

Missouri LICA NEWS

Volume 68, Number 4

The Missouri Land Improvement Contractors Association

August/September, 2009



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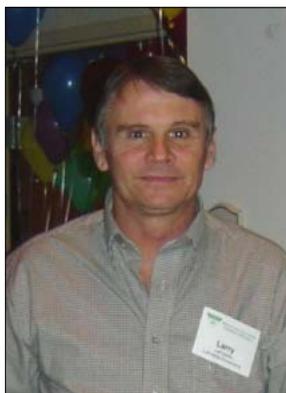
Auxiliary Vice President

Mona Bledsoe

Auxiliary Secretary

Lisa Davis

Auxiliary Treasurer



President's Message

by Larry LaFollette, Missouri LICA President

The Winds of Change are Blowing

With a new federal administration, a new Missouri Natural Resources Conservation Service (NRCS) State Conservationist, a new Missouri Department of Natural Resources (DNR) Soil and Water Program Director, and new energy and clean water federal legislative bills, the winds of change are certainly blowing.

These were a few of the topics which members of Missouri LICA addressed at its Summer Meeting. Our members have recognized that, during these changing ... and challenging times, we need to come together and raise our voices. Below are a few of the ways our members have risen to the challenge:

Membership:

When times are tough, we begin to analyze where we get the "biggest bang" for our buck. This is not the time to drop your membership, but rather to re-confirm your commitment to the only association in the state of Missouri which represents your business! LICA will be holding some new membership drives in the Districts this coming fall and spring. We will be calling on you to attend these membership meetings in your District and share some of the benefits you have received from your LICA membership. Don't worry, we won't ask you to make a speech, just visit with some prospective members over a great meal!

By-Laws Change:

The membership voted to approve a change in our by-laws which will allow a contractor, over the age of 70, the option of changing their level of membership from "contractor" to "supporting." A Supporting member is not covered by any of our insurance policies, nor are they able to vote on association business, but they are able to continue their support and involvement in our efforts.

Communication:

We have made some changes to the way we communicate with our members. We will begin an electronic newsletter to supplement our current hard-print newsletter. The e-newsletter will allow us to inform our members more quickly about the ever-changing legislative issues facing our business, as well as proposed changes to NRCS standards, providing our members more input to the regulatory process. We will continue to provide our members with a hard-print newsletter four times a year ... after the Winter Convention, Summer Meeting, and both Board/Committee meetings. If you have an email address, please make sure the state office has it. (573-634-3001) You won't want to miss the timely information provided by our new e-newsletter!

"President's Message" >p3

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Happy Birthday!

August

01 Jason Edgar
 05 Kenna Levings
 08 Wendy Winters
 13 Syble Cretzmeyer
 17 Ken Balkenbusch
 Maryann Jacquin
 18 Roger Zink
 22 Virginia Beckemeyer
 24 Wade Thompson
 29 Craig Stubinger
 30 Stephen Champlin
 Jeff Francis
 31 Arvel Lee Schneider

September

01 C.L. Richardson
 02 Dean Yoder
 06 Albert Balkenbusch
 Greg Hall
 11 Terry Johnston
 15 Brad Kleinsorge
 Sanford Reynolds
 16 Rex Combs
 Larry Gilson
 Lois Haile
 24 Brian Flora
 Beth Haley
 26 Ginger Matthews
 29 Junior Eichler

Directory Update

The new Missouri LICA Directory has been mailed to our members. If you didn't get your copy, please contact the Missouri LICA office (573-634-3001). And, like all new directories, we've already got a change! **Jeff Francis** has a new mailing address it is: A&D Construction; 33976 Highway 87 South; California, MO 65018. The phone and fax numbers remain the same.

Are You Up-To-Date?

Missouri LICA is going to launch its new e-newsletter this fall. You won't want to miss out on the timely information it will contain ... legislative changes, regulatory changes, and more! So, check the new directory and make sure we have your email address. If not, please contact the Missouri LICA office.

