

# FAR WEST

EQUIPMENT DEALERS ASSOCIATION

# BULLETIN

Vol. IIVX No. IV

April 2008



**Darrel Boling Memorial Fountain**  
**This beautiful fountain is a special addition in tribute to a great man.**  
**Heritage Complex, World Ag Center in Tulture.**  
*See article about the dedication on page 29*

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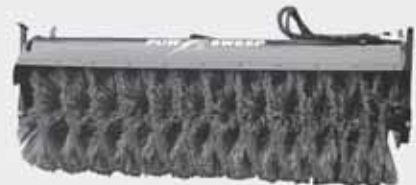
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# Message from the President

## Bitter Sweet Springtime



Tim Riley

For eleven months and three weeks of every year, I look forward to an event that has mesmerized me since I was a just a lad of twelve. It was 1958 when I first witnessed this sporting event on our brand new, 24"

Sylvania black and white television; it was the *Masters* Golf Tournament and that year was the first of four Masters' wins for a bold and brash young golfer by the name of Arnold Palmer. Some forty years later I met Mr. Palmer, shook his hand and followed faithfully as he played a senior event at PGA West. Spring has always been special to me.

However, for the past forty-two years, I have also battled varying degrees of "hay fever" during those same few weeks each year. There have been times when my eyes would literally swell shut and sentence me to house arrest for far too long. Such a cruel paradox of waiting all year for a special time to arrive, only to have it saddle me with a bright red nose, itchy eyes and a voice too hoarse to comprehend.

So what does that have to do with you and our industry? Well, it was just a month ago I was singing the praises of generally good times for those of us in the agricultural industry. So good in fact, that equipment availability was rapidly becoming a major issue for combines, big four wheel drive tractors and other large horsepower products.

While there's not been any significant or sustained change to the positive commodity prices our growers are enjoying this spring, there are dark clouds looming on the horizon; for the majority of our members there are three.

The first is a result of the current economic turmoil as state and local governments look for additional revenues in the form of increased sales taxes; next are the business stifling emission controls soon to be

enforced; and finally, the constant decrease of water available for agriculture. Each of these issues can have a major negative impact on our businesses if we do not rally together to defend our positions.

California has once again found itself in deep financial do- do, and in their panic to find new revenue sources; they're scrambling to eliminate any and all exemptions. Unfortunately, the 5½ % ag sales tax exemption is high on their list of prime targets. I can assure the other states in our association that if the nation slips further into a deep recession and tax revenues dry up, taxing agricultural equipment sales will likely pop up on every state's radar.

Again, when there's talk of cleaning up the air, California with its bazillion people, cars, trucks, motorcycles and tractors, is the first to come under attack. However, as California fairs in its battle with the air resources board, you can bet the neighboring states will soon follow; it's politically correct. Strangely enough, at an air quality meeting I recently attended, the government speaker presented a slide that clearly showed current engine technology was rapidly achieving much cleaner air. Yet Tier 4 engines will become mandated in less than five years.

And finally, water. For more than one hundred and fifty years, gun and legal fights to determine water rights have saddled the Far West with costs beyond measure. To continue a policy of no new dams, reservoirs or other storage type facilities throughout the west because of environmental issues, begs one to question who's running the asylum.

Bittersweet indeed is the current spring, blessed with a strong ag economy on the one hand and burdened with such a vulnerable and costly position with these three areas on the other.

That being said, I have such an overwhelming sense of confidence in our association, both regional and national, that:

***"I Still Feel Great About 2008!"***

***Tim Riley***

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# INDUSTRY NEWS

## 33% Sales Growth Generates Robust Cash Flow and Record Fourth Quarter Earnings

AGCO Corporation, a worldwide manufacturer and distributor of agricultural equipment, reported net income of \$0.82 per share for the fourth quarter of 2007. These results compare to a reported net loss of \$1.41 per share for the fourth quarter of 2006. Adjusted net income, excluding the non-cash goodwill charge, was \$0.41 per share for the fourth quarter of 2006. Net sales for the fourth quarter of 2007 were \$2.2 billion, an increase of approximately 32.9% compared to the fourth quarter of 2006. Excluding the impact of currency translation of approximately \$192.6 million, net sales increased approximately 21.1% in the fourth quarter of 2007 compared to the fourth quarter of 2006.

For the full year of 2007, reported net income was \$2.55 per share compared to a net loss of \$0.71 per share for the full year of 2006. Net sales for the full year of 2007 increased approximately 25.6% to \$6.8 billion.

### Fourth Quarter and Full Year Results

Net sales increased approximately 21.1% in the fourth quarter compared to the same period in 2006, excluding the impact of currency translation of \$192.6 million. Net sales for the full year of 2007 increased approximately 16.9% compared to the prior year, excluding currency translation impacts of approximately \$473.3 million. Higher farm income and improved industry conditions in nearly all of the major

global markets contributed to AGCO's strong sales growth. In AGCO's South American segment, recovery in Brazil and growth in Argentina produced record sales during 2007. Sales increases in AGCO's Europe/Africa/Middle East (EAME) segment during 2007 were generated by growth in France, Germany, Scandinavia, Eastern Europe and the United Kingdom. Higher commodity prices and strong farm cash receipts drove sales growth in North America, especially in high horsepower tractors, combines and hay equipment.

For the fourth quarter of 2007, adjusted income from operations increased approximately \$46.5 million and adjusted operating margins improved to 5.9% from 5.0%, in each case compared to the fourth quarter of 2006. For the full year of 2007, adjusted income from operations increased by \$151.2 million compared to the same period in 2006. Unit production of tractors and combines for the fourth quarter of 2007 was approximately 27% above comparable 2006 levels.

In the fourth quarter, AGCO's EAME region reported an increase in income from operations of approximately \$44.3 million. Operating margins expanded to 10.4%, an increase of approximately 1.6% compared to the fourth quarter of 2006. Excluding \$130.7 million of currency translation, EAME sales grew 12.6% in the fourth quarter of 2007 compared to the same period in 2006. For the full year of 2007, income from operations increased approximately \$118.6 million compared to the same period in 2006. EAME sales grew 11.7% for the full year of 2007 compared to 2006, excluding \$342.1 million of currency translation.

Income from operations in the South American region increased approximately \$7.5 million in the fourth quarter of 2007 when compared to the same period in 2006. Excluding currency translation impacts of \$46.5 million, AGCO experienced net sales growth in South America of approximately 59.2% for the fourth quarter of 2007 compared to the same period in 2006. Fourth quarter operating margins were slightly lower than the previous year due to currency impacts on Brazilian exports and acquisition impacts from the SFIL purchase. For the full year of 2007, income from operations increased approximately \$56.1 million compared to 2006. Excluding currency translation impacts of \$101.6 million, AGCO experienced net sales growth in South America of approximately 50.5% for the full year of 2007 compared to 2006. Sales growth and focused cost management pushed operating margins to 9.3% for the full year of 2007, an increase of approximately 2.4% compared to the full year of 2006.

AGCO's North American income from operations improved approximately \$12.5 million in the fourth quarter of 2007 compared to the same period in 2006. Sales in North America grew 27.9% in the fourth quarter of 2007 compared to the same period in 2006, excluding currency translation impacts of \$9.3 million. Improved market conditions and higher sales of combines, hay equipment and high horsepower tractors contributed to the growth. Income from operations for the full year of 2007 was approximately \$2.1 million higher compared to 2006. North American sales grew 15% for the full year of 2007 compared to

*Continued on page 6*

# INDUSTRY NEWS

*Continued from page 5*

2006, excluding \$12.2 million of currency translation. North American results continue to be affected by the negative impacts of currency movements on products sourced from Brazil and Europe, as well as higher engineering expenses.

In the Asia/Pacific region, income from operations increased approximately \$0.5 million in the fourth quarter of 2007 compared to the same period in 2006. Strengthening market demand contributed to fourth quarter sales and operating income growth. For the full year of 2007, income from operations decreased \$0.4 million compared to the full year of 2006.

## Regional Market Results

North America - Industry unit retail sales of tractors for the full year of 2007 increased approximately 1% compared to 2006. Industry unit retail sales of tractors over 100 horsepower increased compared to the prior year, while industry unit retail sales of tractors under 100 horsepower decreased during the full year of 2007 compared to 2006. Industry unit retail sales of combines for the full year of 2007 increased approximately 13% from the prior year period. AGCO's unit retail sales of tractors under 100 horsepower

were lower while unit retail sales of tractors over 100 horsepower increased for the full year of 2007. AGCO's unit retail sales of combines and hay equipment were higher compared to 2006.

Europe - Industry unit retail sales of tractors for the full year of 2007 increased approximately 4% compared to the prior year. Demand was strongest in the high horsepower segment and in the markets of Central and Eastern Europe, the United Kingdom, Scandinavia and France. AGCO's unit retail sales of tractors for the full year of 2007 were higher when compared to 2006.

South America - Industry unit retail sales of tractors increased approximately 50% and industry unit retail sales of combines increased approximately 79% for the full year of 2007 compared to 2006. Industry unit retail sales of tractors and combines in the major market of Brazil increased approximately 53% and 131%, respectively, during the full year of 2007 compared to 2006. AGCO's South American unit retail sales of tractors and combines also increased in the full year of 2007 compared to 2006.

Rest of World Markets - Outside of North America, Europe and South America, AGCO's net sales for the full year of 2007 were approximately

9.6% lower than 2006 due to lower sales in the Middle East.

