

# The LICA News

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The Land Improvement Contractors of America

July/August 2015



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## 2016 National LICA Winter Convention



San Antonio, Texas

February 29 - March 6

## NEW LICA Benefits: From IMC Scrapers & Petrocon

The summer is winding down, but not LICA! Things are kicking into high gear, there are two new National LICA Benefits. IMC Scrapers has introduced a cost-saving benefit and Petrocon has unveiled a online portal.

IMC is offering discounts on their equipment, exclusive to LICA. Members will receive an additional dollar amount of the standard list price of each scraper purchased. This includes: Gate Ejectors and Carry Alls, Carry All Fixed Blades (walking tandem option), Non-Gated Finishing Ejectors, and Rigid and Folding Box Blades.

For any questions contact: Gwen Brittain at (501) 772-5910 or email at [gwen@imscrapers.com](mailto:gwen@imscrapers.com).

IMC Scraper List Price	Discount
\$0.00 - \$30,000	\$1,000
\$30,001 - \$75,000	\$1,500
\$75,000+	\$2,000



The Petrocon Commodities Program has just made ordering much easier, they recently unveiled an online portal. Through this portal you are able to access the full product line and access to order: lubricants, greases, antifreeze, analysis kits, testing tools, chemicals, cleaners, commercial truck, automotive tires and construction, agriculture rubber track. When logging on to the portal members now have the ability to keep track of their order history, pricing and order status.



This new Portal is exclusive to people registered with Petrocon. Make sure you are registered and start using this amazing tool today.

1. First, make sure that you are registered with Petrocon to purchase and have submitted the: Petrocon Credit & Enrollment Form
2. Register you and your company by entering the Portal through this link: <http://www.petrocon.org/portal.html>
3. Your account will then be approved by Petrocon within 24 hours. Once approved, pricing will load into the categories for all items.

**The Land Improvement  
Contractors of America**



THE LICA NEWS is the official publication of the Land Improvement Contractors Association, dedicated to the professional conservation of soil and water. LICA was founded in 1951 and is today comprised of twenty-four chapters across the continental United States

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THE LICA NEWS welcomes letters, subject to editing for accuracy and brevity. THE LICA NEWS also welcomes articles relevant to the land improvement industry. Include your name and daytime phone number for verification purposes.

Deadlines are the twenty-first of the month preceding issue date. All unsolicited material must be accompanied by a self-addressed, stamped envelope.

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## President's Message

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With August nearing the end, summer has passed all too quickly. Its time to get out the golf clubs and visit state chapter golf outings. The June golf outing in Illinois was rained out (like everything else in June around the Midwest). I have yet to try out the new driver I found while attending the Nebraska convention last January.

It is one of life's interesting aspects that you often find something you are looking for in the strangest place. This driver I found on a tour during the Nebraska convention. It was at the counter sales of damaged packages of a food distribution company. One would not expect to find a golf club in such a place but there it was and for a very nice price.

This I bring up for a point. LICA is often times the place to find what you need in terms of knowledge, experience, information, or opportunity. Case in point in the 90's we built many miles of PTO terraces. These were narrow base tile outlet designs doing a much different job than those that my friends in Kansas build. I hope to come see them build someday, sounds interesting how they do it there. At our convention in Illinois, I happened to be sitting at a meal with a member that was looking to get out of tiling and had a good starter machine and tile trailer for sale. Now the major drawback of doing those terraces was waiting for someone to put in that tile so we could put in those terraces, so we bought his stuff to do the whole job not just the earthmoving. A real masterstroke of timing, as terrace construction here dried up shortly thereafter. I think we did the tile on one terrace system. You might think, oops, but this also happened to put us in perfect position to ride the wave of tile installation that soon followed so that within 5 years we had enough business to purchase a brand new machine from one of our fine associates and build a relationship with the dealer that still exists even after his retirement.

A trade association is a wonderful thing. As our CEO has worked hard to find us the discounts, information, and other benefits we now enjoy or could enjoy if you take advantage of them. The benefit that I just talked about though only comes from being more than just a paying the dues member, it comes from attending state and national events, offering to serve as a director, officer, committee member. This is where you can learn so much more and make those friendships that keep you not just coming but looking forward to any gathering of the association. It is in these meetings that you get to know others and learn so much.

This is particularly important if you are just starting out. You don't always have to make your experience the best teacher, you can use someone else's just as well. You can also find a good friend too. And don't say you don't have that leadership quality, you are running a business, that takes leadership. And to me the time spent with LICA is worth far more than what it might have cost in lost hours worked. And if you do get involved don't be surprised that you become better for it.

So I hope I see some unfamiliar faces in the coming months at state events, conventions, and other meetings. The winter convention in San Antonio is shaping up to be another good one, if you haven't gone to one this would be a nice one to attend. And closer is your state convention which I hope I can make as many as possible. Missouri next summer is looking good too.

I will leave you with a challenge: any active member call upon a not so active member and encourage them to attend. We need this association to be much more active, more open, and have everyone "get it" like I said last year in Tampa when I became President.

*Steve Anderson*

Steve Anderson  
LICA President

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# Land Improvement Contractors of America Board Meeting

July 18, 2015 • Little Rock, Arkansas

## CALL TO ORDER

Meeting was called to order by Chairman Bob Clark 9:00 am at the Embassy Suites in Little Rock, Arkansas.

## CREDENTIALS REPORT

Brad McArdle called rolled and declared a quorum present. A complete roll call is listed below.

