

FOR THE CASE OF
Prevailing Wage Commission Meeting

TRANSCRIPT OF
Commission Meeting

August 23, 2016

Stone & George

COURT REPORTING

2020 Fieldstone Pkwy

Suite 900 - PMB 234

Franklin, TN 37069

(615) 268-1244

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STATE OF TENNESSEE
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PREVAILING WAGE COMMISSION MEETING

August 23, 2016

CASSANDRA M. BEILING, CCR, LCR# 371
STONE & GEORGE COURT REPORTING
2020 Fieldstone Parkway
Suite 900 - PMB 234
Franklin, Tennessee 37069
615.221.1089

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APPEARANCES:

Commissioner Burns Phillips, Chairman

Commissioner Wayburn Crabtree, TDOT Designee

Mr. Peter L. Heimbach, Jr., State Architect
TN Department of Finance & Administration

Mr. R. T. Summers Industry Representative
Summers-Taylor, Inc. Elizabethton, Tennessee

Dan Bailey, Legal Counsel

Kim Y. Jefferson, Administrator

Christina Tugman, Inspector

Jan Caudill, Assistant

Stone & George Court Reporting

AGENDA

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- I. Call to Order and Roll Call
- II. Announcements
- III. Conflict of Interest Forms
- IV. Old Business
 - * Review and approve December 1, 2015
Prevailing Wage Commission Meeting Minutes
- V. New Business
 - * Review and Discuss Preliminary 2016
Prevailing Wage for State Highway
Construction Projects Mailing List
 - * Discuss and Approve the 2016 Prevailing
Wage for State Highway Construction
Projects Survey
 - * Discuss and Approve Schedule for 2015
Prevailing Wage Survey
 - a. Survey notices to be mailed
September 29, 2016
 - b. Deadline for receipt of Survey
Responses, 3rd State working day
past October 31, 2016 (Nov. 3, 2016)
 - c. November 15, 2016 Second Meeting -
Review Data and set Preliminary Rates
 - d. December 1, 2016 Final Meeting and
Establish Final Rates
 - e. Deadline for Setting Final Rates-
December 1, 2016
- VI. Additional Business
- VII. Adjourn

Stone & George Court Reporting

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CHAIRMAN PHILLIPS: I call the meeting to order. Role call?

MS. TUGMAN: Can I have a role call, please?

Mr. Crabtree?

MR. CRABTREE: Present.

MS. TUGMAN: Mr. Heimbach?

MR. HEIMBACH: Here.

MS. TUGMAN: Mr. Summers?

MR. SUMMERS: Here.

MS. TUGMAN: Chairman?

CHAIRMAN PHILLIPS: Here.

MS. TUGMAN: And Mr. Wright will not be attending.

CHAIRMAN PHILLIPS: Okay. I have to make the emergency announcement which basically says that in the event of an emergency or natural disaster, security and/or staff will take meeting attendees to a safe place in the building or direct them to exit the building on the Rosa Parks side.

What side is that? We only have one door here.

MR. HEIMBACH: That way

1 (indicating).

2 CHAIRMAN PHILLIPS: Okay. Great.

3 Conflict of interest. Has each
4 member signed their conflict of interest form?

5 MR. CRABTREE: Yes, sir.

6 MR. SUMMERS: Yes, sir.

7 MR. HEIMBACH: Yes, sir.

8 CHAIRMAN PHILLIPS: All right. Old
9 business. Has everybody had a chance to review
10 the minutes -- received and review the minutes?
11 And if you have, are there any questions?

12 (No verbal response.)

13 CHAIRMAN PHILLIPS: If there are no
14 questions, I'm going to ask for a motion to
15 approve.

16 MR. CRABTREE: I move that we
17 approve.

18 MR. SUMMERS: Second.

19 CHAIRMAN PHILLIPS: So moved. Any
20 objections?

21 (No verbal response.)

22 CHAIRMAN PHILLIPS: All right.
23 Motion carries.

24 New business. Did everybody have a
25 chance to look at the mailing list that was

1 provided? And if you have, are there any
2 questions?

