

THE LICA CONTRACTOR

Volume 17, Number 2

Mid-Spring 2024



**Winter Convention Energizes
LICA Membership**

**LICA Expands Into
Texas and Tennessee**

**Bridging Expertise: Alliance of Indiana
Rural Water Attending LICA Forum**

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THE LICA CONTRACTOR

The Land Improvement Contractors of America

The LICA Contractor is the official publication of the Land Improvement Contractors of America, 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 Contractor welcomes letters, subject to editing for accuracy and brevity. The LICA Contractor 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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Published by:
Land Improvement Contractors of America

Next Issue Date: Summer 2024
Advertising Material Deadline:
May 13, 2024

A Message From the President



Hello from Indiana!

Many of you are familiar with who I am, but for those who may not know me or haven't heard yet, I am your new National LICA President for 2024. I have enjoyed coming up through the ranks of state, regional and National LICA, and I have been a member for around 25 years, give or take. I want to extend my thanks to Dave Gallahan and all the other past presidents for helping me and guiding me through my tenure as Region III VP and National Vice President.

We have a lot to be excited about in the coming months. We are busy preparing for the LICA Water Management Forum and we're making strides with the LICA Educational Foundation for Veterans. The Forum will be held on June 13th and 14th at St. Joseph's College in Rensselaer, Indiana. I would also like to remind everyone to attend the golf outing for the Foundation on May 6th at Cantigny Golf Course in Illinois.

Please mark your calendars for the upcoming Focus Auction by BigIron on June 27th. Our ongoing partnership with BigIron is a huge benefit for LICA.

And don't forget about the National LICA Summer Meeting in Pittsburgh, PA, in July. Besides a very informative seminar schedule and fun-filled events, the city has a lot to offer when it comes to restaurants and other exciting activities. Please read your newsletters and the National website for more details on this and all the previous events I have mentioned.

On a personal note, I am running for a seat on our White County Commissioners' Board. With this position, commissioners also serve as members of the county drainage board. I plan to leverage my drainage experience to its fullest, and I give a lot of credit to LICA for what I have to offer.

I thank all LICA members and the executive board for your faith in me to lead this great organization through 2024.

Have a good Spring,
Tony Cain, National LICA President



St. Joseph's College campus

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That's a Wrap! 2024 National LICA Winter Convention Leaves Attendees Inspired and Energized



Virginia Beach, VA

By CAROLINE KRUG, Editor

Participants were treated to modern elegance and beautiful views of Neptune Beach at the 2024 National LICA Winter Convention. We extend our gratitude to Virginia LICA for their warm hospitality (and delicious peanuts!). Reflecting on the achievements of 2023 and looking ahead to the promising prospects of 2024, the convention buzzed with excitement and camaraderie.

Pre-Convention Tours

Members were offered engaging tours in the days leading up to the main event. On Day 1, participants had the opportunity to explore the impressive Military Aviation Museum and dine at Sage Kitchen at Anderson's Garden Center. A visit to the Douglas MacArthur Museum in the afternoon offered an enriching experience as well. On Day 2, members enjoyed a three-hour guided tour of the historic Colonial Williamsburg complemented by lunch and shopping in the charming Merchants Square for a delightful blend of education and leisure.

Educational Seminars

Throughout the convention, members attended a series of insightful educational seminars, each focusing on critical aspects of the industry. The first seminar, presented by the Virginia Beach Department of Human Services, delved into the crucial topic of Mental Health Awareness, specifically addressing depression and suicide. In an industry where such issues are often overlooked, members gained valuable knowledge and understanding about mental health challenges, learning how to seek help for themselves or others facing depression or suicidal thoughts.

Another seminar, led by Zach Brown and Afton Balsler from Carter Machinery, centered around managing the health and maintenance of your fleet. Attendees received valuable insights into traditional preventative maintenance agreements and premium service agreements. The discussion emphasized the benefits of proactive tracking and management to ensure the optimal equipment fleet performance and longevity.

The third seminar, "New Opportunities in Water Management," explored innovative solutions for addressing unproductive sandy textured soils that struggle to yield profitable crops. SWRT Solutions introduced a subsurface membrane technology developed at Michigan State University, enhancing water use efficiency, retaining crucial crop nutrients, and significantly increasing biomass and crop yields. Attendees left with a newfound understanding of how to implement this groundbreaking technology to benefit both existing and potential customers.

Exciting Partnerships

In a fresh addition to LICA benefits, BigIron has pledged to organize multiple LICA Focus Auctions annually, with each auction directly benefiting participating LICA members and contributing substantial donations to our association. The latest BigIron LICA Focus Auction culminated in a generous \$15,000 donation to National LICA. At the convention, a ceremonial giant check was presented, and we are thrilled about the prospects of this enduring partnership.



BigIron presents a giant check to National LICA.



Brave Polar Plunge participants.

Polar Plunge

An impromptu fundraising endeavor to support the LICA Educational Foundation for Veterans saw over 30 courageous individuals taking the plunge into the icy Atlantic on Friday afternoon. Despite the 45-degree air temperature and the frigid 44-degree water, participants braved the elements for a good cause. More than \$8,000 was raised to benefit the Foundation and help veterans receive heavy equipment training and embark on new civilian careers.

