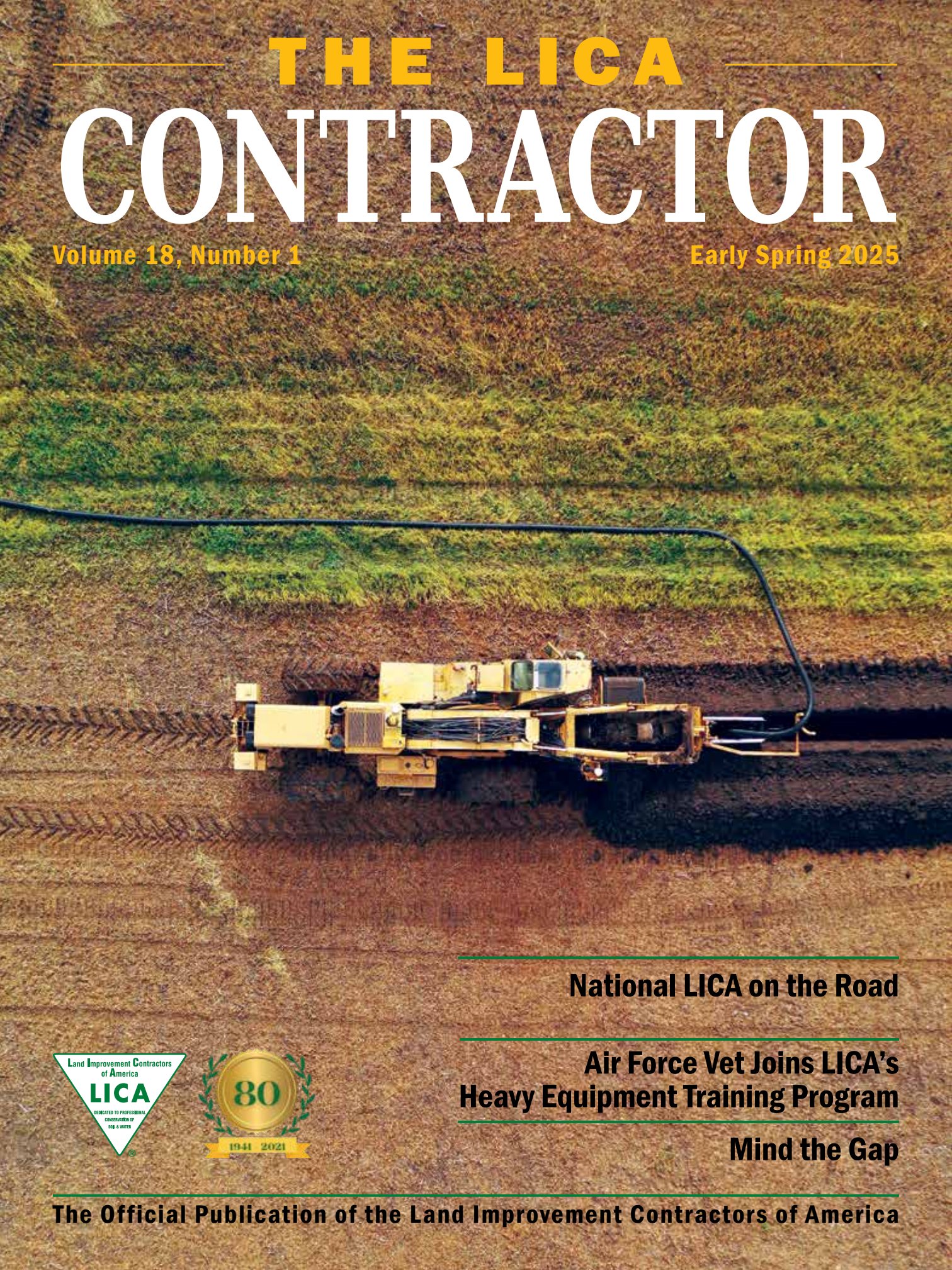

THE LICA

CONTRACTOR

Volume 18, Number 1

Early Spring 2025



National LICA on the Road

**Air Force Vet Joins LICA's
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Mind the Gap



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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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A Message From the President



Hello all,

This year has flown by quickly, and my tenure as President is coming to a close. By the time you read this, Jeff Schell from Kansas will be at the helm. Jeff has been Vice President for the past year and has extensive experience as a Regional VP. I am confident he will serve you well as President.

I will be stepping into the role of Chairman of the Board, succeeding Dave Gallahan, who has also served you well in this position.

The winter convention is now behind us. I encourage everyone to mark their calendars for the summer meeting in Duluth, Minnesota, from July 8th to 12th.

I have enjoyed being on the executive board for several years. I have traveled to several cities and seen many points of interest that I probably would never have otherwise. Add this to being an Indiana officer for I can't remember how many years; it has all been great.

A big thank you to Jerry, Eileen, Allison, and Caroline at National. An even bigger thank you to Dave Gallahan and Mike Cook for their guidance and encouragement throughout my journey. And the biggest thank you of all to my wife Michelle for being so gracious and understanding as I dedicated time away from home to 'do the LICA thing.'

Best regards,



Tony Cain, National LICA President



Lake Superior in Duluth, Minnesota

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National LICA on the Road

By ALLISON HACK, Executive Vice President, National LICA

One of the most rewarding aspects of my role with National LICA is the opportunity to visit our state chapters, engage with our members, and witness firsthand the dedication and hard work that define our organization. Over the past few months, I've had the privilege of attending several industry events and state chapter gatherings, each reinforcing the value of our community and the benefits of being part of LICA.

