

Dealers heighten their knowledge at Boyne *SSDA 1996 Annual Convention provides participants with valuable industry information and good times*

This year's Annual Convention at Boyne Highlands in Harbor Springs, held August 4-7, gave attendees a chance to learn and collaborate in morning workshops and relax and enjoy themselves in the afternoons and evenings.

Workshops on lottery marketing, regulatory issues and employee incentive programs provided dealers with business-benefiting information.

"I came back from the Boyne Convention excited with a lot of the things I learned there that I want to put to use in my stores," said Andy Buckner, a convention attendee from Muskegon (see Andy's profile on pages 14 and 15).

The Convention also provided plenty of time for dealers to have fun with their families and other dealers. Attendees enjoyed an outdoor cookout, golf outings at Little Traverse Bay and the Heather Highland course and the Young American's Show, a dinner theater performance put on by Boyne Highlands staff.



Paul Hart of the L.O.T.S. organization gives dealers lottery marketing tips at the 1996 SSDA Convention (see story on page 11).

**SEE PAGES 10 AND 11 FOR MORE COVERAGE OF
CONVENTION WORKSHOPS**



Senator Spencer Abraham and dealer Rich Bratschi outside Bratschi's station after the news conference.

SSDA member offers station to U.S. Senator for news conference

Instead of just watching the news, Rich Bratschi, owner of Lake Lansing Road Mobil in Lansing, recently got a chance to help make the news.

U.S. Senator Spencer Abraham was looking for a gas station to hold a press conference on the proposal to temporarily reduce the federal gas tax and Mr. Bratschi offered his location (inside or on the grounds) to the senator. The senator held the press conference outside the station in front of the gas pumps.

The news conference presented an excellent opportunity for Mr. Bratschi, in his own environment, to meet the

see Senator

pg. 16

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President's Corner

Dennis Sidorski, SSDA-MI President

Thanks for another great Convention



Through sharing our experiences, learning from each other and having fun together, we all come one step closer to reaching our own professional and personal goals.

I would like to thank all of the many people who helped to make this year's Annual Convention at Boyne Highlands such a success. It was three days full of informative workshops, valuable collaboration between dealers, and rest and enjoyment for the whole family. I would like to thank:

- My fellow members of the Convention committee: Chairman Rich Bratschi, Reg Binge, Gary Fuller, Joe Grish, Jim Malek, Larry Troy and Bob Walter, for their contributions to this year's event. Your time and efforts are very much appreciated.

- The Convention Sponsors, all of which are valued supporters of SSDA and the entire service station industry. I want to specially thank Shell Oil, Amoco Oil, Sunoco Oil, Marathon Oil and Eby-Brown.

- The SSDA staff for their hard work in putting the convention together and

making things run smoothly.

- The guest speakers for making the trip up to Boyne to share with us their valuable knowledge in their respective fields. We will all benefit from the information we received on lottery marketing, regulatory issues, and employee incentive programs.

Of course, there would not be any conventions without all of you who attend them. I want to especially thank all of the dealers, their spouses and families who came to the convention and contributed to this special event. The key to SSDA's strength as an organization is the involvement of its members. Through sharing our experiences, learning from each other and having fun together, we all come one step closer to reaching our own professional and personal goals.

I want to ask for your input on next year's event,

because the Annual Convention is *your* meeting. Possible sites and events are currently being reviewed. The SSDA staff and the Convention Committee would appreciate any ideas that would make the Convention an even more valuable and enjoyable experience. Please contact Steve Ott at the SSDA office (517-484-4096) or any of the Convention Committee members with your input. Each year the Convention seems to get better and better. Please help us to continue that trend.

I would also like to pay tribute to a valued SSDA member and one of this year's Convention attendees that just recently passed away, Mr. Terry Wolters of Grand Haven. His contributions to the service station industry in western Michigan and statewide will be long remembered. My warm wishes and prayers go out to his family as they cope with this sudden loss.

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Portable gas can safety

Recent news reports have brought up an issue that we previously wrote about in the October 1995 Service Monthly regarding portable gas can safety.

The following is a reprint of that article.

Gasoline fires prevented by grounding containers

Automotive aftermarket officials are warning dealers against the danger of fires breaking out while a customer fills an ungrounded gasoline can.

Several fires have been reported while customers were filling gasoline cans which were sitting on a non-conductive surface, such as a floor mat in a sports utility vehicle or a plastic bedliner in a pick up truck. Officials believe the fires were caused when the flow of gasoline through the nozzle, which was not touching the can, caused a build up of static electricity in the ungrounded

can. When the nozzle was then moved close enough to the can, a static spark jumped from the can to the nozzle, igniting the gasoline vapors. Officials have issued the following warnings:

- Place approved container on the ground. Do not fill container in the vehicle or back of truck.
- Keep nozzle in contact with the can while filling. Do not use an automatic pump handle.

If you have any questions about gas can filling safety, please feel free to call the SSDA office at (517) 484-4096.



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SSDA member celebrates 50 years of family service

Congratulations to John Nightingale and his family as they celebrate the 50th anniversary of their station being owned and operated by their family at the same location.

Nightingale's Amoco at 23 Mile and Van Dyke in the Shelby/Utica area was first opened in 1946 by the late Lawrence "Shorty" Nightingale and his brother Guy.

