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POOL AND SPA NEWS



Outfitting Complex Pools with Covers

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POOL AND SPA NEWS (ISSN 0194-5351; USPS 793-180) IS PUBLISHED SEMIMONTHLY IN JANUARY, MARCH, AND MAY; MONTHLY IN FEBRUARY, APRIL, JUNE, JULY, AUGUST, SEPTEMBER, OCTOBER, NOVEMBER AND DECEMBER BY ZONDA MEDIA, 4000 MACARTHUR BLVD STE 400 NEWPORT BEACH, CA 92660-2543, AND PRINTED IN THE USA. SUBSCRIPTIONS ARE FREE TO QUALIFIED RECIPIENTS. PUBLISHER RESERVES THE RIGHT TO DETERMINE RECIPIENT QUALIFICATION. PERIODICAL POSTAGE PAID AT NEWPORT BEACH, CA, AND ADDITIONAL MAILING OFFICES. POSTMASTER: SEND ADDRESS CHANGES TO PSN POOL AND SPA NEWS, P.O. BOX 3494, NORTHBROOK, IL 60065.

PUBLICATIONS MAIL AGREEMENT NO. 40612608. RETURN UNDELIVERABLE CANADIAN ADDRESSES TO PITNEY BOWES, P.O. BOX 25542, LONDON, ON N6C 6B2.

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ADVERTISER BILLING QUESTIONS: (866) 846-0282; LIST RENTALS: The Information Refinery, Brian Clotworthy (800) 529-9020; email, brian@infofinery.com; PRIVACY OF MAILING LIST: We rent our subscriber list to reputable companies. If you do not wish to receive promotional materials from other companies, please call us, toll free, at (888) 269-8410. To be removed from the mailing list, please email your request including name and full mailing address to: psn@omeda.com.

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The Danger of App-alling Loyalty Programs



Joanne McClain
Editor-in-Chief, PSN

Like many Americans affected by today's economic conditions, I am careful about our family budget and always looking for ways to stretch a dollar.

In the old days, that usually meant cutting coupons. Then retailers created membership programs, handing out tiny plastic cards you could hang on your keyring to access discounts. With the march of time, these simple loyalty programs turned into apps on our smartphones. How convenient for customers!

I'm here to tell you: No, that's not always so. And done incorrectly, it can turn your customers away forever.

I normally don't shop at Vons, a subsidiary of Safeway and Albertsons, but I was lured in by a sale. These discounts are accessible only to members, which requires sign-up with a phone number. That's now a standard retail practice. Done.

To access some of the sale, there's a part of their loyalty program called "For U." I'm confused as to why it's branded differently. But OK. Done.

They offer "digital coupons" that can only be "clipped" to your account through their app. These are separate from the "For U" deals. I download their app and spend some time clipping the pesky digital coupons. Done.

I'm finally ready to shop! I head over to the store and spend 90 minutes loading my grocery cart. Huh, the sale items I specifically came for are not in stock. Sigh. Well, it's OK, I still need grocery staples and I might as well get them here. I head to the register to pay.

"How are you?" I ask the lone cashier, who I see is singlehandedly managing a long line of customers.

"It's been a day," she says wryly. She asks me for my phone number and if I've clipped the digital coupons. I must have the air of a dollar-stretcher about

me, like a marathoner in the final stretch to the finish line up ahead.

"Yes, I've done that in the app," I say confidently. She rings me up and I pay, but as I head to the exit, something niggles at my brain. Didn't the total seem a bit high? I examine my receipt.

I cannot quite decipher the mile long receipt and whether the appropriate discounts were applied. I realize in annoyance that this is likely by design. I don't see some of the discounts.

I head back to the checkstand. The cashier asks for my phone and quickly taps, taps, taps in their app and says accusatorily, "You didn't link your phone number to the app. That's why you didn't get certain discounts." She grumpily processes a return for those items and rings them up again, now with the linked account.

I am never returning to Vons. As a fairly typical tech-literate adult, I find it ridiculous that a company would set up such a confounding system for its loyalty program. At every step of the way, Vons turned each customer interaction into a negative experience.

I get it. Loyalty programs are here to stay — the datamining opportunities they offer to retailers for better targeted marketing are priceless. But it's important for retailers to ensure their programs are hassle free to their customers. Don't be like Vons. Rather, make those customer interactions as pleasant as possible, and strive to be an active partner to creating a family's joyful poolside memories.

A handwritten signature in black ink that reads "Joanne McClain".

jmclain@zondahome.com




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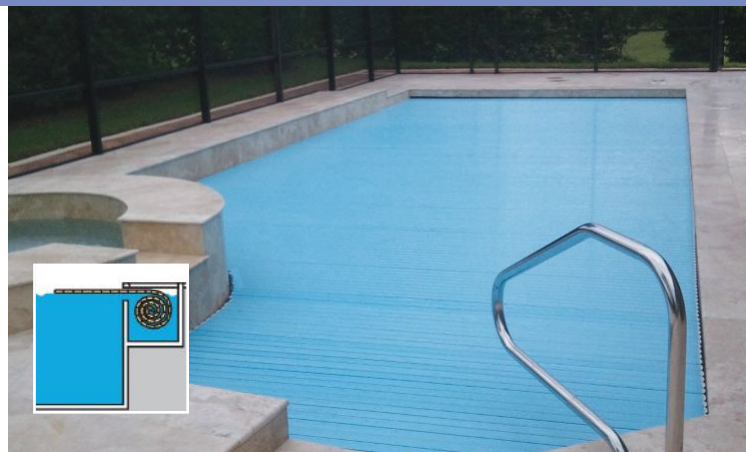
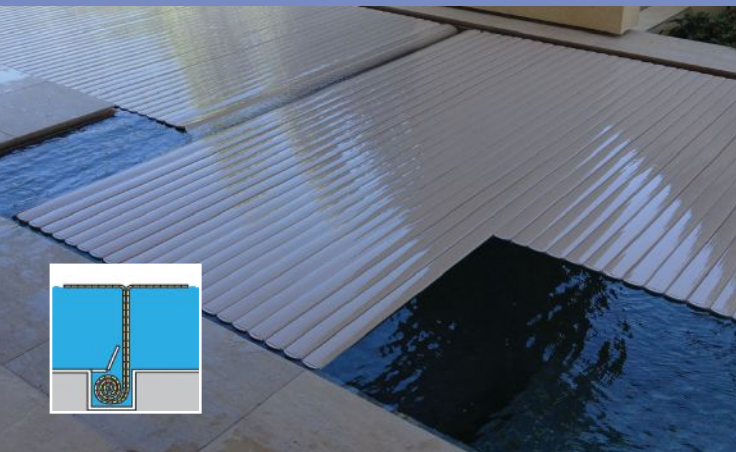


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Priority Pool Service Joins Multistate Expansion Trend

BY REBECCA ROBLEDO



Another company has entered the mix of pool/spa maintenance and service providers seeking a prominent regional or even national presence.

Las Vegas-based Priority Pool Service recently entered its third state. In March, it purchased a small service company in Phoenix to begin establishing operations in one of the nation's most pool-intensive markets. The company also serves the Las Vegas and San Diego areas.

Co-owner Aron Hooks and his partners began the company in San Diego in 2020. Hooks, who also co-owns a private-investment group, said the pool/spa industry came to his attention when he had a hard time finding and keeping a service technician, at a time when maintenance providers were overwhelmed with the glut of work available.

Priority's business model bears a couple substantial differences from many current aggregators and franchises. For one thing, it actually started in California, the one sunbelt state that most multiregional service companies have avoided. Additionally, it uses acquisition sparingly, mostly as a way to help set up shop in a new market. It expects most growth to occur organically. In Las Vegas, Hooks said, organic growth took the company from the 350 accounts it originally purchased to 1,800.

More expansion is expected soon, as the firm plans to enter Dallas and Riverside, Calif. this year. "We don't want to get too far out over our skis," Hooks says when asked if they want to become a national player. "We're trying to build one of the largest regional pool service companies out there."

Home Depot Finalizes Acquisition of Heritage

Home Depot has completed its acquisition of SRS Distribution, parent company to Heritage Pool Supply Group.

The home-improvement retailing giant paid a total enterprise value of approximately \$18.25 billion. In March, the company announced it would purchase SRS as a way to garner more business from the construction industry.

In addition to Heritage Pool Supply, SRS includes other distributors that serve the professional roofer and landscaper industries.

"SRS is an excellent fit for The Home Depot — it's both complementary and additive to our growth," said Ted Decker, chair, president and CEO.

PoolCorp Acquires Swimline Distributors

Pool Corporation has acquired the business assets of Atlanta-based Swimline Distributors. The transition took effect May 31, 2024.

Founded in 1976 by Bob McCoy, Swimline serves the metro Atlanta and northern Georgia markets from distribution centers in Atlanta, Alpharetta and Kennesaw, Georgia.

"Kelly and Scott McCoy, and their father before them, established a legacy of outstanding customer service to the region's contractors and retailers," said Peter D. Arvan, PoolCorp president and CEO. "Combined with PoolCorp's local leadership and sales centers, we will provide expanded resources and product offerings focused on further improving service and support to SDI's customers."

New Overtime Rule Kicks In This Month Amid Lawsuit

Beginning July 1, the pay threshold for determining who should receive overtime pay has gone up.

Under the Fair Labor Standards Act (FLSA), employees who perform bona fide executive, administrative, or professional duties are exempt from receiving overtime pay for anything beyond 40 hours in a week. Part of the formula for determining who can be exempted includes a minimum salary. Those making less must receive overtime compensation.

Effective July 1, that minimum salary increased from \$35,568 to \$43,888, as stipulated by new overtime rules from the U.S. Department of Labor (DOL). The agency has other increases planned: On Jan. 1, 2025, the threshold will rise to \$58,656. Then,

beginning July 1, 2027, salary levels will update every three years using up-to-date wage data.

In response, a coalition of business groups, including the Associated Builders and Contractors, the National Association of Wholesale Distributors, and the National Association of Home Builders, has filed a lawsuit in the U.S. District Court for the Eastern District of Texas. It alleges that the DOL exceeded its authority and “acted arbitrarily and capriciously.” The suit claims the 2024 rule will deprive millions of employees of their exempt status and makes “salary rather than an employee’s duties” determinative of whether an employee should be exempt from overtime pay.

The organizations said that the new rule will hurt both companies and their employees.

“Many employers will lose the ability to effectively and flexibly manage their workforces ...,” the lawsuit asserts. “Millions of employees ... will have to be reclassified from salaried to hourly workers, resulting in restricted work hours that will deny them opportunities for advancement and hinder their job performance — to the detriment of their employers, their customers, and their own careers.”

The NAHB says the change “overwhelms the original intent of the overtime exemption, which was to exempt employees in executive, administrative, and professional jobs from overtime pay requirements.”

IAPMO Seeks Volunteers for Pool Code Update

The International Association of Plumbing and Mechanical Officials is assembling a technical committee to develop the 2027 edition of the Uniform Swimming Pool, Spa, and Hot Tub Code.

The committee will include manufacturers, users, installer/maintenance professionals, labor, research/standards/testing laboratories, enforcing authorities, consumers and special experts.

Interested parties must apply by Aug. 30, 2024. The application can be found on IAPMO’s Code Development webpage. For more information contact Enrique Gonzalez at enrique.gonzalez@iapmo.org.

AquaStar Names New President

AquaStar Pool Products, a Ventura, Calif.-based manufacturer of pool/spa equipment, has promoted its COO to president. Todd Pieri joined the firm in 2010 and held several sales leadership roles before his promotion to COO in 2021.

As COO, Pieri is credited with playing a key role in driving operational improvements and leading the implementation of several expansion initiatives.

He now will oversee all facets of the operation. “Todd’s vision, leadership and commitment have been invaluable to our organization and we are confident he will continue to drive our success in his new role,” said AquaStar CEO Olaf Mjelde.

