## FOR THE CASE OF Department of Labor

## 3rd Quarter Board Meeting Elevator & Amusement

September 1, 2015

## Stone & George COURT REPORTING

2020 Fieldstone Pkwy

Suite 900 - PMB 234

Franklin, TN 37069

(615) 268-1244

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For questions, call (615) 268-1244 or send an email to <a href="mailto:nangeorge@stoneandgeorge.com">nangeorge@stoneandgeorge.com</a>

	Page 1		ACENDA	Page 3
1.	STATE OF TENNESSEE ELEVATOR AND AMUSEMENT DEVICE SAFETY BOARD	1. 2.	A G E N D A  I. Call Meeting to Order	
2.	ELEVATOR AND AMUSEMENT DEVICE SAFETY BOARD	3.	II. Introductions	
3.		4.	III. Pledge	
4.		5.	IV. Announcements	
5.		6. 7.	V. Elevator Unit's Report VI. Old Business	
6.			(None)	
7.		8.	VII. New Business	
8.	QUARTERLY MEETING OF THE	9.		
	STATE OF TENNESSEE	10.	* 15-04 HomeLift, Inc. requests a variance for the installation of a LULA lift to be	
9.	ELEVATOR AND AMUSEMENT DEVICE SAFETY BOARD	10.	installed at Concord Missionary Baptist	
0.	September 1, 2015	11.	Church, 2411 Peachers Mill Road, Clarksville, TN 37042	
1.		12.		
2.		13.	VIII. Discussion Items	
3.		13.	* Request for three (3) State of Tennessee	
4. 5.		14.	Device Inspectors  * Fee Structure for Amusement Devices	
5. 6.		15.	* Fee Structure for Elevator Inspections	
7.		16.	* Serious Injuries - Amusement Devices	
8.		10.	IX. Announcement of Next Meeting	
9.		17.	The next regularly scheduled meeting of the	
0.		18.	Elevator & Amusement Device Safety Board meeting will be held in the first floor	
1.		19.	TOSHA Hearing Room at 9:00 a.m. (CT) on Thursday December 3, 2015, at the State of	
2.		19.	Thursday, December 3, 2015, at the State of Tennessee, Department of Labor and Workforce	
	CASSANDRA M. BEILING, CCR, LCR# 371	20.	Development building located at 220 French	
23.	STONE & GEORGE COURT REPORTING	21. 22.	Landing Drive, Nashville, Tennessee.	
4	2020 Fieldstone Parkway Suite 900 - PMB 234	22.	X. Adjournment	
4.	Franklin, Tennessee 37069	23.		
5.	615.221.1089	24. 25.		
	Page 2	+		Page
1.	APPEARANCES:	1.	* * * * * * *	
2.	Robbie Fox, Chairman Fixed Amusement Device Representative	2.	CHAIRMAN FOX: Good morning, all.	
3.	Taxa Timaseneni Berice Representative	3.	We will call the September 1st, 2015 meeting of	
4.	Chris Farmer	4.	the Elevator and Amusement Device Safety Board to	
5.	Assistant Chief Elevator Inspector	5.	order.	
6.	David Hale, Board Member	6.	If we will, start with the	
7.	Tennessee Fair Association Representative	7.		
7. 8.	Kelly O'Connor, Board Member	1	introductions. Carlene, I hate to pick on you	
	Public at Large Representative	8.	first, but you're first.	
9.	I : W I D IW I	9.	MS. BENNETT: Carlene Bennett,	
0.	Lewis Moorer, Jr., Board Member Public at Large Representative	10.	board secretary.	
11.		11.	MR. FARMER: Chris Farmer,	
12.	Larry R. Moore, II, Board Member Owner and Lessees Representative	12.	Assistant Chief Elevator Inspector.	
13.	Owner and Lessees Representative	13.	MS. O'CONNOR: Kelly O'Connor,	
4.	R. Perry Burch, Board Member	14.	Board Member.	
15.	Manufacturer Representative	15.	MR. MOORER: Lewis Moorer, Public	
6.	Mitch H. Rader, Board Member	16.	at Large Representative.	
	Insurance Company Representative	17.		
7	Vim V Joffarson Egg	1	MR. HALE: David Hale, Board	
		18.	Member.	
	Kim Y. Jefferson, Esq. Administrator, State of Tennessee		CHAIRMAN FOX: Robbie Fox, Fixed	
8. 9.	Administrator, State of Tennessee	19.	Amusement Device Representative.	
8. 9.	Administrator, State of Tennessee  Mark Finks	20.	Amusement Device Representative.	
8. 9. 0.	Administrator, State of Tennessee	1	MR. BURCH: Perry Burch,	
8. 9. 0.	Administrator, State of Tennessee  Mark Finks Assistant Administrator-WRC, State of Tennessee  Dan Bailey, Esq.	20.	•	
8. 9. 0. 11.	Administrator, State of Tennessee  Mark Finks Assistant Administrator-WRC, State of Tennessee	20. 21.	MR. BURCH: Perry Burch, Manufacturer Representative, Elevator Board.	
.8. .9. .20. .21. .22.	Administrator, State of Tennessee  Mark Finks Assistant Administrator-WRC, State of Tennessee  Dan Bailey, Esq.	20. 21. 22. 23.	MR. BURCH: Perry Burch, Manufacturer Representative, Elevator Board. MR. MOORE: Larry Moore, Owner and	
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		Page 5			Page 7
1.	Company Representative.		1.	elevator inspector with us.	-
2.	MR. FINKS: Mark Finks, the		2.	That left us with three vacant	
3.	Assistant Administrator.		3.	routes. We've got one in East Tennessee, and two	
4.	MS. JEFFERSON: Kim Jefferson, the		4.	in Middle Tennessee, as of right now. The numbers	
5.	Administrator.		5.	for the year, we have issued 325 permits in 2015,	
6.	MR. BAILEY: Dan Bailey, legal		6.	76 of them being alterations and 249 of them being	
7.	counsel.		7.	new installs. And at this time last year we were	
8.	MR. PISKIE: Scott Piskie with		8.	at 303, so we're doing a little bit more this year	
9.	HomeLift Elevator Company.		9.	than we were last year.	
10.	MR. BARKER: Mike Barker, the vice		10.	We have performed about a little	
11.	president of the Board of Directors for		11.	less than 15,000 biannual inspections, which is	
12.	Professional Ropes Course Association.		12.	down about 200 from last year, so we're doing	
13.	MS. DURM: Leanne Durm. I'm the		13.	pretty good to be down a couple of inspectors.	
14.	Department's legislative liaison.		14.	MR. RADER: Chris, are these	
15.	MS. KELSEY: Melinda Kelsey,		15.	numbers through July 31st?	
16.	Administrator of Government Relations,		16.	MR. FARMER: August 31st. I just	
17.	Communication, Commissioner's Office.		17.	pulled them yesterday. And I believe that's all	
18.	COMMISSIONER PHILLIPS: Burns		18.	I've got.	
19.	Phillips, Commissioner, Labor and Workforce		19.	CHAIRMAN FOX: Okay.	
20.	Development.		20.	Ms. Jefferson, are you going to report on the	
21.	MR. BORISHADE: James Borishade,		21.	Amusement Device.	
22.	Executive Director with the Association for		22.	MS. JEFFERSON: Yes, I am.	
23.	Challenge Course Technology, acronym ACCT.		23.	CHAIRMAN FOX: Okay.	
24.	THE REPORTER: Cassandra Beiling,		24.	MS. JEFFERSON: Before I do that,	
25.	court reporter, Stone & George.		25.	Mr. Chair, I would like to introduce Melinda	
				,	
		Page 6			Page 8
1.	CHAIRMAN FOX: Mr. Phillips, glad	ruge o	1.	Kelsey. I would like to yield a portion of my	ruge o
2.	to have you here today, sir.		2.	time to her. Melinda, as she indicated, is the	
3.	COMMISSIONER PHILLIPS: Glad to be		3.	Administrator of the Communications Constituent in	
			J 3.		
	here. Thank you, Mr. Fox.		3. 4.		
4.	here. Thank you, Mr. Fox.  CHAIRMAN FOX: Mr. Farmer, since		4.	the Government Relations Division. And she	
4. 5.	CHAIRMAN FOX: Mr. Farmer, since		4. 5.	the Government Relations Division. And she conducted the board member training last week on	
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4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24.	CHAIRMAN FOX: Mr. Farmer, since it's your first day of reporting, could we get you to do the pledge for us, please.  (Whereupon, the Pledge of Allegiance was recited.)  CHAIRMAN FOX: The first announcement, in the event of an emergency or a natural disaster, security personnel will take attendees to a safe place in the building or direct them to exit the building on the Rosa Parks side of the building.  Which side is that?  (Indicated.)  CHAIRMAN FOX: Okay. Good.  Item Number 2, Elevator Units Report.  I guess that's you.  MR. FARMER: That would be me.  Well, we currently have 25 inspectors, including myself. We did lose Jose Martinez July 1st. He pursued a career back in		4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24.	the Government Relations Division. And she conducted the board member training last week on the 26th, and she wanted to provide a few highlights from the training.  CHAIRMAN FOX: Okay.  MS. KELSEY: Do you want me to do that now?  CHAIRMAN FOX: That's fine. I was going to cover you under Old Business, but we'll do it right now. It's perfect.  MS. KELSEY: Thank you. I'll just stand here. How's that?  For those of you that attended last week, I hope it was very beneficial. The feedback has been very positive. Prior to assuming the role that I am currently in, we realized that the new board members had never officially been trained on your roles and responsibilities. So I'm going to highlight just a few things that we discussed at the meeting last week. And if you have any questions, I'll remain here after the	
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And any of your contact information t be updated. If your position that you ently hold on this board or within your work		16	appointed by the Governor. I think he wants you	
And any of your contact information t be updated. If your position that you ently hold on this board or within your work		16.	to be here. The commissioner wants you to be here	
And any of your contact information t be updated. If your position that you ently hold on this board or within your work		17.	and be very active in this board.	
t be updated. If your position that you ently hold on this board or within your work		18.	I do want to touch on the funding for	
ently hold on this board or within your work	I	19.	this division, for Kim's division. Mines receives	
		20.	state money. So you need to understand our monies	
ronment changes, your role changes, we need to		21.	comes from the Tennessee legislators. Mines	
w that. Emails changed, contact information		22.	receives about \$387,400. That's on an annual	
nges, we need to know that just so we'll have		23.	basis. It excludes \$125,000 in competitive	
as a matter of record.		24.	federal funds. So these are state annual	
What I will say, also, Chairman Fox,		25.	appropriations by the Tennessee Legislature.	
	Page 10			Page 12
at you are the chairman of this board, and in		1.	Boilers and Elevators gets about	
role that you serve, it is your requirement		2.	\$5 million, \$5.147 million; Labor Standards about	
ake three recommendations per one vacancy.		3.	\$1.2 million; Amusement Devices is an unfunded	
is what we are asked. The Governor's Office		4.	mandate. And the reason that we bring this up is	
us to have at least a minimum of three		5.	because I think there's a lot of confusion about	
mmendations per vacancy. To ensure that they		6.	how monies flow into the Department of Labor and	
neet the requirement, those must be vetted.		7.	in through workforce regulations. So it's really	
Now, in the event we do not have a		8.	important that everyone understands that is your	
•				
		11.		
_		13.	· · · · · · · · · · · · · · · · · · ·	
ce.		14.		
- · · · · · · · · · · · · · · · · · · ·				
		16.	important that you understand who we are and that	
•		17.		
			· · · · · · · · · · · · · · · · · · ·	
_		19.		
		21.	Leanne is here for, as the legislative liaison,	
nat appointment. Because there's a lot of		22.		
at appointment. Because there's a lot of around, we want to make sure that that		23.	well.	
nat appointment. Because there's a lot of around, we want to make sure that that imentation is in the Governor's Office and		24.	We did have an audit finding under	
nat appointment. Because there's a lot of around, we want to make sure that that amentation is in the Governor's Office and itably it is their decision on who's appointed		25.		
nat appointment. Because there's a lot of around, we want to make sure that that imentation is in the Governor's Office and			Kim's in the previous, and as I shared with	
e e n g c	mmendation or you don't have three, the emor's Office can suggest someone. We vet a recommendations accordingly. The missioner does as well, as well as his gnee. So we submit that to the Governor's re.  And as I was sharing with you prior to board meeting, we're not the only board in government, so if there is a vacancy that is ng, forthcoming for example, June 2016 inperative that we have the documentation at two to three months prior to the expiration at appointment. Because there's a lot of ground, we want to make sure that that	mmendation or you don't have three, the emor's Office can suggest someone. We vet a recommendations accordingly. The missioner does as well, as well as his gnee. So we submit that to the Governor's recommendations are sharing with you prior to board meeting, we're not the only board in government, so if there is a vacancy that is ng, forthcoming for example, June 2016 inperative that we have the documentation at two to three months prior to the expiration at appointment. Because there's a lot of ground, we want to make sure that that mentation is in the Governor's Office and tably it is their decision on who's appointed	mmendation or you don't have three, the ernor's Office can suggest someone. We vet erecommendations accordingly. The missioner does as well, as well as his enee. So we submit that to the Governor's e.  And as I was sharing with you prior e board meeting, we're not the only board in government, so if there is a vacancy that is ng, forthcoming for example, June 2016 mperative that we have the documentation at two to three months prior to the expiration at appointment. Because there's a lot of round, we want to make sure that that mentation is in the Governor's Office and	mmendation or you don't have three, the emor's Office can suggest someone. We vet erecommendations accordingly. The missioner does as well, as well as his mee. So we submit that to the Governor's e.  And as I was sharing with you prior e board meeting, we're not the only board in government, so if there is a vacancy that is mperative that we have the documentation at at appointment. Because there's a lot of round, we want to make sure that that mentation is in the Governor's Office and tably it is their decision on who's appointed  9. role.  10. When you're speaking in you know, 11. you're speaking on behalf if you're doing 12. public meetings, you need to make sure that you are an advisory in the role in which you serve. 14. And so just leave that at that. 15. The communications, it's really important that you understand who we are and that 17. we are open any and every day. Anytime you have 18. questions about your role on this board, please 19. let us know. That's what I'm here for. That's 20. what Kim and her staff are here for. That's what 21. Leanne is here for, as the legislative liaison, 22. and that is what the commissioner is here for as 23. well. 24. We did have an audit finding under

