

Virginia Ready-Mixed Concrete Association Newsletter

May 2016

#### **Pervious Concrete Maintenance and Cleaning Training**

The recent Pervious Concrete Maintenance & Cleaning (Presentation & Demonstration) event at the Brambleton Public Safety Center, Arcola Volunteer Fire Department in Ashburn was the first of its kind sponsored by VRMCA/ NVCAC and Loudoun County Department of Transportation & Capital Infrastructure. The event was a smashing success. A well needed training for county engineers, engineers, inspectors, public works personnel and contractors. The response to this event was so overwhelming that we were not able to accommodate everyone, and as a result we are going to schedule another Maintenance & Cleaning event for those who we did not have space for. To accomplish this task, we teamed up with Alan Sparkman, CAE, CCPf, LEED AP, Executive Director, Tennessee Concrete Association, Charlie Mitchell, P.E., President of Specialized Engineering, Pervious Concrete Craftsman, Matt Cockerham with North Star Foundations, Pervious Concrete Craftsman, Zeke Zinchiak with Z Con Inc. to assist us in the process. The team gathered at the site on the afternoon of April 26th to run several infiltration tests before and after the cleaning of a section of the pervious concrete parking lot. The purpose of this exercise was to create solid data to show the value of routine cleaning. This data sheet was provided to the attendees on the day of the event, (see picture of Infiltration Testing of Existing Pervious Conc. Pavement – (sides 1 & 2)). On the morning of April 27th, the event was kicked

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off by Charlie Mitchell, P.E., "Charles is co-founder of Specialized Engineering, a local materials testing and inspection company started in 1996. Mr. Mitchell received his Bachelor's degree in Civil Engineering from West Virginia University and his Masters in Engineering Management from George Washington University. He is a licensed Professional Engineer in Virginia, Maryland, West Virginia, Pennsylvania and DC. Mr. Mitchell has over 30 years of experience with construction materials testing in Northern Virginia. He was a founding member of ASTM subcommittee C09.49 on Pervious Concrete where he was involved with writing the 4 current ASTM test methods for Pervious Concrete. Mr. Mitchell has been involved with dozens of projects totaling over 1,000,000 sf. of Pervious concrete".

In his presentation, Charlie talked about "Introduction to In-Place Durability and Infiltration of Pervious Concrete". To view Charlie's presentation visit the following link, https://youtu.be/gO5P6jNIWCA.



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Charlie's presentation was followed by a series of infiltration tests at the site, running various cleaning equipment to clean the pavement, repeating the infiltration tests on the cleaned area and finally comparing the results. To view a short clip of this segment, visit https://youtu.be/3zrp4JN\_hHU.

Following this segment, we invited Alan Sparkman to give his presentation. "Alan has served as the Executive Director of the Tennessee Concrete Association

since 1998. He regularly teaches concrete industry professional courses across the US and served as an Assistant Professor at Middle Tennessee State University for the Concrete Industry Management program for the 2010-2011 academic year. He developed and teaches a class on Concrete Construction Sustainability for the "Concrete" MBA program at MTSU. He has been deeply involved with pervious concrete for over a decade and regularly places pervious concrete both for TCA demonstration projects and commercial projects where he is asked to assist and train contractors learning about the correct placement of pervious concrete. Alan holds the NRMCA Pervious Concrete Craftsman certification and is a co-author on several research publications relating to pervious concrete, as well as other concrete topics. He