**Arkansas** Pres. Gwen Brittain

**California** Pres. Merlin Welch

**Illinois** Pres. Tom Beyers

**Indiana** Pres. Mike Koehne

**Iowa** Absent

**Kansas** Pres. Steve Dick

**Michigan** absent

**Minnesota** Pres. Karlen Nelson  
(proxy)

**Missouri** Pres. Chris Brauer

**Montana** absent

**Nebraska** Pres. Ray Cooney

### Executive Committee

Chairman Bob Clark  
President Steve Anderson  
Vice Pres. David Rule  
Region 1 Dan Micsky  
Region 2 Absent  
Region 3 Mike Cook  
Region 4 Nordis Estrem  
Region 5 Dirk Riniker  
Region 6 Brad McArdle  
Region 7 Vacant  
Region 8 Merlin Welch

## APPROVAL OF AGENDA

Motion by Nordis Estrem to approve an open agenda, seconded by Merlin Welch. Motion passed.

## APPROVAL OF PREVIOUS MINUTES

Motion by Mike Cook, seconded by Dirk Riniker to approve the previous minutes of February 14, 2015 as printed in the LICA News. Motion passed.

## REPORTS

### Chairman of the Board - Bob Clark

In April I traveled to Ames, IA to participate in an advisory committee, "Managing Water for Increased Resiliency of Drained Agricultural Landscapes." The project team has twenty members made up of researchers and extension specialists from eight universities and USDA research sites. My role is to keep drainage contractors informed of the progress, results and tools developed. It is a good opportunity for LICA.

### President - Steve Anderson

Steve went to the New Jersey Convention. Wrote an article for the Drainage Contractor magazine. Planning on attending many state golf outings.

### Treasurer - Mike Cook

Before you are the financial statements for LICA nine months ending June 30, 2015. Dues are \$25,000 over budget. Expenses should be at 75%. Printing and Publications are over budget due to printing new member folders and promotional material. Scholarships are over budget, but will be covered by a donation from the Ladies Committee. We should stay within budget for the last three months. Two hundred thousand of the \$331,944 is in a CD per the by-laws.

### Executive Committee- Brad McArdle

The Executive Committee met Tuesday night. All officers gave reports on activities since the winter meeting. Jerry gave a report on his travel and what is happening on the national level. The budget for 2015/2016 was reviewed for presentation to the board.

### Chief Executive Officer - Jerry Biuso

Since the convention in Tampa I have been traveling focusing on membership as well as developing the new chapters. It has been hectic and crazy in a very positive way. It is a fact when I travel membership increases and is reflected in the membership report. After including all the drops we are in very good shape. As you review my report you can see the positive activities occurring throughout the country. As of June 30th we have recruited 158 new members and that number increases every day.

**New Chapters** - It is a very difficult undertaking starting a new chapter. You first must establish the need, then find someone in the state with a sincere interest and the ability to carry it through. Arkansas was my first attempt I can say they are well on the way with more members (42) than some long time state chapters. The other new chapters I am working with are Maryland, Delaware, North Dakota and Texas. Texas will be most challenging. Florida has re-organized and soon will return as a chapter.

## Board Meeting (from page 3)

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### REPORTS (Continued)

#### CEO Report (continued)

**Membership** – I have worked with New Jersey who has 28 new members. I have also helped New York and Pennsylvania LICA recruit new members. I held membership drives; three days in Maryland and six days in Nebraska. I have discussed a program with California LICA.

**National Conventions** – I conducted two site inspections one in San Antonio and the other in Colorado Springs with Nordis Estrem. I successfully secured the Drury Hotel in San Antonio on the River Walk and the Elegante in Colorado Springs. I am scheduled to visit three hotels July 26-29th in Kansas City the site of the Summer 2016 meeting with Deb Dickens.

**IECA** - As a result of the lunch we hosted in Washington DC we began a partnership with IECA (International Erosion Control Association). Please see article in the summer magazine. We did exhibit at their convention in Portland and they will also exhibit at our Associates night on Thursday. They will hold their 2016 Convention in San Antonio just before ours.

**NACD** – I seek to develop a stronger relationship with this association (National Association of Conservation Districts). I believe they can be a source of revenue for our members.

**Wastewater Management** - This is now a national focus to recruit contractors performing this service. Illinois, Pennsylvania and New Jersey LICA have launched initiatives in this area. New Jersey had 41 attendees from 24 different companies. Out of those 9 were not LICA members. New Jersey gained 12 members, 3 from the United Fire Insurance Program.

**The World of Asphalt** - Baltimore, MD, March 17-19, 2015 I attended the show with the president of Maryland LICA Megan Callahan and John Brown the President of Delaware LICA. The show was well attended by predominately east coast contractors.

**CONEXPO 2017** - Attended the Supporting Organization Program – Co Locating Associations - April 23, 2014 meeting in D.C.

**Conference for Association CEO's** - 100 association leaders gathered in New York City to explore the changing nature of networks and their impact on associations. Associations: 2020 and Beyond offered a forum for association leaders to share best practices and learn from those already taking steps within their own associations in preparation for the future. A key issue discussed was declining membership off 30% in the past ten years. LICA was the only association reporting an increase in membership!

### MOTIONS

Motion by Veronica Seevers, second Dirk Riniker to have the 2018 Winter meeting in Charleston, SC. Carried.

Motion by Brad McArdle, second Nordis Estrem to have the 2018 Summer meeting in Grand Rapids, MI. Carried.

