

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

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September 7, 2022  
(Via Zoom Videoconference)

ORIGINAL

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APPEARANCES:

- Commissioner Jeff McCord, Chairman
- Deputy Commissioner Dewayne Scott
- Ann McGauran, State Architect  
Tennessee Department of Treasury
- Scott Thompson, Industry Representative  
Talley Construction Company
- Stephen Wright, Industry Representative  
Wright Brothers Construction
- Dan Bailey, Legal Counsel
- Tom Herrod, Assistant Commissioner
- Rachel Hagan, Administrative Assistant
- Jamie Diefenbach, Executive Admin Assistant
- Kent D. Starwalt, Tennessee Road Builders  
Association
- Paul Degges, Tennessee Department of  
Transportation
- Tia Xixis, Tennessee Department of Labor
- Brian Egan, Tennessee Department of Transportation
- Lisa Watson

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Stone & George Court Reporting Services  
 Nan George, Zoom Moderator  
 Cassandra M. Beiling, LCR, Court Reporter

## AGENDA

- 1
- 2 I. Call meeting to Order
- 3 II. Introductions and Announcements
- 4 III. Adoption of Agenda
- 5 IV. Approval of the Meeting Minutes  
(November 10, 2021)
- 6
- 7 V. Review and approve the Survey Letter,  
Survey Form, and Classifications
- 8 VI. Open Discussion
- 9 VII. Callendar-Scheduled Board Meetings 2022  
\* November 15, 2022 1:30 p.m. (CST)  
10 \* November 29, 2022 1:30 p.m. (CST)
- 11 VIII. Adjournment
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2 MR. SCOTT: I'm showing 1:31.  
3 We'll go ahead and call the meeting to order, the  
4 Prevailing Wage Commission meeting for  
5 September 7, 2022. We'll do a roll call.

6 Paul Degges, representing TDOT?

7 MR. DEGGES: Present.

8 MR. SCOTT: Ann McGauran,  
9 State architect representative?

10 (No verbal response.)

11 MR. HERROD: She's not here.

12 (Ms. McGuaran later enters the  
13 meeting.)

14 MR. SCOTT: Okay. Scott  
15 Thompson?

16 MR. THOMPSON: Present.

17 MR. SCOTT: And Stephen  
18 Wright?

19 MR. HERROD: I don't see him  
20 yet.

21 MR. SCOTT: So do we need to  
22 wait for Stephen to have a quorum?

23 MR. HERROD: Well, I don't  
24 know if anybody else has his --

25 MR. STARWALT: I'm calling

1 Steve. This is Kent. I'm calling Steve right now  
2 to see if I can find out.

3 MR. HERROD: Dan, would two  
4 out of four be okay, or do we have to wait?

5 (No verbal response.)

6 MR. HERROD: He's going to  
7 check the law.

8 MR. SCOTT: And the second  
9 question, I guess, too, Thomas, do we have  
10 anything we need to vote on?

11 MR. HERROD: The only -- I  
12 don't know if we need to vote; we just have to  
13 have a discussion and a consensus and maybe  
14 suggestions on this survey letter. But we don't  
15 have to vote on anything today. There's no...

16 MR. STARWALT: Steve is  
17 jumping on.

18 I know this is probably out of order,  
19 but Commissioner, how much longer are you around?

20 MR. MCCORD: Well, I'm around  
21 until September 28, actually. But Kent, they had  
22 to wake me up to attend this meeting, so I'm kind  
23 of useless as it is right now. I'm just kidding.  
24 I'll be here through the 28th, is my last day.

25 MR. STARWALT: We'll miss you.

1 MR. MCCORD: Well, thank you.

2 MR. BAILEY: Tom, the statute  
3 doesn't speak of what it takes for a quorum, so  
4 generally, if you have a majority, that would be  
5 enough. And you do.

