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ILLINOIS DEPARTMENT OF LABOR
AMUSEMENT RIDE AND ATTRACTION SAFETY BOARD

BEFORE:

**CERTIFIED
TRANSCRIPT**

- CHAIRPERSON PATTI SULLIVAN
- MS. LINDA GIVAN RHODES
- MR. JOE BEYER
- MR. DANIEL S. KIRSCHNER
- MR. WESTON SPARKS
- MR. BRADLEY BROWN
- MR. JOSEPH REDSHAW (via telephone)

ALSO PRESENT:

- MR. Bill SZERLETICH
- MS. LAURA KOTELMAN
- MR. BENNO WEISBERG
- MR. BEN NOBLE
- MS. AUDREY COSGROVE

The meeting of the Illinois Department of Labor Amusement Ride and Attraction Safety Board, before the Amusement Ride and Attraction Safety Board of Directors, taken before Julie Walsh, CSR, and notary public of Lake County, Illinois, on the 13th day of September, 2018, at 160 North LaSalle Street, 5th Floor, Chicago, Illinois.

REPORTED BY: JULIE WALSH, CSR
LICENSE NO: 084-004032

1 CHAIRPERSON SULLIVAN: Okay. Well, I'll
2 call the meeting to order then. And does anybody
3 have anything on this agenda that they would like
4 to add to because we need to approve it. And if
5 you -- if there's anything else that you would
6 like to add, then we'll be happy to -- no?
7 Hearing none let's go onto approval of the
8 minutes.

9 MR. BEYER: So moved.

10 CHAIRPERSON SULLIVAN: So moved. Do I have
11 a second?

12 MR. BROWN: I'll second.

13 CHAIRPERSON SULLIVAN: Those in favor say
14 aye.

15 (Chorus of ayes.)

16 CHAIRPERSON SULLIVAN: Those opposed say
17 nay.

18 (No response.)

19 CHAIRPERSON SULLIVAN: Okay. They're
20 approved as presented. And then our next meeting
21 will be January 18th in Springfield I'm assuming.
22 Will that be at the DOT again do you know?

23 MR. SZERLETICH: Yes.

24 CHAIRPERSON SULLIVAN: Okie-doke.

1 MS. GIVAND RHODES: 2019 obviously.

2 CHAIRPERSON SULLIVAN: Yes, that's coming
3 way too fast. Okay. Any other questions about
4 that? Well, then let's go onto new business.

5 MR. KIRSCHNER: Sorry, Bill, I see on here
6 -- oh, okay. I'm sorry. You wrote the approval
7 list for January 18th of 2018, the board minutes.
8 I just wanted to make sure -- we're good.

9 CHAIRPERSON SULLIVAN: Oh, okay. The
10 minutes. I'm sorry. I don't have my glasses on.
11 Okay. Now to new business. Who is discussing
12 the ASTM Standards? Is that you, Bill?

13 MR. SZERLETICH: Yes.

14 CHAIRPERSON SULLIVAN: Okay. What are we
15 discussing on the ASTM Standards?

16 MR. SZERLETICH: Well, the department needs
17 to update its reference standards. They're out
18 of date and some of them have been sunsetted and
19 no longer exist. ASTM has been busy this past
20 year as a lot of you know.

21 CHAIRPERSON SULLIVAN: We have been busy
22 every year.

23 MR. SZERLETICH: Yes. Well, they formed a
24 task group to address some existing standards and

1 expanded on those standards as they attempt to
2 address orphaned rides, rides that have 35,000
3 hours or longer on them. They have developed
4 some new standards. Like your ropes courses and
5 stuff.

6 And one of the jobs that we're going
7 to have as a division is going to be to look at
8 those reference standards and from our
9 administrative rules and compare them to what
10 ASTM has done so we can update our rules and
11 standards.

12 CHAIRPERSON SULLIVAN: Okay.

13 MR. SZERLETICH: So we need to -- it's going
14 to take some time. It's going to be very
15 detailed and complex to look at those standards
16 and realize the changes from our standards that
17 we reference now and that we're currently
18 operating on. It might not be a bad idea if we
19 could form a subcommittee to serve as a guide as
20 we develop these recommendations.

21 I've asked our Chief Ride Inspector,
22 Tom Coe, to help me in, you know, looking at
23 these, realizing the changes and come up with
24 a -- you know, the focus is going to be on

1 research and development of a list of
2 recommendations for the board's review and input.
3 And the final result eventually adoption.

4 So the last time we have updated our
5 standards was around 2014. So we really need to
6 kind of look -- it's a perfect time because ASTM
7 is, you know, kind of going through and, you
8 know, changing a lot of the big standards that we
9 use everyday. And, you know, so it really kind
10 of works out perfectly for us to, you know, bring
11 ours up a little bit too.

12 So that's what we are going to be
13 doing through the offseason is taking a look at
14 those standards, seeing how they relate to our
15 standards that we currently use and come up with
16 a list of recommendations for you guys to
17 consider.

18 CHAIRPERSON SULLIVAN: Okay.

19 MR. SZERLETICH: In January.

20 CHAIRPERSON SULLIVAN: I would be willing to
21 help in any way I can.

22 MR. SZERLETICH: Okay.

23 CHAIRPERSON SULLIVAN: I'm somewhat
24 familiar, painfully familiar, with that. I would

1 say one thing, be careful when you recommend that
2 we update standards that if you're talking about
3 any of the design standards, that you don't try
4 to make them apply to preexisting rides.

5 MR. SZERLETICH: Right.

6 CHAIRPERSON SULLIVAN: And pre --
7 preexisting designs of rides.

8 MR. SZERLETICH: That's the delicate balance
9 that we have to achieve. So I think it's
10 important to have someone from the industry.
11 Yours -- you know, for sure your outlook on it.
12 You know, what you see as a manufacture that is
13 helpful for us and together for us to kind of
14 come up with something that we can -- you know.

15 CHAIRPERSON SULLIVAN: Okie-doke. It's fine
16 to apply them to new rides coming in. But, for
17 instance, if you went to apply the most recent
18 NEC Standards, then you probably won't find that
19 many rides that actually comply. They complied
20 with whatever standards were in place at the
21 time. Just like this building probably does not
22 comply with current AST -- or current building
23 code standards.

24 MR. SZERLETICH: Right.

1 CHAIRPERSON SULLIVAN: Because you don't go
2 back and change it every time they change them.

3 MS. GIVAND RHODES: Some things they have to
4 go back and change, right, just depends on the
5 change?

6 CHAIRPERSON SULLIVAN: Not very often. Not
7 very often. They -- like they don't change
8 wiring in a building unless it's bad; but
9 basically if it met code when it was built, then.

10 MS. GIVAND RHODES: I think my example for
11 building -- the building analogy would be
12 sprinklers. So that being an example of
13 something where when they went retroactive, they
14 gave a timeline for the existing buildings to
15 meet the need. They didn't say it had to be
16 immediately, but they did go back.

17 So I would say that same line of
18 thought should exist with these reviews depending
19 on what it is. You may say, okay, now this is
20 something that's so important even the existing
21 rides might need to do it, but let's give them
22 this amount of time. I would take it on a
23 case-by-case basis.

24 MR. SZERLETICH: Yes. Well, I think the

1 subcommittee would be important in that, you
2 know, we're going to focus as an inspector.
3 You're going to focus as a manufacture. You're
4 going to focus as, you know, someone in the
5 industry.

6 CHAIRPERSON SULLIVAN: Somebody who is out
7 there using those rides.

8 MR. SZERLETICH: Having all that is going to
9 be helpful in, you know, looking at these and
10 coming up with some recommendations.

11 CHAIRPERSON SULLIVAN: And you're aware that
12 Margaret got way into this the last time this was
13 done. So she might be a good person.

14 MR. SZERLETICH: She's on my radar.

15 MR. SPARKS: She just doesn't know yet.

16 MR. SZERLETICH: She knows because that was
17 actually one of the, you know, I usually assign
18 the inspectors some projects to do in the
19 offseason. And she's had that for like two,
20 three years straight in anticipation of this so.