Garcia Rejoins Lyon Financial

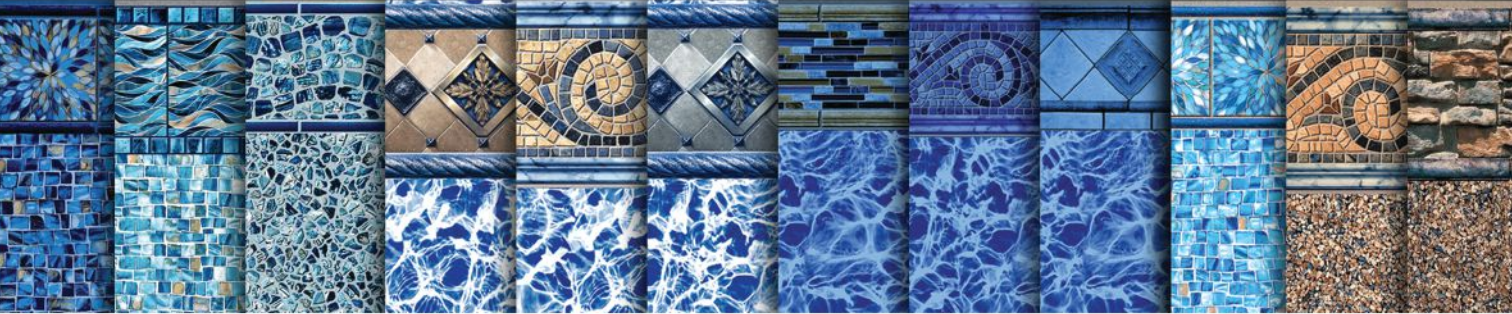
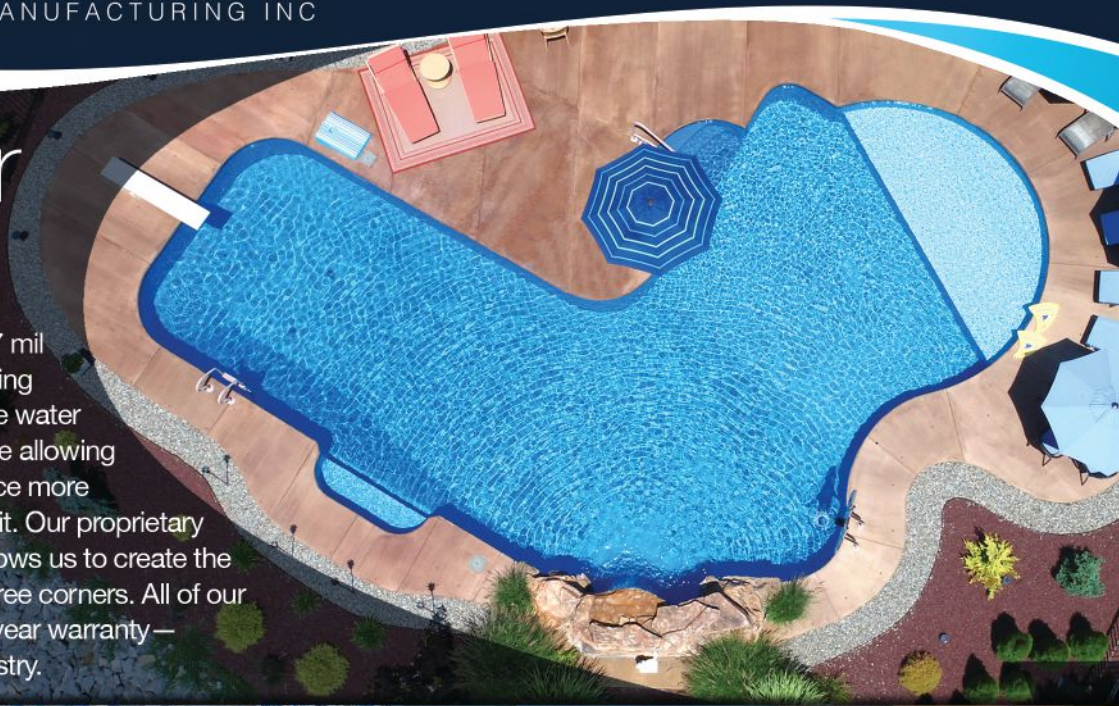
Joe Garcia has returned to pool-financing provider Lyon Financial as a regional sales manager in its Business Development Team.

He will manage key accounts in California and Texas and provide elite service to builders. His experience in the finance industry includes serving as the home equity area relationship manager at Capital One and vice president/bank center manager at Chase.

He also comes with experience in specialized pool financing, as well as direct experience in the pool industry, having previously served as a sales director for the Dallas location of one of the country’s top pool franchises.

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Using a Daily Log to Streamline Production

It's crucial to maintain a running record to effectively manage complex projects. Here's how.

BY GREG WOLECK

Daily Log		
Job: _____	Site: _____	Date: _____
Weather Conditions: _____		
Onsite (Trade Partners*): _____		
Company name, number of personnel, hours worked, tasks completed Onsite (Company Staff): _____		
*Name, hours worked, tasks completed Deliveries: _____		
Visitors*: _____		
Remember to document conversations with visitors to site including client Planning Ahead: _____		
What materials, staffing, equipment, information, will you need in the coming days Changes: _____		
*Are there any potential changes/change orders on the horizon.		
Please return to Project Manager by 4:30 pm		

As a production consultant with Remodelers Advantage, I speak with teams of project managers, lead carpenters, and site supervisors. Lately, a common theme has been that with the addition of new materials, energy codes, and specific sequencing

of tasks, projects have become more complex, making it more crucial than ever to maintain a running record, or daily log, to effectively manage them. Keeping a daily log is an efficient way to record important details about the client, trade partners, and our own

teams that can be used to improve the current project's closeout process and referenced on future projects to strengthen workflows and avoid repeating mistakes. It is also a means of communication between the client and builder; in some contractual situations, providing a daily log to the client is a requirement.

Everyone on the job must be involved in maintaining this record. If project managers and construction managers are unable to visit jobsites every day due to increasing workloads and labor shortages, the information recorded by trade partners in the daily log is critical data for the project management team and contributes to the post-project review process. Equally important, when trade partners are heavily involved in the work, it helps ensure accountability for their tasks.

A daily log can be as simple as a Word or Notes document. When using Word or Notes, we save the daily files to a "Logs" subfolder within a given job's main folder. Alternatively, a daily log can be part of project management software; it's a typical feature of Builder Trend, Co-Construct, BuildXact, and JobTread, to name a few. Even using a traditional paper form (see example, left) is sufficient, though this requires the extra step of scanning it so it can be emailed to all parties as needed.

Regardless of the means, the following key items should be included in a daily log:

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Basics. Start with the project name, location, date, and contact phone numbers. Create a template with that information filled in so you don't need to re-enter it each time.

Weather. Record a brief narrative about the weather for the day, especially if it impacted the work being performed.

On-site personnel. Document the company names of trade partners, the number of people on site, and the specific work they performed. If trade partners are the only ones on site, they should fill out their own daily log. It is also important to record the names of your own team members present at the site, especially when self-performing work. This helps cross-check recorded hours with actual tasks performed. Additionally, documenting visits from the office, architect, or design team can be useful.

Deliveries. Record deliveries in case any damage to the client's or a neighboring property occurs. This information makes tracking dumpsters and reconciling bills for lumber deliveries easier.

Visitors. Keep track of neighbors, salespeople, inspectors, and unexpected homeowner visits to ensure an accurate record of conversations that may be relevant beyond the current scope of work.

Issues. Document issues such as rot repair or hidden conditions. Communicate them directly to clients and designers as well.

Photographs. Attach several photographs or even a short video. I believe in taking daily photographs that capture the project's location as well as close-up shots for detailed analysis. Using a 360-degree camera will ensure nothing important

is missed.

There are few restrictions for what not to do. No detail is too small or insignificant to enter. However, remember that the daily log is a public document that can be accessed by all. Therefore, maintaining professionalism and confidentiality when logging data is paramount.

Properly maintained, the daily log in production teams' processes is a primary tool for fostering continuous improvement, which, after all, is essential to maintaining and growing a profitable company.

Greg Woleck, a production consultant for Remodelers Advantage, is a former production management consultant for Helm Construction Solutions and a project manager for residential and commercial contracting firms. This article previously appeared in sister publication Remodeling.

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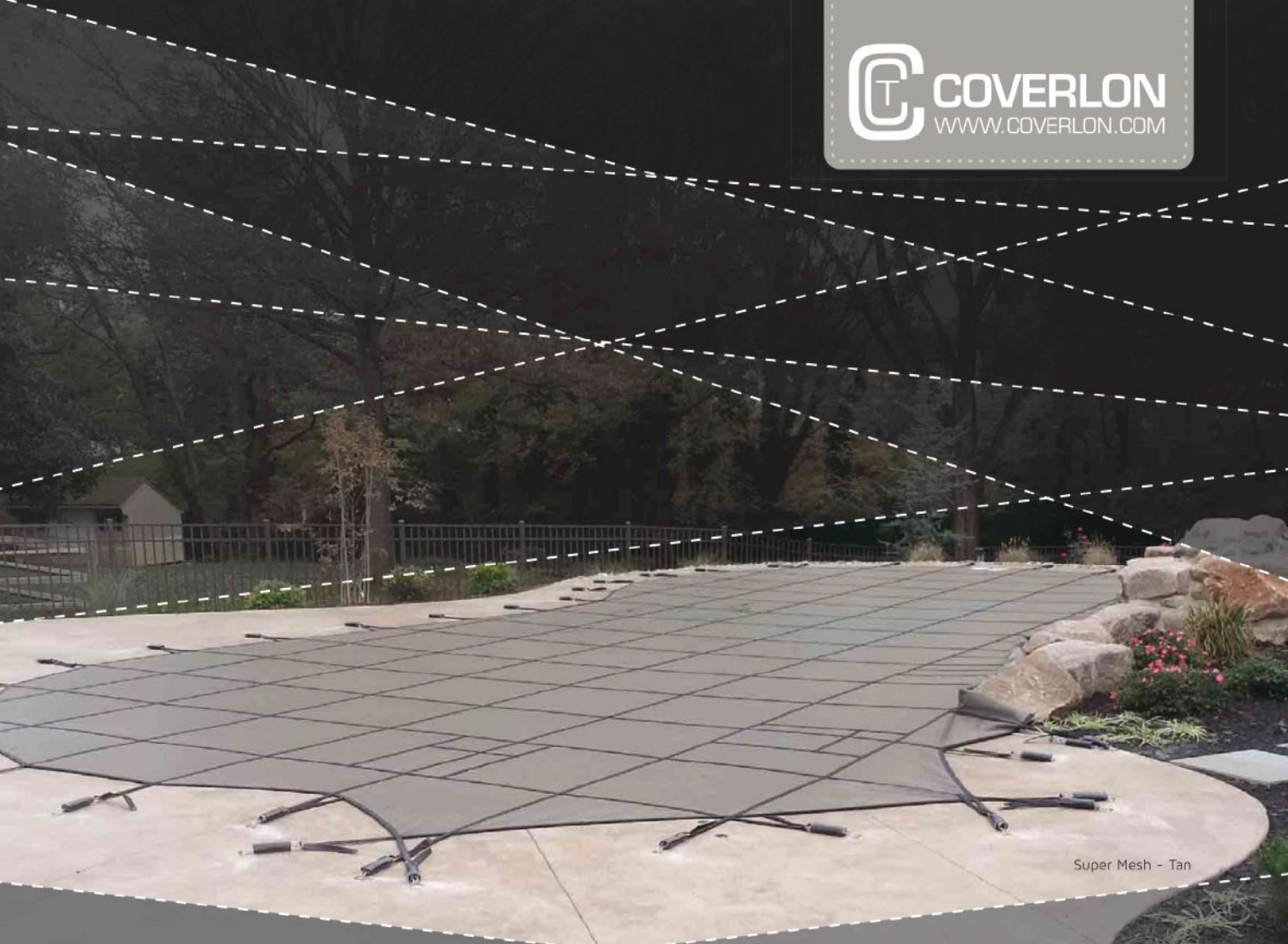


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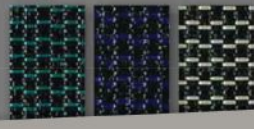
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Federal Reserve Holds Rates Steady, Projects One Rate Cut In 2024

The Fed is projecting just one rate cut in 2024 after indicating three cuts would be likely as recently as March.

BY ZONDA STAFF



The Federal Reserve Open Market Committee (FOMC) once again elected to hold rates steady. As a result, the Fed's benchmark federal funds target rate will remain between 5.25% and 5.5%, as it has since July 2023. Overall, the Fed has elected to hold rates steady for seven straight meetings.