		Page 13			Page 1
1.	you, Chairman Fox, we cannot go back and change	C	1.	certified to operate and to inspect within the	C
2.	what has occurred in the past. The past is past.		2.	state of Tennessee.	
3.	It is what it is. But moving forward, we're going		3.	We're reviewing insurance documents	
1.	to ensure that every board within this agency has,		4.	to ensure that the insurance documents are valid	
5.	on an annual basis, training and updates of your		5.	and determining whether proper fees have been	
ó.	roles and responsibilities. We do that with the		6.	paid. So that's what the law requires us to do.	
	state workforce board. We do that on an annual		7.	We're actually achieving compliance and we're	
8.	basis as well. We do new board orientation.		8.	doing that by using our administrative process,	
).	We're going to do this on an annual basis. I		9.	and we're doing that by allowing third-party	
).	think it's very beneficial. I hope it was for		10.	inspectors to work in the field for the owners/	
•	those that attended, that you understand how we		11.	operators to actually obtain those third-party	
2.	operate, why we operate, and the parameters in		12.	inspectors and for them to handle that part of the	
8.	which we have to operate by state and somewhat		13.	inspection part of it. And we're handling the	
ŀ.	some federal guidelines.		14.	administrative part of it.	
	So hopefully that's a 35,000-foot		15.	And I wanted to give you-all some	
<b>)</b> .	narrative of about an hour training that I did,		16.	numbers to demonstrate what we've done since we	
	but I'm more than happy to be here and explain and		17.	started this process. Last fiscal year, from	
3.	answer any questions that you have about your role		18.	July 1st, 2014 to June the 30th, 2015, we actually	
€.	as a member of this board. Thank you.		19.	issued 648 permits. Now, according to the state	
).	CHAIRMAN FOX: Thank you.		20.	records, the state records that we have show that	
1.	Ms. Jefferson?		21.	there are about 750 approximately 750 companies	
2.	MS. JEFFERSON: And I just wanted		22.	throughout the state. Maybe more, maybe a little	_
3.	to give a brief update about the Amusement Device		23.	less. However, that's how many companies we found	d
4. -	Unit.		24.	the last time we did extensive research. We	
5.	Since February of 2015, we have a new		25.	issued 648, so that tells you that we're	
		Page 14			Page
١.	administrative process. And so what we're doing		1.	definitely on point, and we're making this work.	
2.	is we're utilizing administrative support staff to		2.	As far as revenue was concerned, when	
3.	ensure that employers, the owners/operators of		3.	I first came to the program back in October of	
4.	these amusement device companies, are receiving		4.	2013, our collections were right at \$50,000 or so.	
5.	their annual permits, they're achieving		5.	And last year, with the assistance of Carlene and	
5.	compliance, and we are properly issuing annual		6.	Anita, because those are the primary folks in the	
7.	permits.		7.	unit, we collected over eighty-three well, it	
8.	And what we're doing is taking a look		8.	was right at \$83,600. So we issued 648 permits to	
9.	at the entire actually, the entire program. We		9.	the companies. Because we issued the permits to	
0.	are updating programs from day-to-day because this		10.	the companies, we collected \$83,000, and that's	
1.	policy is relatively new. So that requires us to		11.	with an increase based on what we did from	
2.	update it because we just implemented it. And		12.	February through the end of June.	
3.	what we're doing is requiring those		13.	So there were a lot of steps taken to	
4.	owners/operators to submit permit application		14.	make sure that companies achieve compliance, and	
5.	packages to the office. And those packages		15.	we benefited from it. As far as the number of	
6.	include itinerary lists, ride lists. We're		16.	permit packages that we received, Carlene and	
7.	requiring the owners/operators to provide a copy		17.	Anita, actually, were responsible for 46 of those	
8.	of the inspection reports.		18.	between February and June. So that's what we did	
€.	We're looking at those inspection		19.	last fiscal year.	
).	reports to ensure that they're signed by the		20.	And, giving you a report from	
1.	proper persons. We are contacting the certifying		21.	July 1st through August the 28th, our records show	
2.	agencies like ACCT, as well as AIMS, along with		22.	that we received about three permit applications	
3.	NAARSO to ensure that these third-party inspectors		23.	last week. Five companies received permits last	
4.	are certified, because that's a big part of it.		24.	week, and the revenue process last week was about	
5.	We have to contact them to verify that they are		25.	\$2,300.	

		Page 17			Page 1
1.	And this just shows that we're		1.	CHAIRMAN FOX: All in favor of the	
2.	consistently working to ensure that owners/		2.	motion, let it by known by "aye."	
3.	operators are in compliance with the law, because		3.	(Affirmative response.)	
4.	that's what we're required to do. And to date,		4.	CHAIRMAN FOX: All opposed by like	
5.	there are 54 companies that have been permitted.		5.	sign.	
6.	And that's from July 1st through August the 28th,		6.	(No verbal response.)	
7.	which was last week.		7.	CHAIRMAN FOX: Motion carries.	
8.	So that's pretty much where we are		8.	MR. PISKIE: Can I ask a question	
9.	today.		9.	real quick?	
10.	CHAIRMAN FOX: Okay. Anything else		10.	CHAIRMAN FOX: Sure.	
11.	ma'am?		11.	MR. PISKIE: I am Scott from	
12.	MS. JEFFERSON: That's it.		12.	HomeLift, and I was just curious, on that note,	
13.	CHAIRMAN FOX: Okay. Thank you		13.	does anybody know when there will come a point	
14.	very much.		14.	where we don't have to present a lift like this in	
15.	Nothing under Old Business.		15.	front of the board like we're doing a vertical	
16.	Under New Business, 15-04, HomeLift,		16.	lift or anything else? Is that do you know	
10. 17.	Incorporated requests a variance for the		17.	when that time	
17. 18.	installation of a LULA lift to be installed at		18.	MR. FARMER: I would think that	
18. 19.	Concord Missionary Baptist Church, 2411 Peachers		16. 19.	when we get enough rules to have a meeting to get	
19. 20.	Mill Road, Clarksville, Tennessee.		20.	the rule changed, it'd be worth doing. That's	
				-	
21. 22.	Can you address that for us?		21.	what I'm thinking, in the past, what's happened.	
	MR. FARMER: Yes. They just want		22.	They don't want to change the rules just for one	
23.	to get a variance. We've been granting these		23.	rule. They wait until there's a series of rules	
24.	variances as they come in. They've been we've		24.	to change. That's my understanding of it.	
25.	got a code to inspect them by. It's just they've		25.	MR. PISKIE: Well, I appreciate	
		Page 18			Page 2
1.	been exempt from the rules. They just need to be	J	1.	you-all reviewing that. Thank you.	υ
2.	brought back in the rules so we don't have to do		2.	CHAIRMAN FOX: Is there an	
3.	this anymore. It's just a variance until we can		3.	estimated time when that might happen?	
4.	get the rule changed.		4.	MR. FARMER: I do not have one. I	
5.	CHAIRMAN FOX: Okay. Are you		5.	don't really know how many rules we have to change	
6.	recommending that we grant the variance?		6.	right now. I would have to look that up.	
7.	MR. FARMER: Yes, I do recommend.		7.	MS. JEFFERSON: And to my	
7. 8.	They fall under the guidelines 5.2 and A17.1, so		8.	•	
	•			knowledge, we don't have rules for this board. We	
9.	everything is good to go. I've reviewed the		9.	don't have any proposed rules at this time.	
10.	variance and everything is there.		10.	You-all haven't proposed any rules; is that right?	
11.	CHAIRMAN FOX: Okay. What's the		11.	MR. HALE: Any changes, you mean?	
12.	pleasure of the board?		12.	MS. JEFFERSON: Any changes, right.	
13.	MR. RADER: I make a motion to		13.	And once you-all propose those, then the process	
14.	approve it.		14.	will be that everyone will be involved in that	
15.	MR. MOORE: Second.		15.	process. You'll make your recommendations, submit	
16.	CHAIRMAN FOX: And a second. Any		16.	those for the commissioner's approval, and then	
17.	discussion?		17.	we'll work with Dan in order to perform the	
18.	MR. HALE: Is this about the same		18.	process necessary for the rulemaking process.	
19.	amount of floor-to-floor travel as this one is		19.	CHAIRMAN FOX: Okay.	
20.	a little taller than the one		20.	MR. RADER: So will the rule change	
	MR. FARMER: It's maybe just a		21.	be proposed by Mr. Farmer to the board to review?	
21.	little bit taller, but it still falls under the		22.	CHAIRMAN FOX: Or by you.	
			23.	MS. JEFFERSON: Right. Yes.	
22.	guidelines.			MR. FARMER: I believe it would be	
22. 23.	guidelines.  CHAIRMAN FOX: Any additional?		124	VIK FAR WIER I DELIEVE II WALLATIO	
<ul><li>21.</li><li>22.</li><li>23.</li><li>24.</li><li>25.</li></ul>	guidelines.  CHAIRMAN FOX: Any additional?  (No verbal response.)		24. 25.	on me to do that.	

i		Page 21			Page 23
1.	MS. JEFFERSON: Yes, he will.		1.	two attorneys here, Mark and Dan, and we can	
2.	He'll come before the board.		2.	actually talk with them after the meeting just to	
3.	CHAIRMAN FOX: Yes.		3.	make sure that's the proper process. But as far	
4.	MS. JEFFERSON: Is this the		4.	as rulemaking is concerned, there is a certain	
5.	first		5.	rulemaking process.	
6.	MR. FARMER: This will be my first		6.	Now, that's different from changing	
7.	rule change since being even the assistant chief.		7.	the law, if that's what you're getting at. Of	
8.	So I'm a little vague on all the ins and outs of		8.	course, changing the law through the general	
9.	it, so and I would have to read the code books		9.	assembly is one thing, but rulemaking is something	
10.	and find out.		10.	totally different. However there's still a	
11.	MS. JEFFERSON: Right. And what		11.	process that has to occur, but we'll provide you	
12.	you would have to do is just present the change to		12.	more details.	
13.	the board. The board would actually decide		13.	CHAIRMAN FOX: Again, that's what I	
14.	whether or not they would like to make a motion to		14.	was told, though, that the legislature the	
15.	amend the rules for the record. And then we would		15.	general assembly had to meet, pass the law and	
16.	actually provide that information to the		16.	then it allowed us to make or add the new rules	
17.	commissioner just to ensure that that's the		17.	into our bailiwick.	
18.	direction he wants to take.		18.	MS. JEFFERSON: Right. I	
19.	MR. FARMER: Okay.		19.	understand. We just need to do some research on	
20.	MS. JEFFERSON: And then we can go		20.	that.	
21.	from there.		21.	MR. FARMER: Yeah. I wouldn't	
22.	MR. FARMER: Well, I would say		22.	think that it would be anything that high to	
23.	probably on the next board meeting I can set that		23.	because like I said, we already got adopted the	
24.	up and get exactly what we need to do to get the		24.	A17.1 2010 code. It's actually in this code book	
25.	rule changed. Because these are as long as		25.	that we're under right now.	
	Tate changes. See also also as long as			and the re-direct right no	
		Page 22			Page 24
1.	they and we review all the prints. As long as		1.	MR. BURCH: That's the reason	
2.	they fall under 5.2 and everything is within that		2.	excuse me.	
3.	guideline, it's no different than approving just a		3.	MR. FARMER: And it actually was	
4.	regular elevator because they're right there.		4.	the fire marshals made these illegal to put in and	
5.	Everything is in black and white. It tells you		5.	now they've made changes and now they're allowed	
6.	exactly what it needs to be, so		6.	to put them back in. But we took them out of our	
7.	MS. JEFFERSON: Right. And if		7.	rules because of that reason. So they have	
8.	there are other proposals, then this will be a		8.	changed them and revamped the LULA lift where	
9.	great opportunity to present those as well.		9.	they'll be compliant with this code.	
10.	CHAIRMAN FOX: I had asked that		10.	But we took it out of this code	
11.	question once before about the rule changes, and I		11.	book or took it out of our rules just for that	
12.	was told that the legislature had to pass some law		12.	reason, because the fire marshal wouldn't accept	
13.	taking us to the next level. Like, we're at		13.	them.	
14.	for lack of a better descriptor, we're at		14.	MS. JEFFERSON: Right. And if it's	
15.	Elevator 9 and they had to pass Elevator Level 10,		15.	the rules, then we can change the rules.	
16.	or whatever that may be. There was some rule like		16.	MR. FARMER: Yes.	
17.	an international building code or something of		17.	MS. JEFFERSON: However, there's a	
18.	that nature that had to be passed before we		18.	process involved if you're trying to change the	
19.	could		19.	law. That's something totally different.	
20.	MR. HALE: You have to adopt the		20.	MR. BURCH: What he's saying is	
21.	next level.		21.	that we had them under the elevator code at one	
22.	CHAIRMAN FOX: You have to adopt		22.	time, how LULA lifts could be installed under the	
23.	the next level of law pertaining to the elevator.		23.	elevator code. The fire marshals took it out, so	
	MS. JEFFERSON: What we would like		24.	that took it out of our code. Now	
24.			25.	MS. JEFFERSON: There may be a need	
24. 25.	to do is research that just to be sure. We have				