21 CHAIRPERSON SULLIVAN: So it can be a
22 permanent --

23 MR. SZERLETICH: And she's been here for 28
24 years.

1 CHAIRPERSON SULLIVAN: Yes, so she has seen
2 a lot of changes.

3 MR. SZERLETICH: Right.

4 CHAIRPERSON SULLIVAN: Well, and they'll
5 just keep changing because we keep improving
6 them. One of the biggest issues right now, of
7 course, is corrosion as a -- as a result of the
8 Ohio accident.

9 MR. SZERLETICH: Absolutely.

10 CHAIRPERSON SULLIVAN: And everybody's been
11 -- a lot of the manufactures just sent out
12 blanket bulletins saying check every welding,
13 check every, you know, everything for corrosion.
14 And we didn't do that because, you know, if
15 they've been out there for 50 or 100 years and
16 haven't had a problem, then they might not pop up
17 with a problem immediately. But that's -- those
18 are in the process of changing as well. And a
19 lot of it will be inspection and just not closing
20 up tubing so that it can't drain.

21 MR. SZERLETICH: Right.

22 CHAIRPERSON SULLIVAN: So anything else you
23 would like to share?

24 MR. SZERLETICH: Which is where this comes

1 in, but we'll get into that later.

2 CHAIRPERSON SULLIVAN: Okay.

3 MR. SZERLETICH: I brought that so you can
4 see it.

5 CHAIRPERSON SULLIVAN: Okay. Cool.

6 MR. SZERLETICH: So anything else on ASTM
7 Standards? That's our goal right now is this
8 fall and winter is take a look, delve into it
9 and, you know, really clean up our ASTM
10 references. There's some of them that we still
11 reference that are sunsetted. They're no longer
12 there. So that's the plan and we'll have a
13 better grasp when the January meeting comes
14 around on where we stand with that.

15 CHAIRPERSON SULLIVAN: Okay. Questions?

16 MS. GIVAND RHODES: I have one question,
17 Bill, and that is great that you're doing these.
18 And my question and I don't know what the driver
19 was to start looking at them, but it's excellent
20 I think that you are. So kudos to the team that
21 came up with doing it.

22 Is there some automatic -- something
23 automatic that is in a schedule somewhere that
24 would prompt folks in the future to at least

1 consider reviewing them next time or is this
2 something that just -- something will drive and
3 then we decide to take a look at it?

4 MR. SZERLETICH: Well, actually, this was in
5 the works before Ohio. So it's something that we
6 knew -- we planned on doing this anyway and then
7 Ohio happened and really kind of fast tracked it.

8 MS. GIVAND RHODES: That's great. If it
9 isn't somewhere on a schedule, and I'm not sure
10 what type of schedule we use, but if it isn't I
11 would suggest just considering -- and I don't
12 know if that is, it might be every five, ten
13 years, I don't know. But probably --

14 CHAIRPERSON SULLIVAN: Probably every five
15 because we're -- we're adding to and deleting
16 standards at every meet -- yeah, all the time.
17 They're changing so fast it's hard to keep up
18 with them unless you're doing the balloting.

19 MS. GIVAND RHODES: That way we don't have
20 to risk somebody remembering it. It will just
21 pop up. And they pop up and you'll look and
22 there is nothing to change. But if it pops up
23 and there is, then at least you can you get it on
24 the schedule the way you are now.

1 MR. SZERLETICH: Yes.

2 CHAIRPERSON SULLIVAN: Well, and any time
3 one of the inspection standards changes, you
4 know, you'll --

5 MS. GIVAND RHODES: Trigger.

6 CHAIRPERSON SULLIVAN: Yes, that would be --
7 I mean, I don't think we'll get the statutes
8 changed or the -- I'm using the wrong word,
9 aren't I? The -- your rules and regulations.
10 Every time the inspection changes, we wouldn't be
11 able to change them that often, but if anything
12 that would help keep the State of Illinois rides
13 safer. It would be a good thing to update.

14 MR. SZERLETICH: Yeah, I think it's a good
15 idea to probably revisit it at least every 2 or 3
16 years. So Ryan visited it in 2014. That was the
17 last time we had some updates, so it's due.

18 CHAIRPERSON SULLIVAN: Yeah. And what about
19 SB3240?

20 MR. SZERLETICH: So Senate Bill 3240, just
21 wanted to update everybody on that. It was
22 signed by the Governor in August and it amends
23 Section 220 of the Amusement Ride Attraction
24 Safety Act.

1 All it does is it increases the civil
2 penalty amount for any person, firm, corporation
3 or other entity that owns or operates a carnival,
4 amusement enterprise or fair that fails to
5 conduct a criminal histories record check or sex
6 offender registry check for carnival or amusement
7 enterprise workers in its employ.

8 The civil penalty increases from
9 \$1,000 for the first offense to \$5,000. And from
10 \$5,000 for a second offense to \$10,000. And any
11 subsequent offense shall result in the revocation
12 of their permit to operate.

13 CHAIRPERSON SULLIVAN: I have a question,
14 Bill. I guess I didn't recall that it included
15 or fair. Does this mean the fair boards all have
16 to do this for their employees?

17 MR. SZERLETICH: Well, it's the carnival,
18 amusement enterprise or fair. No, that doesn't
19 count the county fairs. That -- that is just the
20 owner of the show. So they're, you know --

21 CHAIRPERSON SULLIVAN: Not how it reads.

22 MR. SZERLETICH: Well, in the definition of
23 what a fair is in our rules it does read.

24 CHAIRPERSON SULLIVAN: Okay.

1 MR. SZERLETICH: Basically a show owner.

2 CHAIRPERSON SULLIVAN: Okay.

3 MR. SZERLETICH: And I don't have it in
4 front of me.

5 CHAIRPERSON SULLIVAN: I don't either, but
6 you might check.

7 MR. SZERLETICH: But that does -- that
8 doesn't mean the county fair.

9 CHAIRPERSON SULLIVAN: And I find it
10 interesting that it doesn't include that because
11 there are local offenders that would always come
12 out to a fair and we don't check them coming in
13 the gate.

14 MR. SZERLETICH: No.

15 CHAIRPERSON SULLIVAN: If they're working
16 there, it might be something that's considered at
17 some point this time. Okay. Yeah, I think the
18 carnival -- now, does this include parks?

19 MR. SZERLETICH: Yes.

20 CHAIRPERSON SULLIVAN: Okay. Yeah, I think
21 all of the carnival and park industry that we
22 talked to said, well, there's really no excuse
23 for not checking because we know we're supposed
24 to check.

1 And so just for the rest of you, they
2 were not unhappy with this because they're
3 checking their -- they want everybody to be
4 properly checked because their kids are out there
5 the midway too. They don't want -- or grand kids
6 or whatever. So and they're doing it now. Some
7 of them are doing it for all 50 states just so
8 they don't miss somebody.

9 MR. SZERLETICH: Yes.

10 CHAIRPERSON SULLIVAN: Okay. Oversized
11 inflatables. I saw we had lovely pictures and --

12 MR. SZERLETICH: Yes, it seems like every
13 time I come to the board meeting in Chicago we
14 talk about oversized inflatables. So here we are
15 again. This time it's not -- it's not the 5K
16 variety. This is even bigger. And as you said
17 there's some pictures in here to kind of give you
18 an idea. And I included a spec sheet.

19 So we've seen them evolving somewhat,
20 increasing in size and shape, height. Now we
21 have huge courses that are interactive inflatable
22 villages that are coming into the state.

23 This particular one of the pictures
24 that you're looking at is 140 foot long, 116 foot

1 wide and 40 foot tall. It weighs slightly under
2 5 tons. It requires 12 operators and has 25
3 blowers.

