



Michigan Land Improvement Contractors Association

The MLICA Scoop

FALL 2014



From the Lead Plow, Mike Pennington, President MLICA



Save the date: January 11-12-13 **MLICA Annual Meeting and Convention, Lansing.** Monday January 12, Being the main day for members.

We are probably going to stay with the same format as last year. Sunday Board Meeting, Monday Educational Sessions, Monday night Banquet and Fundraising Auction. Breakfast on Tuesday morning for those that want to stick around.

If any of you have any specific ideas for the convention, especially if there is something you want more information on, please let us know.

We have peeled the convention back so that people can spend one day and a one night and then be on their way, and I think this has worked well, so we are going to stick with it.

Best Wishes,

Michael J. Pennington



2014 Michigan LICA Board of Directors

Mike Pennington, President
Pennington Farm Drainage, Corunna

Rob Cook, Vice President
Cook Bro. Farms, Vermontville

Mike Cook, Sec/Treas
Soil and Water Mgt Systems,
Westphalia

Will Word
Word Construction, Camden

Russ Talaksi
Talaksi Farm Drainage, Harbor Beach

Dave Dunne
Dave's Drainage, Hudson

Eugene Izydorek
Farm Land Tiling Inc., Marlette

Ben Foster IV
Foster Trenching, Ithaca

John Freeman
ADS Pipe, Owosso

Jason Bleach, RWF BRON
Woodstock, Ontario, Can.

2014 MLICA Contractor Field day in the Books

Friday August 22:

On August 22 and 23, MLICA held its Field Day near St. Johns.

It was a field day designed for contractors only, at a job site of Mike Cook, Soil and Water Management Systems.

Special thanks to Agro-Liquid Fertilizer for hosting the tour of their facilities and field plots.

Thanks also to Michigan Cat for lunch on Friday and to AIS Equipment for lunch on Saturday.

Next MLICA Field Day will be in 2016. If you know of a good location where we can hold it, please let us know.



The MLICA Scoop

FOR SALE:

- 2008 Bron 360 C-11 cat engine 5100hrs new SALT rails, under carriage & sprockets @ 4500 hrs well-maintained GPS ready - system optional asking \$380,000 w/o reel \$390,000 with reel. Mike Cook @ 517-282-9801
- Hancor style on board reel complete w spear, basket, puller & beam ready to mount well built, going to newer style \$12000 . Mike Cook @ 517-282-9801
- Daycab kit (rear window) for International Semi. Could possibly be used on other models. \$250 . Will Word (517) 398-1105
- Large engine drive portable air compressor for jack hammer or sandblasting. 5.0L Ford engine, 100 psi, 125 CFM. Self contained trailer., \$ 750. Will Word (517) 398-1105
- 1995 Cat 312 Excavator. Aprox. 8200 hrs. Replaced undercarriage in 2011. Manual thumb. Good condition. \$30,000 Will Word (517) 398-1105
- 2000 F-250 Super Duty 7.3 diesel 4x4 extended cab. Some rollover damage. No box 220,000 mi on engine. For parts or would make a good tile stringing truck. Will Word (517) 398-1105

WANTED:

- Diesel engine for 1995 Chevy 2500 Mike Cook @ 517-282-9801



1978 Terex 82-30b dozer with Krac double link plow, 6' depth, wired for laser, 36" tracks. \$45,000 obo. (989) 550-8384 or (989) 550-8306

Several Farmers may be headed for Legislature, here may be one of them:

Brett Roberts is a sixth-generation farmer. He sells seed. And he owns a Dairy Queen. Soon, he may add another job to that eclectic resume: Serving in the State House.

While most voters in the 65th live in Jackson County, Roberts, who lives in Eaton County, managed a surprise victory in a six-way primary.

Roberts was the only candidate from Eaton County and dominated the results there. He also hit the doors hard and out-fundraised his opponents -- a field of candidates that included a few elected officials from Jackson County. Those details helped Roberts to his overall win in August.

Now, he'll face Democrat Bonnie Johnson in November.

With a career in the Legislature on his horizon, Roberts said he wants to work on the issue of over-regulation, which he named as a top reform that could benefit Michigan's farmers.

As an example, Roberts said, wetlands are currently controlled by multiple government agencies. The federal government regulates them, so does the state's Department of Natural Resources and the Department of Agriculture.