At that time, the station

had only one bay for service and an outside pit for oil changes.

From modest beginnings back then, the station has evolved into a one-stop auto oasis, featuring service, 24-hour towing and a future food convenience mart.

SSDA is proud to serve family businesses like the Nightingale's. We wish them luck in their next fifty years and beyond.

In Memory...

Our thoughts and sympathies go out to the family of SSDA member Terry Wolters, who passed away suddenly in August.

Mr. Wolters owned several Amoco Gas and Go Stores in Grand Rapids, Muskegon and Coopersville.

He was the previous owner of a Fiat

dealership in Holland and had owned Wolter's Shell and Wrecker in Holland.

He was an active member of SSDA and was a frequent Annual Convention attendee. His contributions to SSDA and the service station industry will be long remembered and greatly missed.

Binsted Memorial Scholarship awarded to the daughters of two SSDA-MI members

The Service Station Dealers Association of Michigan would like to congratulate Jamie Schwartz and Gina Byrd, the two winners of this year's Charles L. Binsted Memorial Scholarship awarded by the National SSDA-AT.

Jamie is the daughter of Thomas and Marsha Schwartz of Birch Run. She is a 1996 graduate of Birch Run High School. Jamie is studying nursing at Delta College this fall. Her father, Thomas, owns four Sunoco stations in the Flint area.

Gina is the daughter of Leonard and Juanita Summers of Bloomfield Hills. A 1996 Lahser High School graduate, Gina is attending Kentucky State University this fall. Her father, Leonard, owns the Grand Island Shell in Detroit.

Jamie and Gina will each receive \$500 per year for four years. The Scholarships are awarded through a lottery system each year to the sons & daughters of SSDA-AT members throughout the United States.

Congratulations Ladies!!!

Join the directory of service stations who will help 'Fill It Up'

Dealers who are not currently participating in the Michigan Department of Agriculture's Fill It Up program and desire to should check the box on their gasoline license renewal form that is required each year by the Department of Agriculture.

Stations participating in the Fill It Up program provide full serve gas service to any physically impaired driver who has a valid permit or plate and has no one else in the car to assist. The hours the service is offered is up to the individual stations and should be posted at the stations.

Service stations participating in the project are included in a computer database that can be accessed by consumers through direct modem connection or the Internet. The database modem number is 517-882-0021. The Internet address can be accessed through Telnet at: ermis.state.mi.us.

This information is also available from libraries, welcome centers and disability support groups throughout the state.

For more information, please call the SSDA office at (517) 484-4096.

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Algonac station—120' x 120' frontage on M29 in Algonac. Two bays, c-store, full service and self-service. Gasoline, kerosene and diesel. Some equipment will stay. Across the street from public access to St. Clair River. At present a Sunoco, but can change. Call (810) 794-4310.

Station—150' of M24 frontage. Zoned for commercial use (c-store and/or full service). Asking \$250,000. Please call (810) 628-1875 for more information.

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If you are interested in buying or selling an existing service station or equipment, please call the SSDA at (517) 484-4096. We are keeping a running list of sellers and buyers.

SSDA-AT celebrates 50 years

The following article appeared in the National SSDA 50th Anniversary Yearbook in celebration of Michigan's involvement in starting the organization

In 1929, when the automobile was a mere 33-years-old, three gasoline retailers in Detroit formed the Michigan Gasoline Retailers Association (MGRA). Their intentions were quite simple, "to unite in cooperation all owners of retail gasoline service stations in Michigan so as to create, stimulate, and maintain more friendly and equitable relations..." The founding dealers were concerned with promoting social activities and even securing "the convenience of a club house."

MGRA quickly developed into much more than a social outlet for dealers. Retailers in Michigan realized the advantage of a united front when full scale price wars hit the streets in the late 1930s. MGRA members contributed to the

war effort in the 1940s and persevered through measures like gasoline rationing. The '40s also saw the MGRA become a true

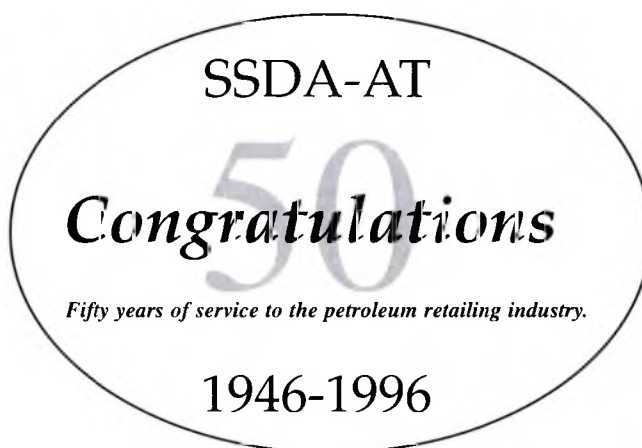
Detroit also became the home office for a national movement among petroleum retailers. Under the leadership of MGRA

home office for many years. Michigan's success was carried over into this new national group, which would later become the Service Station Dealers of America and Allied Trades.

The MGRA grew through the price wars of the 60s and gasoline shortages of the 70s. The strength of its members would be critical to one of the most important legislative victories for dealers — the Petroleum Marketing Practices Act. Michigan dealers again joined their peers across the country in helping the SSDA-AT lobby Congress for fair treatment between franchisers and franchise dealers.