4 So, you know, the reason I'm bringing
5 it up is the cost for these inflatable to have
6 them inspected is \$55 and that's to inspect and
7 permit them. At this point we have not seen but
8 1 or 2 companies come into the state, actually
9 just 1, with these type of inflatables, but I
10 think it's just something to monitor.

11 And, you know, if we see these type of
12 inflatables starting to come in more often, I
13 think it would be my recommendation to consider
14 appropriately changing the fees to a structured
15 fee schedule based on size, weight, category,
16 whatever.

17 CHAIRPERSON SULLIVAN: Well, I would suggest
18 these are in the same -- these would be in the
19 same area as spectaculars because this is a spec
20 -- it's a spectacular bounce and, I mean, that's
21 a lot to check. I mean, that's -- now you're
22 bordering on roller coaster time that it would
23 take to check this so.

24 MR. SZERLETICH: Yes, and even roller

1 coasters we have those -- that fee structure for
2 the roller coasters based on their size.

3 CHAIRPERSON SULLIVAN: Yes.

4 MR. SZERLETICH: So I've, you know, at this
5 point with just one coming in, maybe not. But if
6 we start to see them come in more, I would
7 recommend that we look into changing the fee
8 structure.

9 CHAIRPERSON SULLIVAN: Well, I would -- we
10 might want to consider changing the fee structure
11 sooner rather than later because then when they
12 first come in, they know what it's going to be.
13 Because if they figure Illinois is a cheap place
14 to go operate, then we'll see a lot real fast and
15 we'll be behind the eight ball instead of in
16 front of it.

17 Does anybody else have any comments on
18 that? But it's going to take you guys quite a
19 while to check that.

20 MR. SZERLETICH: Yes.

21 CHAIRPERSON SULLIVAN: It's not just a
22 little Hampton kiddie ride. So what I kind of
23 forget what the -- what the fee schedule goes to
24 now. What -- there's kiddie, family and

1 spectacular and then there are two for the roller
2 coasters?

3 MR. SZERLETICH: There's three for the
4 roller coasters.

5 CHAIRPERSON SULLIVAN: Okay.

6 MR. SZERLETICH: There's two for rides.
7 There's kiddie rides and there's major rides.

8 CHAIRPERSON SULLIVAN: Okay.

9 MR. SZERLETICH: And we don't have a
10 spectacular category. And then the ski lifts
11 have their structure too. They have I think
12 three different levels so.

13 MS. GIVAND RHODES: So is the structure
14 based on obviously type of attraction, but also
15 the amount of time and the risk associated?

16 MR. SZERLETICH: Yes.

17 MS. GIVAND RHODES: I agree with Patti's
18 comments then to just take a look at if it should
19 be higher, then it should be higher sooner versus
20 later.

21 CHAIRPERSON SULLIVAN: Would you guys want
22 to come up with a recommendation by the January
23 meeting?

24 MR. SZERLETICH: Sure.

1 CHAIRPERSON SULLIVAN: And we'll plan to
2 vote on it then because we'll have more people
3 here then to be able to comment. But, you know,
4 once something starts like this, it just keeps
5 rolling and the state is not getting richer in
6 the meantime.

7 MS. GIVAND RHODES: Is 25-mile-an-hour winds
8 low or is that my imagination? Is that
9 consistent with other inflatables?

10 MR. SZERLETICH: They're actually down to 15
11 miles an hour now.

12 CHAIRPERSON SULLIVAN: Most of them, yeah.
13 Because there is so much wind resistance on them
14 that --

15 MR. SZERLETICH: Especially when they're 40
16 foot tall and 160 foot long.

17 CHAIRPERSON SULLIVAN: Yeah. Well, and I'm
18 assuming this has lots and lots and lots of
19 anchoring, but still that's a lot of wind load.

20 MR. SPARKS: 69 of them. It says 69 total.

21 CHAIRPERSON SULLIVAN: But still that's a
22 lot of wind load.

23 MR. SZERLETICH: Yeah. Well, I was going to
24 print out a couple pictures of those anchors too.

1 They're not using sandbags. They're using crated
2 plastic containers that are about five foot tall
3 and about as wide.

4 CHAIRPERSON SULLIVAN: Well, that's good.
5 So do they put water in these containers?

6 MR. SZERLETICH: Yes.

7 CHAIRPERSON SULLIVAN: Then they can just
8 empty it out at the end of the --

9 MR. SZERLETICH: Yes.

10 MR. BEYER: In terms of the specs they have
11 here for operations compare proportionally to
12 other bounce houses? So you have 16,000 square
13 feet and then you can hold up to 200 riders, so
14 80 square feet per rider. They have maximum
15 minimum weights and sizes. Are those all
16 proportional given the size of this, of the
17 bounce houses?

18 MR. SZERLETICH: Most bounce houses, I mean,
19 they have combos that get pretty big, but most of
20 them require one or two operators. This thing
21 breaks down into five pieces, but the thing is is
22 you can't use these separate to where a lot of
23 the combos you can.

24 You know, I don't think there's really

1 much comparison to other bounce houses in regards
2 to this. Because, I mean, they even have in one
3 of these pictures some kind of stand in the
4 middle of this. I have no idea what that is for,
5 lights or something. That you don't see on any
6 other type of inflatable.

7 MR. BEYER: In terms of if you play out what
8 the specs that they have here are and you put 200
9 people in this thing and you allow all shapes and
10 sizes between 3 feet to 6, 4; does it create a
11 concern that that many people -- really big
12 people and really little people in there?

13 MR. SZERLETICH: I think that, well, and I
14 haven't been out to see it. One of our
15 inspectors has. And I would think or hope that
16 they would have sections for smaller kids along
17 with those however many operators did I say. And
18 for each of those sections there's operators
19 maintaining that bigger kids aren't getting in
20 with the littler kids and causing injuries.

21 MR. BEYER: Yeah, because if we have 80
22 square feet per person, it's a bounce house.
23 They're not standing there. They're bouncing
24 around everywhere. So you could have a lot of

1 bumper pool in there.

2 CHAIRPERSON SULLIVAN: Yeah, we don't want
3 big kids bumping against little kids.

4 MR. SZERLETICH: And there is a lot of open
5 area so, I mean, you know, hopefully all those
6 operators are on their game --

7 CHAIRPERSON SULLIVAN: Little kids tend to
8 run.

9 MR. SZERLETICH: -- and policing it well.

10 CHAIRPERSON SULLIVAN: And because on normal
11 bounce houses only a certain size goes in at one
12 time and then they come out and then maybe a
13 bigger size can go in.

14 MR. SZERLETICH: Correct. And it's a
15 minimal number of kids that are allowed on the
16 inflatable. I've never really seen one that
17 allows that many kids on them.

18 MR. BEYER: Can I ask a question about the
19 fire resistance under NFPA 701 which is the
20 upholstered standard. What would happen if you
21 have people on here and there is a lighting
22 strike on this thing?

23 CHAIRPERSON SULLIVAN: Well, they have to be
24 made of fire retardant material, but --

1 MR. BEYER: That runs a gamut as to what
2 that means.

3 CHAIRPERSON SULLIVAN: Yes. Well, there is
4 a specific requirement for it.

5 MR. SZERLETICH: A flame-spread rating.

6 CHAIRPERSON SULLIVAN: Yes, it has to meet a
7 certain flame-spread rating, but this isn't -- of
8 course, this isn't -- are there -- are there
9 metal pieces that go up?

10 MR. SPARKS: Looks like there's trusses in
11 the middle there.

12 MR. SZERLETICH: Right in the middle and I
13 don't know if that's for a DJ or -- and if it has
14 lights or an observation tower. Who knows.

15 CHAIRPERSON SULLIVAN: Do I have that one?

16 MS. KOTELMAN: I think it is a DJ stand. I
17 looked at an article about it. I think that's a
18 DJ stand.

19 MR. SZERLETICH: Is that a DJ stand, okay.

20 MS. GIVAND RHODES: It is?

21 MR. SZERLETICH: So, yeah, there is a metal
22 lightning rod in the middle of it. Hopefully
23 it's grounded.

24 MR. BEYER: Well, that's why I asked that

1 question. Do you know anything about the
2 grounding of this? That's a lot of different
3 devices being plugged into this thing.