### MOTIONS (Continued)

Motion by Nordis Estrem, second Dirk Riniker that any funds remaining in closed state chapters be returned to National and held in escrow for the future use if states start up again. Carried.

### COMMITTEE REPORTS

#### Associates Advisory Committee- July 17, 2015

The meeting was called to order at 10:00 am by Kent Rodelius. Those in attendance were: Norm Rozendaal, Dave Van Essen, Amber Bosma, Ray Thys, Bruce Mosier, Jerry Fletcher, Gwen Brittain, Xenya Mucha, Charlie Schafer and Bob Clark.

Motion for an open agenda was made and passed.  
Motion to accept the minutes of the February 13, 2015 meeting was made and passed.

Gwen Brittain from the Arkansas LICA gave us an update on the Arkansas chapter and why it was important to host the meeting in Little Rock. The associates agreed that the meetings were well planned. We were glad to be an encouragement to this new chapter and look forward to seeing them grow. The associates held a water quality seminar at this meeting to discuss the latest developments and research being done in conjunction with LICA contractors and ADMC. Several reports from around the Midwest were given on Water Drainage Management practices. Much discussion followed on those topics and others. There were several comments from attendees that the meeting was helpful in bringing them up to speed on water quality challenges and possible solutions.

At the water table management committee meeting a request was made that a seminar be developed to be used at ConExpo in 2017. This seminar would feature water quality topics in conjunction with conservation practices. ADMC and LICA will develop this seminar and roll it out at the upcoming meeting in San Antonio in 2016 National LICA Convention. Bob Clark thanked us for our support and the valuable roll the associates play in both State and National chapters. The associates are always willing to support the organization and help in anyway can.

There was a general discussion of the meetings and format. Thank you for another well planned event and fun Associates' Night. We always enjoy the opportunity to strengthen our relationships and friendships, both old and new. A motion to adjourn was made by Dave Van Essen and seconded by Amber Bosma. Meeting adjourned.

#### Budget Committee- July 17, 2015

The meeting was called to order by Chairman Mike Cook. Those in attendance were: Brad McArdle, NE; Nordis Estrem, MN; Dan Micsky, PA; Merlin Welch, CA; Bob Clark, IN; Darrell Birge, IN; and Steve Anderson, IL.

Motion to approve an open agenda Dan Micsky, second Nordis Estrem. Carried.

Motion to approve previous minutes by Nordis Estrem, second Dan Micsky. Carried.

There were no requests for funds from committees. The budget discussed at the Executive Committee will be brought to the Board.

“Board Meeting” > 5

## Board Meeting (from page 4)

### COMMITTEE REPORTS (Continued)

#### Budget Committee (Continued)

Discussion of the funds from the Carolinas. The policy committee will be requesting that they be put in escrow, if the Carolinas should decide to re-organize.

Motion made by Brad McArdle, second Nordis Estrem to have Chris Johnson ask for their incorporation papers to keep at the national office. Motion passed.

Motion to adjourn at 4:20 by Nordis Estrem, second Merlin Welch. Meeting adjourned.

#### By-Laws Committee- July 17, 2015

The meeting was called to order at 9:49 am by Darrell Birge. Those in attendance were: Steve Gerten, OH; Harry Hauschild, NE; David Rule, NY; Dean Neiswinger, IN; Mike Koehne, IN.

Approval of open agenda Steve Gerten, second David Rule. Passed.

Approval of previous minutes by Harry Hauschild, second David Rule. Passed.

Discussed drones for conexpo as it pertains to construction and qualifications to fly drones.

Discussed the relationship with associates and ways to make it more productive. Meeting adjourned.

#### Conservation, Excavating & Earthmoving Committee July 17, 2015

Meeting was called to order at 10:00 am by Chairman Tom Beyers, IL. Those in Attendance were: Tom Beyers, IL; Don Loken, MN; Lawrence Fischer, NE; Kenneth Porter, NE; Vern Krivanek, NE; Paul Demuth, OH; John Rothberg, NJ; Steve Dick, KS; Brad McArdle, NE; Mark Morreim, MN; Jon Seevers, IL; Merlin Welch, CA; Kevin Bakken, MN; Mont Gilbert, MO; Steve Anderson, IL; Jim Pruss, NE; Dan Micsky, PA; Penny Hughs, KS; and Maura Dibble, NY.

Mark Morreim made the motion for an open agenda, Steve Dick, second. Carried.

Tom Beyers, IL read the minutes from Tampa, FL.

Mark Morreim made the motion to accept the minutes as read, Jim Pruss second. Carried.

Don Loken brought up the subject of MSHA. Tom Beyers discussed a mine that is having inspectors on the average of 3 inspectors that are coming 3 times a week.

Discussion on drones. Brad McArdle is currently using one for a job. Penny Hughs teaches people to use them.

A round table discussion on Erosion & Sediment Control on Construction projects and some issues with the NRCS. Mark Morreim talked about a washout that he is working on with NRCS. Jim Pruss talked about a watershed project that he worked on.

There has been a nitrogen loss in the Midwest due to all the rainfall. The chemicals that were in the soil previously are moisture activated, a carryover effect.

The nutrient loss in the Gulf States, there are 38 states affected. This has the potential to be the biggest conservation of

### COMMITTEE REPORTS (Continued)

#### Conservation, Exc. & Earthmoving Comm. (Continued)

fort to date.

Merlin Welch talked about the shortage of water in California. Motion to adjourn at 10:59 by Steve Dick, seconded by Steve Anderson. Meeting adjourned.