Digging into Safety at the Iowa Excavation Safety Summit

My journey began on November 7, 2024, when I attended the Iowa Excavation Safety Summit in Des Moines. Hosted by Iowa One Call, this event is dedicated to promoting safety in excavation and underground utility work. The summit saw a big turnout, with contractors, utility professionals, and industry stakeholders coming together to share best practices and discuss ways to mitigate risks in excavation projects.

We also enjoyed some great presenters covering one of the most important topics for LICA members—safety. From reducing hazards on job sites to understanding the latest regulations, the information shared was invaluable for contractors who strive to keep their crews and the public safe.

A standout moment was the Iowa LICA Excavator Rodeo, an event that truly showcased the skill and precision required for heavy equipment operation. Using a compact electric Volvo excavator, competitors tackled a series of dexterity challenges—knocking a tennis ball off a cone without disturbing the cone itself, scooping up soccer balls, and carefully placing bowling pins into PVC tubes. The final challenge required the top three contestants to maneuver a tire through a PVC maze without knocking off strategi-



cally placed soccer balls. It was an exciting competition, and we were proud to see Iowa LICA member Scott Bohle take home the silver medal!

Throughout the event, I was joined by Kelby Kiefer, Iowa members Paul Keppler, Russ Peters, and Scott Bohle, as well as Caroline Krug from National LICA. Together, we handed out free safety vests and promoted the many benefits of Iowa LICA membership.

“National LICA is here as a resource and a partner to help state chapters grow, provide member benefits, and advocate for our industry.”



The Indiana LICA booth at NACADE '25

Connecting with Contractors at the Iowa LICA Convention

On January 7-9, 2025, I traveled to the Iowa LICA Annual Convention, where Executive Director Kelby Kiefer invited me to present on social media strategies for business growth. During my session, I focused on leveraging Facebook and LinkedIn to expand reach and engagement. The response was encouraging—several members approached me



Editor Caroline Krug and National LICA EVP Allison Hack presenting at the 2024 Overholt Drainage School at Ohio State University

afterward with insightful questions about applying these techniques to their businesses.

While there, I also visited the Exhibit Hall and caught up with National Associates like Agri Drain, Bron, and Prins. This year's event was an improvement from last year, with no snowstorms to delay our travels! Although, despite being snowed-in last year we were fortunate to be in great company. The Iowa LICA Convention is a fantastic event that brings together members to discuss industry trends, engage in professional



Iowa Excavation Safety Summit



National LICA EVP Allison Hack and Editor Caroline Krug at the Iowa Excavation Safety Summit

development, and strengthen the association's network. The well-attended convention featured productive discussions, networking opportunities, and a supportive environment for members to learn new skills and grow in their careers.

Braving the Cold at NACADE: Indiana LICA's Winter Convention

My next stop was Indianapolis, IN for the North American Conservation and Drainage Expo (NACADE) from January 21-23, 2025. Hosted in conjunction with the Indiana LICA Winter Convention, this event brought together farmers, contractors, educators, and industry experts for three days of education and networking.

NACADE is an up-and-coming event focused on conservation and drainage, sustainable agricultural practices, improving water management, and collaboration between different sectors of the industry. The expo serves as a hub for innovation, where experts share the latest advancements in drainage

technology, regulatory updates, and conservation strategies that benefit both landowners and the environment.

Indiana LICA invited me to help manage our booth, where I promoted the many benefits of LICA membership, including our 401(k) Employee Program, health insurance options, BusyBusy, and our LICA Safety Portal. By providing attendees with literature and QR codes linking directly to LICANational.org, I connected with several promising leads, including two potential Members-at-Large from Vermont. Engaging with National Associates such as ADS, Prins, Fratco, Precision Intakes, BRON, and Cooks AGPS was another highlight, strengthening our industry relationships.

Additionally, I had the privilege of speaking alongside Dr. Vinayak Shedakar from The Ohio State University, who presented on the automation of drainage water management. I emphasized the benefits of LICA membership and encouraged participation in the Overholt Drainage School—a fantastic educational opportunity offering hands-on training in drainage design and installation. For our Ohio members, this is a great event, with discounts available through OLICA.

Of course, no event is without its challenges. The first day greeted us with malfunctioning heat, leaving us in a near-freezing expo hall while outside temperatures plummeted to zero degrees with fierce winds. By lunchtime, everyone was bundled in winter coats and gloves. Thankfully, our friends at Fratco stepped in with a creative solution—hand warmers, which were gratefully received by all! Despite the chilly start, spirits remained high, and we found warmth in good company.



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Iowa LICA member Scott Bohle competing in the Iowa LICA Excavator Rodeo

Later that evening, I had the pleasure of attending the Indiana LICA banquet, a well-organized event with over 125 attendees. Nanci's decorations added a special touch, with glowing green-lit signs showcasing table sponsors. The night featured a lively auction conducted by BigIron Auctions and entertainment from comedian Josh Sneed!

It was an excellent opportunity to unwind, connect with members, and reinforce the camaraderie that makes LICA special.

Strength in Numbers: A Commitment to Our State Chapters

Each stop on my journey reinforced one key truth—there is strength in numbers. When our state chapters thrive, LICA as a whole becomes stronger. National LICA is here as a resource and a partner to help state chapters grow, provide member benefits, and advocate for our industry.