"All of AGCO's major end markets continued to experience solid demand

through the end of 2007," stated Mr. Richenhagen. "We are seeing population growth, increased protein consumption in Asia, and an accelerating trend towards renewable energies. These new sources of demand and limited land for agricultural production are supporting commodity prices and higher levels of farm income. Industry sales of farm equipment are responding favorably to the improving agricultural economics. In Brazil, higher commodity prices and increases in farm acreage are supporting demand. Higher 2007 farm income created increased demand in Europe. In North America, the strongest growth has been in the professional farming segment with increasing sales of high horsepower tractors, combines and hay equipment."

## Outlook

Worldwide industry retail sales of farm equipment in 2008 are expected to increase modestly from strong 2007 levels. In North America, 2008 farm income is projected to be higher, driving increased demand in industry retail sales compared to 2007. In South America, strong demand in Brazil and Argentina is expected to produce increased industry retail sales. In Europe, continued market expansion in Eastern Europe is expected to offset a slight reduction in sales in Western Europe.

AGCO's net sales for the full year of 2008 are expected to increase between 11% and 13% compared to 2007. As communicated during AGCO's December 18, 2007 Analyst Briefing, the Company is targeting 2008 full year earnings per share of \$2.75 with a goal of reaching \$3.00.

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# Safety Update

## Their Safety is Not a 'One and Done'

Preventing technician injuries takes a big, ongoing effort—one that you can't afford to shirk.

An injury suffered by an equipment service technician is a brutal thing to contemplate, but the reality of these incidents is one that every dealership must continually confront and battle against. The levels of affliction caused by one man's injury - not to mention a fatality - are numerous. But one has to wonder whether the suffering from one technician accident, measured both in pain and duration, is rivaled by the haunting agony of knowing that it could likely have been prevented.

But prevention is not a one-and-done -do one training session or pass out one policy booklet and bam, you're

set. Ongoing training, documenting and above all, creating and maintaining a culture of safety streaming from the top down, is the key to keeping technicians injury-free on the job.

Industry experts agree that the majority of service tech injuries, both at the dealer's service shop and at remote field jobs, are related to the eyes, hands and back, and anyone of these can mean a lifetime of chronic pain or discomfort and, of course, regret. The sad truth is that accidents often occur because a safety shortcut was taken. A few seconds of thinking through an action, of putting on safety goggles or protective gloves, or any

number of simple, preventive measures can be the difference between going home intact and leaving work in an ambulance.

The most frequently occurring types of injuries are not really new to the equipment repair field - these include: slips and falls caused by objects or fluids not cleared or cleaned from floors; foreign objects hitting unprotected eyes; cuts, bangs, crushes and burns to bare fingers and hands; back strains caused by lifting incorrectly or lifting more than 40 pounds without assistance; injury and fatality caused by improper blocking and chocking of equipment; injuries to feet not protected by steel-toed boots. In addition, today the incidence of carpal tunnel is increasing due to repetitive motion of turning wrenches as well as hand damage from vibratory tools - most likely because diagnosis is more accurate today and awareness is greater among more workers.

And of course no dealership will ever be free from the injury risks associated with lock out/tag out - even when the rules are adhered to in the shop to prevent a machine from being started when a man's working on it, field technicians working outside on a job are particularly vulnerable if operators, using a universal key, go to move a machine without paying attention that a tech's near the engine.

"Everything we deal with is very big, very heavy equipment and it's dangerous all of the

*Continued on page 8*

### Editor's Top 10 List for Making a Safety Program Work

1. Every single employee - from manager to entry-level - should be empowered with the authority to stop any project if they see an unsafe situation. Period.
2. Safety is not about rules; it's a lifestyle, and it's every person's responsibility. Ask workers, "Who are you when no one's watching? Do you follow the rules to stay out of trouble or do you follow the rules to keep safe."
3. A messy shop is an accident waiting to happen. If you see a tripping hazard or a spill, fix it.
4. Celebrate successes with employees. When safety goals are achieved, when no one's been hurt for a month, recognize it, and build on the momentum and the pride.
5. Create a safety program with teeth - that may mean tying safety records to performance evaluations and even disciplinary actions if necessary. Hold managers and supervisors more accountable than the technicians.
6. Make the monthly training sessions regular, but keep them short - you can accomplish a lot in 15 to 20 minutes, and you won't lose their attention.
7. Encourage peer safety meetings in the shop where techs can talk about issues without fear of management hovering over them.
8. Insist on internal inspections from techs themselves of workspace, of service trucks, of repair tools, etc.; if you have a full-time safety director, he should be making regular inspections at all locations, too.
9. It's got to be believable and it's got to be achievable. If management doesn't take it seriously, neither will workers. And set attainable goals that you can reasonably sustain. If your plan sizzles then fizzles, it'll only be that much harder to get it going again the next time.
10. Create a culture of safety. End every meeting, regardless of topic, with a safety caution; find ways to reward safety consciousness. When everyone's on board and looking out for each other, people don't get hurt and neither does the company.

# Safety Update

*Continued from page 7*

time,” said Howard Wimmer, branch operations manager at Dean Machinery, a Caterpillar dealership based in Kansas City, MO. “It has the potential to harm you and it has the potential to kill you. If something’s not blocked up properly or you’re not paying attention to what you’re taking apart, sometimes those pieces that you don’t think about can get to you. Guys have to be aware of their surroundings at all time.”

And, as if the dealer didn’t have enough safety risks to worry about, the leading cause of occupational fatalities across all industries in the US is driving accidents.

Wimmer at Dean Machinery, and colleague Mark Slator, vice president of product support, add that dealers face double trouble with technicians driving to field jobs. (1) poor driving or speeding is both dangerous and can give your company’s image a black eye since your name is on the truck and (2) more potential danger is stacked, literally, against the driver if he’s hauling large parts or whole pieces of equipment back to the shop for repair – improper loading is a back injury in the making and improper tie down is a serious potential hazard on the road.

## The Dealer’s Biggest Burden

While the vigilance to keep workers safe must be relentless, maintaining a consistent, OSHA-compliant training program - replete with thorough documentation - could be the No. 1 challenge dealers wrestle with when it comes to the issue of safety.

The OSHA “10-Hour” is a certification requirement from that agency that prescribes an annual 10 hours of training per year in a defined group of subjects that includes, among others, first aid/blood borne pathogens, hazard communication and forklift safety. Although most dealers would not relish a surprise OSHA inspection to check up on their compliance, the fact is an inspection will probably occur only when there’s been an injury or when an employee (sometimes a vengeful one who’s been terminated) telephones the agency with a complaint.

OSHA will also perform an inspection if a dealer invites them in on a voluntary basis, but there are pros and cons to asking for an OSHA safety inspection at your company.

“You get put on the good-guy list,” said George Wacaser, product support manager for Martin Equipment of Illinois. He advocates calling OSHA for voluntary inspections after the service department has worked to get its safety

## Many Are Affected

**When one technician is injured** and out of the shop, four groups of people are very sorely impacted.

- 1. The worker himself and his family** - his pain, his reduced income (workers’ compensation is about two-thirds of normal pay) and his boredom and feelings of uselessness all breed misery for these folks.
- 2. The man’s co-workers** - they suddenly have to step up their pace and increase their hours to cover for the man who’s out.
- 3. Management**, too, must make tough decisions about whether to hire a replacement and if so, where to find a qualified technician who’s ready to jump in and be productive. And of course he’ll have to be safety-trained, too.
- 4. Customers** - their jobs are still there and need to be completed fast. “Just because that technician is out of the cycle, the customer doesn’t expect his repair to just sit there till this guy heals up,” said Mark Slator at Dean Machinery.

“You’ve got to get somebody out there the next day, and he’s got to figure out where the other guy left off and move forward - it’s almost like one surgeon following in on another in the middle of an operation. It’s a big challenge.”

issues addressed and “when you think you’re doing pretty good.” He says OSHA acknowledges and appreciates those companies that are doing their best to comply and keep workers safe.

The downside is that you’ve got to be prepared to tackle anything and everything that OSHA may identify as a problem. He adds that inviting your insurance carrier out for a review of the shop first is advisable.

“It’s a good program and [OSHA] will come out and help you,” he said, “but the only drawback is, whatever recommendations they make, you’ll have to comply with. That means that if you’ve got some odd exposure, something that could be really expensive related to a dated facility, for example, they will expect you to correct it. So you just have to be very careful about that and you have to be prepared for the worst consequence.”

The recent trend in the construction equipment industry is that the volume of accident claims from dealers has gone down in recent years, but the severity of claims and their related costs is climbing.

So even though dealers won’t get a surprise walk-in inspection from OSHA, consistent safety training and a perpetual safety consciousness among management and employees is necessary to keep injuries to a minimum.

*Continued on page 10*

# AFTER MARKET SALES FORCE

## The Professional Service Technician

By John Walker, President, After Market Services Consulting Co., Inc.

Over the many years that we have been writing articles for numerous trade magazines we have used the word professional quite frequently. We have written about professional Parts Managers, Service Managers, Product Support Service Representatives and even professional Counter Personnel within equipment dealerships.

Several weeks ago while training a large group of technicians on the techniques of service up-selling, one of the technicians made this comment. "You have written about professionalism for everyone in an equipment dealership, but not for service technicians, why not?"

Well I was a bit embarrassed, believing that we had done so at some point in time. I could hardly believe this gentleman had read every article I had written. I checked it out by reviewing every article we have written over the years and found that he was right.