Engaging Committee Meetings

Attendees left Winter Convention feeling excited and full of fresh ideas to boost our association's membership and make sure our current members get the most out of being part of LICA. During committee meetings, we talked about a variety of ways to make LICA better and to engage new younger members. We saw how successful webinars and virtual training have been for NJ LICA and IL LICA, so we want to implement these nationwide. We also want to emphasize the importance of our MOUs and the way LICA advocates for its members in Washington. We were reminded that the education track at CONEXPO is an invaluable source of exposure for us, so we should maximize the opportunity by presenting seminars that draw a broader audience. We agreed that trying new things is important, even if they don't work out perfectly at first. We want to increase participation from inactive members by offering more opportunity for in-person

and virtual education. Plus, we brainstormed ways to get new members, like hosting events and teaming up with local dealers. The energy for growth and improvement in LICA is strong, and we're already putting plans into action, like the new National LICA TikTok channel and Region 4's "lunch and learn" session happening soon.

The LICA Water Management Forum

The announcement of the LICA Water Management Forum took center stage at the Winter convention, revealing a forthcoming event hosted by National LICA on June 13th and 14th at St. Joseph's College in Rensselaer, IN. This unique gathering will bring together water management professionals, contractors, farmers, government officials, and educators for an enriching experience.

For National LICA CEO Jerry Biuso, Sr., this event is a realization of a long-held dream. The introduction to the staff at St. Joseph's College by Tony Cain was pivotal, providing the perfect venue for the Forum. The beautiful campus offers well-equipped classrooms and a spacious auditorium for seminars, a foyer with floor-to-ceiling windows ideal for exhibits and social gatherings, and over ten acres of training ground for outdoor displays.

The two-day forum promises a dynamic experience, featuring a comprehensive lineup of seminars, equipment demonstrations, indoor and outdoor exhibits, an OSHA 10-Hour



Colonial Associates' night



Contractor of the Year Steve Gerten, with presenter Jeff Schell.

Course, first aid training, a heavy equipment simulator, and even a golf outing. The program is tailored to the interests of water management professionals, ensuring a multifaceted exploration of the latest industry advancements and best practices. Complimentary booth space has been allocated to each LICA state chapter, encouraging widespread participation and support from all regions.

Associates' Night

At our Associates' night, attendees embraced the Colonial theme, dressing in period garb suited to the event's historical setting. Guests indulged in delicious food and beverages graciously provided by our generous sponsors, while taking advantage of the chance to network with fellow contractors and associates who provide valuable products and services to our members. The highlight of the event was the announcement of the winners of the \$10,000 drawdown raffle, a fundraising initiative for the LICA Educational Foundation for Veterans. Heartfelt thanks to everyone who purchased tickets, as the proceeds will contribute to setting up the training field for heavy equipment operator training and acquiring necessary equipment. A special congratulations to Dallas Loken of Minnesota, who walked away with the grand prize of \$5,000!

Caterpillar Awards Banquet

The culminating event of the convention, the Caterpillar Awards Banquet, took place on the final evening. Emotions soared as the highly deserving recipients of the LICA Contractor of the Year and LICA Top State awards were honored. The banquet also marked the induction of our new National LICA president, providing attendees with the chance to extend well wishes to our former president as he assumed the role of National LICA Chairman.

Contractor of the Year

Steve Gerten was honored with the LICA Contractor of the Year award. Steve has demonstrated exceptional leadership, dedication, and innovation in the field of land improvement. He was recognized for building his drainage business into a powerhouse, installing an impressive average of 2 million feet of tile per year. Not only has Steve shown leadership within his state, but his influence has also extended to the regional and national levels. While traditionally the National President hosts the Fall executive meeting in their home state, Steve demonstrated a selfless spirit during his presidency by leading a group of 11 LICA members on a volunteer mission to refurbish a facility in Atlanta, Georgia, providing 24-hour care to children in need. Through this effort, he underscored the importance of not only helping his membership but showing compassion and support for others in need. In moments of challenge for his state chapter, Steve and his family stepped up to handle finances, manage membership renewals, and lead the charge in the absence of an Executive Director, showing resilience and dedication. Steve Gerten embodies the spirit of LICA and has dedicated his life to the improvement of our land and the betterment of our community.

Top State

The Top State award was presented to Kansas LICA, a state chapter that has truly exemplified excellence in pursuing our mission and contributing to the well-being of their members and the community at large. Throughout 2023, Kansas LICA continued to promote our association and fortify partnerships across their state. Their Winter Convention had participation from distinguished guests, including the director of the Kansas Association of Conservation Districts, and board members from local charities. A significant collaboration unfolded during their Spring Board Meeting at the North Central Kansas

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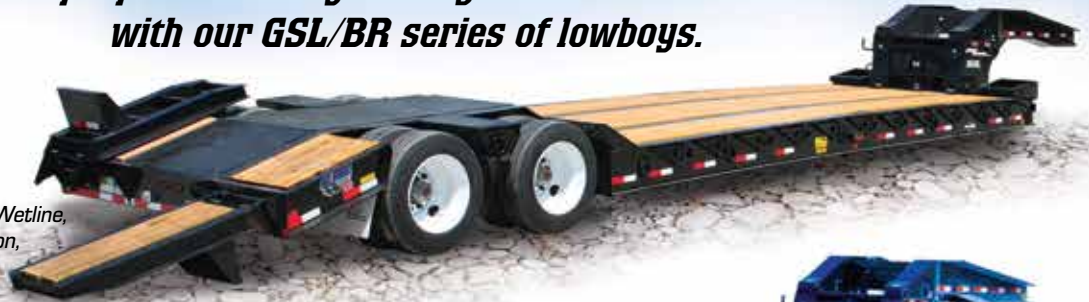
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Executive Director Jon Ungerer of Kansas (center) receives the award for Top State from presenters Jeff Schell and Bob Clark II.



