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ILLINOIS DEPARTMENT OF LABOR  
AMUSEMENT RIDE AND ATTRACTION SAFETY BOARD

BOARD MEETING

WEDNESDAY, SEPTEMBER 16, 2020  
2:00 P.M.

1 A P P E A R A N C E S  
2  
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27 APPEARING FROM SPRINGFIELD, ILLINOIS:  
28 Tom Coe, Chief Ride Inspector  
29 Jason Keller, Assistant Director  
30 Mary Pierce  
31 Stephen Underwood  
32 FROM ALL AROUND AMUSEMENT:  
33 Juanita Salerno  
34 Robert Salerno  
35  
36 Court Reporter:  
37 Georgia Beth Long, CSR  
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1 MR. KLEINIK: I want to thank you everybody for  
2 coming. I'll call the meeting to order for the  
3 amusement ride and attraction safety board meeting for  
4 Wednesday September 16, 2020 being at 2:02 p.m. I would  
5 like to call the roll, please.

6 MS. PIERCE: Okay. Thank you, director. The  
7 roll call, Michael, ride director.

8 MR. KLEINIK: Here.

9 MS. PIERCE: Weston Sparks.

10 MR. SPARKS: I'm here.

11 MS. PIERCE: Daniel Schwabe.

12 MR. SCHWABE: Yes, I'm here.

13 MS. PIERCE: Joseph.

14 MR. REDSHAW: Present.

15 MS. PIERCE: Bradley Brown.

16 MR. BROWN: Here.

17 MS. PIERCE: David Bennett.

18 MR. BENNETT: Yes. I'm here. I'm here on my  
19 phone. Sorry the volume is not working on my computer.

20 MS. PIERCE: Patty Sullivan. Patty Sullivan.  
21 William Jennings. William Jennings. Jessica Yard.  
22 Jessica Yard. That's all the roll call.

23 MR. KLEINIK: Mr. Jennings, I heard him come on  
24 earlier. So I did hear him say he was on board, so.

25 MS. PIERCE: He is on board?

1 MR. KELLER: Who did you say, director?

2 MR. KLEINIK: Jennings. I heard him come on.

3 MS. PIERCE: William Jennings.

4 MR. KLEINIK: Okay. Just like a little  
5 housekeeping. As of the last meeting, the board elected  
6 a chairman, and then the chairman's term expired shortly  
7 thereafter.

8 I have put in to the governor's office for that  
9 to be reappointed and have no doubt it's going to be  
10 reappointed.

11 It's just a matter of COVID hit about at the same  
12 time all this stuff was going on. There's not been very  
13 many appointments that's happening.

14 But I know that the governor was -- the deputy  
15 governor was meeting with the governor yesterday about  
16 appointments. So hopefully that will get that taken  
17 care of.

18 So if there's no objections to the board, if it's  
19 okay that I can ask for the approval of the agenda and  
20 the minutes, and then turn it over to the division  
21 manager.

22 Is there any objections for that to happen?  
23 Hearing no objections, do you guys have a copy of the  
24 agenda, and then approval of the minutes of the board  
25 meeting on January 16, 2020?

1           Is there a motion to adopt or to approve the  
2 board minutes? Or is there any corrections or additions  
3 or subtractions of that?

4           MR. BROWN: I'll make a motion to approve. This  
5 is Brad Brown.

6           MR. KLEINIK: I have a motion from Brad Brown to  
7 approve. Do I have a second?

8           MR. SPARKS: I'll second.

9           MR. KLEINIK: I have Mr. Sparks to second it.  
10 All those in favor, say aye.

11           (WHEREUPON, ALL VOTING MEMBERS VOTED AYE.)

12           MR. KLEINIK: Those opposed? Hearing no opposed,  
13 motion carries.

14           Division manager, Mr. Coe, if you would like to  
15 start, go ahead and go.

16           MR. COE: Okay. We're just going to do a quick  
17 review to the January meeting just in case not  
18 everyone's up to speed on it.

