



# Missouri LICA NEWS

## *Experience the Magic of Change*

The "Magic of Change" was everywhere at the 2004 Missouri LICA Winter Convention. And, if you weren't there you missed some great "magic." Here are just a few examples:

It all started with the weather ... doesn't it always?! Two weeks before the convention, it looked like a lot of our members were going to have to take advantage of the nice weather and work. Then, like magic, the weather changed and the contractors started coming inside and registering for the convention! Our wish came true ... the weather was too bad to work, but not too bad to travel to the convention! During the convention, we had some sunny, bright days - all without the guilt of not working!

Then, on Thursday and Friday, during the Associates Appreciation Party and Educational program, our attendees magically became smarter, safer, and more profitable contractors! And, these new smart contractors will be wise to follow some of our Region IV Vice President Doug Egeland's marketing suggestions. In a world as competitive as this, it might just be one of those "small things" which makes the difference between getting a job ... or talking to the banker!

On Friday night, we witnessed probably some of the greatest magic of all - the 30 Year Anniversary for the Missouri LICA Auxiliary. Vivian Limback put her heart and soul into planning this event and we owe her a great debt of gratitude for that effort. THANK YOU VIVIAN!! It is just this kind of dedication which is the hallmark of the Ladies Auxiliary over the last 30 years. The Auxiliary Charter members knew they played a vital role in the success of their husbands' businesses and decided to apply this support to the

Missouri LICA. Using their creativity, education, and incredible volunteer network, the Missouri LICA Auxiliary has provided over \$ 21,000 in scholarships to future contractors. And, as is typical of the Auxiliary, they are still active! This year, they completely planned, promoted, and ran a Silent Auction which brought in over \$900 to Missouri LICA's treasury. Now, that's magic! If you haven't done so already, take a minute to thank these "magicians" in your life ... we couldn't do it without them!



Then, it was Saturday and the contractors had to get down to the business of the Association. And, again it was magic! The members developed the plans for our Spring Backhoe Rodeo Competitions (watch your mail for the specifics - this is going to be great!), the Boone County Fairground Field Days, and the Streambank Stabilization Field Days. And, to help Missouri LICA accomplish this magic, the members elected our new state officers. They are: Jeff Lance, Chairman; Eddie Gilmore, President; Bob Parks, Vice President; and Milburn Davis, Secretary/Treasurer. But remember, the only way we can continue the magic is for each of our members to volunteer to help! This doesn't mean you have to give up your "real job." Just a few hours of your time a year will magically make it all happen.

So, don't let the magic stop! Get out there and talk to a prospective member. From whom do you buy your equipment, your office supplies, your oil, fuel, parts? Are they Associates? Why not? And, why are you buying from them, if they don't support your business? What about a new contractor member? Remember, you only need to sign up ONE to make a huge difference!! Spread the magic!



### From Our President

I want to thank all the members for allowing me the opportunity to serve in the capacity as your President. I promise to do the best job that I am capable of and will, of course, need and accept help and input from all members.

Remember, we have a lot on the slate for this year with the field day at Boone County Fairgrounds (March 25 & 26), three Backhoe Rodeos (March 13, March 27, and April 10) and the Streambank Stabilization field day this summer. And don't forget we always need new members!

Keep your powder dry!  
Eddie Gilmore

## Who Is Missouri's Best Backhoe Operator? You?

Watch your mail and learn  
how to find out this  
Spring!!



# Welcome Aboard!

We are pleased to welcome the following new members to Missouri LICA:

## Active Contractor Members

### Bill Bader; Susanne

Bader Excavating LLC  
224 Overkamp Road  
Rhineland, MO 65069

District: 2 County: Montgomery

Phone: 573-252-4675

Fax: 573-252-4675

Mobile: 573-690-3051

Email: billysue@ktis.net

Sponsor: MLICA Office

### Butch Cooper; Sharon

Cooper Bulldozing  
Rt. 1, Box 100

Lincoln, MO 65338

District: 4 County: Benton

Phone: 660-547-2252

Sponsor: Dean Yoder

### Brian Flora; Janique

Flora Construction LLC

39607 Mint Road

Guilford, MO 64457

District: 1 County: Nodaway

Phone: 660-652-3494

Fax: 660-652-3494

Email: bjflora@grm.net

Sponsor: Doug Schnitker

### Danny Lowe; Nancy

Lowe's Excavating

Rt. #2, Box 2196-3

Edwards, MO 65326

District: 4 County: Benton

Phone: 573-345-4834

Fax: 573-345-3228

Email: dlowe@aroundthelake.com

Sponsor: Dean Yoder

### Wendell Rechterman

Rechterman Construction

16582 Rocky Ford Road

Higginsville, MO 64037

District: 3 County: Lafayette

Phone: 660-584-2911

Fax: 660-584-3080

Mobile: 660-232-1460

Sponsor: Ron Dickmeyer

## Company Associate Members

### John King

King Oil Company  
12314 Huyett Lane

Hagerstown, MD 21740

Phone: 800-552-7432

Sponsor: Dean Yoder

These Missouri LICA members  
have signed up their "Just  
One!" new member.  
Will You?

Stephen Champlin

Ron Dickmeyer

Doug Schnitker

Dean Yoder

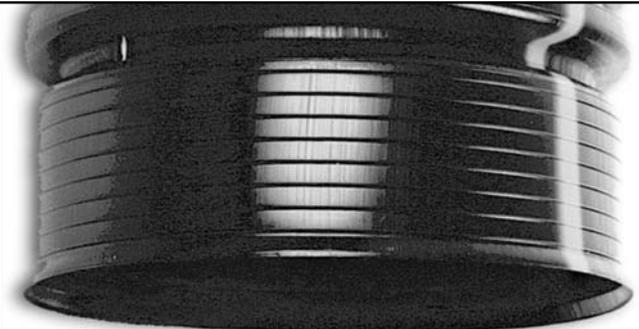
Milburn Davis

Jeff Lance

Rod Schottel

## With Deep Sympathy

Our thoughts and prayers are with the family of N.C. "Nick" Shelley who passed away December 8, 2003. Nick was inducted as a Missouri LICA Honorary Member at the 2003 Missouri LICA Summer Meeting. He was a strong, loyal member and his influence and dedication will be felt for years to come.



**A strong connection.**

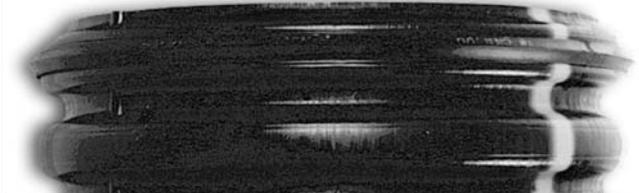
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<b>February</b>	
01	Gerald Wyatt
02	Brian Kleinsorge
03	Bub Curless
10	John Houston
12	Ken Kauffman
13	Matt Walter
	Kristi Lillig
15	Nelson Wilson
18	Roger Hinck
21	Jimmie Bledsoe
22	Carl Sloan
26	Bruce Tague
27	Gary Powell

<b>January</b>	
15	Philip Kirkpatrick
19	Phil Wilson
25	Grant Matthews
29	Jeff Schnieders

Missouri LICA News is a bi-monthly publication of the Missouri Land Improvement Contractors Association; Deborah Dickens, Executive Director; 1101 West High Street; Jefferson City, MO 65109; Phone: 573-634-3001; Fax: 573-761-0375; Email: [info@MLICA.org](mailto:info@MLICA.org); Website: [www.MLICA.org](http://www.MLICA.org).