We recognize that too much information is a bad thing ... not to mention overwhelming, so the MLICA e-newsletter will be "short and sweet" with links to other sites, if you want more info. Watch your email this fall!

With Deep Sympathy

Our deepest sympathies are extended to the entire Levings family over the loss of Elnor Levings on August 10, 2009. If you would like to express your condolences, you can send them to: 612 Spruce Street; Tarkio, MO 64491-1149.



President's Message (From page 1)

Education:

It is important that we look to Missouri LICA's future ... the new contractor. To meet those needs, the Ladies Auxiliary has decided on the requirements for a scholarship program which they will be providing to students attending Linn State Technical College. LICA is also pursuing the possibility of a contractor certification program with the University of Missouri - Extension. We believe it is important that contractors installing federal and state cost-share practices be properly trained.

Our members have a wealth of talent and expertise. As our fiscal 2009 comes to an end and we look toward a new year, I would like to encourage all our members to share that expertise and talent with prospective members, as well as with our current membership. Please say "yes!" when asked to help Missouri LICA grow ... the more you help, the more you will benefit!

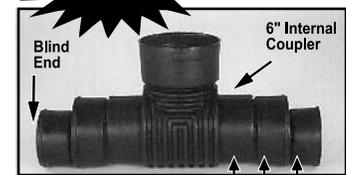
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Our New Partners

Both the Missouri Department of Natural Resource's Soil and Water Program and the Missouri USDA Natural Resources Conservation Service have new leadership. We look forward to working with both Mr. Hopkins and Mr. Flores in the coming years. And, you can get a chance to meet them at our 2010 Winter Convention! Watch your mail for details.



*JR Flores
MO NRCS State
Conservationist*

Effective August 30, J.R. Flores will serve as the Missouri State Conservationist for the USDA Natural Resources Conservation Service (NRCS).

Since March 2004, Mr. Flores has served as the NRCS State Conservationist in North Dakota. As Missouri's State Conservationist, Mr. Flores will direct NRCS' statewide efforts in assisting people improve the land through locally-led, cooperative conservation programs.

He has been a strong supporter of partnership efforts in the past and is committed to continuing partnership efforts in Missouri.

Mr. Flores is a native of Altus, Oklahoma. He received a Bachelor's Degree in Agronomy from Cameron University in Lawton, Oklahoma. His 27-year NRCS career has included serving in several locations as a Soil Conservationist and as a District Conservationist in Oklahoma and Texas, and as an Area Conservationist in Oklahoma.

He later served as an Assistant State Conservationist in California before serving for six months as Acting State Conservationist in New York. He was Deputy State Conservationist in Wyoming when he was selected as North Dakota State Conservationist.



*Bryan Hopkins
DNR Soil & Water
Program Director*

Bryan Hopkins has been appointed to the position of Director of the Missouri Department of Natural Resource's (DNR) Soil and Water Conservation Program, effective July 16, 2009.

Prior to accepting the position, Mr. Hopkins served as the Wetland and Watershed Coordinator. He has represented DNR on the Mississippi River/Gulf of Mexico Watershed Nutrient Coordinating Committee; served as the DNR's liaison to various stakeholders regarding the state's commitment to the Gulf of Mexico Hypoxia Action Plan, as well as a point of contact for watershed and wetland issues to federal and state agencies and non-governmental organizations.

Mr. Hopkins has represented DNR on a variety of commissions, associations and planning groups related to watershed and basin-level water quality issues. He organized and conducted public workshops and programming concerning watersheds and river systems for the Department. He also developed and implemented comprehensive educational curriculum concerning watersheds and large river systems, drinking and wastewater systems, as well as regional energy use for the Department.

Mr. Hopkins holds a Masters of Science in Microbial Ecology and a Bachelor of Science in Microbiology from the University of Oklahoma.

Mr. Hopkins holds a Masters of Science in Microbial Ecology and a Bachelor of Science in Microbiology from the University of Oklahoma.

