

August 2023 /  
September 2023

# MINNESOTA LICA NEWS

LAND IMPROVEMENT CONTRACTORS OF AMERICA • MINNESOTA CHAPTER

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## **MN LICA SCHOLARSHIP FUNDRAISER EVENT SEPTEMBER 15, 2023**

Sporting Clays start at 9:00 AM  
Shooters Sporting Clays, Marshall, MN.  
Lunch at 12:30 at the  
Tracy Country Club, Tracy, MN,  
followed by 9 Hole Best Ball at 1:30.

\*\*\*\*\*

**Prizes will be awarded for Each Event!**

\*\*\*\*\*

See Registration forms in this issue  
and also arriving in the mail!



### WELCOME NEW MEMBERS:

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Maple Lake, MN



## GREETINGS From Your PRESIDENT

The busy and hot days of summer are here. I hope you are all paying attention to the safety practices concerning heat exposure.

A few weeks ago the LICA Summer Meetings were held in Lincoln, Nebraska. The tours were interesting (and tasty thanks to Baker's Candies), the seminars were educational, and the meetings were good. Our Minnesota delegation included Executive Director Jenny Breberg, Don Loken and Joyce Johns, Dee Ann Larson and Nordis Estrem, and Renee and I.

One of the big take-a-ways for me was that there are very few people using the Zywave Portal. This portal is easy to use and can really help with your safety programs. It is included in your membership and is free to use.

Another thing I enjoy at the meetings is hearing what other states are doing. I recommend checking out other LICA state websites.

It's also great to see what fellow members are doing here in Minnesota. I urge everyone to look at FarmAmerica's video on their drainage demonstration. You can search FarmAmerica drainage and it'll come up with a photo of Karlen Nelson wearing his MNLICA shirt. The YouTube address is: [https://www.youtube.com/watch?v=vncQ1U1chy8&ab\\_channel=MinnesotaAgriculturalWaterResourceCenter](https://www.youtube.com/watch?v=vncQ1U1chy8&ab_channel=MinnesotaAgriculturalWaterResourceCenter)

Karlen Nelson has been a great advocate for agriculture, including the commodity groups, Farm Bureau, and MNLICA. He also is serving on the Minnesota Ag Water Resource Center, hence his appearance on the video. He has served as a MNLICA state president and has visited the state capitol numerous times.

It's people like Karlen that really make a difference for the rest of us in MNLICA. But our strength and influence is in the team effort. If you would like to get more involved in MNLICA, please contact Jenny Breberg or any of the board members.

Team work gets it done!

**Stu Frazeur, MNLICA State President**

## FEATURES

<b>Presidents Report</b>	<b>2</b>
<b>Board Meeting Notice</b>	<b>3</b>
<b>WOTUS Supreme Court Decision</b>	<b>4-5</b>
<b>LICA Summer Meeting</b>	<b>8-9</b>
<b>Scholarship Fundraiser Forms</b>	<b>10-</b>
<b>What you see on the Highway</b>	<b>12</b>
<b>Day of the Dozers Information</b>	<b>14</b>
<b>Executive Director's Report</b>	<b>14</b>
<b>Membership Application</b>	<b>17</b>
<b>LICA Benefits</b>	<b>17</b>
<b>Safety Matters - Mining</b>	<b>18</b>
<b>Legislative Efforts of DWG</b>	<b>20</b>
<b>MN Expands Parental Leave Act</b>	<b>21</b>
<b>Safety Matters - Construction</b>	<b>23</b>
<b>Contact Information</b>	<b>24</b>
<b>Board Member Contact Information</b>	<b>27</b>
<b>MNLICA Upcoming Events</b>	<b>27</b>

**MNLICA Web-Site; [www.mnllica.org](http://www.mnllica.org)**

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**SAFETY TIP**

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**BOARD MEETING WILL BE HELD THURSDAY, AUGUST 17, 2023 AT THE BEST WESTERN PLUS, NEW ULM AT 6:00 PM**

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## **US SUPREME COURT'S DECISION ON "WOTUS"**

On May 25, 2023, the Supreme Court of the United States released a decision addressing whether the Army Corps and Environmental Protection Agency's Clean Water Act authority to regulate navigable waters that are "waters of the United States" (WOTUS) extends to certain wetlands based on their adjacency to WOTUS. The Court's decision focused on whether the federal government's jurisdiction under the Act extended to wetlands and streams that are isolated, ephemeral, or not obviously connected to a navigable water – a question the agencies and regulated community have struggled with since the last time the Court considered this question over 17 years ago in the joint cases of *United State v. Rapanos* and *Carabell v. United States*.