#### Convention Committee- July 17, 2015

Chairman David Rule, NY called the meeting to order at 11:15 am. Those in attendance were: Mike Cook, MI; Brad McArdle, NE; John Weatherhead, FL; Nordis Estrem, MN; David Rule, NY; Veronica Seevers, IL; John Rothberg, NJ; Steve Anderson, IL; Joanie Micsky, PA; Shelly Hewson, NJ; Chris Brauer, MO; Amber Bosma, IA; Debbie Dickens, MO; Amy Gerten, OH; Sarah Cook, MI; Linda Dick, KS; Sandy Birge, IN; Coretha Rozendaal, IA; Patti McArdle, NE; Veronica Seevers, IL; and Maura Dibble, NY.

Open agenda motion by Nordis Estrem, MN, seconded by Mike Cook, MI. Carried.

Nordis Estrem made the motion to approve the minutes from the February 2015 meeting second by Patti McArdle, NE. Motion carried.

Roll call of the regions. Regions 1,8 are not represented. One member – at - large.

Old Business:

2016 Winter Meeting – San Antonio, TX the dates are February 29 – March 6, 2015 at the Drury Hotel at a rate of \$157.00

2016 Summer Meeting: Debbie Dickens, MO talked about Kansas City, MO, that will be Missouri's 75th anniversary, it will be the 65th anniversary for National LICA. There are 3 hotels that they are looking into. She talked about all the options that are available in Kansas City.

2017 Winter Meeting – ConExpo, in Las Vegas, NV

2017 Summer Meeting: Nordis Estrem talked about Colorado Springs, at the Elegante Hotel rate of \$127, possible dates July 10th -16th, 2017.

2018 Winter Meeting: David Rule gave a report from Kim Johnson about Charleston; SC. Nordis Estrem talked about Tucson, AZ. Nordis Estrem made the motion to go to Charleston, SC. Veronica Seevers seconded. Carried.

2018 Summer Meeting: Nordis Estrem talked about going to Boston, MA

Mike Cook talked about Grand Rapids, MI. Maura Dibble gave a report on Chicago that Allison prepared. Nordis Estrem made the motion to go to Grand Rapids, MI, seconded by Brad McArdle. Motion passed.

2019 Winter Meeting ideas: Tucson, AZ, Sacramento, CA, New Orleans, LA

2019 Summer Meeting ideas: Chicago, IL; Portland, OR; Niagara Falls, NY

Nordis Estrem, MN made the motion to adjourn at 12:15pm, seconded by Veronica Seevers, IL. Carried.

## Board Meeting (from page 5)

### COMMITTEE REPORTS (Continued)

#### Devotions Committee- July 17, 2015

The meeting was called to order at 10:00 am.

Those in attendance were: Linda Rule, NY; Nordis Estrem, MN; Nancy Fischer, NE; Fran Miller, IA; Linda Hauschild, NE; Darlene Porter, NE; Sarah Cook, MI; Linda Pruss, NE; Donna Clark, IN; Goldie Krivanek, NE; Shelly Hewson, NJ; Sue Gilbert, MO; Miranda Benedict, MO; Linda Dick, KS; Becky Riniker, KS; Patti McArdle, NE; Marsha Haag, IL; Coretha Rozendaal, IA; Sandy Birge, IN; and Veronica Seevers, IL.

Motion to approve open agenda by Nordis Estrem, second Linda Rule. Carried

Motion to approve previous minutes by Patti McArdle, second Linda Hauschild. Carried

New Business:

Discussed music transfer to IPAD, IPHONE, or IPOD or generic MP3 player. We will need to order or purchase a speaker.

Nordis Estrem made the motion to purchase a device to play music for devotions, second Fran Miller. Motion passed  
Linda Rule made the motion to adjourn, second Coretha Rozendaal. Meeting adjourned.

#### Education and Technology Committee- July 17, 2015

Called to order by Chairman, Merlin Welch, CA at 8:50 am

Those in attendance were: Merlin Welch, CA; Steve Miller, IA; Joanie Micsky, PA; Shelly Hewson, NJ; John Rothberg, NJ; Xenya Mucha, IL; Penny Hughs, KS; Coretha Rozendaal, IA; Steve Anderson, IL; Paul Demuth, OH; and Maura Dibble, NY.

Merlin Welch spoke about a paper that he is working on with Cory Rimmer of CNA, on how to attract Millennials into the Construction industry.

How do we train the potential employees, i.e.: young people, as they have never been exposed to this industry.

Group round table discussion on the shortage of labor in our industry.

Discussion on what topic should be at Con-Expo, as LICA is part of the dirt-moving track

- What happens when technology fails?
- The need for Data Managers
- Cost of Ownership – old vs. new
- Owning and operating cost of equipment
- Where is the threshold for renting vs. owning
- At what point is your equipment obsolete?

Meeting adjourned at 9:45 am.

#### Executive Directors Meeting - July 16, 2015

The meeting was called to order by Chairman, Patti McArdle at 2:10 pm. Those in attendance were: Patti McArdle, NE; Maura Dibble, NY; Nordis Estrem, MN; Kevin Bakken, MN; Joanie Micsky, PA; Diane Curtis, WI; Mark Wilson, OH; Sarah Cook, MI; Mike Cook, MI; John Weatherhead, FL; Debbie Dickens, MO; Penny Hughs, KS; John Peterson, LICA; Eileen Levy LICA; Jerry Biuso, LICA CEO.