Tony Cain receives the presidential pin from David Gallahan in the pin-passing ceremony.

(NCK) Heavy Equipment School, where Kansas LICA proudly announced the establishment of an endowment scholarship for the school's heavy equipment program and an additional scholarship for the school's diesel technology program. Kansas LICA is dedicated to keeping its members informed and engaged, as evidenced by the remarkable transformation of their newsletter. Over the past few years, the newsletter has evolved from a modest 4 to 8 pages to a substantial and informative 24-page publication. In their pursuit of camaraderie and community engagement, Kansas LICA successfully hosted its third annual golf tournament, attracting local businesses and teams to participate. Kansas LICA also continues to strengthen their significant partnership with a servicemember vocational charity called the SAVE Farm. Kansas deserves this recognition for their exceptional achievements and the positive impact they have made.

Passing the Pin

During the Passing of the Pin ceremony, David Gallahan, the outgoing National LICA President from Virginia, concluded his term with a meaningful gesture. As a final act of office, Gallahan instituted the creation of the new National LICA "Presidential Award," a prestigious accolade which was presented to National LICA CFO Eileen Levy. This honor acknowledged her outstanding 40-plus years of dedicated service to LICA, in light of her impending retirement, which was announced during the convention. The ceremonial passing of the pin marked the official introduction of incoming National LICA President Tony Cain from Indiana. With a noteworthy 25 years of LICA membership and experience as a drainage contractor, Cain was warmly welcomed to lead the organization in the coming year.

Looking Ahead

As we reflect on the camaraderie, insights gained, and bonds strengthened in Virginia, we are reminded of the collective power and resilience of our LICA family.



Region 1 VP Chris Wagner and Foundation raffle grand prize winner Dallas Loken of MNLICA.

Members will return to their respective chapters, carrying with them the energy and enthusiasm sparked by our convention, ready to implement new ideas and initiatives that will further strengthen our association. With optimism and determination, we look forward to the opportunities and challenges that lie ahead, excited to innovate, adapt, and thrive together. ■



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Bridging Expertise: Alliance of Indiana Rural Water Attending LICA Forum



By KRISTIN BEAN, AIRW Executive Director

In the heart of Indiana's rural landscape, an organization developed around providing essential support emerged in 1982—the Alliance of Indiana Rural Water (AIRW). As a life-line for the state's water and wastewater utilities, AIRW has dedicated over four decades to elevating standards and providing unwavering support to Indiana's rural communities.

The Alliance staff provides training and onsite technical assistance on Safe Drinking Water Act compliance issues, public health protection (as it relates to drinking water), managerial issues, financial issues, and operational issues to water and wastewater systems in Indiana that are under 10,000 in population. Training and onsite work are



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supported by federal contracts and grants that promote safe water for our communities. We are also funded by our membership.

AIRW's mission is clear: to empower rural utilities, fostering sustainability and resilience. By offering a comprehensive range of services, including onsite technical assistance, tailored training programs, and dedicated legislative support, AIRW fortifies the foundation of rural communities, ensuring their prosperity for generations to come. It's more than a mission; it's a commitment to delivering clean, reliable water to the communities we proudly serve.

As Indiana's sole affiliate to the National Rural Water Association (NRWA), AIRW stands in unity with a nationwide network, striving to ensure every rural community has access to safe and clean water. Recognizing the impending workforce challenges within the industry, AIRW embarked on a collaborative journey with NRWA and other state affiliates in 2017. With half of the dedicated water professionals set to retire over the next decade, AIRW spearheads efforts to address this gap through its nationally recognized Apprenticeship Program.

Through our technical assistance and training programs, AIRW equips operators with the resources necessary to deliver essential services successfully. Beyond technical support, we foster genuine partnerships and friendships within our communities, as well as with state and federal agencies that can assist us in our mission to support rural communities across Indiana.



Onsite technical assistance

AIRW transcends the traditional notion of an association, providing over 3,000 hours of FREE onsite technical assistance visits annually and training over 2,000 individuals each year.

As we prepare to attend the LICA Water Management Forum, our mission expands beyond our traditional scope. Acknowledging the crucial role of heavy machinery and excavation experts in the water industry, AIRW seeks to forge connections with LICA members. Every water utility, regardless of size, relies on excavation for system maintenance and development. By bridging expertise with opportunity, AIRW

aims to introduce LICA members to rewarding careers in the water industry.

With a shortage of certified water and wastewater operators locally and nationally, the water industry presents abundant opportunities for a fulfilling career. AIRW's mission is to provide education and resources, nurturing the next generation of water professionals. Through collaboration with LICA, we not only advance our goals but also offer mutual benefits to LICA and Alliance members, enriching their careers and fortifying their communities.