We continue working to add value to LICA membership by expanding health and retirement benefits, offering educational opportunities, and facilitating networking events. Our goal is to ensure members have access to the tools and support they need to succeed.

As I reflect on these travels, I'm grateful for the opportunity to connect with so many dedicated individuals who make LICA what it is. Thank you to the state chapters who welcomed me with open arms, and to all our members who contribute to this incredible organization.

No matter the challenges—be it freezing temperatures, long travel days, or unexpected hurdles—we face them together. National LICA is here to walk alongside you, providing support and resources to help our members and state chapters thrive.

If you'd like National LICA to visit your state chapter event or provide more resources to help grow your membership, please reach out. We're in this together, and I can't wait to see where the road takes us next! ■

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Mind the Gap: Data Drives Trend of Tighter Tile Spacing

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No industry understands cost-benefit analysis like agriculture. There's a calculation behind every decision on the farm — machinery, seed varieties, nutrient management and field drainage. And it always comes down to the question, “Is the investment worth it?”

Technology provides farmers and landowners more data than ever to inform those decisions. When it comes to drainage tile, there is a clear trend: Installing field drainage with tighter spacing reaps rewards with the crops.

“Yield monitors have done more to affect the spacing than anything else because you can literally see a yield spike when you go over a tile line,” says Tim Dahl, an Advanced Drainage Systems (ADS) sales manager based in Minnesota. “It’s real-time information the farmer or landowner can see. There’s no disputing it.”

Tile spacing varies greatly and for multiple reasons. The most common spacing today falls between 35 and 50 feet — half the distance of previous generations. The trend continues to get tighter as results validate the investment. Importantly, the crop rotation of a given farm is not the deciding factor for determining the most beneficial spacing.

Soil type — such as heavy clay or light and sandy — is the primary factor in determining the ideal spacing for a field. The type of ground controls the speed water moves through the soil column. In heavier or tighter soils, it takes water longer to move through the soil column and get to the tile, leading to oversaturation and yield loss. For that reason, some farms install pipe in gaps as narrow as 15 feet. But in all types of soil, yields show the benefit of installing tile with narrower spacing than what was common a generation ago.



Above: ADS Agriculture representatives say tile spacing varies greatly, but the most common spacing today falls between 35 and 50 feet — half the distance of previous generations. The trend continues to get tighter as results validate the investment.



Above and right: ADS Agriculture, based on Hilliard, Ohio, is an industry leader in agricultural water management systems – pipe, inlets, lift stations and water control structures – known for the distinctive green stripe on all their recycled plastic pipe.



Steve Gerten, owner of Inbody Drainage Company in northwest Ohio and longtime LICA member, has been installing field drainage since 1974. He says drainage tile spacing has decreased over his years in business from 50 to 25 feet – all in an effort for producers to maximize yields through better water management.

Space exploration

Steve Gerten started installing agriculture field drainage in 1974. “We were primarily putting in 50-foot spacings,” says the owner of Inbody Drainage Company in northwest Ohio. “Then it went to 40 feet, and now, 30- or 35-foot spacings are normal.”

The shift is a direct result of data that show the return on investment. Gerten tells farmers the benefit can average about 15 bushels an acre on corn and seven to eight bushels an acre on soybeans. As every farmer knows, there are many variables to specific numbers, but the widespread adoption of tighter spacings shows the value of them.

“When they can see the direct benefits of additional drainage on a farm, that settles it because they can see it will make the farm more profitable,” Gerten says.

Another benefit corresponds to changing practices in the field. No-till and cover crops continue to gain ground, and those conservation practices rely on good drainage to be successful. The development of narrower tile spacing is perfectly suited for the new demands of the field.

Split the difference

At Inbody Drainage Company, half the jobs are now splitting existing tile systems, effectively narrowing the spacing. “We’re splitting 50 footers, so the farmer ends up with 25-foot spacings,” Gerten says. It’s the same in other states.

“In places like Iowa, where tiling has been going for decades, contractors are splitting lines with 70-foot spacings,” Dahl says. “There’s so much information now about how quickly that pays off.”



Numbers add up

Tile design is based on the understanding if a crop sits in an oversaturated state for more than 48 hours, there will be some yield loss. When agriculture farm drainage started a couple of generations ago, 50- or 70-foot spacings began to reduce oversaturation.

As yield monitors became widespread, they showed a significant disparity between crops right above the tile lines and those in between them. Yes, 70-foot spacings helped. But 35-foot-spacings would be far more effective and worth the investment.

“Farmers and landowners have more information at their fingertips than they’ve ever had,” Dahl says. “That’s helping them make quicker, more prudent decisions. Narrower spacings are something they can look at and know that they’re going to get a substantial return. Narrower is better. It just is.”

For additional resources related to land tiling and water management, visit <https://www.adspipe.com/markets/agriculture>. ■



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Air Force Veteran Joins LICA's Heavy Equipment Training Program

By CAROLINE KRUG, Editor *The LICA Contractor*

When Air Force veteran Reynaldo Pierluisse takes his place behind the controls of a dozer or excavator this spring, he won't just be learning a new skill—he'll be building a new future. Thanks to the LICA Educational Foundation for Veterans and the generosity of donors, Reynaldo has secured a spot in the highly sought-after Heavy Equipment Operations (HEO) program at Lehigh Career & Technical Institute (LCTI), setting him on a path to a rewarding career in construction.