By-Laws Change Adopted

The Missouri LICA membership adopted the following by-laws change at its 2009 Summer Meeting, August 8, 2009; Bennett Spring State Park; Lebanon, MO. Note: The words in **bold** have been added.

ARTICLE II - MEMBERSHIP

Section 4. Any person genuinely and sincerely interested in the furtherance and promotion of sound soil and water conservation practices; [and] any sales person dealing in the sale of materials, equipment or services incidental to the soil and water conservation industry, but not eligible for either active or associate membership; **and any contractor over the age of 70** shall be eligible for membership as a supporting member. Supporting members shall not be entitled to a vote in the Association.

It's That Time of Year ...

We will be sending out dues renewal notices within the month. As you review your "costs versus benefits," please remember that Missouri LICA is the **ONLY** trade association representing you and your business. With your continued support, we have been able to successfully renew the 1/10th cent Soil, Water, and State Parks Sales Tax, providing our members with work; develop the Land Improvement Contractors license tag, allowing our members to haul their equipment to conservation projects while saving them money; defeat costly dam safety regulations; and provide a very successful business insurance program ... to name a few of your benefits.

We have more issues facing our industry - cap & trade, card check, health insurance, and more. But it takes **YOU** to make our voice loud enough to be heard!

The Summer of 2009



↑ (Pictured from left) National LICA President Bruce Barnhart, Missouri LICA Secretary/Treasurer Ozzie Wallace, and Missouri LICA President Larry LaFollette deep in conversation at the 2009 Missouri LICA Summer Meeting.

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More Summer Pictures



↑ (Pictured from left) Missouri Auxiliary Treasurer, Missouri Auxiliary President Pat Houston, Carol Balkenbusch, and Sally Bauer discuss the Scholarship Program and 2010 Winter Convention.



↑ (Pictured from left) Kenna Levings, Roger Levings, and LICA Legislative Committee Chair Gerald Bauer review the legislative issues facing our industry.

More Summer Pictures



↑ Missouri LICA members gather at Bennett Spring State Park for the 2009 Missouri LICA Summer Meeting.

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Missouri LICA Membership Meeting Draft Minutes

August 8, 2009 ♦ Bennett Spring State Park ♦ Lebanon, MO

CALL TO ORDER

The meeting was called to order by President Larry LaFollette at 2:10pm.

WELCOME/INTRODUCTION OF GUESTS

President Larry LaFollette welcomed Bruce Barnhart, National LICA President and all the Missouri members to the August, 2009 General Membership Meeting.

ROLL CALL

District #1	2	District #4	4
District #2	2	District #5	1
District #3	1	District #6	0

Ladies Auxiliary President: Pat Houston - present
Associates Chairman: vacant

Executive Committee:

Chairman Milburn Davis - present
President Larry LaFollette - present
Vice President Jim Bledsoe - present
Secretary/Treasurer Ozzie Wallace - present

Staff: Debbie Dickens - present

MINUTES APPROVAL

A motion was made by Nelson Wilson and seconded by Ken Balkenbusch to approve the minutes of the 2009 Winter Membership Meeting as printed. The motion carried.

NATIONAL REPORT

National LICA President Bruce Barnhart thanked the membership for inviting him to the 2009 Summer Meeting. He detailed National LICA's activities over the last several months (see the National LICA News for more details), including included several membership drives held in individual chapters. The National LICA membership level remained the same for the 2009 fiscal year which was good news considering the current economic conditions. He informed the membership that, with the help of Jerry Biuso and the local chapter's team of contractors, the membership drives held in New York and Illinois have been very successful, with Illinois LICA gaining almost a 40% increase in membership. Bruce encouraged each member present to become involved in the membership drive process. He reminded the members that we have a lot of benefits to offer prospective members and that we need to learn how to promote those benefits (i.e., LIC license plate, 1/10th Cent Soil, Water and State Parks Sales Tax, etc.)