1.		Page 25			Page 2
1.	for it.		1.	get. Ride inspectors. Amusement ride inspectors.	
2.	MR. BURCH: all we have to do is		2.	We feel that I feel that they are very	
3.	get it back in.		3.	beneficial to the safety of the people of the	
4.	MR. FARMER: Yeah. Well, they've		4.	state of Tennessee and those that visit.	
5.	made the changes to the LULA lift to make it		5.	And we want to do everything we can,	
6.	compliant with the fire codes.		6.	as I know you do, to keep them as safe as	
7.	MR. BURCH: Right.		7.	possible. And that extra set of eyes out there,	
8.	MR. FARMER: So we just need to		8.	in my opinion, is needed to ensure or help ensure	
9.	change the rule to get it where we can allow it		9.	the safety of those folks who live here, ride our	
0.	back in		10.	rides, and those who visit. So you have my	
1.	MR. BURCH: Back in our code book.		11.	impassioned plea.	
2.	MS. JEFFERSON: Yes.		12.	COMMISSIONER PHILLIPS: Well, I	
3.	MR. FARMER: But I promise you, I		13.	appreciate that, Chairman. And I don't disagree	
4.	will look into it and see what we need to do.		14.	with anything that you've said. As you-all know,	
5.	CHAIRMAN FOX: Okay. I think this		15.	it ultimately goes down to availability of funds,	
6.	board would be receptive to changing the rule.		16.	and we don't have any funding for state	
7.	MR. FARMER: Well, it's yes.		17.	inspectors. That's why we utilize, as the law	
8.	CHAIRMAN FOX: Not that we don't		18.	provides, that we can use third-party inspectors.	
9.	want to see you, sir, but if we don't have to make		19.	So we are doing that because we have no money for	
9. 0.	that decision every time that we have one of these		20.	state inspectors.	
0. 1.	things, it's better for everyone.		21.	Now, if somebody figures out how to	
2.	MR. PISKIE: Well, the problem is		22.	get us some money for state inspectors, we don't	
3.	because we're you have projects coming up, and		23.	have any problem with state inspectors. But we	
3. 4.	if you have to wait 90 days to come to a board		23. 24.	have zero money for that now, so we have to go	
4. 5.	meeting, it just really delays the whole process		2 <del>4</del> . 25.	with the alternative provided by statute, which is	
٥.	meeting, it just really delays the whole process		23.	with the alternative provided by statute, which is	
		Page 26			Page 2
1.	when you have people that need the lift and they		1.	third-party inspectors, which are doing the job	
2.	don't want to necessarily wait 90 days just to see		2.	and frankly probably could do it less expensively	
3.	if it's approved, you know.		3.	than we could. Because they already are trained	
4.	CHAIRMAN FOX: Sir, if we can make		4.	and certified. We would have to bring employees	
5.	it safer and easier for you, that's what we're		5.	on that we trained to get certified, and there are	
6.	about.		6.	a lot of expenses related to having employees that	
7.	MR. PISKIE: Well, I appreciate		7.	you don't run into when you have third-party	
8.	that.		8.	inspectors. So we feel like we're complying with	
9.	CHAIRMAN FOX: Safer first.		9.	the intent of the law because it gives us that	
0.	MR. PISKIE: Yes, always safety		10.	alternative. As long as we have no state dollars,	
	first.		11.	we can't hire anybody. That's just an unfortunate	
			12.	fact of life.	
1.				1000 01 11101	
1. 2.	CHAIRMAN FOX: Okay. Anything else				
1. 2. 3.	CHAIRMAN FOX: Okay. Anything else on that topic?		13.	CHAIRMAN FOX: Commissioner, you	
1. 2. 3. 4.	CHAIRMAN FOX: Okay. Anything else on that topic? (No verbal response.)		13. 14.	CHAIRMAN FOX: Commissioner, you know, I've been in government for about 40	
1. 2. 3. 4. 5.	CHAIRMAN FOX: Okay. Anything else on that topic? (No verbal response.) CHAIRMAN FOX: Okay. Discussion		13. 14. 15.	CHAIRMAN FOX: Commissioner, you know, I've been in government for about 40 well, a long time. And always in the past when I	
1. 2. 3. 4. 5.	CHAIRMAN FOX: Okay. Anything else on that topic?  (No verbal response.)  CHAIRMAN FOX: Okay. Discussion items. At the last board meeting, we had asked		13. 14. 15. 16.	CHAIRMAN FOX: Commissioner, you know, I've been in government for about 40 well, a long time. And always in the past when I looked at government, the government has always	
1. 2. 3. 4. 5. 6.	CHAIRMAN FOX: Okay. Anything else on that topic?  (No verbal response.)  CHAIRMAN FOX: Okay. Discussion items. At the last board meeting, we had asked Mr. Bailey to carry a request to Mr. Phillips in		13. 14. 15. 16. 17.	CHAIRMAN FOX: Commissioner, you know, I've been in government for about 40 well, a long time. And always in the past when I looked at government, the government has always reached out to provide oversight.	
11. 22. 33. 44. 55. 66. 77.	CHAIRMAN FOX: Okay. Anything else on that topic? (No verbal response.) CHAIRMAN FOX: Okay. Discussion items. At the last board meeting, we had asked Mr. Bailey to carry a request to Mr. Phillips in reference to hiring three State of Tennessee		13. 14. 15. 16. 17.	CHAIRMAN FOX: Commissioner, you know, I've been in government for about 40 well, a long time. And always in the past when I looked at government, the government has always reached out to provide oversight.  Business has always said, "Thanks but	
1. 2. 3. 4. 5. 6. 7. 8. 9.	CHAIRMAN FOX: Okay. Anything else on that topic?  (No verbal response.)  CHAIRMAN FOX: Okay. Discussion items. At the last board meeting, we had asked Mr. Bailey to carry a request to Mr. Phillips in reference to hiring three State of Tennessee amusement device inspectors. And you had		13. 14. 15. 16. 17. 18.	CHAIRMAN FOX: Commissioner, you know, I've been in government for about 40 well, a long time. And always in the past when I looked at government, the government has always reached out to provide oversight.  Business has always said, "Thanks but we've had enough. We don't want the oversight."	
1. 2. 3. 4. 5. 6. 7. 8. 9. 0.	CHAIRMAN FOX: Okay. Anything else on that topic?  (No verbal response.)  CHAIRMAN FOX: Okay. Discussion items. At the last board meeting, we had asked Mr. Bailey to carry a request to Mr. Phillips in reference to hiring three State of Tennessee amusement device inspectors. And you had Mr. Phillips, you had sent us a letter back. And		13. 14. 15. 16. 17. 18. 19.	CHAIRMAN FOX: Commissioner, you know, I've been in government for about 40 well, a long time. And always in the past when I looked at government, the government has always reached out to provide oversight.  Business has always said, "Thanks but we've had enough. We don't want the oversight." In this particular situation, I think the	
1. 2. 3. 4. 5. 6. 7. 8. 9. 0. 1.	CHAIRMAN FOX: Okay. Anything else on that topic?  (No verbal response.)  CHAIRMAN FOX: Okay. Discussion items. At the last board meeting, we had asked Mr. Bailey to carry a request to Mr. Phillips in reference to hiring three State of Tennessee amusement device inspectors. And you had Mr. Phillips, you had sent us a letter back. And I have a copy of that, and I've given it to all		13. 14. 15. 16. 17. 18. 19. 20. 21.	CHAIRMAN FOX: Commissioner, you know, I've been in government for about 40 well, a long time. And always in the past when I looked at government, the government has always reached out to provide oversight.  Business has always said, "Thanks but we've had enough. We don't want the oversight." In this particular situation, I think the businesses want the oversight. We want that extra	
1. 2. 3. 4. 5. 6. 7. 8. 9. 0. 1. 2.	CHAIRMAN FOX: Okay. Anything else on that topic?  (No verbal response.)  CHAIRMAN FOX: Okay. Discussion items. At the last board meeting, we had asked Mr. Bailey to carry a request to Mr. Phillips in reference to hiring three State of Tennessee amusement device inspectors. And you had Mr. Phillips, you had sent us a letter back. And I have a copy of that, and I've given it to all the board members.		13. 14. 15. 16. 17. 18. 19. 20. 21. 22.	CHAIRMAN FOX: Commissioner, you know, I've been in government for about 40 well, a long time. And always in the past when I looked at government, the government has always reached out to provide oversight.  Business has always said, "Thanks but we've had enough. We don't want the oversight." In this particular situation, I think the businesses want the oversight. We want that extra set of eyes out there looking at those rides. And	
1. 2. 3. 4. 5. 6. 7. 8. 9. 0. 1. 2. 3.	CHAIRMAN FOX: Okay. Anything else on that topic?  (No verbal response.)  CHAIRMAN FOX: Okay. Discussion items. At the last board meeting, we had asked Mr. Bailey to carry a request to Mr. Phillips in reference to hiring three State of Tennessee amusement device inspectors. And you had Mr. Phillips, you had sent us a letter back. And I have a copy of that, and I've given it to all the board members.  And, again, speaking for myself only,		13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23.	CHAIRMAN FOX: Commissioner, you know, I've been in government for about 40 well, a long time. And always in the past when I looked at government, the government has always reached out to provide oversight.  Business has always said, "Thanks but we've had enough. We don't want the oversight." In this particular situation, I think the businesses want the oversight. We want that extra set of eyes out there looking at those rides. And government is backing up. Government is backing	
1. 2. 3. 4. 5. 6. 7. 8. 9. 0. 1. 2. 3. 4. 5.	CHAIRMAN FOX: Okay. Anything else on that topic?  (No verbal response.)  CHAIRMAN FOX: Okay. Discussion items. At the last board meeting, we had asked Mr. Bailey to carry a request to Mr. Phillips in reference to hiring three State of Tennessee amusement device inspectors. And you had Mr. Phillips, you had sent us a letter back. And I have a copy of that, and I've given it to all the board members.		13. 14. 15. 16. 17. 18. 19. 20. 21. 22.	CHAIRMAN FOX: Commissioner, you know, I've been in government for about 40 well, a long time. And always in the past when I looked at government, the government has always reached out to provide oversight.  Business has always said, "Thanks but we've had enough. We don't want the oversight." In this particular situation, I think the businesses want the oversight. We want that extra set of eyes out there looking at those rides. And	