Jerry Biuso, CEO, welcomed Sarah and Kevin to their positions. He spoke to the Executive Directors about benefits and programs. He spoke about the Petrocon portal. He spoke about recruitment, the ED's need to use the information that is available and get it out to the members.

John Weatherhead of FL gave a presentation about a CD that

### COMMITTEE REPORTS (Continued)

#### Executive Director's Meeting (Continued)

he produced. Eileen will see that all the ED's receive a copy. Patti McArdle talked about the Petrocon portal, and how easy it will be for the contractors. Joe from Petrocon will be sending out a press release for use in the newsletters and also an email blast.

Eileen Levy talked to the Executive Directors on: Taking approximately 4 weeks to get the new member packets out. They are using UPS to send out the Safety Manuals, this is more costly, but better delivery time.

All of the Directors gave a report on what is happening in their state.

Patti McArdle went through the final draft of the LICA Executive Director's Guide. One addition will be while at the National and summer convention, the ED should attend the Executive Director's meetings and any other pertinent meetings or seminars including any relating to benefits.

Debbie Dickens talked about Kansas City in 2016. The hotel will be finalized next week. Some ideas for tours: A Harley Davidson tour, Steamboat Arabia, many sports activities, speedway, aquarium, zoo, WWI museum, trolley.

Discussion on topics for the next meeting: Facebook, Twitter, Linked In, Social media, Roberts Rules for meetings.

The next meeting will be held at the summer convention San Antonio, February 29th – March 6, 2015

Penny Hughs made the motion to adjourn the meeting at 3:45, seconded by Debbie Dickens. Meeting adjourned.

Training on Excel continued until 5:00 pm.

#### Insurance/Safety Committee- July 17, 2015

The meeting was called to order at 11:15 by acting Chair Don Loken. Those in attendance were: Don Loken, MN; Mark Morriem, MN; Kevin Lewis, PA; Rick Childs, MA; Steve Dick, KS; Lawrence Fisher, NE; Vern Krivanek, NE; Kenneth Porter, NE; David Haag, IL; Bruce Mosier, IA; Mike Koehne, IN; Jim Pruss, NE; and Penny Hughs, KS.

Approval of open agenda, Ken Porter, second Steve Dick. Carried.

Approval of previous agenda Mike Koehne, second David Haag. Carried.

A discussion was held on seminars for Conexpo. The distracted driving seminar was good and it was suggested to continue with this type of seminar. The Zywave portal has a form for employees to sign on cell phone usage. Rick Childs shared with the group on how insurance industry pricing is directly related to the safety you have in place. Types of insurance and what you pay for is something to be aware of and make sure you understand what you have.

Seminar suggestions for future conventions are: Insurance contract analysis, removal of stuck machinery, tying down machines, tire safety and continue with the distracted driving seminars.

Motion to adjourn Jim Pruss, second Mark Morreim.

## Board Meeting (from page 6)

### COMMITTEE REPORTS (Continued)

#### Ladies Committee- July 17, 2015

The meeting was called to order at 10:00 am.

Those in attendance were: Linda Rule, NY; Nordis Estrem, MN; Nancy Fischer, NE; Fran Miller, IA; Linda Hauschild, NE; Darlene Porter, NE; Sarah Cook, MI; Linda Pruss, NE; Donna Clark, IN; Goldie Knrivaneck, NE; Shelly Hewson, NJ; Sue Gilbert, MO; Miranda Benedict, MO; Linda Dick, KS; Becky Riniker, KS; Patti McArdle, NE; Marsha Haag, IL; Coretha Rozendaal, IA; Sandy Birge, IN; and Veronica Seevers, IL

Approval of open Agenda Patti McArdle, second Fran Miller.

Carried

Approval of previous minutes Linda Rule, second Sandy Birge.

Carried

Old Business:

Jewelry Raffle cleared \$3,101

New Business:

50/50 tickets selling in Arkansas. We want a hospitality room for 3 days. The San Antonio convention will be Feb 29- March 6. Crafts were well received.

Watch raffle in San Antonio. Tickets will be 1 for \$10, 3 for \$20.

Cost is \$562, value \$1,200. We will do a silent auction in

Kansas City.

Asked for ideas for activity in Las Vegas.

Meeting Adjourned.

#### Legislative Committee- July 17, 2015

The meeting was called to order by John Peterson at 8:45 am.

Those in attendance were: Mark Morreim, MN; Kevin Bakken, MN; Nordis Estrem, MN; Brad McArdle, NE; Kenneth Porter, NE; Dirk Riniker, KS; Chris Brauer, MO; Debbie Dickens, MO; John Weatherhead, FL; Davis Haag, IL; Dan Micsky, PA; Mike Koehne, IN; Patti McArdle, NE; Jim Pruss, NE; Mark Wilson, OH; Harry Hauschild, NE; David Rule, NY; Vern Krivanek, NE; Darrell Birge, IN.

A motion for an open agenda was made by Chris Breuer and seconded by Nordis Estrem.

Minutes from the Legislative Committee Meeting held at the February Winter Meeting in Tampa were read by John. Dirk Riniker moved their approval, seconded by Mike Koehne. The minutes were approved as presented.

John then led a discussion on the following topics.

EPA changes to the WOTUS definition.

The US Environmental Protection Agency's (EPA) proposed changed to waters of the US (WOTUS) as defined in the Clean Water Act of 1972 were published in the Federal Register on June, 29th and will become effective in August 28, 2015. EPA received over one million letters in opposition to the new definition from various individuals and groups throughout the country during the comment period.

