owners of S corporations who are not required to maintain inventory can use the cash method of accounting where income is taxable when received and expenses are deductible when paid. This is far simpler to use than the accrual method.

On the downside, S corporations face many of the same requirements as other corporations and that means higher legal, tax and accounting expenses. They must also file articles of incorporation, hold directors and shareholder meetings, keep complete records and allow shareholders to vote on major corporate decisions.

Another major difference between a standard or C corporation and an S corporation is that S corporations can only issue common stock. Experts claim that this can hamper the tree care business’s ability to raise capital.

S corporation status is automatically ter-
The **S** corporation is often far more attractive to the owner of a tree care business than a standard, or “**C**,” corporation because an **S** corporation offers a number of appealing tax benefits while still providing the owner or owners with the liability protection of a corporation.

Termination if any event occurs that would have prohibited the incorporated tree care business from making the **S** corporation election in the first place. Termination of **S** corporation status can be planned by the shareholder; it can be demanded by the IRS; or, all too often, it can be inadvertent. Termination of the **S** corporation election is effective as of the date on which the disqualifying event occurs. It can also be retroactive to the date on which the disqualifying event occurred, regardless of when and by whom the terminating event was discovered.

**Passive income**

The passive investment income test has long been a trap for **S** corporations that convert from operating as a regular, **C** corporation. Passive investment income generally means receipts of royalties, rent, dividends, interest, annuities and sales or exchanges of stock or securities (at least to the extent of gains).

Therefore, an **S** corporation was subject to tax at the corporate-level – not on the usual shareholder’s tax return – at the highest corporate tax rate, on its excess net passive income. Of course, the tree care business must have (1) accumulated earnings and profits at the close of each of three consecutive taxable years and has gross receipts for each of those years more than 25 percent of which are passive investment income. Even worse, an **S** corporation election is terminated whenever the **S** corporation has accumulated earnings and profits at the close of each of three consecutive taxable years and has gross receipts for each of those years more than 25 percent of which are passive investment income.

**Partial sales of QSubs**

Many tree care professionals operating as **S** corporations employ a subsidiary **S** corporation, a “QSub,” for joint ventures, special projects and even expansion. A QSub is disregarded as a separate entity for federal tax purposes and its items of income, deduction, loss and credits are normally treated as items of the **S** corporation – in other words, passed on to the tax returns of the shareholders.

Once the QSub is no longer wholly-owned by the **S** corporation, however, it ceases to be a QSub and is treated as a new corporation that acquired all its assets from the parent **S** corporation in exchange for stock. Suppose, for example, an **S** corporation sells 21 percent of the stock of a QSub to an unrelated party. The deemed transfer of all the assets to the QSub is treated as a taxable sale because the **S** corporation was not in control of the QSub immediately after the transfer because of the sale and, thus, the transfer did not qualify for non-recognition treatment.

Thanks to the **S** corporation reforms, the sale of stock of a QSub results in the termination of the QSub election, the sale is treated as a sale of an undivided interest in the assets of the QSub (based on the percentages of the stock sold) followed by a deemed transfer to the QSub. Based on our earlier example, the **S** corporation will be treated as selling a 21 percent interest in all the assets of the QSub to the unrelated party, followed by a transfer of all the tax assets to a new corporation in a transaction to which Section 351, the Transfer To A Controlled firm rules apply. Thus, the **S** corporation will recognize – and pay tax on any gain on – only 21 percent of the gain or loss in the assets of the QSub.

**Electing small business trusts (ESBTs)**

So-called Electing Small Business Trusts, or ESBTs, were created to permit interests in family-owned corporations to be transferred to a trust in which the trustee has the discretion to accumulate income, rather than distribute it as a Qualified Subchapter S Trust (QSST) is required to do.

The **S** corporation stock held by an ESBT is treated as held in a separate trust while the tree care operation retains its status as an **S** corporation. The QSST’s
income from the S corporation stock, on the other hand, is taxed at the highest individual tax rate (35 percent for 2007).

The new law allows an electing small business trust to deduct interest paid on money borrowed to acquire S corporation stock. Thus, leveraging S corporation ownership in an ESBT just became less expensive, given its newly-allowed deductibility against income otherwise taxed at the 35 percent rate.

**Earnings and profits**

Any corporation that had not chosen to be treated as an S corporation before December 31, 1996, is required to consider the accumulated earnings and profits (E&P) from those earlier years. The new law allows an S corporation to reduce its accumulated E&P by its pre-1983 accumulated E&P from years when the incorporated tree care operation was an S corporation. This benefit involving pre-1983 E&P had previously been available only to a corporation that was an S corporation for its first taxable year after 1996. The provision takes effect for tax years beginning after May 25, 2007.

**At risk**

Finally, the so-called “at risk” rule in our tax law does not allow losses that exceed the amounts that an investor has “at risk.” Generally, at risk is the amount of investment that an investor could lose.

The “at-risk” rules apply to all individuals, including S corporation shareholders. The amount that a shareholder has “at-risk” is usually determined at the close of the S corporation’s tax year. Thus, an S corporation shareholder who realizes that his or her at-risk amount is low, and who wishes to deduct an anticipated S corporation net loss, can make additional contributions to the entity.

**Fringe benefits and S Corporations**

Only those fringe benefits received by employee-shareholders owning 2 percent or less of the S corporation stock are actually deductible by the tree care operation as a business expense. Today, an employee-shareholder who owns more than 2 percent of the S corporation’s stock and who is thus treated as a partner is entitled to deduct an amount equal to 100 percent of the amount paid for medical insurance for himself, his spouse and dependents. This amount is taken as an individual deduction on the owner/shareholder’s personal income tax return – along with the income and losses of the tree care business operating as an S corporation.

*Mark Battersby is a syndicated business writer.*
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Trimmer dies in bucket accident

A man died after being hit in the head while trimming trees in an aerial lift bucket truck August 31, 2007, in Keene Township, Ohio.

Terry L. Pollock, 57, of Coshocton, was found trapped in the aerial bucket of his truck by emergency medical service personnel responding to a report that a man had been hit in the head by a branch while trimming trees. After Pollock was extricated from the bucket, he was transported by Coshocton County Memorial Hospital, where he was pronounced dead, apparently from severe head and neck trauma.

Pollock was a 25-year employee of a cable television company.

San Antonio worker dies during tree trimming

A San Antonio (Texas) Parks and Recreation Department worker was killed September 4, 2007, when a tree limb fell on his chest, according to local officials. Salvador Escobedo, 44, a landscape construction supervisor, was with a tree trimming crew under a tree that was having its limbs cut. He was pronounced dead at the scene.

Escobedo had worked with the parks department since September 1999 and recently returned from Kosovo after a two-year tour in the Army Reserve, according to an article in the Express-News of San Antonio. Escobedo is survived by his wife, five children and three grandchildren.

Professional tree trimmer falls 40 feet to death

A professional tree trimmer fell 40 feet to his death September 6, 2007, after the top of the tree he was cutting fell and knocked him to the ground in Daniels, West Virginia.

Brian Keith Windgrove Sr., 42, of Beckley, West Virginia, was wearing a safety harness, but the falling tree apparently knocked it loose, according to Charleston Daily Mail.

A local resident had hired Windgrove to cut down seven trees on private property.

Tree worker injured by falling tree

A tree fell on a man September 7, 2007, in Northwest Atlanta, Georgia, breaking both of his legs.

Officials said the victim, described as a
man in his 40s, was part of a tree-cutting crew cutting down a tree behind a home.

Fire officials said the man was about 30 feet up in the tree when it fell and the tree landed on top of the man.

The man was transported to Grady Hospital with what were considered to be life-threatening injuries.

**Tree trimmer shocked, seriously burned**

A Gray’s Lake, Illinois, man trimming trees while standing in an aerial lift bucket September 8, 2007, accidentally came into contact with power lines, leaving him hospitalized with second- and third-degree burns.

The victim’s T-shirt caught on fire after touching the power lines, according to a Lake County News Sun report. The victim, whose name was not immediately released by authorities, was taken by helicopter to Loyola Medical Center in Maywood, Illinois.

**Tree crew flagman injured when hit by car**

A Poughkeepsie, N.Y., man was listed in critical condition after being hit by a car while directing traffic for a tree-trimming company September 24, 2007, in Plattekill.

Richard Cook, 27, was flown by helicopter to Westchester Medical Center after a Honda driven by a Connecticut man hit him. Cook’s head hit the car windshield.

Cook was part of a crew trimming branches away from Central Hudson power lines, according to the Poughkeepsie Journal.

**Send information on local tree care-related accidents to:**

Tree Care Industry,
3 Perimeter Road, Unit 1,
Manchester, NH 03103
or staruk@tcia.org

Police blamed sun glare and driver inattention on the part of the Connecticut resident driving the Honda. No tickets were issued.

**Tree service worker dies after tree fails**

A 44-year-old man trimming limbs in Orangeburg, S.C., died October 5, 2007, after the pine tree he was climbing uprooted, sending him to street below.

It was unclear from published reports whether Charles Saylor, the victim, was cutting the tree he was climbing or climbing a tree next to the one he was trimming. Saylor, who was working for a commercial tree service, died at the scene from blunt force trauma.

The tree he climbed was rotted to a point that it would not support additional weight, having suffered damage in an ice storm a while back, according to a local public safety official quoted in The Times & Democrat.
The purpose of this article is to help those of you who will be encountering emerald ash borer (EAB) in your area. We hope you can learn from our experiences of having been in the epicenter of infestation for the past six years.

With the near certainty that EAB will be coming soon to a neighborhood near you, some of you are dreaming of dollar signs in tree removals and treatments. Our experience is that companies will suddenly materialize with a wide range of quality, knowledge and prices to offer their services at below-market prices.

A proper treatment plan can save many of these trees. Unfortunately, you will have tree firms that will pass along incorrect information trying to collect easy money using scare tactics for quick removals or unnecessary treatment plans. I heard some practitioners say it’s like Dutch elm disease, or that you need to treat all species of trees because the insect will move there next. I find this humorous, but in the end they are confusing potential clients and slowing down the process of saving these trees!

Therefore it is crucial that you are well informed through research, and understand proper implementation in the field. A case in point is one of our clients, where we experienced both success and failure in control of EAB. Our results may help you to be better armed when this pest invades your neighborhood.

Our company has many years of testing new products under experimental labels, with the successful implementation of a few.

In 2002, we were invited to bid on a large government property to treat and protect their ash trees. Because budgets were tight and the competition in the bidding process was so aggressive, we had to come up with an affordable process that was regarded as proper treatment. At the time, the pest was new and a lot of the research was inconclusive. We went with soil injections of imidicloprid, since this is a flat-headed borer much like the bronze birch borer. From our past experiences, we knew we wanted treatments done in the spring, not fall, and also at the middle of the label rate, which had great control on our birches for bronze birch borers.

The site was comprised of 221 ash trees of various sizes. Trees ranged from 10-inch DBH parking lot trees to 25-plus-inch specimens. Most of the site is not irrigated.