The case in the Court's recent decision concerns a family, the Sacketts, who purchased a residential lot near Priest Lake, Idaho. After purchasing the property in 2004, the Sacketts began placing sand and gravel on the lot in preparation to build a home. However, the EPA claimed the lot contained wetlands that qualify as "navigable waters" regulated by the Act and ordered the removal of the sand and gravel. The EPA ordered the Sacketts to restore the site, threatening penalties of over \$40,000 per day until the demands of the EPA's restoration order were completed.

The Clean Water Act requires a permit from the U.S. Army Corps of Engineers for any work that results in "the discharge of fill materials into navigable waters." The term "navigable waters" is defined as "waters of the United States" or "WOTUS". WOTUS includes traditionally navigable waterways, like rivers, streams, and lakes, tributaries to those navigable waterways, and wetlands "adjacent" to those waterways and tributaries.

Sackett's property was separated from Priest Lake by a strip of developed lakefront homes and a bermed roadway. Regardless, the EPA classified the Sackett wetlands as navigable WOTUS because the wetlands were near a ditch that outletted into a creek, which flowed into Priest Lake, a navigable lake located wholly within the state of Idaho. The Ninth Circuit Court of Appeals affirmed summary judgment in favor of the EPA's claim of jurisdiction. Sacketts appealed to the U.S. Supreme Court, challenging the test used by the Ninth Circuit to determine whether the wetlands on their property are navigable WOTUS within the scope of the Clean Water Act. To resolve the dispute over the Act's protection of the wetlands in the *Sackett* case, the Supreme Court needed to establish a test for determining whether the wetlands were "adjacent" to Priest Lake.

Prior to *Sackett*, three Supreme Court cases considered the Clean Water Act's reach over non-navigable wetlands. The first, *U.S. v. Riverside Bayview Homes, Inc.*, held that the Act prohibits discharges of fill material in certain wetlands adjacent to navigable waters, even though the wetlands themselves are not navigable. The second, *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, determined the Clean Water Act does not cover all wetlands, just those that are somewhat permanent and not isolated from other navigable waters. Finally, like *Sackett*, *Rapanos v. U.S.*, focused on what it means for a wetland to be "adjacent to" a tributary or navigable waterway. The Court was not able to answer that question in 2006 conclusively because no single test gained support from a majority of Supreme Court justices. Two jurisdictional tests for adjacent wetlands came from the *Rapanos* decision. The first test, the *continuous surface connection* test, concluded that a permit would only be required for discharging pollutants into wetlands with a "continuous surface water connection" to a regulated waterway that makes it "difficult to determine where the waterway ends and the wetland begins." The second test, the *significant nexus* test, stated that wetlands are "adjacent to" traditionally navigable water if those wetlands have a "significant nexus," meaning the wetland has a significant effect on the chemical, physical, and biological integrity of regulated waterways.



Since 2006, the Ninth Circuit, like many others, held that the EPA has jurisdiction under the Clean Water Act over wetlands that satisfy either the *continuous surface connection* or the *significant nexus* test. The Sackett's petition for Supreme Court review challenged whether the *significant nexus* test relied upon by the EPA violated the plain meaning of terms within the Clean Water Act.

The majority opinion in *Sackett*, written by Justice Samuel Alito and joined by Justices John Roberts, Clarence Thomas, Neil Gorsuch, and Amy Coney Barrett, rejected the *significant nexus* test and adopted the *continuous surface connection* test from *Rapanos*. The Court determined the EPA did not have jurisdiction over the Sacketts' property because the property does not have a continuous surface water connection with Priest Lake. The Court concluded that wetlands must qualify as "waters of the United States" in their own right. In other words, those wetlands must be indistinguishably part of a body of water that itself constitutes "waters" under the Clean Water Act." In order for the EPA to assert jurisdiction over adjacent wetlands, the Court ruled that the EPA must first establish that the adjacent body of water constitutes a "waters of the United States" – one that is a relatively permanent body of water connected to traditional interstate navigable waters. Second, the EPA must establish that the wetland has a continuous surface water connection with adjacent body of water, such that it is difficult to determine where the water ends and where the wetland begins.