Today MGRA is known as the Service Station Dealers Association of Michigan (SSDA-MI). Based in Michigan's capital city of Lansing, SSDA-MI continues as an active voice for dealers with Michigan's legislature, regulatory agencies, industry suppliers, and major oil companies. Despite all the work, we still manage to promote the social interaction our founding dealers prescribed 67 years ago.

SSDA-MI is proud to have been such a driving force in the creation of SSDA-AT. We're just as proud of our involvement and dedication to the national gasoline retailing industry today.



statewide association. Chapters from all over Michigan formed and joined with the home office in Detroit for the good of the industry.

Executive Secretary Rankin Peck, the National Congress of Petroleum Retailers was formed in 1946-47. Detroit would serve as the national's



In 1947, the year after the idea was planted, petroleum retailers from all over the country (pictured above) gathered in Detroit to launch the National Congress of Petroleum Retailers. Michigan's dealers are proud to be a part of the continuing service of our national association, the Service Station Dealers of America and Allied Trades.

Watch out for that Quick-Sand

• What are the important things in our lives? This is just one of the many thoughts that ran through my mind after attending the funeral service for our friend, Mr. Terry Wolters.

Terry was a great father, dealer, and to many people, a great friend. That was so evident by the large number of people who came to his service. I realized he was an excellent example of the dealer today.

Dealers today work long and hard but always have time to help someone, listen to their customers, or sponsor some community event. These things go unnoticed by most people and many times go without a thank you.

The people at Terry's funeral service talked about the things he had done for them — his smile, his availability, and how they took his service for granted. Those are

the common traits we hear about dealers today.

I was glad that Terry had taken care of the important issues in his business—especially the survivorship forms that allow the family person of his choosing to succeed him in his business. That is one of the forms that many times gets pushed to the back. Have you completed your survivorship form and sent it to your supplier?

• Why is it that the important things seem to get pushed back for urgent issues and then those urgent things become like quicksand, bogging us down more and more to the point where we cannot get any of the important things done? Then we begin doing quick fixes and taking the Band Aid approach.

Many times these are very short-sided solutions and we have to face it over and over while asking, "why didn't I do it right the first

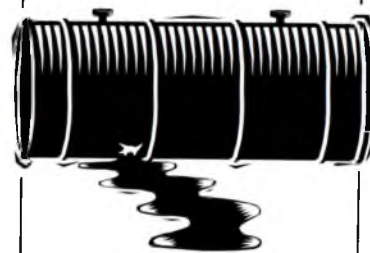
time?" I am reminded of the old saying, "If you don't have the time to fix it right the first time, how do you expect to have time to re-do it." That is one of those saying you like to remind other people of.

We are in one of the toughest businesses of all. The competition is always biting at our heels and we are constantly looking for that edge.

We must continually prioritize our goals and actions and determine what is important. We are in business to make a profit and provide for our families—not the State, the Feds, or the oil company.

Your decisions must be based on your priorities and what is right for you. It is time for every dealer to examine where they are today and where they want to be tomorrow. We cannot get bogged down in the quicksand. We must keep focused on those things that are important.

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Employee incentive program gets attention

Allowing your employees to see the business profit and loss statements! Employees determining how many hours they should work or who should go home on those slow days or who comes in when extra help is needed? How about additional gainsharing checks each month to all employees because you are making more money?

If these concepts sound crazy to you, then you missed the Gainsharing Workshop at this year's annual convention.

Mr. Thomas McGrath of W.M. Jackson & Company spoke Wednesday morning at the SSDA annual convention to some real skeptics at the beginning of the workshop. By the end of that

workshop those skeptics were believers.

Mr. McGrath explained that first we need to allow our employees to know where the business stands financially. Then by setting goals and parameters of growth, we can share the increases with them, showing them that their hard work will provide monetary rewards at the end of the month. This type of approach actually puts responsibility with a job that many times employees see as being no big deal. Now everything they do not only effects themselves and the employer, but also all of the other employees—peer pressure in the work setting!

Testimony from a dealer at the convention who has been using the



Dealers at the SSDA Convention listen to Mr. Tom McGrath as he speaks about Gainsharing employee incentive programs.

gainsharing program helped give additional proof to the disbelievers in the convention crowd. His employee turnover is very low and he writes big gainsharing checks each month to his employees and himself.

Many dealers have

expressed interest in this program. If this system sounds like something that might interest you, please give the SSDA office a call at (517) 484-4096. We will be happy to send you a brochure on gainsharing and put you in contact with Mr. McGrath.

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Lottery marketing secrets shared

Making lottery ticket sales profitable was the theme of the Lottery Marketing Workshop at the SSDA Convention given by Paul and Beverly Hart of the Lottery Organization Training Service (L.O.T.S.).

The Harts shared with dealers their experience of owning the highest lottery ticket selling stores in the states of Ohio and West Virginia.

The Harts said Michigan Lottery allows dealers

an excellent opportunity to make money, offering a 6 percent commission and consignment on product to dealers. Many times the margin on gas makes that 6 percent very attractive.

Also, the lottery offers a percentage on winning tickets cashed at the retailer's location.

We thank the Harts for their insightful approach on how to include lottery sales in our businesses as another product to offer customers.