When we started treatments, there were three declining trees, all exceeding 25-inch DBH, that we thought we could save.

The following year we lost the three trees we tried to save, but the remaining trees looked fine for the next three seasons. In the fall of 2006, I received a call that the other ash trees on the site, in front of the Michigan State University extension offices, were looking sparse.

Soil injections were done, as usual, in mid-April of 2007. It is generally considered that soil injections be done before the end of April in Michigan. During the first week of June, I received another call to check out the property as soon as possible. I went out to survey the site and to my despair found that most of the large trees were in various stages of decline.
Trees 10-inch DBH or less were healthy and green with no sign of EAB. These trees were mostly the parking lot island trees and the trees in the irrigated turf areas.

I consulted with Dr. David Smitley of MSU as to what he felt happened. I shared our rates and schedule of treatments and all the information I could. His suggestion was that the newest findings through field studies indicate that large ash, those over 10-inch DBH, should receive the maximum label rate of the soil injection products as well as an injection of imidacloprid by any of the various trunk injection methods during the first season of treatment. After that, they can be maintained by either soil injections or trunk injections, done in the spring, at the maximum label rate. Additionally, watering and fertilizing will maximize the effectiveness of the insecticide treatment.

I had communicated to Dr. Smitley that losing the trees on such a high profile site was discouraging to me and our company. He replied that “at least we have 110 trees that would definitely be dead if we did nothing and roughly 30 additional trees that possibly can be saved.”

Our revised protocol of soil and trunk treatments has been implemented in the areas outside the heavy infestation area and so far these trees look great. Fertilization should not be forgotten, as it will help speed up the healing process in these trees.

Summary

EAB puts such heavy pressure on the tree, so you may not want to guarantee results with treatments. At a minimum, treatments should be started as soon as the insect is discovered within a 36-mile radius. Although the insect can only travel 7 miles per year on its own, our experience is that people will be transporting EAB out of the quarantine zones, intentionally or unintentionally, with firewood.

Start consulting with your clients as to which ash trees are vital on their properties. They need to decide which trees provide the best shade, which are old specimens they want to save and which have sentimental value. Pick those trees out and start building up protection through soil or trunk injections. It has been determined that a tree may be infested for more than a year before it shows any indication of decline.

Kirk Gruenwald is PHC manager at Owen Tree Service Inc. in Attica, Michigan. The article was forwarded to TCI for publication at the request of Randy Owen, Owen Tree owner and a TCIA Board member, to share his company’s experiences with EAB so that others might learn from it.
Diagnosing Herbicide Injury

By David L. Roberts
When it comes to plant problems, usually we think of insects, diseases and various assortments of site issues that affect the health of plants that we, as professionals, are trying to maintain. Normally, I try to categorize plant problems into four main groups:

1. Diseases
2. Insects/Arthropods/Animals
3. Environmental Issues, and
4. Cultural issues

These various categories are fairly straightforward; diseases and insects are easily understood. Environmental issues tend to be those problems beyond human control, such as hail injury, excess rain, drought, etc. Cultural-incited problems are generally of human origin and may include excess irrigation, excess fertilizer, misapplication of chemicals and so forth.

During the spring, summer and fall seasons, I am often called out to locations to diagnose plant problems that do not fit neatly into the typical disease and insect problems that we expect during the growing season. After all, much of our efforts in plant health care involve managing these problems. One of the most perplexing problem areas that affect our landscapes belong in the chemical misapplication area, especially herbicides. If all other causes have been exhausted, consider chemical
Herbicides may cause plant injury most often because of misapplication and non-target effects. Occasionally, weather factors may enter into the equation and induce herbicide injury on landscape plants where, normally, there would be no problem. For example, if an herbicide application is followed by an unusually heavy rain, the herbicide may wash into non-target areas and be absorbed by landscape plants.

Symptoms of herbicide injury vary greatly but may range from plant death to mild foliage deformation. Unless our landscape plants receive a direct application of the herbicide, the symptoms are often non-lethal; plants will often recover in succeeding years. Hence, in my arbitration of herbicide related issues, I often recommend a “wait-and-see” approach, to determine if there are any long term issues with the health of affected plants; it is often better to nurse well-established landscape plants back to health rather than renovate and start from scratch, particularly when transplant/site/establishment problems are key impediments to establishment of a replacement landscape.

Knowing the various groups of herbicides and their effects on plants can enable us to better diagnose problems when they occur.

Herbicides and their effects on plants vary greatly. As we know, there are herbicides that are selective, for example for broadleaf plants or grasses (monocots). Some herbicides are broad spectrum vegetation killers. There are herbicides that inhibit seed germination. There are herbicides that inhibit root and shoot growth. There are herbicides that inhibit photosynthesis; these tend to be very broad spectrum herbicides. Knowing the various groups of herbicides and their effects on...
plants can enable us to better diagnose problems when they occur.

This article is not designed to be a complete treatise on herbicide problems. Rather, I propose to provide some tips on diagnosis and several specific examples, so that the diagnosis of herbicide issues may be a little easier to ascertain.

Following are some brief tips for diagnosing herbicide issues:

**Examine symptoms**

Do symptoms appear similar to other problems caused by diseases and insects? Symptoms of herbicide will often cause growth abnormalities, abnormal coloration, or death. Except on rare occasions, herbicide-induced symptoms will be different from other causes such as diseases, insects and environmental problems. Occasionally, viral disease symptoms may mimic herbicide injury symptoms.

**Collect information**

This step is often the most difficult, but the most important in diagnosing herbicide injury. We must know what herbicides were applied, when the herbicides were applied and when the symptoms appeared on the plants. Do the symptoms observed match the expected symptoms we’d expect for the mode of action of that herbicide? A phenoxy-type growth regulator herbicide such as 2,4-D will cause growth distortions but will generally not cause necrotic spots as we might see with some contact burn herbicide such as Paraoquat. It is also important to examine other plants in the area for similar symptoms. If we expect herbicide injury due to drift, other plants in the landscape are likely to be affected. Sometimes, the application information is rather difficult to obtain. In many instances, homeowners don’t even know what was applied to their lawns and landscapes. Some individuals don’t want us to know what has been applied. It has not been a rare occasion in which a landscape company is blamed for herbicide injury; upon deeper investigation, we find that a family member has been applying their own herbicide for enhanced effects.

**Eliminate other causes**

Are we certain at this point those other causes are not involved? Have Diseases
and Insects and other Cultural and Environmental issues been eliminated? This may take some greater effort than we would like but diagnosis often involves the “process of elimination.” Various experts and labs can be consulted to eliminate these other causes.

Perform Tests

While many herbicide problems can be diagnosed without resorting to further steps, if the situation is contentious and warrants further proof, various tests can be performed. Depending on the chemical involved, residue analysis may be performed on the affected plant tissue or on the soil, to determine whether herbicide injury is likely or even possible. In some cases, especially involving contamination (improper cleaning of spray tanks, etc.), a “chemical screen” can be run to determine the likely chemical. A & L Great Lakes Laboratories in Fort Wayne Indiana is one company that can perform residue analysis and screens for unknown chemicals.

Wayne Indiana is one company that can perform residue analysis and screens for unknown chemicals.

On occasion, I have designed and performed “bioassays” as a means to determine chemical contamination or misapplication. For example, sensitive plants or seed are placed into a medium (soil, mulch, etc.) and evaluated for similar symptoms observed on landscape plants.

Regrettably, some perspective herbicide issues may become litigious. Hence, it is wise to document every step and procedure used as well as all people consulted.

Regrettably, some perspective herbicide issues may become litigious. Hence, it is wise to document every step and procedure used as well as all people consulted. Even if initially it doesn’t appear to be a dispute, it may later result in a law suit if an extensive value of plant material is at stake or if for example some priceless, memorial tree is at risk.

David L. Roberts, Ph.D, is a plant pathologist with Michigan State University Extension.

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Premature fall color and a bowed trunk were symptoms of serious problems for my "October Glory."
This is a tale of an “October Glory” red maple and how stress and borers conspired to turn it into an “October Misery.”

The story begins two years ago when five elderly red maples were removed from my yard. These veterans had lost most of their crowns in a windstorm and one giant with included bark and decay threatened to destroy my neighbor’s carport in the next breeze. To soften the blow of losing these beauties, I replanted my denuded landscape with several cypress, a few firs, an American elm and an ‘October Glory’ red maple. With Asian longhorned beetle on the prowl, I considered not planting a favored food of this pest, but with the nearest known infestation still more than 100 miles away in New Jersey and dreams of spectacular autumn color, “October Glory” seemed like a good choice.

To install the small tree, I dutifully removed all potentially girdling strings and bindings, checked the root ball to eliminate girdling roots, planted at the correct depth – not too shallow and not too deep – used good organic soil to fill the hole, and carefully staked the tree to prevent windthrow. I kept it watered and crossed my fingers knowing that the years following installation are especially stressful for trees as they struggle to establish a root system capable of fulfilling their water requirements. Little did I know that Mother Nature was about to deliver one of the worst droughts to be seen in Maryland in many years.

Droughts wreak havoc on trees right along with other stressors such as pollution, floods, and extremes of heat and cold. The reason that drought is so harmful has to do with the fundamental way trees go about their daily work. Trees transport water from soil to leaves where the magical process of photosynthesis combines water with carbon dioxide from the air to produce sugars and the oxygen we breathe. Be sure to thank a tree today. Trees are marvelous chemical factories and use some of their sugar-derived products to grow and reproduce while others are used to repair wounds, and to produce compounds that help trees defend themselves from attack by insects and diseases. You can imagine that prolonged periods of drought greatly curtail a tree’s ability to photosynthesize, grow, repair wounds, and produce defensive compounds.

As our drought deepened in May, I irrigated the sapling once or twice a week to compensate for the rainfall deficit. My worst fears were realized in June when a large vertical crack developed in the bark near the base of my doomed “October Glory.” Despite my best efforts, borers had arrived. Many species of beetles, caterpillars and wood wasps bore into the shoots, branches and trunks of trees. Some of the most notorious of these are exotic. Asian longhorned beetle, *Anoplophora glabripennis*; emerald ash borer, *Agrilus planipennis*; granulate ambrosia beetle, *Xylosandrus crassiusculus*; and Sirex wood wasp, *Sirex noctilio*, arrived in our forests from foreign shores. However, prolonged drought and elevated temperatures have enabled native borers like bark beetles in the genera *Dendroctonus* and *Ips* to run roughshod over conifers in Rocky Mountain, Western and Southern states. Bronze birch borer, *Agrilus anxius*, kills paper birch throughout our heartland and into the Northeast. The exceptional drought conditions in these areas will spell trouble for deciduous trees and conifers for
many years to come.