The Court expressed concern during oral arguments and in its written decision over the uncertainty that the *significant nexus* test provided landowners and the regulated community. The Court stated that the *significant nexus* test puts many property owners in a precarious position because it is often difficult to determine whether a particular piece of property contains waters of the United States, and the serious criminal and financial penalties imposed for a violation of the Clean Water Act demands Congress be exceedingly clear in stating what conduct is prohibited.

After the Supreme Court held oral argument for *Sackett*, but before releasing its decision, the EPA released a new rule that, among other things, defined "adjacent waters." The rule stated the Clean Water Act would be applied to a wetland that either has a continuous surface connection or a "significant nexus" to a navigable waterway. The rule stated that the Act applied to wetlands under this rule if the wetlands alone, or in combination with other similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of a navigable waterway.

In response to the *Sackett* decision, the EPA and Army Corps have announced its intent to amend its "Revised Definition of 'Waters of the United States'" rule in a way that limits the definition of adjacent waters to those waters that have a continuous surface connection to traditionally navigable waterways. The agencies intend to issue a final rule by September 1, 2023.

The Supreme Court's decision in *Sackett* brings long-awaited clarity to the scope of the Clean Water Act's jurisdiction over wetlands, which has a significant impact to the Prairie Pothole Region of the Dakotas, Minnesota, and northwest Iowa. The decision is expected to be a significant curb on future attempts by the Army Corps and EPA to claim jurisdiction over wetlands and streams that are isolated, ephemeral, and not obviously connected to navigable lakes or streams. In the post-*Sackett* decision regulatory landscape, landowners will not be subject to the CWA's jurisdiction for work in a wetland unless the EPA can establish that there is a continuous surface connection between the wetland and a traditionally navigable waterway. However, while certain wetlands may no longer regulated under the CWA, state-specific regulations may still apply and limit work within the wetland. Consult with an attorney knowledgeable on these issues.

SUBMITTED BY: Attorney Hannah Schacherl and Attorney Kale Van Bruggen, Rinke-Noonan Law Firm





RINKE NOONAN  
*attorneys at law*

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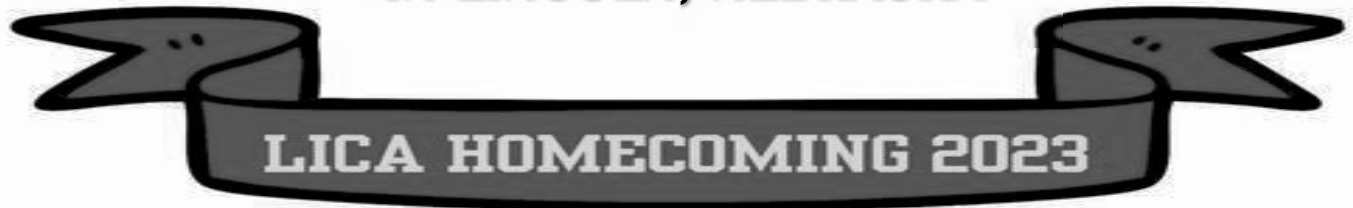
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# NATIONAL LICA SUMMER MEETING IN LINCOLN, NEBRASKA







Pictured: Dee Larson, Jenny Breberg, Chris Brauer (Region IV VP), Nordis Estrem, Stuart & Renee Frazeur, Joyce Johns and Don Loken



**LICA LEADERSHIP PANEL**

MEMBERS FORM

MNLICA ANNUAL SCHOLARSHIP FUNDRAISER
SPORTING CLAYS & GOLF DAY
FRIDAY, SEPTEMBER 15, 2023

LOCATION OF THE EVENTS

Shooters Sporting Clays
10713 300TH STR.
MARSHALL, MN 56258
PHONE: 507-828-5668

Tracy Country Club
10752 US HWY 14
TRACY, MN 56175
PHONE: 507-629-4666

Come and join all your MnLICA friends and associates for an exciting day of Sporting Clay shoot in the morning 9:00 a.m., lunch will be at 12:30 p.m., with Nine Hole Best Ball Golf in the afternoon. No limit on number of participants!