# Experience the Magic of Change

## Convention Follow-Up



At the 2004 Missouri LICA Winter Convention, Officer Jerry Baker with the Missouri Highway Patrol's Commercial Vehicle Enforcement Division updated our members on the latest regulations impacting their businesses. After the Convention, Officer Baker sent the following information as a follow up to a couple of questions:

### Cargo Securement

*In Part 393.130(c), a piece of equipment is required to be restrained in the forward, rearward and vertical direction using a minimum of four (4) tiedowns. A question was asked about this requirement dealing with the use of one tiedown that ran from one anchor point on the trailer over the piece of equipment and attaching to another anchor point on the other side of the trailer. Would this one chain and two anchor points constitute one or two tiedowns? The answer is: this would only be one tiedown and would require the placement of additional tiedowns to meet the requirements of this particular regulation.*

### 100 Air Mile Radius Exception

*A driver of a commercial motor vehicle, defined as a vehicle operated in commerce and having a Gross Vehicle Weight Rating in excess of 10,000 pounds, would not have to have a log book if they could meet all five (5) of the requirements of the 100 Air Mile Radius Driver Exception.*

*The criteria for that exception is as follows:*

- 1. The driver operates within a 100 air mile radius of their normal work reporting location; and*
- 2. The driver returns to the work reporting location within 12 consecutive hours of having gone on duty; and*
- 3. The driver has at least 10 consecutive hours off duty separating each 12 hours on duty; and*
- 4. The driver does not exceed 11 hours maximum driving time following 10 consecutive hours off duty; and*
- 5. The employing motor carrier maintains and retains time records for six (6) months showing:*
  - a. the time the driver reports for duty each day, and;*
  - b. the total number of hours the driver is on duty each day, and;*
  - c. the time the driver is released from duty each day, and;*

- d. the total time for the preceding seven (7) days for drivers used for the first time or intermittently.*

*If a driver can abide by all of the above requirements, they need not carry a logbook with them. However, if a driver cannot abide by any of the above requirements, they will need to carry a logbook showing their hours of service from the start of that day.*

### Another Answered Question

During our General Membership meeting, there was discussion about the exact language, restrictions, and allowances for the Land Improvement Contractor (LIC) license plate. In order to help clear up the confusion, below is the portion of the Missouri Revised Statutes which addresses the questions raised:

#### Chapter 301 Registration and Licensing of Motor Vehicles

##### DEFINITION Section 301.010

*"Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:*

- (a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or*
- (b) An area that extends not more than a radius of twenty-five miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle*

##### Section 301.064

**Land improvement contractors' commercial motor vehicles, registration, fee--license plates--rulemaking.**

301.064.1. *The annual registration fee for a land improvement contractors' commercial motor vehicle is three hundred and fifty dollars. The maximum gross weight for which such a vehicle may be registered is seventy-three thousand two hundred and eighty pounds. Transporting for hire by such a motor vehicle is prohibited.*



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# *Experience the Magic of Change*

**Just A Few Convention Memories**



## Some Federal Points Of Interest

### President Bush Pushes Concept of Association Health Plans

In his State of the Union address on Jan 20th, President Bush mentioned the idea of Association Health Plans (AHPs). This concept would allow businesses to band together across state lines, through a certified association, to purchase health care coverage. Legislation (H.R. 660) creating AHPs passed in the House in June 2003. A companion bill, S. 545, has been introduced in the Senate, but action has yet to be taken.

### USDA Holds CSP Listening Sessions

The U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) has been holding listening sessions nationwide to gain feedback on a proposed rule to implement the Conservation Security Program (CSP).

The CSP proposed rule was published in the Federal Register on Jan. 2, 2004. Comments are due by March 2, 2004.

The following sessions remain:

February 10	Lansing, Michigan
February 11	Ft. Pierce, Florida
February 11	Des Moines, Iowa
February 11	Augusta, Maine
February 11	Greenwood, Mississippi
February 26	Madison, Wisconsin

Authorized by the 2002 Farm Bill, CSP is a new voluntary conservation program that supports ongoing conservation stewardship of agricultural working lands and enhances the condition of America's natural resources.

The proposed rule and detailed information on the national listening sessions are on the NRCS Web site at <http://www.nrcs.usda.gov>.

