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## President's Remarks

It appears we're looking at more of the same for 2010; delayed project funding, questionable backlogs, high unemployment (especially in construction), and where's the stimulus impact? Is it me, or does anyone else feel like we're working harder and longer these days, with not so much to show for it?

Despite the difficult times we're in, the association continues to be very active:

The 2nd Annual Concrete Showcase in Frederick in October was better attended than the previous year. The seminars were a huge success. Thanks for everyone's participation.

The Spring Conference held at the Bedford Springs mountain resort was a great change of pace this year. Most attendees acknowledged the scenery, service, and the food! We had some great speakers; Anirban Basu, from the Sage Policy Group with a not so great look at the economy, Bob Gardini, President of the NRMCA, and Bert Randall, from Franklin & Prokopik, discussing employment law.

Planning for next years Spring Conference is underway with the association getting us back to the Cambridge Hyatt.

## 2010 Calendar

### · January 27-28

[Maryland Quality Initiative \(MdQI\) Conference-Sheraton-Baltimore](#)

### · February 3

[Legislative Breakfast Reception-Annapolis](#)

### · February 2-5

[World of Concrete-Las Vegas, Nevada](#)

### · March 14-16

[NRMCA Annual Convention-Austin, Texas](#)

### · March 23

[Concrete Conference-Crowne Plaza-Timonium, Maryland](#)

### · June 27-29

[Maryland Construction & Materials Spring Conference-Hyatt Regency Chesapeake Resort-Cambridge, Maryland](#)

## ACI Field Grade 1 Exam Schedule

Employee Free Choice Act - Please continue to send letters to your representatives opposing this legislation, it would take away American workers' right to a private election and instead replace it with the "card check" process.

Safety Awareness - The Comprehensive Safety Analysis (CSA) 2010 is a new national safety program to improve large truck and bus safety, and ultimately reduce crashes. It introduces a new enforcement and compliance model that allows Federal Motor Carrier Safety Administration (FMCSA) and its state partners to contact a larger number of carriers earlier in order to address safety problems before crashes occur. The program has been piloted in several states in 2008-2009 and was due to launch in Maryland in November of this year and be fully rolled out in 2010 nationwide. Please have your Safety managers visit the site (<http://csa2010.fmcsa.dot.gov>) for more information. Also, to share safety best practices; Lafarge implemented the Smith Defensive Driving Program in 2007 and we have reduced our Motor Vehicle Accidents (MVA's) by 60% in the last 2-years. We highly recommend this program. We will be reviewing ways to share these practices with all members, including our website (MarylandConcrete.com).

Environmental Awareness - The U.S. EPA continues to focus on stormwater discharges associated with the construction materials industry, and has expressly identified ready mix concrete, crushed stone, and sand & gravel producers as targets of their 2-year enforcement initiative - see link: <http://www.epa.gov/oecaerth/data/planning/priorities/cwastorm.html> . These sectors were selected based on EPA inspections which indicated significant noncompliance. Federal compliance monitoring and enforcement will likely include inspections of Maryland based ready mix facilities, as the agency strives to achieve the goals and environmental outcomes of the 2008-2010 implementation strategy. Cooperation and coordination of these inspections with the Maryland Department of the Environment is also possible. The MRMCA encourages producers review their stormwater and SPCC regulatory obligations. Ensure that your facility has an appropriate NPDES stormwater discharge permit, and that you adhere to terms and conditions contained therein. Be certain effluent discharges leaving the property are consistent with permissible limits under the permit. Have a valid, complete, updated SPCC plan if you store in excess of 1,320 gallons of petroleum products at your site (all oil, diesel, gasoline, and petroleum derivatives). Don't overlook other permit conditions; although this enforcement initiative targets stormwater compliance; an inspector is looking for regulatory compliance with all applicable permit conditions.

Please continue to support the association and its committees.

Thanks,

Dave Whitehurst

## Technical Committee Update

After many years of service as the Technical Committee Chairman, Rob Mapp has retired and moved to sunny Florida. We will all miss his valuable input to this Committee and MRMCA. As a result of Rob's departure, the MRMCA Board appointed Jim Munro and myself to serve as Co-Chairs of the Technical Committee. Jim and I agreed that he would serve as Vice-Chairman and I as Chairman to more clearly define our roles.