John distributed an analysis of the final rule prepared by the National Association of Conservation Districts (NACD) and a side-by-side comparison of the initial and final regulatory language prepared by the Congressional Budget Office (CBO). The CBO document is quite good but very complex. He also noted that the US House of Representatives passed legislation that would prohibit the EPA from using funds to enforce these new regulations. The Senate will not likely will proceed with like

### COMMITTEE REPORTS (Continued)

#### Legislative Committee (Continued)

legislation, but it is anticipated that any bill passed by the Congress would be vetoed by the president.

The first of many anticipated lawsuits opposing the new regulation has already been filed by the American Farm Bureau and other groups. It is likely that legal and legislative initiatives will be abundant and will go on for quite some time. It is also likely that the new regulation may initiate scrutiny of existing agricultural exemptions.

Deb Dickens noted that Missouri has joined a suit that opposes the WOTUS changes on the basis that it violates states' rights.

Probably bigger than the WOTUS redefinition, is what may be happening to the Ag Exemptions in Sec. 404 of the CWA. This could have a big impact on those LICA contractors particularly in the Midwest whose work is with farmers. The so-called ag exemption may be disappearing. Here are some of the things happening that may cause this change.

- Long held CWA ag exemptions could be in jeopardy following a ruling by the US Court of Appeals in American Farm Bureau Federation et al v EPA. The judges disagreed with the Farm Bureau and 8 other organizations that the CWA left no room for EPA to set strict standards and deadlines when issuing a TMDL for a waterbody.

- The above ruling and a lawsuit brought by the Des Moines, IA Water Authority against upstream tile drainage districts for bringing too much nitrogen into the Raccoon River, could result in the discharge from those districts being considered a "Point Source." Right now provisions in the CWA exempt agriculture from being a regulated point source.

- Also a recent case in CA decided that Confined Animal Feeding Operations (CAFO's) that were previously covered by the ag exemption were a point source.

If the ag exemption is lost, it could really impact how LICA Contractors work with their farmer clients, particularly those doing subsurface drainage. And since LICA Contractors are often the people farmers look to in understanding these things, LICA Contractors should be prepared to help their clients do the best job they can in preventing pollution. The technology does exist.

Highway Trust Fund Reauthorization.

The US Congress has, once again, chosen to use stop-gap, short-term measures to deal with the issue of the Highway Trust Fund expiring and the end of July. All indications are that this will continue to be the strategy for the foreseeable future. While many, including LICA, could support an increase in the federal gas tax if the money were only used for highways and bridges, many on both sides of the aisle don't want to raise taxes. The gas tax has not been raised since 1993, and much of the money currently goes to other than roads and bridges. A position paper on the subject has been drafted and will be taken up by the LICA Executive Committee in the near future.

## Board Meeting (from page 7)

### COMMITTEE REPORTS (Continued)

#### Legislative Committee (Continued)

##### Power Plant Rules.

LICA supported passage of HR 2042, the Ratepayer Protection Act, which would delay implementation of EPA proposed rule under Sec. 111 (d) of the Clean Air Act to regulate greenhouse gas emissions from existing power plants until such times as all judicial review has been completed. LICA has signed on to a letter to Fred Upton, Chairman of the US House Committee on Energy and Commerce, asking Members to vote "yes" on H.R. 2042. LICA joins approximately a dozen similarly interested groups signing in this letter.

##### Minnesota Governor's Buffer proposal.

Mark Morriem talked of a recent issue in Minnesota proposed by Gov. Dayton that would require establishing a 50' buffer along rivers, streams, and drainage ditches. Additionally, unlike current regulations that reimburse landowners for loss of cropland when such buffers are established, this proposal does not continue the same reimbursement policies. Mark also indicated that this regulation would be subject to much litigation.

##### The Northern Long-Eared Bat.

LICA has worked with a number of other groups that oppose the listing of the Northern Long Eared Bat as endangered by the Fish & Wildlife Service (FWS).

The bat is dying from something called the White-Nose Syndrome, which is not caused by humans. Listing could affect human activity in 39 eastern states plus DC. The problem is the Endangered Species Act (ECA) is not a good tool for dealing with something not caused by humans, since all it can do is curtail human activity in the problem area. The FWS will probably list the bat as endangered. Many of the groups we are working with are prepared to litigate. We will likely still support them, but not financially.

##### Dallas HUD Case.

John talked of HUD's twisting of the 1968 Fair Housing Act to assume that if low income minorities cannot afford to live in an expensive suburb, HUD assumes the community is racist and must "affirmatively further diversity" by "providing adequate support to make their choices viable." Along with controversial decisions on Obamacare and "homosexual marriage," the sharply divided Supreme Court ruled 5-4 that the Fair Housing Act allows people to challenge zoning laws that "may have a harmful impact on minority groups" even if there is no proof that government agencies intended to discriminate. This case involved an appeal from Texas officials accused of violating the Fair Housing Act in a way that kept low-income housing out of expensive, and mostly white, neighborhoods. A federal appeals court said a Dallas-based fair housing group, The Inclusive Communities Project, Inc., could use statistics to show that the effect of policies, even if those policies had no intent or motive to discriminate, appeared to be racist and had a "negative impact" on black residents. Texas officials argued it was not right to have to justify or change policies that don't racially discriminate.

##### Wisconsin State Prevailing Wage Reform.

Wisconsin is dealing with action to reform state prevailing wage programs. Although these moves have high political visibility, Diane Curtis said they may not have any real effect on building

### COMMITTEE REPORTS (Continued)

#### Legislative Committee (Continued)

costs in WI since many of the projects involved are already subject to federal prevailing wage mandates.