works closely with universities in Tennessee to design and direct research relating directly to current concrete issues, and TCA publishes this research in Tennessee Concrete magazine on an ongoing basis. As a firm believer in lifelong learning, he completed his Masters of Business Administration degree in May of 2004 from Jones International University. In November of 2006, Alan became a LEED Accredited Professional through the U.S Green Building Council and in January of 2007 Alan earned his Certified Association Executive (CAE) designation, a certification earned by less than 5% of all association professionals. He currently holds 15 technical and professional certifications related to concrete, construction and association management. Alan was honored to receive one of the prestigious Kodak American Greenways Awards in 2004 for his efforts in making the Count on Concrete bike ride across America a success. He was honored with the 2010 Tennessee Sustainability Award by the Tennessee Environmental Council, and has twice been honored with the TCA President's Award (2008 & 2013). In April of 2016, Alan received the Concrete Sustainability Award from the American Concrete Institute "for significant mentorship of the concrete community in the field of sustainability and exemplary outreach to those in the public, private and social sectors improving recognition, understanding and appreciation for the sustainable benefits of concrete as a building material." TCA has been named by the National Ready Mixed Concrete Association as the State Association of the Year three times under Alan's leadership, with the most recent award coming for 2015".

Alan's presentation was on "Principals of Pervious Concrete Maintenance & Cleaning". To view Alan's presentation visit the following link, https://youtu.be/TYcaoxI7d1o.

The training highlighted the proper implementation of ASTM C1701 Standard Test Method for Infiltration Rate

# VRMCA Fall Convention October 2-4, 2016 Hilton Virginia Beach Oceanfront

### On the Horizon Calendar of Upcoming Events

June 9, 2016

NVCAC Monthly Meeting

Wyndham Manassas

Manassas, VA

June 14, 2016
Hampton Roads Monthly
Business Meeting
Chesapeake, VA

June 28, 2016
VRMCA Board of
Directors Meeting
Farmington Country Club
Charlottesville, VA

June 28, 2016 Southwest Business Meeting Roanoker Restaurant Roanoke, VA

of In-Place Pervious Concrete and NRMCA's Pervious Concrete Pavement Maintenance and Operations Guide.

We at NVCAC are very thankful to Alan Sparkman, Charlie Mitchell, Zeke Zinchiak and Matt Cockerham for taking the time from their busy schedule to perform this training for NOVA audience, and for their unconditional support of the concrete industry. In addition, the success of an event as such would not have been possible without the assistance of the following individuals. Sandra Hunter, AIA, LEED AP with Loudoun County Department of Transportation and Capital Infrastructure, Deputy Fire Chief, Kevin Wright and many of the staff at the Brambleton Public Safety Center & Arcola Volunteer Fire Department, Tim Dawson with Specialized Engineering,

Herb Chamblin with Specialized Engineering, Josh Sharp with Z Con Inc., Duane Laughlin with Essroc Ready Mix, Dave Snider with Vulcan Materials, Marc Granahan with Lehigh Cement, Lewis Lee with Luck Stone, John Hellyer with Luck Stone, Kevin Terry with Vulcan Materials, Sam Roller with Vulcan Materials, Jose Maldonado with Vulcan Materials, Tom Manning with Superior Concrete Materials, Brandon Mowrey with Superior Concrete Materials, Scott Malpasuto with Titan Virginia and Steven Tripp with Chaney Enterprises. To view the presentations, visit http://www.vrmca.com/downloads/downloadcat.aspx?ID=13.

Hessam Nabavi, Director of Industry Services











#### **LEGAL**RFVIFW

This legal review should in no way be construed as legal advice or a legal opinion on any specific set of facts or circumstances. Therefore, you should consult with legal counsel concerning any specific set of facts or circumstances.

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# DOL's Final Rule Expands Overtime Eligibility for Millions of Workers

By John G. Kruchko and Jacquelyn L. Thompson\*

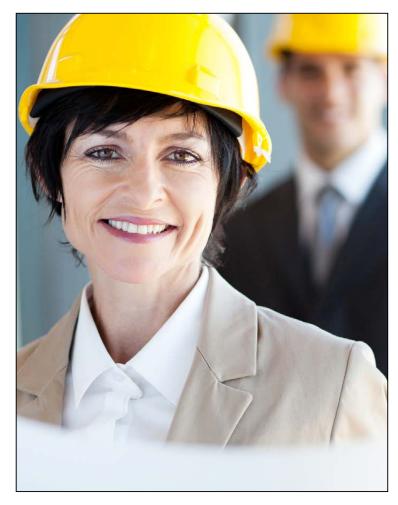
**Executive Summary:** On May 18, 2016, the U.S. Department of Labor (DOL) published its long-awaited Final Rule amending the "white collar" exemption tests for executive, administrative, and professional employees under the Fair Labor Standards Act (FLSA). These new regulations increase the threshold minimum salary to \$913 per week (\$47,476).