As an organization deeply committed to service and community, AIRW is proud to support initiatives such as the LICA Educational Foundation for Veterans. This vital organization is dedicated to raising funds for the creation of a heavy construction training program tailored specifically for veterans. With the U.S. Bureau of Labor Statistics projecting a significant 10% job growth for construction equipment operators through 2028, there's a pressing need to address the demand for skilled labor within the industry. The Foundation seeks to bridge this gap while offering valuable opportunities for military veterans transitioning into civilian life. By supporting initiatives like this, AIRW aims not only to empower individuals but also to strengthen communities by ensuring access to rewarding careers and sustainable employment pathways. Together with LICA and our other partners, we are committed to making a positive impact on the lives of veterans and the industries they serve. ■



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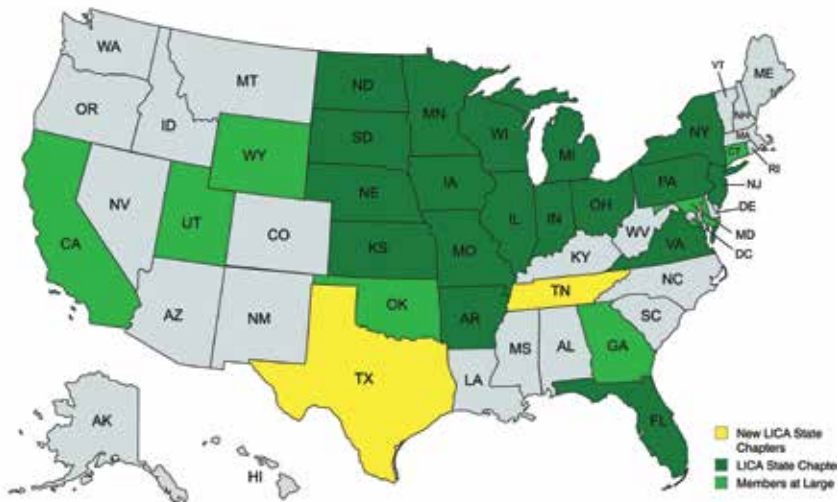
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LICA Expands Footprint into Texas and Tennessee with Visionary Leaders at Helm



LICA proudly announces its expansion into two thriving states: Texas and Tennessee. This strategic move aims to bring LICA's unmatched benefits and sense of community to contractors in these dynamic regions.

Meet Jimmy Bynum: Trailblazing Founder of Garde Solutions

Jimmy Bynum stands at the forefront of this expansion as the founder of Garde Solutions. With a career marked by domestic and international leadership roles, Jimmy has proven himself as a visionary in risk management. His journey includes spearheading global marketing efforts for Caterpillar's captive insurance division, Cat Financial Insurance Services. Notably, he played a pivotal role in establishing Extended Protection Programs in China and Southeast Asia. Beyond his professional accolades, Jimmy's commitment to community leadership is evident in his tenure as the President of The Oasis Center Board of Directors from 2018 to 2020. Armed



with a B.S. in Business Administration from the University of Mississippi, Jimmy brings a multifaceted background to lead LICA's expansion into Texas and Tennessee.

Meet Janna Eggenschwiler: Vice President and Operational Dynamo

Joining Jimmy in this exciting venture is Janna Eggenschwiler, Vice President, and equity partner at Garde Solutions. Janna's expertise lies in program management for captive insurance companies, focusing on enterprise-related risk and transactional insurance programs. Her journey spans a decade, starting from a receptionist to holding pivotal roles such as Accounting Manager, HR Manager, and eventually Director of Operations at a high-end audio company. With a BA in Business and an MA in Accounting from Lipscomb University, Janna's commitment to streamlining business operations for growth and efficiency aligns seamlessly with LICA's goals. Together, Jimmy and Janna bring a



powerhouse of experience and passion to lead LICA's expansion into the vibrant landscapes of Texas and Tennessee.

Why Texas and Tennessee? Seizing Opportunities in Growth

The decision to expand into Texas and Tennessee is fueled by the substantial growth in these states. Living in Nashville and frequently spending time in Texas, Jimmy and Janna are uniquely positioned to connect contractors with the benefits of LICA membership in these flourishing regions.

Excitement for LICA in the South: Community, Knowledge-sharing, and Opportunities

Driven by their positive experiences at National LICA events, Jimmy and Janna are enthusiastic about replicating the sense of community and knowledge-sharing at the local level. Their commitment to fostering a supportive environment will provide contractors in Texas and Tennessee with invaluable networking opportunities and avenues for professional growth.

Goals and Offerings for New LICA Members in Texas and Tennessee

As leaders of the newly established LICA chapters, Jimmy and Janna are dedicated to prioritizing safety, fostering networking through benchmarking events, and tailoring benefits to meet the specific needs of local contractors.

Upcoming Plans and Timeline for Launch

The launch of the LICA chapters in Texas and Tennessee is meticulously planned, with websites set to go live on April 1, an industry press mention in mid-April, and the first field day scheduled for May. This is a significant milestone for LICA's commitment to supporting contractors across diverse geographical areas. ■

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Swing into Action: Join Us for the 2024 LICA Educational Foundation for Veterans Golf Outing Fundraiser



Lakeside at Cantigny Golf Course in Wheaton, IL



Foundation leadership team Eddy Mayen, Jerry Biuso, Sr. and Bob Clark II



CASE Mini Excavator on display at the 2023 golf outing

Golfers and supporters of our veterans, it's time to mark your calendars for May 6, 2024, as the LICA Educational Foundation for Veterans presents its annual Golf Outing Fundraiser at the esteemed Cantigny Golf Course in Wheaton, IL. Proudly sponsored by the CNH Foundation, this event promises a day of golf, goodwill, and giving back.

Set against the backdrop of Cantigny Golf Course's stunning views and military heritage, our fundraiser is more than just a round of golf—it's a chance to make a real difference in the lives of our nation's veterans. As participants tee off, they'll do so knowing that every swing supports our heroes in their journey to acquire new skills in heavy equipment operation.

Fuel up for your game with our convenient grab-and-go box lunch, allowing you to stay energized and focused throughout the day as you traverse the course. After the final putt drops, join us for an evening of camaraderie and charity at our dinner and auction.