Trees under drought stress are highly vulnerable to borer attack because their ability to defend themselves and repair damaged tissues is compromised. Beneath the bark of my maple, larvae of a beetle-borer laid waste to the cambium. Cambium is a thin layer of living cells that enables a tree to grow in girth. Cambium generates cells that differentiate into two vital tissues. Toward the center of the tree, cambium gives rise to xylem which transports water and nutrients from the earth to the canopy. Toward the exterior of the tree, cambium produces phloem which conducts the products of photosynthesis from the leaves to the roots. The destruction of these tissues spelled death for my “October Glory.” As summer progressed, I watched the bark crack, trunk bend; leaves wither and turn prematurely red. My “October Glory” became “October Misery.”

Although it was too late to save my sapling, in a fit of revenge I removed the loose bark and dug-out several fat, happy borers. The shape of the larvae revealed that these were roundheaded borers. Roundheaded borers differ from flat-headed borers in that their thorax is round in cross section rather than compressed or flattened from top to bottom. As they depart from the tree, flatheaded borers leave round or oval exit holes and flat-headed borers leave “D”-shaped exit holes. If uninterrupted, these larvae would have continued to consume cambium and other tissues nearby, and developed into pupae in galleries beneath the bark. In spring they would have emerged as remarkable beetles called longhorned beetles. Longhorned refers to the exceptional length of the antennae of this family of beetles. Adult longhorned beetles are vegetarians and eat pollen, tender bark and leaves. After dining and finding a mate, the female longhorned beetle “sniffs” the air with her antennae to detect trees under stress and dying or those already dead. Stressed trees emit unique blends of chemical odors detected by the vigilant boring beetles. The subtle message tells the beetle that the tree’s defenses are compromised and the tree may not be able to put up much of a fight – an easy target.

Once the victim is located, the longhorned female flies to the tree, deposits her eggs on the bark and, after hatching, the tiny borers enter the tree to conduct their nefarious work. Some borers, such as the female Asian longhorned beetles, nibble into the bark and create an egg “niche” to facilitate entry of their spawn into the tree. Other borers, such as the banded ash clear-wing moth, Podosesia aureocincta, utilize cracks in the bark to help their young gain entry. Wood wasps, such as Sirex noctillio, have a needle-like, egg-laying tube called an ovipositor that drills through the bark to deposit eggs. Although I will never know the complete identity of the culprits that did in my maple, I suspect that they were the larvae of red-edged saperda, Saperda lateralis. This longhorned beetle favors...
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The Right Way To Treat A Tree

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The beautiful red-edged saperda, a longhorned beetle, attacks many stressed landscape trees, including maples.

hickory, elm, basswood, oak and maple that are stressed. A close relative of this beetle is the infamous roundheaded apple tree borer, *Saperda candida*. This beast is a major killer of trees in the rose family, including apple, pear, crabapple and hawthorn.

At the time of this writing, more than 15 states were experiencing extreme or exceptional droughts and almost 60 percent of the land area in the contiguous United States was under drought conditions. As our regional drought continues and deepens, borers will have a field day. In drought-stricken regions there are many dead trees standing. Residual insecticides applied to the bark can foil attack by some bark beetles, clearwing borers, flatheaded and roundheaded borers. Systemic insecticides applied to the soil or through the bark have proven useful in managing flatheaded borers such as emerald ash borer and bronze birch borer. Designing landscapes well, installing plants correctly, and providing abundant space and healthy soil for roots to grow will also help ameliorate environmental stress. But on our ever-warming planet, the benevolence or wrath of Mother Nature may ultimately determine the fate of our friends the trees and how the next attempt to reforest my yard will succeed or fail.

Michael J. Raupp is a professor in the Department of Entomology at the University of Maryland, College Park, Md. This article first appeared a “Bug of the Week” (www.raupplab.umd.edu/bugweek/archive/BugOfWeek_35B.html). J.D. Solomon’s wonderful “Guide to Insect Borers in North American Broadleaf Trees and Shrubs,” USDA, 1985, was used as a reference as was “Trees, Stress, and Pests” by Dan Herms and William Mattson in Plant Health Care for Woody Plants, International Society of Arboriculture, 1997.

Information on exotic and native borers can be found at the following Web sites:
www.treecaretips.org

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### Key

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| Highlighted number represents recommended method |

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**Aphids**

- **Xytec**
- Fall application provides protection from winter through the season.
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.

**Bronze Birch Borer**

- **Xytec**
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.

**Chlorosis**

- **Xytec**
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.

**Dutch Elm Disease**

- **Arbect**
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.

**Emerald Ash Borer**

- **Xytec**
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.

**Equisetum**

- **Lucid**
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.

**Fusarium**

- **Lucid**
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.
- Treats gypsy moth, leafroller, and other pests in the family Lepidoptera.

**Fireblight**

- **Copper hydroxide**
- Prune below infected tissue in winter. Spray in dormant season and at full bloom.

**Gypsy Moth**

- **Spinosad Acrephate**
- Sprays control for early instar stage. Broad programs often use Bacillus thuringiensis.

**Hemlock Wooly Adelgid**

- **Xytec**
- Controls gypsy moth, leafroller, and other pests in the family Lepidoptera.
- Controls gypsy moth, leafroller, and other pests in the family Lepidoptera.

**K. Deficiency**

- **Fertilizer**
- Apply soil applications >50cm prior to fall leading. Re-treat when suppression fails.

**Lepidoptera**

- **Cambistat Prevention Air Tools**
- Air tools compact soil, blend in organic matter, and mulch the top.

**Mites**

- **Aracnicat Lucid**
- Micro-insecticide with multiple pests throughout the season.

**Needlecast**

- **Chlorothalonil**
- Essential element and macromineral.

**Oak Wilt**

- **Alamo**
- Protect healthy oaks within a 200m radius of infected trees.

**Quercus Decline**

- **Chlorothalonil**
- Cultural Practices
- Caused by a complex interaction of soil and biological stressors.

**Two-lined Chestnut Borer**

- **Xytec and/or Bifenthrin**
- Attacks weak, stressed trees. Mulch, prune, and promote health to prevent this pest.

**Xylellla Fastidiosa**

- **Bacstat**
- Annual application of Bacstat minimizes symptoms of bacterial leaf scorch.

**Zimmerman Pine Moth**

- **Bifenthrin**
- Spring and late summer foliar sprays.

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Please circle 69 on Reader Service Card
Since its arrival 100 years ago, white pine blister rust has plagued nursery, tree care and forestry workers—but we are about to see a breakthrough.

Researchers at Ontario Forest Research Institute (OFRI) in Sault St. Marie, Ontario, Canada, have developed a hybrid that is 90 percent eastern white pine and 10 percent Eurasian. This new tree is resistant to blister rust. The hybridization technique was the same technique used to produce the resistant American chestnut.

White pine blister rust, Cronartium ribicola, is an invasive disease that arrived on the East Coast from Germany around 1898 and the West Coast, to Vancouver, Canada, from France in 1910. It is well documented that it attacks five-needle or soft pines, including the eastern and western white pines and exotic soft pine ornamentals. Since its discovery in North America, it has hampered all attempts to reforest and regenerate the historic mono species white pine stands. Seedlings are at highest risk to the infection. In 1999 the blisters were found in Colorado.

"Infected trees can be identified by the presence of dead branches (red flagging) in the lower portion of the crown," according to Natural Resources Canada’s Web site. "Infections are characterized by diamond-shaped, orange-colored cankers, evident on young stem and branch tissue with thin, smooth bark. Cankers on older stems have roughened, dead bark, often with resinosis. During the spring, white aecial blisters form on the canker, producing orange-colored aeciospores. In the summer, spermatia..."
develop around the margins of the canker in sticky, orangish droplets that dry out and leave small brown scars on the canker’s surface. Each year, aecia form in the tissue that produced spermatia the previous year.”

The infection alternates with *Ribes spp.* (currents and gooseberries) and shows no visible symptoms in pines for three to four years. The disease spread is exaggerated by cool moist weather in late summer or early fall.

The story of white pine blister rust is one we should never forget. It’s been a tough learning curve for North American forestry. When the Europeans saw the immense trees in our vast forests, massive harvesting began. Seventy percent of our white pine fell to the lumber jack and was burned to develop agricultural land. But seeds were also collected for germination in European greenhouses. These never did well in English plantations. When we finally realized our mistake, seedlings were brought back across the Atlantic, with white pine blister rust hitching a ride with it to North America.

White pine blister rust spread rapidly by wind and in the new reforestation attempts. With no native resistance to the disease, it carried an almost 100 percent kill rate in seedlings. As the immature forests matured, the disease mortality fell. The spores need a period of 48 hours of cool temperatures and almost 100 percent humidity to germinate on the needles. Thus, western weather patterns left higher devastation than in the east, where fall rains made it harder for the spores to disperse.

Between 1948 and 1968, Carl Heimberger, a Ministry of Natural Resources genetic researcher from Ontario, searched for wild resistant eastern white pines (*Pinus strobus*). With persistence, he found some with resistant traits to low levels of blister rust and their genotypes were preserved. Some of these trees are now more than 60 years old.

Louis Zsuffa, from 1968 to 1995, and George Buchert continued on with Heimberger’s work, but political interest was lost. A few years ago, Pengxin Lu, a forest genetics Ph.D. from Florida now living in Sault St. Marie, brought renewed interest to the work. Darren Derbowka, a genetics project forester from Sault St. Marie, joined him in 2005.

Lu started by collecting open-pollinated seeds from the trees with genetic records indicating some resistance to blister rust spores. The white pine seedlings were inoculated with the spores at a rate of more than 6,000 spores per square centimeter. Almost 100 percent of these trees died. The few survivors are now considered suitable for low risk areas.

Dr. Heimberger also collected blister rust resistant white pine specimens from abroad and brought them back to test their resistance to the disease.
and crossed them with the native eastern white pine. Now there are many hybrids with some level of resistance.

Pengxin’s eyes grew wide and I had to run to keep up with him as he dashed out of the boardroom to display his prize hybrids. “Species such as the Himalayan White Pine (Pinus griffithii) and the Japanese white pine (Pinus parviflora) have been successful at hybridizing with eastern white pine,” he said. “These hybrids have also shown favorable survival after inoculation with white pine blister rust. We are interested in all hybrids that have demonstrat ed disease resistance and have moved them forward into our current breeding program.”

One initial concern was the hardness of the hybrids. Lu took the resistant hybrids and back crossed them four times with eastern white pine. Today these are his hope for the future of the white pine. He has repeatedly bombarded the new hybrid trees with the fungus and they are disease free.

The problem with white pine hybrids is that it takes 15 to 20 years for a natural first pollination. Using growth hormones in a climate controlled lab, pollination occurs in five to six years.

Over the years many programs were tried to slow or stop the spread of white pine blister rust with varying levels of success. Pruning the lower branches and maintaining good air flow around the base of seedlings works, but it is expensive labor. Eradication of all gooseberries and currents was good in theory, but impossible to maintain and bad for the environment as a whole – not to mention the gooseberry jam market. Fungicides work but they are also expensive programs to maintain and challenging for forestry. The slow release pesticide pellet Bayleton in one study reduced infection rates to between 35 to 70 percent, with mortality reduced to between 6 and 52 percent. Weed control was noted in the same study to offer greater health benefits than fertilization.