4 MR. SZERLETICH: I don't know if it talks
5 about grounding in here.

6 CHAIRPERSON SULLIVAN: I would hope they
7 would ground that because -- and what do they
8 have -- Do they have fire extinguishers inside
9 the bounce house?

10 MR. SZERLETICH: I don't think so. I think
11 they would be on the outside.

12 CHAIRPERSON SULLIVAN: I would think being
13 on the inside would be a good thing as well.

14 MR. SZERLETICH: If they're protected.

15 MS. GIVAND RHODES: If they're protected.

16 MR. SPARKS: If they're secured properly.

17 MS. GIVAND RHODES: Right, we don't want it
18 being a hazard.

19 CHAIRPERSON SULLIVAN: But they could have
20 it -- they could have it surrounded with
21 something where they just pull it out, but I
22 would think -- yeah, that is metal and, of
23 course, now, will those -- because this is all,
24 you know, just air and like canvass type stuff

1 because would lightning try to strike that? I
2 mean, I don't think --

3 MR. SPARKS: The size of the metal part is
4 pretty much insulated in vinyl.

5 MR. SZERLETICH: Yeah, and there is a
6 barrier around there to keep kids from hanging on
7 it. And hopefully that would be part of the
8 training for the operators to make sure that they
9 don't get past that barrier.

10 CHAIRPERSON SULLIVAN: What about the DJ
11 inside?

12 MR. SZERLETICH: He's on his own.

13 CHAIRPERSON SULLIVAN: He gets to wear
14 sneakers with rubber bottoms.

15 MR. SZERLETICH: Well, and I'm sure the
16 manufacture's instructions are during any kind of
17 storm that they need to be --

18 CHAIRPERSON SULLIVAN: Shut down.

19 MR. SZERLETICH: -- shut down completely,
20 but that doesn't mean they will.

21 CHAIRPERSON SULLIVAN: Yes. Well, this is
22 -- is this -- this is not able to be rented out
23 to a --

24 MR. SZERLETICH: No.

1 CHAIRPERSON SULLIVAN: -- private --

2 MR. SZERLETICH: No, not at all. This unit
3 is -- it's a company that just brings it to
4 events and they have their own events.

5 CHAIRPERSON SULLIVAN: Okay. Is that -- oh,
6 that's an engineering company that had designed
7 it I guess.

8 MR. SZERLETICH: Clark Reder.

9 CHAIRPERSON SULLIVAN: Uh-huh.

10 MR. SZERLETICH: Yeah, I have this
11 engineering firm's information right here. I
12 don't see anything where it says that it must be
13 grounded, but I could have missed it.

14 CHAIRPERSON SULLIVAN: Well, aren't -- isn't
15 -- aren't blowers supposed to be grounded?

16 MR. SZERLETICH: Uh-huh.

17 CHAIRPERSON SULLIVAN: Well, then you would
18 think the metal inside if it's got power going to
19 it that it should be grounded as well.
20 Everything else on a carnival has to be grounded.

21 MR. SZERLETICH: A lot of the blowers are
22 required to be on a ground fault circuit too.

23 MR. SPARKS: Major assumption, but that
24 tower in the middle is probably staked to the

1 ground which in turn would ground it.

2 CHAIRPERSON SULLIVAN: Okay. Well, but I
3 wouldn't want us to just assume.

4 MR. SPARKS: Right, no.

5 CHAIRPERSON SULLIVAN: And then get burned
6 so to speak.

7 MR. BROWN: They usually have some sort of
8 plate with stakes that goes --

9 MR. SPARKS: Yeah, but that couldn't go on
10 the inflatable part.

11 MS. GIVAND RHODES: That wouldn't be
12 secured.

13 MR. SPARKS: No.

14 CHAIRPERSON SULLIVAN: And that 25 miles an
15 hour is a little bit high. I mean, hard rides
16 typically are a maximum of 34 miles an hour and
17 that's, you know, they're steel. They're, you
18 know -- unless there are gusts and then some of
19 them like wheels usually that will rock the seats
20 then you shut them down.

21 MS. GIVAND RHODES: And this says it can
22 still operate at up to 25-mile-an-hour winds.

23 CHAIRPERSON SULLIVAN: Yeah, and I would --
24 do we have -- What do we have for our state? Do

1 you know offhand?

2 MR. SZERLETICH: For what?

3 MS. GIVAND RHODES: Wind speed.

4 CHAIRPERSON SULLIVAN: Wind speed.

5 MR. SZERLETICH: 25.

6 CHAIRPERSON SULLIVAN: For bounces.

7 MR. SZERLETICH: Unless the manufacture
8 specifies a lower mile per hour.

9 CHAIRPERSON SULLIVAN: Okay. Okay. Well, I
10 know they're in the process and have done some
11 new things on air-supported structures so I don't
12 -- I haven't reread those lately. Okay. Does
13 anybody have any other questions on this or
14 comments?

15 I would like to see fire extinguishers
16 inside this rather than just outside. Because
17 how many entrances are there.

18 MR. SZERLETICH: There were several. And
19 it's something I can ask Pete when he inspected
20 it if he noticed where they were located.

21 MS. GIVAND RHODES: The 12 attendants are on
22 it or observing?

23 MR. SZERLETICH: On it.

24 MS. GIVAND RHODES: They're on it.

1 CHAIRPERSON SULLIVAN: But there's not much
2 they can do in a big hurry if a fire starts if
3 there are no fire extinguishers inside because
4 they have got to run to the entrance and get
5 something and then run back. And it's not easy
6 to run on a bouncy surface.

7 MR. SZERLETICH: Well, without looking at it
8 and seeing it myself I don't know for sure, but
9 there's several -- it looks like there are
10 several areas where you can enter and exit. And
11 with that many people on there, you would want
12 that anyway.

13 CHAIRPERSON SULLIVAN: The flame out
14 certificate must be attached. Hold down, blah,
15 blah, blah.

16 MR. KIRSCHNER: Bill, is the one that Pete
17 inspected, is it still in the state?

18 MR. SZERLETICH: No.

19 MR. KIRSCHNER: I was going to say if there
20 is an opportunity to have him go back out there
21 next time you have a chance and look into some of
22 this.

23 MR. SZERLETICH: Yeah, I don't think they're
24 coming back. From what if I remember correctly

1 in show dates, it showed but just one event in
2 Joliet. So but I expect them to be back next
3 year.

4 CHAIRPERSON SULLIVAN: Well, once something
5 starts like this by the next year you see lots
6 more.

7 MR. SZERLETICH: You know, I'm surprised
8 that we didn't with the insane 5K inflatables.
9 Do you remember those?

10 MS. GIVAND RHODES: I remember.

11 CHAIRMAN SULLIVAN: Uh-huh.

12 MR. SZERLETICH: They haven't been back.
13 So --

14 CHAIRPERSON SULLIVAN: Not as --

15 MR. SZERLETICH: That we know of anyway.

16 CHAIRPERSON SULLIVAN: I would still like to
17 see -- and if we need to get the -- get the
18 changes made in the statute for this, I would
19 still like to see the rental inflatables have to
20 be permitted too. And, I mean, if it takes an
21 extra inspector to go in and have the company
22 just set them all up and have them inspected
23 because more accidents happen on those than
24 anything else and it counts against the amusement

1 industry. And --

2 MR. SZERLETICH: You're talking about
3 private events?

4 CHAIRPERSON SULLIVAN: Uh-huh. Because, you
5 know, nobody is watching. They don't have an
6 operator there typically. And I think they
7 should be required to have an operator there for
8 public safety. I mean, it may be a private
9 event, but it's still -- there's still the
10 public.