New gasoline testing methods speed regulation and enforcement

New technology is enabling state regulatory officials to respond to gas quality complaints quicker, according to Tim White from the Department of Agriculture in his talk with dealers at the Annual Convention.

In the past, when a consumer complained to the 1-800-MDA-Fuel hot line about the quality of gas they received from a station, procedures called for a representative from

the Department of Agriculture to go to the station, take a sample, test it (many times taking up to 6 weeks for lab results) and then release the results. This process was time consuming and did not often provide results to the satisfaction of the consumer or allow the effective enforcement of quality standards.

With the tools that Mr. White showed SSDA members at the Convention, it is now possible for officials to immediately test the quality of the gas right at the station. Officials use hand held testers that take an instant reading on the gas quality. This new process will allow for better enforcement of quality standards, leveling the playing field for all dealers.



Mr. Tim White shows dealers new equipment that will help speed the search for bad gas



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Proposals share space on November ballot

In order to keep you informed on the upcoming election issues, included is a list of the state proposals that will be voted on this November 5. The proposed letter designations as they are expected to appear on the ballot and their subject matter are as follows:

Proposal A

A referendum of Public Act 118 of 1994—An amendment to prohibit the use of bingo games and other gaming events for political fundraising.

Proposal B

A proposal to amend the state constitution to establish qualifications for judicial offices.

Proposal C

A proposal to establish the current Michigan Veterans' Trust Fund in the State Constitution and require that expenditures from the fund be made solely for purposes authorized by the trust fund's board of trustees.

Proposal D

A legislative initiative to limit bear hunting season and prohibit the use of bait and dogs to hunt bear.

Proposal E

A legislative initiative to permit casino gambling in qualified cities (population 800,000 or more...).

Proposal G

A referendum on Public Act 377 of 1996—An amendment regarding the management of Michigan's wildlife populations.

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Staying Involved

By Steve Ott

By staying involved with his employees, customers, his community and SSDA—and with the support of his family—Andy Buckner is a dealer on the move.

Andy currently owns two locations; both in the Muskegon area. The E & A Pit Stop on the corner of Apple Avenue and Wolf Lake Road has gas and a large convenience store. His Valu-Time Grocery store located at the corner of Walker and Apple is solely a convenience/grocery store.

Andy began working in the service station business at his parents' Owens branded station in Muskegon when he was young. Andy eventually went into business with his parents, Joan and Evert, when they bought a four pump, full service station down the road from where the current E & A Pit Stop is located today. They quickly outgrew and sold the small 30 ft. x 30 ft. full serve station and bought the current station from one of their suppliers.

At that time, approximately 16 years ago, E & A consisted of two service bays and one gas island. After many additions and expansions, E & A is now a prospering Marathon station, with enough groceries to almost call it a supermarket. Actually, that is part of the motto Andy uses for the store, "Supermarket prices with convenience store service." "A lot of my prices compare to the competitor supermarkets more than the convenience stores," Andy said.

In addition to great prices, E & A is also known for its selection of items—specifically pop. "We've always

carried a big assortment of pop at low prices since we started in this business," said Andy. "It has always helped to attract people."

One of the main reasons Andy said people keep coming into his stores is that he responds to his customers' requests. "You have to listen to the customers, they'll tell you what you need to do to succeed," he said.

Andy also stresses to his employees the importance of keeping customers their first priority. "I always tell my workers to put themselves in the customer's place, I ask them 'what do you think you look like behind the counter to the customer?'"

In order to maintain a good relationship with his employees, Andy said he likes to keep the lines of communication very open between himself and his employees.

"I always tell my workers to put themselves in the customer's place, I ask them 'what do you think you look like behind the counter to the customer?'"

"If the employees are happy, then the customers are happy and everything works in suit."

Another form of involvement that Andy has found to be an asset in his business dealings has been the support of his family. Though Evert is now "semi-retired," mainly taking care of the bills and taxes, Andy said his time spent working with him has been very valuable. "I'm a goer and he's just the opposite," Andy said. "It's a good combination because he has kept me from getting too carried away and I've probably kept him from being too conservative."

Andy also said his mother Joan used to do the bookkeeping for the family business. He said her involvement played a big part in how he does business today.

In addition to his parents, Andy receives a lot of support from his wife, Teri. "It is very important to be able to go home and talk matters out with someone," Andy said. "Teri has really helped to make many important decisions." Among many other things, Teri also does the day to day bookkeeping for one of the stores. Andy and Teri have a son, Mike, 16, and a daughter, Kristin, 14. Andy's brother and sisters are also involved in the service station business in some way.



Andy and his father, Evert, discuss business strategies in front of one of E & A's many pop displays.



The E & A Pit Stop has plenty of space outside to gas up (above) and all kinds of room in the isles inside (below right) to stock up.

FORMALITIES

- Andy Buckner owns two stores; the E & A Pit Stop and Valu-Time Grocery, both located in Muskegon.
- Andy is married to Teri. They have a son, Mike, 16, and a daughter, Kristin, 14.
- Andy is originally from Muskegon and has many of his high school classmates and their children as customers now.

One way Andy likes to help his community is by supporting his local schools. Because of his well-known pop selection, he is called upon often to supply the school concession stands and events. He even bought his old high school a new scoreboard for their football field in cooperation with Pepsi. "It feels good to be able to give back to the school where I went," Andy said. "Working with the area schools has been nothing but positive for me."