19           We did approve a new inflatable fee structure for  
20 large inflatables. We okayed regulation of aerial  
21 adventure courses. We do have those rules in place.  
22 They're actually at JCAR. We'll talk about that in a  
23 second.

24           We did have one addition to an annual requirement  
25 for all ride operators and approved the adoption ASTM

1 F770, F2374, and F2974.

2 So we'll leave it -- does anybody have any  
3 questions about that at this time? Okay. Hearing none,  
4 we can get into some of the old business.

5 Since we approved all these modifications, the  
6 rules were updated, they were published August 28 for  
7 the first open comment period.

8 And that period ends October 12, I believe. We  
9 will have a slide on there. The comments are set up to  
10 go to Jason Keller in our office.

11 And the last day of TM standard 2291, we'll kind  
12 of table it for now. That's going to be some pretty  
13 in-depth interaction and didn't want to bring it up in a  
14 Webex meeting because I figured it was going to cause  
15 too much back and forth. It would be better for an  
16 in-face meeting. Okay. Any questions?

17 MR. KLEINIK: Yeah, I just -- if you guys here,  
18 you know, on the rules, if you look at them and you have  
19 any comments on them, just make the comments and send  
20 them to Jason Keller, because we have to have a record  
21 of what the comments are.

22 And then as a department, we'll answer back to  
23 the people that put in their comments or need  
24 clarification. I just wanted to put that on the table.  
25 Sorry, Tom.

1 MR. COE: So that brings up a good point. One  
2 point that I did want to add is that we are hoping that  
3 this process will be completed and the new rules will be  
4 adopted January 1st of 2021. That's the plan.

5 Now hopefully, everybody that's on the Webex can  
6 see the PowerPoint we got up on the screen.

7 UNIDENTIFIED SPEAKER: Yes we can, thanks.

8 MR. KELLER: Okay. You're welcome. Hopefully  
9 this PowerPoint is going to be a little bit shorter than  
10 usual, but we'll try to get through here. If you have  
11 any questions, just type in.

12 Just wanted to throw this up here as far as the  
13 old business. We talked about this a little bit, in  
14 case anybody have any questions.

15 These are the four we talked about; the 2291 that  
16 we tabled, and the bottom three have been adopted.

17 2020 year: Going through our typical process,  
18 we'll have a slide on statistics, accident reports,  
19 safety bulletins, and any updates.

20 As you can see, COVID-19 wreaked pretty much  
21 havoc on this year. Follow-up inspections are way, way  
22 down, just across the board.

23 I didn't expect it to be that low, but I ran the  
24 numbers as of September 9th. We have done probably 10  
25 in the time period since, since this is kind of the



1 start of the pumpkin farms, apple orchards, and haunted  
2 houses.

3 So there will be some pickup here, and it will  
4 pick up again at the end of the year for the year-round  
5 operators.

6 The one thing I do want to point out under 2020,  
7 those show dates, the way that the program is set up, if  
8 we have a company entered into the program, it does  
9 count them whether they have been operating or not.

10 So that number should be a little bit lower since  
11 there are some of the companies that entered their, you  
12 know, full schedule but have not been operating. Any  
13 questions on that, as far as numbers?

14 Accident reports. We were hoping we would get  
15 this through this without any accidents. Believe it or  
16 not, this all happened on one Saturday and Sunday.

17 They were three patron-involved accidents,  
18 nonmechanical and non-operator involved. They all  
19 occurred at the same location, which is an aerial  
20 adventure course.

21 Now technically, heat stroke -- that's kind of a  
22 toss-up. They put a report in because they did have to  
23 transport both those children in an ambulance.

24 But the first one that they had that Saturday was  
25 an ankle injury. And I did mess up on the location. I

1 forgot, they were all at Western Springs.

2 Nondestructive testing. Again, we try to keep  
3 track of this. We should have a list available.

4 I honestly am not aware of any new updates this  
5 year. So I'm not expecting the list to change much, if  
6 any.

7 The rule changes. This is important because I  
8 believe the final date for comment is 10/13. The  
9 proposed changes, they are published.