The Committee met in September to plan an agenda for the remainder of

**February 17**  
**March 31**  
**April 21**  
**May 19**  
**June 16**  
**August 18**  
**September 15**  
**October 13**

2009 and schedule quarterly meetings starting in January for 2010. Some of the action items from that meeting included, establishment of a Team to pursue a "P2P" initiative with MDSHA, gaining access to field cylinder reports on-line at MDSHA (not up and running yet), status of a "high-early" patch mix (6-8 hrs) for MDSHA, creation of a position paper & specification information guide on Pervious Pavements for engineers & architects, pursue acceptance/approval for the use of Ternary Blends of cementitious materials for use on MDSHA projects and the status of the CLSM specification with MDSHA (contrary to earlier reports, it did not make it into the recently re-written spec book). The Committee also agreed to support requests for technical assistance from the Promotion Council committees as needed.

The next scheduled meeting of the Technical Committee is set for Wednesday, January 13, 2010 at 8 am in The MRMCA office in Frederick, Maryland. If your company does not currently have someone attending these meetings, please contact Mindy Green to be included on the mailing list and come prepared to be a part of the discussions.

Niles Mason  
Chairman - Technical Committee

## Recap of Maryland's 2009 Legislative Session

State UI Rates in for Hefty Increase. Business Community Readies Its Response for January.

Some call it "system modernization." Others see it as "reform" and still others see it as just plain untenable.

The announcement by officials at Maryland's Department of Labor, Licensing and Regulation (DLLR) that Maryland's unemployment insurance tax rate is set to triple January 1 has business interests in the capital city gearing up to prepare to meet the issue head on when the legislature starts in January.

Just a little over a year ago, Maryland's Unemployment Insurance Trust Fund was a healthy \$900 million. The current fund balance is about \$278 million, much of which is likely a result of the most recent economic recession. When the fund balance dips this low, an automatic "tax increase" kicks in the following year to help rebuild the fund. The amount of the "tax increase" depends on the employer's layoff history and frequency of unemployment charge-offs. The tax is assessed on the first \$8,500 of an employee's wages.

For minimally-rated employers (those with few lay-offs or benefit charges) the unemployment insurance tax will jump from \$51 per employee to \$187--that's a 266% increase. Employers currently taxed at the maximum rate because of frequent layoffs and benefit charges will see their unemployment insurance tax jump from \$765 per employee to \$1,147. (Calculated from Table B and Table F respectively). DLLR expects letters to go out to affected employers in the next couple weeks notifying them of this change and a follow-up letter later this year notifying employers of the employer-specific tax rate.

We are working with a coalition of business stakeholders to develop ways to reduce the fiscal impact of this significant rate increase on business in the

coming legislative session. The options being discussed include a one year statutory rate reduction, the state effectively taking a no-interest loan from the federal government (22 states have borrowed money to pay these benefits), and/or the State opting to take advantage of federal stimulus funds of \$126.8 million.

The stimulus fund option, which seems to have the backing of some in the administration, comes with significant federally-mandated changes to Maryland's Unemployment laws. To be eligible for the \$126.8 million, the federal law requires that Maryland enact an alternative base period which would qualify it for 1/3 of the federal funds. Under current Maryland law, the base period for determining an individual's eligibility for UI benefits is based on the first four of the last five completed calendar quarters. An alternate base period would count an individual's earnings in the most recently completed four quarters. If an individual did not qualify using the traditional base period, a determination of eligibility would be made using the alternate base period. It is a different snapshot in time. All other eligibility requirements would remain the same.

To obtain the additional 2/3 of the federal funds, Maryland would have to adopt any two of the following four options. The first option would redefine-again-"part time worker". In January 2009, the Maryland General Assembly enacted legislation providing that certain part-time workers who became unemployed would be eligible to receive UI benefits only if they are seeking part-time work. The U.S. Department of Labor notified DLLR in September that it is necessary to amend Maryland's statute in several arguably significant respects to comply with federal law. We would be glad to provide you with the details of the Department of Labor's suggested changes. Contact our office in this regard. The second option would require the State to amend voluntary quit provisions of Maryland law to count among the "good cause" reasons for quitting work (a) verifiable domestic violence which causes the individual worker reasonably to believe that continued employment would jeopardize the safety of that individual or his/her family (The individual would still have to be ready and able to work); (b) leaving employment because of an illness or disability in an individual's immediate family; and (c) leaving a place of employment to accompany a spouse due to a change in the spouse's place from which it is impractical to commute. These benefits would be chargeable to employers through the experience rate process and, in the case of the second option, are estimated to cost \$6.8 million annually.