		Page 29	I		Page 31
1.	wrong, in my maybe it's not wrong. I don't	rage 2)	1.	I understand.	rage 31
2.	know. But there's just something basically		2.	CHAIRMAN FOX: Let me show you a	
3.	different about that.		3.	picture. And sir, I hate to do this, but I've got	
4.	COMMISSIONER PHILLIPS: Well, I		4.	to show this picture to make the point.	
5.	spent all of my life in the business world, so I		5.	COMMISSIONER PHILLIPS: That's	
6.	understand what you say about businesses		6.	perfectly all right.	
7.	backing they want less government intrusion. I		7.	CHAIRMAN FOX: When you look at	
8.	certainly did when I was in business. But this is		8.	this, this is on a zipline. This happened in a	
9.	not a matter there's no philosophical reason		9.	place there was an accident here. That's how I	
10.	for us not wanting to not hiring state		10.	came to have these two photographs. I actually	
11.	inspectors. We just do not have the funds to do		11.	have more, but these are the only ones that I	
12.	so.		12.	brought. And you see radiator clamp hoses on	
13.	And the way that this department did		13.	these things (indicating).	
14.	that in the past, as I understand, because that		14.	Sir, that's any inspector and	
15.	all predated us, was that they crossed funding		15.	this gentleman is with the ACCT, and I don't want	
16.	lines to use funding from another program to hire		16.	to put him on the spot, so I won't ask him the	
17.	inspectors. And the comptroller took specific		17.	question. But I will tell you that radiator	
18.	exception with that, so we cannot do that. So we		18.	clamps are probably not acceptable. And what I	
19.	don't have that we didn't have that avenue to		19.	want our inspectors, mine and yours, what I want	
20.	start with but my predecessors did that and it was		20.	us to do is go look to make sure that the	
21.	not allowable per the Comptroller's Office.		21.	third-party inspector hasn't done a driveby, that	
22.	So right now we have no money in the		22.	he or she has physically, truly inspected that	
23.	coffers to hire anybody. That's not something		23.	ride and can pass the ride as a safe and secure	
24.	that I can change. That's something that the		24.	ride or attraction.	
25.	legislature would have to change. Because we		25.	I go back to 2004 and I won't	
		Page 30			Page 32
1.	certainly I mean, we would be glad to hire	Page 30	1.	mention the lady's name but she fell off of the	Page 32
1. 2.	certainly I mean, we would be glad to hire state inspectors if we had money, but it is a lot	Page 30	1. 2.	mention the lady's name but she fell off of the Hawk in Pigeon Forge. Let's talk business for a	Page 32
		Page 30	ı	•	Page 32
2.	state inspectors if we had money, but it is a lot	Page 30	2.	Hawk in Pigeon Forge. Let's talk business for a	Page 32
2. 3.	state inspectors if we had money, but it is a lot of money to do that. At the very minimum, it	Page 30	2. 3.	Hawk in Pigeon Forge. Let's talk business for a minute. I can't tell you the number of dollars	Page 32
2. 3. 4.	state inspectors if we had money, but it is a lot of money to do that. At the very minimum, it would be over a million dollars. And you would	Page 30	2. 3. 4.	Hawk in Pigeon Forge. Let's talk business for a minute. I can't tell you the number of dollars that the City of Pigeon Forge has lost because	Page 32
2. 3. 4. 5.	state inspectors if we had money, but it is a lot of money to do that. At the very minimum, it would be over a million dollars. And you would have to have far more inspectors than we could	Page 30	2. 3. 4. 5.	Hawk in Pigeon Forge. Let's talk business for a minute. I can't tell you the number of dollars that the City of Pigeon Forge has lost because that woman's death went all over the news.	Page 32
2. 3. 4. 5. 6.	state inspectors if we had money, but it is a lot of money to do that. At the very minimum, it would be over a million dollars. And you would have to have far more inspectors than we could hire for a million dollars if they're going to	Page 30	2. 3. 4. 5. 6.	Hawk in Pigeon Forge. Let's talk business for a minute. I can't tell you the number of dollars that the City of Pigeon Forge has lost because that woman's death went all over the news.  And then to compound that issue, then	Page 32
2. 3. 4. 5. 6. 7.	state inspectors if we had money, but it is a lot of money to do that. At the very minimum, it would be over a million dollars. And you would have to have far more inspectors than we could hire for a million dollars if they're going to inspect everything in one year, so	Page 30	2. 3. 4. 5. 6. 7.	Hawk in Pigeon Forge. Let's talk business for a minute. I can't tell you the number of dollars that the City of Pigeon Forge has lost because that woman's death went all over the news.  And then to compound that issue, then we had a trial. I know because I testified in the	Page 32
2. 3. 4. 5. 6. 7. 8.	state inspectors if we had money, but it is a lot of money to do that. At the very minimum, it would be over a million dollars. And you would have to have far more inspectors than we could hire for a million dollars if they're going to inspect everything in one year, so  CHAIRMAN FOX: Sir, let me be	Page 30	2. 3. 4. 5. 6. 7. 8.	Hawk in Pigeon Forge. Let's talk business for a minute. I can't tell you the number of dollars that the City of Pigeon Forge has lost because that woman's death went all over the news.  And then to compound that issue, then we had a trial. I know because I testified in the trial. And that went nationwide. And that was	Page 32
2. 3. 4. 5. 6. 7. 8. 9.	state inspectors if we had money, but it is a lot of money to do that. At the very minimum, it would be over a million dollars. And you would have to have far more inspectors than we could hire for a million dollars if they're going to inspect everything in one year, so  CHAIRMAN FOX: Sir, let me be clear. We're not asking for a large number of	Page 30	2. 3. 4. 5. 6. 7. 8. 9.	Hawk in Pigeon Forge. Let's talk business for a minute. I can't tell you the number of dollars that the City of Pigeon Forge has lost because that woman's death went all over the news.  And then to compound that issue, then we had a trial. I know because I testified in the trial. And that went nationwide. And that was the very first time that anyone had ever been	Page 32
2. 3. 4. 5. 6. 7. 8. 9.	state inspectors if we had money, but it is a lot of money to do that. At the very minimum, it would be over a million dollars. And you would have to have far more inspectors than we could hire for a million dollars if they're going to inspect everything in one year, so  CHAIRMAN FOX: Sir, let me be clear. We're not asking for a large number of inspectors. We're not asking for I shouldn't	Page 30	2. 3. 4. 5. 6. 7. 8. 9.	Hawk in Pigeon Forge. Let's talk business for a minute. I can't tell you the number of dollars that the City of Pigeon Forge has lost because that woman's death went all over the news.  And then to compound that issue, then we had a trial. I know because I testified in the trial. And that went nationwide. And that was the very first time that anyone had ever been prosecuted for an act of commission, which they,	Page 32
2. 3. 4. 5. 6. 7. 8. 9. 10.	state inspectors if we had money, but it is a lot of money to do that. At the very minimum, it would be over a million dollars. And you would have to have far more inspectors than we could hire for a million dollars if they're going to inspect everything in one year, so  CHAIRMAN FOX: Sir, let me be clear. We're not asking for a large number of inspectors. We're not asking for I shouldn't say "I," because I speak for no one else. I'm	Page 30	2. 3. 4. 5. 6. 7. 8. 9. 10.	Hawk in Pigeon Forge. Let's talk business for a minute. I can't tell you the number of dollars that the City of Pigeon Forge has lost because that woman's death went all over the news.  And then to compound that issue, then we had a trial. I know because I testified in the trial. And that went nationwide. And that was the very first time that anyone had ever been prosecuted for an act of commission, which they, in fact, jumper-wired the safety devices on that	Page 32
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Now, if you had three inspectors, one a each grand division, there's no way each one of cose could ever follow up and inspect every musement device in the time allowed.		18.	from that particular accident that we had to	
Now, if you had three inspectors, one a each grand division, there's no way each one of lose could ever follow up and inspect every musement device in the time allowed.		1	-	
each grand division, there's no way each one of close could ever follow up and inspect every musement device in the time allowed.		<b>1</b> 19.		
nose could ever follow up and inspect every nusement device in the time allowed.		l	actually implement new policy to make sure not	
nusement device in the time allowed.		20.	only was that person neutral and detached, but	
		21.	that person was not a designer, installer. We had	
CHAIRMAN FOX: You and I agree on		22.	to go the extra mile. But of course that's	
. XX7 1 1:		23.	something that you learn. Because to us, although	
at. We don't want them to inspect every ride.		24.	the law was implemented back in 2009 it was	
cannot be done. It's physically		25.	actually created in 2009 and implemented in	
	Page 34		1	Page 36
COMMISSIONER PHILLIPS: No, no. I		1.	2010 we're starting all over again.	
ean follow up the third-party inspectors.		2.	Because there was no process in	
here's no way		3.	place, and the previous audit finding said that	
CHAIRMAN FOX: And again, they		4.	there's no viable amusement device unit in place.	
* * *		5.		
• • •		6.	policy. And because of that, we've created	
		7.	•	
		I		
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natevel leason, someone shuts down a fide in		23.	contacted the presidents of the fairs. Cariene	
t a a a a a a a a a a a a a a a a a a a	ean follow up the third-party inspectors. here's no way	commissioner Phillips: No, no. I ean follow up the third-party inspectors. here's no way CHAIRMAN FOX: And again, they annot. It's physically impossible. You could are 50 out there and you probably still wouldn't et all of them. COMMISSIONER PHILLIPS: Right. CHAIRMAN FOX: I can speak for a title, bitty amusement park up in East Tennessee. takes five people a week to come in and inspect ose rides and facilities. I know that our three spectors won't be able to do that. And I don't ink 50 would, given that there are how many irs come through, Mr. Hale? MR. HALE: 64. CHAIRMAN FOX: 64 fairs. It's of feasible. It's not possible. It's not even robable. COMMISSIONER PHILLIPS: Right. CHAIRMAN FOX: But they at least are those if we had three at least have ose folks who can go and, if there's a problem and they find out about it, red tag or, for hatever reason, someone shuts down a ride in	COMMISSIONER PHILLIPS: No, no. I ean follow up the third-party inspectors. here's no way CHAIRMAN FOX: And again, they annot. It's physically impossible. You could ave 50 out there and you probably still wouldn't et all of them. COMMISSIONER PHILLIPS: Right. CHAIRMAN FOX: I can speak for a ttle, bitty amusement park up in East Tennessee. takes five people a week to come in and inspect ose rides and facilities. I know that our three spectors won't be able to do that. And I don't ink 50 would, given that there are how many irs come through, Mr. Hale? MR. HALE: 64. CHAIRMAN FOX: 64 fairs. It's of feasible. It's not possible. It's not even robable.  COMMISSIONER PHILLIPS: Right. CHAIRMAN FOX: But they at least ave those if we had three at least have ose folks who can go and, if there's a problem and they find out about it, red tag or, for	COMMISSIONER PHILLIPS: No, no. I ean follow up the third-party inspectors. here's no way CHAIRMAN FOX: And again, they into 50 out there and you probably still wouldn't et all of them. COMMISSIONER PHILLIPS: Right. CCHAIRMAN FOX: I can speak for a ttle, bitty amusement park up in East Tennessee. takes five people a week to come in and inspect ose rides and facilities. I know that our three spectors won't be able to do that. And I don't ink 50 would, given that there are how many irs come through, Mr. Hale? MR. HALE: 64. CHAIRMAN FOX: 64 fairs. It's other feasible. It's not possible. It's not even controlled. COMMISSIONER PHILLIPS: Right. CHAIRMAN FOX: 64 fairs. It's other feasible. It's not possible. It's not even controlled. COMMISSIONER PHILLIPS: Right. CHAIRMAN FOX: But they at least ave those if we had three at least have controlled finding said that there's no viable amusement device unit in place. So we're having to implement that particular there's no viable amusement device unit in place. So we're having to implement that particular there's no viable amusement device unit in place. So we're having to implement that particular there's no viable amusement device unit in place. So we're having to implement that particular there's no viable amusement device unit in place. So we're having to implement that particular there's no viable amusement device unit in place. So we're having to implement that particular there's no viable amusement device unit in place. So we're having to implement that particular there's no viable amusement device unit in place. So we're having to implement that particular there's no viable amusement device unit in place. So we're having to implement that particular there's no viable amusement device unit in place. So we're having to implement that particular there's no viable amusement device unit in place. So we're having to implement that particular there's no viable amusement device unit in place. So we're having to implement that particular there's no viable amu