10 That is the link. You have to go to page 13872  
11 of that link, and that's where our changes start.

12 One thing you got to be aware of is when you're  
13 going through that file, and some of the board  
14 members -- I believe I sent that file out to them -- it  
15 only includes the areas of the documents which changes  
16 occurred.

17 So really, what's posted on there is not the  
18 entire document. It's just the pages of the documents  
19 that have changes on it.

20 The director didn't want us let you see that we  
21 have been working on what to do with people that have  
22 funds in the program that have not been issued permits.

23 We are working -- this is kind of a  
24 work-in-progress for a form that will be available for  
25 the operators to fill out, either requesting a refund of

1 the money, or transferring it to the next program year.

2 And director, is there anything you wanted to add?

3 MR. KLEINIK: No. I just wanted to add that this  
4 form here is the easiest way for us to do this.

5 If we went the other route with the state, is  
6 that you guys would all have to go on the comptroller's  
7 website, register as a vendor, and then you have to fill  
8 out all kinds of paperwork.

9 And CFO and myself and Tom, we worked to work  
10 around that, and this is the workaround. That way, it  
11 should very easy to just be able to fill this out and  
12 get it back.

13 You can pay by credit card or e-check; that's a  
14 little bit faster, just to be upfront with you. If you  
15 put it in by check, then we have to put in the  
16 comptroller, and we'll send you out to payment.

17 So just wanted to, you know, that we have a  
18 procedure in place. And this has been approved by our  
19 CFO. And so there should be no holdup on our end.  
20 That's all I have.

21 MR. KELLER: That form will be posted on the  
22 website. And you know, if time allows, it's a small  
23 number of people.

24 We may, if we got the opportunity, e-mail it to  
25 them directly. So are there any questions as far as

1 that's concerned?

2 This is our standard statement, department policy  
3 applications must be received 30 days prior to playing  
4 the first spot.

5 During this period, during the COVID period,  
6 we've kind of ignored that because there's so much left  
7 up in the air. People didn't know whether they were  
8 going to be operating until days before they were  
9 supposed to open.

10 And again, the owners/operators of the different  
11 rides do need their yearly compliance forms submitted  
12 when they turn in their application.

13 Also, during the COVID period, we did rescind the  
14 \$250 fee for the expedited inspections. We were able to  
15 take care of everyone in their provided time frame, so  
16 it worked out. Any questions.

17 I think this is the -- that's it. And again,  
18 we'll leave it open. We've got some time. If anybody  
19 has anything they want to ask us about, we'll be more  
20 than glad to try to answer.

21 MR. KLEINIK: As Tom stated, we'll open it up for  
22 discussion. This would be the public comments and  
23 questions from public members and from board members.

24 All I'll do is for the court reporter to make  
25 sure you state your name, first and last name, where the

1 court reporter can know who's talking.

2 MS. SALERNO: Hello this is Juanita Salerno from  
3 All Around Amusement.

4 MR. KLEINIK: Go ahead.

5 MS. SALERNO: What are we looking at next year?  
6 I know none of us have a magic ball, or a crystal ball.

7 But are we having to adopt any policies? Are you  
8 guys looking into that? Are there any changes that are  
9 going to have to be made if we are able to open? And  
10 when does it look like we are going to be able to open  
11 next year?

12 MR. KLEINIK: If I could answer that, I would be  
13 more than glad to answer it. We don't know at this  
14 point.

15 But if -- Tom will keep us up-to-date. And if we  
16 hear it from the governor's office and from the  
17 Department of Public Health and DECO -- we're in  
18 constant contact. But I just can't give you a  
19 prediction of what next year's going to be.

20 I'm hoping it's going to be better, because our  
21 numbers in Illinois are going down. And in most parts  
22 of the state, there's a couple places it's going up.

23 But if we -- you know, what's keeping us going is  
24 that hopefully we can be able to get some things as long  
25 as we follow some guidelines.

1           And if in fact, that comes and there needs to be  
2   some emergency rules, we will have the board all meet,  
3   and we will discuss that information.

4           MS. SALERNO: But as a board, as a safety board,  
5   you haven't discussed any guidelines that we would need  
6   to follow for next year if we are allowed to open?