6 MR. HERROD: Okay. All right.  
7 So you have the option to proceed on.

8 MR. SCOTT: Will do. And make  
9 note of Stephen Wright when he comes on. Okay?

10 So let's move on to a couple of  
11 announcements. There's a conflict of interest  
12 declaration, and we want to make sure that  
13 everyone completed all the forms so the members --  
14 so it'll be on file for the Department.

15 Are there any other announcements or  
16 introductions that need to be made at this time?

17 MR. HERROD: We'd like to make  
18 one introduction.

19 MR. SCOTT: Okay.

20 MR. HERROD: Rachel Hagan will  
21 be taking over for Jan Caudill as prevailing wage  
22 secretary. This is her first prevailing wage  
23 meeting, so we welcome her. And Jamie Diefenbach  
24 will be assisting her with the slides today, and  
25 PowerPoints.

1 MR. SCOTT: Welcome aboard,  
2 Rachel. Glad to have you. Yes.

3 Thank you, Jamie, for the support.

4 Okay. We'll move to the adoption of  
5 the agenda, and I will request a motion to adopt  
6 the today's agenda.

7 MR. THOMPSON: So moved.

8 MR. SCOTT: We have a motion  
9 and a second.

10 THE REPORTER: Excuse me.  
11 I'll need everyone to announce theirselves. It's  
12 hard for me to follow you on the Zoom. If it's  
13 really quick, I can't see who's speaking.

14 MR. SCOTT: Scott Thompson  
15 made the motion.

16 THE REPORTER: Thank you.

17 MR. DEGGES: Second by Paul  
18 Degges.

19 MR. SCOTT: So we have a  
20 second by Mr. Degges.

21 MR. WRIGHT: Steve Wright.

22 MR. SCOTT: Glad to have you,  
23 Stephen.

24 MR. WRIGHT: Thank you.

25 MR. SCOTT: So we've got a

1 first and a second on the adoption of the agenda.  
2 All in favor, please let it be known by stating  
3 "aye."

4 (Affirmative response.)

5 MR. SCOTT: Any opposed?

6 (No verbal response.)

7 MR. SCOTT: Okay. We will --  
8 the motion carries and we'll accept the agenda for  
9 today.

10 The next item we'll move toward is  
11 the approval of the minutes from November 2021.  
12 Everyone should have had those ahead of time. A  
13 motion to adopt -- to approve those minutes from  
14 the November 2021.

15 MR. WRIGHT: I would move to  
16 accept the minutes. Steve Wright.

17 MR. SCOTT: Okay. And a  
18 second?

19 MR. THOMPSON: Second. Scott  
20 Thompson.

21 MR. SCOTT: Okay. Any  
22 discussions on that before we take a vote?

23 (No verbal response.)

24 MR. SCOTT: If not, all in  
25 favor of accepting the minutes as submitted, let



1 it be known by stating "aye."

2 (Affirmative response.)

3 MR. SCOTT: Any opposed?

4 (No verbal response.)

5 MR. SCOTT: Okay. Very good.

6 We'll move right on to review and approval of the  
7 survey letter, the survey form and  
8 classifications. And we're going to open up for  
9 discussion right now. I think Tom Herrod will  
10 begin that discussion.

11 And Tom, we'll let you do so.

12 MR. HERROD: Thank you. Tom  
13 Herrod, Assistant Commissioner of WRC.

14 Just as an introduction to this, in  
15 last year's November meeting, there was a  
16 suggestion made around having some lead-up  
17 meetings to the final approval.

18 So in going back and looking at what  
19 was done in the past, the first meeting was  
20 generally just to discuss the letter and survey  
21 form and make sure that was correct. So we want  
22 to do that today. I've got those here for our  
23 review.

24 And then also, just go over the  
25 process that we'll follow in the first meeting in

1 November, and then the final approval. And what  
2 we're going to be doing is getting information  
3 with the help of TDOT and also with the return of  
4 the survey tomorrow.

