

Elevator & Amusement Device Safety Board

DEPOSITION OF HEARING

Taken June 05, 2018



615.221.1089

1 STATE OF TENNESSEE
2 DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
3 WORKPLACE REGULATIONS & COMPLIANCE DIVISION
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9 TRANSCRIPT OF PROCEEDINGS

10 OF

11 ELEVATOR & AMUSEMENT DEVICE SAFETY BOARD MEETING

12 June 5, 2018

13 BEFORE: Robbie Fox, Chairman 14
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23 _____
24 Carole K. Briggs, LCR #345
25 STONE & GEORGE COURT REPORTING
2020 Fieldstone Parkway
Suite 900 - PMB 234
Franklin, Tennessee 37069
(615) 221-1089

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1 The above-styled cause came on for hearing on
 2 this the 5th day of June 2018, before the Elevator &
 3 Amusement Device Safety Board at 220 French Landing
 4 Drive, Tennessee Room, 1st Floor, Nashville, Tennessee,
 5 when and where the following proceedings were had, to
 6 wit:
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1 Bob Graham, Elevator Inspector
 2 Jerry Jenkins, Elevator Inspector
 3 Mike Farmer, Elevator Inspector
 4 Jim Watts, Elevator Inspector
 5 Melinda Kelsey, Chief of Staff to the Department of
 6 Labor and Workforce Development
 7 Steve Millsaps, Elevator Inspector
 8 Larry Riley, Elevator Inspector
 9 Thomas Jackson, Elevator Inspector
 10 Jose Martinez, Elevator Inspector
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Page 3

1 A P P E A R A N C E S
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 3 Robbie Fox, Chairman
 4 Lynn Kirby, Board Secretary
 5 Mike Hardy, Amusement Device Unit Manager
 6 Chris Farmer, Elevator Inspector Supervisor
 7 Vic Laporte, Board Member
 8 David Hale, Board Member
 9 Larry Moore, Board Member
 10 Kelly O'Connor, Board Member
 11 Kim Jefferson, Esq., Assistant Commissioner
 12 Dan Bailey, Esq., Legal Counsel
 13 Stamatia XiXis, Legislative Liaison for the Department
 14 Of Labor and Workforce Development
 15 Jennifer Murphy, Administrative Assistant for Amusement
 16 Device
 17 Kevin Klutts, Safety Compliance Officer of Amusement Device Unit
 18 Don Stock, Inspector and Chair for the Government
 19 Relations Committee for Association for Challenge Course Technology
 20 Ruben Vargas, Elevator Inspector
 21 Anita Rose, Elevator Supervisor
 22 Denver Adams, Elevator Inspector
 23 Robert Mathis, Elevator Inspector
 24 Lauralyn Drew, Elevator Inspector
 25 Mike Pearson, Elevator Inspector

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1 MR.FOX: Good morning. We will call the
 2 June 5th, 2018 Board of Elevator and Amusement Device
 3 Safety Board to order. And the first order of business
 4 will be the introductions. The first one that I would
 5 like to do if we can is introduce our newest board
 6 member, who is Mr. Vic Laporte. If you would, please
 7 tell us a little bit about yourself.
 8 MR.LAPORTE: Thank you. I'm Vic Laporte. I
 9 live in Franklin, Tennessee. I've been in the state
 10 here for three years now. Very excited to be on the
 11 board, looking forward to serving. I've been in the
 12 elevator industry for 35 years. I've come up through
 13 the field. I've done mostly modernization work in my
 14 career, but have worked all aspects of the field. I'm
 15 currently the district service manager for Kone. I came
 16 to Kone eight years ago through an acquisition -- they
 17 bought my company. I'm originally from Chicago. And
 18 again, thank you very much. I look forward to serving.
 19 MR.FOX: Thank you. Let me make an
 20 announcement and then we'll start with and do the
 21 introductions. In the event of an emergency or natural
 22 disaster, security personnel will take attendees to a
 23 safe place in the building or direct them to the exit,
 24 or to exit the building on the Rosa Parks' side, which
 25 is on that side of the facility. With that being said,