7           MR. KLEINIK: Right now, the statute for the  
8   carnival board is we have to inspect the carnival rides  
9   to make sure they're safe. That's the only requirement  
10  that we have.

11           We've been working with the other agencies to try  
12  to coordinate and for them to keep us updated where we  
13  can keep you guys up dated.

14           MS. SALERNO: All right. I appreciate that.  
15  Thank you.

16           MR. KLEINIK: Any other questions?

17           MR. BROWN: This is Brad Brown. Just a general  
18  question. How is your department doing on staff? Are  
19  you guys fully staffed and ready to go?

20           MR. KLEINIK: Well, when we met in January, I was  
21  wanting to hire more people. And then with the budget  
22  come and that COVID hit, our budget took a substantial  
23  decrease in -- and a hit.

24           So then I got a letter, as you all seen in the  
25  news media, I think it was on Tuesday, that we've been

1 asked to cut some more money out of our budget for this  
2 year and for next year.

3 But I'm still trying to get at least a couple  
4 more inspectors and hopefully get a manager hired for  
5 the carnival. Because I think that's a safety issue,  
6 and that's what I'm trying to get the information for.

7 MR. BROWN: Very good. Thank you.

8 MR. KLEINIK: Any other questions?

9 MS. SALERNO: I'm sorry. This is Juanita Salerno  
10 again from All Around Amusement.

11 If we do have an event that is able to go on next  
12 year, and it is a last minute, as you say it happened  
13 this year, and we don't have inspectors available to  
14 inspect, can we open? Or do we need to wait for an  
15 inspector.

16 MR. SALERNO: Without being penalized.

17 MS. SALERNO: Without being penalized?

18 MR. KLEINIK: Tom?

19 MR. COE: I think we can handle anything that's  
20 going to come up. So you know, everything's all right  
21 now.

22 We'll have no problem getting you taken care of  
23 if you have an event last minute. Somehow, someday,  
24 we'll get you inspected.

25 And as far as operating, you got to have a

1 permit. I mean, that's just the rules. And hopefully,  
2 there will be no extenuating circumstances.

3 We'll just have everything done, and you'll be  
4 ready to go at your event.

5 MS. SALERNO: All right. Thank you.

6 MR. KLEINIK: Any other questions?

7 MR. SCHWABE: This is Dan Schwabe, one of the  
8 board members.

9 MR. KLEINIK: Yes, Dan.

10 MR. SCHWABE: As far as Six Flags Mid-America is  
11 concerned; a two-part question.

12 Not being allowed to open this year so far, we've  
13 done all our inspections and NDT. Now being that the  
14 rides have not run, do we need to redo NDTs, and do we  
15 need to reinspect rides that have not run during  
16 calendar year 2020?

17 MR. KLEINIK: Tom?

18 MR. COE: For calendar year 2020, if they've been  
19 permitted, they're ready to go. So you can operate them  
20 without us coming back and looking at them again for  
21 2020.

22 The question about the NDTs, the only way around  
23 that that I would feel comfortable with is you would  
24 have to get a letter from the manufacturer, giving you  
25 an exemption.



1           Because alls we can go by is the operations  
2 manual, which I'm sure, like everybody else, this was  
3 never figured in, having this type of situation.

4           But you know, they require it at 12 months or six  
5 months, or whatever period it is of inspection.

6           We've had at least two companies that have gotten  
7 either an extension or a waiver on the NDT from the  
8 manufacturer. So that's how I would like to proceed  
9 forward.

10           MR. SALERNO: Hello. This is Robert Salerno.  
11 Can you hear me?

12           MR. KLEINIK: Go ahead.

13           MR. SALERNO: I've got a recall. And it states  
14 that we have to buy a brand new bolt for the center to  
15 marry the towers together.

16           I bought and purchased them for this year. My  
17 entire company has been grounded. We're not able to  
18 operate through the COVID-19.

19           Now do I have to -- I should not have to -- I  
20 should not be told I have to go out and buy all brand  
21 new bolts for it when I got registered receipts, stating  
22 I brought brand new ones for the entire year, and I was  
23 grounded for the entire year.