11 MR. SZERLETICH: Yeah.

12 CHAIRPERSON SULLIVAN: And I think we should
13 be protecting them. Just because they're a
14 private event doesn't mean things are safe.

15 MR. SZERLETICH: Right.

16 CHAIRPERSON SULLIVAN: Plus that's a lot
17 more revenue for, you know, that you bring in.
18 And you should theoretically if they have to set
19 them all up, I mean, they could do it over the
20 winter even and set them all up indoors or
21 wherever their store is and have you come in and
22 inspect them. What's your opinion on that?

23 MR. KIRSCHNER: Are you thinking for any
24 type of event? I mean, the first thing that I

1 think of is the sheer number of private events
2 that these are rented to. I don't know without
3 some massive increase in staff how we would ever
4 be able to send someone out.

5 CHAIRPERSON SULLIVAN: I'm not talking about
6 permitting them at the event. I'm saying at the
7 rental center make it their responsibility to set
8 them all up so you can send one or more people in
9 to there and have them all inspected and have
10 them under our rules. So they have to send an
11 operator with each inflatable so that they're
12 properly operated.

13 Because I've seen, oh, my gosh, some
14 places -- oh, we rented one for the, you know,
15 for a party or something and you've got adults in
16 there and little kids in there and no wonder
17 that's the highest rate of accidents.

18 But I think we're here to protect the
19 public and the public is ignorant unless we take
20 a stronger hand in this. Because the rental
21 companies just get away with murder basically on
22 that. They just send them out, blow them up and
23 are gone.

24 MR. SZERLETICH: Now, we do regulate rental

1 companies that -- and a lot of them do exactly
2 what you just suggested, they in the winter set
3 them up, we come out and permit them.

4 MS. GIVAND RHODES: They do? We do that
5 now?

6 MR. SZERLETICH: Yeah, they do that now.
7 But here's the thing, they may not permit every
8 one of them because some of those may get sent
9 out for private events or for school events or
10 church events that are considered --

11 CHAIRPERSON SULLIVAN: Private.

12 MR. SZERLETICH: -- private and not public.
13 Some of them will go ahead and permit them all
14 because they don't know which ones they're going
15 to send out or they're going to need and they're
16 big enough that they can do it.

17 So, you know, in a sense we do look at
18 those rental companies now. But they have the
19 option to set aside some that they are not going
20 to permit that they are going to use for private
21 use. I understand what you're saying though. We
22 should include that is what you're saying, right?

23 CHAIRPERSON SULLIVAN: I think so because
24 the public still gets hurt on them even if it's

1 at a private event. I mean, that can spoil a
2 birthday party pretty quickly if some little kids
3 gets their heads bounced open.

4 MR. BROWN: Bill, what's that cost for that?
5 Is that the \$55 you referenced for -- for the
6 cost per year to --

7 MR. SZERLETICH: Yeah, for each inflatable.
8 And it doesn't matter right now how big it is.
9 So like this mammoth here is \$55. It's very
10 cheap.

11 CHAIRPERSON SULLIVAN: And we can't inspect
12 it for \$55.

13 MR. SZERLETICH: Not really.

14 CHAIRPERSON SULLIVAN: No way.

15 MR. SZERLETICH: Yeah, it's a lot. But the
16 way it's wrote in the law right now it's all
17 inflatable attractions are \$55.

18 CHAIRPERSON SULLIVAN: So you guys might
19 even want to look at -- I don't know how big
20 inflatables you usually inspect what they, you
21 know, the magnitude; but you might even look at
22 it, you know, 2 tiers or -- this definitely has
23 to be on a, you know, on a bigger because you
24 have to inspect 25 blowers and all that stuff.

1 MR. SZERLETICH: Right. Look at 17
2 operators' records.

3 CHAIRPERSON SULLIVAN: Uh-huh.

4 MR. SZERLETICH: That takes some time.

5 CHAIRPERSON SULLIVAN: Well, yeah. If
6 they're properly trained, there should be
7 records.

8 MR. BEYER: Does it also involve walking
9 around looking for cracking and --

10 MR. SZERLETICH: Absolutely. Holes, zippers
11 broke, sharp protrusions, holes in netting. We
12 had a young man lose a tooth from a hole in a
13 net. And, actually, I take that back. It wasn't
14 a hole in the net. If you notice the new
15 inflatables, the holes have decreased big time
16 from the old ones because it catches teeth real
17 easy. And some young boy jumped up and somehow
18 got his tooth caught in the net and popped it
19 right out.

20 CHAIRPERSON SULLIVAN: I hope it was a real
21 little kid who was going to lose that tooth.

22 MR. SZERLETICH: Hopefully.

23 CHAIRPERSON SULLIVAN: But still watching a
24 little kid with a bloody mouth is --

1 MR. SZERLETICH: I'm sure the optics were
2 not good.

3 CHAIRPERSON SULLIVAN: Yeah, poor little
4 guy.

5 MR. KIRSCHNER: Well, perhaps as part of the
6 -- ahead of the January meeting with any
7 consideration on our end of a tiered structure
8 for the size of this, we can also give
9 consideration to any potential statutory
10 expansion in terms of regulatory expansion in
11 terms of permitting and then provide a
12 recommendation or at least an idea on where we
13 are with --

14 CHAIRPERSON SULLIVAN: I think it's a good
15 -- I mean, that's still the public even if it's a
16 private event. And I think the rental company
17 should be required to send out an operator
18 because, you know, a lot of -- yeah, I mean, you
19 can tell the one mom who rents, but she's
20 probably not even going to be the one out there.
21 She's going to be in the kitchen doing the
22 cupcakes and going back and forth with, you know,
23 a lot of other things rather than standing by the
24 inflatable.

1 MR. SZERLETICH: Yeah.

2 CHAIRPERSON SULLIVAN: The dad or whoever.

3 MR. SZERLETICH: The rental operators will
4 tell you that they trained the person or people
5 that is going to supervise the ride and they have
6 their own form that they will have them fill out.
7 We have a volunteer roster for them that they can
8 fill out too.

9 When the law got changed to exclude
10 like, you know, school functions and stuff, we
11 had to draft this volunteer roster. And, you
12 know, so they'll go in and provide the training
13 and then jot their name down and the event name
14 and document all the operators or all the
15 attendants that are going to be attending the
16 inflatables.

17 CHAIRPERSON SULLIVAN: And hopefully they're
18 paying attention.

19 MR. SZERLETICH: School functions they
20 usually do. It's usually manned by the teachers
21 or their administrative staff. I do -- a couple
22 of my operators I, ones in Chadham at the middle
23 school. And I go there every year to get their
24 inflatables done. And they've got it figured

1 out.

2 I am there for several hours and watch
3 the classes come in and go and I watch how the
4 teachers all, you know. And they ask me
5 questions too when I'm going around looking at
6 them, they'll, you know, ask me pointers and
7 stuff. So they're very attentive to it.

8 CHAIRPERSON SULLIVAN: Well, I think that's
9 a wonderful service. I really do.

10 MR. BEYER: This reminds me, the parents at
11 the block parties and school yards are more
12 attentive than the kids hired to watch it and
13 pump it up.

14 MS. GIVAND RHODES: I would agree with that.

15 CHAIRPERSON SULLIVAN: Well, and then
16 sometimes, you know, like at private events,
17 nobody is really watching.

18 MS. GIVAND RHODES: Like birthday parties
19 you mean?

20 CHAIRPERSON SULLIVAN: Uh-uh.

21 MS. GIVAND RHODES: I guess my challenge is,
22 well, first of all, inspecting and permitting all
23 of them including the ones for private events I
24 agree with that. I think that's a no brainer.

1 The -- having to send out an attendant
2 I struggle with because would you think is would
3 be safer. So if it would, I understand why we
4 would support it. But would it make it so cost
5 prohibitive that it would be tough for people to
6 rent them out to be able to rent them. I don't
7 know.