In addition to his involvement with area schools, Andy is also a member of his local Lions Club. He has served as treasurer in the past and once was named Lion of the Year.

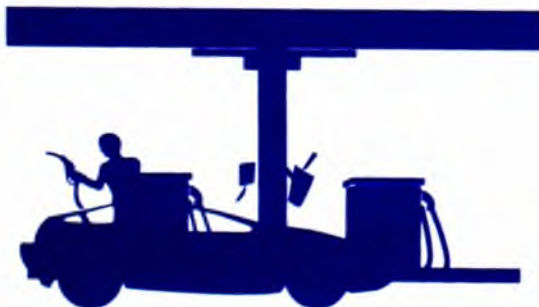
pg. 16



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SSDA welcomes new staff members

Earlier this summer, SSDA welcomed Jeri Miles and Steve Ott to our office in Lansing. We'd like to take this opportunity to introduce you to Jeri and Steve and let you know how they will be of service to our membership.

Jeri joined the SSDA staff in May and is the association's new Executive Assistant. She is responsible for the day-to-day operations of the office, including accounts receivable and payable, inventory, correspondence, payroll, PAC reporting, and research on special projects.



Jeri is excited about serving SSDA members.

Jeri lives in Grand Ledge, just west of Lansing, with her husband Rick and their two daughters Erin and Leah.

Jeri brings to SSDA over 10

years of administrative experience with her most previous position being with Ledy Design Group, an engineering firm in Lansing. She also has 2 years of association work experience from her past position at Michigan Environmental Consultants and Contractors Association (MECCA).

"I have enjoyed my association work in the past and that is why I have come back to it," Jeri said. "I am very much looking forward to meeting and working for SSDA members."

Steve came to SSDA in June and is the new Communications Director. His duties include writing and designing *Service Quarterly* and *Service Monthly*, helping to



Steve will work to keep you informed.

organize the Annual Convention and fulfilling the other various communication needs of the association and its membership.

Steve is a new resident of the Lansing area, recently graduating from Western Michigan University in Kalamazoo with his bachelor's degree in public relations. While in college, Steve worked for the Kalamazoo Public Schools and the W.K. Kellogg Foundation in Battle Creek, developing his writing, desktop publishing, special events planning and video production skills. "I'm looking forward to contributing my skills to help keep SSDA members informed about important issues," Steve said.

Steve was just recently married to Jenny Hubbell of Brooklyn, (Mich.), during the same time as this year's Annual Convention. Though he was sorry to miss the chance to meet many of the members at that time, he said he is looking forward to putting together next year's event and meeting everyone there.

Buckner

from pg. 15

the Year for his contributions to the club.

A membership Andy regards as being extremely valuable to his business is his membership with SSDA. Andy said he and Teri first went to the Annual Convention four years ago with his parents and have been going on their own ever since then. "All of the Conventions have been a lot of fun and very informative," he said.

Andy said he sees statewide dealer collaboration being one of SSDA's strong points. "The roundtable discussions in the past have been very valuable," Andy said. "A lot of members have the same problems, and if somebody has the answers, they should be shared so we can benefit each other."

As far as the future goes, Andy is still debating on his plans for further expansion. "People keep on asking me when I will be getting another store," said Andy. "It's hard to know whether I can handle one more and still stay close to the operation of each store."

However, Andy did say he most likely would buy another store eventually. "I have had a couple of different options, and I'm looking, but I am being patient."

Judging from Andy's wise business philosophies of customer and employee involvement, any endeavor he undertakes will sure to be a success. SSDA is proud to serve dealers like the Buckner's who have such a strong commitment to their businesses, industry, families and communities.

Senator

from pg. 1

senator and discuss issues with him. He was able to explain to the senator that the small business person was not provided the same tax refund as the major oil companies under the new proposal. Mr. Bratschi explained there was no provision for the small business person to receive the prepaid taxes that had been paid on the product in the ground at the time of the tax (floor stock fuel).

Their conversation allowed the senator to understand first hand how the gas tax system works and to work on a solution to make the tax proposal even to all retailers.

We all should open our stations to our elected officials. This provides wonderful opportunities to develop a relationship and to allow those officials to begin to understand our business from the dealers perspective.

The next two months is prime election time. It is a great time to allow your State Rep or candidate to use your station for a free coffee hour to meet your customers or to wash windshields on the islands. It is good advertising for the candidate and the dealer. Make sure your station is in tip top condition because just like Mr. Bratschi, you never know where pictures of your station might end up!

Take a proactive stance today and give an invitation to an official to use your station. You may be surprised, they probably will say YES!

Do you have the Blues when you travel?

Whether your fall travel plans include a color tour in northern Michigan, a few rounds of golf in sunny Arizona or that European vacation of your dreams, you should make sure you know the extent of your Blue Cross Blue Shield of Michigan health coverage when traveling.

The first step in being Blue is done by carrying your Blue Cross identification card with you at all times when travelling (and all other times). In addition, the Blue Cross policy handbook states that when travelling:

Within Michigan

Your coverage is the same everywhere in Michigan as when you receive services from your local doctor or hospital. Use your Blue Cross card just as you would at home.

Outside of Michigan

Most physicians and hospitals in the United States will accept your Blue Cross card. Many times, they will bill Blue Cross for services you have received. If they will not bill Blue Cross directly, you may have to pay the bill yourself and then submit a claim to Blue Cross. Be sure to get an itemized receipt.