Outside of mentioning on occasion the importance of giving your technicians an "atta-boy" when the opportunity presented itself, we have not done an article on the professionalism of service technicians. So, Steve Randell, thanks for bringing this to my attention, for speaking up for all those really great professionals out there . . . this is your article!

We do not believe there is another position within any equipment dealership more important for maintaining a solid and loyal customer base than the service technician. Manufacturers can build the best product in the world and a product that solves the customer's every need. But at some point in time that super, well designed piece of equipment is going to experience "unscheduled down-time."

If the dealership does not provide the customer with a professionally trained technician at that time to get that equipment back up and running, then all of the public relations, all of the manufacturers' and dealerships' advertising is for naught. The best salesperson in the world will have a difficult time wooing the customer back to buy another piece of equipment from the dealership.

Customers want to buy from those equipment dealerships they know will take care of them after the sale. Successful equipment dealers recognize this fact and they will constantly promote their service professionalism before the sale, during the sale and long after the sale. Customers want to be sure that in the event of unscheduled down-time, that their equipment will be repaired right, the first time and on time, with no excuses!

For this service, customers are willing to pay a premium price, not only for the equipment, but for the service performed upon this equipment. Those dealers who recognize this fact, those dealers who market the attributes of their service department and the professionalism of their service technicians are the winners out there and this can be proven by an analysis of the dealerships financial statement. These are the dealers who build a Customer for Life culture throughout the dealership.

Things are slowly changing out there. We have been around long enough to remember when Service Departments and Service Technicians were considered little more than "necessary evils" and technicians were little more than "second class citizens" who could take their breaks and eat their lunches in the upper room over the shop. A room filled with exhaust fumes, dirty, dusty, and certainly not particularly impressive when trying to hire a new technician or for maintaining professional service technicians.

Take a look at some of the areas these professionals were (are) expected to work in: poorly lit, dusty, dirty, hot in the summer, cold in the winter, disorganized work spaces, lack

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# Safety Update

*Continued from page 8*

## Keeping Track, and On Track

Driven by the desire to protect technicians (and avoid OSHA/MSHA citations and fines), dealerships delegate to one manager the responsibility of executing (i.e. organizing, running, monitoring, and documenting) a safety-training program. In some cases, a safety director is hired, and in others, it falls as one more add-on job to someone who already has other full-time duties. In either circumstance, the advent of electronic, Web-based training simplifies and streamlines the process, whether the company operates eight or 80 facilities. Some electronic training products can be implemented in a self-study or group training format, and all documentation is automated, including what content was covered, who participated, who passed the test, etc. Management can also more easily track percentage of participation and who needs a tap on the shoulder.

At Road Machinery, a Komatsu dealership based in Phoenix, AZ, safety director Jamie Stotts says there's somewhat of a balancing act between meeting customer demand for completing jobs and the challenge to both

continually train techs and comply with the myriad regulatory agencies, as well as the state DOT - in Arizona's case that now means meeting Gross Vehicle Weight (GVW) regulations that classify trucks over 18,001 pounds as commercial versus the 26,001 pounds in many other states. It puts drivers of service trucks under a whole set of compliance rules related to number of consecutive hours they can work in a week. As a result, Road Machinery has had to craft some creative means for juggling techs between jobs across five states, sometimes busing them to jobsites instead of having them drive individual service trucks.

But training and regular self-inspections are never compromised, Stotts says. As an authorized OSHA and MSHA instructor for the construction industry, as well as a certified CPR and first aid instructor, he conducts routine training sessions for the company, which employs about 100 total technicians. He also conducts a variety of safety training courses for customers upon request. An important note about documentation, whether automated or done manually with paper records, is that it is an absolute must for any training that occurs at the

*Continued on page 14*

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# FAR WEST

EQUIPMENT DEALERS ASSOCIATION

## Upcoming Events Calendar

### April 2008

- 9-10 NAEDA 5th Annual Legislative Fly-In
- 15 Area Meeting, Tulare, CA
- 16 Area Meeting, Davis, CA
- 17 Area Meeting, Phoenix, AZ
- 18 Area Meeting, Ontario, CA

### May 2008

- 6 Area Meeting, Casper, WY
- 7 Area Meeting, Fallon, NV
- 26 Office Closed for Memorial Day

### July 2008

- 4 Office Closed for Independence Day
- 17-18 FWEDA Board Meeting, Park City, UT

### August 2008

- 20 Area Meeting, Salt Lake City, UT
- 21 Area Meeting, Denver, CO

### September 2008

- 1 Office Closed for Labor Day

### November 2008

- 12 FWEDA Board Meeting, Phoenix, AZ
- 13-15 FWEDA Annual Convention, Phoenix, AZ
- 27-28 Office Closed for Thanksgiving

### December 2008

- 25-26 Office Closed for Christmas



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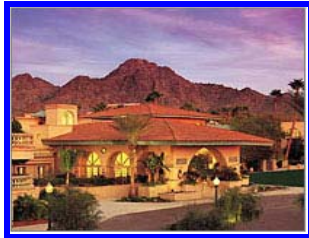
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# Mark Your Calendars

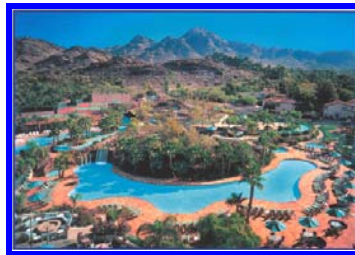
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November 13<sup>th</sup> through November 15<sup>th</sup>, 2008



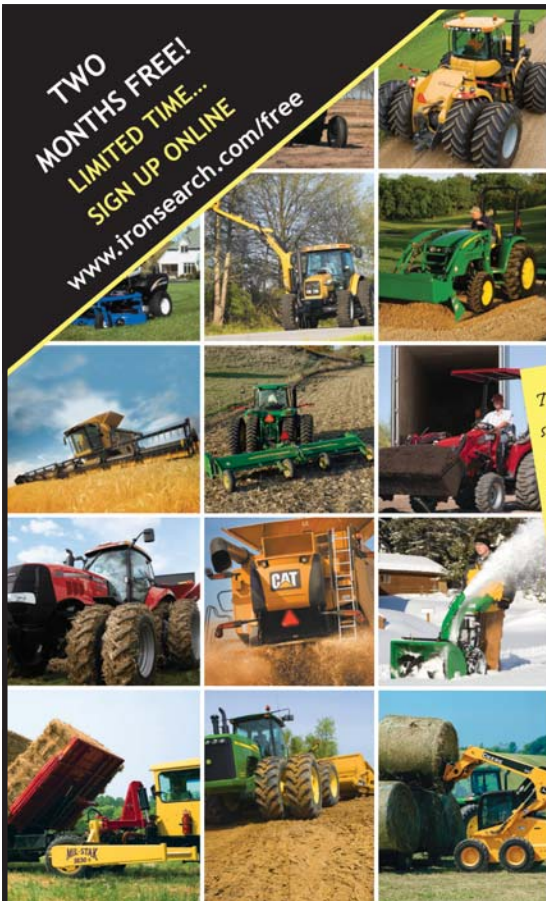
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# Economic Stimulus Act of 2008

## Tax Bills Provide Benefits

The Small Business and Work Opportunity Tax Act of 2007 (SBWOTA) and the Economic Stimulus Act of 2008 (ESA) change rules regarding depreciation and deduction of business property. The new rules have numerous provisions that will have an effect on equipment dealers and their customers.

Some of the key provisions are as follows:

### Section 179 – Business Expense

The SBWOTA extends the Section 179 expense limit through tax years beginning before 2011 and expands the limit to \$125,000 (adjusted for inflation). This amount is increased for Gulf Opportunity Zone property (see [http://www.gozoneguide.com/story\\_2.html](http://www.gozoneguide.com/story_2.html) for designated areas in the Gulf Opportunity Zone)

The opportunity to apply the Section 179 expense to certain SUVs used for business (that weigh more than 6,000 pounds, but not more than 14,000 pounds) is limited to \$25,000 of the cost of the SUV.

For tax years beginning in 2008 only, the ESA increases the maximum amount that a taxpayer may expense to \$250,000 from \$128,000. This is its highest level ever. If a business is on a fiscal year, it should note this does not apply to the business until its new fiscal year starts. For example, if a business is on an April 1<sup>st</sup> to March 31<sup>st</sup> fiscal year, the \$250,000 expense amount would begin for that business on April 1, 2008.

### Bonus Depreciation

The ESA also provides for an additional first-year depreciation deduction equal to 50 percent of the cost of certain new property, i.e. property eligible for MACRS with a depreciation period of 20 years or less or off-the-shelf computer software. Generally, this only applies to new purchases made in calendar year 2008 which are placed in service during 2008.

### Manufacturers' Deduction

Beginning in 2005 and phased in through 2009, businesses that manufacture goods in the US can claim a new deduction under new Section 199 of the code. This manufacturers' deduction applies not only to taxpayers who are engaged in traditional domestic manufacturing activities, but all taxpayers performing construction, engineering, and architectural services and taxpayers who are producing electricity, natural gas or potable water.

Taxpayers who produce agricultural products also can qualify for this deduction if they perform storage, handling

or other processing services within the US Eligible taxpayers may claim a deduction ranging from 3 percent in 2005 to eventually 9 percent when the deduction is fully phased in after 2009 (based upon the lesser of their qualified production activities income or their taxable income for the year). The amount of the tax deduction is limited to 50 percent of W-2 wages allocable to the business' domestic production gross receipts.