During the dinner, attendees will have the opportunity to bid on a variety of items, each one a testament to the generosity of our donors and the resilience of our veterans. Every bid supports our veterans as they forge new paths beyond their military service.

The LICA Educational Foundation is committed to providing veterans with the tools they need to succeed in civilian life. By participating in our Golf Outing Fundraiser, you're not just enjoying a day of golf—you're investing in the futures of those who have bravely served our country.

So, gather your friends, colleagues, and fellow patriots, and join us on May 6, 2024, at Cantigny Golf Course for an unforgettable day of golfing for good. Together, we can make a difference, one swing at a time. ■





Register online at LICAVeteransfoundation.org

**LICA Educational Foundation for Veterans
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H-2B Visas— A Good Option for the Construction Labor Shortage

By CRAIG MARTIN, Construction Attorney with Lamson Dugan & Murray

Clients often ask where they can find employees to fill their labor shortage. Aside from the local resources, contractors may consider looking into the H-2B Visa Program offered through the U.S. Citizenship and Immigration Services. Through this program, contractors can bring in foreign workers for 9 months to supplement their labor force. Here is a summary of the H-2B Program.

What is the H-2B Visa Program?

Through the H-2B visa program, contractors can hire foreign workers to perform temporary non-agricultural work. Congress typically caps the number of temporary visas at 66,000 a year, but this year an additional 64,000 visas were made available.

How does the H-2B Program work?

An H-2B visa is a work visa that allows contractors who meet specific regulatory re-

quirements to bring foreign nationals to the United States to fill temporary (seasonal) nonagricultural jobs. The initial stay with an H-2B visa is approximately 9 months but can be extended to 12 months in certain circumstances. The visa is designed for workers to return to their home country after the “work season” is over. The foreign national worker could then return the next year to the sponsoring employer.

How does a contractor qualify to hire H-2B workers?

In order to hire H-2B workers, a contractor must:

Demonstrate there are not enough US workers available to do the temporary work.

Submit a Prevailing Wage Request to show the Department of Labor that employing foreign workers will not adversely affect wages and working conditions of similarly employed US workers.

Submit an Application for Temporary Employment Certificate (Form

ETA 9142B) 75-90 days before the H-2B worker is planned to start work.

File a Petition for H-2B Nonimmigrant Worker (Form I-129) with the US Immigration Service. These are due in January for an April start date.

If these filings are approved, the H-2B worker must then go to a US consulate in his/her home country to obtain a visa and then travel to the US.

How does a contractor find H-2B visa workers?

If a contractor is approved to hire H-2B workers, most contractors use foreign or US-based recruiters to recruit H-2B workers for their jobs. The Department of Labor publishes a list of foreign recruiters on its website. Given the steps involved above, a foreign recruiter may be an invaluable tool to assist the H-2B worker to complete the necessary steps within the worker’s home country.

How long does it take to get an H-2B visa?

It can take 4 to 6 months to obtain the prevailing wage determination, conduct recruitment, obtain a labor certification and approval from USCIS. And, because this is a lottery-based system, in that the applicants greatly exceed the number of visas available, the earlier in the process you can apply, the better.

The H-2B visa application process involves multiple steps with strict timelines. If you are interested in pursuing workers through this program, start planning now for 2025.

If you would like to discuss implementing an H-2B program, feel free to give Craig Martin a call. Craig Martin is a construction attorney at Lamson Dugan & Murray, LLP.

Craig’s contact information is (402) 397-7300 / cmartin@ldmalw.com. ■



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2024 NATIONAL LICA SUMMER MEETING

PITTSBURGH, PENNSYLVANIA

City of Steel

JULY 9 - 13
OMNI WILLIAM PENN HOTEL

Tuesday, July 9

7:00 am - 7:30 am

Registration

7:45 am - 5:30 pm

Flight 93 Memorial
& Falling Water Tour

Wednesday, July 10

7:00 am - 8:00 am

Registration

8:45 am - 4:30 pm

Duquesne Incline, &
Carrie Blast Furnace Tour

6:00 pm - 10:00 pm

Executive Committee

Thursday, July 11

7:00 am - 8:00 am

Registration

7:00 am - 5:00 pm

Committee Meetings

12:30 pm

Lunch

Friday, July 12

7:00 am - 7:30 am

Registration

8:00 am

Breakfast

9:15 am - 12:30 pm

Educational Seminars

1:00 pm

Lunch

2:00 pm - 5:00 pm

Executive Directors'
Meeting

5:30 pm - 6:30 pm

Associates' Committee

6:30 pm - 9:00 pm

Associates' Night
(Exhibition)

Saturday, July 13

7:00 am - 7:30 am

Devotions

8:00 am

Breakfast

9:30 am-10:30 am

Board Meeting

What Does Registration Include?

Summer Meeting registration includes all meal functions, Associates' Night, Educational Seminars, Committee Meetings, and the Board Meeting. All registered members will receive meal tickets, a name badge, and a program when they check-in on site and are welcome to ... even encouraged to, attend any of the Committee Meetings and the Board Meeting. For a list of committees and their functions, visit LICANational.org.

2024 LICA Summer Olympics

Associates' Night - Friday, July 12

Get ready to channel your inner Olympian as we debut the LICA Olympics in celebration of the 2024 Summer Games in Paris! Select your squad of 4 champions strategically and aim for that shiny Gold medal! With games ranging from ring toss to memory challenges, every team will battle it out to clinch the ultimate victory based on points earned. Let the games begin!