Out of the Country

Your coverage applies wherever you are *as long as the hospital is accredited and the physician is licensed.*

Most hospitals and doctors in foreign countries will ask you to pay the bill. Try to get itemized receipts, preferably written in English.

When you submit your claim, tell Blue Cross if the charges are in U.S. or foreign currency. Be sure to indicate whether payment should go to you or to the provider. Blue Cross will pay the approved amount for covered services at the rate of exchange in effect on the date you received your services, minus any deductibles or copayments that may apply.

If you are unable to obtain receipts written in English, Blue Cross will translate your foreign receipts for you. However, this will require extra time to process your claim.

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 - Make sure your voice is heard in Lansing with an active legislative support network and PAC.
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THE SSDA CAN PROVIDE YOU WITH THE KNOWLEDGE YOU NEED AND THE SAVINGS YOU WANT.

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APPLICATION FOR MEMBERSHIP	
I (we), by submitting this application and the payment of scheduled dues, hereby apply for membership in the Service Station Dealers Association of Michigan, Inc.	
BUSINESS NAME: _____	
BUSINESS ADDRESS: _____	
CITY: _____	MI ZIP: _____ PHONE: () _____
COUNTY: _____	TYPE OF OWNERSHIP: <input type="checkbox"/> CORPORATE <input type="checkbox"/> NON-CORPORATE <small>SOLE PROPRIETORSHIP PARTNERSHIP</small>
ENCLOSED PLEASE FIND A CHECK FOR _____	
PLEASE CHARGE MY MEMBERSHIP TO MY MC OR VISA (PLEASE CIRCLE ONE) CARD # AND EXP. DATE _____	
PLEASE BILL ME	
ANNUAL MEMBERSHIP DUES:	ANNUAL ASSOCIATE MEMBERSHIP DUES:
_____ \$41 monthly (electronic banking)	_____ \$25 monthly (electronic banking)
_____ \$480 annual payment	_____ \$250 annual payment
Add \$120 per station after four stations.	
_____	_____
Signature	Date
September 1996 SQ	

Business Focus

Gregory S. Tarr, Advanced Planner Group, American Express Financial Advisors Inc.

Estate planning—not just for the Rich and Famous anymore

The first thing that comes to mind for most of us when we hear the phrase “estate planning” is the distinctive voice of “The Lifestyles of the Rich and Famous” Robin Leach saying “...and here we are in Monaco at the estate of Prince Rainer and Princess Grace...” Because estate planning sometimes is seen as something only for the “rich and famous,” many people overlook this vitally important part of their comprehensive financial plan.

I firmly believe that estate planning is more important for the average investor than for the multi-millionaires. Certainly, the more money you have, the more you stand to lose, but your heirs can better afford to lose it.

Here’s what I mean—if legendary deal maker Donald Trump or down-home billionaire politician Ross Perot don’t do their estate planning properly, literally billions of dollars may be wasted in probate costs and estate taxes. Even if one-half, three-quarters or even nine-tenths of their fortune is squandered on these expenses, their heirs will receive far more money than most of us could hope to accumulate in a dozen lifetimes.

In contrast, if you have only a few thousand dollars, a small life insurance policy and a modest home to leave to your family, they will need every penny of it. Your heirs may not have the luxury of being wasteful with their inheritance. Increased probate costs, attorneys fees and administrative expenses could make the difference between keeping the

house or losing it, the kids going to college or not, or in the worst case, ending up in poverty.

When doing estate planning, first and far most you have to decide what your wishes are; essentially, how are you going to divide and share your accumulated wealth? Everyone wants to avoid taxes and reduce the cost of probate, but the most important items within your estate are, most likely, very personal in nature. You may want to make sure your spouse is well taken care of. Or, in the event of both deaths, you may want to make sure to provide for your children. You may have a particular family member that needs additional support, or a spendthrift son or daughter who you would like to protect from their own eagerness to spend money and, finally, there may be charities or other organizations you wish to support. These are all examples of the personal desires that could drive your estate planning.

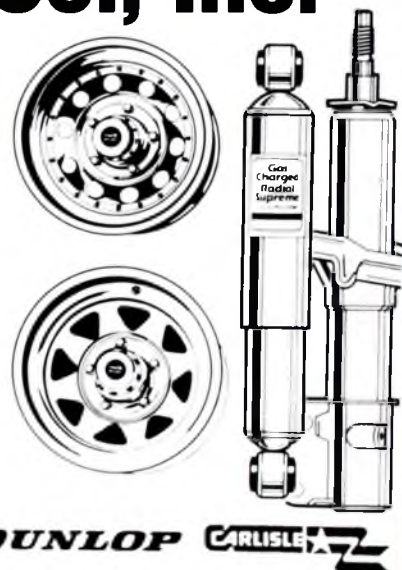
Once you’ve decided exactly what you want to accomplish, then you can look at ways to accomplish those objectives in the most cost-efficient and least troublesome manner. Avoiding taxes and the costs and delays of probate are very important, but if you don’t accomplish the most important objective of taking care of your family or benefiting your favorite charity, these other goals are of little consequence.

Gregory Tarr is a guest columnist for this issue of Service Quarterly. He is a financial advisor at 810-336-1164.