In a dot-plot released in conjunction with the rate decision, the Federal Reserve signaled just one rate cut is likely in 2024, as opposed to the three cuts they predicted in March and at the end of 2023.

"At the beginning of the year, we told our ... clients that we saw a 75% probability of two rate cuts this year," says Zonda chief economist Ali Wolf. "We've dropped that probability down 60% as new information came in. Our base case, however, is that we will see one cut by the end of the year, with an anticipated date of September or December."

In its statement announcing the

decision, the FOMC noted economic activity has continued to expand at a "solid pace." The Fed noted job gains have remained strong and the unemployment rate has remained low, while inflation has eased "but remains elevated." In recent months, there has been "modest further progress" toward the FOMC's goal of 2% annual inflation.

"The Committee judges that the risks to achieving its employment and inflation goals have moved toward better balance over the year," the FOMC said in its news release. "The economic outlook is uncertain, and the Committee remains highly attentive to inflation risks."

While inflation has cooled from annual increases of 9% in 2022, the FOMC "does not expect it will be appropriate to reduce the target range until it has gained greater confidence that inflation is moving sustainably toward 2%."

"At the end of last year, the Fed felt fairly comfortable that they'd be on

track to do a couple rate cuts this year. Inflation was cooling, and the labor market was growing but slowing," says Wolf. "At the beginning of the year, we had three inflation reads that showed inflation picking up versus slowing further. That delayed any plans of a cut."

In data released mid-June, the Consumer Price Index for all items less food and energy was up 0.2% on a month-over-month basis in May and 3.4% on a year-over-year basis. Inflation has stabilized at a rate between 3% and 4% dating back to 2023.

"We've now had two months — May and June — where the inflation data looks back on track. We know that policymakers want to be able to track a trend in the data versus react on just one or two months of data, but so far the data looks promising of a cut coming later this year," says Wolf.

In the labor market, employment increased by 272,000 in May, while the unemployment rate was 4%. The May jobs report also included downward revisions for March and April growth to 310,000 and 165,000 from 315,000 and 175,000, respectively.

In the housing market, mortgage rates move in real-time in response to announcements from the Federal Reserve. Wolf says rates dropped lower on the latest inflation reading and "stay below where they started the day on the new information from the Fed showing one rate cut is still likely this year."

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Process vs. Purpose of Income Reporting

Accurate accounting starts with staying mindful of the purpose of our actions

BY MELANIE HODGDON

A recent discovery within a client's file reminded me of how often I encounter similar errors that stem from a focus on process or procedure without adequately conveying the intended purpose of the action.

Companies seeking to improve the accuracy of their financial statements often utilize WIP (Work in Progress) adjustments. The intention is to counteract incoming dollars that are counted as income but as yet have no offsetting costs. The typical example of this would be receiving an "at signing" payment of \$50,000 on a job that isn't scheduled to begin until the following month. Including that payment as income in the current month skews the income (and, accordingly, the gross profit and margin) for that month.

In a perfect world, all jobs a) are sold with a consistent markup; b) produced reasonably closely to estimated costs and schedule; and c) invoiced in accordance with the Matching Principle, a

common accounting concept that assumes a company will report expenses at the same time as the revenues they are related to.

Under these conditions, the achieved gross margin should remain fairly consistent between reporting periods (months), as depicted in Example A below.

But it's not always like this. Since we all know it's more important for cash flow to bill early, bill often (BEBO), most contractors who are selling fixed-contract price work will front-load the payment schedule. This practice can skew the numbers significantly depending on how many invoices vs. job costs are dated within a given period. It's not unusual to see something closer to Example B below.

THE PURPOSE OF WIP

Work in Progress (WIP) adjustments are used to correct this situation by adding or deducting "income" to elim-

inate unearned income. Therefore, once the WIP has been entered, one would expect there would be far smaller changes in margin value among the reporting periods. In other words, the P&L would look more like Example A.

BLINDLY FOLLOWING A PROCESS CAN OBSCURE THE PURPOSE

When a client reports that they are performing monthly WIP adjustments, and I check out their P&L by month with margin, and I see something close to Example B, I can be pretty sure that the WIP adjustments are not performing their intended purpose. If I dig back far enough, the cause is almost always an emphasis on process without explaining purpose. The bookkeeper generally says something like, "That's how I was trained to do it" or "That's the way the last bookkeeper did it." Without understanding the purpose of a procedure, there's no easy way to know if the process is achieving its intended purpose.

WIP adjustments are often derived from spreadsheet calculators that are quite complex. If your company is going through the month-end process and still getting results like Example B, it may be time to review the purpose of WIP, examine the steps of the current process, and identify where things are going awry. If the purpose isn't being fulfilled, what's the point?

Melanie Hodgdon, president of Business Systems Management, provides management consulting and coaching for contractors. This article previously appeared in sister publication Remodeling.

MELANIE HODGDON

P&L WITH MARGIN EXAMPLE A

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Gross Margin	30.7%	32.4%	31.5%	29.9%	33.1%	32.8%	30.9%	31.6%	31.0%	33.0%	30.0%	28.9%

Calculating gross margin at each accounting term (monthly) is a good way to check if your WIP adjustments are fulfilling their purpose. When they are, the monthly gross margins will be fairly consistent month to month, without wild fluctuations.

P&L WITH MARGIN EXAMPLE B

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Gross Margin	21.4%	58.6%	-15.8%	38.0%	17.3%	49.0%	-2.1%	37.7%	30.2%	35.0%	71.0%	12.0%

Front-loading payments can skew the margins. To correct this, we apply work in progress (WIP) accounting.

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An Overlooked Source of Injuries

An argument for placing step-trim tile on every pool and spa

BY SCOTT COHEN



I have served as an expert witness consultant for more than 16 years now. An interesting side benefit to this work: It really opens my eyes to potential hazards. When you see a picture of somebody's bone popping out of their leg, it haunts you — especially if the injury could easily have been avoided.

That's how the importance of step-trim tile came fully to light for me. I consulted on a case involving someone who slipped on a poorly designed step and became badly hurt. Among the steps' flaws, they were unmarked. Finished in a tan pebble made to look like beach sand, the top step was nearly invisible, so some-

body walked in and got hurt.

I now consider contrasting step-trim tile a requirement on my pools. While it is not mandated for residential projects, I strongly recommend it in all pools and spas. For a relatively minimal cost — typically less than \$1,000 per pool in my Los Angeles-area, high-end market — it can improve safety and potentially prevent severe accidents.

AVOIDABLE INJURIES

I don't think professionals or homeowners appreciate the kinds of injuries that a person can sustain in a step incident — or how commonly they occur. You can twist and crack

your ankles, or fall and snap your hip. If you miss a step, you can face-plunge into the coping. If a senior citizen suffers a break like that, they may never walk the same again.

We need step-trim tile because of how the human brain works. We have a mechanism called spatial memory. This cognitive process allows us to remember the locations and physical properties of our environment. It is our caveman brain talking to us to help navigate spaces and avoid dangers. It remembers hazards: It reminds you what spot

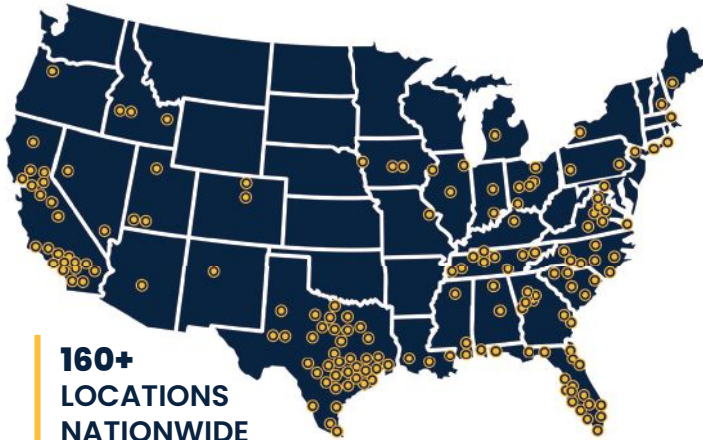
on the freeway has potholes, or where you'll need to duck for a branch. It remembers how those pool steps were slippery.

When we walk in our own pool or spa, spatial memory helps our brain recall the position of the steps, so we don't necessarily need to see them. However, somebody new to the pool won't know the location of the steps. Certain finishes can obscure the outline of the steps, making them hard to see. Factors such as the time of day and resulting shadows can further obscure them. Then, as we age, our ability to detect such hazards diminishes. And, of course, as soon as you mix alcohol around pools, they

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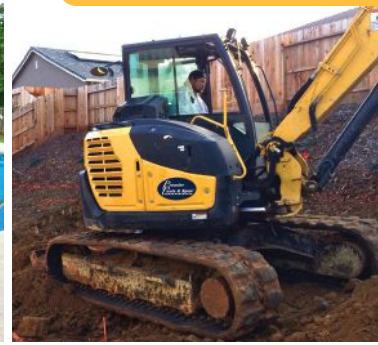


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become even more dangerous.

Step trim tiles address all these issues by providing clear, visual cues that help prevent accidents.

This safety precaution has become more important than ever. The landscape has changed: Residential pools aren't just residential pools anymore. Oftentimes, people rent out their homes and pools for short-term use, opening the door to liability. (For one thing, we know people don't rent houses to not party. They're there to

have a good time.) Once you rent out that space, I believe, your home and pool may need to fall into compliance with commercial codes, not just residential. The issue is currently being debated by the industry standards community.

For these reasons, we automatically include step trim tile on all the pools and spas we design at my firm. In a pool, they go on the edge of all steps, benches and Baja shelves. In spas we place them on the steps

and benches.

We've had homeowners say, "We don't want it — we don't like how it looks." We explain the importance of making safety a priority, and have them review our one-page step-trim tile disclaimer. It stipulates that they assume all liability so that, if anybody gets hurt in their pool, they'll pay to defend us. Upon seeing that, they usually say, "Just put the step trim in."

Step-trim tile is an absolute must if clients plan to entertain or rent their pools, or if people who are over 50 years old or have balance, cognitive or vision issues will use it. This also is especially pertinent with pebble finishes, where steps can be harder to discern.

OUR APPROACH

Step trim tile should be positioned on the leading edge of steps, benches and submerged ledges within the pool to mark transitions and outline the perimeters for enhanced safety.

I prefer to use ceramic tiles in strips ranging from 1- to 3 inches, due to their durability and slip-resistance provided by the grout joints. I find that this strikes the perfect balance between visibility and aesthetics.

We set the tile back from the edge about $\frac{1}{2}$ - to 1 inch, leaving enough space to form a rounded edge on the steps.

The contrast can be subtle. But it requires more advanced planning. At our design center, we choose the contrasting tile color — whether darker or lighter — when we choose the interior finish. We pick our coping, waterline and step trim tile at the same time, months before they'll be installed.

Scott Cohen is president of The Green Scene, an outdoor design/build firm in Chatsworth, Calif. He also is a construction defect expert witness, consultant, instructor, author and chairman of the California Pool & Spa Association.

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Covering Your Bases

Installing covers on pools with vanishing edges and other special features

BY REBECCA ROBLEDO

The benefits offered by automatic covers and mesh safety covers seem innumerable. In addition to forming a potentially lifesaving barrier between the pool and children not meant to enter, these products can block dirt and debris, stretch sanitizer efficacy, and prevent algae, as well as reducing the loss of heat and water through evaporation.

But special pool features such as rock waterfeatures and vanishing edges can complicate the installation of these devices. Fortunately, workarounds exist for many situations.

These experts provide an overview of strategies used to reconcile the needs of pool covers with these features.

AUTOMATIC COVERS

Because they don't have the coping and freeboard to accommodate traditional cover tracks, vanishing-edge pools require a different type of installation if the spillway runs along the length of the pool.

A special track is installed behind the spillway, onto the face of the weir wall. Spacers slightly lift the track from the wall, allowing water to



flow over the edge and behind the track.

“If the pool cover is closed, the water can escape between the tile and track and fall down into the basin below,” says Darren Gillhouse, president of Cover Biz, a cover installation firm in Valencia, Calif.

Place the track about 1 inch below the weir’s edge. This should shield it from view when viewed from the house side. “You don’t want to drop your track too low, because you want it to be close to the elevation of the other track,” says Joe Dempsey Jr., COO of Aquality Construction in Broomfield, Colo.

Powder coat the track so it better blends with the veneer material on which it sits, Dempsey recommends.