annually), doubling the annual salary previously required for an employee to be considered exempt from overtime under the FLSA's white collar exemptions. The regulations also increase the minimum salary threshold under the "highly-compensated" exemption to \$134,004 annually. Although the Final Rule does not change the current duties test, it contains a mechanism to automatically adjust the minimum salary thresholds every three years. The regulations are to become effective by December 1, 2016.

#### What Changes Did the Regulation Make?

Salary Basis Test. Since 2004, for employees to fall within the white-collar exemptions, they must have been paid a salary of at least \$455 per week (\$23,660 annually), and must have performed delineated exempt duties. The new regulations increase this salary threshold to \$913 per week (\$47,476 annually), by tying the required salary level to the 40th percentile of earnings for full-time salaried workers in the lowest-wage census region, which currently is the South region. Although the Final Rule does not set the threshold as high as the DOL had proposed in June 2015, this is still a significant increase that will affect millions of workers nationwide.

Inclusion of Non-discretionary Bonuses and Incentive Payments. For the first time, employers will be able to use non-discretionary bonuses and incentive payments (including commissions) to satisfy up to 10 percent of the salary basis requirement. Such payments may include non-discretionary incentive bonuses tied to productivity and profitability. However, such payments must be paid on a quarterly or more



frequent basis in order to be applied to satisfy up to 10 percent of the now required \$913 per week (\$47,476 annually) threshold.

**Highly Compensated Exemption.** The DOL's regulations contain a special rule for "highly compensated" workers, which previously provided that such employees are exempt if they earn a salary of at least \$455 per week, are compensated more than \$100,000 annually (which can include commissions and non-discretionary bonuses earned during the year), primarily perform office or non-manual work, and customarily and regularly perform at least one of the exempt duties of an exempt executive, administrative, or professional employee. The Final Rule increases the salary threshold to \$134,004



annually, based upon the 90th percentile of full-time salaried workers nationally. Highly compensated employees must still receive at least the minimum salary per pay period (now \$913 per week), exclusive of non-discretionary bonuses and incentive payments. However, as under prior regulations, non-discretionary bonuses and incentive payments may be used to count towards the total annual compensation requirement.

**Effective Date.** The Final Rule will become effective December 1, 2016.

#### **Automatic Updating Every Three**

**Years.** Although in June 2015 the DOL proposed annual updates to the salary basis test, the Final Rule provides automatic updates every three

years, beginning on January 1, 2020. This is still unprecedented and a huge administrative burden for employers. The updated salary basis threshold will be based upon the 40th percentile of weekly earnings for full-time salaried workers in the lowest-wage census region. The DOL will publish the updated rates in the Federal Register at least 150 days before their effective date. Based on current estimates and wage growth projections, the minimum salary threshold could rise to \$51,000 by 2020.

Duties Test. The Final Rule has made no changes to the existing duties test.

**Impact on Employers.** The immediate impact will be that employers in every state will be required to review the exempt status of their employees. For some employers, the new regulations could mean that many, if not most, of their employees will immediately become non-exempt upon the effective date of the regulation. For obvious reasons the regulations may have a disproportionate impact on certain regions and industries. In addition, employers should anticipate that states will increase their state law salary basis thresholds in the future. The DOL's new regulations have increased the FLSA's salary basis test to an amount greater than even California, which is currently the nation's highest at \$41,600 annually. It is possible that certain states, including California, may attempt to provide even broader and greater protections than those afforded by the DOL's new regulations.