A Life of Service and Adaptability

Reynaldo's journey to this moment has been anything but ordinary. Growing up in a military household, he moved frequently, adapting to new environments and forming bonds with people from all walks of life. Whether excelling in sports—playing varsity football, basketball, and track—he developed leadership and teamwork skills that would serve him well throughout his life. In high school, he won a state championship in football during his freshman year and competed in high-level playoff games. His track and field career included regional championships and even international competition, demonstrating his dedication and ability to perform at an elite level. He learned the values of discipline and perseverance early on.

After high school, Reynaldo followed his calling to serve, enlisting in the U.S. Air Force. He started in security forces before cross-training into material management, stationed at Lackland Air Force Base in San Antonio, Texas. The skills and resilience he gained in the military have prepared him well for the challenges ahead as he transitions into civilian life.



Air Force Veteran Reynaldo Pierluisse III

Comprehensive Training at LCTI

The LCTI Heavy Equipment Operations (HEO) program is an intensive 184-hour course designed to provide students with real-world training in heavy equipment operation. The curriculum covers personal and environmental safety, equipment operation and maintenance, basic surveying, grading, blueprint reading, DOT flagger training, erosion and sediment control, construction math, and securing and hauling equipment. Students will receive hands-on experience operating backhoes, loaders, dozers, excavators, dump trucks, and earth compactors at LCTI's dedicated five-acre training site. Upon completion, graduates earn an HEO certificate, OSHA 10 Hour Safety Training certification, and DOT Flagger Training certification, making them job-ready for careers in the construction industry.

The Opportunity of a Lifetime

His tuition for the program is \$6,095. On behalf of Reynaldo, his family, and the

Foundation, we'd like to extend a huge thanks to Pennsylvania LICA for their \$1,000 donation. Fundraising efforts are underway to cover the remaining cost.

Transitioning from the military into a civilian career can be daunting, but organizations like the LICA Educational Foundation for Veterans are changing that. Reynaldo's acceptance into LCTI's HEO program highlights both his determination and the foundation's commitment to veterans.

This training is more than just learning to operate heavy machinery—it's about gaining confidence, building financial independence, and forging a stable future. The LCTI program provides a mix of classroom instruction and hands-on training with industry-standard equipment, ensuring that veterans like Reynaldo graduate with the skills necessary to step directly into the workforce.

A Legacy of Support

Reynaldo's story follows in the footsteps of other veterans who have benefited from the LICA Educational Foundation's mission. Marine Reservist Frankie Damiano, one of the foundation's first trainees, has already made significant strides in his career thanks to this program. Frankie, who has a background in heavy equipment mechanics from the Marine Corps Reserves, applied his training immediately after completing the LCTI course. His newfound skills have allowed him to take on more complex responsibilities at Camp Freedom, where he helps maintain the grounds and assists fellow veterans in rehabilitation efforts through land improvement projects. Frankie has since expressed his gratitude for the opportunity, emphasizing how the training gave him not just technical skills, but also a renewed sense of purpose.



Frankie Damiano operating equipment at the LCTI training site



Sergeant First Class Joe "GI Joe" Delusant training on heavy equipment simulator at the LICA Water Management Forum

Recently, another veteran, Sergeant First Class Joe Delusant, also known as "GI JOE," completed a mini backhoe training program through the foundation. A 25-year U.S. Army veteran from New Jersey, Joe participated in the hands-on training during the LICA Water Management Forum at St. Joseph's College in Rensselaer, IN. The program included simulator training provided by ElectriCom, a classroom session led by National LICA President Tony Cain, and hands-on guidance from Region III VP Adam Cook. Joe's strong performance has positioned him well for an entry-level backhoe operator role, and he is expected to further develop his expertise with other heavy equipment. His success story is yet another example of how the foundation is providing veterans with valuable career opportunities and a meaningful path forward.

For Reynaldo Pierluisse, the support of LICA and its network isn't just financial, it's personal. His father, Pennsylvania DOT State Trooper Rey Pierluisse, first met Jerry Biuso, Sr., the founder of the LICA Educational Foundation, when he gave a presentation at a Pennsylvania LICA event hosted at LCTI. During that meeting, Jerry assured him that if his son ever needed help transitioning out of the military, he would personally assist him. True to his word, when Reynaldo's father reached out, Jerry moved swiftly. Within 24 hours, he secured Reynaldo a coveted

spot in the sold-out class, ensuring he would receive the training and career opportunities he deserved. This type of hands-on dedication is what sets the LICA Educational Foundation apart.

Looking Ahead

As he prepares to begin training on March 26, 2025, Reynaldo Pierluisse is eager to embrace this next chapter. His story is one of resilience, transformation, and forward progress—a perfect reflection of the foundation's mission.

The LICA Educational Foundation for Veterans is paving the way for service members to transition into fulfilling careers, and with continued community support, many more will follow in Reynaldo's footsteps. If you'd like to contribute to his training and help other veterans achieve their goals, consider donating to the foundation today.