"If you get a ruling from one body that says that you can do something or you can't do something, another body may overrule that," he said.

"That's a very confusing, very hard issue," he added.

General Permit for County Drain Commissioners Approved by the DEQ

As part of Public Act 98 of 2013 which amended Michigan's Wetland Law and the Inland Lakes and Streams Act, signed by the Governor in June 2013, the Michigan DEQ recently announced the approval of a "General Permit" for County Drain Commissioners provided for under that law.

MLICA opposed this legislation due to the fact that exemptions from permits for both agriculture production and private drains were unnecessarily changed (mostly taken away) with the DEQ maintaining we (Michigan) were required to do so under federal law.

Permits under Part 301 continue to not be required for maintenance of a county drain that either was legally established and constructed pursuant to the drain code of 1956 before January 1, 1973, or was constructed or modified under a permit issued under Part 301. This exemption from permitting does not apply to legally established drains constituting mainstream portions of certain natural watercourses identified in DEQ rules. "Maintenance of a drain" means the physical preservation of the location, depth, and bottom width of a drain and appurtenant structures to restore the function and approximate capacity of the drain as constructed or modified and includes, but is not limited to, the following if performed with best management practices.

The DEQ, Water Resources Division (WRD) has established a "voluntary process" for coordinating with staff prior to submitting permit applications for anticipated County Drain projects. This form may be submitted annually by a County Drain Commissioner, Drainage Board, or by the Michigan Department of Agriculture and Rural Development (MDARD) on behalf of an Intercounty Drainage Board, to inform the DEQ of the known County Drain Project locations planned for the year, along with the anticipated date of application submittal for each project location. One form may be submitted for each County or Intercounty Drainage Board showing multiple project locations. Prior to commencement of a project, a separate permit application must be submitted for each project location.

Again, this general permit is basically being offered to County Drain Commissioners on a "voluntary" basis. It will be interesting to see how many County Drain Commissioners voluntarily apply for and utilize this new General Permit under the Michigan DEQ.

13 Legislative Session Days Left in 2014

As lawmakers left Lansing before the election, they did so with 13 session days left on the schedule for the term and a surplus of key issues still to be resolved. The biggest one is clearly road funding. The Governor says he wants something done.

Here are 6 unresolved issues that you may see action on in November and December.

1. Road Funding The Governor has already made it clear that he wants lawmakers to do something to increase funding for Michigan's roads during the upcoming *Lame Duck* session. And House Speaker Jase Bolger (R-Marshall) says he's still determined to do something on roads. The question is whether lawmakers can get it done. And the follow-up question is how much of the billion-dollar problem are they willing to take on. Without an election on the horizon, things may get less bumpy.

3. Medical Marijuana Reforms House bills that would allow medical marijuana to be disbursed at provisioning centers and non-smoke-able medical marijuana to be used are still awaiting their day on the Senate floor.

7. Electronic Cigarettes Differences of opinion on how to regulate electronic cigarettes may delay the matter into *Lame Duck*. Lawmakers approved bills earlier this year. But the Governor didn't like them. Now, the sides are looking for a compromise.

8. Education Achievement Authority The bill that could allow the Education Achievement Authority (EAA) to expand has been waiting for a vote on the Senate floor for six months. At various points during that time, opponents have sounded the alarm that a vote was coming, and there's been talk of changes to the bill.

9. Reforming No-Fault Bolger and Rep. Pete Lund (R-Shelby Twp.) have championed the effort to reform the state's auto insurance system to provide lower rates for drivers. But so far, it's been tough going for their bill. But it's likely that two term-limited House members aren't going to give up. And last month, Bolger mentioned no-fault reform as an issue he's still interested in for the remaining months of session.

10. Tax-Increment Financing Rep. Eileen Kowall (R-White Lake) has long been working on changes to the state's tax-increment financing (TIF) system. Her proposal, which focuses on Downtown Development Authorities, debuted last month and has been getting mixed reviews from local government officials in testimony before the Commerce Committee, which may take a broader look at TIF before the end of the session.

Mike Cook, National LICA Region 3 V.P., SWMS, Westphalia, MI

On October 24 & 25, I flew to Washington DC for my first National LICA board meeting.

On Friday, I attended a luncheon with several other organizations with similar interests to LICA. Among them were the NRCS, National Association of Conservation Districts, National Farmers Union, Watershed Coalition, and some reseller companies.