Tom Noland, a biochemistry research scientist, and M aara Packalen, biochemical technologist, have developed the methodology for extracting and analyzing plant
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proteins for plant characteristics that they hope will support Lu in the near future. The process takes the extracted protein, stains it to produce an image and uses software to compare and analyze it. By taking known resistant trees and known susceptible trees they will be able to establish which protein markers characterize the trees that are resistant and so predict which new hybrids will be resistant in the future. (The technique was designed to search for trees resistant to climate change stresses.)

The white pine plague could be coming to an end but politics lives forever. The white pine is Ontario’s provincial tree and Lu is an employee of the Ontario Provincial government. Purists argue that a hybrid capable of cross pollinating with the native white pines should not be allowed in the province. Quebec however is anxious to receive the new trees. Lu argues back that the pure white pine stands of Canada’s historic forests have been extinct since the arrival of the white pine blister rust, but...
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just in case, some of his white pine hybrids will not cross with the native white pines.

“The Chinese white pine, (Pinus armandii) is almost entirely immune to the disease and demonstrates exceptional survival under the current screening process,” he says. “However, this species diverged along its evolutionary path far enough that it is now incapable of producing viable offspring with eastern white pine.”

And Lu and his colleagues have other white pine cross bred trees they are studying to determine their feasibility for resistance to blister rust.

“A conservation strategy must weigh the importance of species purity versus species functionality on the landscape,” says Lu. “From a purity perspective, eastern white pine ceases to be native with the introduction of foreign genes into its genome. From a functional perspective, however, native populations have experienced a significant decline caused by white pine blister rust for the last 100 years due to lack of strong genetic resistance in the species. Thus it stands to reason that strong resistance must be incorporated from non-native species to combat this invasive alien pathogen and maintain a functional white pine component in high rust hazard ecosystems.”

“Our objective is to provide forest managers with (options),” says Lu.

Field trials to establish the climate hardiness of the new hybrids start in the spring of 2008. Laboratory testing indicated there were higher survival rates to cold in the back-crossed Eurasian white pine. The sites chosen for planting were all previously planted with native white pine and had a minimum of 80 percent mortality due to white pine blister rust.

So, can I have a white pine for my lawn? Lu laughed: “If you have a big yard!” He looked out across the research lawn and pointed to a western white pine with a smile.

Pat Kerr is a freelance writer living in Ontario.
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By Don Dale

It’s always good to know the location of things. Whether it’s yourself or your keys. It’s even better, if you’re a facility manager, to know the precise location of your trees. And, if you operate a tree care company, it’s great to know where you stand in the business world.

This recognition, that knowing the location of things has a value, has taken Great Scott Tree Services in Stanton, Calif., to the heights and given it a distinctive and profitable place in the future. The company’s proprietary tree management software, using GPS as a basis, has been a huge commitment of time, money and resources, but the company is using it to boost business and give clients a distinctive choice for tree services in its area.

Great Scott was founded in 1976 by Scott Griffiths, a veritable force of nature in Stanton. But one of his smartest moves was to bring his son Jacob in from the field and give him the specific duty to oversee the creation of the company’s own tree GPS inventory, hazard assessment and management program. The company uses the software to give better client service, but also to increase business volume. Created almost entirely in-house, it has become such a boon to the company that they call it “asset management” software. And that applies to clients’ trees as well as the company’s own internal management.

“We have the ability to be in a different category” of tree service, says Scott, and that is a great advantage to a company trying to differentiate itself from a lot of good...
companies competing for work in Southern California.

Depending on the tree data that is input, the software allows many management possibilities—all easily accessible to both the client and Great Scott. Using its own servers, the company has made the software Web-based, which means that clients can access data instantaneously online from their offices. Communications about tree management between client and contractor are easy and swift.

Don’t try this at home without proper commitment and resources, however. Great Scott’s original estimate for investment was a quarter of a million dollars, but the project required about double that. In addition, it spends approximately $200,000 per year maintaining the program.

“Data, data, data—that’s the name of the game,” says Jacob. And if you want to create a program like this you had better understand data as well as how to use it to the client’s benefit.

Here’s how the project started. Jacob had been a worker at his father’s company since he was a boy, eventually moving up to a division manager position. But in 2003, father and son recognized that in order to go to the next level in tree management, the company needed a project manager to push this project. That became Jacob, now the vice president of the company. He had no special computer training, but he shared his father’s vision.

The first thing they did was create a “loose” business plan that included a prospective budget and the personnel needed to implement the program. They also sat down with their own arborists to brainstorm just what kind of data the project would require. Jacob supervised the search for data collection criteria and field assessment needs. In other words, what would a variety of clients want to know about their trees, and how would Great Scott get that information and put it into a computer?

Next, the company hired five new employees. They hired a botanist/arborist who understood computers. They hired three new arborists who understood data collection. And they hired a computer developer who knew how to program the software. They also knew they would have to commit other company personnel to the

“Data, data, data—that’s the name of the game,” says Jacob. And if you want to create a program like this you had better understand data as well as how to use it to the client’s benefit.

...
project once they got the program up and running, because they would need knowledgeable field people to input the tree information.

It was important early on to create data sets that would be used in the program. For example, one client might want to know only the GPS location of the tree, its species, its size, its hazard assessment and whether it needed pruning. Another might want all of that, plus its nearness to a building or golf green or tee box. The number of data sets has grown like Topsy (fast). One Great Scott client, the City of San Diego, wants to know any time a palm tree’s roots have lifted the sidewalk one-half inch, so that client’s data would include this information.

The concept was developed in 2003, but it was the summer of 2005 before the software developer was working full time. It took another year to roll out Phase 1, the first version of the program. At that time, the company began to collect the GPS locations at the heart of the program for its first clients.

“We can collect within sub-meter accuracy,” Scott says, and the new arborists as well as other arborists on staff were trained to use the Trimble Pro XRS device for tree locations. One device was purchased, and others were rented as needed. All of the data about the trees is input at the same time. That information, which varies with each facility’s needs, is downloaded into computers back at the office.

When that information is presented on a database and superimposed on a map or aerial photo of the facility – which can be provided by the client or contracted – an extremely comprehensive view of a client’s trees unfolds. That is important to a company like Great Scott, which has many high-profile clients such as Disneyland, The City of San Diego and the University of Southern California. But it’s also important for even small facilities to have an almost anatomical overview of their trees, and the company is signing on clients ranging from golf courses to retail businesses because of the obvious application.

The end product, which ended its Phase II development in 2007 with its implementation as a Web-based program, is a tool for both the client and Great Scott. The client can use this information for budgeting,
long-range planning, daily hazard reduction jobs and any other management chores that are required. The benefits of having the information in the computer is pertinent to the care of the trees, but that data can also be used for a lot of other purposes. Great Scott acts as “a new set of eyes” for the client, and the client can print out or project maps that can make a city council or governing board budget meeting very visual.

There are basically three levels of data collection, says Scott, president of this company of 150 employees. The first is to simply GPS the tree, identify it by common and Latin name, and establish it on a map. The second is to acquire “attributes” such as height, DBH, condition, pruning needs and even a pruning budget for each tree. The final level is to acquire details particular to each client’s special management needs. That would include notations such as sidewalk lifting or the presence of utility lines above the tree.

When Great Scott crews go out to work on a client’s trees in the morning they take a freshly printed map and set of instructions with them. When they are finished they update the software so that both parties know what has been done – and clients do go around and check to make sure it has been done. Through this process, a maintenance history of every tree is developed.

“It’s almost gotten to the point where we don’t have to talk on the phone,” Scott says, because with the Web-based server, the data is almost real-time. And data and communications are generally done through e-mail.

In addition, the software allows either the client or Great Scott to input overlays. For example, if a golf course wanted to indicate all of its palm trees on the map and summarize the budget to prune them, that is easily done by either party. That would make a presentation to the greens committee very visual and easy to understand. Crew instructions can also be superimposed on the map.

The software also allows a client to do long-range planning. Let’s say a city wants to have all of its palm trees trimmed over a period of five years. The project could be budgeted by adding up all the individual tree costs, and it could be scheduled by setting the job up in sectors to be efficiently completed in a certain period of time. It can also allow the client to determine a planting schedule if he wants to, say, remove all old trees in poor condition and replace them with new ones. One city used the maps to determine where there were few trees and where to plant new ones to balance its urban forest.

USC has an entire risk reduction system based on Great Scott’s program. It uses tree locations and foot traffic analysis to determine potential hazards in the vicinity of each tree. It then sets up a tree trimming schedule that prioritizes hazards. A tree in an out-of-the-way area may be pruned once a year, while a tree in a courtyard where students sit every day may be tended to four times a year.

Scott and Jacob point out that, yes, there is significant cost in establishing such a program. But it allows the company to sell a completely new asset management service, one that it maintains but that the client can access and input into at any time. Working together, a city and the company can efficiently plan and maintain an entire urban forest.

“It’s almost gotten to the point where we don’t have to talk on the phone,” Scott says, because with the Web-based server, the data is almost real-time. And data and communications are generally done through e-mail. (One client didn’t want Great Scott in its own computer system, so it always accesses data through the client company’s own server. This sort of flexibility is easy with the Web-based system, though the company now has to hire a

Jacob Griffiths came in from the field to oversee development of Great Scott Tree Service’s GPS inventory software development, which cost half a million dollars and took three years to complete. Don Dale photo.
computer IT guy to make sure everything functions properly.

The company gains a lot itself. There’s inherent efficiency in a management system that is always current and can be used to plan or predict events in the future. It makes crew scheduling easier. It gives Great Scott a new service to sell, at any level that the client can afford. Often a client signs up to acquire a simple tree inventory, but then graduates into deeper levels of data and services. The more data sets the client wants, the higher the cost.

Great Scott marketing manager, Meeshee Scherrei, says that this program makes selling the company a dream. She can take color printouts, a PowerPoint presentation or a laptop computer containing the software to a meeting and make its benefits obvious in a minute. In the client base that Great Scott seeks – 90 percent of its clients are municipal or commercial – this is a service that sells.

Jacob says that the program – they called it ArborPro at first but now are looking for a new name – has increased company business by about 10 percent in the year it has been running. “We did pick up a few contracts,” new clients who chose Great Scott because of the software. But he adds that about 10 percent of their old clients have bought into the service as well, and now about 20 percent of their more than 2,000 clients utilize it.

So even though the company has added five employees and a lot of computer equipment specifically for the project – the company had to dedicate a small room to its two servers – it is more than paying for itself. There is a built-in benefit of holding all of this information about a client’s trees. A client will want to maintain continuity as long as the work on the trees is being done well, and that results in what Scott calls “longevity in contracts.”