<p style="text-align: right;">Page 6</p> <p>1 Ms. Kirby, you're first up. 2 MS.KIRBY: My name is Lynn Kirby. I am the 3 board secretary. 4 MR.HARDY: Mike Hardy, amusement device unit 5 manager. 6 MR.FARMER: Chris Farmer, representing the 7 elevator unit. 8 MR.LAPORTE: Vic Laporte, board member. 9 MR.HALE: David Hale, board member. 10 MR.FOX: Robbie Fox, board member. 11 MR.MOORE: Larry Moore, board member. 12 MS.O'CONNOR: Kelly O'Connor, board member. 13 MS.JEFFERSON: Kim Jefferson, assistant 14 commissioner. 15 MR.BAILEY: Dan Bailey, legal counsel. 16 MS.XIXIS: Tia XiXis, legislative liaison 17 for the department of labor and workforce development. 18 MS.MURPHY: Jennifer Murphy, administrative 19 assistant for amusement device. 20 MR.KLUTTS: Kevin Klutts, safety compliance 21 officer of amusement device unit. 22 UNIDENTIFIED WOMAN: I'm with the 23 comptroller's office, I'm just watching. 24 MR.STOCK: Don Stock, inspector and chair 25 for the government relations committee for Association</p>	<p style="text-align: right;">Page 8</p> <p>1 MR.JACKSON: Thomas Jackson, state elevator 2 inspector. 3 MR.MARTINEZ: Jose Martinez, state elevator 4 inspector. 5 MR.FOX: Glad to have you all here. Thanks 6 for being here today. Next order -- next agenda item 7 would be the pledge. If everybody would please stand. 8 (Pledge of Allegiance.) Please be seated. We need Item 9 No. 4, would be adoption of the agenda. Do I have a 10 motion to adopt the agenda? 11 MS.O'CONNOR: So moved. 12 MR.FOX: Second? 13 MR.HALE: Second. 14 MR.FOX: All in favor of the motion may it 15 be known by saying aye. 16 ALL: I. 17 MR.FOX: All opposed? 18 (Motion carried unanimously.) 19 MR.FOX: Okay, moving forward. Approval of 20 the March 13, 2018 meeting minutes. I would entertain a 21 motion to approve the minutes as presented. 22 MS.KELSEY: Motion. 23 MR.FOX: We have a motion. 24 MR.HALE: Second. 25 MR.FOX: We have a second. Any discussion?</p>
<p style="text-align: right;">Page 7</p> <p>1 for Challenge Course Technology. 2 MR.VARGAS: Ruben Vargas, elevator 3 inspector. I'm here to learn. Thank you guys for 4 having us here. 5 MS.ROSE: Anita Rose, elevator supervisor. 6 MR.ADA MS. Denver Adams, state elevator 7 inspector. 8 MR.MATHIS: Robert Mathis, state elevator 9 inspector. 10 MS.DREW: Lauralyn Drew, state elevator 11 inspector. 12 MR.PEARSON: Mike Pearson, state elevator 13 inspector. 14 MR.GRAHAM: Bob Graham, state elevator 15 inspector. 16 MR.JENKINS: Jerry Jenkins, elevator 17 inspector. 18 MR.FARMER: Mike Farmer, state elevator 19 inspector. 20 MR.WATTS: Jim Watts, elevator inspector. 21 MS.KELSEY: Melinda Kelsey, chief of staff 22 to the department of labor and workforce development. 23 MR.MILLSAPS: Steve Millsaps, elevator 24 inspector. 25 MR.RILEY: Larry Riley, elevator inspector.</p>	<p style="text-align: right;">Page 9</p> <p>1 There being none, all in favor of the motion let it be 2 known by saying aye. Motion carries. 3 (Motion carried unanimously.) 4 MR.FOX: Item No. 6, elevator units report. 5 MR.FARMER: That would be me. I will keep 6 it kind of short today. I kind of give the same spiel 7 every time. Right now we currently have 25 inspectors, 8 we have two office staff, and one office supervisor. We 9 have two vacant routes, but we are in the process of 10 filling one of them. And actually, we have selected, 11 and the gentleman will be starting June 18th. So he's 12 filling in the Middle Tennessee route. We definitely 13 need some help in Middle Tennessee, so he will be an 14 asset for us. 15 We all had our continuing education last 16 month, and as far as I know everybody passed their 17 online exam and got recertified for the year. So all my 18 inspectors out here will be at least up to par on it. 19 Today we are actually -- today is the first 20 day of our new computer system. We're going to leave 21 here at ten o'clock and go upstairs and start training 22 on it and start implementing it. We are accepting 23 electronic payments. The person went through this 24 morning, they used a dollar credit just to see if it 25 worked. So we can actually accept credit cards now. It</p>