Together, we can help build a future where our nation's heroes find the stability and success they deserve—one veteran at a time. ■



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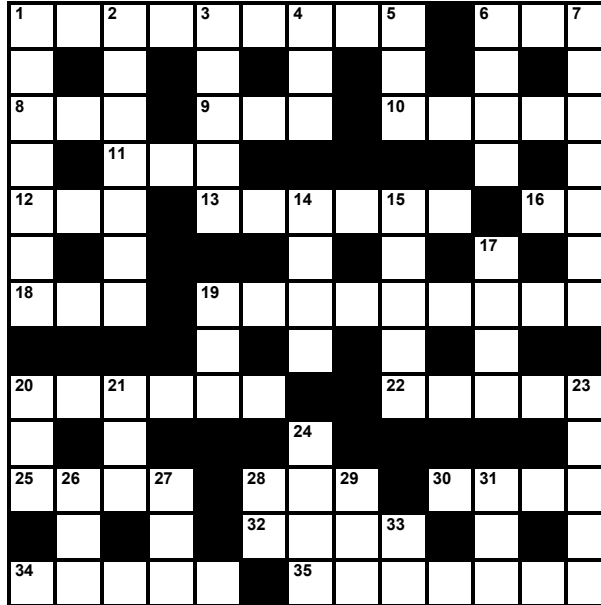
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- 6 Global company providing D1, D2 and D3 dozers, abbr.
- 8 Small round vegetable
- 9 Include
- 10 Device used in excavation and grading work
- 11 Medical pro
- 12 Tuna type
- 13 Provider of GPS and other software products for earth moving
- 16 Golden state, abbr.
- 18 Label
- 19 Crane jib's function
- 20 Swedish company that manufactures diesel engines
- 22 Makers of quality alternative fuel systems
- 25 Heavy equipment plow maker
- 28 Manufacturer of Mega Green Main drainage tile
- 30 Earth's 1st layer
- 32 Pitch in
- 34 Global company making tractors and excavators
- 35 Emptied

Down

- 1 Roadway surface
- 2 Making level
- 3 Precise
- 4 Assistance
- 5 Add-on to a building
- 6 _____ 570N EP tractor loader
- 7 Topography
- 14 Places
- 15 Accept responsibility, 2 words
- 17 Small version
- 19 Former Giants QB, first name
- 20 ___terranean (underground)
- 21 A while back
- 23 ___ as a rock
- 24 Checked for proof of age, for short
- 26 Highway, abbr.
- 27 ___'wester
- 28 Expression of understanding
- 29 Type of camera
- 31 Possess
- 33 State involved in large mining, quarrying and oil and gas extraction, abbr.

Answers on page 30

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How a Manager Can Solve Conflict Between Employees: 5 Steps to Use Now



By JULIE GOWTHORPE, PHD, RSW

“Sort it out on your own,” is no longer an option for businesses when employees are in conflict. Management goals commonly include maintaining harmonious work environments that make employees happy and motivated, but how do you achieve this when people don’t get along? As teams grow and turnover happens, a variety of personalities and experiences become part of the landscape. In other words, conflict between people is inevitable. How do you, the manager, approach disputes between employees?

The answer lies in realizing how people perceive conflict with others is influenced by many factors including personality, and associatively what they have experienced throughout their lifetime. When you look at your business is there someone who struggles with others? Perhaps you’ve notice that what they expect from others is different than what they deliver? Until you think about who you are managing and then, what they have coped with throughout their lives, you will be unprepared. This is because how people interpret interactions, and conflict, depends on what they experienced in the past—before they met their coworker.

Is your business manufacturing, professional service, or retail? No industry is exempt. Jennifer managed a large coffee chain store. Taught to pay attention to dynamics, she observed how employees interacted and communicated. When two employees, Ted and Arlene, who often travelled to work together, became embroiled in a dispute over tips, Jennifer quickly intervened, reminding them of their friendship. Jennifer saw the ineffectiveness of this approach, noticing how Ted ignored Arlene while Arlene made jokes about Ted to another barista. Jennifer worried customers felt the tension. When district manager, Lee, stopped into the café for a check-in, she immediately noted the friction. Lee met the employees independently and then jointly. Jennifer watched Ted and Arlene return to work, smiling and having light conversation.

What did Lee do differently than Jennifer?

5 Steps to Resolve Conflict Between Employees translates into:

1. Identify the anxiety that blocks resolution. Lee put this into action by talking with the employees about who they are,

before she waded into the issue at hand. She learned that Ted had been exploited as an adolescent by people he trusted. Lee realized that relationships made Ted feel vulnerable, so she reassured him that Arlene and the company cared for him and there was no intent to harm him. Lee also learned that Arlene was a single parent to two children and feared being unable to provide financially. Lee reassured Arlene that the tip situation would be resolved so she would not experience financial distress. She reaffirmed that work is a safe place.

2. Think like your employee. This effort can be proactive, so when conflict arises, you already know your employees. Ask questions like: What do weekends look like for you? Are they busy with obligations or do you get downtime? Ask these questions with curiosity, not as though you are filling out a questionnaire! This genuine interest builds trust so that when you intervene in an employee dispute, they see that you care about their overall wellbeing.

When conflict happens, effective intervention is directed by empathy. How does your employee think about things based upon what you know about them and their life? For example, Lee knew that Arlene worried about income so her intervention considered how Arlene needed to feel safe and secure that finances would not be jeopardized.

3. Cool your jets before taking off into problem solving. Let’s face it, most managers, owners and leaders find dealing with conflict between employees uncomfortable. This prompts a reactive response, whereby we want the conflict resolved, and fast! Unfortunately, this approach leaves people feeling unheard, dissatisfied and vulnerable to further conflict. Instead, slow down. When your reaction is to quell your own anxiety with a quick solution, like separating them, and solving what they are upset about rather than why it’s placing a tiny Band-Aid on a gaping wound. Like Lee, take time to meet with them individually. Consider whether the experience has made them feel unvalued or unsafe (physically, emotionally, or financially) and what would need to happen to lower this anxiety.