Omni William Penn Hotel

Members will delight in the architecture and history as they walk through the grand lobby of the Omni. It's centrally located in downtown Pittsburgh, near a variety of attractions. Enjoy enhanced dining in the hotel's bars and restaurants, including The Terrace Room. Enjoy shareable plates and gourmet snacks at Palm Court, sip cocktails in the Tap Room or relax in the Speakeasy inspired by the Prohibition era.

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Marcum Reports

MARCUM
Commercial Construction
Index



By DR. ANIRBAN BASU, Chief Construction Economist, Marcum LLP and JOSEPH NATARELLI, National Construction Leader, Marcum LLP

The Marcum Commercial Construction Index for the fourth quarter of 2023 reports that the construction industry retained momentum through the year's final quarter, capping off a year of surprisingly strong performance.

The index is produced by Marcum's National Construction Services group.

The construction industry's surprisingly strong performance in 2023 is largely attributable to manufacturing-related investment. "Manufacturing-related construction continued to surge in the fourth quarter, with spending in the segment rising another 5.2%," said Anirban Basu, Marcum's chief construction economist and author of the report. "Due to the Inflation Reduction Act, the CHIPS Act, and the private-sector desire to reshore capacity, spending in the category is up more than 186% over the past three years."

Moderating input price escalation also served as a tailwind for the industry, especially in the latter parts of the year. "The tameness of commodities prices in 2023 was a welcome development for contractors, as input prices are

still about 38% higher than at the start of the pandemic," said Basu. "While global supply chain improvements are the biggest factor behind this moderation, sagging global demand has also helped."

As a result of elevated construction activity, contractors continued to hire throughout the fourth quarter. "The construction industry added jobs for the tenth straight month in December," said Basu. "Nonresidential hiring outpaced job growth on the residential side, as increased infrastructure outlays and manufacturing megaprojects bolstered demand for workers in the nonresidential building and heavy and civil engineering categories.

That hiring would have occurred at a faster pace if not for the ongoing labor shortages facing the industry. "The industry averaged 445,000 job openings per month from October to December of 2023," said Basu. "That's the highest quarterly level on record."

Despite a strong quarter for the broader construction industry, the commercial segment struggled due to declining

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demand for warehouse space. “Commercial construction spending fell more than 2% during the fourth quarter of 2023 and increased just 1% over the entirety of the year,” said Basu. “That’s in nominal terms, so after accounting for inflation, investment in the segment actually declined in 2023.”

Over the next several quarters, all eyes turn to the Federal Reserve and the possibility of lower interest rates. “Heading into 2023, the most important question was ‘how high will the Fed raise rates, and how long will they keep them there?’” said Basu. “Entering 2024, the question is now ‘when will the Fed start cutting rates, and how fast will they fall?’”

Marcum’s national construction leader, Joseph Natarelli, said, “While we’ve witnessed significant growth driven by legislation and a resurgence in domestic production capacity, the commercial segment’s dip demonstrates the selective pressures at play. As we navigate a landscape filled with opportunities and headwinds, vigilance and adaptability are critical to the industry, especially considering the questions surrounding the Federal Reserve’s next moves. Keeping tabs on these economic levers will be essential in keeping the momentum going and steering through any volatility ahead.” ■

About Marcum Construction Services: Marcum LLP is one of the leading construction accounting firms in the U.S., providing audit, consulting, and taxation services to clients ranging from start-ups to multi-billion-dollar enterprises. Among the country’s foremost experts in construction accounting, Marcum’s construction professionals are frequent industry authors and speakers and serve as technical reviewers for the AICPA’s construction audit and taxation guides. Marcum’s construction group also publishes several definitive industry and presents an ongoing series of industry summits and technical webinars focused on the unique needs of construction contractors.

About Marcum LLP: Marcum LLP is a top-ranked national accounting and advisory firm dedicated to helping entrepreneurial, middle-market companies and high net worth individuals achieve their goals. Marcum’s industry-focused practices offer deep insight and specialized services to privately held and publicly registered companies, and nonprofit and social sector organizations. The Firm also provides a full complement of technology, wealth management, and executive search and staffing services. Headquartered in New York City, Marcum has offices in major business markets across the U.S. and select international locations. #AskMarcum.

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Influence on Capitol Hill – LICA Creates a Presence

By NICK YAKSICH, LICA Director of Government Relations

Business and social interests take myriad paths to educate and influence elected officials. Some organizations establish a physical office in or near the Capitol or hire a lobbying firm. Others may hold fly-ins to bring their members to DC for a concentrated effort to educate a wide range of elected officials. Yet others use members, commonly referred to as the “grassroots,” to engage in letter writing, calling the office, or hosting an official at their company or on a project.

Five years ago, LICA staff and members committed time and energy to produce not one but two memorandums of understanding or MOUs to raise its profile in Washington. One MOU was with an important federal partner – the National Resource Conservation Service – and the other with an industry partner – the National Association of Conservation Districts.

Competition is fierce to get in front of legislators: there are over 300 lobbying firms and over 12,000 registered lobbyists in DC. Like your business, influencing or lobbying, or whatever you want to call it (be careful here), is all about building relationships. LICA looks to create forums to share land improvement issues with key members of Congress and the Administration.

The Memorandum of Understanding (MOU)

An MOU is an agreement between two or more parties outlined in a formal document. It is not necessarily legally binding, which depends on the signatories’ intent and the language in the agreement but signals the willingness of the parties to move forward with a contract. At the heart of both MOUs was the need to expand communication between the organizations.