For these installations, Gillhouse prefers to plumb the vault so it drains into the vanishing-edge catch basin rather than the curb. This conserves water that otherwise would go to waste.

Sometimes a pool has so many interior features that the cover will want to drag over it. For instance, Scott Cohen recently did a 75-foot-long pool with several stepping pads. With so much length and fabric, the cover could get stuck on the stepping pads when the user went to open it. He and his team discovered that the spa blower could help.

“If you just ran the spa blower for

5 minutes before opening the cover, it would billow up and lift the cover with the air ...and then it would just pull off really easily,” says the president of The Green Scene, an outdoor design/build firm in Chatsworth, Calif.

When an automatic cover factors into the equation, waterfeature use is restricted but not prohibited. “Some people think that when you have a covered pool, you can’t have any waterfeatures,” Cohen says.

They can be included as long as they don’t create a protrusion that will interfere with the cover rolling along the track. Some builders like to use deck jets on these installations, as they don’t interfere with the pool’s footprint at all. Others might spill water from a raised wall into the pool. If a homeowner prefers a rock waterfall, the boulders can’t drop below the coping.

Dan Lenz, vice president of All Seasons Pools, Spas & Outdoor Living in Orland Park, Ill., likes to keep waterfeatures or spillover spas completely separate from the pool in these cases. The falling water might sit directly adjacent to the pool or spa, but will spill into a separate basin.

If a waterfeature or spillover spa will flow into a pool that has an automatic cover, be sure to include an override

switch that will turn off the pump when the cover is closed, Cohen recommends. Otherwise, the pool can drain out as water spills out the waterfeature, hits the cover and runs off.

SAFETY MESH COVERS

When it comes to safety mesh pool covers, any elevated item within 3 feet of the pool’s perimeter is considered an intrusion. A number of solutions exist for these scenarios.

The simplest and most common involves using foam to protect around such protrusions, Gillhouse says. This is suitable for simpler obstacles such as rocks. The manufacturer places foam under the cover where it will cover the rock, to seal around the element and protect the cover from wear against the hard surface. Then the straps can attach to the deck behind the protrusion.

Features such as large rock waterfalls, grottoes or especially jagged boulders may require the most complicated and difficult workaround — a system of pad eyes and carabiners. Pad eyes, metallic devices that serve as a loop, are drilled into the feature. Then the carabiners attach to the cover fabric and hook into the pad eyes. Advanced planning is needed for these systems, to determine where to drill.



On vanishing edges, automatic-cover tracking is placed at the top of the wall, elevated slightly off the surface to form a gap for water to flow through.

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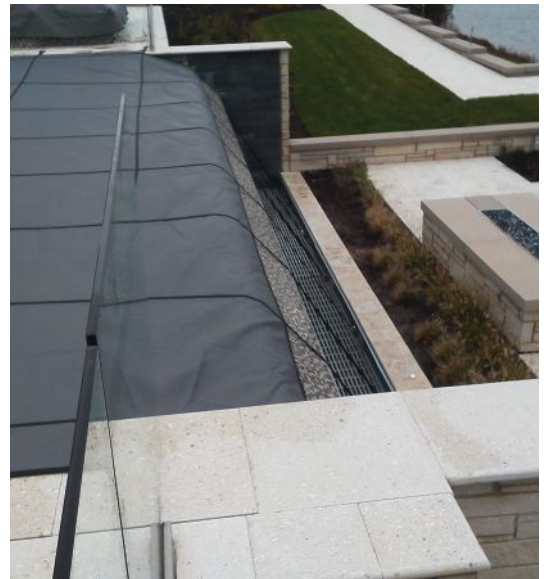
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The mesh safety cover straps are secured to the vanishing-edge catch basin.

This system can leave a gap between the edge of the cover fabric and the pool wall, Lenz adds. If that's the case, use bumpers to bridge that space and block dirt and debris from entering the pool.

Gillhouse often uses the pad eye/carabiner system to work around a lack of hard deck. Say, the pool is surrounded by lawn. He may drill pad eyes to the back of the coping.

When installing safety covers over unusual features, try to avoid setting it over hard angles, as they will wear the fabric more quickly. Lenz has had occasion to reconfigure walls to prevent a cover from having to drape over a hard corner, for instance.

Additionally consider how wind will interact with the cover. In some cases, Lenz and his team have had to pull the fabric farther out to make sure it's secure to a horizontal surface. This can prevent a flapping effect, where the wind repeatedly raps a piece of the fabric against a hard surface.

IMPORTANT PARTNERSHIPS

When performing these unusual cover installations, consult with the manufacturer and a cover-installation specialist.

Check with the cover installer well

before excavation begins, Gillhouse advises. This is especially necessary if the pool will have an automatic cover as it likely will alter construction of the pool itself.

Don't wait until after the pool is built. "You probably won't have the pool built correctly," Gillhouse says. "All this has to be planned before you dig."

Review the design with manufacturers to make sure the installation plan will work and see if they have a more appropriate solution, Dempsey encourages.

Also ask if your method will alter the cover's safety rating or warranty.

If the fabric will rub against concrete more than normal, it could affect the longevity of the product.

Leaving gaps between the edge of the fabric and the pool perimeter, raising the fabric over elevated elements, or using different anchors can affect the safety rating. If that's the case, Lenz uses different terminology.

"We refer to them as spring-attached winter covers," he says. "We never refer to them as safety covers if they're not ASTM safety covers. Our contracts even spell it out that way."

Communicate this clearly with the client to avoid liability, he advises.

SETTING THE RIGHT EXPECTATIONS

Regardless of the type of pool that comes with your cover, Scott Cohen offers the following advice: "You have to be very careful not to oversell the cover," he says.

This especially applies regarding the cover's ability to keep a pool clean. "The cover only keeps the pool as clean as you keep the cover," he explains.

If the cover has dirt and debris collected on top, it's going to find its way into the pool when the cover rolls open and closed. Advise customers to invest in pool cover brushes or leaf blowers and to clean the cover off before opening it, especially if it's been closed for a while.



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Contact: anchorinc.com/products/pool-covers

▼ AUTOMATIC POOL COVERS

The PowerTouch automatic pool cover controller uses technology that is 100% tool-less, providing one finger torque limit adjustment. Rather than lifting heavy auto cover lids, this system allows users to adjust with the touch of a finger in seconds. The controller also has easy to read, more intuitive operational buttons that are also back-lit to see by both day and night.

Contact: automaticpoolcovers.com



▲ AQUAMATIC COVER SYSTEMS

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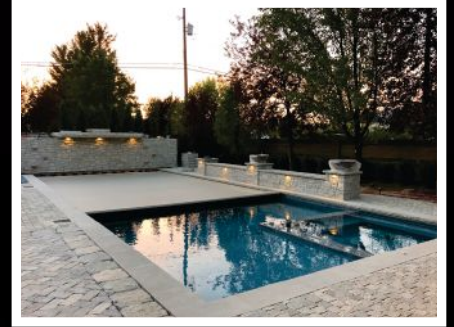
Contact: aquamatic.com

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Coverlon Safety Covers are offered in mesh or solid materials, and are available in a variety of colors. They are fabricated with durable materials, with strapping on the top and underside along the entire length and width of the pool. Installed properly, children and pets cannot fall or accidentally slip into the pool. They also are tamper proof, requiring a special tool to remove or install.

Contact: coverlon.com

▼ EXPLORE INDUSTRIES

Explore Industries is rolling out Vanishing Pool Covers for select pools within its Leisure Pools brand in 2024. These pools have high-water lines that pair perfectly with their integrated Vanishing Pool Covers. The covers provide protection for the pool, making it easier to keep the pool clean and ready for a swim.

Contact: exploreindustries.com



▲ COVER DREAM

The S-LIDE is a smart 2-in-1 sliding pool deck and pool cover that makes the most of the pool area square footage. The rolling deck pool cover supports high loads and can accommodate patio furniture, offering an appealing area for hosting guests. At the push of a button, the motorized pool deck smoothly retracts, instantly revealing a poolside patio.

Contact: cover-dream.com

▼ GARRETT LINERS

Garrett Safety Covers offers a double layer of triple-stitched webbing throughout the cover, using high performance hardware that is made in the USA. Garrett's safety covers are available in 14 styles and colors. Solid covers have a 10-year limited warranty; Mesh and Ultra-Mesh have a 15-year limited warranty.

Contact: garrettliners.com

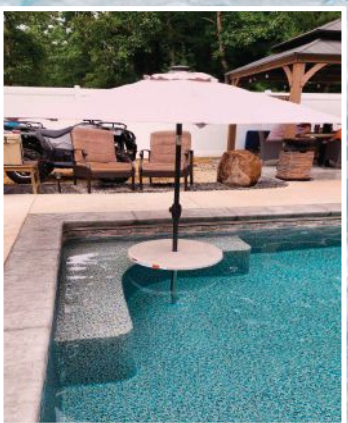
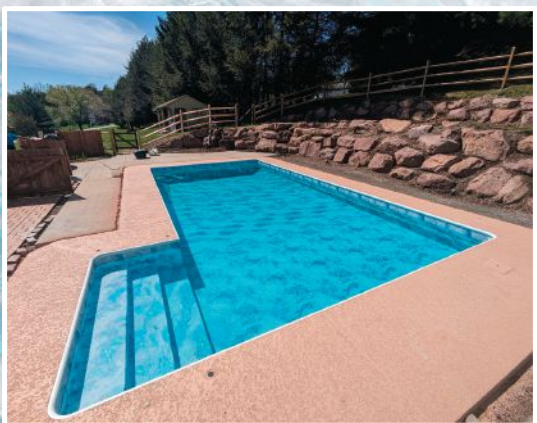




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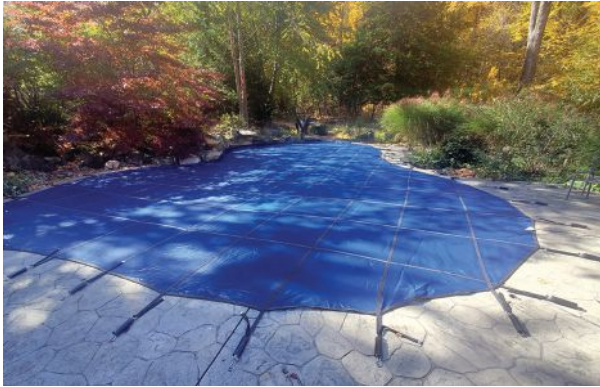


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▲ KAYDEN MFG.

Kayden Premium Safety Covers are offered in three types of materials: a standard mesh that blocks 90% of UV light, a SunBlocker mesh that blocks 99% of UV light and a solid material that blocks 100% of UV light. The springs are made from ultra thick gauge steel with non-slip, attached keepers for easy adjustment.

Contact: KaydenMFG.com



▲ LATHAM, THE POOL CO.

Latham's Recovery Express Safety Cover Template Program is an easy, turnkey service that allows customers to send in an old safety cover for Latham to measure, quote and remake. Latham will process shipping arrangements for free to one of its regional cover measurement facilities.

Contact: lathampool.com

▼ LOOP-LOC

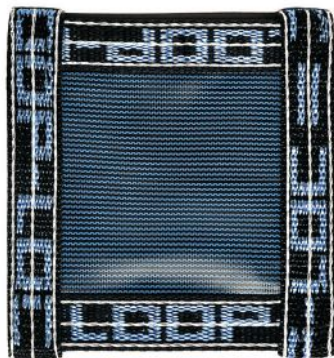
Loop-Loc's Aqua-Xtreme Virtually Solid mesh covers are made with light-blocking fabric that deters algae growth and drains quickly at up to 80 gallons per minute. Double thick solid polypropylene webbing straps surround the perimeter, and the springs are made of noncorrosive 302 stainless steel.

Contact: looploc.com

▼ MERLIN INDUSTRIES

The patented SmartMesh safety pool cover allows water through while providing complete shade from the sun, which can significantly reduce algae growth. Along with debris filtration down to 40 microns, this pool cover is engineered to keep pools protected through the winter and ready for spring.