4. Keep the Relational Goal Paramount. When you are meeting individually with the employee, don't lose sight of the goal is to heal the relationship between the employees. Unless they can work in complete silos, it is helpful to think of this relationship as a necessary elastic cord that must be flexible and intact for the relationship to work. Even if you can establish distance between the two, keep in mind that unresolved conflict can ripple across teams, like smoke from forest fires. Like Lee, shift from individual meetings to sitting together. As the manager, take the lead with a calm, assertive and compassionate tone. Reiterate that you understand each of their experiences and the purpose now is to find ground for resolution. Start by highlighting the positives you have heard and that you are pleased with the effort they have made to engage professionally.

5. Set a collaborative direction. In your joint meeting, summarize what you heard from both employees and highlight the things that were the same. For example, "Jill, you mentioned that you have always worked well with Mark and Mark, you complimented Jill about her creativity. While this disagreement has been serious, let's not minimize the many hours and interactions that have been successful."

Even with resolution, reinforce the collaborative direction of the company. If Mark felt angered by having to take calls for Jill when she took lengthy lunches, and Jill felt Mark's tone was condescending, demonstrate your commitment to maintaining collaboration. For example, "I understand you can be great workmates. To address this problem, we have created a schedule for phone coverage that does not always rely on Mark and will be sending out a reminder to the team that lunches are within designated times." In other words, make sure you close the loop! ■

About the Author:

Julie Gowthorpe, PhD, RSW, is a leading authority in the field of relationships. Renowned for her expertise in simplifying complex concepts, she shares this through a thriving private practice and a weekly radio broadcast. Dr. Gowthorpe speaks candidly with intimate and large groups. She transforms the lives of individuals and business teams, and in her forthcoming book, I Hate People, continues her mission to foster stronger, healthier connections. Visit www.gowthorpe therapists.com for more information.

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The Handshake Deal

By CRAIG MARTIN, Construction Attorney with Lamson Dugan and Murray

I've been overusing the cliché—"It's good until it isn't." And the handshake contract falls squarely into that cliché. If you've never been burned by a handshake, good for you. If you have, I bet you've learned a few lessons from it. This article will provide some tips on how to improve your handshake deal.

The Confirmation

The greatest difficulty with a handshake deal is defining the terms of the agreement. Perhaps you've walked the job site with the owner, and the two of you have discussed the work to be done and its cost. The best way to confirm what you've discussed is to follow up with some form of written confirmation. This can be as formal or informal as you'd like. As a construction attorney, I'd prefer more formal.

The confirmation can be a text message. It could be as simple as: "Jim, thanks for meeting me at the job site to discuss the work you want completed. As we agreed, we'll do (whatever you agreed to) for \$xxxxx."

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A text could work equally well on a time-and-material job—just set out the hourly rate and expected materials. The problem with a text, however, is that you may not get a response. So, you're left to wonder if the property owner actually agreed to the terms of the job you just texted about.



The confirmation could be an email. Again, just like the text, set out the terms of the deal. Emails are more formal than texts, and it's easier to request that the owner confirm your understanding of the job. You can end it simply with:

"Please confirm that this is the project you'd like us to do, and we can get started next week."

The confirmation could also take the form of a bid. Instead of relying on a simple text or email, why not prepare a bid for the project? Then, you can send it to the property owner and ask them to review it and confirm that they want you to perform the work described.

The bid could also include a few terms and conditions. For example, you could specify payment terms, interest for late payments, an option to terminate the agreement if you're not paid on time, and other protections should the project go poorly.

Finally, the confirmation could actually be a contract. I know—this goes against the handshake deal, but a contract provides far more protections than a text, email, or bid. It doesn't have to be heavy-handed or entirely one-sided, but it should provide you with the protections you need to do the job.

The Acceptance

Each of the above confirmation steps for a handshake deal is less effective if the property owner doesn't respond. Don't take silence as acceptance. While it's true that if you start the job and the property owner doesn't stop you, they could still be liable, that creates all sorts of issues that could easily be avoided if you simply require confirmation before beginning the work.

I always advise against handshake deals. They leave too many issues open and make enforcement much more difficult than a written agreement—even if that agreement is just a text, email, or bid. The next time you find yourself entering into a handshake deal, confirm it in writing to ensure you both understand the work to be performed and its cost. ■

Craig Martin is a construction attorney with Lamson Dugan & Murray, LLP law firm in Omaha, Nebraska, and a member of the collaborative Johnson Team. The Johnson Team consists of a group of specialists serving LICA members on matters of significance – planning, protection, and preservation of their businesses and families. If you have any questions, Craig's e-mail is cmartin@ldmlaw.com.



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Back to School Again— The 3 R's

By NICK YAKSICH, LICA Director of Government Relations

Throughout the campaign and even before taking the oath of office, President Trump told the world that he was going to Make America Great Again. To do so, it's almost like the energy needed to go back to school and remember the 3 R's—reading, writing, and arithmetic. But in dealing with Congress and the programs important to LICA members, the 3 R's he and Congress will be challenged by are Reduction, Reconciliation, and Reauthorization.

Reduction

Reducing the size and scope of federal spending is at the core of his mission. He has Elon Musk leading this effort by thoroughly examining every government institution and program's spending. Across government agencies, including the U.S. Departments of Agriculture and Transportation, the easy target will be climate change initiatives that were the driving force behind new federal spending over the past four years.