Bruce also reported that in Iowa LICA, they have a Safety

NATIONAL REPORT *(Continued)*

Director (Linda Moyna) who, for a small retainer, provides OSHA and MSHA training for the contractor members. Linda charges the members for this service, but gives LICA members a reduced fee. Or, she can come to a member's job site or shop and put on the program(s) for their employees. She also provides the 8-hour OSHA/MSHA refresher course. He encouraged Missouri to investigate the possibility of working with David Miguel in this capacity.

PRESIDENT REPORT

President Larry LaFollette thanked Prins Insurance and Continental Western for sponsoring the 2009 Summer Meeting. He reported that he attended the National LICA Summer Meeting and Field Day in Des Moines, IA. The meeting was good and the field day was amazing. He attended the Conservation, Excavating, and Earthmoving; the On-Site Waste; and Convention/Education Committee meetings.

Larry also reminded contractors that the University of Missouri-Extension's rates survey has been mailed to our members. He encouraged each member to complete the survey and return it as soon as possible.

TREASURER/SECRETARY REPORT

Ozzie Wallace presented the Secretary/Treasurer's report for the first nine months of fiscal 2009.

LADIES AUXILIARY

Pat Houston reported that the Auxiliary discussed the 2010 Winter Convention, to be held at the Isle of Capri Hotel and Casino in Boonville. The Auxiliary decided to hold an auction during the Convention. Lisa Davis will find an auctioneer. The Auxiliary will make crafts for auction items and asked that the contractors contact our Associate members for contributions.

The theme for the 2010 Convention will be Mardi Gras. Debbie Dickens will contact the Missouri Association of Nursing Home Administrators (MANHA) to get an inventory of their Mardi Gras decorations which they have agreed to lend us.

The Auxiliary will also schedule a jewelry-making class at the Winter Convention. Sally Bauer's daughter will be the instructor.

LADIES AUXILIARY

In order to update their by-laws to reflect the current officer duties, the Auxiliary has proposed the following by-laws change which will be voted on at their Winter Meeting:

Membership Minutes (from page 6)

LADIES AUXILIARY (Continued)

[Note: Copy to be deleted is in [brackets]; copy to be replaced is in **bold**.]

[Article IV - Section 4. Secretary shall perform the duties incidental and usual to her office. She may delegate to an Executive Secretary any of these duties.

Section 5. Treasurer shall have custody of the funds of the Auxiliary and shall collect dues. The Treasurer shall be authorized to disburse funds on behalf of the Auxiliary upon presentation of proper vouchers. The signature of both Treasurer and President shall be on the bank signature card. The Treasurer may sign the checks with her signature only.]

Article IV - Section 4. The secretary/treasurer shall have the responsibility for keeping full and correct accounts of the receipts and disbursements of the Auxiliary, and effects in the name and to the credit of the Auxiliary in such depositories as may be designated by the board. The secretary/treasurer shall be authorized to disburse funds on behalf of the Auxiliary upon presentation of proper vouchers, and shall render to the board, as it shall desire, an accounting of the finances of the Auxiliary, not more infrequently than annually. In addition, the secretary/treasurer may delegate to an executive director any of these duties.

Section [6]5. Any officer or member of the Board may resign from her office by submitting a written resignation to the Secretary.

Section [7]6. The Board shall fill any vacancy occurring in any office of the Auxiliary

The Auxiliary also discussed nominations for their 2010-2011 slate of officers, along with the installation ceremony to be held at the 2010 Winter Convention.

The Auxiliary decided to establish the scholarship program at Linn State Technical College and reviewed suggested guidelines for the scholarship program. It was decided that the \$1,000 scholarship would be awarded annually to a full-time student in either the "Construction & Civil Engineering Technology" or "heavy Equipment Operations" courses. The application deadline will be May 1 of each year. The award winner will be required to attend the Saturday night banquet at the Winter Convention, with the Auxiliary paying for lodging and the banquet meal.

