

# Missouri LICA NEWS

Volume 66, Number 4

The Missouri Land Improvement Contractors Association

May/June, 2007



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National LICA has more, new membership benefits!

Watch your mail for details ... and ...

Sign up a new member TODAY!

## Picnic in the Park with LICA ... and More! Saturday, July 28, 2007 Linn, MO

Our 2007 Summer Meeting will be another great time for our members and their families to get together for a mid-summer break. Here's what we have planned:

### Streambank Stabilization Projects

Meet at the Linn Lion's Club Park pavilion at 1:00pm. From there, we will take a couple of vans and/or carpool over to tour three streambank stabilization projects on the Maries River. One of the projects will be under construction while we watch, one was completed in January, 2007 and one was completed in 2002. Rob Pulliam with the Missouri Department of Conservation will be our tour guide as we learn all the advantages and proper installation for these projects.

### Linn State Technical College Tour

After we've checked out the Maries' River sites, we'll head back to Linn State Technical College where Ken Balkenbusch will walk us through the heavy equipment operators and mechanics programs.

### LICA Barbecue & Membership Meeting

Then, it's back to the Linn Lion's Club Park pavilion for our membership meeting and a LICA barbecue! We'll provide the meat, bread, cups, plates, utensils and ice. You'll need to bring a covered dish and whatever you'd like to drink.

### Directions:

The Linn Lion's Club Park is located about 20-25 miles east of Jefferson City off of Highway 50, on Highway CC. The park is almost across the street from Linn State Technical College. As you head into Linn, (east from Jefferson City), you will pass Casper's Conoco station, a NAPA store, and Elsevier. Highway CC will be on the right. After turning onto Highway CC, the entrance to the park will be about 100 feet on the left. If you get to Linn State Technical College, you've gone too far!

### Cost:

There is no cost to our members for the 2007 Summer Meeting, however, we will need to know that you're coming in order to get the right amount of food! So, please RSVP to Ken Balkenbusch (573-690-1432) or Debbie at the MLICA office (573-634-3001) by July 25.

### Who's Invited?

Every LICA member and their family ... and, any prospective members you'd like to bring! This will be a great time to introduce a contractor to LICA, as well as to share some fun with your LICA friends!

## Missouri State Cost-Share Update

Because of this winter's ice, followed by spring flooding, the Missouri Department of Natural Resources' Soil and Water Program Commission, at its May 24 meeting, decided to table its decision on how to allocate the fiscal 2007 funds returned by counties. Traditionally, the Commission would re-allocate the unused county funds to those counties which had used 80% or more of their 2007 allotment.

This year, however, there are several counties which were not able to use a significant portion of their funds because of the wet weather. The Commission decided to table the "re-allocation" of the 2007 remaining funds until its July meeting. At that time, the Commission will have a better idea of the needs of the hardest-hit counties. The Commission did, however, adopt the fiscal 2008 budget.



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## From the Dash of the Dozer ...

It has been a busy couple of weeks at the Davis house, with my son Austin graduating high school and daughter Megan getting married. Its amazing how fast things change, even laws, such as House bill 159, in regards to dam safety, that I mentioned in the last newsletter.

I have tracked this bill since it was introduced at 50 ft. dam height and 100 acre/ft. of pool which we knew was unrealistic. It changed in committee several times, finally passing in the House at 35 ft dam height and 50 acre/ft. of pool, with these dams and bigger being classified as either high or significant hazard and subject to regulation and inspection, plus \$300.00 per year permit fees. The members I talked to thought this would be something we could live with, as long as it stayed at 35 ft. dam height. But, it didn't.

About 10pm one night, I checked Missouri State Government home page on the Internet to find the Senate committee had dropped the dam height to 25 ft. and 50 acre/ft of pool, with a public hearing scheduled for 9am the next morning. After making several late night phone calls, Dean Yoder, Kenny Balkenbusch, and I made a trip to Jefferson City to testify at the public hearing. Afterwards, we talked with several Senators and Reps. including Tom Self, our District Representative. Tom stated that House bill 159 would pass in the senate that day and he would try to stop it when it came back to the House, which he accomplished and the bill died there.

Had it not have been for the three of us making that trip that day, this would have became a new law. I am sure there will be a similar bill next year, so we have time to decide what will work for everyone.

Your President,  
Milburn Davis



## Missouri LICA NEWS

The *Missouri LICA NEWS* is the official bi-monthly publication of the Missouri Land Improvement Contractors Association, dedicated to the professional conservation of soil and water.