24           Am I able to use the same bolts that we purchased  
25 brand new this year for next year when we're not able to

1 use them -- when we weren't able to use them?

2 MR. COE: We could handle things like that on a  
3 case-by-case basis. If you want to shoot me an e-mail,  
4 I can double check.

5 I just hate to give you a yes or no answer right  
6 now without, you know. We need to at least look into it  
7 with the manufacturer.

8 MR. SALERNO: Because it's out of Chicago.  
9 Bought it for their five orbiters -- in Chicago, I  
10 believe, five or six. We all had to buy brand new bolts  
11 according to the factory specifications.

12 We went ahead and bought them, but now we're not  
13 able to use our rides. We should be able to use the  
14 bolts with the -- from the next year's operation, as  
15 long as we show proof of purchase of valid receipt.

16 MR. COE: Right. I mean, there are other rides  
17 like that, too, the Ali Babas that are required.

18 So we can -- you know, that's a good question.  
19 And we can check into it. I would say just shoot me an  
20 e-mail, and we'll get that going.

21 MR. SALERNO: And like on my orbiter, we took our  
22 bolts out of there because it had to be NDT tested. We  
23 had them test it.

24 We're not able to use the ride due to COVID-19.  
25 And we got a receipt saying we had them NDT tested. So

1 that Windy City Amusement, and I'm sure a lot of other  
2 companies had their NDT tested.

3 Are we able to carry the receipt over for next  
4 year without having to have them redone, or are --

5 MR. KELLER: I have -- that's going to have to  
6 come from the ride manufacturer. I can't approve that.

7 So if they're willing, you know, if the ride  
8 manufacturer is willing, then I have no problem with it.  
9 But we need a letter from them.

10 MR. SALERNO: I understand exactly what you said.  
11 But -- and I apologize for interrupting you.

12 You said you had two manufacturers that already  
13 agreed to do it that way. What were the manufacturers?  
14 Who were they.

15 MR. KELLER: Both those were pretty much on  
16 coasters.

17 MR. SALERNO: My luck. Nothing that I own.  
18 Thank you.

19 MR. KLEINIK: Any other questions? Any other  
20 questions? I want to give everybody a chance to speak  
21 that needs to speak.

22 MR. SALERNO: Yes. My name once again -- I got  
23 one question. My name is Robert Salerno. I have a  
24 warehouse out in Marseilles, Illinois, where I install  
25 and where I carry at least 20 rides inside a heated

1 building for the wintertime.

2 I would like to have the inspectors, if they  
3 would like, to come out and see what we did over last  
4 year, and what we're about to do over this year to  
5 update our rides and bring them above standard.

6 I would like to invite all of you guys out there  
7 to come out and take a look at us out at All Around  
8 Amusement. Thank you.

9 MR. COE: I appreciate that, Robert. We'll get  
10 that out to the inspectors.

11 MR. SALERNO: Thank you.

12 MR. COE: See what we can do.

13 MR. SALERNO: Thank you.

14 MR. KLEINIK: Any other questions? This is going  
15 to be the shortest carnival meeting I think in history,  
16 isn't it?

17 MR. COE: Yes.

18 MR. KLEINIK: On behalf of the Department of  
19 Labor, I would like to say thank you guys and the board  
20 members and everybody that's on the call for sticking,  
21 you know, and trying to get through this year.

22 It's been challenging for everybody, trying to  
23 work through this. But I just want to say thank you  
24 from the Department of Labor, for everybody's  
25 cooperation and understanding how we work together to

1 kind of get through this.

2 And hopefully next year, as I get to come down  
3 to -- I can hitch a ride with people on their golf carts  
4 at the state fair and other fairs throughout the state,  
5 and we can get back to -- as I call it, the near normal  
6 as we're going to get; because I don't think we're ever  
7 going to get back to where we was at.

8 I'll turn it over to Tom, if he has anything  
9 further. And we'll adjourn the meeting.

10 MR. COE: No. Like the director said, you know,  
11 it's been a pretty tough year for everyone, especially  
12 for the carnivals.