		Page 37			Page 39
1.	and Anita have gone the extra mile, as far as this	C	1.	owner/operator. That's not the State's role. The	C
2.	is concerned.		2.	State's role is to oversee the entire process.	
3.	Now, the oversight part I just		3.	COMMISSIONER PHILLIPS: And I	
4.	wanted to clarify because the State is		4.	think if I may	
5.	providing a extra level of oversight, however, the		5.	CHAIRMAN FOX: Sure.	
6.	oversight may not be the type of oversight that is		6.	COMMISSIONER PHILLIPS: You know,	
7.	expected. What we're doing is, instead of		7.	when she took over, I joked about throwing her	
8.	we're neutral and detached as well. The State is		8.	into a snake pit, because there was a the	
9.	neutral and detached.		9.	previous administration of that division was to	
10.	So the State is there to oversee.		10.	say "hands-off" is an understatement. They gave	
11.	The inspectors the State is there to oversee		11.	nobody direction. There was no guidelines. There	
12.	the inspectors. The State is there to oversee		12.	were no rules. It was sort of a wild west. Since	
13.	that the owners and operators do the right thing.		13.	she's taken over, what we're trying to do is	
14.	The state inspectors would not be there for one or		14.	tighten up, to the extent that we can on this	
15.	the other to haul into court, to state court, to		15.	side, the process and the procedures and the	
16.	testify on their behalf, to indicate that they're		16.	requirements of not only those inspectors but all	
17.	negligent or they're not negligent. And we don't		17.	inspectors that we're responsible for.	
18.	want to put our inspectors in that position. They		18.	So I think that there is a change in	
19.	wouldn't be for that purpose.		19.	effect in terms of being applying greater	
20.	That's why the use of third-party		20.	oversight than before over owners and operators,	
21.	inspectors is a better option, because that way,		21.	as well as inspectors. But we still I fall	
22.	the State can oversee the entire process. We're		22.	right back to we have no problem with hiring	
23.	overseeing the third-party inspectors to make sure		23.	inspectors; we just don't have the money to do it	
24.	they're doing what they're supposed to do, and		24.	and we can't do it without it. So we're not	
25.	we're overseeing the owners and operators to make		25.	arguing, "Hey, we don't need state inspectors."	
		Page 38			Page 40
1.	sure they're doing what they're supposed to do.		1.	You know, we think it's being done with third	- 1.62 1.5
2.	That's the level of added protection that the		2.	party. But if the board recommended to me that we	
3.	oversight that we're providing. And we're		3.	should have them and I had the money, that's a	
4.	actually requiring those third-party inspectors to		4.	whole different situation. I don't have the	
5.	do the right thing, to submit those inspection		5.	money. So that's where we are.	
6.	reports, make sure that they're signed. Before,		6.	CHAIRMAN FOX: Okay. Let me you	
7.	that wasn't happening. Before, no one was there		7.	opened the door.	
8.	to review those inspection reports to determine		8.	COMMISSIONER PHILLIPS: Sure.	
9.	that the devices were safe and operable. We had		9.	CHAIRMAN FOX: So if you had the	
10.	them to include that language now because neither		10.	money, you would hire them?	
11.	Anita nor Carlene are experts in the field.		11.	COMMISSIONER PHILLIPS: There's a	
12.	They're not inspectors. So we need information		12.	law there that gives us the opportunity, the	
13.	from them.		13.	alternative, to use third-party or to hire state	
14.	And when they submit information to		14.	inspectors. If we had money Kim and I have	
15.	us that's not correct, we call the inspector. We		15.	talked about it, and we've talked about that very	
16.	call the owners and operators and demand that they		16.	thing, maybe having one in each grand division, if	
17.	submit that information. We don't issue any		17.	we had money. We just don't have money. So	
18.	permits until we've dotted all of our i's and		18.	that's the hang-up. There's no philosophical	
19.	we've crossed all the t's.		19.	reason for not wanting to do that. It's just	
20.	So the oversight is there. It's		20.	well, I'm trying to do what the Governor asks me	
21.	coming. It's there and it's going to be better.		21.	to do, to be the most efficient and effective in	
22.	A year from today, the process will be even better		22.	operating the Department. And you can't if you	
23.	than what it is. But the State's role should be		23.	do something you don't have any money to do,	
24.	to oversee the entire process. It's not to act on		24.	that's not good business. So that's where we are.	
25.	behalf of the inspector or to act on behalf of the		25.	It's not there's no we have no argument with	
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		Page 41			Page 4
1.	whether or not if the board recommended to us		1.	I know of a small amusement park in	
2.	that we should have state inspectors, well, great.		2.	East Tennessee. It's a very expensive proposition	
3.	If we've got the money, then that's something we		3.	to have them to come in and inspect those rides.	
	would certainly consider doing. But we don't have		4.	If I call them back, it's, again, an expensive	
	any, so		5.	proposition. I don't mind paying the inspection	
5.	CHAIRMAN FOX: Sir, please I		6.	fee, but when it's six to \$7,000 for them to come	
7.	think there's some misconception here. We don't		7.	for one day's inspection, that's a pretty big	
8.	want you to hire 20 inspectors. There has to be		8.	lick. And if you've got a mom-and-pop over here	
9.	both. One cannot one should not function		9.	who has a little merry-go-round that sets in front	
0.	without the other.		10.	of Walmart and something happens to it, six or	
1.	COMMISSIONER PHILLIPS: Uh-huh.		11.	\$7,000 is more than they ever paid for the ride or	
2.	CHAIRMAN FOX: The oversight let		12.	the attraction. Now, not that we're trying to	
3.	me say this: The oversight and the administrative		13.	pawn that off on the State to take care of that,	
4. -	side of this thing has increased dramatically.		14.	but, again, if we have an accident, somebody needs	
5.	You've done an excellent job. I can't whoever		15.	to go look. And we're not asking for that person	
6. 7	is involved, I can't argue that point. But still		16.	to testify. It's that that person in the	
7.	yet, we're looking for those three people, or two		17.	investigation phase of this is a neutral and	
8.	we would take		18.	detached party. And that's something else that	
9.	COMMISSIONER PHILLIPS: Right.		19.	we're looking for.	
0.	CHAIRMAN FOX: to be this		20.	Now, let's talk about the fees. From a	
1.	group's eyes and ears out there. Okay? Had we		21.	fee standpoint, I think we can adjust the fees to	
2.	had somebody out there, they would have probably		22.	make it self-sufficient. The only thing we need	
3.	known about the two injuries, serious injuries,		23.	to do is put in the go-karts. The go-karts can	
4. 5.	that took place in Sevier County, which was not on your list.		24. 25.	still be they can be inspected. They can be inspected by a third party. But they also need to	
σ.	your list.		23.	inspected by a time party. But they also need to	
		Page 42			Page
1.	MS. JEFFERSON: Which		1.	be looked at occasionally by a state inspector.	
2.	CHAIRMAN FOX: And I'm not making		2.	Again, it takes both sides, the extra	
3.	disparaging remarks, but that's how I got the		3.	set of eyes is what keeps us safe out there. And	
4.	pictures. Okay? We need somebody out there		4.	in addition, the threat of having a state	
5.	listening for you and us wait a minute		5.	inspector come out, red tag you and shut you down.	
6.	excuse me me. You and I.		6.	Now, that's the difference.	
7.	COMMISSIONER PHILLIPS: Right.		7.	Again, I'm asking for your help.	
8.	CHAIRMAN FOX: We need to have		8.	COMMISSIONER PHILLIPS: I'm not	
9.	somebody out there listening. And that's how you		9.	here to argue with you, Chairman. If you give me	
0.	find out about these things. We don't have that		10.	the money, and, unfortunately, if you can't give	
1.	now.		11.	me the money, nor can I I mean, I'm the	
2.	COMMISSIONER PHILLIPS: Well, you		12.	executive branch. The only people that can give	
3.	should.		13.	us money is the legislature.	
4.	CHAIRMAN FOX: You're exactly		14.	CHAIRMAN FOX: How do we go	
5.	right.		15.	about how would you how do we let's do	
6.	COMMISSIONER PHILLIPS: The third		16.	this together.	
7.	party should be doing that.		17.	COMMISSIONER PHILLIPS: Well, I	
8.	CHAIRMAN FOX: Sir, they're a quick		18.	can't, because we can't make an ask of the	
9.	hit. They walk in, they inspect your rides and		19.	legislature. But anybody can make an ask of their	
0.	say, "Gosh, it's been fun doing business. Here's		20.	legislature and present their proposal to any	
1.	my invoice. Thank you very much." And they don't		21.	member of the legislature. Most of them do it, of	
2.	come back until you either call them or there's a		22.	course, to those that are in their district to	
3.	major incident or you have a contractual agreement		23.	propose some decent legislation. But we can't do	
4.	with them to come back periodically. They do not		24.	that. And can't make an ask of the legislature	
5.	come to visit unless they're going to be paid.		25.	for funding.	

		Page 45			Page 47
1.	That all comes from the Governor's	rage 13	1.	representative there. Yesterday I talked with	ruge 17
2.	Office based on a budget request. And every		2.	representatives from Arkansas, Kentucky, and	
3.	department asks for lots of money, and only a		3.	Florida. And those states use state inspectors;	
4.	little bit comes because there's only so many tax		4.	however, South Carolina does not even use state	
5.	dollars.		5.	inspectors. They only rely on third-party	
6.	MR. HALE: So can you provide us		6.	inspectors. Some states use a mixture, third-part	
7.	with the dollar amount that would be necessary to		7.	inspectors and state inspectors.	
8.	fund those three people.		8.	So there is a lot of different ways	
9.	COMMISSIONER PHILLIPS: Yeah. It		9.	to go about this, but I keep in mind that	
10.	would be over a million dollars.		10.	NAARSO has about 1,477 inspectors. So we have	
11.	MR. HALE: To put three people in		11.	adequate inspectors for the whole state. AIMS has	
12.	would cost over a million dollars.		12.	50 to 60, and ACCT has between 100 and 150	
13.	COMMISSIONER PHILLIPS: A million		13.	inspectors on with them. So there are more	
14.	eighteen, I think, is what we came up with as the		14.	there are lots of third party inspectors out	
15.	bare bones.		15.	there. We have what we need. The oversight is	
16.	MS. JEFFERSON: Right. And we were		16.	for us to ensure these third parties, these	
17.	looking at possibly nine inspectors because we		17.	neutral parties are neutral detached and that	
18.	know it's unrealistic it's unrealistic because		18.	they're not receiving any financial interest for	
19.	I think that the companies would want the state		19.	the inspections that they perform. They're not	
20.	inspectors to perform these services for free, and		20.	owners. They're not partners. That's the	
21.	there would be a mix-up as to some of the		21.	oversight that we would provide.	
22.	companies more companies would want free		22.	But I agree with you and the	
23.	service than not, and so we have to protect		23.	commissioner when you-all said that if we're able	
24.	ourselves and we have to make sure we have enough		24.	to fund, then we're all for it. If the law	
25.	inspectors out there.		25.	requires us to do something, that's what we're	
		Page 46			Page 48
1.	So the minimum would be nine	Page 46	1.	here for. We're here to enforce the law. So if	Page 48
1. 2.	So the minimum would be nine inspectors. And having nine inspectors, we're	Page 46	1. 2.	here for. We're here to enforce the law. So if we can come up with the money somehow, then we	Page 48
I		Page 46	l		Page 48
2.	inspectors. And having nine inspectors, we're	Page 46	2.	we can come up with the money somehow, then we	Page 48
2. 3.	inspectors. And having nine inspectors, we're looking at salaries for those inspectors. We're	Page 46	2. 3.	we can come up with the money somehow, then we would definitely do what the law requires us to	Page 48
2. 3. 4.	inspectors. And having nine inspectors, we're looking at salaries for those inspectors. We're looking at a manager here. Because right now I'm	Page 46	2. 3. 4.	we can come up with the money somehow, then we would definitely do what the law requires us to do. It's just that we don't have the money and we	Page 48
2. 3. 4. 5.	inspectors. And having nine inspectors, we're looking at salaries for those inspectors. We're looking at a manager here. Because right now I'm managing the program. We have Carlene and Anita,	Page 46	2. 3. 4. 5.	we can come up with the money somehow, then we would definitely do what the law requires us to do. It's just that we don't have the money and we don't want to utilize the taxpayers' money in	Page 48
2. 3. 4. 5. 6.	inspectors. And having nine inspectors, we're looking at salaries for those inspectors. We're looking at a manager here. Because right now I'm managing the program. We have Carlene and Anita, who actually are in boilers and elevators, but	Page 46	2. 3. 4. 5. 6.	we can come up with the money somehow, then we would definitely do what the law requires us to do. It's just that we don't have the money and we don't want to utilize the taxpayers' money in putting it into an endeavor that hasn't worked	Page 48
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		Page 49			Page 51
1.	that that's not going to happen overnight. It	C	1.	MR. HALE: You know, so the	C
2.	takes time to build up. We had a compliance unit,		2.	third-party inspector went and everything was	
3.	and it took about six years for it to become		3.	good, and after he left, they decided to put	
4.	self-sufficient. And we don't have six years. So		4.	radiator hose clamps on.	
5.	we have to keep that in mind.		5.	MS. JEFFERSON: Right. And it	
6.	If we're able to come up with the		6.	depends on when that occurred. Because that's	
7.	money, we're all for it and we'll do what the law		7.	another point it brings us to. An inspector goes	
8.	requires us to do, but we just don't have the		8.	out one day, if the company owner/operator or a	
9.	money. We're not being arbitrary and capricious.		9.	patron does something to disturb the device, then	
10.	We just don't have the money.		10.	that I mean, you can't really hold that against	
11.	MR. HALE: And like Chairman Fox, I		11.	the previous inspection if something changed.	
12.	think y'all have done a great job with improving		12.	CHAIRMAN FOX: You're exactly	
13.	the administrative side. And I agree that we		13.	right, ma'am. But that extra set of eyes out	
14.	are not I am not, and I think Chairman Fox		14.	there who simply walks up to John's Carnival I	
15.	we're not advocating to do away with third-party		15.	was going to use another name but John's	
16.	inspectors whatsoever. That is a viable part of		16.	Carnival and says, "I'm going to inspect your	
17.	the intent that we carried forward when this was		17.	rides today, he or she may find that. And that's	
18.	first brought to the legislature in 2009 and other		18.	the point of being safe. It's all about safety.	
19.	times before that that we were there, to utilize		19.	MS. JEFFERSON: Oh, yes. It's all	
20.	third-party inspectors with the oversight of the		20.	about safety.	
21.	state inspectors.		21.	CHAIRMAN FOX: That's all we're	
22.	I don't think that either of us are		22.	after, is making sure that the rides that we put	
23.	advocating the third-party inspection be		23.	our grandchildren on and by the way, I have	
24.	circumvented by the state inspector being there,		24.	pictures of my grandchildren if you would like to	
25.	"Oh, well, the state inspector has been here. I		25.	see them the rides that we put our	
	,,				
		Page 50			Page 52
1.	don't have to have my third party." That's not		1.	grandchildren on, those have to be safe. And I	
2.	what we're advocating at all. So to say that,		2.	think this board's heart excuse me, my heart.	
3.	"Well, they're expecting that for free and they		3.	I'll speak for no one my heart is in making	
4.	won't have to get the third party" is not what I		4.	sure that my granddaughters and my grandsons are	
5.	envision nor do I believe that's what the chairman		5.	safe when they ride those rides. That's what I'm	
6.	envisions.		6.	about.	
7.	CHAIRMAN FOX: No.		7.	MS. JEFFERSON: Right. And that	
8.	MR. HALE: We're still very much on		8.	goes to the industry standards. And we have a	
9.	board with what y'all are doing with the		9.	couple people here today who could possibly talk	
10.	third-party program.		10.	about their standards and what's proper and what's	
11.	I think our vision is, at least my		11.	not proper as far as industry standards.	
12.	vision is, is that that state inspector is there,		12.	CHAIRMAN FOX: Ma'am, I understand	
13.	again, for an extra set of eyes to follow up on		13.	the standards. It's governed by ASDM, ASI, and a	
14.	information sent out by NAARSO and by the		14.	thousand other alphabets. I mean, it is. But	
15.	manufacturers of particular rides that have safety		15.	keeping them safe is primary and foremost. That's	
16.	issues. That ride is going to be at the Wilson		16.	paramount.	
17.	County Fair, that state inspector should go out		17.	MR. RADER: And I'm not picking on	
18.	there and make sure that those safety changes have		18.	Chris's department, but clarify, why don't we use	
19.	been made to that ride.		19.	third-party inspectors for elevators? Why do we	
20.	And those bulletins often come out		20.	have 25 and we have no amusement state inspectors'	?
21.	after that ride's third-party inspector has been		21.	COMMISSIONER PHILLIPS: Depends of	
22.	there. And this situation right here may have		22.	what the statute says, which we have no control.	
23.	even occurred after a third party inspector went		23.	MS. JEFFERSON: Right. The law	
2.7.	there and looked at it.		24.	says to use state inspectors, so that's what we	
			ı	*	
<ul><li>23.</li><li>24.</li><li>25.</li></ul>	CHAIRMAN FOX: It did.		25.	do, we use state inspectors for elevators.	