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Mark Cousens, SSDA-MI Legal Counsel

Civil rights laws and the Petroleum Industry

A Tennessee dealer successfully used state and federal civil rights laws to protest his franchisor's refusal to relocate him following the refiner's decision to close several unprofitable locations. The dealer's suit in the United States District Court produced a finding that the franchisor had unlawfully refused to follow its own standards for relocation of this dealer while simultaneously finding other dealers new stations. The dealer's victory sends an important message to all refiners. It also provides a new level of protection to the increasing number of dealers who are women or minorities.

The case arose in 1991. The dealer, an African-American male, had considerable experience in the petroleum industry. He had served as both an Exxon and Gulf dealer for nearly twenty years before becoming a BP franchisee. The dealer's location, while well operated, was marginally profitable. He had submitted several requests to BP expressing his interest in other locations. His letters were, essentially, ignored. However, BP offered some of those locations to white dealers.

In the Spring of 1992, BP circulated to its staff a confidential list of locations that BP intended to close. The process of divestiture included a recommendation that BP relocate "quality dealers." The memo did not define what a "quality dealer"

was. In due course, BP notified the Plaintiff that his station was to be closed because it was unprofitable—one of the grounds for non-renewal of a franchise under PMPA. The facility was closed. BP neither offered the dealer a new location nor told him about the "quality dealer" standard.

The dealer commenced suit under PMPA, Federal civil rights laws and Tennessee's state civil rights law. BP defended the action on several grounds. It asserted that the dispute was not covered by any civil rights law because it related to the making of a contract, not to employment or public accommodation.

The Court made several findings. First, it found that BP had not violated PMPA by its decision to close the station. The Court recognized that PMPA permitted non-renewal of an unprofitable franchise. It found that there was no evidence that the decision to non-renew was based upon the dealer's race. Instead, it appeared that BP had non-renewed several other dealers, including white dealers.

The Court's analysis then turned to the Plaintiff's claim of disparate treatment; his assertion that other white dealers had been offered the chance to relocate and he was not. Here the Court applied an important tool created by the Civil Rights laws. It required the Plaintiff to create a "prima facie" case, i.e. a

case that, on the surface, was sufficient for the dealer to prevail. The dealer had to show that (1) he was a member of the protected class; (2) he was treated in a manner that was different from those not in that class. The court found that the dealer had, in fact, made his case. The facts showed that (1) as an African-American, the dealer was in a protected class; (2) he had applied to be relocated to another station; (3) he was clearly qualified to operate a BP location; (4) he had been passed over no apparent reason. The Court then looked to BP to answer the charge.

BP was utterly unable to offer any explanation for its failure to relocate the Plaintiff. It acknowledged that he was a "quality dealer." The Court found that (although the dealer had ample experience) BP did not really require experience before relocating dealers. In short, there was no demonstrable reason for BP's failure to offer this dealer a new location. The Court reached the only conclusion that the facts allowed; BP had utilized a pretext to avoid relocating the dealer.

The decision, issued in August, 1995, was to be followed by a trial to determine damages. No further published decision is available; it is logical to conclude that BP resolved the dispute with the dealer. But the Court's published decision regarding BP's action is an excellent tool

see law

pg. 22



"We have to be highly sensitive to the importance of diversity in this industry."

"Dealers who are women or minorities should be aware that there are tools available to respond to such discrimination."



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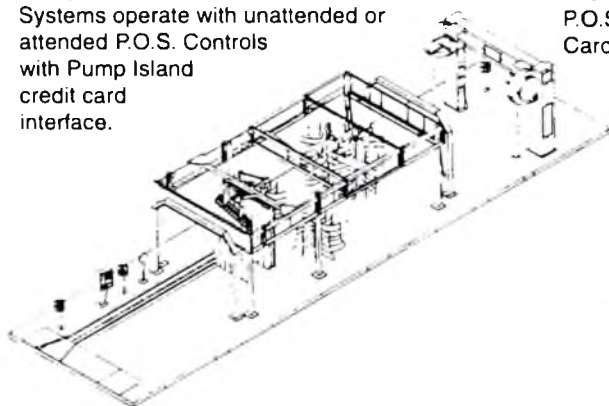
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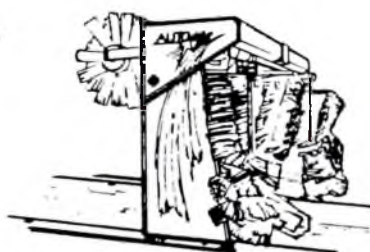
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Don't wait 'till '98

On December 22, 1998, all UST's must meet the Federal and Michigan upgrade requirements.

In many cases, where older tanks are involved, this means replacement of tanks. At the very least, it means that overfill and corrosion protection must be installed. (The requirements for overspill and inventory control are already in place.) Problems occur in attempting to meet the corrosion protection requirement. Galvanized piping does not take corrosion protection.

The real concern is that anytime the ground is broken on an UST site, it means the possibility of finding contamination. That, in turn, requires the clean-up process to start.

This is also where the costs start to escalate beyond the reach of most dealers. (When MUSTFA ended, the majority of clean-ups stopped, due to the high cost of the process). The problem

is that the clean up requirements did not end with MUSTFA. Now the clean up costs have become the total responsibility of the property owner.