### How the New Tax Bills Benefit Equipment Dealers

The Section 179 business expense deduction rules are extremely important to equipment dealers because these new laws will encourage more equipment purchases by customers in the next few years. Dealers should take an active role in promoting these changes and use them as a valuable marketing tool. The Section 179 business expense deduction and bonus depreciation rules also can be used by a dealership in the purchase of its own (a) machinery, tools or other property used in the dealer's business or (b) inventory held for leasing purposes.

### Section 179 Business Expense Deduction

Section 179 of the tax code permits businesses to expense the costs of certain property that would otherwise be depreciated over several years. The new law increases the annual limit of these deductions and extends the new rules through 2010.

### What is Section 179 property?

- A farm tractor purchased by a farmer is a good example of Section 179 property. The technical definition of Section 179 property is tangible personal property with a life exceeding one year that is used for trade or business.
- Real estate is not Section 179 property.
- For tax years beginning in 2008 only, the ESA increases the maximum amount that a taxpayer may expense to \$250,000 from \$128,000. After 2008, this amount returns to \$125,000 (as adjusted for inflation) for the 2009 and 2010 tax years.
- The Section 179 business expense deduction can only be used by small businesses. Small businesses are those with capital asset purchases, i.e. depreciable property, of \$500,000 (as adjusted for inflation) or less per year for the 2007 – 2010 tax years.
- Businesses with over \$500,000 but less than \$625,000 of capital asset purchases, i.e. depreciable property, can also use Section 179 but the \$125,000 expense cap is

*Continued on page 19*

# Safety Update

Continued from page 12

dealership, because, as many sources echoed, “If you don’t document, it didn’t happen.”

Documenting all training events, and who attended them, gives dealers the obvious benefit of defense in the event of an injury-related law suit, but also provides the company with very tangible savings on insurance premiums, according to Steve Clugston, founder of a Web-based training company called Global Training Campus.com.

“Insurance companies go crazy for this kind of thing,” he said. “Discounts can range from 5 to 15 percent depending on the current insurance market; [well documented training] might prevent an increase or it could mean a dramatic decrease.”

Establishing a safety program can result in direct savings of your insurance premiums, that’s really only the tip of the iceberg in terms of the saved expenses connected with keeping workers safe.

The National Compensation Council of Insurance (NCCI) assigns all companies a rating based on their number of accidents and claims. And it’s that rating that ultimately determines what a dealer will end up paying for workers’ compensation insurance. A rating of .75 for example is well below the national average of 1.0, and would therefore result in a lower cost than for a company rated with 1.25. The real rub is that the “e-modifier” sticks with a dealer for four years – the immediate past year is skipped and only the three years prior to that are considered.

“It’s amazing but we see direct competitors out there where one is paying 50 percent more for the exact same coverage,” said Allegree at Zurich. “It’s going to be a challenge for you to be competitive on your workers’ compensation insurance if your modifier is above the national average. It shows that they need to be consistent in their efforts,” he added. “If they let up and have a bad year, then they’re stuck with it.”

Allegree notes that dealerships that make an effort to create a safe workplace and begin instituting training programs will certainly be successful in reducing their accident experiences by some percentage.

“There’s too many dealers that leave things to chance,” he said. “Put some focus on the safety effort; if you’ve got safety problems, you’ve also got production and quality problems, it’s all tied together. It’s a good idea for employers to be active with their insurance carrier, investigate their accidents and monitor their claims. And don’t be afraid to ask your carrier for some help on safety loss prevention or to explain claims issues.”

Source: AED, Constuction Equipment Distribution, March 2008

Continued on page 28

<b>One Little, Two Little, Three Little Accidents</b>						
They all add up. OSHA offers a new electronic tool called "Safety Pays" that enables dealers to quickly tabulate the direct and indirect costs associated with a wide range of injuries - it then shows you how much extra income you'll have to earn in order to meet your company's desired margins and pay for the injury. Ouch. Visit: <a href="http://www.osha.gov/dcsp/smallbusiness/safetypays/">www.osha.gov/dcsp/smallbusiness/safetypays/</a>						
Here are 10 types of injuries that occur among technicians at equipment dealerships and their costs. A 10 percent gross margin was used for these calculations.						
The extent to which the employer pays the direct costs depends on the nature of the employer's workers' compensation insurance policy. The employer always pays the indirect costs.						
Injury Type	Instances	Direct Cost	Indirect Cost	Total Cost	Additional Sale (Indirect)	Additional Sales (Total)
Burn	1	\$ 5,666	\$ 6,799	\$ 12,465	\$ 67,992	\$ 124,650
Carpal Tunnel Syndrome	1	\$ 12,235	\$ 13,458	\$ 25,693	\$ 134,585	\$ 256,930
Concussion	1	\$ 9,016	\$ 10,819	\$ 19,835	\$ 108,191	\$ 198,350
Crushing	1	\$ 15,639	\$ 17,202	\$ 32,841	\$ 172,029	\$ 328,410
Fracture	1	\$ 18,243	\$ 20,067	\$ 38,310	\$ 200,673	\$ 383,100
Dislocation	1	\$ 16,875	\$ 18,562	\$ 35,437	\$ 185,625	\$ 354,370
Puncture	1	\$ 1,351	\$ 6,079	\$ 7,430	\$ 60,795	\$ 74,300
Sprain	1	\$ 6,254	\$ 7,504	\$ 13,758	\$ 75,047	\$ 137,580
Strain	1	\$ 8,759	\$ 10,510	\$ 19,269	\$ 105,108	\$ 192,690
Vision Loss	1	\$ 516	\$ 2,322	\$ 2,838	\$ 23,220	\$ 28,380
<b>Totals</b>						
					Estimated Direct Costs:	\$ 95,528
					Estimated Indirect Costs:	\$ 117,705
					Combined Total (Direct and Indirect Costs):	\$ 213,233
					Sales to /cover Indirect Costs:	\$ 1,117,095
					Sales to Cover Total Costs:	\$ 2,132,330

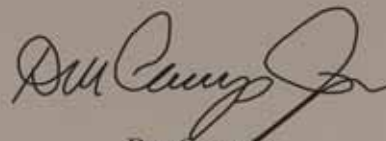


## Keeping promises is good for business...

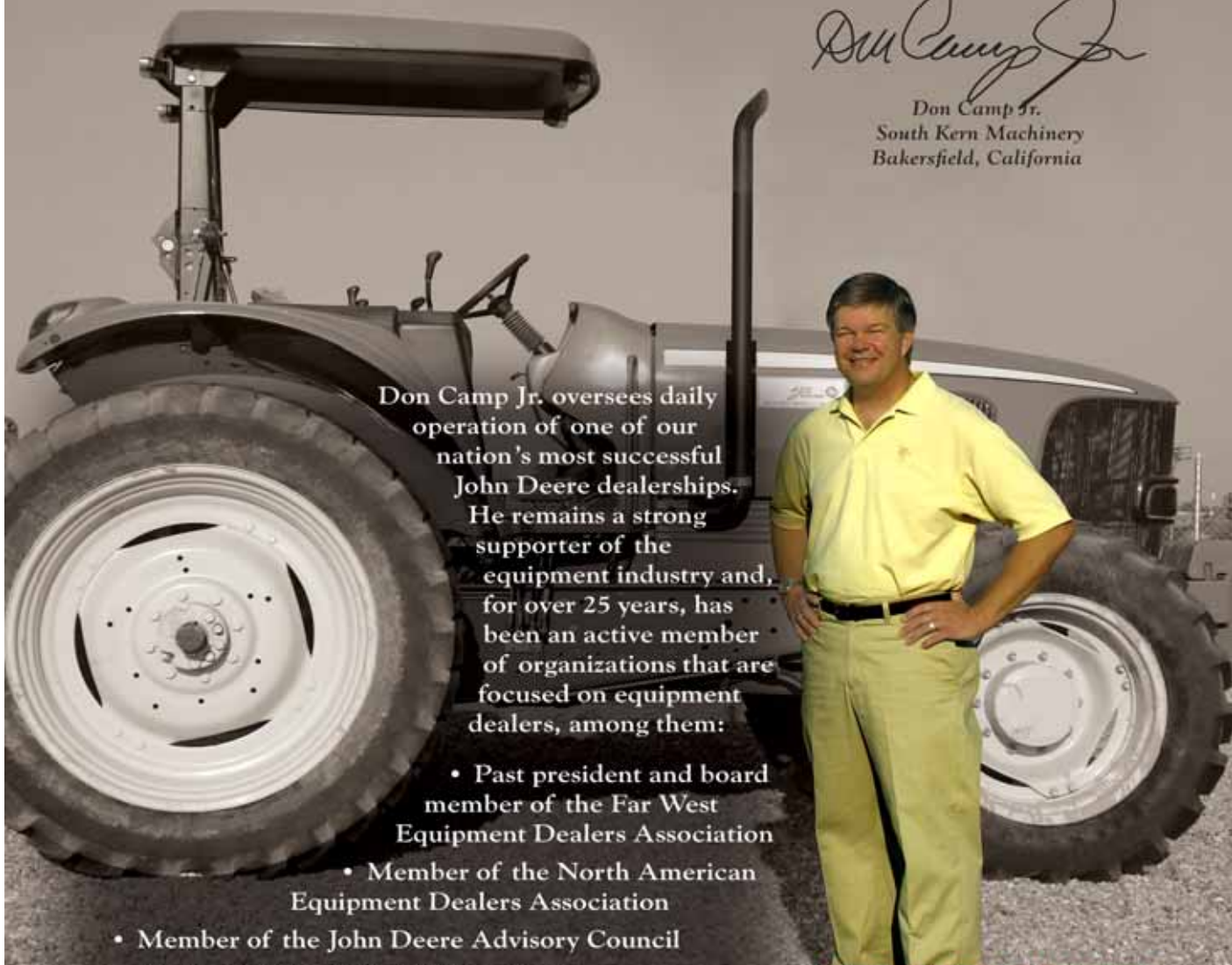
Let's face it...the equipment business is tough. Times change. Customers' expectations change. Risks change. But there is one thing that never changes: Keeping promises is good for business, and...