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man. It's just that we don't have	- 181 - 1
u have to understand that when	
nistration that I'm talking about,	
t came in and the administration	
ing we did was identify programs	
ling money they didn't have. And so	
icant number of dragons to slay	
o years to pull back within the	
ng. And that was painful for us	
ple out in the world. But we had	
nin the funding that we have	
this falls under that category.	
ave the funding.	
now I'm repeating myself, but	
n line. We can't do anything the	
n't give us money for or that we	
that would be enough to fund it.	
in into the backlash from businesses	
about those fees.	
RMAN FOX: Let me get to	
2	
BURCH: I've sat through two or	
neetings, and as a board member, I	
nder, "What is my responsibility as	
, J 1	
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r," when I hear all this going on	
t I hear, as a board member, I can't	
can't feel that we're not doing	
board. We're doing everything we	
and right now it's in the hands of	
a law. Y'all have a law that	
that operates an amusement has to	
e law, right?	
EFFERSON: Yes, we do.	
BURCH: And they have to comply	
arty inspection. And that goes	
e owner, and it's their	
comply with the law, and it's	
lity to provide third-party	
d if they don't do that and	
pens, it's their responsibility to	
and something to take care of an	
5	
EFFERSON: That's exactly	
, and the second	
MISSIONER PHILLIPS: And that's	
says.	
BURCH: And if that's the way I	
e've had sort of an exposure to	
-	
muni,	
	(615) 268-1244

		Page 57			Page 59
1.	and they've dropped out and they're not here	Ü	1.	are responsible for trying to create the rules and	υ
2.	anymore, and it may be out there that this board		2.	regulations that will be consistent with	
3.	is responsible for what's going on in amusement		3.	legislation, and do so within the available	
4.	rides in the state of Tennessee. But that's just		4.	funding.	
5.	not the case. The only responsibility we have is		5.	So I understand what you're saying.	
6.	what is provided through the administration. And		6.	I agree with you a hundred percent. And again, if	
7.	so until something else is changed, some kind of		7.	each of you know your senator and your	
8.	law is passed, some kind of funds put up to do		8.	representative in your area, and as a citizen you	
9.	certain things, we don't have anything that we can		9.	can certainly talk to them about funding. Because	
10.	do other than be observant when we're around some		10.	that's just not something we can do.	
11.	of these things and say, "You might ought to look		11.	MS. O'CONNOR: Mr. Commissioner, I	
12.	into that," or that kind of thing. We don't have		12.	have spoken to my senator about this, and he is	
13.	any responsibility because we can't exercise any		13.	certainly willing to look at this. For three	
13. 14.	responsibility as a board. You have all that			inspectors, are we talking about \$400,000? Is	
	*		14.		
15.	responsibility.		15.	that my understanding?	
16.	COMMISSIONER PHILLIPS: Well, yes.		16.	MS. JEFFERSON: No. We're talking	
17.	But, you know, we certainly want to be responsive		17.	about a million dollars for everything that has to	
18.	to we have a number of boards that we deal		18.	take place. I mean, we have to provide training,	
19.	with. And the board members are the eyes and ears		19.	certified training for them, for each person. We	
20.	in the field, if you will, to tell us and make		20.	have to if they're in East Tennessee and West	
21.	suggestions to us on what should and should not be		21.	Tennessee, we have to provide a place for them.	
22.	done. And we embrace those things except that if		22.	MS. O'CONNOR: But that's talking	
23.	we don't have funding, we just can't do it.		23.	about nine.	
24.	And you're right, the ultimate		24.	MS. JEFFERSON: Yes.	
25.	responsibility falls on the business owner. I was		25.	MS. O'CONNOR: For three. For	
		Page 58			Page 60
1.	a business owner for 35 years.		1.	three different inspectors, what would be the	
2.	MR. BURCH: Exactly.		2.	ballpark figure that I can go back to my senator	
3.	COMMISSIONER PHILLIPS: But also		3.	and say, this is the kind of appropriation we	
4.	understand wanting some assurance in addition to		4.	need.	
5.	that, when you're a business owner, if you're a		5.	COMMISSIONER PHILLIPS: Well, see,	
6.	business owner, but we can't again, we can't do		6.	that's not the way the process works. The senator	
7.	anything we don't have funding for either through		7.	or representative submits a piece of legislation,	
8.	a fee structure or through an appropriation. And		8.	and then they come and they ask for a physical	
9.	I don't think we can come up with a fee structure		9.	notice.	
			10.	MS. O'CONNOR: I realize that. I	
10.	that would be palatable to the businesses out		l		
11.	there because it would be a significant jump.		11.	am trying to give him a heads-up on the front end,	
12.	MR. BURCH: I just hate to see the		12.	though, about the type of money that we're looking	
13.	rumors get out, "Well, the amusement board and the		13.	at, though.	
14.	elevator board is responsible for the safety of		14.	MS. JEFFERSON: Right. And we're	
15.	the amusement rides. And right now, we are not		15.	suggesting nine. So if they were to come to us	
16.	responsible for it. We can't be, because we're		16.	with three, then we would have to tell them we	
17.	not making the inspections and we're not I		17.	need a minimum of nine. So I guess if you divided	
18.	mean, the third-party people are doing that		18.	that, if you were looking for three, we're talking	
19.	because the owners are hiring them to do that.		19.	about a million dollars. So that way you'll have	
20.	COMMISSIONER PHILLIPS: Right. And		20.	something to take back to that person in regard to	
21.	when you say "liable," I'm not sure you mean		21.	three. But we're, again	
22.	MR. BURCH: "Responsible" is the		22.	MS. O'CONNOR: So about \$400,000	
	terminology.		23.	for three.	
23.	<del></del>		24.	MS. JEFFERSON: Uh-huh. But,	
	COMMISSIONER PHILLIPS: None of us				
23.	COMMISSIONER PHILLIPS: None of us are legally liable, no mater what happens, but we		25.	again, we would need a minimum.	

		Page 61			Page 6
1.	COMMISSIONER PHILLIPS: Because		1.	commercial-grade units. How is this guy	
2.	when they come to us and ask us for a physical		2.	advertising on his website that all of his units	
3.	notice, they say don't blow it up but don't		3.	are now permitted and you should choose him for	
1.	understate it. Try to be as realistic for what		4.	safety?"	
5.	you really feel like you would need to do justice.		5.	And so the inspector got back with me	
5. -	But that's how it happens.		6.	and said, "Oh, I didn't see those units. This	
7.	And every legislation we get all		7.	person didn't show me everything he had. I'll let	
3.	kinds of requests for, you know, physical notice		8.	the State know." So this has been going on for a	
€.	of legislation. I mean, not us. Every department		9.	month or so. He's still advertising that he's a	
).	does.		10.	hundred percent compliant. He's still advertising	
1.	CHAIRMAN FOX: Let me recognize the		11.	those same three residential-grade inflatables.	
2.	lady in the back, back there. State your name,		12.	And my question is when someone rents	
3.	please, ma'am. I've forgotten. I'm sorry.		13.	one of these and they get hurt, are they not only	
4. <del>-</del>	MS. HAYES: Oh, that's okay. And		14.	going to come to him and say, "Hey, I've got hurt	
5.	I'm not a good public speaker by any means, but my		15.	on this," but are they not going to come to the	
5. 7	name is Heather Hayes. I am an owner of an		16.	State and say, "You said this was safe. He showed	
7. 3.	amusement business. When I received my letter we have inflatables, actually, and I know that's		17. 18.	me a permit that you issued saying his equipment was compliant and safe, and now my child got hurt	
8. 9.	just come into play. But when I received my		18. 19.	on something that shouldn't even have been set up	
9. 0.	letter that I needed to be inspected, I of course		20.	for these hundred kids at a school to play on."	
). 1.	contacted the State. I spoke with Ms. Bennett.		20.	So my question is, as a person that	
1. 2.	It was very helpful. She gave me lots of		22.	is really working hard to be compliant, make sure	
2. 3.	information and told me who I needed to see, where		23.	that I have everything by standard, how am I	
3. 4.	I needed to go to find additional information.		24.	supposed to maintain this business when we're	
т. 5.	I set up an inspection with a third		25.	letting other people come in that aren't legally	
		Page 62			Page
1.	party. He came out. I blew all of these things		1.	compliant and we're giving them a permit to	
2.	up. It was on a hundred-degree day, I think, but		2.	operate?	
3.	we got this done. He was very complimentary on		3.	MS. JEFFERSON: And I would	
4.	the condition of my equipment, made sure that I		4.	MS. HAYES: And I oh, sorry.	
5.	had all of the safety stuff, the stakes, the		5.	MS. JEFFERSON: Oh, go ahead.	
6.	sandbags, all of that, everything, made sure it		6.	MS. HAYES: Well, I don't want	
7.	was compliant.		7.	people because this person is using my name for	
8.	He got back with the State, and I		8.	his business and he's permitted by the State, I	
9.	have been permitted for all seven of my units,		9.	wouldn't want someone to get hurt on his	
0.	which is what I have. But he also asked me,		10.	residential-grade equipment and confuse them that	
1.	because my name is Hayes, about another company		11.	they have got their stuff from us, because he's	
2.	that he was visiting. He said, "I'm already		12.	using my name as his business name. And that's	
3.	seeing another company with the name "Hayes" and		13.	how that falls into play. I feel like if we don't	
4.	their business today, as well.		14.	have and I agree with both of you guys, we do	
5.	And I said, "Yes. That's somebody		15.	need that third party, but we do need somebody	
6. -	that's trying to target customers through mine.		16.	with the State. We do need this funding for	
7.	We're not affiliated.		17.	people to make these spot checks, make sure people	
8.	This company also has units that I		18.	are staying compliant, that they are showing you	
9.	know are not safe and are residential units, and		19.	all of their equipment and not just the pieces	
0.	it says on the front, "Not for Commercial Use."		20.	that they feel can pass inspection.	
1.	He did his inspection. He sent his		21.	We need these extra eyes. We do need	
2.	information to the State, and they have since		22.	this funding, and I push for that, too, because	
3.	permitted this person to use their inflatables.		23.	there's already cracks that people are falling	
4. 5.	And I brought it back to his attention that, "Hey,		24.	into.	
L-	I know he's got three units that are not		25.	MS. JEFFERSON: I'd like to	

		Page 65		Page
1.	Commissioner?		1.	operation until that's done.
2.	COMMISSIONER PHILLIPS: I was just		2.	MS. JEFFERSON: Right. We'll cease
3.	going to say that's a classic example of the		3.	operation until
4.	process and procedures that were in place were		4.	MR. HALE: But all he's going to do
5.	done and done correctly. That fell back on the		5.	is hide those devices that aren't compliant until
6.	owner of the product who concealed these items		6.	the third-party inspector leaves.
7.	during the inspection. There's no way for us		7.	MS. JEFFERSON: But even if you
3.	to any of us to control that. But in terms of		8.	have a state inspector
€.	what you're saying about having some inspectors		9.	COMMISSIONER PHILLIPS: So what are
).	who can do spot checks, I suppose, or follow up on		10.	we going to do about that?
١.	complaints, again, we're not opposed to that.		11.	MS. JEFFERSON: Even if you have a
2.	Just get us the money.		12.	state inspector
3.	MR. HALE: I think what she's		13.	MR. HALE: That's why you need a
ŀ.	saying is a perfect example of what we're saying.		14.	state inspector to be able to go out onto a site
5.	There has to be that additional and in several		15.	and say, "There's that device that the State did
ó.	of these meetings I've compared it to having a		16.	not permit to operate it."
,. 7.	shepherd. You know, the sheepdogs are those		17.	COMMISSIONER PHILLIPS: Now, I'm
3.	third-party inspectors inspecting the sheep, but		18.	just being the devil's advocate, because I'm with
). ).	there still has to be a shepherd to go out and		19.	you guys. But I'm being the devil's advocate. So
,. ).	make sure that something doesn't escape from the		20.	what if the state inspector went out and said,
).  .	sheepdog. And we have developed a sheep ranch		21.	"Okay, so where are these devices that are not
1. 2.	with no shepherd, so the shepherd would go and		22.	compliant?"
<u>د</u> . 3.	· · · · · · · · · · · · · · · · · · ·		23.	_
	follow up on complaints like hers.			"I don't have any devices. I don't
ł. -	I know this guy, even though if he		24.	know who told you that."
5.	has "X" number of permitted devices, he's not		25.	MR. HALE: But if the state
		Page 66		Page
١.	completely permitted it, that shepherd should go		1.	inspector got a report that this uninspected
2.	out and find him doing that and shut that down.		2.	device was being operated, he could go to that
3.	MS. JEFFERSON: And upon receiving		3.	location and say, "There that device is." That
١.	that type of information and I'm not sure if		4.	needs to be you
5.	you have the company name we will be following		5.	COMMISSIONER PHILLIPS: Third-
5.	up on that after this meeting. Because what we		6.	party can do it, too, but I understand what
7.	would do, if we are aware of a situation like		7.	you're saying.
3.	that, what we do is to contact that particular		8.	MR. HALE: The third-party
).	company to review the current records and to let		9.	inspector is being paid by that company. They're
,. ).	them know that, "Hey, you reported this many		10.	not they don't have the opportunity to go out
). l.	devices, but the third-party inspector's records		11.	there they're not going to call that
۱. 2.	show that there are, instead of three, that there		12.	third-party inspector and say, "Hey, I'm going to
3.	are five," for example.		13.	
	_		l	pay you some money to come out here and find me
١.	And then we have that person to hire		14.	not in compliance."
5.	a third-party inspector to go back out and take a		15.	COMMISSIONER PHILLIPS: We were the
ó.	look at everything. But that's the process. So		16.	ones that would be sending them out in that
	there's still oversight there. There's room for		17.	instance. We would be the ones sending them out.
3.	oversight. And even in that particular situation.		18.	They would not
١.	MS. HAYES: How long is that		19.	MR. HALE: So we're going to hire a
	process that that would take to follow through on?		20.	third-party inspector.
	MS. JEFFERSON: We have them to		21.	MS. JEFFERSON: No, we don't hire
			22.	the third-party inspector. The company obtains
2.	immediately in a situation like that, we would		23.	the third-party inspector. We require
l. 2.	require them to immediately obtain another			
). 1. 2. 3.			24.	COMMISSIONER PHILLIPS: But in that
2. 3.	require them to immediately obtain another		24. 25.	COMMISSIONER PHILLIPS: But in that instance, it would be some other third party from