5           So first step in the whole process is  
6 to send out a letter to all of the contractors and  
7 subcontractors involved in state highway  
8 construction. And with that, TDOT is supplying us  
9 with all the contractors that will be involved in  
10 state projects going on from July, August,  
11 September. And we'll be getting an update over  
12 the course of that time as they update their  
13 information. And we'll get a final list at the  
14 end -- toward the end of September. And all those  
15 that have construction projects will be mailed  
16 this letter. And there will be about 200, almost  
17 200, if it's the same as last year, contractors  
18 that will be receiving this. And then the  
19 associated project year that the contract was let.

20           So we are to email these out to all  
21 those contractors, and this will be going out.  
22 We've got just a short three paragraphs --  
23 actually, a three-sentence letter that's asking  
24 for the survey. And attached to this letter will  
25 be every project that -- and it will give

1 instructions on how to fill it out. And it'll  
2 also give a website and they'll enter their  
3 information if they want to do it online, which is  
4 the easiest way to do it and best for us, and give  
5 them a unique code that they'll use to submit  
6 their data during that time.

7           Now, they'll have from the time they  
8 get this letter to the end of October,  
9 October 31st, to put in their survey date online.  
10 And also, if they mail it in, it will have to be  
11 postmarked no later than October 31st. Mail will  
12 be accepted through November the 3rd just in  
13 case -- I've never known it to be the case the  
14 postal service was late, but in case they are,  
15 we'll be accepting them through November the 3rd.  
16 And we'll put that data in.

17           So everybody will have that letter  
18 and they'll get an example, next page, of what  
19 we're looking for in reporting their wages. It's  
20 only the hourly wages. It does not include  
21 overtime rate or benefits. So it's straight wage  
22 rates for that classification. And so it should  
23 be fairly straightforward for them and of course  
24 they have a -- they can call Rachel Hagan at that  
25 number in case there are questions involved in

1 doing this if they haven't done it before.

2           Every letter will have these three pages  
3 on it plus then associated with that is the form  
4 that will have -- for their particular contract  
5 code or year that they had worked on the project.  
6 And so they may have -- obviously, some of them  
7 have multiple years, multiple contract years,  
8 multiple projects, and so there will be a page for  
9 each one of the contract years that they have,  
10 projects that TDOT has given to us.

11           So each of those contracts have a  
12 unique -- it starts out with a contract number  
13 and -- or a CN number and then the code after that  
14 describing the year. So that will -- they'll know  
15 exactly what year and what the project number is.

16           So that will be going out to all of the  
17 contractors. And last year, we had almost 200  
18 contractors. There were only three or four dozen  
19 that returned the surveys. That is an issue. But  
20 that was up. Last year's was up considerably over  
21 the previous few years. So we're getting better  
22 at getting them to send the data in to us.

23           And we'll be assembling that data,  
24 getting it together and completing all of the data  
25 import and input by November 3rd and then putting

1 all of this into my Excel spreadsheet. And then  
2 we'll get all of that assembled and sent out to  
3 commission members for review prior to our second  
4 meeting in November where we'll look over the data  
5 and consider which ones need either some of the  
6 data be excluded based on what looks like  
7 erroneous information put in or we contacted the  
8 company and verified that they've included  
9 overtime or whatever the case may be. That will  
10 be the second meeting.

11 The third meeting will be at the end of  
12 the month, the 29th. And that will be when we  
13 finalize the prevailing wages. The next two  
14 meetings are -- right now, I think should be --  
15 can be in person unless we think otherwise, the  
16 Commission wants to meet virtually, we can do  
17 that, but I think it would be easier to do it in  
18 person.

19 So that's what I have to discuss and  
20 talk about today. There may be some questions  
21 from the commission or other folks that have  
22 joined us today I'll be glad to answer.

23 MR. THOMPSON: I've got one.  
24 When we're talking about the description of the  
25 craft classifications, when we get down to the

1 trucks that are broken out, it says trucks with  
2 two axles over one ton, trucks with three or four  
3 axles, trucks with five or more axles. Would it  
4 be the opinion of others that if we added the  
5 words "on road" in front of it or something so  
6 that we can get more of the dump trucks to  
7 reporting? That's been a problem. I mean, do you  
8 think that that helps clarify that? Anyone?