##### Con Expo Educational Seminars.

John Peterson relayed a request from Jerry Biuso, National LICA CEO, that committees begin considering topics for educational programs at the next Con Expo conference.

Dan Micsky proposed that we have a LICA panel to educate legislators of the impact of the federal excise tax on our industry. LICA Members could invite their legislators to Con Expo, have them look at equipment costs with the LICA Members and the amount of excise taxes collected, and discuss not only the tax, but what it is used for. The tax is about 12-13% of equipment cost.

An additional topic may be implementation of WOTUS as it stands at the time of Con Expo. Nordis Estrem made a motion for adjournment, seconded by Vern Krivanek. The meeting was adjourned at 9:45 a.m.

#### Long Term Planning & Past Presidents Committee July 17, 2015

The meeting was called to order at 11:00

Those in attendance were: Steve Gerten, OH; Steve Miller, IA; Harry Hauschild, NE; Darrell Birge, IN; Dirk Riniker, KS; Dean Neiswinger, IN; Bob Clark, IN; Merlin Welch, CA

Approval of an open agenda Harry Hauschild, second Dean Neiswinger. Carried

Approval of previous minutes Darrell Birge, second Dirk Riniker. Carried

##### Old Business:

Discussed the Strategic Plan and thought we are on track. Suggested to print the strategic plan in the national directory. Motion by Harry Hauschild, second Dirk Riniker. Motion passed Discussed Jerry's succession. He is still doing a great job and we will continue to support his efforts as long as he wants to continue.

##### New Business:

Talked about the need to have a business oriented motivational speaker. Other possible seminar topics on technology, safety and insurance programs specifically at conexpo.

Talked about the need to support your safety programs. To get employees engaged in operating in a safe manner. We suggest having meetings at locations best suitable for members to attend and topics of interest to attract more attendees. We strongly recommend the need to stay in the forefront of our associates and maintain close communications.

Motion to adjourn at 11:52 by Darrel Birge, second Harry Hauschild. Meeting adjourned.



## Board Meeting (from page 8)

### COMMITTEE REPORTS (Continued)

#### Membership Committee- July 17, 2015

Meeting was called to order by acting Chair Harry Hauschild at 1:45 pm. Those in attendance were: Mike Cook, MI; Sarah Cook, MI; Nordis Estrem, MN; Mike Koehne, IN; Chris Brauer, MO; Kevin Bakken, MN; Kevin Lewis, PA; Dan Micsky, PA; Joanie Micsky, PA; Patti McArdle, NE; John Rothberg, NJ; David Rule, NY; Shelly Hewson, NJ; John Peterson, Merlin Welch, CA; Mark Morreim, MN; Don Loken, MN; Gwen Brittain, AR; and Penny Hughs, KS

Approval of open agenda, Nordis Estrem, second John Rothberg. Carried.

Approval of Previous minutes, by Dan Micsky, second Mike Koehne. Carried.

Harry Hauschild reported on Nebraska recruitment with Jerry Biuso in June.

Nordis Estrem reported on breakfast meeting for recruitment in MN with several prospective contractors members in attendance.

Retainage discussion held.

Shelly Hewson from NJ stated they invited waste management people to an OSHA and educational seminar where they could become diversified. It was very well received.

Benefits were discussed. Members were encouraged to use them.

LICA insurance was discussed. Coverage is good at a real savings. Questions on it working for businesses with 4 or more employees/clarification are needed.

Zywave portal is an excellent resource. Use of correct keywords is mandatory.

Member ID cards were discussed, they are issued one time. Ideas for conexpo: it was noted they were give in earlier meetings.

Convention ideas: motivational speaker, 2 seminars at same time for interest to all members.

Motion to adjourn at 2:40 by Mike Cook, second John Rothberg. Meeting adjourned.

#### On Site Waste Committee- July 17, 2015

The meeting was called to order at 11:15 by acting chair, Dan Micsky. Those in attendance were: Dan Micsky, PA; Jon Seevers, IL; Kevin Bakken, MN; Tom Beyer's, IL; and Norm Rozendaal, IA

Motion to approve open agenda Jon Seevers, second Norm Rozendaal. Carried.

Motion to approve previous minutes by Clem Karlin, second Norm Rozendaal. Carried.

Old Business: Clem reported on checking into the possibility for this summer meeting of an onsite visit in Arkansas. Due to field trips and time constraints it was not feasible.

New Business:

Reiterated the idea of drone education at conexpo.

On Site group enjoys the exchange of ideas during their discussion.

Motion to adjourn Norm Rozendaal, second Tom Beyers at 12:15 pm. Meeting adjourned.

### COMMITTEE REPORTS (Continued)

#### Policy Committee- July 17, 2015

The meeting was called to order by Chairman Steve Anderson at 1:45pm. Those in attendance were: Darrell Birge, IN; Steve Gerten, OH; Steve Anderson, IL.

Motion for an open agenda Darrel Birge, second Steve Gerten. Carried

Motion to approve previous minutes Steve Gerten, second Darrell Birge. Carried

Motion by Darrell Birge any funds remaining in closed state chapters be returned to the national fund to be held in escrow for the future use if states should start up again, second Steve Gerten. Motion discussed and passed to be presented to board.

Minutes of February 14, 2015 board meeting were viewed for motions. Executive committee report of February 10, 2015 was examined for motions, too.

Motion to adjourn Steve Gerten at 2:25 pm, second Darrell Birge. Meeting adjourned.