Contact: merlinindustries.com







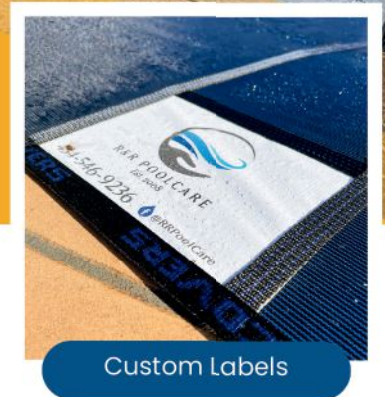
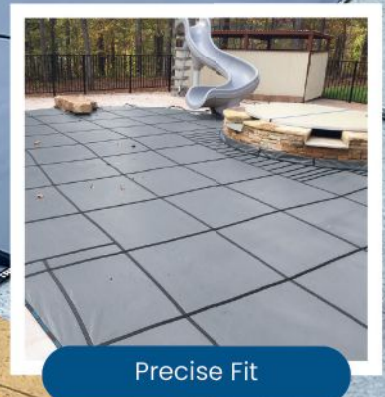
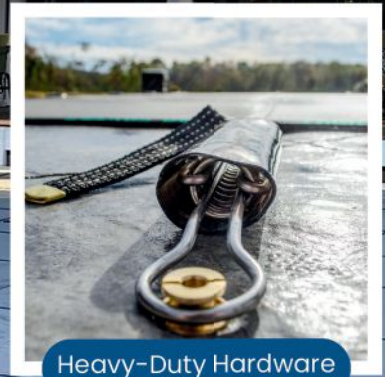
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Contact: meycocovers.com



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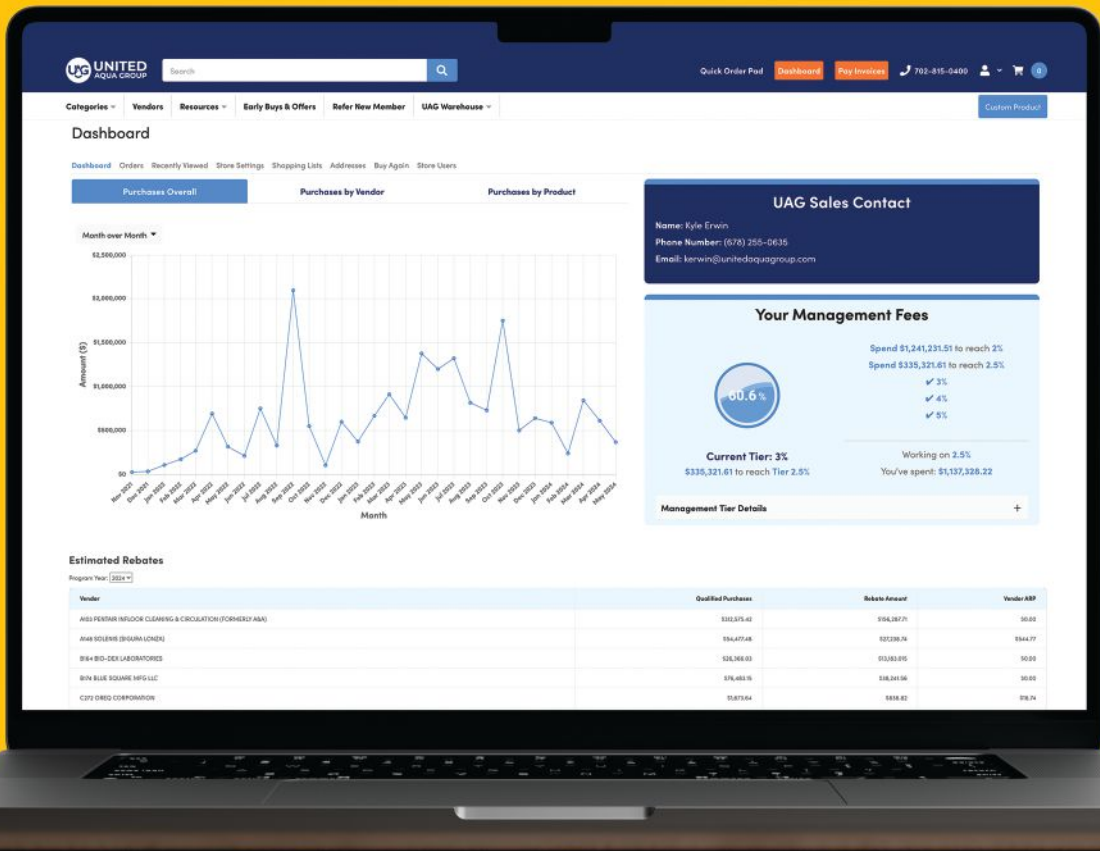


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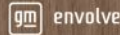
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Contact: raynercovering.com



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Civil Litigation for Construction Professionals

BY PETE FOWLER



A primer on civil litigation terms to help construction pros understand the legal process.

As a construction professional, you have probably heard the term “civil litigation.” With the large number of players involved in building projects — including developers/owners, designers, contractors, subcontractors, sub-subcontractors, suppliers, and more —it is nearly impossible to avoid a legal dispute at some point in your career. When two parties just cannot come to terms, they are likely to end up in civil litigation. And with so many parties involved, even the most simple building project can quickly become “complex litigation.”

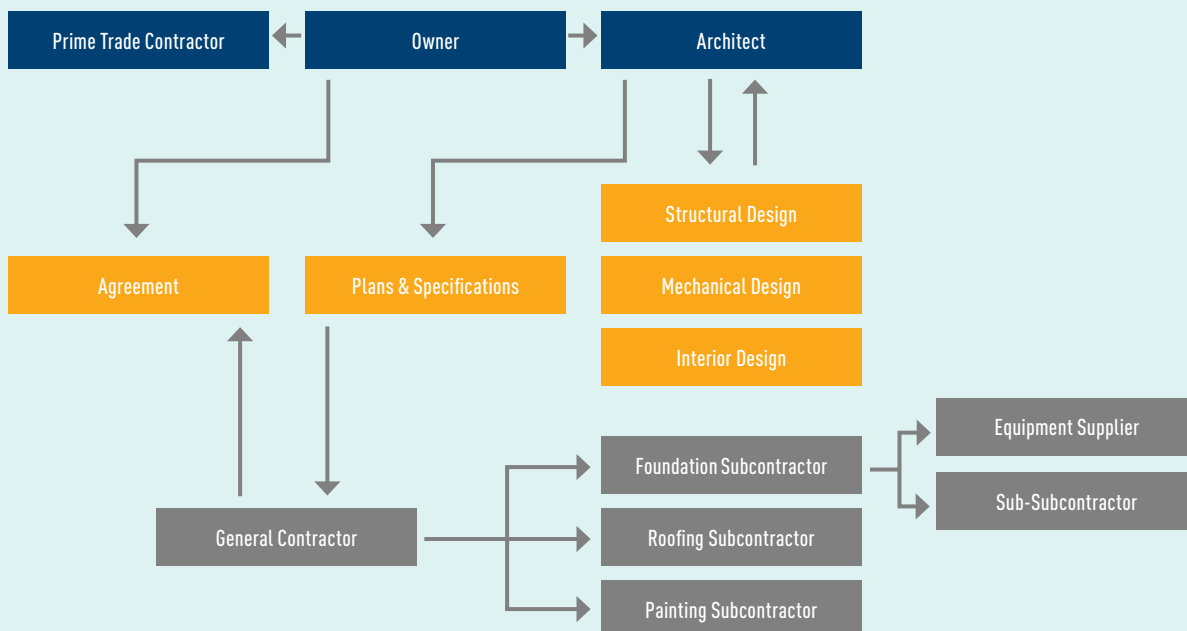
Over the last 30 years, I have worked on thousands of litigated projects as a contracting and estimating expert witness. But I am not a lawyer, and a little knowledge is dangerous. For most lawyers, though, their depth of knowledge can actually make it difficult for them to explain the process simply.

COMMON TYPES OF CASES

Civil litigation covers a huge variety of cases, but there are common claim types building professionals face.

Construction defect litigation begins with allegations of physical problems and damage that are usually related to leaks or structural deficiencies but that can be related to any workmanship or performance problems on any building element (roofs, windows, walls, foundations, framing, plumbing, electrical, HVAC, and so forth). Defect allegations might be made during construction or not until many years after project completion. In some states, an entire “CD industry” has developed over the last 40 years, with attorneys and expert witnesses who work full time pursuing and defending these claims.

Personal injury (tort claims) is the type of lawsuit filed when an individual or business has been harmed by another. These claims include injury to someone, their reputation, or property due to fraud, negligence, or intentional acts. Common examples of this type of claim would be an auto accident, a premises liability slip, trip, or fall, a product defect, and many others. The goal is to seek compensation for physical, emotional, and financial damages incurred, including medical expenses, lost wages, pain and suffering, and other related losses.



Example project organizational chart. When two or more players in a construction project cannot come to terms, they are likely to end up in civil litigation. Litigants will need to be clear on the roles and responsibilities of each player.

CHARTS BY PETER D. FOWLER

So, I worked with some lawyer friends to write this plain-language “map of the terrain” of civil litigation for non-lawyers who need to understand the process to help make smart business decisions.

Put simply, civil litigation is any noncriminal dispute resolved by a lawsuit using the court system. These cases are commonly settled before they reach the courtroom, but I will walk you through the entire process.

Jobsite accidents are typically covered by workers’ compensation but, in many situations, a civil suit can also be filed against other parties that might have all or a portion of the responsibility due to negligence. In these cases, OSHA’s rules for multiemployer work sites often come into play.

Property claims refer to insurance or legal claims made to seek compensation for damage or loss to property. The damages are often caused by activities covered by insurance, such as fire, theft, vandalism, or natural disasters. Litigation is required only when the parties cannot agree on the extent and cost of the damages. For contractors, this can occur when they cause damage to property via a plumbing leak, a fire, equipment, or vehicles.

Contract claims arise from a party not fulfilling contractual obligations. These can be simple or very complex. When a contractor abandons an incomplete home-improvement project, unprovoked, it is simple. When a four-year renovation of a \$10 million home for a television star goes bad, it is very complex. When a general contractor has a dispute with a trade contractor based on a poorly written contract with unclear terms, it is somewhere in between.

Subrogation claims are pursued by insurance companies to recover money for damages or losses caused by another party that the insurer believes is at fault. For example: If a contractor burns a house down sweating a copper pipe, the homeowner’s insurance will usually pay the claim and then seek reimbursement from the contractor. On large claims with unclear origins, this is sometimes contentious litigation requiring intensive work by expert consultants.

Equitable claims involve one party suing another to prevent a future, harmful act rather than suing for money. If there is a dangerous property, one party can ask the court to make the owner fix it. Or, if someone is doing something that could damage someone else’s property, the court can order them to stop. We have worked on many neighbor disputes over property lines or new construction blocking a view.

FROM BAD TO WORSE: AN EXAMPLE OF HOW CONSTRUCTION LITIGATION EMERGES

This is a painful example of a project type we have seen hundreds (seriously, hundreds) of times. A wealthy family wanting to build their dream home is friends with the spouse of a local custom builder. They reach out to the builder and hit it off immediately; on paper, it seems like a perfect match. They quickly reach an “agreement,” and construction begins with excitement. The builder receives the first few progress payments, and the process seems to be humming along.

Then, things take a turn for the worse. It turns out the “contract price” was really a budget. Every choice the owner makes — from roofing and siding to cabinets and flooring — exceeds the budget’s “allowance,” causing the price to rise weekly. The honeymoon is over. The tension is palpable. The owner and builder barely speak. Adding insult to injury, the owners begin to catch mistakes. Requested changes to bathroom three have been forgotten by the builder. The wrong plumbing fixtures are installed by seemingly incompetent subcontractors. Electrical outlets are in wacky places. Concerned about the situation, the owners audit the invoices and discover discrepancies. They hope these issues stem from negligence, but their concern grows as they notice that each “mistake” benefits the builder.

Construction limps toward completion. A certificate of occupancy is finally issued. The owners move in at last, but the home took twice as long to build and ended up costing twice as much as promised. Even worse, more problems emerge. The wood doors, which the owner insisted on placing in direct sunlight despite the builder’s warning that it would result in warping, have now begun to warp. The home automation system never works. Cooling bedroom two to a comfortable temperature turns bedroom four into an icy meat locker. The first rains come, and water pours into the home from the roof and windows.

The owners insist the builder immediately fix everything. As a precaution, the owners withhold final payment. The builder then stops responding to complaints, causing the owners to go ballistic and instruct their personal lawyer — who has no construction law experience — to file a lawsuit. The owner and builder are now engaged in litigation for years.