### FY'04 Appropriations Finally Complete

On January 22, the Senate voted 65-28 to adopt the conference report for the 2004 Consolidated Appropriations Bill, the seven-bill omnibus appropriations package (\$ 820 billion) funding seven different appropriations areas through September 30, 2004 and bringing to a close the fiscal 2004 regular appropriations process. The President signed the bill into law on January 23.

In the agricultural appropriations division, the bill provided \$853 million for the NRCS Conservation Operations account. The final bill also restored funding for the Clean Water Act Section 319 grants program to \$238.5 million.

The conference report provided only \$41 million for CSP in FY'04, but it did lift the funding cap on the program, which restored nearly \$3 billion taken away in FY'03. Now the program should operate as originally intended, as an

“Federal Points” >p6

## A Very Special Thank You!

We would like to thank the following Associate members for helping to make our 2004 Winter Convention such a success. We would encourage each of you to thank your sales representative from these companies for their continued support. We are very fortunate to have such a great working relationship with these members.

Remember, as you shop for products or services ... these members supported you ... now, it's your turn to support them. Why should you buy from a competitor who doesn't care about LICA or your industry when we have such great Associates who continue to demonstrate their support. **THINK ABOUT IT AND SHOP THESE MEMBERS FIRST!!**

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<i>Continental Western Group</i>	<i>Scheib Drainage Products</i>
<i>Cooke Sales &amp; Service</i>	<i>Springfield Plastics, Inc.</i>
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## Federal Points *(Continued from page 5)*

### FY'04 Appropriations Finally Complete *(Continued)*

entitlement, depending on how USDA finalizes its rule for the program after the public comment period closes and how OMB apportions funding.

Another key provision was the prohibition on the use of Conservation Operation funding to carry out the Farm Bill conservation programs. Lawmakers kept the "firewall" in place for another year. However, an important item not settled in the FY'04 appropriations process is the technical assistance (TA) issue for CRP and WRP. It appears at this time that the agencies will have to provide TA for those two programs through CCC-funded EQIP, WHIP, GRP and FRPP once again.

Another aspect of the appropriations package included provisions that would allow small businesses to compete for government contracts on a level playing field with the Federal Prison Industries (FPI).

In addition, the spending bill does NOT include language that would have halted the Department of Labor from modernizing overtime regulations. The rules regarding overtime exemption have not been updated for 50 years. This has led to confusion over who is eligible for overtime and an increase in FLSA overtime-related lawsuits between employers and employees. A clarification of these rules is a much-needed reform.

### Website Includes Description of State Environmental Programs

Each state and locality has its own unique set of environmental regulations and permit requirements. The Construction Industry Compliance Assistance Center (CICA) has developed a website that provides state-by-state information on environmental regulations and permit requirements including stormwater, solid waste (C&D debris), hazardous waste, air, wetlands, endangered species, and green building. They provide straightforward explanations of what is required for compliance.

Check out what is required in Missouri, as well as other states at <http://www.CICAcenter.org>. CICA is continually updating their web pages and welcomes any comments to improve the accuracy of the information on their site.

### EPA Web Site to Help Find Funding Sources

EPA now has a "Catalog of Federal Funding Sources for Watershed Protection" on its website, containing a searchable database of financial assistance sources (grants, loans, cost-sharing) available to fund a variety of watershed protection projects. Check it out at <http://cfpub.epa.gov/fedfund/>.

### Draft eFOTG

The Natural Resources Conservation Service (NRCS) has posted a proposed revision to its electronic Field Operations Technical Guide (eFOTG) on the web at <http://www.nrcs.usda.gov/technical/efotg/> under "Draft eFOTG."

Draft standards are for review and comment only. If you have comments about these new draft standards, please send your comments, by February 19, to: Marty Comstock at [marty.comstock@mo.usda.gov](mailto:marty.comstock@mo.usda.gov).

Here are a few of the draft standards for the following practices:

**Irrigation Regulating Reservoir (552)** - This standard will replace the current "Irrigation Pit or Regulating Reservoir" (552B). The purpose of an irrigation regulating reservoir is to temporarily store irrigation water to improve water reuse, management or quality. Reservoirs may be earthen embankments, excavated impoundments or tanks constructed from a variety of materials.