What Should Employers Do? Employers should conduct an immediate audit of their workforce, including all those employees affected by the increase in the salary basis test. Employers will have to make tough decisions including: whether to reclassify employees as non-exempt and how to calculate and determine the appropriate hourly pay for such workers; whether to increase salaries in order to maintain the exemption; how to expand or modify their timekeeping and other procedures to appropriately track time worked; and/or consider other compensation methods and alternatives to ensure compliance while keeping costs in check. Employers should consult an attorney so that they can effectively audit their workforce, discuss confidentiality and privilege issues, and come into compliance with the new regulations prior to their effective date, and do so in a manner that reduces the negative effects upon the company's business and budget.

© 2016 FordHarrison LLP |\*John G. Kruchko is a Partner with the Management Labor and Employment Law Firm of FordHarrison, LLP, in Tysons Corner, Virginia; B. Patrice Clair is a Senior Associate in the firm's Washington, D.C. office. Rachel Ullrich, an attorney in the firm's Dallas office, prepared an original version of this article. For more information please contact Mr. Kruchko at (703) 734-0554 or Ms. Clair at (202) 719-2055 or by e-mail at jkruchko@fordharrison.com or pclair@fordharrison.com. This article is published for general information purposes and does not constitute legal advice.

#### **VRMCA 2016 Spring Convention**

The VRMCA Spring Convention took place May 1-3 at the historic Greenbrier Hotel in White Sulphur Springs, WV with over 140 members, spouses, guests and speakers in attendance.

The meeting kicked off with a Welcome Reception on Sunday evening, which gave attendees a time to socialize and meet some of our Convention speakers.

We began the Monday morning sessions with Pierre Villere with Allen-Villere Partners, who joined us again with a State of Our Industry presentation. Aaron Long, President of Procon, Inc., then presented Successfully Winning and Installing Concrete Parking. VRMCA Past President Bob Chandler presented the membership with the slate of nominees to join the Board of Directors during the Business meeting on Monday. Winners of the VRMCA Safety Awards were then announced. We had a total of 57 gold, 3 silver and 3 bronze winners! Next Joshua Baca & Nickolena Sidler with DDC, rolled out NRMCA's Build With Strength Coalition plan in which VRMCA is actively participating in for the promotion of low to mid-rise concrete building.

Monday afternoon, attendees had the chance to either

play in the VRMCA Golf Tournament or shoot sporting clays in the Shooting Tournament.

Attendees enjoyed a casual BBQ buffet/pig-roast dinner on Monday evening at Kate's Mountain Lodge surrounded by gorgeous views of the Allegheny Mountains. In attendance during the Convention was our 2016 Truck Roadeo winner Sam Britt with Vulcan Materials. Sam has worked for Vulcan for the past 15 years as the lead driver & trainer in the Richmond area. He is also a plant back up, operates heavy equipment and is a DriveCam coach.

Tuesday continued with sessions from Emily Jones and Kirk Oetken, with Summit HR & Payroll followed by our VRMCAC Promoters regional presentations. Our keynote speaker, Joel Erb of INM United, concluded the Convention with an insightful presentation on Understanding the Millennial Mindset.

Thank you again to all of our sponsors who helped to make this event and all VRMCA events possible. Mark your calendars for our Fall Convention taking place October 2-4, 2016 at the Hilton Virginia Beach Oceanfront Hotel!



















# Blue Ridge Council Hears About Special Inspections



Members of the Blue Ridge Council recently held another "Self Education" luncheon seminar and listened to Alan Tuck, Executive Director for Code Compliance and Training for VRMCA member Froehling & Robertson, discuss current and upcoming changes to the International Building Code as they affect the ready-mixed industry.

Tuck has decades of experience in the construction industry and currently spends his time giving presentations to architectural and engineering firms, educating them on building code changes and compliance requirements. F&R is an active and valuable member of VRMCA, and as such

Tuck has practical familiarity with the issues ready-mixed producers face every day. His presentation to the Blue Ridge Council specifically addressed special inspections and the issues members currently face, and will face when the new IBC is implemented.