The focus was to get more organizations to join with LICA in “having a say” in national legislation. This was successful, I believe in the future, each state could potentially be working together on a number of issues at the federal level.

A lot of discussion about new EPA rules for “Waters of the United States. It’s interesting, most states follow EPA rules - unlike Michigan where we have the DEQ and stricter enforcement. There is mass confusion between “Waters of the United States,” “Waters of the State” and specific to Michigan—County Drains and the jurisdiction of the County Drain Commissioner. MLICA will continue to be deeply involved in this, and will keep all of you up to date - this is a critical issue.

Again, this board meeting was my first since taking office. We voted to re-sign contracts for both Gerry Biuso, Executive Director and John Peterson, LICA Legislative Liaison. The winter meeting in Tampa, Florida should be fun and educational. One interesting seminar is an EPA/NRCS roundtable discussion. Look for more in the National newsletter. LICA, as a whole, has gained 800 members the last two years, mainly from insurance. While Michigan law prevents MLICA from participating in work comp, liability, etc. it has been good for other states. Work is being done for a national LICA health plan, which Michigan may be able to use with local agents. I hope this could help us all with this problem.

I did have a little free time to visit the Smithsonian and the park between the Washington Monument & the Capitol. Interesting to see a protest on the Ebola epidemic, even though congress was not in session.

Michael A Cook



NEW PTOAB36-10 Auger Backfiller

- *10' wide outside dimension
- * 1000 RPM PTO input
- *80-160 PTO hp tractor
- *CAT II or III mounting
- * PTO Mechanical Drive
- *Front or rear mount options
- *Hydrostatic, IVT, CVT, Creeper Type transmission recommended
- *Driveline and gearbox protected by overrun clutch

sales@brownbearcorp.com

www.brownbearcorp.com

BROWN BEAR
Brown Bear Corp., Corning, Iowa 50841 (641) 322-4220

MLICA Contractor Field Day 2014



Perry Strimback, AIS Equipment never makes it easy.

- * A football,
- * 3 cones
- * One excavator
- * One stop watch

Balance the football on all three cones and return it to the washtub, low time wins. Easier said than done.

One observer maintained that this was a young mans game and he turned out to be correct. Your winner was Layne Newswager, who on his first attempt, make it look easy at 1 min 41 seconds



Dig a hole and they will come.

Both State Representative Daley, Lapeer County (blue shirt center) and Representative Goike, Macomb County (red shirt left) spent some time at this years field day.

"I really hate doing this, the last time I got into a machine that wasn't mine, I bought it."

Will Word, Word Construction, Camden, Michigan, before he took the new 2014 Bron plow for a spin.



Multiple Generations of Auernhamers out of Frankenmuth attended the field day.



Mike and Dewy. Dewey and Mike. Sounds like it should be a movie.

Farmer Killed in Tiling Accident

October 2014— Belle Plaine, MN Dennis Lenzen died Sunday afternoon on his farm in Dahlgren Township while installing drainage tile.

Lenzen, 78, was reportedly in a trench installing the tile when he was accidentally buried alive. As he was standing in the trench, an employee of his pushed dirt into the ditch to hold in place the drainage tile that had just been installed. Investigators are looking into how Lenzen was buried, said Carver County Sheriff Chief Deputy Jason Kamerud.

"There's all kind of scenarios that could've happened," he said.

The employee working with Lenzen called for additional help and attempted to dig him out by hand. Lenzen was recovered from under about 4 feet of soil. Firefighters and paramedics attempted life-saving efforts, but he was pronounced dead at the scene.

Antifreeze/Coolants Recalled

Lansing Mich. - The Michigan Department of Agriculture and Rural Development (MDARD) issued a Stop-Use and Stop-Removal Order for antifreeze/coolant manufactured, packaged, and/or distributed prior to September 11, 2014, by the following Detroit, Michigan, companies after finding the products may cause damage to vehicle engines:

- State Petroleum 1 Inc.
- Petro-Zone and Dual-Temp
- Omni PPG, Inc.

These products are sold under the Petro Zone Smart, Petro Zone and Ice Shield XXX brands.

As part of a several-month investigation, MDARD discovered the antifreeze/coolants being sold by these companies do not meet the labeled freeze points stated on the labels.