The last Congress approved, in the Inflation Reduction Act, an additional \$18 billion in funding for conservation programs under the USDA. This was in addition to the record amount of funding provided in the Farm Bill. This funding was meant to support the priorities stated repeatedly by the Natural Resources Conservation Service (NRCS): diversity in hiring, smart climate initiatives, and urban agriculture. An old boss of mine, who used to lead the Federal Highway Administration, would advise young people to follow the new money in an agency to advance their careers. For NRCS programs, that new money was going to smart climate initiatives. If they haven't already, you can bank on that funding being rescinded and those initiatives halted. The USDA website, like most government websites, has been cleared of mentions of these programs as the new team is put in place.

The easy part for Musk and the administration will be taking an axe to programs such as climate change and DEI, which were emphasized by the past administration. The challenge lies ahead in the next critical phase of crafting a budget that includes both reductions and program spending while tying in the tax initiatives that will be at the core of Trump's economic agenda.

Reconciliation

Congress sometimes uses a special legislative process called "reconciliation" to quickly advance high-priority fiscal legislation. Created by the Congressional Budget Act of 1974, reconciliation allows for expedited consideration of certain tax, spending, and debt limit legislation in the Senate. Reconciliation bills aren't subject to filibuster, and the scope of amendments is limited, giving this process real advantages for enacting controversial budget and tax measures.

Because reconciliation bills cannot be filibustered, in recent decades, the reconciliation process has been used most frequently when the same party controls the presidency, House, and Senate but lacks the 60-vote majority in the Senate to overcome a filibuster.

Despite narrow majorities in the House and Senate, the stage is set for President Trump to work with his congressional leaders to navigate a budget and tax bill unlike any this country has seen. With a combination of corporate tax extensions and significant spending reductions to offset the tax programs, Congress is expected to take up this massive reconciliation package in April.

Reauthorization

While all the budget-cutting and tax talk is taking shape, Congress has two significant programs that expire this year: funding for farm/nutrition programs and infrastructure. These normally six-year bills are always big-ticket and popular, benefiting every American. However, in this political climate, what have traditionally been bipartisan bills will face deep scrutiny and a possible restructuring of program development.

The last Congress failed to reauthorize the six-year Farm Bill, leaving the future of commodity, conservation, and nutrition programs in the hands of the new Congress. The majority of funding in the Farm Bill goes to food and nutrition programs, so a battle over these programs is guaranteed. With growing pressures to reduce everyday household costs, passage of the Farm Bill would go a long way in signaling to the American people that cost reduction and enhanced food safety are coming soon.

In his first administration, President Trump talked about infrastructure investment every week and put together a massive infrastructure bill that garnered support but saw no action. President Biden picked up on the infrastructure theme and was able to push through Congress the largest federal infrastructure spending package in history. Unlike past infrastructure bills, the different modes—highway, transit, aviation, rail, etc.—were consolidated into one massive bill. Most likely, Congress will peel apart the infrastructure bill due to the political appeal of some programs, i.e., highway vs. transit, in the reauthorization.

Back to School

The welcomed flurry of activity of this new administration reminds me of that always-special first day of school. Teachers laying out the dos and don'ts of the classroom, new textbooks, new lunch rules, and coming home completely worn out by what just happened. Once settled in, however, like this administration, it's time to get back to the basics: the 3 R's. ■

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Safety Reminders

By THE LICA SAFETY PORTAL, Zywave Resource Library

Listen Up... Protect Your Ears!

According to the Occupational Safety and Health Administration (OSHA), noise-induced hearing loss is one of the most common occupational injuries. You may be exposed to dangerous loud noises which can cause permanent hearing loss, and not even realize it, since this can occur over time. Take control of your exposure before it is too late!

Noise Levels

The National Institute of Safety and Health (NIOSH) reports that workplace noise is likely to be hazardous if you have to raise your voice to talk to someone who is an arm's length away from you. The noise level may also be too loud if after you leave a noisy area, your ears ring or sounds seem dull. To prevent hearing loss, experts recommend hearing protection when exposed regularly to noise levels at 85 decibels (dB) or higher. This is less noise than the output of average traffic, most power tools, a shotgun blast or a rock concert.

Dangers

If hearing becomes difficult for you, you may also be at risk for far more serious injuries. For instance, if you are unable to hear warning signals or shouting coworkers, you may not be aware of potential dangers or emergencies. This could cause you to be involved in a serious accident.

Warning Signs

Curious if the noise in your workplace has had some effects on one of your most valued senses? Do any of these warning signs "sound" familiar?:

- You strain to understand conversations.
- You think people are mumbling or not speaking clearly.
- You need others to repeat what they say frequently.
- You watch people's faces intently while listening to them speak.
- You need to increase the volume on the television or radio to the point that others find it too loud to bear
- You experience ringing in the ears or feel dizzy

The last warning sign of hearing loss, called tinnitus, is the most serious. Tinnitus occurs after repeated exposure to excessive noise without adequate hearing protection. This injury is irreversible and can lessen your quality of life.

Protections

To reduce your risk of hearing loss on the job, you should always wear some form of hearing protection, even if you feel you may not need it.