9 MR. WRIGHT: This is Steve. I  
10 don't know. When we changed it to put the  
11 articulated trucks and the off-road trucks up as  
12 Class B operators, it was a really good thing.  
13 And as I recall from last year, there was some --  
14 I think there was still some confusion, because up  
15 until -- I'm sorry, I don't know when we did it,  
16 if it was a couple of years back or three or  
17 whatever. But I still think there are hours for  
18 what are articulated trucks, the off-highway stuff  
19 being recorded down in the area where it says two  
20 and three and -- two-axle or was it three or  
21 four-axle, and then five or more axle trucks. It  
22 would probably be nice if we could just add a word  
23 or two somewhere that said "on-road" or "licensed"  
24 or something to call attention to it. Just don't  
25 always put it where you have been for the last

1 20 years.

2 MR. HERROD: Where would you  
3 put it? On all of the truck driver or just the --

4 MR. WRIGHT: If it were me, I  
5 would put it on Class 21, 22 and 23, would add  
6 something in front of those truck drivers to  
7 modify it to indicate that it was a licensed  
8 vehicle or on-road or something other than  
9 off-road. Whereas, if you go up and you read  
10 Class B operator, if you read the description in  
11 it, it says, you know -- I think we did this  
12 heavy-duty off-road trucks to include rigid dump  
13 trucks, articulated dump trucks, or other  
14 heavy-duty earth-moving equipment.

15 So if you don't read that carefully,  
16 you can overlook that and then put your truck  
17 driver for your articulated trucks down there in  
18 Class 22 pretty easily.

19 MR. HERROD: Okay.

20 MR. WRIGHT: Does that make  
21 sense, Tom?

22 MR. HERROD: Yes, sir. Yes.

23 Jamie, can you make that happen on  
24 the form?

25 (No verbal response.)

1 MR. HERROD: Jamie?

2 MS. DIEFENBACH: Yes.

3 MR. HERROD: Okay.

4 MS. DIEFENBACH: I was trying  
5 to find my mute button.

6 MR. HERROD: All right. So  
7 the answer will read -- so we can do that. So it  
8 will read: On-road truck driver, on-road  
9 two-axle. And then the same for truck driver  
10 three and four-axle. And then also for the five  
11 or more axle. It will say on-road. Or do you  
12 want it before the truck driver or at the end?

13 MR. WRIGHT: It doesn't matter  
14 to me. I just think we should -- if we can help  
15 clarify it, we should. Is that what you were  
16 aiming for, Scott?

17 MR. THOMPSON: Yes, sir, it  
18 was. Exactly.

19 MR. HERROD: Okay. So they  
20 will better recognize that they need to put it  
21 down there; is that right, saying on-road?

22 MR. WRIGHT: That's right.  
23 And given what's going on in the truck driver  
24 world today, I have no idea how that affects the  
25 rates. I don't know which one even gets paid



1 more. Do we pay the articulated truck driver more  
2 than a highway truck driver now, Scott? I mean,  
3 they're all way too much.

4 MR. THOMPSON: Yeah. I was  
5 going to say -- I would say an on-road dump truck  
6 driver is getting paid more now than --

7 MR. WRIGHT: More. Yeah. So  
8 probably need to separate that a little bit, too,  
9 before we --

10 MR. BAILEY: Let me ask you,  
11 would the word "highway" be better than "on-road"?

12 MR. WRIGHT: Highway is fine.

13 MR. DEGGES: I mean, it's  
14 street-legal equipment, is what we're talking  
15 about, something that's legal to operate on public  
16 roads.

17 MR. THOMPSON: That's correct.

18 MS. MCGAURAN: Would you want  
19 to put something like in parentheses, you know,  
20 those that do not meet the criteria Class 2 -- I  
21 think that's the class -- just to connect the --  
22 oh, I'm sorry, Class 5. Class B operators under  
23 Class 5. Is there some way you want to link those  
24 two? Does that make any sense?