Cost: \$70 per person for either event or \$130.00 for both events, participants need to supply their own gun and ammunition as well as ear plugs, and safety goggles. There is ammunition available on site for a cost. This includes lunch, complimentary beverages, and prizes. The sporting clay shoot will begin at 9:00 a.m. and consist of 7-8 stations, lunch will be served at 12:30 noon at the Tracy Country Club with golf to follow at 1:30 pm. (9 Holes Best Ball.)

All profit from the tournament will be dedicated to the MNLICA Scholarship Fund. Since 1997, MNLICA has awarded over \$55,000 in scholarships to deserving high school seniors.

We have great events planned with prizes and awards. Come join us and spend time with an associate and show that you care. Questions, call 320-226-6398. Please register by August 31, 2023.

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ St: \_\_\_\_\_ Zip: \_\_\_\_\_

Tel: \_\_\_\_\_ e-mail: \_\_\_\_\_

I/We will be attending LUNCH (number of people attending) \_\_\_\_\_

Table with 2 columns: Name, Registration Fee \$70/each event or \$130.00 for Both. Includes sub-header: Circle the event(s) you will be participating in: and rows for Golf, Clay Shoot, Both.

Registration Total \$ \_\_\_\_\_

Send registration with payment to:
MNLICA, 2570 130th Str, Dawson, MN 56232

ASSOCIATES FORM

MNLICA ANNUAL SCHOLARSHIP FUNDRAISER
SPORTING CLAYS & GOLF DAY
FRIDAY, SEPTEMBER 15, 2023

LOCATIONS OF THE EVENTS

Shooters Sporting Clays
10713 10713 300th Str.
Marshall, MN 56258
Phone: 507-828-5668

Tracy Country Club
10752 US HWY 14
Tracy, MN 56175
Phone: 507-629-4666

Come and join your MNLICA friends for an exciting day of Sporting Clay Shooting in the morning at Shooters Sporting Clays, golf in the afternoon at the Tracy Country Club and Fun. This double event starts with the Sporting Clay Shoot beginning at 9:00 a.m., lunch at 12:30 at Tracy Country Club, 9 holes of golf starting at 1:30 p.m. with complimentary beverages and prizes to be given after each event.

The cost is \$160.00 to be a "sponsor" of either event or \$270.00 to be "sponsor" of both events. The cost includes sponsorship of a station, and/or golf hole (first come, first serve), one person to participate in either and/or both events, lunch, and complimentary beverages. The Sporting Clay Shoot will begin at 9:00 a.m. Lunch at 12:30 p.m. and Golf at 1:30 p.m. (you will need to bring your own gun and ammunition as well as ear plugs, and safety goggles for the sporting clay shoot. Ammunition is available for purchase.)

All profit from the tournament will be dedicated to the MNLICA scholarship fund. Since 1997, MNLICA has awarded over \$55,000.00 in Scholarships to high school seniors.

We have a great event planned with prizes and awards. Please help us by participating and becoming a sponsor of this event. No limit on the number of participants! Questions, call 320-226-6398.

REGISTER BY AUGUST 31, 2023 (First come, first serve basis)

Company Name: Prize Donation:

Person to Participate Sport Clay: Fee: \$160.00 Sport Clay

Person to Participate Golf: Fee: \$160.00 Golf

Fee: \$270.00 Both Events

Other participants:

Name Fee: \$80.00

Name: Fee: \$80.00

REGISTRATION TOTAL: \$

I/We will be attending LUNCH: (number of people attending)