#### Water Table Management Committee- July 17, 2015

The meeting was called to order at 8:46 am by chair Mike Cook. Those in attendance were: Bob Clark, IN; Charlie Schafer, IA; Norman Rozendaal, IA; Nate Cook, MI; Sarah Cook, MI; Kevin Rapp, OH; Kent Rodelius, MN; Steve Anderson, IL; Jon Seevers, IL; Steve Gerten, OH; Mont Gilbert, MO; and Don Loken, MN.

Mike Cook moved for open agenda which was seconded by Kent and was carried.

Sarah Cook read the minutes from February 13, 2015. Steve Gerten moved to accept the minutes as read. Seconded by Bob Clark and carried.

Mike Cook opened a discussion on Con Expo topics. Steve Gerten mentioned Jerry Biuso would be traveling to Las Vegas in September. Norm questioned whether there were studies about nutrient run off, and whether farms are getting the blame for something that would naturally occur. Kevin Rapp cautioned that could bring unwanted blame on the tile lines bringing in the phosphates, so that may not be the route we want to go. Kevin mentioned we need to have studies before, during, and after. Bob said we need to take the next step and talk about drainage alongside irrigation. Norm asked if retaining the water and letting the water sit before draining it away reduces the nitrogen in the water. There was discussion on the topic. Kevin stated that we need to have the different newsletter articles need to be part of the presentation at Con Expo.

Mike mentioned the round table discussion that occurred between the different organizations (DEQ, NRCS) in Michigan, and that it had been interesting to get them all together and talk with them.

Charlie mentioned LICA is a group of problem solvers. Don said that he thinks we should write an article about LICA: The Solution Group. Bob mentioned that we should get an article in the LICA Contractor magazine and Drainage Contractor magazine. Bob and Kent think Drainage Contractor would be very accepting of an article.

## Board Meeting (from page 10)

### COMMITTEE REPORTS (Continued)

#### Water Table Management Committee (Continued)

Don thinks we shouldn't limit the article to just those magazines...get the article out nationally to other organizations. Charlie mentioned some groups that have received grants to conduct studies. He said the ADMC could partner with those groups. Recommendation to promote out beyond LICA. Bob stated he is a TSP and had to renew his certification. He said it helps to have a third party when talking with DCs to clarify things. He said things get resolved a lot quicker. It helps to explain to the grower the cost analysis as well as pros too. Projects are a greater scope; landowners down the watershed paying to retain water upstream, to reduce the nitrate levels before they even get to them.

Kent asked the contractors what is the thing holding drainage water management systems back. Mike said right now it seems to be cost. Bob said it's the time and the amount of extra work the land owners think it would be for them. Remembering to turn things on or off. Norm mentioned if the cost is below the cost of production, he thinks the landowners will want to do it. Bob stated having a spreadsheet that can show the costs and yields helps, because when the cost of things change, you can enter the change into the spreadsheet and show the difference of calculations to the land owners.

Bob mentioned his son has become friends with an agronomist in a state that doesn't even believe in drainage. He's been able to convince land owners to put in center pits, when as a whole, drainage has not been well received.

Mike proposed we come to National Convention with some plans for Con Expo to promote how LICA is working to improve Water Quality. Recommend a session at Con Expo of various

### COMMITTEE REPORTS (Continued)

#### Water Table Management Committee (Continued)

practices and research, leaning on ADMC to assist. Bob said he'll follow up with the Soil Conservation Society before National Convention. Bob motioned to adjourn, second by Don and carried at 9:33 am.

#### OLD BUSINESS

Chairman Bob Clark read and review the strategic plan

#### NEW BUSINESS

Debbie Dickens reported on the plans for the 2016 summer meeting in Kansas City.

Dan Micsky asked about more details of the strategic plan and Bob will send them to him, and it will be printed in a future issue of the LICA News. Dirk Riniker suggested the Strategic Plan for the directory.

Merlin Welch discussed seminar topics and speakers for the summer and winter meeting. Topics mentioned were, technology security, employee relations, motivational speakers.

Kevin Bakken made the motion to have Shelly Hewson and Joanie Micsky on a convention sub-committee looking into speakers and seminars. Second Dan Micsky. Motion passed.

#### ADJOURNMENT

Motion at 10:15 to adjourn by Brad McArdle, second Mike Koehne. Meeting adjourned.

Budget 2015/2016	
Income	Budget
Contractor Dues	270,000.00
Associate Dues	11,000.00
Affi & Subs	1,000.00
Interest	500.00
Registration	75,000.00
Summer Meeting	23,500.00
Magazine	5,000.00
<b>Total Income</b>	<b>386,000.00</b>
Expenses	
Rent	23,700.00
Office Supplies	4,000.00
Postage	3,000.00
Professional Services	4,000.00
Print and Publications	4,000.00
Telephone	3,000.00
Bank Charges	300.00
<b>Total</b>	<b>42,000.00</b>
National Staff	155,000.00
Taxes	5,000.00
Travel	27,500.00
<b>Total</b>	<b>187,500.00</b>
Legislation	17,000.00
Scholarships	2,000.00
Public Relations	20,000.00
Safety and Member Services	4,000.00
<b>Total</b>	<b>43,000.00</b>
Executive Committee	20,000.00
Committees	3,500.00
Liability Insurance	2,000.00
Summer Meeting	20,000.00
Convention	68,000.00
<b>Total</b>	<b>113,500.00</b>
<b>Total Expenses</b>	<b>386,000.00</b>

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