25 MR. THOMPSON: Well, I really

1 think if they're still reading -- if they're  
2 seeing the word "on-road" or "highway" and they're  
3 still putting it up in B, then I don't know how  
4 much more we can help them.

5 MS. MCGUARAN: And you guys  
6 know this best. I was just asking.

7 MR. THOMPSON: No, no.  
8 It's -- I mean, it gets frustrating trying to talk  
9 to these people and getting them to understand  
10 what...

11 MR. WRIGHT: It's got to be a  
12 challenge for sure. But anyway, whatever we can  
13 do. I'm for whatever we can do. You know, the  
14 Class B operator, there's no way really to  
15 highlight that. You've got to read several  
16 things. I don't know. I don't exactly know how  
17 to make it better other than to highlight the  
18 trucks down there somehow.

19 MR. THOMPSON: And I just  
20 think it's important that we start capturing them  
21 separately just because of what Steve, you and I,  
22 were talking about. Those wages are just --  
23 they're really going up and they're becoming a  
24 completely different type of personnel. And so  
25 being able to distinguish them is important.

1 MR. HERROD: Let's go back up  
2 to the letter, Jamie. Maybe we can do that in the  
3 form, but somewhere up in this letter we can put a  
4 request or a notification or something up in  
5 there. At the end, we'll just say -- we'll put in  
6 a message just saying, "Please note that truck  
7 drivers are -- this is highway use to not  
8 include -- is that right? Wait a minute. How do  
9 we say that?

10 MR. WRIGHT: Codes 21, 22, and  
11 23 are for highway on-use licensed vehicle.  
12 Whatever wording y'all think is best. And then if  
13 you're using -- if it's off-road equipment, then  
14 we would call your attention to Operator Class B,  
15 or something like that.

16 MR. HERROD: All right. I may  
17 ask -- well, I will ask you to send me -- have you  
18 got my email address, all of you? If you know the  
19 way you want that written, I'll make sure that  
20 gets put in the body of the letter at the end,  
21 make sure it's highlighted.

22 MR. WRIGHT: Okay.

23 MR. HERROD: We'll put an  
24 example in there for them.

25 MR. WRIGHT: Scott will do a

1 great job.

2 MR. THOMPSON: I'll be honest  
3 with you, I'll pick up the phone and call three or  
4 four trucking companies and ask them, "What will  
5 make you realize that this is what we're talking  
6 about here?"

7 I don't know how else to do it other  
8 than that. I just know when we called last year,  
9 it was obvious that they weren't putting it in the  
10 right buckets.

11 MR. HERROD: Right. Okay.  
12 Hey, Jamie, can you put up the PowerPoint, the  
13 last one I sent you that had the --

14 MS. DIEFENBACH: (Complies.)

15 MR. HERROD: Yes. Okay. Can  
16 you see all that? This was last year's responses  
17 by classification. And so are there any -- maybe  
18 Dan can help us on this. If there is a need to  
19 change a classification, I think we can -- you  
20 have the option of doing that if you see the need  
21 to do it. But some of these just do not get a lot  
22 of responses. We haven't had one on the blaster  
23 for the past two years. And others are just not  
24 being entered.

25 We're going to try to get many more

1 responses with the mailout this year. Hopefully,  
2 we will. But is there any change you want to  
3 make?

4 MR. THOMPSON: The other one  
5 that -- and I'm not sure exactly how you do this,  
6 but you've got under Class -- I think it's under  
7 D. I can't remember. We've got the word "broom"  
8 or "sweeper" listed three different places, if I  
9 remember correctly.

10 MR. HERROD: It's under 11 as  
11 power broom.

12 MR. THOMPSON: Okay. But  
13 that, under -- what I was thinking was under 20,  
14 that almost needs to be -- and somebody from the  
15 Department can help out here. It's becoming  
16 required in some areas where you've got to  
17 actually have a sweeping, slash, vacuum truck. So  
18 I would think if you've got -- 20 says -- it's got  
19 the word "truck" in there. Vacuum -- sweeping  
20 vacuum truck operator. That would clean that one  
21 up and understand that -- differentiate that  
22 between a broom operator.