Presently, many in the legislature are not willing to tackle this issue. Many of them say, "it must not be a very big problem because lately I have not heard from

retailers saying that we need to do anything"

There have been many proposals discussed and studied. In order for the legislature to pick this up YOU must let your representative know this is an important issue and one that must be dealt with soon.

All representatives are up for election and are very interested in hearing from you now. This is a wonderful time to call and speak to your representative on the issue. Better yet, ask them to come to your station and meet your employees and see first hand how these regulations affect your business.

If this is an important issue to you, is it worth a phone call or thirty minutes and a cup of coffee? Make that call today, and if you need phone numbers or more information please call the SSDA office at (517) 484-4096. Call now!



DON'T LET TIME RUN OUT

1995

Don't delay
in meeting the
UST regulations
that will become

1996
1997
1998

EFFECTIVE IN DECEMBER

Law

from pg. 20

for Michigan dealers.

An increasing number of Michigan dealers are women or minorities. And out State's experience is typical of what is occurring elsewhere. Indeed, the immediate past president of SSDA-AT, the national organization with which SSDA-MI is affiliated, is female. But there is no reason to believe that this will be unusual or extreme. We have to be highly sensitive to the importance of diversity in this industry. Discrimination or disparate treatment should not be permitted anywhere. But it is not realistic to believe that

every representative of every refiner is going to share this view. Hence, dealers who are women or minorities should be aware that there are tools available to respond to such discrimination.

The Tennessee case described here was important because it applied federal civil rights laws to this industry. It also applied state law, but that decision was not new. A decision involving a Michigan dealer has found that Michigan's Elliot-Larsen Civil Rights act is applicable to the industry. But it is very important to be able to rely

upon both state and federal law here. The question is when is it appropriate for a dealer to invoke these laws and make a complaint.

Any dealer who believes themselves the victim of discrimination should be prepared to prove it. It is not enough to "have a feeling" or even a good faith belief. What matters is evidence. Thus dealers should be sensitive to anything that might suggest an improper motive by a refiner or its representatives. Comments that relate to gender, race or ethnicity should be noted, perhaps in a log.

Statements or threats should be the subject of a letter to the refiner. Dealers refused certain assistance or benefits should ask if other dealers have received it, and ask why they were denied.

Proving discrimination is not always easy. But it is important for all dealers—not just women or minorities—to know that it will not be tolerated. There are tools available to combat disparate treatment. The refiners know just how powerful they are (especially BP, after this decision). Dealers need to know that too.

News Briefs

Minimum wage increases

Legislation signed by President Bill Clinton on August 20 increased the minimum wage for the first time in five years. The bill will boost the wage by 50 cents to \$4.75 on Oct. 1, 1996, and then by another 40 cents to the total of \$5.15 on Sept. 1, 1997.

A "training wage" will hold the hourly rate at \$4.25 for employees younger than 20 during their first 90 days of employment.

The legislation does make concessions for the mostly small businesses that will pay the higher labor costs. It provides \$22 billion in tax breaks over 10 years, paying for this in part by reimposing a 10 percent tax on

airline tickets that will start seven days after enactment and last through the end of the year.

Some other provisions of the bill include:

- Providing a \$5,000 credit for both domestic and foreign adoptions through 2001 and a \$6,000 permanent credit for domestic adoptions of hard-to-place kids.
- Permitting homemakers to contribute \$2,000 to IRAs, the same as spouses working outside the home.
- Retroactively reinstating the \$5,250 exclusion for employer-provided tuition and extending it through June 1996 for graduate-level tuition and May 1997 for undergraduate tuition.

Donation opportunity announced

Those of you looking to sell unwanted vehicles or "toys" might want to take note of this opportunity. Volunteers of America-Chesapeake, one of the nation's largest human resources agencies with programs for children, youth, the elderly, ex-offenders, alcohol and drug abusers and people with mental and physical disabilities, is seeking donations of cars, motorcycles, RV's and boats.

In exchange, you will receive a receipt which reflects the NADA book value of your donation.

Call 1-800-948-1414 for a brochure and additional information on the program.

You may also find charitable organizations in your community that offer the same sort of program.

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**OCTOBER 7TH IS
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**SSDA-MI members shared \$163,604
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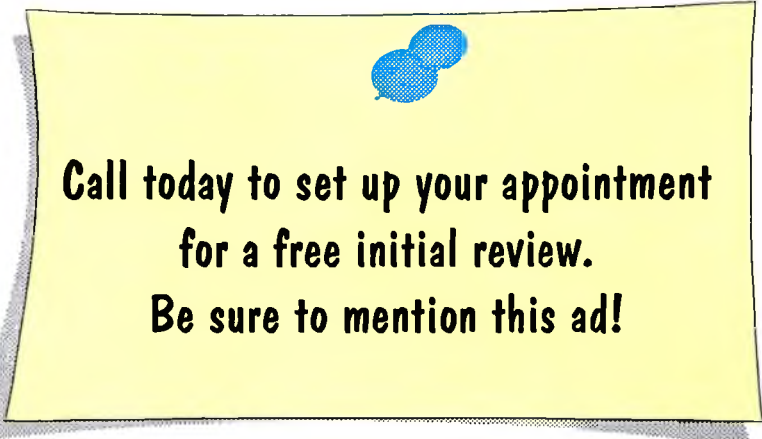
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