I was not involved in developing the MOUs but appreciate the time and effort of both parties to adopt the MOUs. The plus side is that leaders from both sides discussed and identified mutually agreed-upon priority issues. Whether it was with federal officials or industry leaders, the discussion and dialogue strengthened the understanding of each organization.

The challenge with any MOU is that people and the context when the MOUs were developed change. From the federal perspective, the MOU was signed under a different administration, and the staff committed to move the MOU forward internally have changed positions or retired. However, the MOUs give us a framework to reintroduce ourselves and educate others on the key issues that LICA members face today in this ever-changing landscape.

A Washington Office

There is plenty of office vacancy in DC to place a Washington office, but the investment is significant. I know as a lobby-



ist, many members of Congress didn’t know me, but they recognized me because I constantly tried to get in front of them, their committees, and/or staff.

It’s even more difficult now to justify the investment because COVID greatly restricted interaction with members and staff. In addition, if you look at the congressional schedule, the days actually spent in Washington are limited, mostly to Tuesday through Thursday, allowing members to get back home to deal with constituent and district issues.

Grassroots Involvement

Most elected officials agree that there is no better advocate than you, the constituent. As a lobbyist, I believe we were most effective in bringing clients to Washington, preparing them with key talking points, but most importantly, letting them tell their story. I remember bringing in a small asphalt contractor to meet his Member of Congress. He was nervous being in the halls of Congress with big marble hallways and always a flurry of activity in and around most offices. He was noticeably nervous, but I told him to think of something he may have in common with his congressman. Just so happened his brother played high school football together, and that connection led to a twenty-year relationship of trust and sharing issues and concerns.

Engagement in the Political Process

The common element in building a successful presence before elected officials is what drove the creation of the LICA MOUs: engagement and dialogue. It’s never too late to start or change focus. Heading into the November elections - and post-election - LICA will promote the key elements of the MOUs and mobilize its grassroots to tell the story of the contributions made by our industry to protect our land. ■

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Inspire Others: Your stories and photos have the power to inspire and educate others in the industry, sparking new ideas and approaches.

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Feature Articles: Share your expertise on topics such as best practices, industry trends, project highlights, and innovation in land improvement.

Case Studies: Dive deep into specific projects, challenges faced, solutions implemented, and lessons learned.

Photo Submissions: Capture the beauty and complexity of land improvement projects through striking photographs.

Success Stories: Inspire others with stories of triumph, innovation, and collaboration in the field.

Tips and Tricks: Offer practical advice, tips, and tricks to help fellow contractors excel in their work.

How to Submit:

- **Article Ideas:** Send in a brief outline or description of your proposed article.
- **Photos:** Share high-resolution images capturing the essence of LICA
- **Contact Details:** Include your name, contact information, and a brief bio.

Email Your Submissions to:

Caroline Krug, Editor
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Selected submissions will be featured in upcoming issues, so don't miss out on this fantastic opportunity to be part of The LICA Contractor magazine!

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Avoiding Extra Riders on Equipment

By THE LICA SAFETY PORTAL, Zywave Resource Library

You operate heavy machinery on a regular basis, so you know many of the hazards you face. But you may not realize that letting an extra person ride on equipment intended to transport only one person is asking for an accident.

It is important that everyone on the job site is familiar with the dangers of extra riders on equipment, so that we can ensure everyone's safety and protection.

Hazards of Extra Riders

- The operator may not be able to see his or her surroundings as easily.
- Access to crucial operating levers or controls on the equipment may be obstructed.



- The operator could become distracted by the rider's presence.
- There is increased risk of the extra rider being thrown from the equipment because they lack protection from safety belts and rollover features.
- If the extra rider is outside the cab, he/she is being exposed to potentially harmful dust, noise and chemicals.
- It increases the risk of a multiple-injury accident.

Alternative Solutions

- Use a car or truck to transport co-workers to remote work areas.
 - Make sure you have safe transportation back from the remote area at the end of the day so you are not tempted to catch a ride as an extra passenger on equipment.
 - Plan your work assignments in advance so you can secure safe transportation to and from the location.
- Only use seats that were installed by the equipment manufacturer. Do not use makeshift seats on equipment. Just because the extra rider is sitting does not mean he or she is safe from harm—allowing an extra passenger is always a hazard.
- An enclosed cab does not mean the extra rider is protected. In an overturn, this will not protect the extra passenger from harm.
- Even if the equipment has a training seat, it should only be used by people who are legitimately being trained.

For more safety tips, talk to your supervisor. ■

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Reflections on Leadership



By CHRIS WAGNER, LICA Region I Vice President

On Saturday night, February 17th, I turned over the National LICA Chairman of the Board title to David Gallahan. So ended my twenty-year run as either a Director at the state level or an Executive Member of the National Board. The end of a chapter. As of Sunday, I started the next chapter of my journey with National LICA, as Region I VP, again. I did have what I believe was a well-deserved five-hour sabbatical. Although, there are many who have served longer and have been recycled like me.

Conflicting emotions made their way into my thoughts as we drove home Sunday morning. Feeling the incredible honor of being charged once again to represent Region I, and the joy of staying involved and doing what I have relished for twenty years. Followed by a shot of reality setting in—concern about the difficulty of filling positions of state committee chairpersons, state board members, and national board members. Region I has close to 900 contractor members. Yet here I am returning as Region VP.