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Don Camp Jr.  
South Kern Machinery  
Bakersfield, California



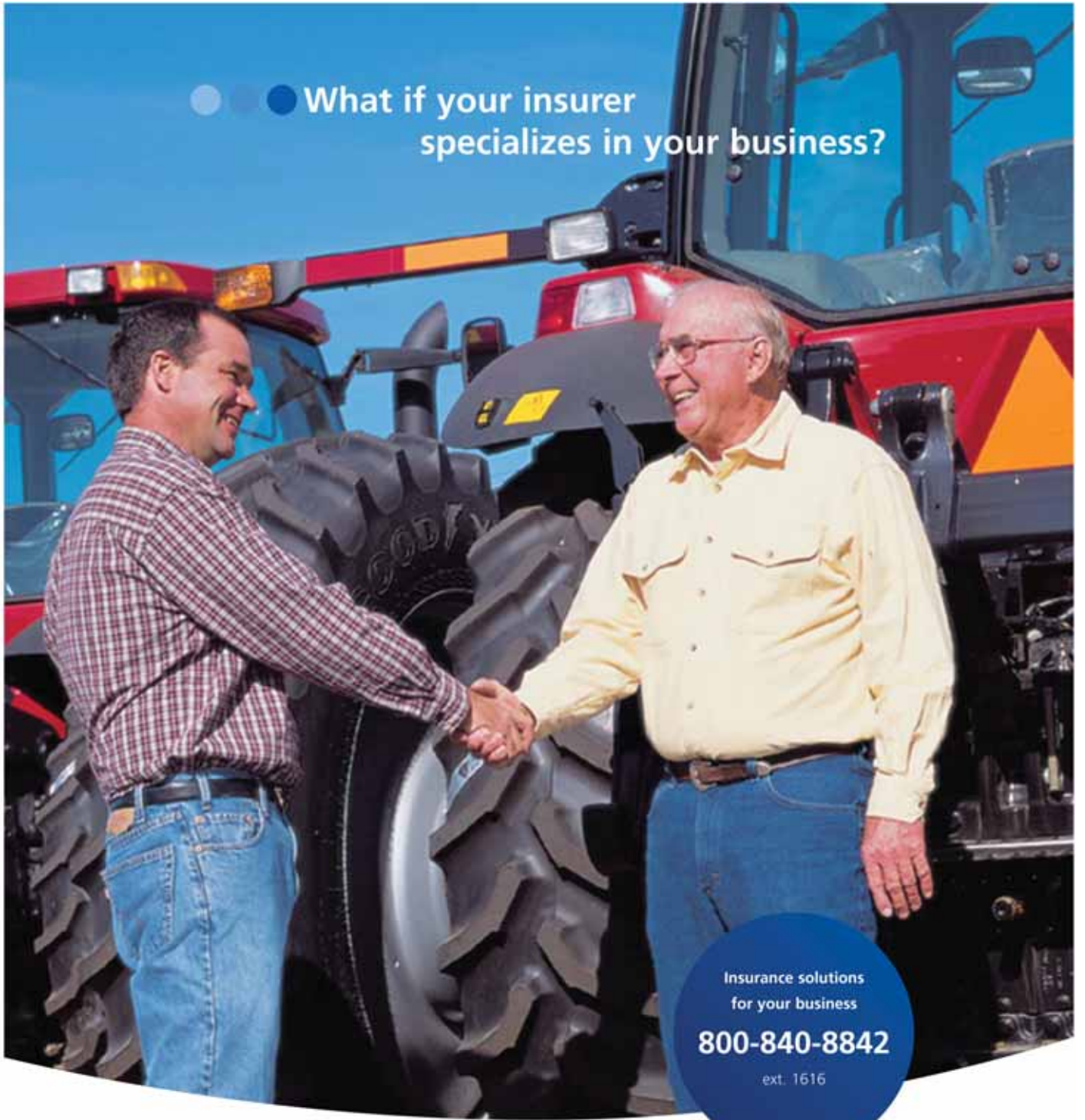
Don Camp Jr. oversees daily operation of one of our nation's most successful John Deere dealerships. He remains a strong supporter of the equipment industry and, for over 25 years, has been an active member of organizations that are focused on equipment dealers, among them:

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- Member of the North American Equipment Dealers Association
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# Economic Stimulus Act of 2008

Continued from page 13

reduced on a dollar for dollar basis once capital asset purchases exceed \$500,000, e.g., a business with \$550,000 of capital asset purchases can only expense \$50,000 of such purchases.

- The changes to Section 179 were effective after December 31, 2006, so any purchases made after that date qualify. Note that the tax benefits of these changes only apply to purchases by December 31, 2010.
- The ESA further modifies this rule for taxable years beginning in 2008 only. The ESA provides that the threshold for reducing the expense deduction increases to \$800,000 from \$510,000. In 2009, the number will revert back to \$500,000 (as adjusted for inflation).

## Reduction in Taxes on Capital Gains and Dividends Set to Expire

### Decrease in Capital Gains Rates

Top capital gains rates are reduced to 15 percent from 20 percent. Capital gains taxes are assessed on gains on the sale of capital assets, such as stock. The new rates went into effect May 6, 2003, and will remain in effect through December 31, 2010. However, there are some limitations:

- All sales prior to May 6, 2003, are subject to the previous capital gains rates.
- A 25 percent capital gains rate remains for long-term real estate gains attributable to depreciation recapture.

- Unless Congress takes further action, the old rates will return after December 31, 2010.

### Dividends

Qualified dividends received by shareholders from C Corporations will now be taxed at the capital gain rates instead of the shareholder's ordinary income tax rate. However, there are some limitations to the new rules:

- Dividends received from tax-deferred retirement plans do not qualify for the new rates.
- Unless Congress takes further action, the old rates will return after December 31, 2010.

**Disclaimer:** *This summary and overview is provided as a general guide to equipment dealers. However, it does not contain all of the details of the new legislation. Each dealer should consult his/her tax advisor to determine the effect the new law may have on his/her dealership and what procedures are necessary to benefit from the new tax laws. The information contained herein does not and is not intended to constitute legal advice, but should be used only in connection with consultation with an attorney in regard to a particular factual situation. Further, it pertains only to laws of the United States. Certain laws may vary from state to state and may vary depending on the business conducted by a particular employer.*

Source: NAEDA Special Report, March 2008

## February 2008 Flash Report U.S. Unit Retail Sales (Report released 3/11/2008)

Equipment	Feb-08	Feb-07	% Chg.	Y-T-D 2008	Y-T-D 2007	% Chg.	Beginning Inventory February 2008
<b>Farm Wheel Tractors - 2 Wheel Drive</b>							
Under 40 HP	5,211	5,221	-0.2	9,114	10,177	-10.4	58,687
40 & Under 100 HP	4,311	4,205	2.5	7,979	8,837	-9.7	33,178
100 HP & Over	1,862	1,134	64.2	3,555	2,489	42.8	5,930
<b>Total - 2 Wheel Drive</b>	<b>11,384</b>	<b>10,560</b>	<b>7.8</b>	<b>20,648</b>	<b>21,503</b>	<b>-4</b>	<b>97,795</b>
<b>Total - 4 Wheel Drive</b>	<b>240</b>	<b>166</b>	<b>44.6</b>	<b>489</b>	<b>368</b>	<b>32.9</b>	<b>810</b>
<b>Total Farm Wheel Tractors</b>	<b>11,624</b>	<b>10,726</b>	<b>8.4</b>	<b>21,137</b>	<b>21,871</b>	<b>-3.4</b>	<b>98,605</b>
<b>Combines (Self-Propelled)</b>	<b>381</b>	<b>338</b>	<b>12.7</b>	<b>832</b>	<b>741</b>	<b>12.3</b>	<b>907</b>

Source: AEM

# AFTER MARKET SALES FORCE

*Continued from page 9*

of necessary tools to work upon customers equipment. If your dealership is having difficulty hiring or retaining technicians, maybe somebody should take a hard look at the facilities and the conditions under which these professionals are asked to work.

We listen to dealers who continually complain about the impossibility of finding and hiring quality (professional) technicians. We suggest to these unknowing dealers to take a hard look at their facilities and ask themselves whether or not they would want to come to work for the company.

There are professionals out there available for hire! Well trained, quality people who would come to work for any dealership *if*: 1] The dealership showed respect for professionals, 2] the facilities were acceptable, 3] the fringe benefits were acceptable, 4] the pay plans were based upon performance and 5] the dealership offered the technicians training opportunities to increase their professionalism.

Professionals want to increase their knowledge of the equipment they work on. They want the opportunity to expand their experience and working knowledge of the equipment they are working on. Today, equipment is more sophisticated than ever before. If we don't train our professionals, then they will be unable to do the job right, the first time, on time.