<p style="text-align: right;">Page 10</p> <p>1 seems like a small thing until you don't have it. So 2 we're really excited about it. 3 Got some numbers for you. We're up on 4 permits for the year, we're up 63. We've permitted 355 5 new or altered elevators this year. We're down a little 6 bit on inspections. We've performed 8,677 inspections 7 so far this year. That's down close to 500 compared to 8 this time last year. We're a little down on acceptance 9 inspections. I don't know why that is because we've got 10 tons of new elevators going in. We're down 26 -- we're 11 down to 237 so far this year. And our total count is 12 15,378 elevators for compliance -- conveyances that 13 we're expecting. And that's about all I got. 14 MR.FOX: A quick question. Is Nashville 15 still growing and going? 16 MR.FARMER: Can't get around the town it's 17 growing so fast. 18 MR.FOX: So how many new elevators will they 19 put in Nashville this year? Just a swag? 20 MR.FARMER: Probably 500. 21 MR.FOX: That's amazing. 22 MR.FARMER: Probably have 800 over the whole 23 state, and 500 will be here in Middle Tennessee. And 24 when I say Nashville, I mean, like, surrounding counties 25 like Clarksville, Franklin, Cool Springs. So</p>	<p style="text-align: right;">Page 12</p> <p>1 permitted 3329 individual devices already this year. 2 Last year's total was 3126. Right now we're at 6.5 3 percent increase over last year's numbers. Again, with 4 four weeks left to go in the fiscal year. And the 5 safety compliance officer and our admin staff, Jennifer, 6 is primarily responsible for issuing 122 new permits 7 this year, or first-time permits for companies. Last 8 year the unit issued 83 new permits. So we've already 9 surpassed that number from fiscal year '16/'17. That's 10 a 47 percent increase. Again, with four weeks left. 11 And I'd also like to point out, and we'll 12 talk about a little bit later, but we're operating at 60 13 percent full staff right now. So we're missing a couple 14 of people. So I would like to see what we would be able 15 to do with a full staff. 16 We, again, it was our goal by the end of this 17 fiscal year to have located the majority of amusement 18 device companies that are operating in the state, and I 19 think at the end of this fiscal year that we'll have the 20 majority. I think that there's a lot more out there, a 21 lot more meat on the bone, as they say, to capture. And 22 we'll dive right into reaching out to those companies. 23 Well, it's ongoing, but hopefully next year we can 24 increase these numbers and see steady growth with the 25 number of companies we permit, the devices we permit and</p>
<p style="text-align: right;">Page 11</p> <p>1 surrounding areas, Middle Tennessee. 2 MR.FOX: Again, amazing at the growth. You 3 know, people come to Tennessee for a lot of reasons but 4 obviously the beauty of it, low taxes. There's many 5 different reasons, but I'm glad they're here. 6 MR.FARMER: Rent is not low. It's doubled 7 in town is what I've heard. 8 MR.FOX: Supply and demand. 9 MR.FARMER: I'm ready for the homeowners to 10 go up where I can sell mine and make a big bank off of 11 it. 12 MR.FOX: Any other questions from the board? 13 Item No. 7, amusement device unit report. 14 MR.HARDY: Thank you, Mr. Chairman. I'm 15 going to go over our statistics that we have thus far 16 with four weeks -- this one we're in -- four weeks left 17 to go in our fiscal year. The first chart in your 18 handout is the number of permits that we've issued so 19 far during this fiscal year. We have issued a record 20 number. Again, the unit is still fairly young but we 21 are still seeing growth. We've issued 363 permits thus 22 far this year, in comparison to 348 that we issued for 23 all of last year. And that's a 4.3 percent increase. 24 And again, we've got four weeks to go. 25 Number of devices, individual devices, we</p>	<p style="text-align: right;">Page 13</p> <p>1 the new companies that we bring into compliance. 2 I've got one more thing to mention. It's the 3 last sheet of your handout that I supplied you. And we 4 have ordered new decals for the next fiscal year, fiscal 5 year '18/'19. There is a four- to six-week lead time on 6 these decals, so we started that process in early May. 7 And I understand that they're printing them now so we 8 should have no problem getting these in and change over 9 to our '18/'19 decals for the next fiscal year. 10 Chairman, you may be pleased that there is an 11 example of the decal again in your handout, but we've 12 chosen Tennessee orange for, maybe against my better 13 judgment, but we chose Tennessee orange for the upcoming 14 year decal. 15 MR.FOX: That was the first thing that stood 16 out when I saw it. 17 MR.HARDY: I knew it would. The first year 18 we were successful with our decals. We haven't had a 19 lot of adverse conversation or many questions. It seems 20 to be doing what it was intended to do. 21 And another thing on decals, and we mentioned 22 before the meeting a little bit, Chairman, that they are 23 now assigned to specific devices. So at any time we can 24 look up a device and a company that owns that device and 25 operates that device through the proof of inspection</p>