8 But I would hope that we would have a
9 balanced recommendation one that wouldn't be so
10 cost prohibitive that we only allows a certain
11 class of people to rent them, but we also don't
12 want them to be dangerous. So I'm not sure about
13 that -- sending the operator out.

14 CHAIRPERSON SULLIVAN: Well, I like what
15 you've done with the volunteer attendants and I
16 think that's a big improvement over what we used
17 to have.

18 MR. SZERLETICH: It puts the responsibility
19 on the party that's renting them out to insure
20 that they're providing training to someone.

21 CHAIRPERSON SULLIVAN: Well, and it should
22 because they should be responsible for that.

23 MR. BROWN: I would agree with Linda's
24 perspective a little bit that, you know, as

1 somebody that's rented one of those from the
2 local rental place and done some stuff. You
3 know, to add to the cost of an attendant that's
4 trained to be there, that would significantly
5 bump things up. And I think we would get a lot
6 of pushback from anybody who is renting those
7 out.

8 And I think for the most part, you
9 know, at least the ones I've been around, people
10 are usually attentive because they realize
11 they're potentially dangerous. And, you know,
12 just with the different kids bouncing against
13 each other, you have to regulate that pretty
14 well. And I'm sure there's varying degree of
15 parental supervision as we see in other aspects
16 of life, but I don't know. That's my two cents.

17 CHAIRPERSON SULLIVAN: Well, and as the
18 liability becomes a bigger and bigger issue, they
19 might be being more careful. But I had seen some
20 that were just like, oh, my God, you're letting
21 high school kids bounce with little
22 two-year-olds.

23 MR. BEYER: And there's a problem putting
24 big kids on top of little kids.

1 MR. BROWN: Bill, can you clarify how are
2 those type of accidents or injuries tracked so at
3 Johnny's birthday party somebody breaks an arm or
4 gets a bump in the backyard, does that get tied
5 back to the industry with their numbers or?

6 MR. SZERLETICH: I think it does to the
7 industry, but we don't hear about it.

8 CHAIRPERSON SULLIVAN: The CPSC does though.

9 MR. SZERLETICH: Yes. The industry as a
10 whole I believe it does; but if it's a private
11 event, we don't hear about it. We may get, you
12 know, a complaint, but I don't really think I
13 remember ever getting one for a private event.

14 CHAIRPERSON SULLIVAN: Okay. Does anyone
15 have anything else on oversized inflatables that
16 you wanted to bring up? Okay. Then let's go
17 onto department update and policies.

18 MR. SZERLETICH: Okay. So all I wanted to
19 do here is just talk about some of the things
20 that we've gotten for our inspectors. I will
21 pass this around. Everybody can look at this.
22 This a borescope that the department purchased
23 for all the inspectors. And it's been a very
24 useful tool already. We have found some cracks

1 that we normally probably wouldn't have seen
2 otherwise.

3 What it is is it enhances the
4 inspector's ability to see areas of rides that we
5 normally can't access with the eye. It has the
6 ability to see in the very small spaces that are
7 hidden and provides LED lighting. It -- you
8 can't take pictures with it, but you can connect
9 it to your phone if you need a bigger screen.

10 The only thing I probably don't like
11 about it is the screen is pretty small, but it's
12 still, you know, you can see it. It's easy to
13 see what you're looking at.

14 CHAIRPERSON SULLIVAN: It's big enough to
15 see cracks anyway.

16 MR. SZERLETICH: Yeah, yeah.

17 CHAIRPERSON SULLIVAN: That's wonderful.

18 MR. SZERLETICH: The LED lighting on it the
19 end is really good. It's got different levels of
20 brightness. So it would be really nice if you
21 could snap a picture too, but I'm sure they're
22 out there, but --

23 CHAIRPERSON SULLIVAN: Yes, they do have
24 those. They are a couple thousand more per unit.

1 MR. SZERLETICH: I'm sure, but that was a
2 really good price and the department got them for
3 every one of the inspectors. We all have them
4 and it's definitely been used.

5 CHAIRPERSON SULLIVAN: Good job. Good job.

6 MR. SZERLETICH: So we are very appreciative
7 of that.

8 CHAIRPERSON SULLIVAN: And that's not
9 terribly heavy.

10 MR. SZERLETICH: Utilizing the latest
11 technology now.

12 CHAIRPERSON SULLIVAN: Good.

13 MR. SZERLETICH: We also purchased new
14 climbing harnesses this year, safety glasses and
15 safety gloves and some cold weather gear for the
16 inspectors this season.

17 CHAIRPERSON SULLIVAN: Okay.

18 MR. SZERLETICH: I'll just go ahead and run
19 through the policies. I always mention this at
20 both meetings. We require 30-day notice of
21 inspection to avoid expedite inspection fees and
22 owners of Chance Zipper Rides must submit a
23 compliance statement to the department prior to
24 permitting.

1 Our website ridesafety.illinois.gov.
2 NDT lists -- there is nobody here from the
3 public. But, you know, if we ever -- if there is
4 ever a question about a ride needing an NDT,
5 there is several outlets.
6 Ridesafety.Illinois.gov; caresofficials.org; they
7 have the NDT list. We have the NDT list and the
8 inspectors know. If they don't, they can look
9 and see.

10 CHAIRPERSON SULLIVAN: Right.

11 MR. SZERLETICH: It's in their computer.
12 And they can look and see if, you know, certain
13 rides require an NDT or not. And that's all I
14 have.

15 CHAIRPERSON SULLIVAN: Okay. May I ask a
16 question? This is not on the agenda and I
17 apologize; but before we go onto the meeting
18 location and time, what are we doing with
19 inspector training? Because this keeps coming
20 up. Our inspectors sent to Bill --

21 MR. SZERLETICH: We have two trainings every
22 yeah. We go to NAARSO in the winter months. And
23 we also have a training right before the board
24 meeting, the day of the board meeting, an

1 internal training.

2 CHAIRPERSON SULLIVAN: Good.

3 MR. SZERLETICH: It's usually an afternoon.
4 So about a three-, four-hour training. NAARSO as
5 you know is a week-long training.

6 We don't really have any training
7 scheduled through the spring and summer because
8 of our workload.

9 CHAIRPERSON SULLIVAN: I was going to say.

10 MR. SZERLETICH: But we do talk every week.
11 We have -- every Tuesday we have a staff meeting
12 and we cover any topics that we need to and stay
13 in the loop amongst ourselves with issues and
14 such that we may run into and just kind of share
15 the knowledge.

16 CHAIRPERSON SULLIVAN: Okie-doke.

17 MR. SZERLETICH: Hopefully there is going to
18 be a NAARSO this year. They've got a hurricane
19 barreling down on them right now.

20 MS. GIVAND RHODES: Are they in the
21 Carolinas?

22 MR. SPARKS: Surrounding area. They have
23 some internal things going on them right now.

24 CHAIRPERSON SULLIVAN: Very big.

1 MR. SPARKS: Yes, big.

2 CHAIRPERSON SULLIVAN: Well, one thing I was
3 going to ask because I'm on the AIMS Board and I
4 said, you know, I don't see many of the Chicago
5 shows sending people. I know Wes has gone, but I
6 don't know that some shows ever send anybody to
7 any training. And Chicago's big enough that you
8 could do like an AIMS on the road if the
9 Department of Labor might be willing to just host
10 it. Provide a room where it -- where the
11 training can be done and the -- a projector and
12 whatever.

13 And we could bring -- AIMS could bring
14 training. It would be at a cost, but you know,
15 there are a lot of people up here who I don't
16 think have ever taken any training, safety
17 training. And it's -- there are a lot of people
18 in Illinois that -- well, people and maybe taking
19 it to them because when the NAARSO and AIMS
20 seminars are lots of times is during -- well,
21 sometimes they're during the Illinois Fair Board
22 Meeting when a lot of those people need to be in
23 Springfield. And there may be a way to do
24 something where they're more available to them

1 if you would be interested. I would be
2 interested in going back to seeing what we could
3 do if, you know, if you wouldn't mind kind of
4 sponsoring the place to have it and maybe
5 we'll --

6 MR. KIRSCHNER: What is the scope that you
7 would --

8 CHAIRPERSON SULLIVAN: Well, I think -- I
9 think we would do -- we would start with basics
10 of operations, maintenance and inspection. And
11 probably some water rides or water parks because
12 we have water parks in Illinois. And it might be
13 a good way to get more education going to the
14 operators in Illinois.