İ	Page 69			Page 71
1.	the one that first went.	1.	go out there and make sure that there are not	8
2.	MS. JEFFERSON: It will be a	2.	devices falling through the cracks.	
3.	different third-party inspector. And in my	3.	MS. JEFFERSON: Well, the only way	
4.	experience with third-party inspectors and	4.	you can ensure that is that our state inspectors	
5.	James, you can speak to this if you like because	5.	have a search warrant. Because they can lie to	
6.	you-all have third-party inspectors these are	6.	the state inspectors as well. And that was the	
7.	persons who are neutral, detached. They don't	7.	point I was trying to make. It's not that it's	
8.	have any affiliation. True they pay	8.	veracity, it's honesty whether or not the owners	
9.	MR. HALE: I understand third-party	9.	and operators are operating the way that they	
10.	inspections.	10.	should, in the correct fashion. But just like	
11.	MS. JEFFERSON: True they pay for	11.	they don't present information to the third-party	
12.	the inspections, but the ones that I've dealt	12.	inspectors, they could do the same thing with the	
13.	with, they don't have any interest in that	13.	state inspector. That was the only point I was	
13. 14.		1	* * *	
	company. They don't have any reason to give them	14.	trying to make.	
15.	an upper hand or agree with them to hide devices	15.	CHAIRMAN FOX: Mr. Moore?	
16.	or anything like that.	16.	MR. MOORE: Of course my experience	
17.	MR. HALE: Okay. Let's back up for	17.	is with the elevators, but, you know, there's not	
18.	just a second. I understand third-party	18.	a legal elevator that you step on in the state of	
19.	inspection. Okay? I've been in the amusement	19.	Tennessee, that I'm aware of, that is not	
20.	industry over 30 years, so I understand it. But	20.	permitted or does not have that permit either	
21.	what I'm saying is this: That third-party	21.	saying you know, a copy of the permit or	
22.	inspector is being paid by somebody, right? Do we	22.	elevator permit on file in the office or whatever.	
23.	agree with that?	23.	But could we not is it possible for us to do	
24.	MS. JEFFERSON: Yes.	24.	the same thing with these amusement devices to	
25.	MR. HALE: It's not the State	25.	where the general public gets to the point where	
	Page 70			Page 72
1.	paying them. It's ABCD Amusement Company paying	1.	if they step on an elevator and there's no permit	
2.	them to come in and inspect all their devices; is	2.	there, then they realize, "Hey, I shouldn't be	
3.	that correct?	3.	riding that elevator"? Could we not do the same	
4.	MS. JEFFERSON: That's correct.	4.	thing to where the general public gets on an	
5.	MR. HALE: All right. So ABCD	5.	amusement device and right at the entrance to that	
6.	Amusement Company decides they're going to operate	6.	device it says, "Hey, this permit is on file in	
7.	a device which they're going to hide from the	7.	the office," or a copy of this permit? That	
8.	third-party inspector because they know it's not	8.	way	
9.	compliant. You're going to get a list of	9.	MS. JEFFERSON: That's the law.	
10.	everything they've got that's been third-party	10.	MR. MOORE: the public realizes	
11.	inspected, and that's what you assume they're	11.	and knows that, hey, this is either inspected or	
12.	operating. Right? Then they go just like this	12.	it is not.	
13.	lady speaking about and they set up this	13.	MS. JEFFERSON: And that's the law.	
13. 14.	noninspected device.	14.	The law currently says that they're supposed to	
	<del>-</del>	1	* * * *	
15.	What we are saying is that's the	15.	post that on site. And actually, we posted that	
16.	device that the state inspector is looking for,	16.	on Twitter. We tried to get the word out as much	
17.	something that the third-party inspectors have not	17.	as we can on our website to let folks know, our	
18.	looked at because maybe the company is not	18.	employees as well as the public know, if you don't	
19.	reputable, maybe they're hiding that device, which	19.	see that permit, contact us. So we're trying to	
20.	is what she is saying is occurring in that	20.	get the word out. It's education. We have to	
21.	situation.	21.	educate the public. Because like I said before,	
22.	I'm not arguing that third-party	22.	this all dates back to 2009, but the public has	
23.	inspectors are good or not. I'm with you on that.	23.	not been educated in the way that it needs to.	
24.	The third-party inspection program is great. I'm	24.	COMMISSIONER PHILLIPS: Nor have	
	saying we have to have that additional shepherd to	25.	owners.	
25.	,	1		

		Page 73			Page 75
1.	MS. JEFFERSON: Right.	rage 73	1.	meeting, because we can actually talk with Carlene	1 age 75
2.	COMMISSIONER PHILLIPS: I mean, the		2.	and just make sure we have that information, and	
3.	owners didn't realize they were supposed to post		3.	we'll work on that right after this meeting.	
4.	that.		4.	MS. HAYES: And there's at least	
5.	MS. HAYES: And what I run into is,		5.	seven different companies within 20 miles of me,	
6.	with this one for instance, when I asked that		6.	and in the last 30 days a new one has opened, and	
7.	inspector this was two weeks ago, he said he		7.	they've got three inflatables, and two of those	
8.	was bringing it to you guys' attention. But as		8.	three they purchased at Sam's Club, which, again,	
9.	far as being able to locate these, I mean, no		9.	are not for commercial use. But I'm thinking	
10.	search warrant required, it's as simple as typing		10.	they've seen this guy is buying a \$500 inflatable,	
11.	in the web address and seeing what he has listed		11.	and these things can get anywhere from \$2,000 to	
12.	and looking at what you have approved.		12.	\$25,000 to purchase.	
13.	Businesses like this, you know, we		13.	So if you're buying a \$500 inflatable	
14.	don't have a building where these are just		14.	and you're seeing that John Doe down the street is	
15.	constantly blown up, and you go in and we would		15.	making \$100 a day off of this, everybody is going	
16.	have to deflate it and tuck it away somewhere.		16.	to jump into the business. So if we don't stay on	
17.	Advertising is either on the web, you can ask for		17.	top of, you know, who is breaking the law and who	
18.	a brochure or some type of literature to see what		18.	is not compliant, then this whole law is for	
19.	these are going to look like when they're		19.	nothing.	
20.	inflated.		20.	I mean, it's I thought, whenever I	
21.	So to me, I mean, it's really easy,		21.	seen the letter, that this was going to help, you	
22.	and I've been checking this guy's website	[:	22.	know, justify businesses that are out here trying	
23.	periodically because I'm now the "bounce police."		23.	and working. I mean, we do all of our setup to	
24.	But no one has asked him to take those photos		24.	make sure they're secured to the ground. We bring	
25.	down. No one has asked him to take his permit		25.	them back home, set them up again, clean them.	
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		Page 74			Page 76
1.	down because he has broken the rules. I mean,	Page /4	1.	And we try to do everything by the book to have	Page 76
2.	down because he has broken the rules. I mean, what are the consequences of running a business,	Page /4	2.	the safest, cleanest, sanitary equipment out	Page 76
2. 3.	down because he has broken the rules. I mean, what are the consequences of running a business, saying you're permitted and using these devices	Page /4	2. 3.	the safest, cleanest, sanitary equipment out there.	Page 76
2. 3. 4.	down because he has broken the rules. I mean, what are the consequences of running a business, saying you're permitted and using these devices that were not approved?	Page /4	<ul><li>2.</li><li>3.</li><li>4.</li></ul>	the safest, cleanest, sanitary equipment out there.  And then I have somebody that says,	Page /o
2. 3. 4. 5.	down because he has broken the rules. I mean, what are the consequences of running a business, saying you're permitted and using these devices that were not approved?  MS. JEFFERSON: Injunctive relief.	Page /4	2. 3. 4. 5.	the safest, cleanest, sanitary equipment out there.  And then I have somebody that says, "Boy, they make that look easy. I'm going to go	rage /o
2. 3. 4. 5. 6.	down because he has broken the rules. I mean, what are the consequences of running a business, saying you're permitted and using these devices that were not approved?  MS. JEFFERSON: Injunctive relief. And the statute provides for that. So if we're	Page /4	<ol> <li>2.</li> <li>3.</li> <li>4.</li> <li>5.</li> <li>6.</li> </ol>	the safest, cleanest, sanitary equipment out there.  And then I have somebody that says, "Boy, they make that look easy. I'm going to go buy these used things that are falling apart at	rage /o
2. 3. 4. 5. 6. 7.	down because he has broken the rules. I mean, what are the consequences of running a business, saying you're permitted and using these devices that were not approved?  MS. JEFFERSON: Injunctive relief. And the statute provides for that. So if we're aware of that and, like I said, after this	Page /4	<ol> <li>2.</li> <li>3.</li> <li>4.</li> <li>6.</li> <li>7.</li> </ol>	the safest, cleanest, sanitary equipment out there.  And then I have somebody that says, "Boy, they make that look easy. I'm going to go buy these used things that are falling apart at the seams and see if I can use their name and kind	rage /o
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2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24.	down because he has broken the rules. I mean, what are the consequences of running a business, saying you're permitted and using these devices that were not approved?  MS. JEFFERSON: Injunctive relief.  And the statute provides for that. So if we're aware of that and, like I said, after this meeting, Carlene and I will be talking so we can see where we are in that process. Because if this company continues to operate that way, we'll be talking with our general counsel, so that person can talk with the folks over at the AG's office, the Attorney General's office, and we can ask or request for an injunction. Because if they're operating in a way that they shouldn't and they won't stop but we have to notify them to cease and desist first. And once we do that, there's a certain process to get to the injunctive relief process.  But there are processes already in place. Were they being followed before? They weren't. Are we implementing those processes now? We are.  So I'm glad that you brought that to our		2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24.	the safest, cleanest, sanitary equipment out there.  And then I have somebody that says, "Boy, they make that look easy. I'm going to go buy these used things that are falling apart at the seams and see if I can use their name and kind of jump in there and take some of their business."  MR. HALE: Where is your business located?  MS. HAYES: I'm in Putnam County, in Cookeville. And you're welcome to look us up. We're 123BounceParty.com. And I put a seal by every photo on our website that this was inspected, this one was approved, by every single one to show that I'm not trying to throw anything in there that was not approved, that's not compliant, because I want people to know that we're doing business right, you know, we want	rage /o

		Page 77			Page 7
1.	instance, I've had several people to say, "I told	J	1.	MS. HAYES: I mean, I spent my	U
2.	my friend at church to contact the Hayes about a		2.	money to have these inspections and to get the	
3.	bounce house, and when they showed up, it wasn't		3.	permit. I want to be you know, I want you guys	
	you. And boy, what we had a hold of when they		4.	to stand behind me. I've gave you my money. I	
	went to set that up." So I'm thinking when I		5.	want you to stand behind me and make sure that	
ó.	seen this law, I felt like it may help, you know,		6.	everybody else follows the rules along with me.	
7.	because		7.	So thank you for your time.	
3.	MS. JEFFERSON: And it will help.		8.	CHAIRMAN FOX: Thank you, ma'am.	
9.	I don't want you to think that it's not going to.		9.	Just for the record, I have a grandson out there	
0.	MS. HAYES: I didn't want this guy		10.	at Cookeville, Tennessee Tech, so if he decides to	
1.	to ruin my business.		11.	go get a bounce house, I'll send him to you.	
2.	MS. JEFFERSON: No, it's going to		12.	MS. HAYES: We have set up at Tech.	
3.	help. Like I said, this process was recently		13.	CHAIRMAN FOX: I've got to take	
4.	developed, in February. And having you here		14.	care of my grandkids.	
5.	today, I mean, that's an improvement to talk about		15.	MS. HAYES: Thank you.	
6.	"I'm wanting to become compliant," I mean, that's		16.	CHAIRMAN FOX: Mr. Phillips, what	
7.	what we want to hear. We want to hear from owners		17.	do we need to do?	
8.	and operators who are compliant with the law to		18.	COMMISSIONER PHILLIPS: Well,	
9.	let us know who's not compliant. That way we can		19.	again, just let me say that we depend on you to	
0.	go back to our office and we can contact those		20.	give us recommendations. But we can't I mean,	
1.	companies that are noncompliant.		21.	if you said, "I want you to fly to the moon	
2.	So it is working. I don't want you		22.	tomorrow," we couldn't do it. We have to be able	
3.	to think that it's not working. And we appreciate		23.	to do what we can do. You know, the	
4.	you coming and providing this information.		24.	MR. RADER: Obviously, the money is	
5.	MS. HAYES: And I know that it's a		25.	the issue. We understand that.	
		Page 78			Page
1.	process and it's going to take time to, you know,		1.	COMMISSIONER PHILLIPS: The money	
2.	really lay your groundwork. And like I said, we		2.	is the issue, because we we serve. But we can	
3.	do need a third party, we do need the state		3.	only serve to the extent that we have the funding	
4.	auditors doing these spot checks, or whatever we		4.	to do so.	
5.	need to do to back that up. Because there's		5.	And I come from the business world,	
6.	always going to be people out here there's a		6.	and there's no way that government will ever be	
7.	company in town that's got 40 of these. My guess		7.	able to protect everybody from every possibility	
8.	is they might have had five inspected.		8.	of injury. It's just you know, a lot of people	
9.	MS. JEFFERSON: And did you have		9.	seem to think that's the case. But it's	
0.	any additional information? Because we do receive		10.	impossible.	
1.	a lot of referrals from folks out there in the		11.	I think we're doing a good job now,	
2.	industry. Feel free to let us know, and we will		12.	and certainly since Kim has gotten there. We've	
3.	be happy to research and to make sure that those		13.	really tightened up the process a lot.	
4.	companies are compliant. And we can do that after		14.	Unfortunately, with something like this, there is	
5.	the meeting. We'll be happy to speak with you		15.	a process and it takes time. We all know that.	
6.	about additional companies.		16.	We all I'm assuming all of us are businessmen,	
7.	MS. HAYES: And that's really what		17.	I used to be one get frustrated by the time it	
8.	I want to see, is the follow through, when people		18.	takes sometimes for government and the courts to	
9.	aren't and they advertise that they are, because		19.	respond. But what we want you to know is we're	
0.	if I'm going the extra mile to make sure that I'm		20.	here to do what we can do and what you recommend	
1.	honestly, you know, legitimately compliant, and		21.	that we do. But know that no matter what you	
2.	somebody else is just saying, "Oh, we are too,"		22.	recommend, if there's not money there to do it, we	
3.	you know		23.	cannot do it. And we cannot create money the	
٠.	MS. JEFFERSON: Right. I get it.		24.	executive branch cannot do anything about funding.	
4.	9 9		0.5	That has to come from the legislature.	
	I get it.		25.	That has to come from the legislature.	