We welcome your comments:

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)

## Drainage Equipment Field Day Demonstration

### Port Industries

Palmyra, MO

**July 17<sup>th</sup> & 18<sup>th</sup>**

**Golf Tournament ~ July 19<sup>th</sup>**

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#### Equipment Being Demonstrated & Displayed:

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9 am Registration  
10 am Shop Tours  
12 pm Lunch  
1:30 pm Field Demo

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Available

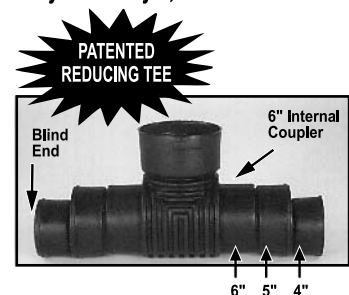
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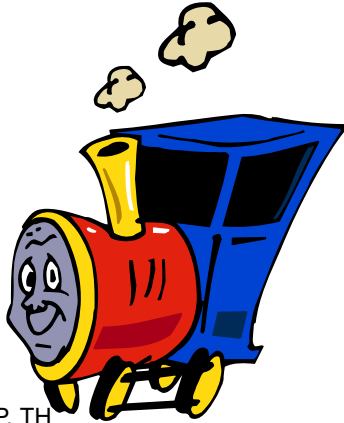
## Welcome Aboard!

We'd like to welcome the following members to Missouri LICA ... and thank the current LICA members who signed them up!

### Contractor Member

**Barbara Alexander; Fred**  
Alexander & Associates  
311 Green Acres Dr.  
Fayette, MO 65248  
District: 2 County: Howard  
Phone: 660-248-2096  
Fax: 660-248-3808  
Sponsor: Benchmark Insurers

**Wayne Brown, Rose**  
Wayne Brown Enterprises  
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Gilliam, MO 65330  
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## Directory Changes

If you move, change your phone number, or get a cell phone ... don't forget to let us know!

### Contractor

**Larry & Rita Koenigsfeld** have moved. Their new address is: L. Koenigsfeld Excavating Co.; 8601 Highway 50 West; Centertown, MO 65023. The phone numbers remains the same.

### Company Associates

**Jason Beckner** with RoadBuilders Machinery has a new address. It is: 501 N Maguire Sut D #267; Warrensburg, MO 64093



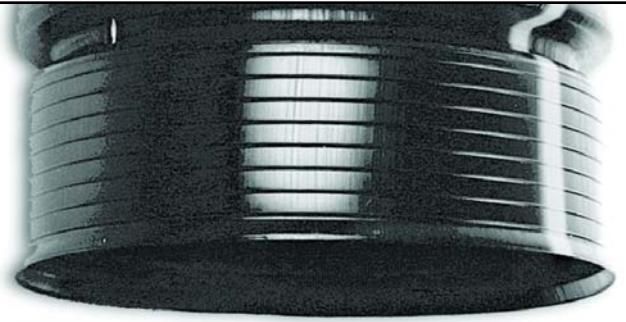
## With Deep Sympathy

*The following members and their families are in our hearts and prayers during this time of sorrow.*

**Weldon Tague**, a 26-year member and strong supporter of MLICA, passed away on May 25. If you would like to send Mona your condolences, her address is: P.O. Box 6; Gorin, MO 63543-0006. Bruce and Vera Tague, Weldon's brother and sister-in-law, can be reached at RR 1, Box 1585; Wyaconda, MO 63474-9746.

**Charlene Gilmore** lost her mother this May. You can send your condolences to Charlene at: 6065 County Road 2002; Auxvasse, MO 65231-1313

**Ginger Matthews'** uncle passed away in May. You can reach Ginger at: 224 NW OO Hwy; Warrensburg, MO 64093-7648.

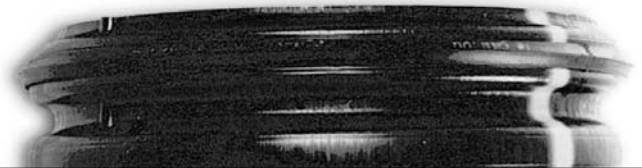


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## Fairness in Public Construction Act

The "Fairness in Public Construction Act," signed by Governor Blunt on March 22, 2007, will take effect August 28, 2007.

This act prohibits the state, or any agency or instrumentality of the state from requiring, or prohibiting, bidders from entering into agreements with labor organizations when entering into contracts for the construction of public projects funded by more than fifty percent by the state. Discrimination against bidders for such contracts based upon a bidder's affiliation with a labor organization is also prohibited. The state or any agency or instrumentality of the state may not issue grants or enter into cooperative agreements for construction projects, a condition of which requires any of the above elements.