23 MR. HERROD: Okay.

24 MR. THOMPSON: Because didn't  
25 we have like some numbers that were skewed there

1 and we had people that were --

2 MR. HERROD: Yes, sir.

3 MR. THOMPSON: If you were  
4 running a broom on a job, was there some confusion  
5 or something, because there was also some tunnel  
6 sweepers or vacuum trucks that were doing one  
7 thing and then you also had them on the  
8 resurfacing jobs? And maybe I'm wrong on that. I  
9 just -- I wrote down a note from last year about  
10 it.

11 MR. WRIGHT: Scott, on 20, if  
12 we were to take sweeping out of that and just make  
13 it a vacuum machine or truck, vacuum truck  
14 operator instead of a sweeping machine vacuum  
15 operator, would that help?

16 MR. THOMPSON: Yes. Because  
17 it would really differentiate the machines.

18 MR. EGAN: That category 20,  
19 Steve and Scott, well, that might include our  
20 sweeping contracts where it is a sweeping truck  
21 with a vacuum on it that, you know, clean the  
22 median barriers and shoulders and whatnot.

23 MR. THOMPSON: Okay.

24 MR. EGAN: It kind of fits the  
25 description of the next page where it has the

1 operator --

2 (Cellphone interruption.)

3 MR. EGAN: -- truck and all  
4 that. It might make it easier somewhere else and  
5 make it more difficult for our sweepers, so...

6 MR. WRIGHT: Okay. Well, I'm  
7 just thinking of it from a pure what I understand  
8 category. I hadn't even thought about that.

9 MR. EGAN: And I think my  
10 notes from last year said -- when you mentioned --  
11 it was the tunnel cleaning ones that were skewed  
12 in one of the categories that we fixed, too.

13 MR. THOMPSON: All right. I  
14 confessed earlier, my notes weren't the best from  
15 last year. I made notes where I knew it was  
16 something I had a question about today. I didn't  
17 go detailed enough.

18 MR. HERROD: So did I hear you  
19 want to make a change, you don't want to make a  
20 change, or -- Scott, are you going to send me a  
21 clarification on that also?

22 MR. THOMPSON: Are we going to  
23 cause a confusion if we change it to "truck," if  
24 we add the word "truck"? I mean, does that help  
25 any or does it not make -- I mean, I may be

1 overcomplicating something here.

2 MR. EGAN: Are you talking  
3 about Number 20 or are you talking about the one  
4 from Number 11 with the power broom?

5 MR. THOMPSON: Making sure  
6 that 11 and 20 don't get confused because of  
7 sweeping machine, because they're actually trucks,  
8 right?

9 MR. EGAN: It's a  
10 self-propelled truck. I guess, yeah. I mean --

11 MR. THOMPSON: Are they  
12 licensed or are they not? They're sweeping  
13 trucks. I mean, do they have tags or are they --

14 MR. EGAN: Oh, yeah.

15 MR. DEGGES: They have tags.  
16 It's a one-ton truck or three-quarter truck or  
17 something like that, sometimes a little bigger.

18 MR. WRIGHT: Are they the ones  
19 you see that clean the curb in the city, in the  
20 average city?

21 MR. DEGGES: Yeah.

22 MR. WRIGHT: Okay.

23 MR. THOMPSON: Whereas a broom  
24 is one we want to make sure doesn't get confused  
25 with it. So maybe they're fine. I guess it



1 was -- I may have made a note and it was  
2 incorrect. We may be -- it may all be fine. So I  
3 guess I retract everything. Cancel everything  
4 from the minutes.

5 MR. EGAN: I would say it  
6 could be confusing, but if you read the  
7 descriptions, it hopefully would clarify it. So I  
8 don't know if adding words would make it more  
9 confusing or less confusing or just as confusing.  
10 I think you would have to read the classification  
11 description on the next page, at least on the page  
12 of the handout. That would shed more light on  
13 which is which.