—P.F.

ROLES AND RESPONSIBILITIES

As with any aspect of our business, a big-picture understanding of the roles and their responsibilities during civil litigation is an important requirement for construction professionals. Here are the basics:

A plaintiff is the person or company that initiates the lawsuit by filing a complaint against another party with the court. A plaintiff is also known as a claimant.

Attorneys represent plaintiffs, defendants, or cross-defendants. They are often referred to as “litigators” or “trial lawyers.” Attorneys generally manage all phases of litigation from beginning to end.

A defendant is a person or business that a lawsuit is filed against. It is important to remember that, in civil litigation, the defendant is accused of a civil wrong, not a criminal offense. These “wrongs” usually involve a failure to carry out legal duties, such as breaches of contract, or doing something they should not have, like causing damage.

Insurance companies sell insurance policies to insureds (in our case, to contractors) that include a “duty to defend” as well as the “duty to indemnify.” The duty to defend provides the insured with legal representation when they are sued, so insurers hire and pay attorneys to represent insureds. Insurers typically do not pay to pursue claims as a plaintiff. The duty to indemnify pays for any legal judgments against insureds or, more often, to settle for damages that might be the insured’s responsibility. This is a complex topic far beyond the scope of this article. Suffice it to say, as soon as a claim is made or an accident happens, all parties should notify their insurance companies immediately.

Insurance professionals, namely claims handlers or “adjusters,” work for insurance companies and will be assigned to figure out what happened and how much the claim is worth. Early in my career, veteran insurance pros taught me that “a closed claim is a happy claim.” The common belief that these professionals are trying to pay less than the reasonable value of the claim is inconsistent with my experience. Their goal is usually to pay only what they believe the insurer owes, no more nor less.

Cross-defendant or third-party defendant is a third party being sued by a direct defendant in litigation, when the defendant believes the third party is partially or entirely responsible for the claims by the plaintiff. For example: A general contractor is sued by an owner for roof leaks. So the general contractor sues the roofing subcontractor. The roofing subcontractor is the cross- or third-party defendant (see chart, page 50).

A judge plays a different part depending on whether the trial is a jury trial or a bench trial (where a judge renders the verdict, not a jury). In both types, however, the judge is responsible for making sure everyone in the courtroom follows procedure, as sort of an all-powerful traffic cop. A judge should provide impartial, fair, and unbiased rulings throughout the case and is required to follow the law.

A jury includes between six and 12 community members selected

to hear evidence and arguments during a trial. At the end of hearing evidence and arguments, they meet to deliberate and render a decision based on the “preponderance of the evidence.” This is in contrast to criminal cases, where the standard of proof is “beyond a reasonable doubt.” The jury decides if defendants are “liable” or “not liable” and determines the amount of damages.

A mediator is a neutral third party, often a lawyer, who facilitates communication and negotiation between disputing parties in an effort to reach a voluntary settlement. Unlike a judge or arbitrator, a mediator does not make binding decisions or impose solutions. Mediators in building claims help parties explore possible resolutions to their conflict, often by explaining the law, exposing weaknesses in the case and strengths of opposing parties’ cases, and calculating the costs of further litigation. This helps parties make a “business decision” rather than seek their version of “justice.”

An arbitrator is similar to a judge in that they oversee dispute resolution, but arbitration is private, outside of a courtroom, and less formal. The parties in the claim make arguments and present evidence and the arbitrator makes judgments on liability. The decision can be legally binding or nonbinding, depending on the language of the contract or situation.

Expert witnesses have specific knowledge, education, experience, specialized training, or some combination thereof in a field beyond what a normal person would have, and they can “aid the trier of fact” (judge and jury) in understanding the technical issues. There can be multiple experts on multiple topics in a single case. For example, a simple building litigation might have experts in leak investigation, product manufacturing and installation, repair costs, and contracting standards of care. Complex cases might have dozens of experts.



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LITIGATION STAGES

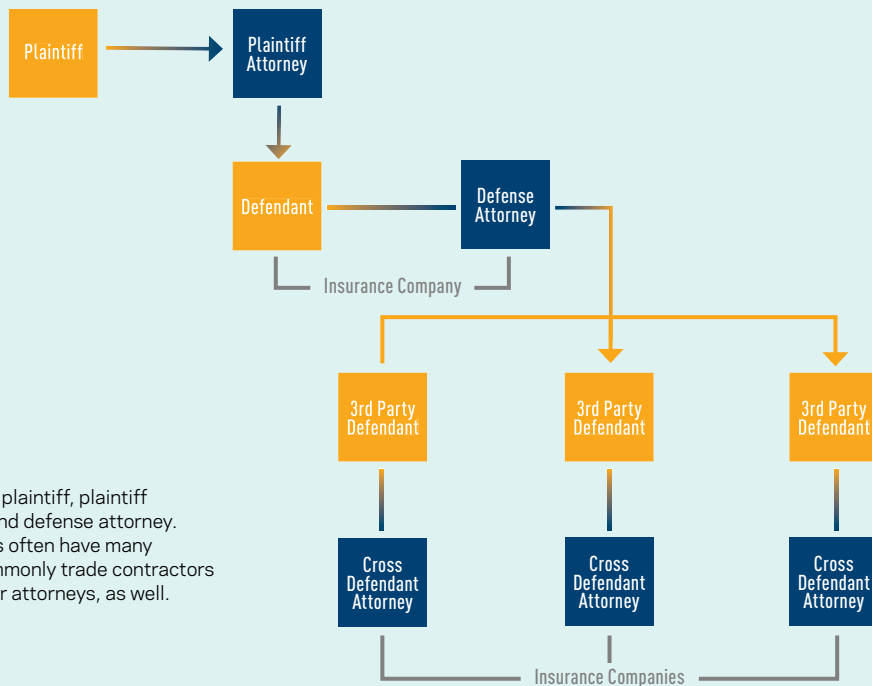
After a lawsuit is filed, civil litigation proceeds in specific stages.

Pre-filing is anything that happens before a party files a complaint to begin litigation. This is the time when the dispute arises and steps are often taken to resolve the dispute, even before lawyers are involved. Many contracts require mediation before a lawsuit can be filed.

Pleadings are the initial step of filing paperwork by each party in a lawsuit. Pleadings explain each party's side of the dispute. The plaintiff will file a "complaint" with the court and must also deliver, or serve, the defendant with a copy of their complaint. The defendant will file an "answer," which is a response to the complaint. A defendant might also

file a "cross-complaint" against the plaintiff or additional cross-defendants or third-party defendants.

Discovery is a phase that involves gathering and sharing information, both from parties involved in the case and from third-party sources. Discovery can include requests for copies of documents, deposition of witnesses, and written requests for admission. This is often the longest, most complicated, and most expensive phase in the litigation process, so it is best to have a discovery plan. This should entail identifying the primary issues, determining what needs to be proven to win, deciding if the goal is alternative dispute resolution or trial, and strategizing the most time- and cost-effective path forward.



All civil litigation has a plaintiff, plaintiff attorney, defendant, and defense attorney. Building-related claims often have many cross-defendants (commonly trade contractors and suppliers) and their attorneys, as well.

Pre-trial phase involves preparing for trial. This may include getting evidence in order, preparing witnesses for testimony, having settlement discussions, and offering motions to resolve the case or narrow the issues brought to trial. This phase is typically expensive and stressful for everyone involved.

Trial is where evidence and arguments are formally presented to judge and jury. There are a lot of rules and formality. Both parties give opening statements that are a brief overview of their arguments. Witnesses give sworn testimony, and both sides present evidence, first the plaintiff, then defendants. Ultimately, the judge and/or jury will decide the outcome. It is stressful and difficult and therefore expensive. This is why only 1% or fewer civil litigation cases make it to or through trial. In 99% of cases, trial is best avoided.

Jury trials have a judge to make sure the parties follow the law and to decide what evidence and witnesses can be presented. The judge will also provide the jury with instructions about the law to guide their decision on a verdict (outcome) and the award of damages (usually money).

Bench trials have no jury; the judge is responsible for hearing the evidence and arguments, determining liability, and setting the judgment amount.

Post-trial phase usually involves the prevailing party filing a motion to request the court to order the losing party to pay their costs and fees associated with the case, including costs of the trial. These awards may or may not include attorney's fees. The post-trial phase can also involve appeal of the case. If the losing party does not agree with the court's decision, it can file an appeal to a higher court for a second look at the case. These appeals are usually granted only if the higher court finds a legal error, not because of factual evidence.

ALTERNATIVES TO LITIGATION

For good reason, most civil litigation is settled before trial. This is usually more cost-effective and time-efficient.

Settlement occurs any time plaintiffs and defendants come to terms to end a dispute before a formal verdict by judge or jury. This often happens during the discovery phase after some facts come to light that inspire the parties to settle instead of going to trial.

Mediation involves a neutral third party (mediator) working with plaintiffs and defendants to negotiate a settlement. This is a non-binding forum. Sometimes, judges are available as mediators but, more often, lawyers with specialized mediation training are used as the neutral party. All parties, sometimes all together, present their information to the mediator but, more often, the mediator meets with each side individually. The entire process is confidential, and the discussions cannot be used in litigation or trial.

Arbitration, like mediation, involves a neutral third party (arbitrator) to resolve the dispute but is more formal than mediation. It is a form of privatized litigation intended to be faster and cheaper than civil litigation. Many contracts contain an arbitration clause requiring disputes to be resolved through binding arbitration, rather than litigation. Arbitration can be binding or nonbinding.

Pete Fowler is president of Pete Fowler Construction Services, which provides building inspection and testing, estimating, quality assurance, and construction management, as well as claims and litigation support, for construction professionals throughout the U.S. This article first appeared in sister publication JLC.





MAKING THE MOST OF A SLOPED SITE

To optimize the lot, this builder created three level tiers with a series of retaining walls and connected the tiers to each other with stone steps and pathways.

BY JASON VARNEY

COURTESY DOCK & DECK



Left: Site work began while the house was still under construction. Right: Early in the project, workers formed and poured the infinity edge pool.



Left: After the pool was in place, workers began the process of building the retaining walls and backfilling them with gravel and soil to create the two lower terraced levels. Right: Here, the crew is installing the stone steps that connect the lowest tier to the dock system.

One of the most interesting deck building challenges I've had to face had nothing to do with my clients or my business. I'm talking about what happened when it was time to design a backyard space for my own family. After decades in the

outdoor living industry, I can design and build a dream project for a client in my sleep — but designing my own project turned out to be a different story.

The project started when I broke ground on my family's current

home in Knoxville, Tenn., a few summers ago. The house itself came together beautifully — however, our local terrain is full of hills, and this property was no exception. We were faced with a steep hillside, with an elevation change of about 100

UPPER LEFT AND BOTTOM PHOTOS BY JASON VARNEY, UPPER RIGHT PHOTO COURTESY DOCK & DECK

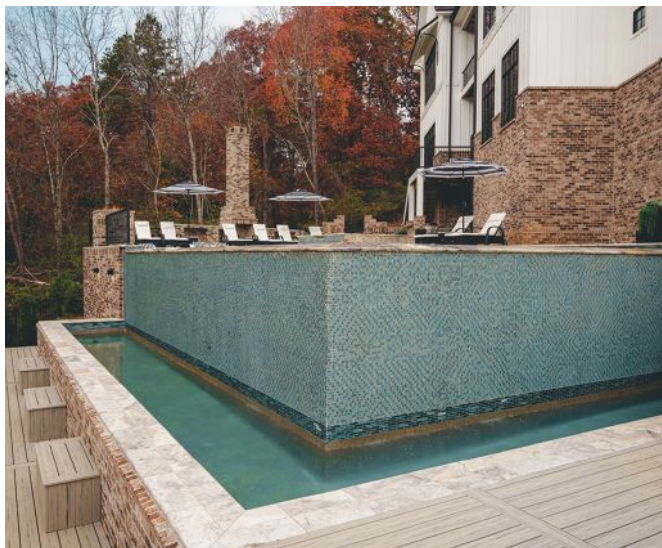
feet between the driveway of the house and the waterfront level in the backyard. This presented a significant logistical problem since there were homes on either side of ours, and we would need to transport all of our materials and building equipment in and out by barge.