15 MS. GIVAND RHODES: But you're not asking
16 the department to conduct the training?

17 CHAIRPERSON SULLIVAN: No, no, no.

18 MS. GIVAND RHODES: Just to host it.

19 CHAIRPERSON SULLIVAN: I am asking them to
20 host and AIMS would bring the trainers and the
21 material and the, you know, the program.

22 MS. GIVAND RHODES: Right.

23 CHAIRPERSON SULLIVAN: But it would be --
24 and we could if there were specific things that

1 you wanted to have in it, we would most likely be
2 able to provide people to teach that. But if you
3 would be interested. I'm not trying to ram it
4 down anybody's throats. I'm just saying it's
5 there if there would be an interest.

6 Because right now between the 2
7 training organizations I think AIMS had about 400
8 and NAARSO had 250. 650 people out of the
9 thousands that operate in the U.S. isn't a very
10 big group.

11 MS. GIVAND RHODES: I'm surprised.

12 CHAIRPERSON SULLIVAN: Well, some of the
13 larger parks have training come to them. I have
14 gone to parks to do training, but we -- we -- I
15 mean, Illinois has such a -- such a huge amount
16 of carnivals and, you know, therefore, the right
17 operators and the maintenance people in Illinois
18 that it might be advantageous to do one up here
19 in Chicago. Or if not in Chicago maybe -- but if
20 you have facilities like this where they could
21 come.

22 MR. KIRSCHNER: Bill, perhaps there is a way
23 we could think about trying to gauge what that
24 interest might be for something like that. You

1 know, just in our regular contact through
2 inspections.

3 MR. SZERLETICH: Okay.

4 MR. KIRSCHNER: Way to get an initial idea.

5 CHAIRPERSON SULLIVAN: Yeah. That, I mean,
6 we don't want to have a seminar where nobody
7 comes. But, I mean, you know, it's our whole --
8 AIMS' whole goal is education of safety through
9 education.

10 MR. SZERLETICH: Is there any certification
11 out of AIMS?

12 CHAIRPERSON SULLIVAN: Yes, yes. We certify
13 in operations at three levels, in maintenance at
14 three levels and inspection at three levels. And
15 aquatics I think there are two or three levels.
16 So you can get inspection certification.

17 MR. SZERLETICH: Operator maintenance?

18 CHAIRPERSON SULLIVAN: Inspection and
19 aquatics.

20 MR. SZERLETICH: Inspection and aquatics.
21 We do -- the inspectors have also attended Eli
22 Bridge training a couple times.

23 CHAIRPERSON SULLIVAN: And we enjoy having
24 you there.

1 MR. SZERLETICH: And I know that's an open
2 invitation any time we want to schedule that.

3 CHAIRPERSON SULLIVAN: We would be happy to
4 have you any time. That's the advantage of being
5 in Illinois. Okay. Is there -- does anybody
6 have any other new business?

7 MR. KIRSCHNER: One comment back to the ASTM
8 Standards. Do we need to do anything formally
9 today to the extent we are considering a
10 subcommittee to explore that or is that something
11 we want to revisit next time that we do our own
12 internal work on that and for next time and
13 then --

14 MR. SZERLETICH: Right now I have as
15 subcommittee members Patti volunteered, Tom,
16 Margaret and myself. So I'm kind of going off of
17 that right now. And --

18 MR. SPARKS: I'm willing to help on any of
19 that if you need anything.

20 CHAIRPERSON SULLIVAN: That would be good
21 because --

22 MR. SZERLETICH: Well, that gives us the
23 industry side, the manufacturing side and I
24 think, you know, it's -- and the inspection side

1 of it which is really how we want to hit these
2 because we want to get all points of view.

3 CHAIRPERSON SULLIVAN: Yes.

4 MR. SZERLETICH: Because we don't want to
5 overregulate ourselves. We know what happens
6 when that happens.

7 CHAIRPERSON SULLIVAN: Not a good thing.

8 MR. SZERLETICH: No. So we want to make
9 sure we do it right and, you know, be able to
10 look at it at all angles and come up with the
11 best way to go about, you know, getting some new
12 standards, some updated standards.

13 CHAIRPERSON SULLIVAN: Yeah, I think we want
14 them to be reasonable and, but we also want to
15 protect the public.

16 MR. SZERLETICH: Right.

17 MR. KIRSCHNER: The only other piece of
18 that, which I don't know the answer to, would be
19 with respect to the Open Meetings Act and, you
20 know, to the extent that a subcommittee is
21 meeting in the interim and what the other
22 requirements are there or what do we have to do
23 formally.

24 CHAIRPERSON SULLIVAN: I think if three or

1 more people are at a meeting, then it has to be
2 open to the public, but if there are only two of
3 us on the board then maybe it doesn't apply.

4 MR. SZERLETICH: Yeah, I would have to look
5 at that.

6 MR. KIRSCHNER: Yes --

7 CHAIRPERSON SULLIVAN: But you could put it
8 on -- can you put it on the website that we're
9 having a meeting and --

10 MR. SZERLETICH: Yeah, there are some
11 requirements for us to post publicly at our
12 offices and on the website. Maybe even in the
13 paper, I don't know. So but we could look into
14 that.

15 CHAIRPERSON SULLIVAN: Is there any reason
16 we couldn't do that?

17 MR. SZERLETICH: We can, yeah.

18 CHAIRPERSON SULLIVAN: And invite the
19 public.

20 MR. SZERLETICH: Sure.

21 CHAIRPERSON SULLIVAN: Because if somebody
22 is that interested in ASTM, they might be
23 helpful.

24 MR. WEISBERG: The danger is if you form a

1 subcommittee that's made up of members of this
2 committee and then, you know, you all just decide
3 to grab lunch, you know, is that a meeting of the
4 subcommittee? And if you're, you know, if you're
5 discussing subcommittee business and then you,
6 you know, you fail to comply with the Open
7 Meetings Act. So, you know, I think just consult
8 with attorneys, you know, before --

9 CHAIRPERSON SULLIVAN: Okay.

10 MR. WEISBERG: -- before you get together.

11 CHAIRPERSON SULLIVAN: Well, we would be
12 happy to because we don't want to, you know, do
13 the wrong thing.

14 MR. KIRSCHNER: Benno is our general counsel
15 by the way.

16 MR. WEISBERG: Yes, I should have introduced
17 myself.

18 MR. BEYER: It's a majority of the majority,
19 right?

20 MR. WEISBERG: It's a majority of a quorum
21 and, you know, if -- even if it's three members I
22 think, you know, you still need to be on the
23 lookout for triggering the Opening Meetings Act.

24 CHAIRPERSON SULLIVAN: Right. Right.

1 MS. KOTELMAN: Were you asking do you need a
2 motion to form a subcommittee to talk about it?

3 MR. KIRSCHNER: There's that piece. You
4 know, can they just say we formed a subcommittee?
5 I don't know if there are any statutory
6 guidelines for forming a subcommittee. I'm not
7 aware of any so. I would be --

8 MR. BEYER: I don't recall any in the past.

9 MS. KOTELMAN: Not in the statute that
10 created this board.

11 MR. KIRSCHNER: But if we're fine there
12 then, yes, just being cognizant before a few
13 phone calls fly back and forth today, thought we
14 would catch up on this and we would do that
15 before making sure that --

16 CHAIRPERSON SULLIVAN: Yeah. I mean,
17 anybody who wants to sit through it, come on
18 down.

19 MR. BEYER: Well, the one thing we talked
20 about having more than two voting members on the
21 subcommittee is you then have to meet in person
22 instead of having a teleconference.