Dealers complain about the expense of training service technicians. We send sales personnel off for a week to the Bahamas to learn about selling product. However, gross margin on equipment continues to remain at the same level or even declines. We send a technician off to cold North Dakota in February and our service margins increase to 65%. Who would have thought that could happen?

Some attitudes about training are: 1] If I train them they will want more money and, 2] if I send them off to training they will discover what other dealers are paying. Several weeks ago I encouraged a technician who had 25 years experience as a technician and wanted to change location, to visit with a dealer who was looking for qualified technicians. The dealer was in the area where the technician wanted to relocate. The end result was that the Branch Manager told the technician he was asking for too much money. That "he could find technicians for changing oil on any street corner for the hourly wage he was willing to pay an experienced veteran. The technician, with 25 years experience, in the same line of equipment discovered later that the Branch Manager could not pay this technician what he was asking because he would then be receiving an hourly wage that would be higher than he was currently paying anyone in his

shop. A good pay for performance program for professionals would have solved this problem.

Professional service technicians are in short supply in all equipment industries. We have made this comment for years. It is a seller's market! If your dealership wants professional service technicians with great work ethics then you must change your attitude about hiring technicians for your business.

Not too long ago a client commented to us that name recognition of the sales person calling on accounts was critical to sales success. We countered with the fact that we believed that most of the dealership's good customers had better name recognition of their field service technician than they did of the dealer's sales personnel.

The answer to the following questions will tell you why customers who cannot tolerate "unscheduled down-time" retain name recognition of your field service technicians:

- Whose position within the dealership has the greatest opportunity to gain and hold a customer's confidence?
- Whose position within the dealership has the greatest opportunity to earn a customer's trust?
- Who does the customer generally trust when repair suggestions are put forth?

Therefore; show us a service technician with a bit of personality and a lot of professionalism and we will show you the dealership's best sales person.

A professional service technician through "suggestive-related selling" can bring more additional service business into the typical shop than most dealerships can handle. A professional, through consultative selling, not manipulative selling, can provide any dealership a steady "cash-flow" increased service sales, increased service profitability, higher customer satisfaction indexes, as well as increased equipment sales by developing customer loyalty.

We consider the "consultative style" of selling as being the point where the customer is seen as the person to be served and not the prospect to be sold!

The "consulting-style" of selling comes naturally to a true professional technician, particularly if he/she is a pro-active individual, someone who believes that their function is to help the customer make an intelligent decision!

Hire professionals for service technicians! If you can't find enough professionals, then begin hiring and training professionals. A professional technician is by and large one of the most important positions within any dealership.

*Source: After Market Consulting Company, Tulsa, OK*

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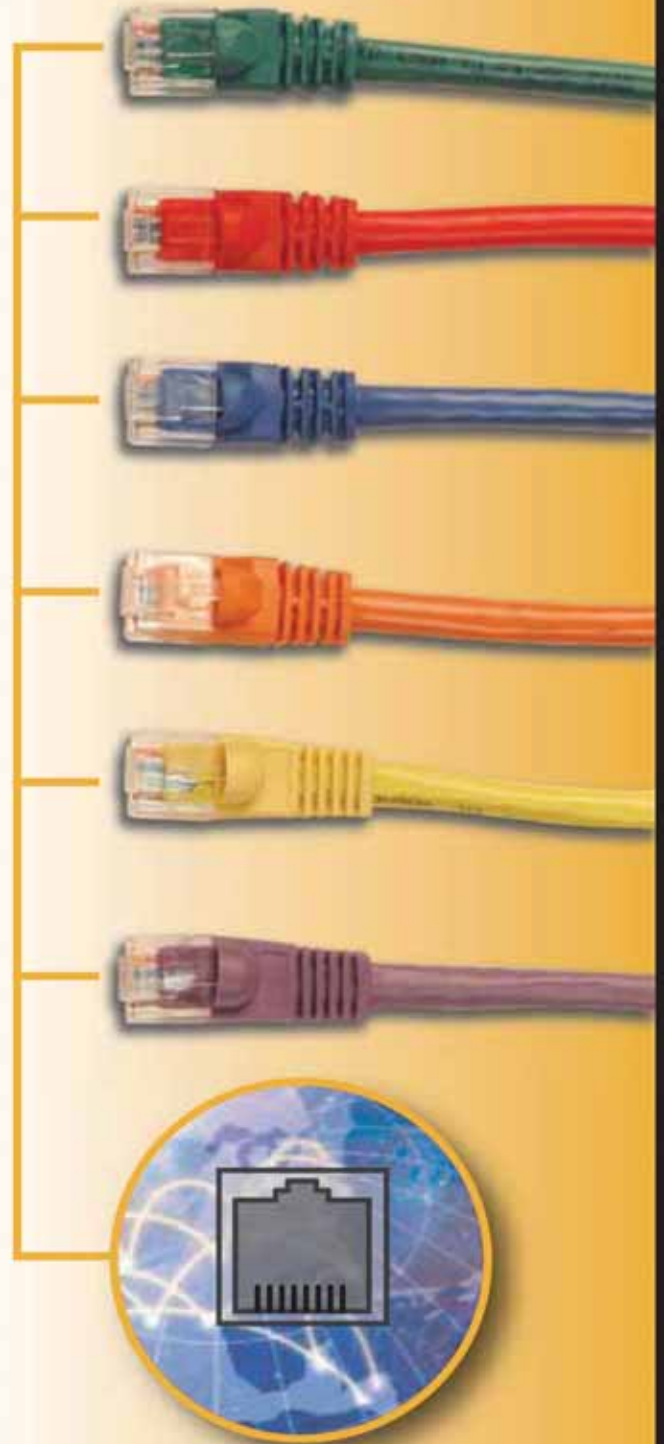
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# Succession Planning



## Leadership: The Notable Difference

*“When men climb a mountain together, the rope between them is more than a mere physical aid to an ascent; it is a symbol of the spirit of the enterprise. It is a symbol of men banded together in a*

*common effort of will and strength – not against this or that imagined foe of the instant, but against their only true enemies – inertia, cowardice, greed, ignorance, and all the weaknesses of the spirit.”*

*George I. Bell, K2 – The Savage Mountain*

When the trek is long, the pitch steep and the challenge forbidding, an ascending team should to be comprised of the best. It's a long slog to the top in any worthwhile endeavor. Establishing the goal, accepting the challenge and gathering a group of dedicated individuals, is just the beginning. Thorough planning and careful preparation establishes the pathway on which an endeavor is paved.

The goal is always the summit – to achieve, to grow, to accomplish more, go farther and move faster than a prior experience. The life of a true entrepreneur is fueled by a desire to achieve a worthy objective. Like climbing a mountain, operating a business is a life affirming experience. The summit is the goal, and the incremental measures of success come from readiness, preparation and an aptitude for the endeavor.

For a business the summit is sales, profit increases, equity growth, expansion and people development. In the beginning we overcome inertia, confront our own preconceived ideas, face the self-limiting thoughts, create plans and take physical actions that will move us toward our objective. One of the single most important factors in business success is the ability to recruit leaders into the organization.

Leaders are necessary at each level in every organization. Like a snowball rolling down hill gathering mass and size, becoming a more powerful force requires additional capabilities. The good news is leadership begets leadership; it is one of the proverbial self-fulfilling prophecies. Strong leaders gather and groom a cadre of capable talent, creating a bench of back up leaders and a team of willing participants.

Leadership is a notable characteristic; it is difficult to define, yet it is easy to identify and refreshing to behold. Leadership is the rope that bands your team, binds their strengths and bonds their collective desire. In the right environment, the leadership imperative will blast your business to the stratosphere. Without it, growth will be limited and development will be hobbled.

But the overt cry for leadership has never been more widespread. We sense a lack of leadership in many of our day-to-day encounters. Many businesses are peopled by the less than ambitious who transact commerce as if the customer were an irritant. We watch as our elected officials fumble with the crises of the day, benignly responding to ethical issues, financial woes and security threats. Moral fortitude is treated as old fashioned, and entitlement is an American right by residential status, regardless of citizenship, work ethic or contribution.

The drive to be first, best or most, in any worthwhile accomplishment, takes certain leadership skills and abilities. At every position and every level in your organization leadership is a must. Leadership development comes through education and experience; attitude and aptitude; and motivation and desire. In a family business we must learn to measure leadership skill and abilities from two perspectives, the hard skills of systems and operations; and the soft skills of people management.

Leadership development is first and foremost a self responsibility. A good leadership candidate is self aware and actively seeks develop opportunities. They ask for constructive criticism and look for additional avenues to make a contribution. A good leader knows his capabilities, understands the limitations of his current skills and strives to grow in abilities.

But the skills of good leadership are not learned in a vacuum. We must utilize educational opportunities, mentoring relationships, daily experiences and new opportunities to learn.

The good leader should:

- Perform a self assessment, objectively measuring personal leadership skills, abilities and the aptitude for achievement.
- Design a personal leadership skills improvement plan – including education, experiential exercises and practical applications.
- Seek mentor / mentee relationship that will grow personal leadership capabilities.
- Attend meaningful seminars, workshops and presentations that may improve leadership skills.
- Participate in classroom studies designed to grow capabilities.
- Periodically reassess leadership skills and abilities to check for progress.
- Devise methods to develop, or compensate for, persistent deficiencies.