<p style="text-align: right;">Page 14</p> <p>1 decal number. So that would give us a little bit more, 2 I guess credibility as far as where these decals are 3 going and the devices they're assigned to. 4 That's really all I have for the amusement 5 device report. I will be glad to answer any questions. 6 MR.FOX: Just a couple. And I think the 7 decal is great, a great move forward. So I would post 8 this just for logistics sake. I would post this decal 9 somewhere where all of my patrons who ride the Wild 10 Eagle could see this, right. And then let's just say 11 they wanted to check to see if this ride had been 12 inspected. So they could go on the web site and check 13 No. 001. Could we pull that up to see if that 14 particular ride had been inspected in 2018? 15 MR.HARDY: We have that capability 16 internally. All anyone needs to do is to contact the 17 unit, either Jennifer and I, and we would gladly give 18 them that information. But that's a good idea to think 19 about going forward about maybe having that capability. 20 Of course, you know that we're following the other units 21 in the division and working through the new software 22 system that we're getting. So we'll definitely keep 23 that in mind and make some notes and see if things of 24 that nature could be incorporated. 25 MR.FOX: Just wondered if that was possible.</p>	<p style="text-align: right;">Page 16</p> <p>1 it a lot easier to comply when you can do it online. 2 MR.HARDY: One feature with the online 3 payment that will help us, it just times for the 4 companies that it'll be pretty much instantaneous. We 5 won't have to wait on physical mail to issue permits as 6 far as payment's concerned. 7 MR.FOX: One other question in looking at 8 the web site. Have we replaced the gentleman in the 9 east that was running that area -- have we replaced that 10 compliance officer? 11 MS.JEFFERSON: No. We have a couple more 12 replacements that we have to do prior to that person, 13 but we're getting to that person. We're not able to 14 replace that person at this particular point because we 15 have a few other units within our division that we're 16 working on replacements for. 17 MR.FOX: I'm just thinking, fair season is 18 upon us or is very close, and the more folks that we 19 could have out there would better. If there is a way to 20 do that, if there's a way to expedite hiring. I know 21 what you have to go through the process, but if there's 22 any way to expedite that, I would personally appreciate 23 it. Again, everything we can do to keep our folks as 24 safe as possible. 25 MS.JEFFERSON: I agree.</p>
<p style="text-align: right;">Page 15</p> <p>1 MR.HARDY: We'll entertain that I guess when 2 we start to -- 3 MS.JEFFERSON: Develop our new computer 4 system. 5 MR.FARMER: They do have that capability to 6 go on and view certificates of operation, jurisdiction 7 online. Whether or not... 8 MS.JEFFERSON: And the developers, they're 9 not developing amusement devices yet. So once we get to 10 -- they're finishing up the elevator unit. And so once 11 the developers get to the computer system for the 12 amusement device unit, then that's something that we can 13 suggest. 14 MR.FOX: Do we have any kind of a timeline 15 for that? 16 MS.JEFFERSON: We're supposed to be done 17 with all three units, elevators, and amusement devices 18 prior to the first quarter of next year. It takes about 19 four months. 20 MR.FARMER: Took about four months from the 21 first meeting. It's not a quick process. 22 MR.FOX: I think it will be a plus for 23 device owners who, because so many of those folks are 24 not here in Tennessee and to be able to work through 25 that process remotely. A great thing, I think, to make</p>	<p style="text-align: right;">Page 17</p> <p>1 MR.FOX: Just somebody out there getting 2 another set of eyes and ears watching and listening to 3 what is going on. Anything else, Mr. Hardy? 4 MR.HARDY: I don't have anything else at 5 this time, no, sir. 6 MR.FOX: Okay. Ms. Jefferson, do you have 7 anything under either one of those reports? 8 MS.JEFFERSON: Under device ban and ban 9 lift, as you all know that a press release was actually 10 created by the department on or around April the 23rd. 11 And during that time Commissioner Burns Phillips lifted 12 the ban on the fire ball and similar devices. The ban 13 was originally created out of an abundance of caution 14 and actually after that Ohio fair tragedy that occurred 15 last summer. And the commissioner banned the fire ball 16 and similar devices from operating within Tennessee. 17 And he wanted to err on the side of caution simply 18 because the department had to respond to accidents that 19 had occurred over the past two years. We had some 20 really severe incidents to occur in Tennessee and the 21 commissioner wanted to err on the side of caution and 22 that's why that ban was actually implemented. But the 23 department received information, received a letter from 24 the internal association of amusement parks and 25 attractions that questioned the department's ability to</p>