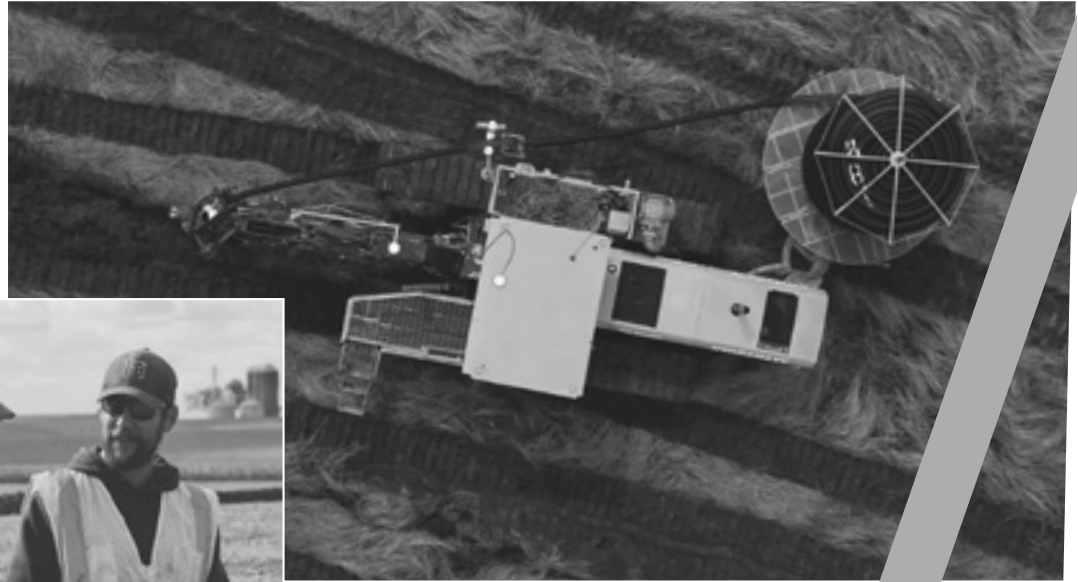
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***Sometimes you need to stop and read the markers along the highway.  
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**SAVE THE DATE!  
 SEPTEMBER 23, 2023 ERX MOTOR PARK**

This event was attended by two of our board members last year and they were amazed by this event. This event provides an opportunity to educate families about the construction industry, while at the same time, raising money for the Children’s Foundation of Minnesota. Please check out the website for all the information:

**[www.dayofthedozer.com](http://www.dayofthedozer.com)**

***Executive Directors Report***

August is here and September is around the corner. I just returned from the National Summer meeting in Lincoln, Nebraska. There was a lot to see and learn. Nebraska was a wonderful host. There will be a presentation at our convention in January that was presented at the summer meeting by Prins Insurance. The LICA Portal, which can be found on the National LICA web site, has exciting changes and updates for our members. Even if you are using this benefit now, you have more options available.

The Scholarship fundraiser is coming up on September 15th. Please see the registration form in this newsletter. A registration form will also be sent in the mail. If you have never attended this event you are missing out a great time with other LICA members and Associates. Involvement in your organization is important and beneficial! Think about bringing your employees, too!

Coming soon will be the Membership Renewal in September. The categories have changed so PLEASE make sure to complete this part of the registration.

The Winter Convention is planned for January 10th, 11th, & 12th, 2024, in New Ulm. I have several speakers already confirmed that I know will be informational and educational. Please mark your calendars!

Jennifer Breberg, Executive Director.

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# Safety Matters **Mining**

## Be Aware and Avoid Accidents

Your daily work is unpredictable and hazardous, making the likelihood for accidents high. However, on-the-job accidents can be avoided by focusing on safe practices and taking necessary precautions.

### Be Aware of Safety Hazards

Most accidents are caused by an unsafe act, an unsafe working condition or a combination of the two. For example, an accident could occur as a result of misusing equipment (an unsafe act). Or, damaged or malfunctioning equipment could cause an accident, and that would be the result of an unsafe condition. But that unsafe condition was caused by the unsafe act of not inspecting the equipment prior to use. In either instance, the accident could have been prevented by following proper safety precautions before using the equipment in question.

Because your job has such a high potential for danger, it's important to understand what causes accidents so that you can avoid them whenever possible. While it is impossible to list all of the hazards you may encounter while working, common ones include:

- Using defective equipment
- Not using proper personal protective equipment
- Removing guards from machinery
- Not securing loads properly when transporting them
- Using tools improperly
- Unsafe handling of materials
- Horseplay

In addition, operating and working around large machinery can be extremely hazardous for everyone on the job site. It's essential that you are well-trained for any equipment you operate,

that you observe all safety precautions and that you are constantly aware of any equipment operating near you.

### Stay Alert

Don't let routine or familiarity lure you into carelessness. Always observe proper safety precautions, even if those precautions make the task more inconvenient or take longer to complete. This includes always wearing proper personal protective equipment. Cutting corners may not seem like a big deal, but doing so is a primary cause of accidents.

Be on the lookout throughout your day for situations that could be hazardous—many accidents happen simply because someone was not paying attention to his or her surroundings. Also, keep an eye on your working environment at all times. You may spot an unsafe condition that can be fixed before it causes an accident.