In addition, although the data collected has been expensive because of the startup investment and maintenance costs, that data will be available and malleable for the lifetime of the client’s contract. So any further services or communications will be much easier and cheaper to provide. The client also can visualize and plan the management of his trees far into the future.

“IT’s a dynamic inventory,” Scott says of a GPS system, and easy to update. If a group of trees is damaged by a storm, for example, it would be easy to not only access their history, but also to plan and budget for their recovery or removal.

Finally, although the Griffiths have no plans to sell their company, they figure that the addition of this proprietary software adds tremendous value. Phase III of the project is already under discussion – issuing hand-held computer devices to the arborists who collect the data so that it can be more easily transferred to the office computers.

This is a tree company that has a lot of ideas – it is adding a nursery and a green waste recycling program, for example – and all of them give it the potential to better care for trees. All in all, that’s the kind of company that clients are looking for, isn’t it?

Don Dale is a freelance writer living in Altadena, California.
When is a Sale Not a Sale?

By Mary McVicker

W hen is a sale not a sale? When you don’t get paid. Collecting the money you’re owed is never something to be casual about, but with a tight economy, getting revenue from overdue accounts receivable becomes an even higher priority.

Negotiating with customers

Collecting in small businesses generally takes two forms: the more traditional letter and phone call approach, and negotiating with customers to arrive at what payment terms are possible for them. Businesses vary in the type of collecting they find effective and comfortable. Most use a combination of a “reminder” letter and eventually a phone call. With some customers the most effective approach is to pick up the phone, particularly if this is a valued customer or one you know is having some problems, be they business or personal. The extent to which you want to work with a late customer depends on not only whether this a good customer, but also how flexible you can reasonably be.

Arguably, if you don’t negotiate and work with certain delinquent customers, you won’t get anything, so you’re somewhat forced into having to work with them, their problems and their business difficulties. But that argument doesn’t always hold. Businesses do take clients to court for non-payment. If you feel you’re being boxed into a corner with someone, look carefully at the option of small claims court.

Letting clients go

Should you fire customers?

The real question is: do you like being their bank?

You are supplying free credit to customers who don’t pay. You may have late payment fees, but essentially you’re a handy bank – no application necessary. That late payment fee is supposed to be a penalty, not an interest payment on a loan.

Letting a client go can be as difficult as breaking a personal relationship. Breaking a customer relationship can become complicated if the client is a friend or has been a customer for a long time. It’s not a decision to make lightly, but it’s also not a decision to avoid. Considerations include:

Do they buy frequently enough to be a significant consistent source of revenue – the classic rent payer? Keep in mind that volume is not necessarily profit.

Do they refer others to you?

Can he or she open doors to other business for you?

And, the crux of the matter: how hard would it be to replace that customer’s business?

Accounts receivable on the balance sheet

A large amount of accounts receivable on the balance sheet may make your busi-
You've nerved yourself to make the phone call. What do you say? Be firm and direct.

"I'm calling about our August invoice for $1,578. I was wondering when you had it scheduled for payment."

The second sentence is key. It's non-threatening and non-judgmental, it states the situation in terms of a procedure and it forces a response. Almost everyone will either give you a date such as, "I'm expecting a check from one of my major customers the first week in December, and I'll pay you then."

Or they'll make up a date: "I have it scheduled for the week of the tenth." Either way, they've made a verbal commitment.

Follow up with, "How about if I put you down for payment on the 12th?"

You may need to work with partial payments. "Could you pay us $400 the week of the tenth and another $400 the first of May?"

When you get a commitment, your response is, "I'll make a note of it."

That, too, is key. It firms up the agreement.

Then, stick to it. Watch the mail. Cut a little slack on the date - not much - and if the money isn't in your hands, call again.

And remember: be friendly in the not-hostile sense - this customer isn't your best friend at the moment. This is a business matter.

You make sales for the revenue they supply to the business. If a sale doesn't generate its share or enough revenue, it's not a good sale and may, in fact, cost your business money.

There's more to monitoring accounts receivable than aging them, however.

Monitor what percentage of your total sales are overdue accounts receivable. Keeping in mind that a few large overdue accounts can skew the percentage, watch if that percentage of sales is increasing. This may be an indication that you need to revise your credit policies.

Because of the skew factor from one or two large overdue accounts receivable, some managers look at what percentage of sales result in overdue accounts. If there's a large proportion, you may be making a sale at any price, literally.

Similarly, it's often useful to track the number of accounts receivable that are overdue, again looking at the percentage. If the percentage is increasing, this also can signal it's time to change your credit policies.

You also need to take a hard look at the relationship of this data to your cash flow budget. This is the heart of the problem of overdue accounts. You make sales for the revenue they supply to the business. If a sale doesn't generate its share or enough revenue, it's not a good sale and may, in fact, cost your business money.

You need to adjust your cash flow forecast to reflect these overdue accounts. Inevitably some accounts will be overdue. Ironically, if you have a
A large number of accounts receivable on the balance sheet can inflate assets and make the business appear healthier than it actually is. The key question is collectibility, which speaks to the reality of the accounts receivable figure.

Since creditors, lenders, vendors, all know that, if you anticipate that you’ll be looking for financing within the next 12 months, put extra effort into cleaning up your accounts receivable. Get rid of the uncollectible accounts. Press for payments.

Talk to your accountant about the percentage you show as “Allowance for uncollectible accounts” on your balance sheet and the ramifications of that offset.

By putting extra effort into improving your business’ position on accounts receivable, you’ll end up with a cleaner balance sheet – and you’ll undoubtedly collect some of the money in the process.

Strategies
There are several steps you can take to reduce the number of overdue and problem accounts.

Closely monitor invoices and payments. This is a high priority and should be done frequently.

You can formalize your credit policy, requiring a credit application with references.

You might offer a variety of payment plans, with a substantial partial payment up front. Many businesses are requiring partial payment up front regardless of the terms of payment.

If a customer is a chronic late payer or is difficult to collect from, require partial payment up front with cash on delivery.

It’s worth noting that some businesses are now basing commissions on sales dollars collected, not amount of sale.

Accounts receivable can be a strong asset or a vulnerable point in your business. The choice is yours.

Mary McVicker is freelance writer living in Oak Park, Illinois.

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Rainbow Treecare, a leader in commercial and residential Treecare in Minneapolis/St. Paul, is looking for an experienced Production Manager. Candidate will be responsible for generating quality, efficient and safe production. Must have a degree in Urban Forestry or related field and 5+ years field experience. Send resume and salary requirements to rbenson@rainbowtreecare.com or fax (952) 252-4720. Questions may be directed to human resources (952) 252-0533.

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Sales Manager

Rainbow Treecare, a leader in commercial and residential Treecare in Minneapolis/St. Paul, is looking for an experienced Sales Manager. Must have a degree in Urban Forestry or related field and 5+ years’ experience in sales management. Candidate must be highly motivated and a strong leader. Responsible for directing sales staff to achieve goals and enhance performance through training and mentoring. Send resume and salary requirements to rbenson@rainbowtreecare.com or fax (952) 252-4720. Questions may be directed to human resources (952) 252-0533.

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**2007 International 4300 Altec LRV 56**


**2001 Freightliner CL120064ST w/dump and extend-a-boom (located in FL).** Equipment is reported to be in good condition. Inquiries encouraged. Call Marlene (ext. 16) or Bill (ext. 13) at 1-800-886-8885 for more details and complete sales terms and conditions. You may also e-mail Marlene at mtucholski@strategic-asset.com or Bill at wmengeal@strategic-asset.com

**2007 International 4300 Altec LRV 56**

Due to unexpected lease return, the following equipment is immediately available for purchase: One (1) 2006 Carton SP7015 TRX Stump Cutter (located in TN). Equipment is reported to be in good condition. Inquiries encouraged. Call Marlene (ext. 16) or Bill (ext. 13) at 1-800-886-8885 for more details and complete sales terms and conditions. You may also e-mail Marlene at mtucholski@strategic-asset.com or Bill at wmengeal@strategic-asset.com

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Business very profitable for many years. Owner ready to retire & would like to turn his company over to a person who is energetic and enjoys being outside in the sunny Southern California weather. Client base is 22 yrs deep. The business is ideal for another tree or landscape company to acquire. However with training and consultation, a person with a good feel for business & a love for the outdoors could easily handle this profit-turning business. (714) 866-1928.

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oteet Tree Service in Pegram, Tennessee, takes pride in the quality of its work, but also on its speedy response time. True to form, they were the first tree care company in the state to achieve TCIA Accreditation and completed the process in just 112 days.

Poteet Tree Service was accredited in May of this year, and Dale Poteet, owner of the eight-year-old company, says he learned a few things going through the process.

"I am fiercely independent," says Poteet. "I am very suspicious of any regulatory body, government or private, that says, ‘we want to help you do a better job, be safer and more profitable.’ My response is usually something along the line of, ‘Stay out of my way and leave me alone! I don’t want or need your help and keep your hand out of my pocket!’

"Through the Accreditation process, I learned that, in the private sector, voluntary submission to regulation can potentially be a very aggressive and positive action. Through Accreditation, in effect, Poteet Tree Service hired TCIA to act as our Board of Directors! What a deal! Seriously. We have in TCIA some of the best and brightest people in arboriculture providing us with proven successful business practices, safety standards, information on innovation, industry trends, government lobbyist and expert advice while requiring accountability. Isn’t that what a board of directors does for any successful company?"

Poteet has just five employees, including he and his wife, Linda. The business is about 75 percent residential and 15 percent commercial/construction work, with the other 10 percent municipal work. They advertise in the yellow pages and the rest of their business comes from referrals. They also have a new Web site: www.poteettree.com. The company covers the Greater Nashville area.

"We only have one crew, so we can’t be everywhere," says Poteet. "We have a very select group of people who use us, because we are perfectionists, very meticulous. Where most companies have one guy who is in sales and then sends a crew out with one guy who knows what he’s doing along with a couple of helpers, what we do is really different. I’m a certified arborist and all the guys on my crew are certified arborists; they’re all competition climbers. As a matter of fact, a couple of weeks ago we came in first, second and fifth in the Southeast United States state climbing competition for the Southern Chapter ISA. The last four years, we’ve won it three years and we only competed three years – every time we’ve competed we’ve won."

Having everyone on the crew able to do all jobs allows them to accommodate individual schedules, says Poteet.

"I hate the idea of not having a business that is good for all of the guys who work with me. I like it where if somebody needs to take off, it doesn’t cripple the crew. If I have a guy who says ‘I need to go somewhere with my family’ or ‘I need to go take care of business,’ I can say well go ahead and we can handle it - I’ll be the brush dragger."

And having any one guy on the crew able to do everything allows them to be pickier on the jobs they take.

"It makes us extremely picky. We just work for the best people in Nashville, people who want it done just so. We have a reputation for leaving things looking as good as when we got there, minus whatever tree problem they had."