14 MR. WRIGHT: If we're  
15 confused, you can bet they are.

16 MR. EGAN: I have to read it a  
17 couple of times myself sometimes.

18 MR. SCOTT: So Tom, are you  
19 going to take inquiries in and you're going to  
20 change the description based on the feedback  
21 you've gotten here?

22 MR. HERROD: Right. We've  
23 got -- we'll submit the changes to STS and they'll  
24 make the necessary adjustments on the form and  
25 send it in an email and we'll get that corrected.

1                   MR. WRIGHT: Tom, I think your  
2 idea of adding the sentence to the cover letter is  
3 a great idea to call attention to it to whomever  
4 is filling this out. I think it will be very  
5 helpful.

6                   MR. HERROD: Okay. We'll do  
7 that for sure.

8                   MR. THOMPSON: Tom, I will  
9 call a couple of people and just shoot out an  
10 email or something, on the trucks.

11                   MR. HERROD: Okay. All right.  
12 If you can -- you know, whenever you -- how long  
13 do you think it'll -- do you think you can get  
14 something back to me in a week?

15                   MR. THOMPSON: Oh, yes, sir.  
16 I'll do it, like -- if I don't do it in the next  
17 24 hours, it's gone.

18                   MR. HERROD: Okay. All right.  
19 Thank you.

20                   Okay. So we've got the letter, we've  
21 got the form, we're going to make the adjustments  
22 to that. I can -- once we get the letter and the  
23 form, I can send it back out to you for you to  
24 look at and make any other adjustments you  
25 might -- suggestions you might think of on the

1 form and letter.

2                   And then that will be sent out on  
3 September -- by September the 30th, so we need  
4 to -- we'll have to have a quick turnaround for  
5 everything. So if I can get that back from you,  
6 Scott, we'll get it to STS and we'll make the  
7 changes and then send out the corrected -- or the  
8 new copies of the letter and form.

9                   MR. THOMPSON: Okay. Yes,  
10 sir.

11                   MR. HERROD: And one thing  
12 that we will do in accumulating the data, we'll  
13 have the survey data from the contractor, of  
14 course. And then also, I believe, if I'm not  
15 wrong, that with TDOT, they will be -- at some  
16 point in time during the three months, they have  
17 to be given payroll numbers, and we can verify  
18 some of those -- some of that data or all of the  
19 data, I think, by looking at what the survey says.  
20 Kind of like Family Feud, survey says this.

21                   And then we can look at the payroll  
22 data and see if it goes along with it. We can't  
23 use the payroll data, but we can use it kind of  
24 for verification to see if maybe something is off.  
25 If we only get a handful of responses and

1 something looks skewed, like if we've got 3  
2 responses but we've got actually 30 payroll inputs  
3 that say this, maybe theres something we'll want  
4 to do.

5                   Anyway, this will be the first time  
6 we use it, so there may be some growing pains, but  
7 it could give us a better -- it could clarify  
8 things and give us a reality check on some of  
9 these wages. Okay?

10                   So that's what we have in store. I  
11 guess one of the questions we'll need is we will  
12 be meeting -- you will get on around November the  
13 8th, no later than, you'll be getting the  
14 information from the survey. I'll send it to you  
15 in PDF form. And you'll have kind of the -- what  
16 we've done in the past, the overall Excel  
17 spreadsheet that shows here are the responses and  
18 wages and that sort of thing, and then we'll have  
19 each craft broken down accordingly. And then you  
20 can look through the data. And then when we get  
21 back together on the 15th, we can discuss -- the  
22 only way I know to do it is discuss, obviously,  
23 each craft and see if there was any issues, and if  
24 everyone agrees, we'll move on to Craft Number 2,  
25 3, down the line. And then we'll decide -- make

1 sure all of that looks correct.