<p style="text-align: right;">Page 18</p> <p>1 ban those rides. And once the commissioner received 2 that letter, he actually sent information to the 3 attorney general's office asking whether or not that was 4 proper. And after learning that Tennessee law did not 5 give the commissioner the authority to ban those rides, 6 the commissioner lifted, immediately lifted the ban. 7 And I would just like to say that I totally 8 understood why it was done. Simply because the 9 department had to respond to all of those previous 10 accidents and it really put us in a situation, a 11 predicament. We didn't want to sit on our hands and not 12 do anything. Our goal was basically to be pro-active. 13 And if nothing else, being pro-active gave us this 14 result. And we did receive information from the 15 attorney general's office stating that we should lift 16 the ban. That's what was done. Commissioner indicated 17 that we would still look at those particular rides and 18 they would be scrutinized like all of the other rides. 19 Nothing focusing on them specifically, but just to treat 20 all rides and scrutinize all of those rides to ensure 21 safety, because our main priority is safety within 22 Tennessee. 23 And as a result of that particular action, 24 we're going to look at third-party inspections like we 25 do now. We're going to focus on those third-party</p>	<p style="text-align: right;">Page 20</p> <p>1 Anyway, the folks that were here that day 2 from IAAPA and OABA also appreciated that, the turn of 3 events that took place. 4 What you're talking about on the safety 5 bulletins, I think Mr. Hardy found a great website 6 there, is it CARES? I can't remember what the acronym 7 stands for. 8 MR.HARDY: It's saferparks.org. I can't 9 remember what the acronym -- 10 MR.FOX: We just throw those acronyms out 11 there, CARES, you know, ASTM and ACCT. But it's a great 12 web site, and if you have a question about a safety 13 bulletin, you can find it there. So for those of you in 14 the inspection business. 15 Number 8, No. 1809. 16 MS.JEFFERSON: As you know, there was no 17 designated funding for the amusement device unit back in 18 or prior to 2016. In July 2016, we received non- 19 recurring funding for fiscal year '16/'17 and '17/'18, 20 and that was the first time that the amusement device 21 unit received funding. So our request last year -- or 22 this past year, rather -- the department submitted a 23 request for recurring funding for this particular unit 24 so that they'll have funding each year so that we can 25 fund the number of employees that we have as well as</p>
<p style="text-align: right;">Page 19</p> <p>1 inspections to ensure that they're timely submitted, 2 because that's something that is very important to us. 3 We have to make sure that they're timely submitted. We 4 have to make sure that inspectors follow the ASTM 5 guidelines for inspecting all amusement devices and we 6 have to make sure that all of the inspectors are 7 adhering to the latest manufacturer's bulletins and 8 alerts. I know that that's something that Mike Hardy 9 has been talking with you about, Mr. Chairman, just to 10 ensure that we create a system for the department to 11 notify third-party inspectors to ensure that third-party 12 inspectors know about those bulletins and alerts. So 13 Mike is creating -- actually, he'll talk about that 14 under the program report and talk about how the 15 department has come up with a system to get that 16 information out there to third-party inspectors so 17 they'll be familiar with the alerts and the bulletins. 18 That's basically what we have for that 19 particular issue. Do you have any questions about that? 20 MR.FOX: Just a comment. I appreciate the 21 commissioner taking the pro-active step in banning the 22 ride, or at least getting it out there and getting 23 attention to it so that we could thoroughly investigate 24 what went on. Everything turned out great. Again, I 25 appreciate Mr. Phillips and what he did for that.</p>	<p style="text-align: right;">Page 21</p> <p>1 everything that we do in the way of each compliance 2 officer has to have a vehicle. Of course all of the 3 employees have to have salaries, benefits. We have to 4 have equipment. We have to have this new computer 5 system. We have to have our supplies and everything 6 else associated with having the program. So the 7 department submitted a request for that. 8 We're very appreciative for our commissioner 9 as well as the legislative liaisons who actually 10 supported. Actually, they kept us informed as to what 11 was going on through legislative hearings so that we 12 could go over and basically testify and express the 13 importance of having funding for this particular 14 program. 15 In addition to our legislative liaisons, our 16 fiscal division played a really important part in this 17 as well because they kept us informed. They submitted 18 the paperwork that we needed to have completed by 19 finance and administration as well as the comptroller's 20 office. After the department submitted a request, a 21 review was conducted by finance and administration, 22 comptroller's office and other agencies. A 23 recommendation was made to the governor, legislative 24 committees approved funding, recurring funding for us. 25 The funding will appear in the fiscal year '19 budget</p>