While we were short on horizontal square footage, we weren't short on design inspiration. A few years earlier, our family vacationed to a resort in Cabo San Lucas, and we've been reminiscing about it ever since. I knew I wanted to go all out and bring that "resort" feeling into our own space. We love to host family and friends for gatherings and holidays, too, so it needed to be suitable for that. Most of all, I wanted to replicate the amazing infinity pool we swam in.

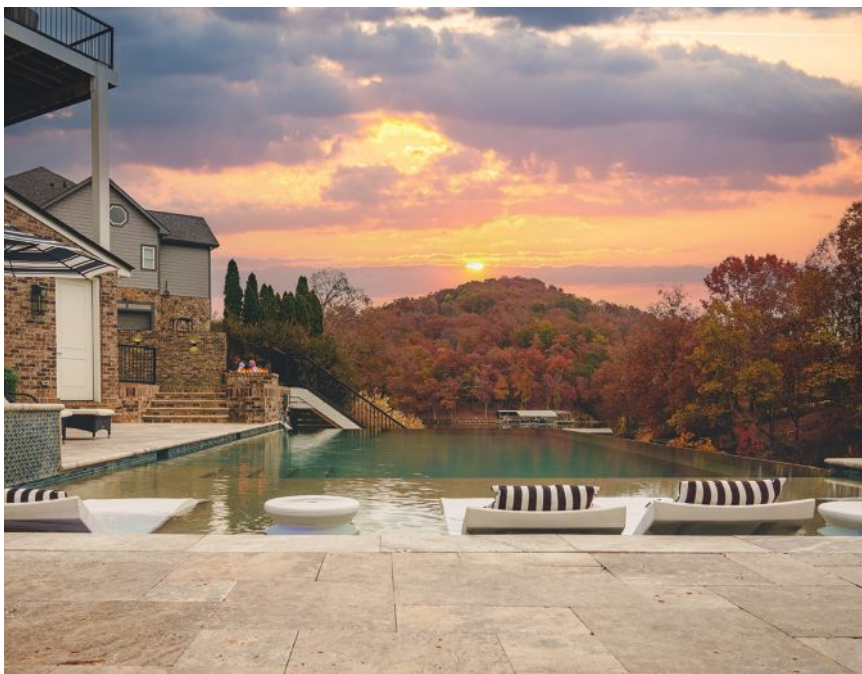
RE-CREATING A RESORT

To break up the steep elevation and introduce the incline more gradually, my solution was to section the backyard into three tiers by using a lot of retaining walls and different levels. I designed each tier to include multiple entertainment zones that would serve a variety of functions and connected the tiers to each other with a few sets of stairs and some stone-paver pathways to help guide the flow of foot traffic.

The highest tier of the backyard features the infinity edge pool, with a hot tub and spill-over waterfall. We went with a travertine hardscape and incorporated Baja shelving and lots of LED lighting into the pool to make it swimmable at night. Past the hot tub, we installed a grilling area for cooking and barbecues. There's a big fire feature on



Though nestled into a hillside above a Tennessee lake, the infinity edge pool was designed to capture the feel of a seaside resort. For reduced maintenance, the landscape features artificial turf instead of natural grass, the extensive use of natural stone pavers, and — where appropriate, such as on the dock system — composite decking.



At the end of the day, the author and his family can relax by the pool and take in the view as the sun sets behind the hills that surround the lake.

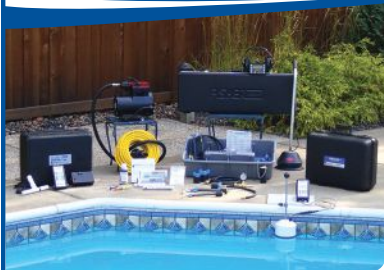
the corner of the pool — when it comes to pool design, I really think that fire and water go hand in hand.

We created a lounging area on the second tier, with plenty of seating options thanks to built-in benches. We used the same material for the rest of the deck space. Matching furniture material with the deck material like this helps tie a design together and make everything feel cohesive.

Closer to the water are a miniature golfing area and a section of turf with some Adirondack chairs, followed by a boardwalk that leads to a covered dock. The dock itself is a full boathouse that can fit two jet skis, a small watercraft boat, and a large, 30-foot boat slip. On the rooftop of the dock, we added a 20-by-32-foot

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deck, again finishing it with the same decking. It's a great place to hang out and take in the view.

TERRACES ARE KEY

The only way to deal with such a dramatic drop in grade at such a short distance is to terrace everything. To maximize usable space, we built retaining walls at each level and then built the ground up to get the levels flat.

Stabilization is crucial on hill-sides like this, and settlement issues can be completely devastating. To keep everything in place and make sure the house wouldn't slide right down the hill, we installed helical piers throughout the backyard to reinforce the system of retaining walls.

With the lot being so steep, we had to make some adjustments to

the construction process. For example, we pumped — rather than poured — the concrete all the way from the street level — 11 times. We had to look into alternative methods to transport gravel down the hill and ended up using a gravel slinger. I'd never been around one before. It's essentially a massive conveyor belt that loads the gravel up at the top of the hill and throws it down to the next level. In total, we used 330 yards of concrete and 3,600,000 pounds of gravel on this project.

And that was just the beginning. Since the house sits so close to neighboring lot lines, we needed to bring the rest of the building materials in and out by barge. We loaded up materials at the nearest boat ramp, transported them by water, and then offloaded them

onto the land below the house. The same went for debris removal: Anything that needed to go to a landfill had to be hauled off on the barge. It was a necessary evil that significantly increased our total cost and stretched out the time frame of the whole project.

All in all, the backyard took about a year to complete. In addition to struggles with the steep grade, we dealt with water traffic, weather setbacks, and issues with product availability. Despite all the challenges, this backyard oasis is everything I could have imagined for my family and more.

Jason Varney owns Tennessee Pool & Spa and Dock & Deck in Knoxville, Tenn. This article first appeared in sister publication Professional Deck Builder.



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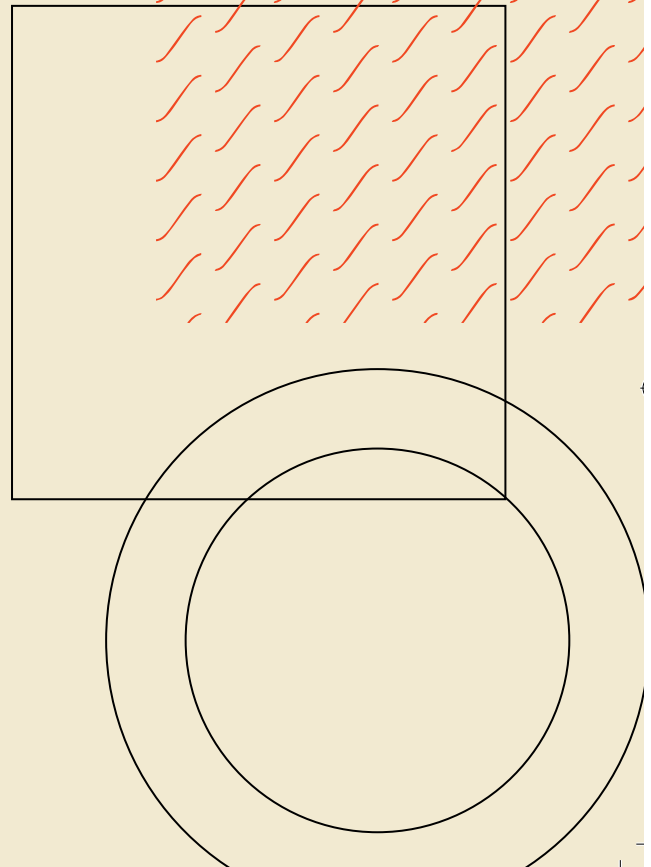
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Contact: Hammerhead Patented Performance | hammerheadvac.com



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Heritage Pool+ users now have access to upgraded, time-saving features.

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Contact: Heritage Pool Supply Group | heritagepoolsupplygroup.com



Latham Recovery Express Safety Cover Template Program

This easy, turnkey service allows customers to send in an old safety cover for Latham to measure, quote and remake.

Latham will process shipping arrangements for free to one of its regional cover measurement facilities. Once the old cover arrives, it's measured using Latham's proprietary technology and a new cover is recreated with the perfect fit.

If the old cover is a Latham cover, the process is even simpler. Send in the serial number and Latham will remake the cover from the original drawing. The serial number can be located on the back of the label sewn onto the safety cover.

Contact: Latham, The Pool Company | lathampool.com



Mirage Pool Visualizer

Mirage Pool Visualizer, offered exclusively from Loop-Loc, is designed to provide users with an easy way to visualize Loop-Loc's luxury designer in-ground pool liners and safety pool covers. It gives a detailed preview of what any given pool liner or cover would look like.

Users can choose the shape, paver color, liner pattern or cover colors in as many variations as they like. Mirage also allows users to share their project images on social media.

Loop-Loc's luxury liners are available in exclusive designer patterns, with new Backyard Accents products to match many of the company's designs.

Aqua-Xtreme safety covers are built to be durable and long lasting. The light-blocking fabric not only deters algae growth but drains quickly — up to 80 gallons per minute without clogging, according to company officials.

For support or sales, email sales@looploc.com, or call 800-562-5667

Contact: Loop-Loc | looploc.com/mirage



Unsecured Pool & Backyard Living Loans

Since 1979, Lyon Financial has partnered with pool professionals nationwide to offer financing options to help close the deal for more than 500,000 of their clients.

"Our unsecured loan options give customers buying power, making it easier for builders to close more sales and increase their average ticket size," says Carla Barrera, Lyon's director of business development and elite team. "We hear from homeowners constantly that they wouldn't have been able to afford a pool without financing, or at least would have delayed or downsized their projects."

Builders don't have to sell financing or know the ins and outs of financing; simply send clients to Lyon Financial. The company's team of professionals will guide homeowners through the loan and construction processes. Lyon Financial pays the builder directly throughout each project, ensuring they are paid on time and in full.

Contact: Lyon Financial | lyonfinancial.net



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Training. Access comprehensive training both online and in-person, covering construction, sales, and operations.

Buying Power. Enjoy significant discounts and rebates due to its extensive network and industry presence.

For more info, call 615-623-9746 or email bzacks@pfgmt.com.

Contact: Premier Pools and Spas | premierpoolsfranchise.com



New RB EZ SHOP App for Retailers

RB Retail and Service Solutions software now offers its new EZ SHOP app that provides scan-and-go shopping to customers within the retail store. The app is designed to make shopping and check-out fast and easy.

This app is easily downloaded from a QR code that can be placed conveniently at the front of the store or at the register.

Once downloaded, the app allows current customers to login to their online bill pay to view past orders and transaction history, create shopping lists and allows customers to scan the products they need as they walk through the store. All scanned items are quickly pulled up for payment at check out.

The app will sync with any discounts within the customer's profile and can even be programmed with specials such as BOGO items.

Contact: RB Retail & Service Solutions Software | rbpoolandspa.com



Envision AR App

The Envision AR app has added new features for 2024. Now users can customize a liner in new and exciting ways.

Select a pool shape then choose a liner pattern for the walls and floor, and choose a separate pattern for the stairs, benches and sundecks. Users can now see any pattern with or without the tile border.

Add an exclusive sun shade kit to complete the backyard transformation.

"The Envision AR app is the perfect tool for vinyl pool sales," says Thomas Kennedy, Tara's marketing director. "The ability to change the liner pattern used on the steps and benches is a unique feature. It adds a whole new level of customization and inspiration for users."

Available for Apple and Android devices.

Contact: Tara Pool & Outdoor Products | tarapools.com



UAG + Oracle NetSuite Associations

United Aqua Group has partnered with Oracle NetSuite to bring better business tools to its members specifically in the retail space.

"We believe in the sharing of best practices and industry resources so our members can drive growth and efficiency for their businesses," says UAG President Craig Goodson.

NetSuite serves thousands of customers helping with a unified financial system covering inventory and order management, e-commerce, CRM and marketing, and more.

The Oracle NetSuite program extends UAG members preferred pricing on multiple SaaS licensing editions, plus ongoing educational opportunities.

"These tools and trainings provide the visibility and control needed to run successful businesses," says Goodson. "In leveraging this SaaS product, UAG members are provided with new solutions that optimize and simplify their operations."