There are a variety of sizes, shapes and styles of hearing protection to choose from. Some of the most common include:

- Single-use ear plugs (self-forming)
- Pre-formed or molded earplugs, which are individually fitted by a professional (there are both disposable and reusable types)
- Earmuffs that form a perfect seal around the ear (facial hair, eyeglasses, long hair and facial movements can reduce the protective value)

A hearing test is the best measure of determining if you are at risk for hearing loss. If you are regularly exposed to loud noises at work (or in life), take a hearing test annually.

For more information on workplace hearing loss, as well as additional resources such as a noise meter, frequently asked questions and information about how to choose ear protection, visit NIOSH's Web site at www.cdc.gov/niosh/topics/noise.

Don't Break Your Back, Jack!

Lifting, one of the most common occupational activities, can result in a variety of injuries if done improperly. Even worse, it can leave you out of work. Back pain, one of the most common injuries, occurs when muscles are overstretched. However, you can avoid aches and pains by practicing the following safe lifting techniques.

Pre-Lift

Although there is no one correct way to lift an object, there are general practices that should lessen the strain on your lower back and abdomen. Before lifting a load:

- Consider the weight and determine if you will need assistance picking it up. If you are doubtful that you can lift the object on your own, ask for help.

- Examine the size and shape of the load to determine if it will pose additional challenges.
- Determine your path and if you will need to change directions or turn to get to your final destination. Then, walk your path to remove obstructions and slipping hazards.
- Put on a back belt and secure it properly.

Lifting from Ground Level:

- Get your body as close to the load as possible.
- Bend at your knees, not your back, and get a firm grip on the object.
- As you lift up with your legs, keep the load as close to your body as you can.

Lifting an Overhead Load:

- Examine the surface below you to make sure it is stable and sturdy.
- Test the load to make sure you can lift it from over your head without injury.
- Remove the object from the shelf while always maintaining control and bring it down to your waist.

Lifting a Load from Waist Level:

- Slide the load close to your body to test its weight.
- Lift the object and then shift the weight of the load to your legs by keeping it close to you.

Carrying a Heavy Load:

- Move in a straight path and change directions with your feet, not your hips.
- Avoid the stairs, gates and doors if possible.
- Keep your shoulders, hips and feet pointed in the same direction while walking.
- Hold the load in your normal center of gravity between your legs and shoulders.
- Immediately set a heavy load down if it becomes too much to handle.

Setting Down Heavy Loads:

- Bend your knees (not your waist) and set down the corner or edge of the object closest to you first and then gently lower the rest.
- Watch out for your fingers as you set down the load.

Lifting with a Co-worker:

- Determine how you will both carry the object before picking it up.
- Elect one of you to be the leader. This person should position to observe and direct the other.



- Lift and lower the load in unison after each of you has agreed on when to do so.
- If you feel as though you are about to drop the object, let the other person know immediately. ■



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- | | |
|---|--|
| <input type="checkbox"/> CH Concrete/Hardscaping | <input type="checkbox"/> PD Ponds/Dams |
| <input type="checkbox"/> CR Crane Service | <input type="checkbox"/> RP Roads/Paving |
| <input type="checkbox"/> DB Directional Boring | <input type="checkbox"/> SP Site Prep./Demolition |
| <input type="checkbox"/> DW Drainage/Water Mgmt./ Irrigation | <input type="checkbox"/> SS Septic Systems/
Onsite Wastewater Treatment |
| <input type="checkbox"/> EM Earthmoving/Grading/Land Leveling | <input type="checkbox"/> TH Trucking/Hauling |
| <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 | |

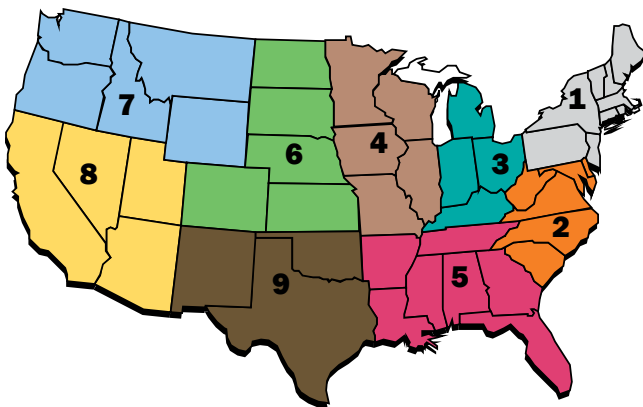
Application is for (Check One)

- 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 \$395.00
- 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 33.

**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
- Massachusetts
- Oklahoma
- Tennessee
- Texas

■ ARKANSAS LICA

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■ NEW JERSEY LICA

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■ PENNSYLVANIA LICA

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■ VIRGINIA LICA

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Phone: 703-753-7231
Email: kandcj3@gmail.com

■ WISCONSIN LICA

National LICA
3080 Ogden Ave., Suite 300
Lisle, IL 60532
Phone: 630-548-1984
Email: nilca@aol.org

Market Watch

Meet the New Toro® eDingo® TX 75



Building on the success of Toro’s eDingo 500, the new eDingo TX 75 combines the versatility and maneuverability of Toro’s trusted Dingo line with advanced electric power, meeting the growing demand for reliable battery-powered solutions in the compact utility loader market.

The TORO e2500-TS Electric Swivel Ultra Buggy



The new TORO 2500-TS electric swivel ultra buggy is rated to carry 2,500 pounds and can haul 14 cubic feet. The site dumper can run up six to eight hours (depending on loads) on its battery system.

At 31.5 inches wide, the unit navigates tight spaces, through gates and smaller trailers. The e2500 was shown at the World of Concrete in January 2025.

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