### Keep Good Safety Habits

It's human nature to work yourself into habits, and when you break safety protocol, you've taken the first and most influential step in forming a bad habit—a habit that can lead to an injury. Good habits, such as noticing unsafe conditions, using machinery and tools correctly, wearing proper personal protective equipment and observing safety precautions are just as easy to form.

Develop a safe attitude! This is probably one of the most difficult things to do, because most of us have the mistaken notion that it's always someone else who gets hurt, never us. If we all do our share in observing safety rules and staying alert for unsafe conditions, everyone will benefit.



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## **LEGISLATIVE EFFORTS AT THE DRAINAGE WORK GROUP**

The Drainage Work Group (DWG), a body made up of Minnesota drainage stakeholders is tasked with generating and vetting proposed drainage policy, primarily public drainage. MNLICA participates in the DWG and is the only group representing contractors who work on these drainage systems.

The environmentalist groups are pushing on a number of issues, working to capitalize on the favorable political power structure currently in St. Paul.

### **Notification**

This topic is concerning the notification rules for drainage authorities. Environmentalist groups introduced language in the 2022 legislative session that would establish a searchable database of drainage projects. In the case of a county ditch being improved or modified anyone could search for active projects. Currently, notice of a drainage project is sent to those involved, posted in publications and available at the drainage authority. The concern is that this is only aimed at helping anti-drainage groups do their research. MNLICA is working to protect the contractors that work on and tie into the systems.

### **Outlet Adequacy**

When a new system or modification to a public drainage system is being planned, drainage code states that there must be an assessment of “outlet adequacy.” There are multiple problems being brought forward on this topic. One is that the term “outlet” is not clearly defined. It could be the physical outlet, such as the culvert at the end of the tile, or it could be the body of water receiving the outflow. If it is the body of water, the distance the engineer must look downstream comes into question. The environmentalists have mentioned the concept of “all the way to the gulf” with the problems of downstream flooding being the impetus. A subcommittee has been working on the issue, but some groups hold that drain tile and farming practices are driving flooding, rather than precipitation.

### **Early Coordination**

The Department of Natural Resources (DNR) has worked on policy recommendation that would require drainage authorities to contact DNR earlier in the permit process. Currently a proposal is submitted to the DNR, then they comment and suggest changes. They maintain that the changes should be incorporated earlier in the engineering of the system.

### **Water Quality**

We all want clean water, but we don't all agree on the goals or how to attain those goals. That is the challenge for DWG as One Watershed, One Plan programs are implemented.

MNLICA President Stu Frazier's biggest concern at the DWG is that too many people have forgotten the benefits of farm drainage. Being able to plant earlier in the year means less corn drier usage and less fuel burned. Correct moisture levels in soil make no-till and minimum-till practices usable. A healthy crop means that evapotranspiration can occur, moving water directly to the atmosphere. Drainage encourages the development of deeper root systems so a crop is more resistant to drought conditions.

MNLICA will continue to work for its members, representing them at the DWG.

*Submitted by MNLICA President Stu Frazier*

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## Minnesota Expands Parental Leave Act

Minnesota has amended the Minnesota Parental Leave Act to cover all employers and establish employee eligibility for leave at the start of employment. The changes took effect July 1, 2023.

### Minnesota Parental Leave Act

The Minnesota Parental Leave Act allows eligible employees up to 12 weeks of unpaid leave for the birth or adoption of a child, prenatal care, or incapacity due to pregnancy, childbirth or related health conditions.

It also requires covered employers to provide eligible employees with up to 16 hours of unpaid leave annually to attend their child's school conferences or school-related activities that cannot be scheduled during nonwork hours.

### Amendments

The new amendments:

- Expand the law to cover all employers with at least one employee; and
- Eliminate the law's minimum months- and hours-worked requirements for employee eligibility.

More specifically, the law had applied only to employers with 21 or more employees prior to the amendments. Now it applies to all employers with one or more employees.

Furthermore, employees' average weekly hours worked had to equal at least one-half the full-time equivalent position in the employee's job classification. The amendments struck this eligibility requirement.

In addition, before the changes, employees were eligible for the law's qualifying reasons related to pregnancy, childbirth and adoption only if they had worked for the employer for at least 12 months. That requirement no longer applies.

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### Highlights

#### More Employers Covered

Amendments to the Parental Leave Act change the definition of "employer" so that the law covers virtually all employers.

#### Prior Work Requirements Eliminated

The amendments struck the 12-month and half-time work hours requirements for employee eligibility for leave.