Contact: United Aqua Group | unitedaquagroup.com

Product Profiles: Renovations and Repair



Cross Star Winter Safety Pool Cover

The Cross Star Winter Safety Pool Cover is a strong, solid vinyl replacement safety pool cover.

It is a modified version of the Anchor's 5 Star Cover and was designed to upgrade any "cross web" style or grid pattern solid vinyl and mesh covers to a solid vinyl safety cover. The Cross Star uses Anchor's unique vinyl material and features Solid Vinyl Tensioning Paddles (SVTP), which are welded into place. SVTP creates a 360° tensioning dynamic that pulls the cover taut from the center outward, eliminating the need for stitching the body of the cover. (Stitching causes stress points that can weaken a solid pool cover over time.)

The cover is manufactured to meet ASTM F1346-91 Safety Standards.

The Cross Star Winter Safety Pool Cover comes with a limited 10-year warranty.

Contact: Anchor Industries | anchorinc.com/products/pool-covers



Winter Duck Plugs

Winter Duck Plugs are an essential product for "no drain" pool closings — they allow plumbing lines to be blown out while the pool water level remains above returns, says Brad Madison, technical sales manager at Anderson Manufacturing Co.

The unique "duck bill" valve design of the Duck Plug allows for high amounts of water flow with minimal resistance so lines can be cleared fast and with less strain on the blower. The heavy-duty rubber seals tight when water back pressure is applied and will not allow water back into the plumbing. This design eliminates the need for "burping" lines and makes blowing out plumbing lines into a fast, one-man job.

"This method of winterizing pools supports automatic covers and walls and conserves water," Madison says. "Winter Duck Plugs have been trusted to protect pools through the toughest winters for more than 10 years."

Contact: Anderson Mfg Co. | leaktools.com



Cover Care LLC Professional Auto-Cover Installation and Service

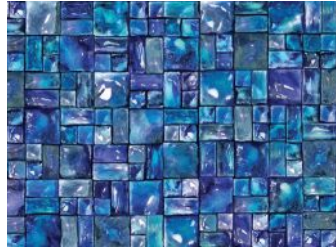
Cover Care, LLC, is a national, full service company specializing in installation and repair of automatic pool covers and removable fences.

Cover Care technicians are trained to install, service and repair all brands, makes and models of automatic pool covers.

The company has specialists in more than 50 major markets in the U.S., allowing any pool retailer, pool builder or pool service professional to partner with Cover Care in the installation and service of pools that include an automatic pool cover.

"We make it easy for pool professionals to subcontract out the installation and maintenance automatic pool covers, allowing pool pros to easily offer and profit from selling auto covers without having to train or have personnel on hand to maintain and install them," says Jacob Bloss, operation director of Cover Care LLC.

Contact: Cover Care LLC | covercare.com



Kayden Deco-Trim Package

Kayden Manufacturing's color matching renovation system includes its Deco-Trim Package, which color coordinates a pool's skimmers, returns, and main drains to complement the pattern selection.

"This super easy, value added upsell helps Kayden dealers close more liner renovation jobs and even more new pool installs than their competitors," says Jim Dorsey, Kayden's director of sales/technical specialist.

Simply make a list of all the fittings in the pool when measuring for a new liner and Kayden will include the Deco-Trim Package that goes with the selected liner pattern along with all the gaskets for those fittings and the rest of the liner installation needs.

The Deco-Trim Package is featured in the Kayden Premium Liner Collection brochure. Samples chits of all five colors are available by request. A 1-year warranty covers any defects in materials or workmanship.

Contact: Kayden Mfg. | KaydenMFG.com

Lennox Liner Pattern by McEwen Industries

McEwen Industries' newest exclusive in-ground liner pattern, Lennox, is a 27 mil pattern showcasing a play of light with shimmering hues.

Contact: McEwen Industries | mcewenindustries.com

MeycoLite - The Original Safety Cover

MeycoLite fabric was used in the original safety pool cover created by Meyco founder, Fred J. Meyer Jr.

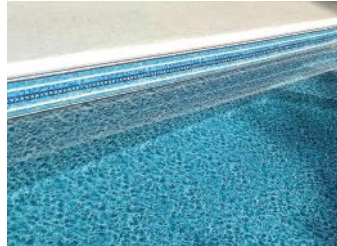
MeycoLite's generous weave eliminates the need to pump off surface water, allowing it to drain through the cover so leaves simply dry up and blow away.

Requiring minimal care over the winter, Meycolite is treated for colorfastness to minimize fading when exposed to sunlight. Meycolite also blocks 95% of the sun's rays, reducing UV damage to the pool area.

MeycoLite is lightweight at 4.4 ounces per square yard, which allows for faster installation.

White, polyester bonded, UV-resistant marine thread is used to sew every Meyco cover. All Meyco covers have thick straps and double-perimeter webbing for increased tensile (break) strength and are manufactured with stainless steel buckles and aluminum tips.

Contact: Meyco Pool Covers | meycocovers.com



PebbleQuartz

PebbleQuartz is the newest finish by Pebble Technology International. Made of silica-based aggregate rather than soft (marble) aggregate, this quartz finish gives the clean, uniform look and feel of traditional plaster/quartz but designed with extra strength for a longer lasting finish.

"PebbleQuartz delivers leading durability for the entire quartz finish category, because this product is made of silica aggregate, rather than traditional marble-based material," says Brian Varisco, the company's senior vice president.

Choose from a variety of colors, and even add optional quartz accents in four hues to create an especially distinctive look.

With pool registration in the first 30 days, PebbleTec offers a 5-year product warranty, while PebbleTec Applicators provide a 2-year warranty on workmanship.

Contact: Pebble Technology International | pebbletec.com

Pegasus Inground and Aboveground Vinyl Liners

Pegasus' experienced engineers and products can accommodate a more comprehensive range of needs. "The quality of our product is second to none," says Frank Patel, owner/president. "We have high standards that we adhere to, from raw goods to the finished products." Patel cites the unique variety of patterns with a realistic appearance as being among the key features of his company's products.

The material for the liners is made using virgin-grade vinyl that contains ultraviolet inhibitors as well as fungicide and biocide protectors. Using the latest in computer-aided design and cutting, Pegasus can customize its liners to fit its customers' pools perfectly.

Technical support is available at the company's toll-free number. A variety of marketing materials, including brochures, banners, fliers and liner material samples, are available upon request.

Contact: Pegasus Products | pegasus-products.com

Carrousel Pump and U-Blend Mixer

The Carrousel Pump and U-Blend Mixer are designed to pump/spray and mix aggregated cement formulas with and without reinforcement fibers for the construction of manufactured rocks or artificial rocks, pools, waterfalls, faux rock sculptures and landscaping features.

"This equipment is being used worldwide because of its simplicity, dependability, ease of maintenance and operation," says Leah Barker, who handles sales and marketing for Quikspray. "It's recommended by many material manufacturers and contractors who are also spraying fireproofing, stucco, shotcrete, cement/plaster interior and exterior coatings, acoustics, waterproofing, texture coatings, and more."

The U-Blend Mixer has the ability to adjust the height of the legs to allow lower or higher dumping heights for a variety of containers as well as removable mixing blades for easy cleaning.

Contact: Quikspray Inc. | quikspray.com



Pool Safety Cover

Rayner Covering Systems manufactures duplicate and custom pool covers.

The company uses materials such as mighty mesh, which offers 98% UVA/UVB protection; standard mesh, which offers 93% UVA/UVB protection; or solid vinyl, which provide 100% UVA/UVB protection.

All covers are webbed on top and bottom with 1-inch web that is double stitched with UVA/UVB-protected thread for durability.

Rayner offers free measuring and install (for fee) programs for pools as well as a repair program for existing covers.

"Individual attention is given to each customer for every order," says Richard Rayner, president. "Customers are very pleased with Rayner's ability to successfully cover very difficult or elaborate pools that other companies have turned down."

Rayner offers up to a 25 year warranty on covers depending on the material.

Contact: Rayner Covering Systems | raynercovering.com



HS-1 SL

Deck-O-Seal HS-1 SL is a one-part, self-leveling hybrid sealant, developed with silyl-modified polymer (SMP) technology. It cures under the influence of atmospheric moisture to form a medium modulus sealant with excellent adhesive properties and resistance to ageing and weathering.

HS-1 SL is designed for horizontal expansion joints in swimming pool decks, patios, and sidewalks. HS-1 SL is self-leveling and does not need to be tooled.

It is packaged in a convenient easy-to-use 32-ounce pouch, which eliminates the need of a caulking gun that is required when using cartridges. The pouch comfortably fits in the hand for easy application.

"The HS-1 SL has become a fan favorite very quickly," says Jim Dill, the company's division manager. "This new innovated pouch really makes a difference in the ease of application."

Contact: Deck-O-Seal/W.R. Meadows | deckoseal.com

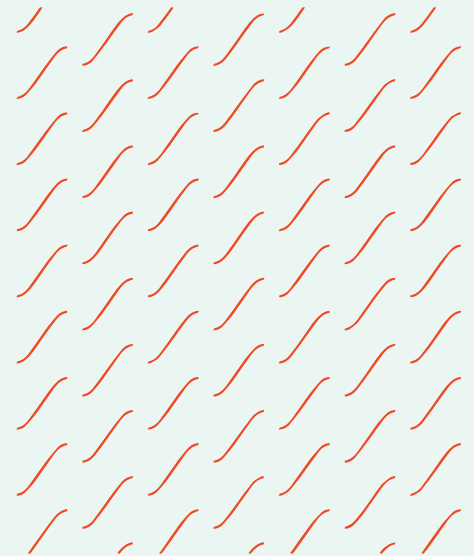
PSN

POOL AND SPA NEWS



poolspanews.com

is your hub to apply for our annual prestige programs, including Top 50 Builders and Service award programs, and Masters of Design.



 **Zonda**[™]
Media

New Products

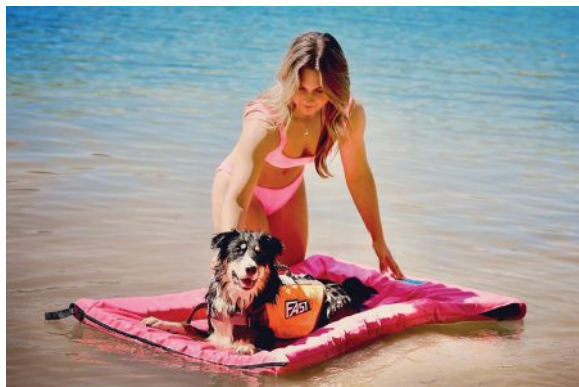
BY PSN STAFF



Fluidra

The new Polaris PIXEL cordless robotic cleaner cleans above-ground and simple in-ground pools without the clutter of a cable. Powered by a lithium-ion battery, PIXEL is easy to use, with one cleaning mode and a single button start to clean your pool's floor and cove in just 1.5 hours.

Contact: FluidraUSA.com



Lazy Dog Loungers

The Lazy Dog Loungers are designed to keep pets cool in the pool. Made with sustainable Ethafoam HRC polyethylene foam and is resistant to weather, fading, and punctures. An easy-access ramp lets dogs climb on and off their raft at their own pace. Available in two sizes and three colors.

Contact: lazydogloungers.com



Okeanos Fiberglass Pools

The new Libra fiberglass inground pool measures 12-by-30 feet and offers two separate tanning ledges, making it ideal for deckchairs and for children to play. With a depth of 4 feet 11 inches across the entire pool, it is perfect for every family member to enjoy.

Contact: okeanospools.com

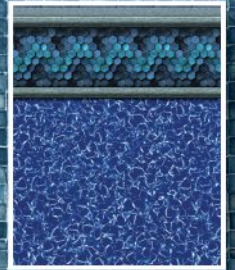


Xylem

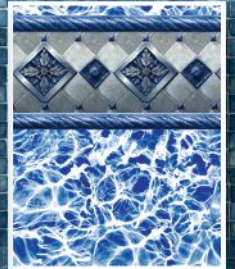
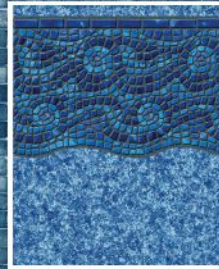
The new Barrier Ti Ultraviolet System meets the NSF-50 3-log certification for inactivation of Cryptosporidium in a single pass. A variable power mode delivers the exact UV dose when needed. The system can be turned down to low power setting during off peak hours.

Contact: xylem.com

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