3 MR. SUMMERS: Wayburn, this is
4 still the -- everybody is prequalified? Is that
5 the list --

6 MR. CRABTREE: Sure.

7 CHAIRMAN PHILLIPS: Yeah.

8 MR. CRABTREE: During the quarter
9 there that we survey, which is the second quarter,
10 I believe.

11 CHAIRMAN PHILLIPS: Uh-huh. That
12 was the second quarter, right? The survey?

13 MS. JEFFERSON: The second quarter?

14 MS. TUGMAN: Yes.

15 CHAIRMAN PHILLIPS: Any discussion?

16 (No verbal response.)

17 CHAIRMAN PHILLIPS: No discussion?

18 No questions?

19 (No verbal response.)

20 CHAIRMAN PHILLIPS: No questions.

21 I ask for a motion to approve.

22 MR. SUMMERS: So moved.

23 MR. CRABTREE: Second.

24 CHAIRMAN PHILLIPS: Okay. Moved

25 and seconded. Any opposition?

1 (No verbal response.)

2 CHAIRMAN PHILLIPS: So moved.

3 Also, under New Business, has
4 everybody seen the Prevailing Wage -- the State
5 Highway Construction Project Survey?

6 MR. SUMMERS: The -- I think
7 there's one thing that we need to change.
8 The Class A operators, we took -- last year
9 we took the crane out of that and surveyed
10 the cranes separately. Down at the bottom
11 of the page, Number 25, is just a crane
12 operator.

13 So Number 3, I think, should have
14 the crane operator taken out. And, I guess,
15 dragline, less than 20 tons, I don't know that
16 anybody uses the dragline anymore, but it's in
17 there.

18 So crane and dragline over 20 --
19 excuse me -- less than 20 tons should stay up
20 there but the crane operations stay out.

21 CHAIRMAN PHILLIPS: So that's
22 line 3 or 2?

23 MR. SUMMERS: Line 3.

24 CHAIRMAN PHILLIPS: Okay.

25 MR. SUMMERS: And then down at the

1 bottom, line 25, it should just be crane and
2 dragline equal or greater than 20 tons. I think
3 that was our intent last year.

4 MS. TUGMAN: So we're taking out
5 the crane in Number 3?

6 MR. SUMMERS: Yeah.

7 CHAIRMAN PHILLIPS: In line 3.

8 MR. SUMMERS: We surveyed the crane
9 separately last year and established a rate just
10 for the crane operator.

11 CHAIRMAN PHILLIPS: Yes, that's
12 correct. Right.

13 And then on 25 you said crane and
14 then --

15 MR. SUMMERS: That dragline is
16 greater than 20 tons.

17 CHAIRMAN PHILLIPS: Equal to or
18 greater than 20 tons?

19 MR. SUMMERS: Yes, sir.

20 CHAIRMAN PHILLIPS: Okay.

21 MR. HEIMBACH: So you're also
22 saying in line 25 that the backhoe/hydraulic
23 excavator, three-quarter yard and over; the end
24 loader, three yard and over; the motor patrol,
25 finish; and pile driver need to be removed from

1 line 25 also?

2 MR. SUMMERS: Yes, sir. Those are
3 all under Class A operators.

4 MR. HEIMBACH: Okay.

5 CHAIRMAN PHILLIPS: Yes. Just
6 the dragline and the cranes should remain,
7 correct?

8 MR. SUMMERS: Yes, sir.

9 MR. HEIMBACH: I just wanted to
10 make sure I was seeing it the same way you were
11 saying it.

12 CHAIRMAN PHILLIPS: So a motion to
13 change, correct?

14 MR. SUMMERS: I will make that
15 motion.

16 MR. CRABTREE: Second.

17 CHAIRMAN PHILLIPS: All right.

18 Motion made and seconded. Any objections?

19 (No verbal response.)