"We don’t rut up people’s yards. When we leave, it’s all raked and blown and swept clean. We never go in anybody’s home for any reason. We carry our own port-o-potty on every job. I’ve never heard of anybody else doing that," says Poteet. "When we show up, we’re all inclusive, start to finish. They never have to worry about what it’s going to look like or how it’s going to go. We spell out the work very clearly and we go do the job. We never ask for payment while we’re there. We just send them a bill when the job’s done. It’s all very comfortable for the customer. My
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policy has always been, ‘if you don’t like the job, don’t send me the money.’”

Al Gore is one of Poteet’s customers. Gore’s estate is “just a real nice, large lot in the Belle Meade” neighborhood, says Poteet. “I’ve got probably 30 customers on that street.”

So, what is his biggest business challenge?

“Educating people about the difference between a company that is insured with workers’ comp and general liability and one that is not, and why they’re having to pay me my hourly rate as opposed to Jim-Bob and his cousin who just got out of jail and who is going to do it for half that. That’s my biggest challenge.”

Opting to get accredited was an easy decision, he says.

“We want to be the very best in every single way. Anything we can do to set ourselves apart. We wanted to be the first accredited company in Tennessee.”

There are a couple of ways Accreditation will help his business, says Poteet.

“One, it gives us a lot of credibility and publicity being the first in Tennessee,” he says. “The other thing is, it says look - we are adhering to this standard. This is not me bragging or my particular perception of what we are doing being better than these other guys. We have adhered to and been accredited for following a standard and submitting ourselves to a review process that proves, from an objective third party, that we are, in fact, holding ourselves to a higher standard than other companies. I think it will help us in our marketing, it will us get more respect and we will have an easier time selling our premium services charging a premium price.”

Poteet says he did not find anything particularly challenging in completing the Accreditation process.

“The whole process was reasonable and well thought out,” he says. “There were no surprises. It is just basic business 101. These same criteria, in principle, would be applicable to any company in any service industry. One of the guys who works with me pretty much did all of it.”

The hardest part, he says, was “the emotional and mental discipline of working on basically clerical tasks designed to validate or prove our credibility to people who had never actually seen us do what we do best.
- tree work. We were very happy to get to the site visit stage.”
And it was no problem having his employees get on board with it.
“The guys who work for me have the same mindset. You can’t come up with a challenge that they can’t jump over.”
But, Poteet doesn’t see the size of his business changing anytime soon.
“I don’t really have a five-year plan. I want to be the best every day and do a really great job with what we do. I guess I have a different way of looking at things. A lot of guys will go buy equipment and then go try to find people to put in the equipment. I want to have the work beating the door down and the guys who are way over qualified and more than we need. Then I can go buy equipment. Equipment is easy to get. If we all agree together that we would like to make the business larger, and take on all the headaches that go with that, OK. But we’re not going to do it if it is agreeing to the headaches that most people say are part of growing a business. We’re all family guys and we all like to go home at night and not have a crazy life,” says Poteet. “If it gets obvious that we’ve got another crew and they’re qualified the way these guys are, then I might do it. But if we don’t find that quality, I don’t have any desire to grow.”
Would he recommend Accreditation to others?
“Yes. For all the same reasons that I think it’s good for us, I think it would be good for anybody to say, here is the standard – are you really good, or do you just think you are?”
“TCIA and Accreditation are filling a need. There certainly is a huge hole where standards are involved in this industry. There is a great need for some organization to step forward and say, look, we want the whole industry (moving) to a higher standard and we have a plan in place to do that. I think that’s what gives (TCIA) value,” says Poteet. “Let’s face it, we’re either going to do it in the private sector or the government is going to step in. More than likely the government is going to have to come in through OSHA and through state and local regulations and ordinances.
“Accreditation puts TCIA in a position to lead the way and help the government find its way. Instead of making unreasonable and silly regulations, they’re going to look to TCIA and say, ‘OK, help us. What should be the requirements for people who are going to be in this business?’”
“I think it is a good marriage, an enviable position for TCIA and the whole industry, to have somebody that is setting the standard and coming up with some thoughtful regulations, procedures and practices. Somebody’s got to do it. You all are at the right time and the right place and are serving something that’s an absolute need, so I’m thrilled to be a part of that.”
had just returned to work after a relaxing honeymoon with my new bride, when a call came over the two-way radio: “CALL 9-1-1 – MAN DOWN, OAK RIDGE COUNTRY CLUB”.

With 72 employees, I am no stranger to minor employee injury calls; we require all employee injuries to be reported and investigated by our CTSP, but I could tell this call was different. The voice had a sense of urgency and panic that I had never heard before and I hope to never hear again.

I froze in disbelief. Concern for my employee and his injuries brought me back. I immediately contacted my safety director for more information. I found out the injured employee was one of our younger foremen and one of our most safety conscious employees. Having won numerous in-house safety awards, Brian Kreitz is the model of safety, always reminding his co-workers to put safety first. I just could not believe that this was Brian – how could this have happened? He was transported to the Hennepin County Medical Center – a Trauma 1 Hospital. At this time all I knew was that he was unconscious and bleeding from the ears.

Once I knew he was in the capable hands of the HCMC doctors, I tried to understand how this could have happened. He was found in the middle of the golf course alone. I just could not understand how he could have been alone, something he had been trained to never do. After talking with my safety director and other employees, we pieced the story together.

The crews were breaking for lunch and heading back to the grounds garage. Brian was driving an aerial bucket truck by himself when he was stopped by the golf course superintendent. The superintendent was concerned about branches that were left in trees that had already been pruned. Aiming to please and following our 100 percent customer satisfaction policy, he returned to the tree. By following one policy, he violated another. Our policy is to climb in pairs and work in twos – never alone. He violated this policy by attempting to remove the branches on his own. He apparently returned to the tree and set himself up in the bucket approximately 30 feet in the air. What happened next only God knows because Brian, to this day, has no memory of the day’s events.

One of the supervisors found him on the ground in a pool of blood. His body harness was still intact, but his lanyard was not attached to the bucket. Perhaps he had become too comfortable and thought he could just make a quick cut and meet up with the rest of the group. We will never know.

Next came the unsettling task of notifying his parents. My human resources director (also my new bride) had to speak with the parents of the 21-year-old man and deal with the frustrations and concerns of a hysterical mother, distraught father and various other family members. It was the worst day of our lives. There were so many questions they needed answers to. We had none.

All of his training and instincts should have told him not to make the decision he did. I was responsible for him; he is my employee. I was scared and disappointed, wondering what else we could have done to stop this from happening. We continuously train and educate our employees on a daily basis, from safety reminders and stretching in the morning to bringing in nationally recognized speakers to train and update our employees on the most efficient and safe climbing techniques.

I came to the realization that one of my brightest most diligently safe employees violated safety procedures he followed daily by making a very big mistake. One hiccup or lapse of judgment and it can happen to anyone, any employee, any business owner. If he could do it, anyone could. It took a split second decision to create such a tragic result: six broken ribs, two collapsed lungs, a broken collar bone, multiple lacerations, severe bruises and a concussion.
multiple lacerations, severe bruises and a concussion. He was hospitalized for several weeks, the worst of my life.

At times we weren’t sure he would pull through. With the support and prayers of his family and friends (many of whom were co-workers who snuck into the ICU to be with him), I am happy to say that one year later he has made a full recovery. He has been promoted to supervisor and continues to teach others from his mistake. He is still a diligently safe employee, more so now than ever before.

Everyone would like to forget that day, but it is an important day, an important reminder to everyone in our company and the industry. Accidents can and will happen, even to the safest employee. No amount of preparation will ever prepare you for this type of event. It is the nature of the beast that is the tree care industry.

Special thanks to Brian Kreitz for allowing me to share this account with readers in the hope that it will be a reminder and a warning to new and experienced climbers alike.

Steve Sylvester is CEO and president of S & S Tree & Horticultural Specialists Inc. in South Saint Paul, Minn., and a member of the TCIA Board of Directors.

Kreitz recuperates in the hospital. He is back on the job today, a bit wiser and warier for his difficult lesson.
By Tchukki Andersen

As staff arborist for TCIA, I answer questions from consumers and professional tree care companies all over the country. I regularly get phone calls from people with questions regarding tree assessment. Many homeowners are waking up to the fact that they have trees in their yards, and that suddenly those trees have value. Certainly, there is a much larger number of people who barely notice trees at all, unless one falls on something, but consumers are now realizing the importance of placing a monetary value on trees. The beneficiaries of this awakening will be the trees and the qualified tree appraisers.

Property owners come up with all kinds of scenarios involving their trees that require on-site appraisal. These reasons include: utility conflicts; negligent trespass, such as damage from herbicide drift; eminent domain; settlement for damage or death of plants through litigation or insurance claims; loss of property value for income tax deductions; establishing value of plants that may have been damaged during construction or justifying the cost to protect trees from construction; and tree inventories.

Homeowners want to know who to contact to help them resolve their tree value situations, so I try to put them in touch with professional tree appraisers in their area.

Should you provide tree appraisal?

If you have ever wondered how to generate more business and make more income without adding additional crews and equipment, you may want to consider tree appraisal. This add-on service can keep you busy nearly year-round in most areas, and is a great consulting step you can take for your business. Is there room in your business plan to make more money using the same resources? You might want to look to see where these hidden opportunities are waiting.

Property disputes involving trees are becoming more frequent, and providing qualified individuals to assure tree value is a service being demanded from the tree care industry.

What does it take?

The professional tree appraiser should have a sound basic knowledge of arboriculture, including plant physiology, anatomy and stages of development, and a thorough knowledge of the particular species being appraised. This particular knowledge includes the growth habits, cultural requirements and potential problems of the plants.

I’ve had tree professionals ask me, “How do I find the value of a tree?” This question is not a simple one to answer. It’s like someone asking you over the phone, “How much would it cost to take care of my pine trees?” There are so many questions to ask in return such as, “what do you mean by take care of?” and all the other questions regarding site, species, condition, management goals, etc.

There are specific tools and methods to help you answer these questions. Factors such as species, location, contribution and condition are all key areas of concern during the appraisal process. These factors are utilized in methods developed by the Council of Tree and Landscape Appraisers, and documented in the ninth edition of the “Guide for Plant Appraisals” handbook (available at www.tcia.org).

The “Tree Appraisal Field Note Folders” that come with the guide are another excellent tool for beginning and expert level tree appraisers. I don’t think people really know what is in the folders because they appear so benign. The folders are designed to be used with the Guide for Plant Appraisals handbook, and include: Information for Replacement Cost and/or Trunk Formula Method; Field Report Guide for Trunk Formula; Guide for Judging the Condition of Landscape Trees; and a Location Chart (Site Contribution/Placement Factors to Consider in Determining Location Values).

Proceed with caution

A word of caution, however: you defi-
You definitely need to know what you are doing. Several factors, including legal precedents resulting from court cases involving tree valuation, have made appraisals quite complex.

If you are interested in starting tree appraisal and consulting, you need to be able to accurately appraise tree damage or loss and be able to defend the appraisal in court. Use the Guide and the Folders as some of the tools of the trade to acquaint yourself thoroughly with tree appraisal. If the tree damage or loss is significant, it is a job for a professional. If the damage or loss is minor, then a formal appraisal may not be necessary.