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***Under the amendments, the leave requirements apply to all employers with at least one employee.***



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# Safety Matters **Construction**

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## Mounting and Dismounting Equipment

Because jumping down off large equipment is a common practice for construction workers, it's no surprise that lower back, knee, ankle and neck injuries occur more frequently. Regardless of the type of equipment you work with, mounting and dismounting safely should always be top of mind.

### What You Can Do

When a person jumps from a height of more than one foot, the force that goes through the body is about 14 times the person's body weight. In other words, a 165-pound person who jumps out of construction equipment or any other high surface is exerting 2,310 pounds of force on their body.

This can cause injury to bones, tendons and cartilage. And if you're doing this activity multiple times every workday, the damage to the body can be extensive.

To lessen your risk of injuries, follow these simple mounting and dismounting instructions for trucks and other tall equipment or machinery.

- When using a new piece of machinery, become familiar with proper mounting and dismounting procedures.
- When dismounting and mounting, maintain three-point contact. This means having contact with the equipment by either one foot and two hands or one hand and two feet. The smaller the triangle you form with your body, the more stable you are.
- Always face the vehicle, both when

mounting and dismounting.

- Look at the surface below before stepping and make sure it is even to prevent ankle and knee injuries.
- Never mount or dismount moving equipment.
- Do not mount or dismount with anything, including tools, in your hands. Not only does it throw the body off-balance, it also reduces your chance of recovering your balance if you do slip. Use a drop rope to raise and lower supplies, tools and equipment instead.
- Handholds and footholds are on the equipment for a reason—use them.
- Wear appropriate clothing. Loose or torn clothing can get caught on equipment when you are jumping down instead of climbing down. In slippery conditions, wear proper footwear to prevent slipping hazards.
- Proper vehicle maintenance also contributes to the safe mounting and dismounting of equipment. Make sure running boards, treads, steps, footholds and platforms are kept clear. Hazards like ice, snow and grease could cause slips, trips and falls.

For more safety tips, talk to your supervisor.



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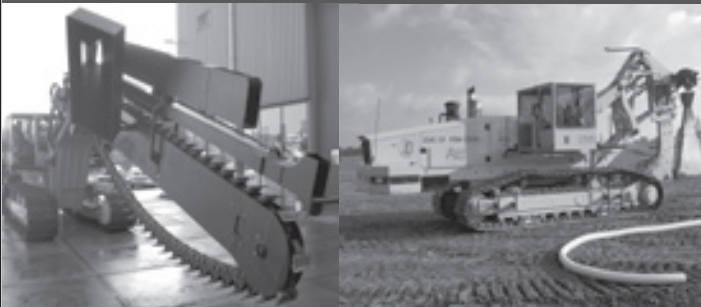
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**2023 Board Member Meeting Attendance**

<i>Area/Director</i>	Jan	March	June	Aug	Dec
Pres Stu Frazier	P	P	P		
VP Dallas Loken	P	P	P		
Tres Mark Olsen	A	A	P		
Chrmn Steve Vis	A	P	P		
Mark Morreim	P	P	P		
Karlen Nelson	A	P	A		
Everett Garlich	P	P	P		
Brad Herickhoff	P	P	P		
Mike Lehmann	P	A	P		
Doug Breberg	P	A	A		
Dee Ann Larson	A	P	P		
Jesse James	P	P	P		
Don Loken	P	P	P		
Assc. Tim Dahl	P	P	A		
Assc. Mike Kluck	P	P	P		
Ex Dir Jennifer Breberg	P	P	P		

**A = Absent P = Present C = Cancelled Meet**



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**2023 UPCOMING EVENTS MNLICA**

**Web-site: [www.mnlica.org](http://www.mnlica.org)**

**August 17th, 2023—Fall Board Meeting—Best Western New Ulm**

**September 15, 2023—Scholarship Fund Raiser Event—Marshall & Tracy Area**

**December 7th, 2023—Winter Board Meeting—TBD**

**January 10th, 11th and 12th, 2024—Winter Convention - Best Western Plus,  
New Ulm, MN**

**February 13th—17th, 2024, National LICA Winter Convention**

**Virginia Beach, VA**

**July 9th– 14th, 2024, National Summer Meeting**

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and yet many unthinkingly and unknowingly pass the land by.  
What man finally does with the land  
will be the deciding factor in his survival.*