20 CHAIRMAN PHILLIPS: So moved.

21 Motion carries.

22 Now, on this, the survey is to be
23 mailed September 29th; is that correct?

24 MS. TUGMAN: That is correct, yes.

25 CHAIRMAN PHILLIPS: Okay. And to

1 be returned October 31st?

2 MS. TUGMAN: Yes. And we will
3 accept those surveys through November 3rd of the
4 postmark date of October 31st.

5 CHAIRMAN PHILLIPS: Okay. All
6 right. Do we need to do anything with that, or is
7 that just -- that's just the schedule we've got,
8 correct?

9 MS. TUGMAN: It's just information.

10 CHAIRMAN PHILLIPS: All right.

11 Now, we also have here the second meeting
12 scheduled for the 15th, and R. T. asked if we
13 could move it to the 17th.

14 MS. TUGMAN: Okay.

15 CHAIRMAN PHILLIPS: Will that work
16 with you guys?

17 MS. TUGMAN: That's not a problem
18 for us.

19 CHAIRMAN PHILLIPS: Because Wayburn
20 and I, that's good for us. I don't know about
21 Stephen but ...

22 MR. BAILEY: November 15th would be
23 November 17th?

24 CHAIRMAN PHILLIPS: Yes. Two days
25 later, right. I think that's on a Thursday. Yes.

1 MR. HEIMBACH: Do we have a time?
2 Because I would need to do it in the afternoon if
3 we do it on Thursday the 17th.

4 CHAIRMAN PHILLIPS: What about you
5 guys? Does the afternoon work?

6 (Affirmative response.)

7 MS. TUGMAN: We need to check
8 availability for this room.

9 MS. JEFFERSON: We probably need to
10 check availability, just to be sure that we have a
11 venue to have a meeting. As long as we have a
12 venue we should be okay. But maybe we should send
13 an email after the meeting on that --

14 CHAIRMAN PHILLIPS: And what kind
15 of a venue do you have to have?

16 MS. JEFFERSON: Well, one of the
17 locations -- we just have to make sure that
18 they're available. I'm not sure if this room or
19 another room is available on the 17th. Just want
20 to doublecheck.

21 CHAIRMAN PHILLIPS: Okay. Could we
22 do it in my conference room if we had to?

23 MS. JEFFERSON: Yes.

24 CHAIRMAN PHILLIPS: Okay. Well,
25 check and see if there's a venue, and if not, then

1 we can always do it in my conference room.

2 MS. JEFFERSON: Sure.

3 CHAIRMAN PHILLIPS: Okay. Do we
4 need to do anything with that? No motion or
5 anything, right?

6 MS. TUGMAN: No.

7 CHAIRMAN PHILLIPS: Is December 1st
8 still good for the final meeting for everybody?

9 (Affirmative response.)

10 CHAIRMAN PHILLIPS: Okay. Which
11 is also the date for setting final rates. So
12 that will be December the 1st, unless there's
13 something to come up before that. But it has to
14 be then.

15 So do we have to have a motion for
16 any of that?

17 MS. TUGMAN: No, sir.

18 CHAIRMAN PHILLIPS: We don't, do
19 we? I mean, it's just business. Okay. Good.
20 All right. Okay.

21 Any additional business? Any
22 additional business anybody needs to bring up or
23 discuss?

24 (No verbal response.)

25 CHAIRMAN PHILLIPS: Okay. Motion

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to adjourn?

MR. HEIMBACH: So moved.

MR. CRABTREE: Second.

CHAIRMAN PHILLIPS: We're
adjourned.

END OF PROCEEDINGS.

Stone & George Court Reporting

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C E R T I F I C A T E

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

I, Cassandra M. Beiling, a Notary Public
in the State of Tennessee, do hereby certify:

That the within is a true and accurate
transcript of the Prevailing Wage Commission
Meeting taken on the 23rd day of August, 2016.

I further certify that I am not related to
any of the parties to this action, by blood or
marriage, and that I am in no way interested in
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 31st day of August, 2016.

Cassandra M. Beiling, CCR, LCR# 371
Notary Public State at Large
My commission expires: 3/15/2020

Stone & George Court Reporting

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