The third option would require Maryland to require that a training benefit be payable to any individual who is unemployed, and is enrolled in and making satisfactory progress in either a state-approved training program or a job training program authorized under the Workforce Investment Act of 1998 (WIA). The law may limit these additional benefits under certain circumstances. It is recommended that these benefits NOT be charged to employer accounts and are estimated to cost \$1.8 million annually. The fourth option is to increase dependents' allowances. Under current Maryland law, individuals may be eligible to be paid \$8 per dependent for up to five (5) dependents. Maryland law would need to be amended to provide that individuals would be eligible for \$15 per dependent with a cap of \$50 and individuals at the maximum weekly benefit amount would be eligible for the allowances. It is estimated that this would increase dependents' allowances by roughly \$15.6 million annually. Dependents' allowances are charged to employer account.

Again, Maryland would need to adopt two of the four "modernization proposals" set out above to receive the additional 2/3 of federal funding under the Stimulus Act. It is estimated that \$126.8 million would provide roughly five weeks of unemployment insurance benefits to displaced Maryland workers. But the costs associated with the expanded eligibility requirements under the Stimulus bill would drain an estimated \$25 million from the state's

trust fund each year.

Concurrently, DLLR is ironing out the details of an initiative to help employers in filing and paying quarterly unemployment insurance taxes for the first quarter of 2010, due April 30, 2010. This plan includes a pre-arranged and pre-approved payment installment agreement to abate any interest that may accrue to the account.

Also under consideration is the delay of the \$20 increase in weekly unemployment insurance benefits, scheduled to take effect October 2010.

The General Assembly's Joint Committee on Unemployment Insurance Oversight will meet in early November again to discuss drafts of legislative proposals to be considered when the session convenes. We expect any bill or bills introduced to address this issue will be referred to the Economic Matters committee and be put in the UI Workgroup in the House and referred to the Senate Finance committee. We expect it to emerge early in the session for discussion and it to result in some fairly contentious discussion and debate throughout. Remember, the legislature will adjourn having completed its terms and facing an election together with the Governor.

Stay tuned.

Dennis McCoy

The above is not intended as legal or financial advice of any kind. Please contact your attorney or financial professional for further advice or information as it might relate to your particular situation.

## Promotion

Over the past several months, I have received many inquiries about market projections. Everyone wants to know the future of our industry! That, in itself, is motivating for me because I can see more players becoming more tuned in to the market dynamics.

People are gathering more information and hopefully making better informed decisions. Not that we should worry-rather we should study the market, stay focused, prioritize our targets and go after them. Maryland's well-known economist, Anirban Basu with Sage Policy Group has said that population growth in the U.S. will ultimately drive the construction markets.

Tom Evans

Promotion Council Director

## MRMCA Awards \$3,500 in Scholarships

Three Maryland high school graduates were awarded scholarships totaling \$3,500 by the MRMCA Scholarship Committee this year. This is the second year MRMCA opened the scholarship to students attending colleges in Maryland. In the past, the scholarship was available to students enrolling in the Concrete Industry Management course offered by Middle Tennessee State University. Now, students focusing on concrete/construction management at any college or university may apply. Also, each of this year's scholarship recipients work for and/or have family members working for MRMCA member companies. Congratulations to the winners.

## MRMCA Members Contribute to Extreme Makeover Home Edition - Airs Feb. 28

Chaney Enterprises and partner customers topped off the summer giving their all to the construction of a home and community center for ABC-TV's "Extreme Makeover: Home Edition" the last week of August.

"Chaney Enterprises and our partners, working around the clock and dealing with many challenges, gave 150 percent toward the completion of the two projects," said Jan Holt, chief customer officer for Chaney Enterprises. "Both the home and the community center are fabulous structures, and we are proud of the team effort from everyone."

To keep the projects moving, a special accelerating admix was included in the concrete. Under normal construction, concrete takes days to cure, or harden. "Time is even more critical for such a specialized mix and once the truck's mixer drum starts running, the mix must be poured and finished rapidly," said Mike Hockenberry, manager of Technical Services for Chaney Enterprises. Both Hockenberry and Damian Caprinola, a Chaney Enterprises technical services technician, were on site to monitor all the mixer trucks and concrete pours.

The home for the Tripp family in Hyattsville and The Fishing School community center in the Brentwood neighborhood of Washington, DC, were built concurrently over the week by Burch Builders Group, LLC and G&M Contracting, Inc. Both of Northern Virginia, the two companies led the construction of the projects. Chaney Enterprises and its partnering companies were among several companies in the building industry who volunteered for the week-long demolition and construction.

The cumulative total donated by Chaney Enterprises, Z CON, Eastern Concrete, Independent Concrete, Increte of Maryland, W.R. Grace, Aaron's Concrete Pumping, Stone Shooters, Leep Green, Miller & Long and LaFarge is estimated at approximately \$100,000. This amount includes concrete, pervious concrete, cement, Insulated Concrete Forms (ICFs), decorative concrete, building materials and labor.