13 And alls we can hope if for is next year, we'll e  
14 able to get out there and get things done and get back  
15 into a regular season somewhat. I wish you all the  
16 best.

17 MR. KLEINIK: Do I have a motion to adjourn?

18 MR. SPARKS: I'll make a motion to adjourn.

19 MR. KLEINIK: Who was that?

20 MR. SPARKS: Weston Sparks.

21 MR. SCHWABE: Dan Schwabe. I'll second.

22 MR. KLEINIK: Who was the second? I'm sorry.

23 MR. SALERNO: Dan Schwabe.

24 MR. KLEINIK: Okay. Dan Schwabe seconded. All  
25 of those in favor, say aye.

1 (WHEREUPON, ALL VOTING MEMBERS VOTED AYE.)

2 MR. KLEINIK: All opposed? Hearing none, there  
3 is one thing we forgot to mention. Tentatively, the  
4 2021 meeting location and time will be Thursday, January  
5 14, 2021, 2:00 to 4:00 p.m. at the Crowne Plaza in  
6 Springfield. Hopefully we get to see everybody there.  
7 Thank you very much.

8 MS. SULLIVAN: Oh, that meeting -- that  
9 convention's been cancelled.

10 MR. JENNINGS: Can anybody hear me?

11 MR. KLEINIK: Go ahead.

12 MS. SULLIVAN: Yes.

13 MR. JENNINGS: This is Bill Jennings from the  
14 IAFF Board I've been trouble getting anybody to hear me.

15 And I was trying to get back to you to explain  
16 that convention has been cancelled. The Crowne will  
17 still be open as far as the meeting is concerned.

18 But the carnival industry of course won't be  
19 there, the fair association. We're changing that to  
20 several meetings across the three zones this fall.

21 And so that's what I was trying to get back in to  
22 let you know. So whether that directly affects the  
23 meeting, obviously it does for the attendance as far as  
24 the carnivals are concerned, but --

25 MR. KLEINIK: Tom can you work with the board to

1 come up an alternative idea on this.

2 MR. COE: Yeah. That's what I was saying.

3 Typically, that's our attempt -- that the meeting that  
4 we have.

5 In talking with the director, you know, it's kind  
6 of just playing it by ear. We'll plan on having  
7 something here in Springfield, you know, as things go.  
8 It may be another Webex meeting. Hopefully, it can be a  
9 face-to-face meeting.

10 But I would like to wait a little bit longer  
11 before we, you know, determine another location or  
12 another time.

13 If things look like they're moving forward where  
14 we can't get a face-to-face meeting, we can back it up  
15 into February.

16 So let's leave it like it is, and we will make a  
17 change at some point in time. But I would like to wait  
18 more towards the year just to see how things progress.

19 MS. SULLIVAN: And if at that time, Tom, you  
20 decide that that's going to changed, would you send out  
21 an e-mail to the companies, the amusement companies?

22 MR. KELLER: We will. And then probably again,  
23 like we did last year, we'll work with the IAFF and get  
24 them to send it out in their e-mail, their letter.  
25 We'll post it on the website, also.

1 MS. SULLIVAN: All right. Thank you.

2 MR. SALERNO: And this, once again, is Robert  
3 Salerno from All Around Amusement. I would like to put  
4 out an offer out there.

5 Due to COVID 19, there might be some problems  
6 with other carnivals showing up or staying in existence  
7 this year.

8 If I can help them out with any discounted fairs,  
9 have them feel free to give me a call. I'll see what I  
10 can do for them.

11 MR. COE: Okay.

12 MR. KLEINIK: Thank you. We had a motion with a  
13 second. Everybody agreed. It passed. So I'll talk to  
14 you guys all later. Thank you very much.

15 MR. COE: Thank you.

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CERTIFICATE OF REPORTER

STATE OF MISSOURI        )  
                                          ) ss.  
CITY OF ST. LOUIS        )

I, Georgia Beth Long, a Certified Shorthand Reporter (IL), Certified Court Reporter (MO), do hereby certify that the meeting aforementioned was held on the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

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