*Source: Kevin Spafford is a Certified Financial Planner®, the Succession Planning Endorsed Provider for Far West and Northeast Equipment Dealers Associations, and is a regular columnist for Farm Journal. His firm, Legacy by Design, LLC, guides farmers and agribusiness owners through the succession planning process*

# THE WAY I SEE IT...



*Paul Kindinger is Chief Executive Officer of the North American Equipment Dealers Association. The association operates from headquarters in Fenton, Mo., and provides educational, legal, legislative and financial services to 18 affiliated associations and more than 4,800 retail agricultural, industrial and outdoor power equipment dealers in the United States and Canada.*

Besides being a great way to begin each and every day, I offer a huge **THANK YOU** to all the dealers who give so freely of their precious time to assist us with our quest to “*Help Dealers Succeed.*”

NAEDA and its affiliates recently asked for your participation on two very important surveys. One was the *2008 Dealer-Manufacturer Relations Survey* and the other was our Americans with Disabilities (ADA) assessment survey. The former was quite a bit shorter and required less time than the latter. Both, however, are important in our quest to represent you and your business interests. Perhaps I have never really shared with you how we use some of the results from surveys like these and maybe now is a good time to do so.

Information from the *2008 Dealer-Manufacturer Relations Survey* will help us understand and benchmark how you, as a dealer, feel about your relationships with your manufacturers. Those of you who responded also had the opportunity to provide additional comments about why you rated your manufacturer(s) the way you did. In other words, we received

## Thank You, Thank You, Thank You!

valuable feedback about the issues you are most pleased with or frustrated about. In turn, this allows us to focus on those issues or concerns and seek further resolution or improvements on your behalf. To that end, you would be amazed at the importance some manufacturers place on the survey results compared to their competitors. Several manufacturers inquired prior to this year’s survey when it would be conducted. One manufacturer told its dealers and employees the results from the 2006 survey were unacceptable and improvements would be made.

The ADA assessment survey was designed to help NAEDA respond to a regulatory rulemaking process. Several months ago, NAEDA joined a coalition formed by the US Chamber of Commerce when word of a possible rewrite of ADA rules was first kicked around in Washington, DC We were the only group at the table representing the interests of equipment dealers.

Our initial comments about the proposed rule involved a survey of only a few dealers. We used their feedback as the basis to form our position. However, as discussions continued between regulators and the regulated community, it became obvious to us we would require a great deal more substance to help defend our position once the proposed final rule is promulgated, which may be sometime this spring.

As a result, we contacted Barnes & Thornburg LLP, a law firm in Washington, DC, to assist us in measuring the current compliance rate and begin measuring the consequences of the possible new regulations. We contracted with the firm to conduct dealership evaluations. Although the

dealers who cooperated were understandably as nervous as long-tailed cats in a room full of rocking chairs, they came through with flying colors. In fact, they did surprisingly well. However, the information gathered from those visits was, in turn, used to prepare the survey we distributed by e-mail to dealers in February. Combined with the actual on-site evaluations and previous work and testimony, we now feel confident we can fairly represent your interests.

I hope this gives you some confidence that NAEDA and its 18 affiliated associations take our responsibilities seriously but we will always need your help along the way. It’s an oddity, perhaps, to think you join an association to represent you and then get called upon for help before we can do our job. At the same time, we represent the interests of all dealers, meaning all dealers don’t have to take their time to represent themselves on these matters.

Occasionally, we get a dealer who doesn’t appreciate the intrusion and suggests we do something else with the survey – something other than our stated purpose. Absent that rare circumstance, I hope you can see how valuable your comments are to help us do the best possible job of representing all dealers.

We respect your time, appreciate your comments and are enormously grateful for your support. I hope you will understand just how sincere I am when I say thank you, thank you, thank you... and *that’s the way I see it.*



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1/08 (✓)

# INDUSTRY NEWS

Continued from page 6

In 2008, projected operating margin improvement resulting from higher sales volumes and cost reduction efforts is expected to be limited by our strategic investments in the form of increased engineering expenses, a European information system initiative and new market development and distribution improvements.

Source: Press Release, AGCO, Feb 2008

## M&M Eyes China As Second Export Hub For Tractors

Mahindra & Mahindra, the Indian farm tractor manufacturer, is considering China as a possible second export hub for the company's tractors. The company plans to move part of its production from India as part of its plan to become the world's largest tractor company in terms of volumes by the year 2009.

The company is planning to first find local Chinese vendors for direct injection engines. Over the long term, the company plans to establish an engine joint venture. The company is looking at both acquisitions and strategic alliances as part of its mid-term growth plan for tractors. It is also eyeing potential partnership in

the Middle East and has also started talks for a foray into Latin America. M&M is also in talks with Kirloskar Oil Engines for the purpose of making more engines for Punjab Tractors and its own gensets business.

Source: Machinery Outlook, Jan 2008

## Doosan Targets \$12 Billion In Sales By 2012

Doosan Group has raised its target sales in the construction equipment sector to \$12 billion by 2012 from \$7.5 billion this year. The acquisition of three units of Ingersoll Rand for \$4.9 billion will provide a big boost to its sales, it said. The combined businesses manufacture and sell compact equipment, including Bobcat skid-steer loaders and compact track loaders.

"We are very positive to emerge the world's third-largest construction equipment maker by adding compact construction equipment to our existing product lines from China, France, Czech Republic to the US," said Park Yong-maan, vice chairman of Doosan Infracore. "Doosan also secured 3,500 dealer channels and 20 manufacturing plants in the world's three biggest construction equipment markets the US, Europe and China,

helping the group to transform as a global corporate within a few years," Park added.

Doosan named David Rowles as the head of Doosan Infracore International (DII) and left unchanged the heads of Doosan Infracore Portable Power (DIPP) and Doosan Infracore International Attachments (DII Attachments), Lawrence Silber and Steve Rennie, respectively. Scott Nelson assumed the top office of Bobcat in January.

Source: Machinery Outlook, Jan 2008

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## Machinery Alert Tractor Thefts

We recently learned of additional equipment thefts in California recently.

Make/Engine	Model #	Serial/VIN#	Color
Kawasaki Mule	610	JK1AFEA128B539415	Green
Kawasaki Mule	3010 Diesel Tran	JK1AFDE148B501592	

If someone tries to sell you any of the listed equipment please contact the Far West office immediately. Please do not hesitate to contact Far West if you have any questions or would like further information.

**Keeping Your Finger on the Pulse of Tomorrow's Risk Management Issues**



*This article provided by Wendy Kelley, Regional Marketing Manager, Federated Mutual Insurance Company*

So ... what is *new* in your workplace? Or, perhaps, the better question is: What is likely to become *news* in your workplace (and maybe even your community) if you don't monitor and manage it properly?

Such a question is complicated and uncommon—and perhaps unfair. And yet it is also very, very important to ask and answer—both on your own behalf, and on behalf of your organization.

Certainly, as a proactive manager, you are able to focus on something that is “urgent.” Indeed, it probably feels like you don't have much time to focus on anything else! And, of course, you do perform a valuable service to your organization by dealing with urgent matters.

You probably also spend a significant amount of your time managing the *resurgent*—previously identified problems that reemerge in one form or another. Some problems or, sometimes, problematic people tend to reappear, either in a regular cycle or as the circumstances unfold. Again, your management of resurgent matters provides a valuable service to your organization—perhaps now more than ever before given litigation and liability trends—and we will address that area further in an upcoming article.

However, while the need to manage the *urgent* is understandably most compelling, and the need to manage the *resurgent* is usually more comfortable, your organization needs at least one additional thing from you: Your organization needs for you to predict and process the *emergent*. This truly is no small feat, and it's also the primary focus of this article.

Assuming that you don't possess a crystal ball, you nevertheless need to look into the future—the future of the organization and, very often, your own future—in managing your workforce and workplace. The good news is that you don't actually need a crystal ball or any other form of magic to manage tomorrow's problems. And the really good news is that tomorrow's problems can be more effectively and efficiently managed today, while they tend to be smaller and simpler.

You can make a significant difference—for your organization, your employees, and yourself—by asking and answering three simple questions:

1. *Are there any warning signs* within my organization for possible discrimination, harassment, retaliation, or any other forms of wrongdoing?
  2. *What new risks seem to be emerging* (or am I reading about elsewhere) that I can prevent before they arise in this workplace?
- And, perhaps most importantly ...
3. *If this type of problem were affecting me*, how would I want the organization to respond?

A manager who takes a moment or two—on a monthly or, better still, weekly basis—to ask and begin to answer these questions will be able to manage most emerging issues before they ripen into full-blown emergencies.

Accordingly, be proactive about potential warning signs. As several other articles in this library make clear, there are typically various “red flags” which are raised prior to an employee's ultimate decision to file a lawsuit. For example, identify any significant changes in an employee's level of performance; and, in conjunction with an appropriate plan of improvement, keep your eyes and ears open for any sign of harassment or other form of wrongdoing.

Then, expand your focus, both inside and outside your workplace. Rather than looking at a specific individual or situation, view your organization as a whole and try to identify any new (or even potential) risks. You can further expand your efforts and your effectiveness by keeping current with developments in other organizations by, for example, reading the local newspaper and/or a national professional journal.

And, sometimes the best thing you can do is to step into the shoes of your own employees. Although managers must consider and contend with a seemingly ever-increasing list of rules and regulations, the most important still tends to be the most basic: the “Golden Rule.”

**Bottom Line:**

Prevention is always a prevalent and popular theme. Indeed, there are so many clichés:

- “An ounce of prevention is worth a pound of cure,” or
- “A stitch in time saves nine,” or even ...
- “An apple a day keeps the doctor away.”