Both the Tripp home and The Fishing School featured many "green" construction elements, including solar panels and various innovations using concrete. Standard concrete, as used in the driveways, is an environmentally friendly material. Not only is concrete long-lasting and durable, it also reflects light, which reduces lighting needs and heat-island effect.

Pervious concrete, used on the sidewalk of The Fishing School and as a patio for the Tripp home, allows rainwater to percolate through its small openings instead of creating runoff that leads to erosion and stormwater ponding. Easy to maintain, the durable pervious concrete lasts as long as traditional concrete.

Both structures also used Insulated Concrete Forms (ICFs). These foam-framing forms are hollow, so concrete can be poured into the center. ICF buildings realize major reductions in energy costs. ICF also provides outstanding structural strength and integrity.

Chaney Enterprises is on the leading edge of developing, testing and

producing high-quality concrete mixes, such as pervious concrete and concrete overlay, for customers throughout the region. The company is a major supplier of ICF and other building materials and is the One Stop Shop™ for construction materials and supplies. Serving Maryland and neighboring Metropolitan DC since 1962, we strive to provide superior, top-quality products as we employ a combination of land management and environmentally friendly practices unsurpassed in the industry.

"Extreme Makeover: Home Edition," which won back-to-back Emmy Awards for Best Reality Program (non competitive), is entering its 7th season on ABC. This project's two-hour episode is expected to air on February 28, 2010 at 8 p.m.

For information call 301-932-5665 or visit [ChaneyEnterprises.com](http://ChaneyEnterprises.com).

## Welcome New Members

### PRODUCER:

Montgomery Concrete Operations, LLC  
15130 Southlawn Lane  
Rockville, MD 20850  
(301) 294-7275  
Mr. Jim Munro  
Concrete Supplier  
\*\*\*\*\*

### CONTRACTOR:

Lion Contractors Inc.  
3169 Caveat Court  
Mt. Airy, MD 21771  
(301) 330-9071  
Mr. Mike Uzzo  
Contractor Services  
\*\*\*\*\*

### PROFESSIONAL:

Prime Engineering, Inc.  
300 Red Brook Blvd., Suite 410  
Owings Mills, MD 21117  
(410) 654-3790  
Mr. Kumar Buvanendaran  
Professional Services  
\*\*\*\*\*

## Promotion Council Members 2009

Dennis Smith, Superior Plus, LLC - Chair  
Jim Munro, Rockville Fuel & Feed Co., Inc.- Vice Chair  
Maik Strecker, Lafarge North America-Treasurer  
Tom Evans, MRMCA-Secretary  
Christian Bononi, St. Lawrence Cement, Inc.  
Todd Gillespie, Gillespie & Son, Inc.  
Niles Mason, Grace Construction Products  
Tony Sneska, Essroc Cement Corporation  
Tom Sparks, Hunt Valley Contractors, Inc.  
Steve Tripp, Chaney Enterprises

## MRMCA OFFICERS/DIRECTORS - 2009

President:  
DAVID WHITEHURST  
Lafarge Mid-Atlantic, Inc.

Vice President:  
JOSEP MASET  
Aggregate Industries

Treasurer:  
TERRY CRISPELL  
Lehigh Cement Company

Secretary:  
STAN SCHIN  
SLS Associates

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### **Directors:**

JOHN ALEXANDER  
Thomas, Bennett & Hunter, Inc.

DIGGS BISHOP  
N C D-Vulcan Materials

JAY HARMON  
Schuster Concrete

PHIL INSLEY  
Cropper Concrete, LLC.

MARTHA MARMO-FERNANDES  
Rowen Concrete, Inc.

CHARLIE MITCHELL  
Specialized Engineering

GREG STONE  
Bartley Corporation

BILL CHILDS, IV  
Chaney Enterprises

KEN YUHAS  
Grace Construction Products

BOB RININGER  
MK Concrete Construction

## Quick Links

[www.marylandconcrete.com](http://www.marylandconcrete.com)

"No website? No problem."

Now MRMCA member companies that don't have websites can have all of their information (company profiles) displayed through the MRMCA website for just \$100/ yr.

As always, linking your website to the MRMCA website allows browsers to find your site through the Association.

Currently, many of our members are linked. Are you?

Please contact Tom Evans or Mindy Green at 301-694-4899 to get "linked"!

## Others News

Please visit <http://mdqi.org/> to take a look at the MdQI Newsletter.

Also visit <http://www.hometownannapolis.com/news/env/2009/11/21-34/Our-Bay-Green-concrete-can-help-slow-increase-in-bays-nitrogen-load.html> link to the Pervious Concrete article in Our Bay.