Tree appraisals can be a lucrative part of your business. It may seem like a little bit of math, a little bit of detail and a little bit of experience is what is required of a tree appraiser. It's actually not that simple, but if you spend the slow winter months getting acquainted with the Guide, the Folders and all the other appraisal tools out there, soon you'll have a new service to offer that is becoming a high-frequency request.

Tchukki Andersen is TCIA staff arborist, an ISA Certified Arborist and a member of the American Society of Consulting Arborists (ASCA).
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Since 1938, TCIA has been working with our members to advance their commercial tree care businesses.

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bright future for our industry tomorrow.
Free EHAP workshops at a location near you
Grant-funded program aimed at reducing electrical accidents

More than one-third of the OSHA-reported tree worker fatalities in the U.S. are caused by contact with electrical conductors. Prevention of these on-the-job accidents is the goal of a series of free workshops that will be offered by TCIA around the country in 2008. The Electrical Hazards Awareness Program (EHAP) workshops are funded by a federal grant awarded to TCIA through the Susan Harwood Training Grant Program.

TCIA will receive $159,555 to underwrite the expense of providing EHAP training, including three train-the-trainer workshops, for almost 2,000 individuals. Workshops and training materials will be available in English and Spanish.

TCIA hosted 25 EHAP workshops with a similar Susan Harwood Grant in 2004, training 2,357 industry workers during 2004-2005.

What is EHAP?

Topic categories covered in TCIA’s Electrical Hazards Awareness Program include Electricity and the Utility Industry; Electrical Hardware Recognition; Recognizing Electrical Hazards; Work Practices Near Utility Conductors; Emergency Preparedness Response and Rescue; and Safety Standards.

EHAP trainees at the workshops gain a greater understanding of risks and protection measures associated with proximity to electrical conductors. They are familiar with unsafe acts responsible for most accidents and proper work procedures to use in their place. Trainees also receive an Electrical Hazards Awareness Home Study manual, which they can use for reference and complete by studying independently or with co-workers.

As part of the program, TCIA provides administrative support to trainees, including grading tests, tracking progress and maintaining a centralized training database for company owners.

Why is electrical hazards training important?

Electrical hazards are the leading cause of death for arborists, accounting for 34 percent of fatalities according to OSHA statistics from 1984-2002. An electrical hazard exists if a worker, or a conductive object they are in contact with, is within 10 feet of electrical conductors, according to various OSHA standards. OSHA regulations call for any employee exposed to electrical hazards to have documented experience and ongoing training in working with those hazards.

Knowing the proper techniques to use when an electrical hazard exists is crucial for all tree workers. Just as important, workers who have no intention of approaching electrical lines in the course of their normal work need a better understanding of the dangers electrical hazards can pose. Too often, these workers are unaware of the hazards nearby.

If your organization, group or municipality is interested in hosting an EHAP workshop, please call Debbie Cyr at TCIA’s headquarters, 1-800-733-2622, or send an e-mail to Cyr@tcia.org.

An electrical hazard exists if a worker, or a conductive object they are in contact with, is within 10 feet of electrical conductors.

We regret to Report

Stuart J. Sperber

Stuart J. Sperber, 70, founder of ValleyCrest Tree Co., died Sept. 7 after a two-year battle with throat cancer.

Sperber held dual roles, as vice chairman of the board for ValleyCrest Companies and CEO and co-founder of Valley Crest Tree Company.

After studying ornamental horticulture and earning a degree from Cal Poly Pomona, Sperber officially joined the family business about 1960 and soon established the tree division in the northern San Fernando Valley. Incorporated in 1960, Valley Crest Tree Co. is a wholly owned subsidiary of ValleyCrest Companies, Inc. and the largest producer of containerized specimen trees in the western United States.

Sperber pioneered growing boxed trees in the early 1960s, many of them on leased Southern California land under power lines. ValleyCrest also became expert at moving large, mature trees.

(Continued on page 137)
Shackleton at Winter Management Conference

Winter Management Conference is the annual conference for business owners—and a great way to reward and stimulate your top people.

Industry leaders know WMC is the place for useful business management information in an informal resort atmosphere. This combination of business and relaxed social conference is the ideal balance of education, networking, fun and festivities. WMC offers up one of the best groups of sales, management and business leadership speakers available!

The 2008 conference, February 11-14, 2008, in Aruba, will feature a diverse lineup of experts. Here are two who will be leading us in the “arts” of leadership and networking on WMC Day 1:

**Monday’s speaker line-up:**

**Shackleton’s Way: Leadership Lessons from the Great Antarctic Explorer**
*By Margot Morrell*

Sir Ernest Shackleton was forced by necessity to become an exceptional leader when he and 27 other explorers were stranded in Antarctica for almost two years, beginning in 1914. He faced many of the problems that can be compared to those encountered by today’s leaders: with limited resources, he helped a varied group of people work toward a common goal.

Hone your leadership skills in an interactive program with Margot Morrell, business veteran and bestselling author of Shackleton’s Way – Leadership Lessons from the Great Antarctic Explorer. This inspiring program will focus on such lessons as leading by example, communicating effectively, keeping up morale, and maintaining a positive attitude.

**Cracking the Networking CODE: 4 Steps to Priceless Business Relationships**
*By Dean Lindsay*

Perfect your networking ability and learn to build priceless business relationships. Dean Lindsay’s presentation, based on his best-selling book, will teach you how to build meaningful, profitable, win-win relationships in business and life. As communication becomes increasingly virtual, business professionals have lost “face time.” Effective networking is now more crucial than ever for success in business. Dean will show you the difference between met and net.

The full WMC 2008 conference brochure will be available soon. Online hotel reservations at the Westin Aruba Resort are available now at www.tcia.org. Be sure to book your hotel room early to secure the group rate, and remember to reference the Tree Care Industry Association. While on our Web site, get a glimpse of last year’s conference with our virtual photo album from the 2007 conference in Cancun. Register for WMC 2008 today!

We regret to report

*(Continued from page 136)*

Sperber was president of the California Landscape Contractors Association, a member of the National Council of Tree and Landscape Appraisers, Western Chapter of ISA, American Association of Nursemens (Calif.), and president of the University Education Trust at Cal-State Polytechnic University Pomona. He was recently honored with an industry lifetime achievement award and named Pacific Coast Nursemeyer of the Year.

His father, Lewis Sperber, first opened a retail nursery in North Hollywood. In 1949, Stuart’s 19-year-old older brother, Burton, bought another neighborhood nursery and renamed it Valley Crest Landscape.

“What is most gratifying to me is that my brother and I were able to work nearly 50 years together, side by side,” Burton Sperber told the *Los Angeles Times*. “We never had a harsh word with each other. We were buddies.”

In addition to his wife, Leslie, his twin sister, Deanna Jill, and his brother, Sperber is survived by his children, Adam, Rochelle and Julie, and seven grandchildren.

**Ralph Stanley Longstaff**

Ralph Stanley Longstaff III, 55, of Eliot, Maine, died at home August 20. He had been battling cancer since May 24, 2006, when he was diagnosed with stage four adenocarcinoma of the small intestine.

Longstaff was an arborist, musician, mariner and a friend and mentor to many.

He joined Northeast Shade Tree in Portsmouth, N.H., in the 1980s and became a skilled arborist and rope worker. He went on to work occasionally on the tugboats in Portsmouth, handling lines, and to captain the Heritage tour boat in Portsmouth Harbor in the early 1990s, where he added to his knowledge of the Piscataqua River and loved sharing it.

In 1992, following the birth of his daughter, he became a stay-at-home dad and started his own small business in rope splicing, Ropeworks, which led him to develop rope tools for arborists and to study and improve the safety of marine and arboriculture rope products. Through this work, Stanley developed friendships with arborists throughout the country and abroad, eventually teaching workshops in rope splicing and rope safety internationally. He could always be found staffing the Yale Cordage booth at TCI EXPO splicing rope for people.

He is survived by his wife, Shannon Darr, and their son, Travis Longstaff, 19, and daughter, Taygra Longstaff, 15.

Longstaff’s friends at Portsmouth community radio station WSCA-FM 106.1 started a fund to benefit his children, called the Universal Gift to Minors Account. Checks payable to Taygra D. Longstaff may be sent to the Taygra D. Longstaff NRITMA, TD Banknorth N.A. Local Branch, 333 State St., Portsmouth, NH 03801.
U.S. Citizenship and Immigration Services (USCIS) announced October 1 that it has received a sufficient number of petitions to reach the congressionally mandated H-2B cap for the first half of Fiscal Year 2008.

USCIS was thereby notifying the public that September 27, 2007, was the “final receipt date” for new H-2B worker petitions requesting employment start dates prior to April 1, 2008. The “final receipt date” is the date on which USCIS determines that it has received enough cap-subject petitions to reach the limit of 33,000 H-2B workers for the first six months of FY2008.

Unlike in previous years when returning H-2B workers did not count against the cap, Congress has not reauthorized or extended the “returning worker” provisions for FY2008. As a result, USCIS must count all petitions requesting H-2B workers with an employment start date of October 1, 2007 or later toward the FY2008 H-2B cap.

TCIA continues to work with our lobbyist in Washington and our green industry allies to extend the “returning worker” provision. USCIS will reject, and return the fee, for all cap-subject petitions not selected. USCIS will also reject petitions for new H-2B workers seeking employment start dates prior to April 1, 2008, that were received after September 27, 2007.

Petitions for workers who are currently in H-2B status do not count toward the congressionally mandated bi-annual H-2B cap. USCIS will continue to process petitions filed to:
- Extend the stay of a current H-2B worker in the United States;
- Change the terms of employment for current H-2B workers and extend their stay; or
- Allow current H-2B workers to change or add employers and extend their stay.

More information about the H-2B work program is available at www.uscis.gov or by calling the National Customer Service Center at 1-800-375-5283.
Why will hundreds of Tree Care Industry leaders be in Aruba this February?

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Bootmaker Protects Feet of Arborists, Motorcyclists & Movie Stars

On the verge of its 90th anniversary, West Coast Shoe Company, better known as Wesco, is used to outfitting all kinds of folks for their occupations. Arborists are no doubt familiar with the company’s Highliner boot, but they’d probably be surprised to know that the boots built tough enough for their jobs are also favored by Hollywood costume designers, stuntmen and actors alike for their looks and quality. If you happened to catch the recent action flick Ghost Rider, the black beauties on Nicolas Cage’s feet were actually Wesco Firestormer boots.

In the recent action flick Ghost Rider, the black beauties on Nicolas Cage’s feet were actually Wesco Firestormer boots. Catch the recent action flick Ghost Rider, then you may have noticed the black beauties on Nicolas Cage’s feet were actually Wesco Firestormer boots. That’s right. When Johnny Blaze’s feet went up in flames, you witnessed firsthand on the big screen the durability of Wesco boots.