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1.	So it's important to us for you to		1.	mean it won't be funded. That's up to the	
2.	know that we don't have any philosophical		2.	legislature, because the legislature can also take	
3.	disagreement with this, but we try to be good		3.	money away from the government. I mean, they are	
•	stewards of the taxpayers' dollars so we don't		4.	the ultimate authority.	
<b>5.</b>	spend money we don't have. So that's really where		5.	CHAIRMAN FOX: When is the deadline	
5.	we're from, and we're really trying our best to		6.	for us excuse me, for me to make whatever	
7.	improve to the extent that we can with the		7.	move it is that is needed to get this on	
8.	resources that we do have.		8.	somebody's radar?	
9.	So it was important to me that y'all		9.	COMMISSIONER PHILLIPS: Well, the	
0.	understand we don't have any problem with what		10.	legislature comes when does the legislature	
1.	you're wanting. We just can't do it without		11.	come back?	
2.	funding.		12.	MS. DURM: I think they're coming	
3.	CHAIRMAN FOX: So what does this		13.	back on the 12th, and I've been told they may have	
4.	board need to do correction, what can I do to		14.	as little as seven days to file their bills.	
5.	help get you that money?		15.	But, Chairman, if I may, I would love	
6.	COMMISSIONER PHILLIPS: Well, you		16.	to speak with you after the meeting.	
7.	can make recommendations. And then if, in fact,		17.	CHAIRMAN FOX: Okay.	
8.	legislation materializes, then we've got something		18.	COMMISSIONER PHILLIPS: She's our	
9.	to go on when they come to us about a physical		19.	direct conduit to the legislature.	
0.	note and we can support whatever we provide with		20.	CHAIRMAN FOX: Good.	
1.	recommendation to us from the board. I mean, we		21.	COMMISSIONER PHILLIPS: That	
2.	can't that's about all we can do. It's really		22.	doesn't mean she can get money.	
3.	up to y'all's hands and the people in the		23.	CHAIRMAN FOX: Good.	
4.	communities in terms of the funding.		24.	COMMISSIONER PHILLIPS: That	
5.	CHAIRMAN FOX: Sir, this is not a		25.	doesn't mean she can get money.	
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1.	challenge, what I'm asking. It's a question.		1.	MS. DURM: I did receive a phone	
2.	COMMISSIONER PHILLIPS: Right.		2.	call, sir, and would love to speak with you after	
3.	CHAIRMAN FOX: A question of		3.	the meeting.	
4.	ignorance. Ignorance is trainable. Train me on		4.	CHAIRMAN FOX: Okay. Again, my	
5.	what needs to happen. Why can you not go to		5.	goal in life is you know, the lady who got	
6.	whatever funding source it is that you go to and		6.	killed on the Hawk, I've seen that. But I've seen	
7.	ask for that money?		7.	a lot of people dead in my life. I spent 30 years	
8.	COMMISSIONER PHILLIPS: Well, you		8.	in law enforcement, and I've seen a lot of bodies.	
9.	can. And each department does that every year.		9.	I don't want to see any more. I've just had all	
0.	And we ask for a lot. But the final decision is		10.	of that I want.	
1.	the Governor. The Governor takes all		11.	And, again, it's all about my	
2.	recommendations for funding from every department		12.	grandkids. I want to keep these rides safe for my	
3.	and decides what is going to be funded based on		13.	grandkids. That's all I'm ever asking. And I	
4.	availability of funds. So all we can do is		14.	think this is a way that we can help do that.	
5.	recommend money. And we've done that for her, but		15.	Now, that may be a little bit philosophical, but,	
6.	whether it makes the cut, so to speak, is beyond		16.	you know, they're my grandkids. Just got to take	
7.	our control.		17.	care of them, so if we could ask you to help us	
8.	MR. RADER: So speaking to our		18.	with this, we I think I can include some of us	
9.	state representative and our senators is each		19.	here, all of us we would be willing to go to	
0.	individual board member		20.	bat with our legislators, senators, and	
1.	COMMISSIONER PHILLIPS: That's		21.	representatives to help fund this.	
2.	right. Because the Governor, you know, he just		22.	I think if we propose nine, I think	
2. 3.	proposes the budget. The legislature is the one		23.	we would kill it immediately. I think if we, like	
.3. :4.	that actually makes the money available. So just		23. 24.	the elephant eating that bale of hay just one bite	
24. 25.				at a time, if we had three and the minimum	
	because it's not in the Governor's budget, doesn't		25.	at a time, if we had times and the initimitin	

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1.	necessary accoutrements, if you will, to make that	<i>y</i>	1.	thousands of eyes across the state. It could be a	<i>G</i> - <i>x</i> ·
2.	happen, I think we can get that. And like		2.	simple thing of she gets her permit free. But if	
3.	everything else, we crawl before we walk. And		3.	you have a system to encourage people to help us	
4.	then once we get that in place, I think the next		4.	find these things, you know, would that be	
5.	step is to hire the six more or ever how many that		5.	feasible or possible or is it practical? It's	
6.	we would deem necessary.		6.	just an idea.	
7.	And we also need to go after the		7.	MR. HALE: Who is going to decide	
8.	go-karts. I think the go-karts are a source of		8.	if what they turn is really real or not?	
9.	problem and we would change the law. And that		9.	MR. MOORER: The inspectors.	
10.	money alone would be self-funding.		10.	MR. HALE: But what inspector?	
11.	COMMISSIONER PHILLIPS: I just		11.	MR. MOORER: Well, you know, we've	
12.	asked her. That the go-karts would take		12.	got inspectors now that look at things.	
13.	legislative action.		13.	CHAIRMAN FOX: It's not a bad idea.	
14.	CHAIRMAN FOX: Yes, it would. When		14.	I paid people for years for information. I put a	
15.	the law was written, we exempted that, or we asked		15.	lot of people in the penitentiary with that.	
16.	the legislators to exempt that, because we didn't		16.	MR. MOORER: Well, it's just a	
17.	have the infrastructure in place to take care of		17.	concept to think about.	
18.	it. But it may need to happen now.		18.	CHAIRMAN FOX: Yes, sir. I think	
19.	But I guess what I'm asking you is		19.	it's a good idea.	
20.	will you help us with this endeavor?		20.	MR. MOORER: It's like the IRS	
21.	COMMISSIONER PHILLIPS: I		21.	does.	
22.	wouldn't		22.	CHAIRMAN FOX: That's right.	
23.	MS. DURM: He won't oppose it.		23.	MR. MOORER: I know it's different	
24.	COMMISSIONER PHILLIPS: I won't		24.	and shocking, but it would work.	
25.	oppose it.		25.	CHAIRMAN FOX: Like I said, I used	
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1.	MS. DURM: We're not going to fight	Č	1.	it for years.	C
2.	it.		2.	COMMISSIONER PHILLIPS: And you	
3.	COMMISSIONER PHILLIPS: You know,		3.	were using it with the most upstanding citizens in	
4.	the commissioners have certain parameters of the		4.	the state.	
5.	things they can do. I would not oppose it, which		5.	CHAIRMAN FOX: Yes, sir. Yes, sir,	
6.	is the same as, you know, if you're not opposing		6.	I did. I paid \$5,000 one time to try to buy a	
7.	it, then you're not trying to get in the way.		7.	child. Money works.	
8.	CHAIRMAN FOX: Remember what I said		8.	Anything else on this topic?	
9.	a minute ago, it's about ignorance. Ignorance is		9.	MR. BURCH: You can buy them a lot	
	trainable.		9. 10.		
10.				cheaper that you can raise them.	
11.	COMMISSIONER PHILLIPS: That's		11.	CHAIRMAN FOX: Well, that's true.	
12.	right.		12.	We just wanted to put this woman in jail, though,	
13.	CHAIRMAN FOX: I just need you to		13.	is all we were after.	
14.	train me.		14.	COMMISSIONER PHILLIPS: Mr. Burch,	,
15.	MR. MOORER: Mr. Chairman, I have		15.	I'm glad you said that. I thought that but I	
16.	to ask a question, if I could.		16.	thought	
17.	CHAIRMAN FOX: Yes, sir.		17.	MR. RADER: Did you put that on the	
18.	MR. MOORER: I've been sitting		18.	record?	
19.	here and I've thought about it before. I've		19.	COMMISSIONER PHILLIPS: I'm afraid	
20.	mentioned it, I think. What about discussing the		20.	it is.	
21.	possibility of having a system of rewards? Like		21.	CHAIRMAN FOX: Anything else on	
22.	Ms. Hayes, she's turned somebody in that's		22.	this topic?	
23.	illegal. And if it checked out and it's illegal,		23.	(No verbal response.)	
25.	why couldn't there be some type of reward for		24.	CHAIRMAN FOX: Again, Commissioner	,
24. 25.	turning that person in? And then we've got		25.	we're glad you're here.	

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1.	COMMISSIONER PHILLIPS: Glad to be		1.	CERTIFICATE	
2.	here.		2.	STATE OF TENNESSEE )	
3.	CHAIRMAN FOX: I'm elated that		3.	COUNTY OF WILLIAMSON )	
4.	you're here. We certainly wanted to talk with		4.	I, Cassandra M. Beiling, a Notary Public	
5.	you, express our desires. And again, you have my		5.	in the State of Tennessee, do hereby certify:	
6.	impassioned plea. I just don't want to see		6.	That the within is a true and accurate	
7.	anybody else hurt. Don't want to see anybody else		7.	transcript of the proceedings taken before the	
8.	die.		8.	Elevator and Amusement Device Safety Board and the	
9.	COMMISSIONER PHILLIPS: As do we.		9.	Chief Inspector or the Chief Inspector's Designee,	
10.	CHAIRMAN FOX: That's all I'm		10.	Tennessee Department of Labor and Workforce	
11.	after.		11.	Development, Division of Workplace Regulations and	
12.	MR. HALE: And I think, again, we		12.	Compliance, Elevator and Amusement Device Unit, on	
13.	applaud what Carlene and Kim and those folks have		13.	the 1st day of September, 2015.	
14.	done.		14.	I further certify that I am not related to	
15.	MR. RADER: Absolutely.		15.	any of the parties to this action, by blood or	
16.	MR. HALE: We're not opposed to		16.	marriage, and that I am in no way interested in	
1	11		17.	the outcome of this matter.	
17.	what they're doing. And what they're doing is an		18.		
18.	excellent job. We need another level.  COMMISSIONER PHILLIPS: And what		19.	IN WITNESS WHEREOF, I have hereunto set my	1
19.			20.	hand this 22nd day of September, 2015.	
20.	they do is a critical part of this		21.		
21.	MR. HALE: Absolutely. Absolutely.		22.		
22.	And they do a good job of that.		23.		
23.	CHAIRMAN FOX: You know, in my			Cassandra M. Beiling, CCR, LCR# 371	
24.	mind, they all wear capes and they're superheros,		24.	Notary Public State at Large	
25.	but we still need the other person, the other		25.	My commission expires: 3/12/2016	
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1.	group. Okay? That's where we're at.				
2.	All right. Item Number 6,				
3.	Announcement of the Next Meeting. The next				
4.	regularly scheduled meeting of the Elevator and				
5.	Amusement Device Safety Board Meeting will be held	d			
6.	on the first floor of TOSHA at 9:00 a.m. Central				
7.	on Thursday, December the 3rd, 2015, at the State				
8.	of Tennessee Department of Labor and Workforce				
9.	Development located at 220 French Landing,				
10.	Nashville, Tennessee.				
11.	Do I have a motion to adjourn?				
12.	MR. HALE: So moved.				
13.	MR. BURCH: Second.				
14.	CHAIRMAN FOX: We are adjourned.				
15.	•				
16.	Thank you.				
1	END OF THE PROCEEDINGS.				
17.					
18.					
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24.					

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