23 CHAIRPERSON SULLIVAN: Yes, but if we only
24 have two plus the inspectors, then we should be

1 okay.

2 MR. SZERLETICH: I think we would need to
3 have a public meeting for any fee structure
4 recommendation for inflatables too.

5 CHAIRPERSON SULLIVAN: Well, any rule
6 change. But if you guys discuss the fee
7 structure because you know how long it takes to
8 inspect and whatever your recommendations are on
9 those monster inflatables and if there is
10 anything else we need to be looking at, then I
11 think you guys come to the next meeting and say
12 here is our recommendation. Can't you do it that
13 way?

14 MR. SZERLETICH: Okay. I thought you
15 mentioned possibly voting on it in January.

16 CHAIRPERSON SULLIVAN: Yes, but that would
17 be at the meeting and that would -- it would be
18 open to everyone. But you just bring the
19 recommendation to that meeting. I don't think
20 there is anything --

21 MR. KIRSCHNER: No, and I think the analysis
22 there would be done outside of the subcommittee
23 that we're talking about for ASTM Standards.
24 That would just be departmental.

1 MR. SZERLETICH: Right. Right. But any
2 kind of fee change I think has to go through a
3 public meeting, right?

4 CHAIRPERSON SULLIVAN: Yes.

5 MS. GIVAND RHODES: It would. In January.

6 CHAIRPERSON SULLIVAN: Yes.

7 MR. BEYER: The formation of it doesn't, but
8 the proposed rule has to be --

9 CHAIRPERSON SULLIVAN: Yes.

10 MR. KIRSCHNER: Are you asking if there has
11 to be a separate meeting from our one scheduled
12 in January?

13 MR. SZERLETICH: That's what I'm thinking.
14 I may be wrong.

15 CHAIRPERSON SULLIVAN: I -- well, if a
16 decision is not being made that requires the
17 public to pay more, less or whatever, if it's
18 just a recommendation that's being discussed; my
19 understanding was it doesn't have to be a public
20 meeting or it's not -- it's not an official
21 meeting that way.

22 MR. SZERLETICH: Right, but if you vote on
23 it, aren't you voting to increase the fees?

24 CHAIRPERSON SULLIVAN: Yes.

1 MR. BEYER: That meeting would be open for
2 voting.

3 CHAIRPERSON SULLIVAN: But it would be at
4 the regular meeting in January.

5 MS. GIVAND RHODES: So your discussion about
6 the fees within the department it's not breaking
7 any rules because you're not voting on anything.
8 You would bring your recommendation to the open
9 meeting.

10 MR. SZERLETICH: I understand that, but for
11 some reason I was thinking that if you're
12 proposing the fees to be raised, they have -- and
13 you're going to bring it up to the board to vote
14 on it, there has to be a public meeting first.
15 That was my understanding.

16 CHAIRPERSON SULLIVAN: It may have to be in
17 the agenda when the meeting is announced ahead of
18 time so that people know this is on the agenda,
19 but I wasn't aware of it has to be proposed at
20 say the January meeting and then voted on at this
21 meeting. Is that what you're thinking?

22 MR. SZERLETICH: Uh-huh.

23 CHAIRPERSON SULLIVAN: Well, I don't recall
24 that, but it's been some time since I read some

1 of the rules.

2 MR. SZERLETICH: And I may be wrong too.

3 CHAIRPERSON SULLIVAN: We have our legal
4 team here.

5 MR. SZERLETICH: And I will have to look at
6 it too.

7 CHAIRPERSON SULLIVAN: And if that's the
8 thing, then we propose it -- you propose it in
9 January and we'll vote on it at this meeting.

10 MR. SZERLETICH: Well, just thinking back in
11 '08 where we raised fees, and it seemed to me I
12 attended a public meeting for people to weigh in
13 before we went to the board meeting to propose it
14 to the board.

15 CHAIRPERSON SULLIVAN: Okay.

16 MR. BEYER: We did do that, but I don't
17 think we necessarily had to. Because I think we
18 were raising them so much across the board, we
19 were looking at what other states fees were at
20 that time.

21 CHAIRPERSON SULLIVAN: Well, and that -- and
22 we used to have the Thursday night meeting that
23 was an open meeting and then the Friday morning
24 meeting and that way it was discussed at the

1 Thursday night meeting and then voted on on the
2 Friday morning meeting. But we don't have that
3 anymore. So we just have that Thursday afternoon
4 meeting.

5 MR. BEYER: If we have to have another
6 meeting, we'll hear about it from somebody. I
7 can promise you.

8 CHAIRPERSON SULLIVAN: Yes. And if we do,
9 then we do. If you can find out.

10 MS. GIVAND RHODES: You may want to check
11 though.

12 MR. SZERLETICH: Yeah, I'll look into that.
13 I'm just thinking back about in '08. You're
14 right, it was pretty significant. So that may
15 have been why Katherine decided to, you know, put
16 that out there to the public.

17 CHAIRPERSON SULLIVAN: Well, Katherine
18 wanted to raise them very, very, very
19 significantly and the board said no. So but,
20 yeah, if you find out then you can still bring it
21 to the board then and if we need to then wait to
22 vote on it at this meeting, we can do that.

23 MR. SZERLETICH: Okay.

24 CHAIRPERSON SULLIVAN: Or we can even have a

1 spring meeting and that's the only business.

2 MR. SZERLETICH: Yes.

3 CHAIRPERSON SULLIVAN: Okay.

4 MR. SZERLETICH: The only thing left is the
5 2019 meeting locations and time. I set it for,
6 and it's tentative, Thursday, January 17th, 2019,
7 4:00 to 6:00 p.m. at the Department of
8 Transportation building again in Springfield.
9 And then Thursday, September 12th, 2019, 2:00 to
10 4:00 p.m., here in Chicago again.

11 CHAIRPERSON SULLIVAN: Okie-doke.
12 Questions? Comments?

13 MR. SZERLETICH: And your parking tickets
14 can be validated at the front desk.

15 CHAIRPERSON SULLIVAN: Okay. If we found
16 the right place to park. I went around 20 times
17 and finally found a place to park.

18 MR. KIRSCHNER: That will be a separate
19 ticket then.

20 CHAIRPERSON SULLIVAN: Yes. Well, I've
21 eaten most of them anyway so. Then do we have
22 any other -- I mean, I don't know who you all
23 are. Would you like to introduce yourselves?

24 MR. NOBLE: Ben Noble, Public Information

1 Officer.

2 CHAIRPERSON SULLIVAN: For the Department of
3 Labor?

4 MR. NOBLE: Correct.

5 MS. KOTELMAN: I'm Laura Kotelman, Chief of
6 Staff for the department.

7 MS. COSGROVE: My name is Audrey Cosgrove
8 and I'm an attorney here.

9 MR. WEISBERG: Benno Weisberg, I'm an
10 attorney here as well.

11 (Discussion outside the
12 record.)

13 CHAIRPERSON SULLIVAN: Do you all have
14 anything else that anybody --

15 MR. KIRSCHNER: Do we need do any type of
16 roll or for the record?

17 (Discussion outside the
18 record.)

19 CHAIRPERSON SULLIVAN: Okay. Then I would
20 entertain a motion for adjournment today.

21 MR. BROWN: I'll make it.

22 CHAIRPERSON SULLIVAN: Brad, do you want to
23 make it? You second it?

24 MS. GIVAND RHODES: Yes.

1 STATE OF ILLINOIS)

2) SS:

3 COUNTY OF L A K E)

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5 Julie Walsh, being first duly sworn,
6 on oath says that she is a court reporter doing
7 business in the City of Chicago; and that she
8 transcribed the proceedings of said meeting on
9 September 13, 2018, and that the foregoing is a
10 true and correct transcript of the proceedings
11 given at said meeting.

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Julie Walsh, CSR
Illinois CSR No. 084-004032

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