Michigan Attorney General vs Amerigas

Lansing, Mich. - Attorney General Bill Schuette announced that his Corporate Oversight Division has secured more than \$500,000 for approximately 5,600 Michigan propane consumers to resolve customer complaints against AmeriGas concerning propane-pricing issues during last winter's heating season. The settlement marks a key development in his ongoing investigation into hundreds of consumer complaints related to propane pricing and delivery during the 2013-2014 winter season.



AIS CONSTRUCTION EQUIPMENT CORP.

THE PRODUCTS.

THE PEOPLE.

THE SERVICE.

WHERE YOU NEED US. WHEN YOU NEED US.

AIS CONSTRUCTION EQUIPMENT Corp.

New Hudson
56555 Pontiac Trail
248-437-8121

Saginaw
4600 AIS Drive
989-777-0090

Richmond
65809 Gratiot Ave
586-727-7502

Lansing
3600 N Grand River
517-321-8000

Grand Rapids
600 44th Street
800-730-1272

Traverse City
8300 M-72 East
231-267-5060

CRC CONTRACTORS RENTAL

metso **Atlas Copco** **JOHN DEERE** **Allianz GRADALL**

LIEBHERR **Wirtgen** **HAMM** **VOEGE** **KPI-JCI** **SAKAI**

KOMATSU **HYDRO-AX** **ESCO** **NPK** **Brock Broom** **Enduro**



**Michigan Land Improvement
Contractors Association**

Ethanol

NEW YORK (DTN) -- The Energy Information Administration released data in October showing the U.S. ethanol industry began 2014 with 187 ethanol plants with annual nameplate capacity of 13.681 billion gallons, or 892,000 barrels per day.

The report shows U.S. ethanol plant capacity was reduced 10,000 bpd, or 1.2%, from the start of 2013, when annual industry capacity was 13.852 billion gallons or 903 million bpd.

The majority of those plants -- 167, or 89% -- are located in the Midwest region, where the majority of the nation's corn is grown.



For over a century, generations of customers have trusted Baughman Tile for their drainage needs. With the focus on providing the most superior agricultural drainage tile, Baughman Tile wants to earn your trust. Agricultural drainage is our past, our present and your future.



8516 Road 137 | Paulding, OH 45879 | 800.837.3160 | www.baughmantile.com
James Proffer | 810.955.3868 | fax: 810.793.6835 | james@baughmantile.com



Maverick Tile Finder



Word Construction, Inc. - Authorized Dealer

9400 Abbott Rd. Camden, MI 49232

(517) 398-1105

www.WordFarmDrainage.com



We offer America's most complete selection of water management products for wetlands, ponds, lakes, controlled drainage, and subsurface irrigation. Along with tools, survey and safety equipment, and many hard to find items.

PO Box 458 - 1462 340th Street - Adair, IA 50002
Fax: 1-800-282-3353 - Email: info@agridrain.com
www.agridrain.com

35 YEAR ANNIVERSARY

For a FREE catalog or to place an order, call 1-800-232-4742.

2015 National LICA Winter Convention

Tampa, Florida February 9-15, 2015 Sheraton Tampa East

2015 LICA State Chapter Winter Conventions

Illinois LICA: January 15-17 Embassy Suites; East Peoria, IL

Iowa LICA: January 11-13 Airport Holiday Inn; Des Moines, IA

Kansas LICA: January 25-26 Marriott; Salina, KS

Michigan LICA: January 11-13 Ramada Inn; Lansing, MI

Minnesota LICA: January 14-16 Best Western Hotel; New Ulm

Missouri LICA: January 22-24 Hilton Garden Inn; Columbia, MO

Nebraska LICA: January 20-22 Holiday Convention Center; Kearney, NE

New Jersey LICA: March 15 & 16 Bally's Hotel and Casino; Atlantic City, NJ

New York LICA: January 13-15 Ramada Lakefront; Geneva, NY

Ohio LICA: January 5-7 Embassy Suites; Dublin, OH

Pennsylvania LICA: March 26-29 Crowne Plaza Downtown; Harrisburg, PA

South Dakota LICA: January 12-14, 2015 Dakota Event Center; Aberdeen, SD

AGPS-Pipe Pro™

**Making pipe
design & install
fast and easy!**

For more
information
contact your
MLICA Associate,
serving Michigan,
Midwest, &
Ontario:

Mike Cook's
Soil & Water
Mgmt. Systems
989.587.3528 •
517.282.9801
(cell)

[http://swmsinc.
tripod.com](http://swmsinc.tripod.com)

AGPS-Pipe Pro
automatically calculates
tile depth and slope, then
controls installation.