EXECUTIVE DIRECTOR REPORT

The Executive Director reviewed renewal premium for the Association's Liability policy which had a 35% increase for 2010. The policy was renewed to provide continued coverage. A motion was made by Ozzie Wallace and seconded by Milburn Davis to have the Executive Director investigate other companies to provide this coverage. Motion carried.

EXECUTIVE DIRECTOR REPORT (Continued)

The Directors & Officers insurance policy was also reviewed. The premium only increased 3% for 2010 and the Association has the opportunity to bind that insurance, at the same rate, for a second year. A motion was made by Gerald Bauer and seconded by Ozzie Wallace to bind this insurance over for a second year.

The National LICA raffle and National Ladies 50th Anniversary Quilt raffle was discussed.

Districts were encouraged to hold their October Membership Meetings and to report their new slate of officers to the State Office within 45 days, as required by the Association by-laws. Members also discussed the need for a new State Secretary/Treasurer to be elected at the 2010 Winter Convention.

COMMITTEE REPORTS

Budget/By-Laws

Ozzie Wallace, Chairman, the budget for fiscal 2010. Some changes included to the 2010 budget include: reducing the number of issues of the MLICA News to four times per year (after the Winter Convention, Summer Meeting and each Board meeting) and adding Constant Contact as the service to provide more timely e-newsletters for the membership; the type of checking account used by the Association has been changed to a "free checking" account to reduce the service charges; the Awards line item includes costs for Past-President and President pins for the Association; and the directory will be printed every two years, instead of every year. The budget will be reviewed again at the October Board meeting, after the final numbers for fiscal 2009 are available. A motion

"Membership Minutes" >p8

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NORTH AMERICAN GREEN

COMMITTEE REPORTS *(Continued)*

was made by Nelson Wilson and seconded by Ken Balkenbusch to accept the Secretary/Treasurer's report and the 2010 budget. Motion carried.

A motion was made by Ken Balkenbusch, seconded by Gerald Bauer, and passed to adopt the following by-laws change:

Proposed By-Laws Language: (Changes are listed in bold type)

Article II - Membership; Section 4. Any person genuinely and sincerely interested in the furtherance and promotion of sound soil and water conservation practices and any sales person dealing in the sale of materials, equipment or services incidental to the soil and water conservation industry, but not eligible for either active or associate membership, **as well as any contractor over the age of 70**, shall be eligible for membership as a supporting member. Supporting members shall not be entitled to a vote in the Association.

Convention/Education

Ken Balkenbusch, Chairman, reported that the committee had reviewed the contract for the 2010 Winter Convention to be held January 8 & 9, 2010 at the Isle of Capri Hotel and Casino in Boonville, MO. The following list of possible classes was also discussed:

- Fuel and Oil Update - possible presenter: MFA
- Owner/Operator Costs for Equipment
- Government/Regulations Update - the new Missouri NRCS State Conservationist and DNR Soil and Water Program Directors have been invited to participate. It was suggested that we also contact a representative from the Missouri Department of Transportation (Commissioner or Director) to also attend and update the members on the "farm to market" roads. An update from the Missouri Department of Conservation might also be helpful.
- Sales and Use Tax Update
- How to Bid a Job
- Certification - a short course on the proposed Missouri LICA Certification program was also requested.

Field Day/Drainage

Jim Bledsoe, Chairman, presented information about the Greenley Research Center's 2009 Field Day. In addition, it was discussed that, if Dr. Kelly Nelson's grant is approved, we might consider hosting the next Drainage Workshop in the Moberly area with some support from Port Industries and/or Sydenstricker Implements. Dr. Allen Thompson's grant to test a computer-based terrace program was approved. He is in the process of completing an environmental impact statement for the grant and believes the

COMMITTEE REPORTS *(Continued)*

field day would be held in the summer or fall of 2010. The members agreed that mid-to late August would be a good time-frame in order to get more contractors to help.

Governmental Relations

Jeff Lance, Chairman, was absent - updates were provided through the Legislative Committee report.