**Irrigation Storage Reservoir (436)** - The purpose of an irrigation storage reservoir is the long term storage of irrigation water. Format and subject order has been changed to be consistent with the national standard.

**Lined Waterway or Outlet (468)** - This standard has been expanded to include criteria for the use of Synthetic Turf Reinforcement Mats (TRM). A new construction specification 468-C has been developed for the TRM and is included in this draft.

**Pumping Plant (533)** - The title of this standard has been changed from the previous "Pumping Plant for Water Control". The standard has been expanded to include pumping facilities for waste disposal as well as facilities for water supply.

**Surface Drainage - Main or Lateral (608)** - The format and subject order has been changed to be consistent with the national standard. No substantive changes are included other than minor rewording to clarify the difference between the terms berm and spoil bank as used in the standard.



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# Diary Of A Snow Shoveler



## **December 8: 6:00 PM.**

*It started to snow. The first snow of the season and the wife and I took our cocktails and sat for hours by the window watching the huge soft flakes drift down from heaven. It looked like a Grandma Moses Print. So romantic we felt like newlyweds again. I love snow!*

## **December 9:**

*We woke to a beautiful blanket of crystal white snow covering every inch of the landscape. What a fantastic sight! Can there be a more lovely place in the Whole World? Moving here was the best idea I've ever had. Shoveled for the first time in years and felt like a boy again. I did both our driveway and the sidewalks. This afternoon the snowplow came along and covered up the sidewalks and closed in the driveway, so I got to shovel again. What a perfect life!*

## **December 12:**

*The sun has melted all our lovely snow. Such a disappointment. My neighbor tells me not to worry, we'll definitely have a white Christmas. No snow on Christmas would be awful! Bob says we'll have so much snow by the end of winter, that I'll never want to see snow again. I don't think that's possible. Bob is such a nice man I'm glad he's our neighbor.*

## **December 14:**

*Snow lovely snow! 8" last night. The temperature dropped to -20. The cold makes everything sparkle so. The wind took my breath away, but I warmed up by shoveling the driveway and sidewalks. This is the life! The snowplow came back this afternoon and buried everything again. I didn't realize I would have to do quite this much shoveling, but I'll certainly get back in shape this way. I wish I wouldn't huff and puff so.*

## **December 15:**

*20 inches forecast. Sold my van and bought a 4x4 Blazer. Bought snow tires for the wife's car and 2 extra shovels. Stocked the freezer. The wife wants a wood stove in case the electricity goes out. I think that's silly. We aren't in Alaska, after all.*

## **December 16:**

*Ice storm this morning. Fell on my rear end on the ice in the driveway putting down salt. Hurt like you can't believe. The wife laughed for an hour, which I think was very cruel.*

## **December 17:**

*Still way below freezing. Roads are too icy to go anywhere. Electricity was off for 5 hours. I had to pile the blankets on to stay warm. Nothing to do but stare at the wife and try not to irritate her. Guess I should've bought a wood stove, but won't admit it to her. God I hate it when she's right. I can't believe I'm freezing to death in my own living room.*

## **December 20:**

*Electricity's back on, but had another 14" of the stuff last night. More shoveling. Took all day. That dumb snowplow came by twice. Tried to find a neighbor kid to shovel, but they said they're too busy playing hockey. I think they're lying.*



## **December 21:**

*Called the only hardware store around to see about buying a snow blower and they're out. Might have another shipment in*

*March. I think they're lying. Bob says I have to shovel or the city will have it done and bill me. I think he's lying.*

## **December 22:**

*Bob was right about a white Christmas because 13 more inches of the white crud fell today, and it's so cold it probably won't melt till August. Took me 45 minutes to get all dressed up to go out to shovel and then I had to use the bathroom. By the time I got undressed, went and dressed again, I was too tired to shovel. Tried to hire Bob who has a plow on his truck for the rest of the winter; but he says he's too busy. I'm sure he is lying.*