- *As-built mapping
- *Use to improve laser or
replace with RTK GPS.
- *Automatically designs tile
profiles with Vertical Curve
Technology™
- *Use a grid to reduce or
eliminate flagging!
- *View contours on screen
- *Design changes can be
easily made on the go.
- *Real time steering guidance
and automatic blade control

AGPS

www.agpsinc.com

MAYAN

Insurance Since 1915

www.mayanagency.com

Contact:
(989) 643-7207
(800) 646-2926 toll free

THE MAYAN AGENCY

140 West Saginaw Street
Post Office Box 578
Merrill, MI 48637

info@mayanagency.com

Office Hours:
Monday-Friday, 9am to 5pm
If these hours are not convenient,
let us know the time and day that
best serves you needs.

Since
H M
1885
Hastings
Mutual
Insurance
Company



CAT Dozer doing some land shaping work at 2014 Field Day. Thanks to Michigan CAT for bringing a couple of them up for contractors to try out.

Increasing Overweight-Oversize Fees Update



Road funding remains a top issue and could be taken up during lame duck.

MLICA members must be communicating to legislators and candidates for the legislature about HB 5452.

It proposes to allow counties to increase Overweight/Oversized permit fees from \$100 to \$500 per year, per vehicle.

Point out that typically overweight and oversized loads are equipment being hauled and this probably isn't what the public is talking about being the problem.

More than likely, the public sees the volume of semi's on the road and assumes they are overweight and oversized.

Plus, the absolute fact is, revenue raised from increasing fees is a drop in the bucket toward solving the road funding problem. So much so, it will make zero difference. All its going to do is hurt small business.

If you get the chance, make sure candidates understand the situation on this.

More to come on this issue.



During the year, legislators are hearing from constituents that they need to do something about, *"all of the overweight trucks that are responsible for damaging the roads."*

In response, HB 5452 received overwhelming support in the House but stalled in the Senate.

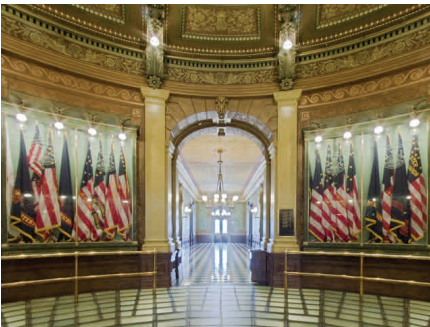
The bill sits on the Senate floor and there is a real danger of being taken up during lame duck session after the election.

When you can, call your Senator and Representative's office.

Ask to talk to staff that works on legislation.



Scott Everett, MLICA
Legislative Consultant





Michigan Land Improvement Contractors Association

4372 S. Wright Road
Westphalia, MI 48894
Mike Cook, Secretary/Treasurer
517-282-9801

MLICA Lansing Office
318 West Ottawa St.
Lansing, MI 48933

Government Relations
Fraser Consulting
Fraser-Trebilcock-Davis & Dunlap PC
124 West Allegan St. Ste 1000
Lansing, MI 48933
Scott Everett, Cell: 517-204-3328

WWW.MICHIGANLICA.ORG



PLOWING AHEAD

in Farm Drainage



750 Cantilever Plow 750 Double Link Plow 750 RC Link Plow

BRON Self Propelled Drainage Plow

BRON's line of Self Propelled Drainage Plows has set the standard in Farm Drainage. BRON manufactures 750 Double Link Plows, 750 RC Link Plows and 750 Cantilever Plows. Engineered from the ground up, the BRON Drainage Plow gives you better control, higher productivity and extreme comfort while offering more features than any other drainage plow on the market.

- Balanced Weight Distribution
- Telescopic Tracks
- Enhanced Operators Visibility
- Ergonomic Cab Comfort
- FOPS/ROPS Certified
- Tri-Core Cooling System

BRON

POWER TO PERFORM

rwfbron.com
1.800.263.1060

EECI13558-S06-01