Legislative Committee

Gerald Bauer, Chairman, reported that JR Flores has been hired as the new Missouri Natural Resources Conservation Service's (NRCS) State Conservationist. In addition, Mark Templeton, Director of the Missouri Department of Natural Resources (DNR) has appointed Bryan Hopkins as the new Director of the DNR Soil and Water Program. Missouri LICA has written each of these individuals to welcome them and invite them to speak to our membership at the 2010 Missouri LICA Winter Convention. Both have agreed to attend.

The federal "Cap & Trade" bill (H.R. 2454) was discussed by the members. Included in the Summer Meeting booklet was a copy of National LICA's position paper on the issue, as well as a short fact sheet, sample letter to a Senator and Op-Ed piece which were provided by the Moore & VanAllen Law Offices. Members were encouraged to review this information and voice their concerns.

The committee also discussed proposed changes to the federal "clean water" act (S 787). The Army Corps of Engineers is trying to remove the word "navigable" in the definition of the waters over which they have jurisdiction. Members were encouraged to review this bill and, again, get vocal.

Legislation which passed during the 2009 Missouri legislative session was reviewed, including HB919 - health insurance. We are investigating the health care bill to see if it will allow Missouri LICA to provide health insurance as a membership benefit.

The committee will review proposed bills during the 2010 Missouri legislative session and using the new Missouri LICA e-newsletter to update members in a more timely fashion as concerns arise. If members have particular issues they would like the committee to track, please contact Gerald or the state office.

A motion was made by Roger Levings and seconded by Milburn Davis to accept the committee reports. Motion carried.

OLD BUSINESS

- A. **LICA Insurance Program** - It was reported that, due to several large claims in 2008, the LICA Safety Insurance Group would not be issuing a dividend to 2008 participants. However, as of the end of June, 2009, the program had a very low loss ratio (27.01%) and, if the

Membership Minutes (from page 9)

OLD BUSINESS (Continued)

program remains safe for the rest of the year, the 2009 dividend could be as high as 12%. All members were encouraged to hold weekly safety meetings and stress safety for their employees.

- B. **Drainage Workshop** - See report under Field Day/Drainage Committee
- C. **2009 Legislation** - See report under Legislative Committee

NEW BUSINESS

- A. **2010 Membership Drive** - Bruce Barnhart, National LICA President, reviewed the efforts and results of the very successful membership drives held in other LICA chapters, particularly Illinois LICA. He said that National LICA would be willing to send Jerry Biuso, National Executive Vice President, to Missouri for a membership drive if the members are willing to work the program. After discussing the particular steps required and the commitment needed, the members decided to hold the first membership drives in District #2 and District #4 in either fall of '09 or spring of '10. Prins Insurance will send Missouri LICA a list of prospects whose Workers Comp codes match the work types of LICA contractors. The Executive Director will contact Jerry Biuso to determine

NEW BUSINESS (Continued)

his availability. All members are encouraged to participate.

- B. **2010 District Officers** - See Executive Director's Report
- C. **2010 District Meetings** - The importance and timing of District Meetings was discussed. No specific dates were set.
- D. **2010 State Meetings** - The following dates and locations were agreed upon by the membership:
 - ♦ **2009 Fall Board Meeting** - October 24, 2009 - Jefferson City, MO
 - ♦ **2010 Winter Convention** - January 8 & 9, 2010 - Isle of Capri Hotel & Casino; Boonville, MO
 - ♦ **2010 Spring Board Meeting** - March 20, 2009 - Jefferson City, MO
 - ♦ **2010 Summer Meeting** - Dates and location to be decided at the October 2009 Board Meeting

A motion was made by Nelson Wilson and seconded by Gerald Bauer to adjourn the meeting. The motion carried and the meeting adjourned at 4:10pm.

LICA RECOMMENDED INSURANCE PROGRAM





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Iowa LICA 2009



*An aerial view of the CREP project being installed at the 2009 Iowa LICA Midwest Expo and Field Day.
A special thanks to Missouri LICA Larry LaFollette for the plane ride!*