In 2004, Wesco boots landed on Leonardo DiCaprio and some 25 castmembers in The Aviator, who were wearing custom-crafted “Period Wesco” boots made especially for the production. The challenge was to design and build boots for some 25 castmembers in a tight timeframe, and Wesco was the only bootmaker that could fill this tall order.

“Director Martin Scorsese, as I understand it, was very particular about the authenticity of the wardrobe for his Oscar-nominated film The Aviator, says Wesco President & CEO Roberta Shoemaker, who also happens to be the granddaughter of the company’s founder. “With our unique custom process, we were able to design and build boots that not only fit the time period for the film, but met the director’s strict requirements.”

The company’s skilled bootmakers worked closely with the costume crew to resolve issues like how to ‘age’ the leather appropriately. To achieve an authentic look, Wesco sanded the hides before fabricating the boots to help with the movie studio’s aging process. Also, the studio hired a professional “ager” to work on the boots so they would appear to be well-worn, everyday boots the real Hells Angels stunt pilots would have been wearing while they were employed to make the original movie.

“We called my father out of retirement to help brainstorm on design,” continues Shoemaker. “Dad helped create a prototype boot with a single leather sole like the boots worn at the time.”

Wesco boots have been on the big screen before; in 2003’s Terminator 3, Arnold Schwarzenegger chose Wesco Boss boots for his character, on Seann William Scott in 2004’s The Rundown, on Vin Diesel in the action hit XXX, as well as William H. Macy’s Shoveller character in Mystery Men and numerous castmembers in the Robert Redford-directed A River Runs Through It.

In addition to being seen in the movies, Wesco boots have also been on the runways of Jean-Paul Gaultier in Paris as well as Michael Kors in New York. The boots are recognized by fashion enthusiasts the world over and have a tremendous following in Japan.

Wesco, a longtime associate member of the Tree Care Industry Association, recently signed on as a PACT partner at the Root Level. Shoemaker says “partnering with TCIA to help in the transformation of the industry was only natural and consistent with our company philosophy of providing one of the safest boots to the industry - an important PPE for arborists.” The company is in its third generation of family ownership and fourth generation of family employees. The Shoemakers got their start in 1918, making boots for loggers. In 1938 it introduced the first boot built especially for the needs of arborists. This boot, the Highliner, is the official boot of the TCIA show, where the company will be exhibiting in booth 911. Factory Supervisor Kris Oman, who is also the great-grandson of Wesco’s founder, will be on hand to explain the benefits of custom fitting and also take measurements for customers. For more information on Wesco, please visit the company’s secure web site at www.wescoboots.com.

In 2003’s Terminator 3, Arnold Schwarzenegger chose Wesco Boss boots for his character.

Wesco is a TCIA PACT (Partners Advancing Commercial Treecare) participant. To learn more about PACT, contact Deborah Johnson at 1-800-733-2622.
Helping to build a stronger marketplace can have significant benefits for your company. To learn about the many branding and marketing opportunities available, contact Deborah Johnson, Director of Development; johnson@tcia.org or call 1-800-733-2622
Poetic end for tree from Robert Frost Farm

Workers took down an old maple tree at the Robert Frost Farm in Derry, N.H., that was growing there when the famed poet lived there.

Workers took their time September 29 cutting off the tree’s branches and hours more carefully removing the rest of the tree to avoid damaging the wood, which was to be distributed to artisans and crafters, according to a report in the New Hampshire Union Leader.

The tree had been visible to local commuters and was a popular spot for visitors to snap pictures. Nearly 100 people attended the felling ceremony, during which speakers read poems by Frost.

Frost’s poems include “Tree At My Window,” “Birches,” “On A Tree Fallen Across the Road” and “The Sound of Trees.”

Organizers began planning to remove the tree early this year after a large section fell and it was determined that the rest should come down for safety reasons. The tree was close enough to Frost’s former home that it might have caused the structure damage if it fell on its own. A replacement tree will be planted come spring.

If he were alive, Frost probably would be OK with the tree being taken down and might say it’s no big deal, local poet Robert Crawford told the Union Leader. “Then he would’ve gone back and written a poem about it,” Crawford said.

Frost lived at the farm from 1900 to 1911. He spent his time in Derry farming, teaching English at Pinkerton Academy and crafting a poetic voice that would later make him famous. He moved to England after selling the farm, but returned to New England before he died in 1963.

Growers find pink hibiscus mealybug in Texas

Pink hibiscus mealybug, a major pest of ornamentals and citrus, was discovered in September near Port Aransas, Texas. Extension agents want growers, retailers and homeowners to watch for the pest, especially on new plant growth. Feeding causes new leaves to curl, and young stems stop elongating and become thick, giving a “bunchy-top” appearance. If the pest spreads unchecked, it could harm the state’s $9.8 billion ornamentals market. Broad-spectrum insecticides may negatively affect beneficial insects, released or naturally occurring. Instead use insectidial soaps and horticultural oils, said Carlos Bográn, entomologist at Texas Co-op. Ext.

Sirex woodwasp spreads in Northeast

APHIS confirmed Sirex noctilio, a woodwasp, in Lamoille County, Vt., in September. This is the first detection of S. noctilio in New England. The pest was collected from a trap on private property. S. noctilio surveys will continue throughout fall.

S. noctilio is an exotic species of wood-boring wasp capable of causing significant mortality in healthy pine trees. S. noctilio has been positively confirmed in 28 counties in New York; five counties in Pennsylvania; one county in Michigan; and one county in Vermont. APHIS’ Center for Plant Health Science and Technology will study the nematode Beddingia siricidicola as a biological control.

EAB confirmed in Michigan’s Upper Peninsula

Michigan’s Cooperative Emerald Ash Borer Response Project partners in October confirmed a second EAB infestation in the Upper Peninsula. The infestation was discovered during the removal and inspection of a 2007 detection tree and is located near the town of Moran in Brevort Township in Mackinac County, about 15 miles northwest of the Mackinac Bridge.

In 2005, an EAB infestation at Brimley State Park marked the first time EAB had been found in the U.P. The infestation was eradicated through removal of all ash host material in the area.

Approximately 4,000 detection trees were strategically selected at varying densities in every county in the U.P. during the fall of 2006. Selected ash trees were “girdled” to stress the trees.

“The second discovery of EAB in the U.P. is extremely unfortunate and further underscores the importance of not moving hardwood firewood,” said Don Kolvisto, Michigan Department of Agriculture director. “The EAB Response Project partners are quickly assessing the situation to develop an effective, science-based plan to eradicate this infestation.”

EAB scammers hit Ohio

Scammers have targeted Mason, Ohio, homeowners by telling them that their yard is infested with EAB. The scammers then pull healthy trees from the ground and charge the homeowner hundreds of dollars, according to an article on www.wltv.com.

“We had one person told that their tree had to come down, that it was infested, and it wasn’t even an ash tree – it was a maple tree,” said Mason spokeswoman Jennifer Trepal.

Although the insects have been found in parts of Warren County, none have been found in Mason.

Scam artists have presented themselves as city employees and warned that an infected tree could become diseased and fall over during a storm.

Send Tree News items to:
Tree Care Industry,
3 Perimeter Road, Unit 1,
Manchester, NH 03103
or staruk@treecareindustry.org
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<td>37. Gyro Trac, Inc.</td>
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<td>38. IML-Instrument Mfgr. Co., Inc.</td>
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<td>39. Independent Protection Co.</td>
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<td>40. International Society of Arboriculture</td>
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<td>41. J. Davis</td>
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<td>42. J. J. Mauger Company</td>
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<td>43. J.P. Carlson, Div. DAF Inc.</td>
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<td>46. John Bean Sprayers</td>
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<td>57. Mycorrhizal Applications, Inc.</td>
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<td>60. New River Equipment</td>
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<td>61. Nifty Lift, Inc.</td>
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<td>62. North American Equipment Uplifters, Inc.</td>
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<td>63. Northeastern Arborist Supply</td>
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<td>67. Plastic Composite Co.</td>
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<td>75. Schodorf Truck Body &amp; Equip. Co.</td>
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<td>79. Society of Municipal Arborists</td>
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<td>107. Western Tree Equipment &amp; Repairs</td>
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<td>108. Yale Cordage, Inc.</td>
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<td>109. Zenith Cutter Co.</td>
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* Please circle this number on the Reader’s Service Card for more information.
Every month, I look at many new landscape installations. Have you noticed how much better the quality of the trees has become? The trees planted outside my new Orange County Extension office in Orlando, Florida, are undeniably top quality, which is amazing considering it is a low bid project. I see high quality trees in median plantings, office buildings and residential landscapes. Even the trees I have seen in giveaways seem to be a better quality. This is such a good thing!

When the Department of Agriculture and Consumer Services updated the Florida Grades and Standards in 1998, and all the classes and articles began to teach growers how to create a quality tree, who would have thought that it would take just nine years to make such a positive change? Certainly not me!

Research shows that better grades of trees will require less pruning after planting, and they will establish more quickly. Trees that have been properly trained and pruned in the nursery to develop good structure are more resistant to damage from winds and other outside forces. We have made such great strides with planting quality trees, but we still have a huge educational job ahead of us - to promote the proper establishment and maintenance of these trees.

In my new office landscape, six out of 40 (15 percent) of the trees are declining. Dr. Ed Gilman’s research shows that the No. 1 thing that we can do to guarantee that trees establish is to water them. Since my office trees have not been planted very long, I am going to assume that they didn’t receive the irrigation that they needed. (I bet that in some instances, you are frustrated like me in that you don’t have control over the irrigation). The trees will most likely be replaced, but isn’t a tree a terrible thing to waste?

Tree establishment, irrigation and water restrictions are all extremely important topics to landscape professionals. During dry periods or the hottest months of the year, it becomes an issue that needs even closer attention. Large caliper trees take at least one year to establish in the landscape. During this time period they need additional irrigation to survive and thrive in the landscape. It is important to have an irrigation system in place during tree establishment, but it is equally important to know how much water trees need and measure to make sure they are receiving enough.

The University of Florida has done research over the years that tell us both the amount to water as well as the frequency for establishing trees that thrive in the landscape. It can be found at http://hort.ifas.ufl.edu/woody/irrigation.html.

We cannot stop promoting the planting of Florida No. 1 or better trees. But we now have to work on getting trees watered until they are established. Maybe one day I will be writing an article about the low percentage rate of trees lost on new installations and we can move on to tree training and pruning. It happened in less than 10 years for the grades and standards - so who knows!

Celeste White is an extension agent with the Orange County/University of Florida IFAS Extension in Orlando, Florida. She is also a certified arborist.

TCI will pay $100 for published “From the Field” articles. Submissions become the property of TCI and are subject to editing for grammar, style and length. Entries must include the name of a company and a contact person. Send to: Tree Care Industry, 3 Perimeter Road, Unit 1, Manchester, NH 03101, or staruk@treecareindustry.org.
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