The act provides conditions upon which the state or a political subdivision may enter into a union-only project labor agreement. The intent to enter into a union-only project labor agreement shall be published in a document titled "Intent to Enter Into a Project Labor Agreement." A public hearing must be conducted on whether to require a union-only project labor agreement. The finding is appealable to the Labor and Industrial Relations Commission.

The act bars contractors and subcontractors from receiving subsidies, supplements, or rebates if the practice reduces the wage rates paid by the employer on a given occupational title below the prevailing wage rate. Violators are liable to the public body double the dollar amount per hour that the rebate reduced the wage rate below the prevailing wage. If a subsidy, supplement, or rebate is legally provided the entity receiving the subsidy, supplement, or rebate shall report the date and amount of each. The disclosure report is a matter of public record.

The act repeals language requiring contractor's bonds to include provisions guaranteeing faithful performance of the prevailing wage clause provided by contract.

Currently, contractors in violation of the prevailing wage law are penalized \$10 per each workman employed during the violation. This act raises that penalty to \$100. The act provides a dispute process for prevailing wage violations and allows the employer to pay back wages for violations in order to avoid the monetary penalty for the violation.

This act is similar to SB 291 (2005) and SB 849 (2006).

[Source: Missouri State Government Web Page]

## Missouri NRCS Employee Deployment

*In response to a conversation our Executive Director had with Roger Hansen, Missouri's NRCS State Conservationist, we received the following letter:*

As a follow up to our discussion yesterday I wanted you and the MLICA membership to know that over this spring and summer approximately 130 NRCS employees (primarily technicians and engineers) will be detailed out of state to assist with hurricane relief in Louisiana and flood damage in New York. Detailing employees out of state helps reduce the Missouri NRCS FY2007 deficit and helps the other states get their emergency work completed. Most employees are being detailed for 30 to 45 days each.

We will try to stagger the details so we can continue to provide assistance to contractors and others in Missouri.

We would appreciate everyone's patience as we work through this process. Hopefully next year's budget will be better.

Roger A. Hansen  
State Conservationist

## Katie Smith Named Agriculture Director

On May 2, Gov. Matt Blunt today appointed Katie Smith of Platte City as the Director of the Department of Agriculture. Ms. Smith is the first woman to serve in this position since the Department was established in 1933.

Smith has worked in the U.S. Department of Agriculture (USDA), the U.S. Department of Energy and served for federal elected officials in both the U.S. House and U.S. Senate. Most recently she served as Deputy Assistant Secretary in the Department of Energy's Office of Congressional and Intergovernmental Affairs. At USDA, she served as Special Assistant to Agriculture Undersecretary Bill Hawks where she represented the department during the

2002 Farm Bill conference negotiations and served as the agriculture representative for the transition of Agriculture border inspectors to the Department of Homeland Security.

She served for four years as the chief policy advisor on agriculture issues for Senator Jim Talent. She has also worked on agriculture issues for Senator Kit Bond and Congressman Sam Graves.

Ms. Smith grew up on a family farm in Platte County where she was engaged in the production of corn, soybean, cattle and tobacco. Ms. Smith holds her bachelor's in agriculture journalism from the College of Agriculture, Food and Natural Resources at the University of Missouri - Columbia.

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# Selecting PPE for the Workplace

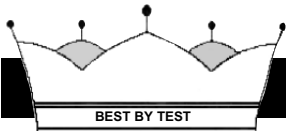
Personal protective equipment (PPE) for the eyes and face is designed to prevent or lessen the severity of injuries to workers. The employer must assess the workplace and determine if hazards that necessitate the use of eye and face protection are present or are likely to be present before assigning PPE to workers. [1910.132(d)]

A hazard assessment should determine the risk of exposure to eye and face hazards, including those which may be encountered in an emergency. Employers should be aware of the possibility of multiple and simultaneous hazard exposures and be prepared to protect against the highest level of each hazard. [1910 Subpart I App B]

## Hazard Assessment

[Source: www.OSHA.gov]

Hazard Type	Examples of Hazard	Common Related Tasks
Impact	Flying objects such as large chips, fragments, particles, sand, and dirt.	Chipping, grinding, machining, masonry work, wood working, sawing, drilling, chiseling, powered fastening, riveting, and sanding.
Heat	Anything emitting extreme heat.	Furnace operations, pouring, casting, hot dipping, and welding.
Chemicals	Splash, fumes, vapors, and irritating mists.	Acid and chemical handling, degreasing, plating, and working with blood.
Dust	Harmful Dust	Woodworking, buffing, and general dusty conditions.
Optical Radiation	Radiant energy, glare, and intense light	Welding, torch-cutting, brazing, soldering, and laser work.



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