The Blue Ridge Council has always tried to schedule brief presentations of interest to members during normally scheduled business meetings, and VRMCA members are an excellent source of information about technical issues and new products. Other good sources are local economic development offices, homebuilders associations and land planning offices.

During this business meeting Council members also discussed at length the planned October seminar by Cornell faculty member Ken Hover. The Virginia Chapter of ACI wants to sponsor Dr. Hover at a location in the western part of Virginia, and the Blue Ridge and Southwest Virginia Councils are considering co-hosting this presentation with hopes of attracting attendees from the lower Shenandoah Valley and Roanoke Valley areas of the state.

Bob Nablo, Director of Industry Services

# Hampton Roads Gold Tournament Provides Scholarship for Local Youth!

On April 20th the Hampton Roads Advisory Council held one of their most successful golf outings of all time. 12 foursomes teed off for a great cause, the Lane Malbon Memorial Scholarship. The event was won by B & H Concrete, a contractor out of Virginia Beach. However, Hunter Caron, a senior at Cox High School, was the big winner of a \$1000 scholarship!



Hunter, is a member of National Honor Society, Key Club, the swim team, and possibly most important, Vice President of the Engineering club. This scholarship will help him as he moves on in his education and heads out to Blacksburg to attend Virginia Tech.

The tournament itself was a lot of fun for all the participants. Lee Flemming of Essroc Cement was the Chairperson of this years outing and spent countless hours organizing the event. Kiln Creek was the course that was chosen and was a great venue. The day started off with range balls and a box lunch. After 18 holes, everyone headed back to the clubhouse for an awards ceremony and a BBQ dinner was enjoyed outside. It was a fantastic day for all involved and more importantly, we were able to help a young high school senior on his path to becoming an engineer. Thank you to all the participants and sponsors that helped make this happen.

Jason Connor, Director of Industry Services

# Apr 18 Roanoke Cement Helps Students Get Their Feet Wet in Water-Quality Project

Thanks to PCA member Roanoke Cement Company, Troutville, Virginia, 130 sixth-grade students jumped feet first into a study of water quality and ecology.

Roanoke Cement teamed up with environmental teachers and local experts to give Central Academy Middle Schools students first-hand experience in what it takes to improve water quality and the environment. The two-day event took place at Roanoke Cement's Catabawa Creek mitigation site.

"When we were creating this agenda, we all agreed that education is the best way to improve local water quality." says Lindsey Layman, Environmental Analyst at Roanoke Cement. "And we knew we had to start with younger students because the instruction resonates with them...it had to be hands on. We could not have offered this level of ecological education without the participation of each of these important local organizations."

Teachers from Central Academy Middle School worked directly with Mountain Castles Soil and Water Conservation District to coordinate the activities. Students hiked into the creek area and were split into smaller groups to have better access and to be more easily rotated through each discipline. Subject areas included aquatic macro invertebrate sampling, visual stream assessment and testing, tree species inventory, and a soil survey.

For example, students sampled the stream for pollution-tolerant and pollution-sensitive macro invertebrates. This resulted in an assessment score that indicates the health of the stream.

"We cannot recreate this type of learning inside the classroom," says Mrs. Erica Furlong, a teacher at Central Academy Middle School. "The students have enjoyed studying water in-person and through their own analysis have determined its good health."

Roanoke Cement Company, Mountain Castles Soil and Water Conservation District, and the Central Academy Middle School plan to offer the outdoor academy every year.

"Education is a big part of our mission at Mountain Castles as we strive to reduce nonpoint source pollution in the Chesapeake Bay watershed and beyond," says Tim Miller, Education/Outreach Coordinator. "We want to create fun and engaging opportunities that help students feel connected to their local watersheds."

Erik Rancatore

This Article: http://www.cementtalk.org/blog/2016/5/14/roanoke-cement-helps-students-get-their-feet-wet-inwater-quality-project



# Thursday, September 15th 12:00pm

ASHLEY PLANTATION GOLF COURSE, DALEVILLE, VA



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