<p style="text-align: right;">Page 22</p> <p>1 and it will appear in the appropriation act. As I 2 indicated before, because we did notify Chairman Fox so 3 he could notify all of the board members to inform them 4 of the status. We haven't received the final document 5 so we're waiting to actually see it in writing. We know 6 it's going to be there and we've been given permission 7 to discuss this and the funding amount is \$426,000. The 8 effective date is July 1st, 2018. And again, that funds 9 five employees. One manager, three compliance officers 10 and one administrative support personnel. Do you have 11 any questions?</p> <p>12 MR.FOX: Any questions from the board? And 13 we will seek funding in the following year for this, 14 correct?</p> <p>15 MS.JEFFERSON: We don't have to, it's 16 recurring.</p> <p>17 MR.FOX: So it's set.</p> <p>18 MS.JEFFERSON: It's set.</p> <p>19 MR.FOX: There's no sunset on that.</p> <p>20 MS.JEFFERSON: As far as we know, it's 21 recurring funding. Before we received nonrecurring 22 funding, it was only for fiscal year '16/'17 and 23 '17/'18. So now we have recurring funding.</p> <p>24 MR.FOX: That's great news. Item No. 9. 25 Excuse me. Any other questions for Ms. Jefferson on</p>	<p style="text-align: right;">Page 24</p> <p>1 So Dave will be missed. And if it's appropriate, Mr. 2 Chairman, I would like for us to have just a moment of 3 silence in Dave's honor today, if we could do that.</p> <p>4 MR.FOX: Please do so. Let's stand, please. 5 (Moment of silence.)</p> <p>6 MR.HARDY: Thank you, Mr. Chairman. On that 7 topic about Dave, it hasn't yet been a month, but the 8 unit is already talking about doing something to honor 9 Dave in the future. We haven't nailed down what we 10 would like to do, and of course we would like the 11 board's input as well. But we want to do something to 12 honor him and it may be something in the form of an 13 annual Dave Whyel Memorial Award for the amusement 14 device unit. But we will work on that and figure out 15 some criteria and exactly what we would like to do and 16 present that to you guys at a later date if that's okay.</p> <p>17 MR.FOX: That would be great.</p> <p>18 MR.HARDY: I guess the next item is mine as 19 well. Mr. Chairman, if I might?</p> <p>20 MR.FOX: Please.</p> <p>21 MR.HARDY: The unit's implementation of 22 bulletin alert and notice e-mail blast. Kim alluded to 23 that when she discussed the recent ban lift. In 24 accordance to that lift, the unit began communicating 25 any new bulletins, alerts and notices that are received</p>
<p style="text-align: right;">Page 23</p> <p>1 that? Item No. 9. Under new business. We have nothing 2 under new business so Item No. 10, discussion items. 3 Mr. Hardy?</p> <p>4 MR.HARDY: Yeah, I would like to speak on 5 the first item. It's listed as David Whyel's 6 recognition. Dave was hired by the unit in April of 7 last year as a safety compliance officer for the central 8 region of the state. Just to bring you a little bit up 9 to speed about Dave. He had previously managed the 10 driver's license station in Gallatin, Tennessee. And he 11 was in that capacity for 10-plus years, I believe. Dave 12 took the station from one of the worst to one of the 13 best as far as efficiency and time waiting per each 14 person, their average time waiting from one of the worst 15 stations to one of the best.</p> <p>16 We were glad to have Dave. Unfortunately, I 17 think most of you know, but some may not, we lost Dave 18 the first week of May after a tough battle that he gave 19 in a very short illness there. Dave was a great 20 employee for the unit. He was liked by all that came 21 around him or that had business relations with him, and 22 he will not only be missed by the amusement device unit 23 but most everyone, I'd say all of the employees in the 24 division. They befriended Dave and had a lot of respect 25 for him and everyone that came in contact loved the guy.</p>	<p style="text-align: right;">Page 25</p> <p>1 to third-party inspectors in the state that typically do 2 business or operate their inspection business within the 3 State of Tennessee. We're doing that on a monthly basis 4 by way of e-mail blast. And this activity began in May. 5 I think we had four new items in May and we had one for 6 June that I'm not sure if that one's gone out yet, but 7 it will be out shortly. We'll continue this activity 8 indefinitely until further advised.</p> <p>9 And I note, Mr. Chairman, I appreciate your 10 help. Initially what we did is we contacted as many 11 companies as we could find that produced, manufactured 12 amusement devices and we collected all of the living 13 bulletins, alerts and notices that they had under their 14 umbrella. We compiled that information, but we're going 15 to be very diligent on all new bulletins that are out 16 there. You've helped me -- actually, you sent me the 17 last one. And actually, we sent that to the NAARSO and 18 to the CARES' web site for posting, so you got it before 19 they did. But now it's on that CARES' web site, which 20 is probably the best resource that we found collectively 21 in the ease of use of the web site that you can pull 22 alerts and bulletins up by in chronological order or you 23 can look them up by device. So it's an excellent tool 24 for us, and we're going to use it going forward to guide 25 us in capturing these new bulletins and then, in turn,</p>