At our last several National Conferences, there has been much talk about developing new LICA leaders with mentoring and leadership programs. We held a leadership seminar last summer, and another is being planned for summer of 2024 in Pittsburgh. These programs focus on why we become leaders of LICA and the rewards we have gained from being in our positions. However, I believe we may be overlooking an opportunity that exists within our membership. We do not need to develop “leaders”; we already have them.

If you are reading this and you are a LICA contractor, then you are already a “leader.” You have developed a business culture, a brand, and a safe and successful business. You are involved in your community. Yet there is that certain fear of moving into a LICA leadership role. I believe part of that hesitation is that you are not even sure what that means. I know I wasn’t. Perhaps, like myself, you do not think you are a big enough contractor, enough of a player, or someone who knows enough about the incredible variety of industries LICA contractors are involved in throughout the country and their partnerships with different government agencies. Couple that with the uncertainty that you would represent an industry that not only builds this great country, but also feeds it. I have felt all these things.

Back in February 2004, while Janet Jackson was having a wardrobe malfunction on national TV, Jerry Biuso said to me, “Chris, you should be on the Board of NJLICA.” I had been a member for only a year and was at my first state conference in Atlantic City, but as many of you know, I have a big mouth and lots of opinions. I am, after all, a Jersey Guy. Of course, I

agreed, but without any idea of what I was in for. At that time, I honestly thought “tiling” referred to bathroom walls, floors, and kitchen backsplashes. Not what most LICA contractors mean when they say ‘tiling.’

As many of you know, I do not own a piece of iron, nor have I ever operated one. Yes, my company moves dirt. Yes, we do East Coast drainage, retention pits, and septic pits. During every step of my journey through LICA, I have questioned whether I was right for the job. Who am I to lead a committee, a state chapter, a region, and ultimately a national association? I have never felt I was truly a LICA contractor, except for one reason: the mission. The conservation of the land and water are in my heart, as it is in yours.

Returning to my concern that I am once again the Region I VP, while I would love the recognition, I would prefer not to assume the position of National President for another term. There are too many of you out there who should be Pinned at our conferences. Too many of you who can move the state and national association forward.

Stepping up as a committee chair, a state VP or President, perhaps even a national VP is a commitment. And you are already undoubtedly committed to your community, your church, and most importantly, to your family. But the fear to become a so-called leader may simply be in the words, “to lead.” I have been frightened by the term for twenty years. Perhaps a better term would be to represent, schedule, organize, develop, and expand; things we do every day as a business owner. As you read this, you know you want to be more involved in LICA on a state, even a national level. You are ready. Perhaps you’re just waiting to be asked. Or, more likely, waiting to be told you are ready.

To all of you who have been in this journey as long as I have, and to those who have even more experience, you recognize the members who are actively involved, those ready to step into leadership roles, and those hesitating on the sidelines, fearful of taking the leap. When you engage with these prospective leaders, remember: It’s not about asking, “Do you want to join our Board?” It’s about echoing what Jerry once said to me, “You should be on the LICA Board.”

When I stepped down as National President one year ago, I referenced the song from *Dirty Dancing*, “(I’ve Had) The Time of My Life.” To those sitting on the fence, I say to you, “Take the leap.” Take the leap that Jennifer Grey took into Patrick Swayze’s arms. You will be caught, you will have an incredible support system, you will become the future of LICA, and you will have the “time of your life.” ■



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| <input type="checkbox"/> EX Excavating/Land Clearing | <input type="checkbox"/> TW Terraces/Waterways |
| <input type="checkbox"/> GR Gravel/Rock Production | <input type="checkbox"/> UU Underground Utilities |
| <input type="checkbox"/> LS Landscaping/Seeding/Sod | |
| <input type="checkbox"/> OD Open Ditch Work/Dredging | |

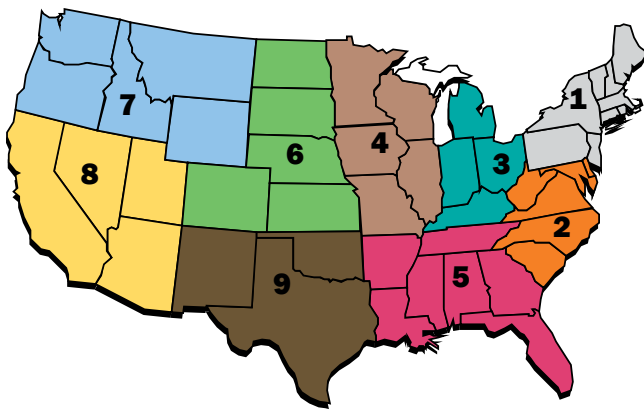
Application is for (Check One)

- Active Contractor Member (Annual Dues)..... Vary by State Chapter
Active Land Improvement Contractor.
- Company Associate Member (Annual Dues)..... Vary by State Chapter
Person or companies manufacturing or selling materials, equipment or services to active contractor members.
- Supporting Member (Annual Dues)..... Vary by State Chapter
Person(s) or associations interested in LICA.
- National Associate Member \$300.00
- Member-At-Large..... \$195.00
Contractors in state without chapters

Signature _____ Date _____

Please contact your state chapter for annual dues and additional information. See page 30.

**To become a national associate please contact:
National LICA, 3080 Ogden Avenue, Suite 300, Lisle, IL 60532
Phone 630-548-1984 • Fax: 630-548-9189
Email: nlica@aol.com • Website: LICANational.org**



STATES WITH MEMBERS-AT-LARGE

- California
- Connecticut
- Georgia
- Maryland
- Oklahoma
- Utah
- Wyoming

■ ARKANSAS LICA
National LICA
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Email: nlica@aol.org



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