2           And then we'll have a couple of  
3 weeks. We really won't need it but that's how  
4 long to accommodate folks. We'll have -- on the  
5 29th, we'll have the final meeting unless you want  
6 to try to wind it up November the 15th. But  
7 November the 29th is the last opportunity to  
8 finalize the prevailing wages.

9           I hope all of that makes sense. But  
10 that's kind of the way I see it, and we'll proceed  
11 with that.

12           Any other -- we have Ann that has  
13 shown up. Does anybody else have any input,  
14 comments?

15                   MS. MCGUARAN: Sorry I was  
16 late. I had trouble connecting. I don't use Zoom  
17 very much these days, so...

18                   MR. HERROD: I understand.  
19 Thank you for being with us.

20                   MR. WRIGHT: My apologies,  
21 too. I was doing the work of the TDEC today.

22                   MR. SCOTT: Tom, you said  
23 you're going to be mailing out about 200. How  
24 many do you anticipate coming back based on  
25 previous years?

1 MR. HERROD: Well, like I  
2 said, what we have -- we have 200 contractors,  
3 about 198 last year, and we got 1,900 responses  
4 that were what we considered valid responses. In  
5 other words, they paid at the prevailing wage  
6 rates, as they should have for that year.

7 Now, there were only 30 -- well,  
8 around three dozen companies in total that  
9 responded. So it's not as many as we would have  
10 liked, but it was up from the previous years. So  
11 we're going to try to get more -- campaign for  
12 more replies back and monitor how many come in by  
13 company and contact them a second time.

14 We're going to be contacting them, I  
15 think, at least every week till September 30th and  
16 three times during the month of October to get  
17 them to send results in. So it will be an all-out  
18 effort. We'll do all we can do to get them to  
19 respond.

20 MR. STARWALT: Thank you.  
21 This is Kent Starwalt. The question is can I get  
22 a -- when the letter is final and is either  
23 getting ready to be sent out or has been sent out,  
24 can I get a copy of that, as well as the forms,  
25 that I can then send out to our membership? We

1 can send out -- it goes out to about, like,  
2 1,800 people I think. That's not that many  
3 companies, like, 300 companies. But at least,  
4 it's another hit that they're getting and another  
5 reminder to get the form in. And I'll be glad to  
6 do that.

7 MR. HERROD: Okay. You want  
8 the reminder sent also to you where you can  
9 forward it?

10 MR. STARWALT: No. I'll just  
11 do it one time. I'll just send it out to folks  
12 reminding them that they need to -- here's a copy  
13 of the forms or a sample of the forms, but they  
14 need to be sure to -- they need to be sure to  
15 respond and get their data in by the deadline,  
16 so...

17 MR. HERROD: Okay. Do you  
18 have a list of all the contractors?

19 MR. STARWALT: There was a --  
20 if it's included in the meeting notice, there's  
21 that one. But like I say, we'll send it to all  
22 those that are members of ours.

23 MR. HERROD: Okay. All right.  
24 So yeah, we can do that.

25 MR. SCOTT: Any other

1 discussion items on the process or the topics  
2 spoken of?

3 (No verbal response.)

4 MR. SCOTT: Are there any  
5 discussion items on any other topics that we need  
6 to bring up before we adjourn?

7 MR. HERROD: No, sir.

8 MR. SCOTT: Okay. Can I have  
9 a motion for adjournment of our meeting today?

10 MR. DEGGES: So moved by Paul  
11 Degges.

12 MR. WRIGHT: Second. Steve  
13 Wright.

14 MR. SCOTT: All right. All in  
15 favor of adjournment say "aye."

16 (Affirmative response.)

17 MR. SCOTT: Any opposed?

18 (No verbal response.)

19 MR. SCOTT: Motion passed.  
20 We'll consider today's meeting adjourned. Thank  
21 you for your time and I appreciate everyone.

22 MR. MCCORD: Nice work,  
23 Dewayne.

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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 7th day of September, 2022.

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 1st day of November, 2022.



-----  
Cassandra M. Beiling, LCR# 371  
Notary Public State at Large  
My commission expires: 3/10/2024