But taking the time to ask, “What's *new*?” today can help you avoid the bitter medicine of “What's *news*” (and likely very bad news!) tomorrow. You can emerge on top—if you stay on top of emerging issues in your workplace.

# Safety Update

Continued from page 14

## Employer-Paid PPE – Effective Now

Personal Protective Equipment (PPE), with a few exceptions, must be provided at no cost to employees. The rule does not require employers to provide PPE where none has been required before. It just means the employer must pay for PPE that is already required to be worn.

Many OSHA standards require employers to provide their employees with PPE. Such equipment is necessary to protect employees from job-related injuries, illnesses, and fatalities. OSHA standards that require PPE generally state that the employer is to provide such PPE. However, some of these provisions do not specify that the employer is to provide such PPE at no cost to the employee. *In this rulemaking*, OSHA requires employers to pay for the PPE provided, with a few exceptions listed below.

The final rule became effective on Feb 13, 2008 and employers must be in full compliance with the rule by May 15, 2008.

The final rule contains a few exceptions. Employers are NOT required to pay for:

- Regular safety-toe protective footwear (steel-toe shoes or boots)
- Regular prescription safety eyewear
- Ordinary clothing (long sleeve shirts, long pants, sturdy work shoes)
- Weather-related gear (rain gear, cold weather gear, sunglasses, sunscreen)
- Dust masks/respirators used under the voluntary use provisions
- Shoes or boots with built-in metatarsal protection that employee requests to use instead of the employer provided detachable metatarsal guards
- Logging boots
- Lineman's boots

Employers ARE required to pay for PPE where PPE is required to be worn (including, but not limited to):

- Hard hats
- Goggles, safety glasses, face shields (non-prescription)
- Hearing protection
- Protective gloves (from abrasions chemicals, etc)
- Respirators
- Fall protection
- Welding PPE, including masks, aprons, and gloves
- Rubber boots with steel toes

- Prescription eyewear inserts for full-face respirator
- Prescription eyewear inserts for welding and diving helmets
- Fire fighting PPE
- Medical/laboratory PPE
- Reflective work vests

## Employee-owned PPE

Employees may provide adequate protective equipment of their own, but employers are not required to reimburse the employee for the equipment.

## Replacement PPE

Employers are NOT required to pay for lost or intentionally damaged PPE. Employers DO pay for replacement PPE when the original item wears out.

## Definition of Employee

Employees include: full-time, short-term, temporary, piece workers, seasonal workers, labor pool employees, and transient employees. Self-employed independent contractors are not included in this rule.

## More Highlights of the Rule

- OSHA refused to exempt “high turnover” industries
- OSHA anticipates that this rule will result in more than 21,000 fewer occupational injuries per year
- 24.9 million US workers under OSHA jurisdiction wear PPE:
  - 11.3 million wear non-prescription safety eyewear
  - 9.2 million wear abrasion-resistant gloves
  - 6.5 million wear goggles
  - 5.8 million wear chemical-resistant gloves
  - 5.7 million wear hard hats

OSHA said employers in nearly all industries already pay for 96.5% of their workers' PPE, with the chief exception being foot protection at 50-55%. Steel-toe footwear is this final rule's biggest exemption. Basic PPE for the hazards at hand is all employers must pay for. All five OSHA industries – general industry, construction, shipyards, longshoring, and marine terminals – have the same rule taking effect at the same time. Self-employed independent contractors aren't covered. When a different OSHA standard specifies whether or not the employer must pay for specific equipment, that standard shall prevail.

Source: RCI, Feb 2008

# Darrel Boling Memorial Fountain Dedicated

## In Memory of Volunteer, Exhibitor and Friend

Darrel Boling was the 'real deal.' At whatever level you knew Darrel, be it as a son, brother, husband, father, grandfather, uncle, customer, supplier, co-worker, boss, partner or friend, you respected Darrel as a genuine, humble, skilled, competitive, hard-working leader.

One of Darrel's favorite sayings was 'flying under the radar' and while he worked hard to achieve much, he never clamored for the spotlight.

Darrel was born on August 25, 1949 in Exeter, CA. Being raised on a farm near Tipton grounded him in farm values.

In 1967, Darrel graduated from Tulare Western High School. Following graduation, Darrel worked in the oil fields of Kern County.

After returning to the United States from military service in Vietnam, Darrel got a job as a mechanic at a local farm equipment dealership. Darrel's drive, mechanical ability and leadership skills were soon evident and he became shop foreman.

In 1973, Darrel made his first major sale. He sold himself to Debbie, his soon to be wife. She accepted his proposal and they were married September 1, 1973.

Sometime around 1979, David Silveira asked Darrel to join him in purchasing a small farm equipment dealership and they formed Tulare White Sales and Service.

Deciding to return to strictly farming, David sold his share of the business to George and Rosalie Miller, and with Darrel and Debbie, formed Quality Machinery Center.

Through good times and bad, they grew the business by using good, solid business practices and concentrating on being strong on service. In 1999, George and Rosalie sold their stock in Quality Machinery Center to Debbie, Darrel and their son Derrek.

A couple of years later, in 2001, Gary Garrett and I merged Tri- Counties Equipment into Quality Machinery Center. With Darrel at the helm of the merged companies, Quality Machinery Center soon became one of AGCO Corporation's 15 largest dealers in North America. While Darrel believed in 'flying under the radar,' his leadership skills and accomplishments projected him and the dealership into national prominence. Darrel was so respected that he was chosen to represent the Hesston and Massey Ferguson dealers in the 13 western states on National Dealer Panels.

*Continued on page 30*

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# In Memory

## Stanley C. Hahn



*Stanley C. Hahn*

Stanley Hahn passed away March 4<sup>th</sup> at the age 99. Stanley lived his entire life in San Joaquin County. He was a soft-spoken kind hearted, well-manned businessman, husband, father, grandfather and great grandfather. He made a name for himself in the field of agriculture and for his designs and manufacturing of very specific pieces of equipment, meeting the needs of many farmers. His largest design was a self-propelled rice harvester. He also manufactured and sold parts for this very unique machine. He also designed and manufactured a Hahn Perma Bed Disc, which is still manufactured today at Hahn Tractor.

Stanley was active for many years in the Navy League and was a Past President of Eastside Kiwians, and a former Scoutmaster. He was President of Hahn Tractor, Co. Inc. for over 50 years, a business he formed with his wife and business partner Lydia. Stanley was an inductee to the San Joaquin Museum Agricultural Hall of Fame. He was also very active in a model electric train club fulfilling his passion and love for model railroad collecting. He would always chuckle when hearing anyway say, "big boys and the price of their toys!"

Stanley is survived by his loving wife of 74 years, Lydia Horst Hahn. Also his son Clifford and wife Lynn; grandchildren Roger Hahn (Stockton), Scott Hahn, wife Aleks, and great grandchildren Justin and Parker Hahn (Plano, Texas). He is also survived by his sister-in-law, Esther Chapin and many nieces and nephews. He was preceded in death by his son William, and his brothers, Allen and Clarke Hahn.

Service were held March 7, 2008, at Cherokee Memorial Park, followed by a memorial service at St. Andrews Lutheran Church in Stockton, CA.

## Marilee Nelson

Marilee Lipphardt Nelson passed away on Feb 9, 2008 at LDS Hospital in Salt Lake City, UT due to complications following surgery.

Born Nov 8, 1948 in Vernal, UT to Lucille and Al Lipphardt, she attended local schools in Vernal and then attended high school at Wasatch Academy in Mt. Pleasant where she was active in many school activities. She attended Westminster College, majoring in English and Physical Education.

While at Westminster, she met and married the love of her life Buz Nelson. They were married at the Congregational Church in Vernal and would have celebrated 40 years of marriage in May. The union was blessed with three free-spirited daughters: Kelly, Kristin and Kerry.

Marilee was very content with her life as a housewife, mother and grandmother. She loved to travel; always enjoyed a good card game, or a good book and she never missed an episode of "General Hospital."

Buz Nelson is President of General Implement Distributors, Salt Lake City, UT and served on the FEWA Board of Directors from 1991 through 1996.

Marilee is survived by her husband, Buz, her daughters: Kelly Miles (Joey), Chicago IL; Kristin Nelson, Sandy; and Kerry Nelson, Salt Lake; her sister, Pat Sutton (Gary), Vernal; her grandchildren, Tyler and Alexis and her cat Alice.

Memorial services were held on Feb 16, 2008 at Wasatch Lawn Mortuary Chapel. In lieu of flowers, please donate to the Best Friends Animal Society, 5001 Angel Canyon Road, Kanab, UT 84741

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## Darrel Boling Memorial Fountain Dedicated

*Continued from page 29*

At the time of his death, he was representing the AGCO dealer network on the National Dealer Panel. It has been said that to be a leader all you need is a follower, but to be a great leader you need to inspire others to follow your vision. Darrel was a great visionary and following him was a challenge many of us gladly accepted. Walter Lippman said, "the final test of a leader is that he left behind him in others the conviction and will to carry on." Darrel passed this test with flying colors.

From the get-go, Darrel had a couple of close friends that started with him and to this day are still giving their all to

make Quality Machinery Center the company of excellence Darrel envisioned. They were bound by mutual respect, confidence and a willingness and determination to follow Darrel's ideals and vision through the good times and bad.

This fountain is a small remembrance of a great man. A man who thought he 'flew under the radar,' but must now realize that we all picked up his signal loud and clear. I encourage everyone to visit the fountain and remember fondly the memories of a true friend and family member, Darrel Boling.



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