<p style="text-align: right;">Page 26</p> <p>1 we're going to send an e-mail blast out so that all the 2 inspectors in the state will be aware. So they have 3 other means of getting this information, but we want to 4 take a lead role in making sure that they have that and 5 have it in a timely manner. 6 Now, 2018 fair season. 7 MR.FOX: Can I ask a question? 8 MR.HARDY: Yes. 9 MR.FOX: Sitting here listening I just 10 thought of a question: On your-all's e-mail system how 11 many can you send out at one time? Are you limited? 12 MR.HARDY: That's a Lynn question. 13 MS.KIRBY: No, we are not limited. We just 14 need e-mail addresses for those who want to receive 15 them. And they can go to our web site and click on the 16 receive notices and sign up to receive notices at any 17 time. 18 MR.FARMER: That's on anybody's web site? 19 MS.KIRBY: It's on the web site. It's on 20 the units, and they can go to any of the units. But 21 they can go to our web site for the WRC and click on the 22 receive e-mails button and it will take them to a 23 sign-up sheet and then they'll receive all the e-mails. 24 MR.FOX: So we would have a list of all of 25 the inspectors who are submitting inspection reports,</p>	<p style="text-align: right;">Page 28</p> <p>1 check with CARES because that's owned by them, just to 2 make sure and get their permission prior to placing it 3 on our web site. 4 MR.MOORE: If it's not a direct link we can 5 always just, I am assuming, include that as a source of 6 information for parents so they're more apt to let their 7 children ride. 8 MR.HARDY: I think it's a good idea, too. 9 But like Kim said, we would need to clear that with 10 them, make sure which link we would need to go to 11 because they have several different variations. I think 12 it's a good idea as well. We'll certainly entertain 13 that. 14 MR.FOX: Fair season. 15 MR.HARDY: Fair season officially kicks off 16 with Clay County in just a few days. Again, we're very 17 mindful of the urgency of issuing permit renewals prior 18 to the associated fairs to avoid back logs. Jennifer 19 Murphy is doing a great job. She's very organized and 20 she's got her company files in stages so we're waiting 21 for that last piece of paper to permit these companies 22 at times. But once they've met all of the requirements 23 we can usually get that done within a half a day, 24 depending on the time of day that it's received. And if 25 there is one urgent, we can get it out on the day that</p>
<p style="text-align: right;">Page 27</p> <p>1 correct? Is it possible to send -- put all of those 2 folks on that list? 3 MS.KIRBY: We already have. 4 MR.HARDY: That's what we've done. We 5 compiled that list prior to the first submission in May 6 and we continue to add to that or deduct, depending upon 7 the inspections that we get and who submits them. 8 MR.FOX: Thank you. 9 MR.MOORE: One quick question. Of course I 10 am not sure if we can link directly from our site to 11 this CARES' site, but I think it would be good for the 12 general public if they had that information that maybe 13 that site exists because some parents may hear horror 14 stories about certain rides and they want to know if 15 this ride is okay, if all of the stuff's been done. 16 Would it be possible to, if not straight link, just to 17 give that address somewhere on our site so that the 18 general public can look at that? 19 MS.JEFFERSON: We have a noncompliant list. 20 MR.MOORE: I am talking about the CARES' web 21 site. 22 MR.HARDY: Bulletins, alerts. 23 MR.FOX: That's a great idea. I don't know 24 whether you have to log into that or not. 25 MS.JEFFERSON: We would probably need to</p>	<p style="text-align: right;">Page 29</p> <p>1 it's needed to get out. 2 So I think we did a pretty good job, stayed 3 on top of renewals last year, and we're going to 4 continue to do whatever is necessary on our end to 5 ensure that these companies are permitted prior to 6 operating at the respective fairs. 7 MR.FOX: Great. Anything else from the 8 board on discussion -- I'm sorry, go ahead. 9 MS.JEFFERSON: I just wanted to add that, of 10 course, all of our goals -- well, our primary goal for 11 all of the different units is public safety, and we know 12 that. We know and the board knows how far the amusement 13 device unit has come, and we understand we still have 14 quite a bit to do, but compared to where we were a few 15 years ago, we've made some significant strides. 16 But today I do want to celebrate the elevator 17 unit as well. We don't have to talk about the elevator 18 unit as much because Chris and his team, they've 19 actually -- they're in a position, established position, 20 so we don't really have to discuss those issues. But I 21 do want to recognize Chris and his team because they do 22 a phenomenal job. 23 So I want Chris, as well as all of the 24 elevator inspectors, to stand because I think that we 25 need to celebrate them and acknowledge them.</p>