## **December 23:**

*Only 2" of snow today. And it warmed up to 0. The wife wanted me to decorate the front of the house this morning. What is she ... nuts?!! Why didn't she tell me to do that a month ago? She says she did but I think she's lying.*

## **December 24:**

*6". Snow packed so hard by snowplow, I broke the shovel. Thought I was having a heart attack. If I ever catch the son of a gun who drives that snowplow, I'll drag him through the snow by his ears. I know he hides around the corner and waits for me to finish shoveling and then he comes down the street at a 100 miles an hour and throws snow all over where I've just been! Tonight the wife wanted me to sing Christmas carols with her and open our presents, but I was busy watching for that snowplow.*

## **December 25:**

*Merry Christmas. 20 more inches of the miserable slop tonight. Snowed in. The idea of shoveling makes my blood boil. God I hate the snow! Then the snowplow driver came by asking for a donation and I hit him over the head with my shovel. The wife says I have a bad attitude. I think she's an idiot. If I have to watch "It's a Wonderful Life" one more time, I'm going to scream!*

## **December 26:**

*Still snowed in. Why did I ever move here? It was all HER idea. She's really getting on my nerves.*

## **December 27:**

*Temperature dropped to -30 and the pipes froze.*

## **December 28:**

*Warmed up to above -20. Still snowed in. The wench is driving me crazy!!!!*

## **December 29:**

*10 more inches. Bob says I have to shovel the roof or it could cave in. That's the silliest thing I ever heard. How dumb does he think I am?*

## **December 30:**

*Roof caved in. The snow plow driver is suing me for a million dollars. The wife went home to her mother. Nine more inches of snow predicted.*

## **December 31:**

*Set fire to what's left of the house. No more shoveling.*

## **January 8:**

*I feel so good. I just love those little white pills they keep giving me. Why am I tied to the bed?*

# A Busy Spring For Missouri LICA

## February, 2004

- 13 **MLICA District #5 Meeting**  
*Viet's Restaurant; 2001 Missouri Boulevard; Jefferson City  
Contact Ken Balkenbusch (573-897-3720)*
- 23-28 **National LICA Winter Convention**  
*Check the National Web site  
([www.licanational.org](http://www.licanational.org)) or call  
Debbie @ 573-634-3001 for details*

## March, 2004

- 4 **Natural Resources Conservation Service's State Technical Committee Meeting**  
*9am; NRCS Office  
601 Business Loop 70W; Columbia, MO*
- 6 **MLICA District #1 Meeting**  
*Contact Jim Bledsoe (816-324-5254)*
- 6 **MLICA District #2 Meeting**  
*Contact Nelson Wilson (573-581-6671)*
- 8 **MLICA District #4 Meeting**  
*Contact Gerald Bauer (660-598-6813)*
- 13 **1st Backhoe Rodeo Competition**  
*Cooke's Lodge (If the weather is good)  
(If the weather is bad ... )  
Cooke Sales and Service  
1422 North Washington Street  
Chillicothe, Missouri  
RSVP Phone: 660-646-1166*
- 15-17 **National LICA Washington DC Visit**  
*Congressional visits set for  
Tuesday, March 16*
- 20 **Missouri LICA Board of Directors Meeting**  
*Jefferson City, MO  
Watch your mail for details*
- 25-26 **Boone County Fairgrounds Erosion Control Field Days**  
*Sponsored by: Missouri LICA, Missouri University Extension Service, and International Erosion Control Association  
Boone County Fairgrounds*

## March, 2004 (Continued)

- 27 **2nd Backhoe Rodeo Competition**  
*Cooke Sales and Service  
Highway 50 East  
Sedalia, Missouri  
RSVP Phone: 660-826-2777*

## April, 2004

- 10 **3rd and GRAND FINALE Backhoe Rodeo Competition**  
*Cooke Sales and Service  
809 South Westminster  
Fulton, Missouri  
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*Remember: You only get out of your membership what you put into it! Come share in the fun and let your dues start working for you!*



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