<p style="text-align: right;">Page 30</p> <p>1 MR.FOX: Let's give them a hand. 2 (Applause). 3 MR.FOX: You know, when you think about this 4 in its lowest common denominator, this group right here 5 is in charge of everything that goes up and down and 6 round and round. 7 The announcement of the next meeting. The 8 next regularly scheduled meeting of the elevator and 9 amusement device safety board will be held at 9:00 a.m. 10 central time, Wednesday, September the 12th, 2018, right 11 here in this very location. 12 Anything else from the board? Any comments? 13 MR.HALE: I want to quickly say, I get calls 14 two or three times a week about carnivals popping up, 15 whatever, and all of the units have always been quickly 16 responsive when I've called them and said hey, can you 17 make sure these guys are permitted and those kinds of 18 things. And I appreciate the way that they've, you 19 know, quickly responded back to everything I've sent 20 down to them and said what about this. So I just wanted 21 to throw that out. I think things are going well. 22 MR.FOX: I do, too. 23 MR.HALE: And I appreciate the way that all 24 of that group is handling everything. 25 MR.FOX: Mr. Laporte, again, welcome to the</p>	<p style="text-align: right;">Page 32</p> <p style="text-align: center;">CERTIFICATE</p> <p>1 2 3 4 I, CAROLE K. BRIGGS, do hereby certify that the 5 foregoing, Pages 1 to and including 31, is a true and 6 correct transcription of my stenographic notes of the 7 proceedings of the Elevator and Amusement Device Safety 8 Board meeting in Nashville, Tennessee, on the 5th day of 9 June 2018. 10 I do further certify that I am neither of kin, 11 counsel nor interest to any party hereto. 12 IN WITNESS WHEREOF, I have hereunto affixed my 13 hand this 21st day of June 2018. 14 15 16 17 18 19 20 21 22 23 24 25</p> <hr style="width: 20%; margin-left: auto; margin-right: 0;"/> <p style="text-align: right;">CAROLE K. BRIGGS SHORTHAND REPORTER TENNESSEE LICENSE NO. 345</p>
<p style="text-align: right;">Page 31</p> <p>1 board. We'll try to have something more controversial 2 for you. 3 MR.HALE: We've had a few. 4 MR.FOX: We have. We'll try to drum up 5 something. 6 Thank you all for being here today. It's 7 been a good meeting. Do I have a motion for 8 adjournment? 9 MS.O'CONNOR: So moved. 10 MR.HALE: Seconded. 11 (Motion carried unanimously.) 12 MR.FOX: Adjourned. 13 (Whereupon, the meeting was adjourned.) 14 15 16 17 18 19 20 21 22 23 24 25</p>	

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