



**North Carolina Department of Labor
Ad Hoc Amusement Device Advisory Board**

Date/Time: Monday, November 19, 2007 / 1:00 pm - 5:00 pm

Location: Commissioner's Conference Room, Room 205
Labor Building, 4 W. Edenton Street, Raleigh, NC

Attendees: Members

Jonathan Brooks	Elevator & Amusement Device Bureau, DOL
E.C. Toppin	Chowan County Regional Fair
Jamie Gaffney	Carowinds
Bobby Brinkley	Brinkley Entertainment

Members Absent

Steve Mains	Hickory American Legion Fair
Joel Rickards	Interactive Playgrounds
Robert Rippy	Jungle Rapids
LouAnn Bowen	Hughie & Louie's Rentals
Clyde Wagner	Wagner Consulting Group
Les Powers	Powers Great American Midway
Tony Brancazio	Wet N Wild Emerald Point

Guests

Andy Frazier	Standards & Inspections, DOL
Jennifer Haigwood	Governmental Affairs, DOL
Art Britt	Director Governmental Affairs, DOL
Nancy Vick	Elevator & Amusement Device Bureau, DOL
Dolores Quesenberry	Marketing, Administration, DOL

Call to Order

Chairman Jonathan Brooks determined there was not a quorum and called the meeting to order at 1:00 pm.

Introductions

Chairman Brooks introduced one guest. Dolores Quesenberry, Marketing Director for the Commissioner's Office who will be assisting with the NC Safety Amusement Star introduction and marketing.

Approval of Minutes

The minutes of the June 13, 2007 meeting were read and approved as written.

Agenda Items:

Meeting Purpose

The purpose of this meeting was to establish criteria from all industries represented for the Safety Amusement Star Program. Discussions and questions on the program is the only agenda item for today. Chairman will compile criteria from today's meeting for members and present at the Fair Association meeting in January, 2008.

Member Discussion/Questions

Chairman Brooks stated that the objective for today is to go over each industry criteria for the Amusement Star Program. Dolores Quesenberry will be helping with this process. She will also be at the Fair Association meeting to introduce and present along with him.

At the last meeting, all members were asked to compile a list of criteria for each of their own industries to discuss today.

Tony Brancazio sent the water park criteria to Chairman Brooks today. The Board can discuss this list at the next meeting when Mr. Brancazio is in attendance.

Two handouts were given to all members. One was a N.C. Department of Labor Star Program comparison sheet containing the six departmental star program criteria and standards for each. The other was the same information in the comparison sheet but in outline form. This information was prepared by Jennifer Haigwood and Art Britt for use in establishing criteria, goals, etc. for the Amusement Star Program.

Carnivals

Mr. Brinkley stated that he and Mr. Powers had talked about this since the last meeting. They both agree that the OABA Quality Assessment Program which was handed out at the last meeting will not be consistent for all amusements. Most of the points are good to begin their list with though. He also believes that a criteria should be that one person from each company be required to attend NAARSO each year which gives them a week of training. His question was who would go around to all the companies to evaluate them for this program?

For discussion purposes, **Mr. Britt** explained that existing departmental STAR programs have a "Star Assessment Team" ("Team") which consists of a group that has knowledge about the operations of all industries applying for a STAR designation. The group can have some members with water park experience as well as carnival expertise and permanent parks, etc.

Mr. Frazier stated that the Team should be from the DOL Elevator & Amusement Device Bureau.

Mr. Brinkley stated that Chairman Brooks should be a part of the Team, but not only him. He believes it should be a level playing field across the industries. There should be someone going to the fairs with the criteria sheet from each industry. He also thinks there should be DOL inspectors on the Team covering an area that is not normally theirs in their normal job with the Bureau. Example; an eastern inspector assesses in the western or central area of the state.

Mr. Toppin said not all fairs will want to be part of the Program. Most all fairs that are in the state program now will want to be in this program. He explained that the N.C. Fair

Association has a voluntary awards program currently. Mr. Brinkley is on the awards team for the state Fair Association's awards program. He stated that all the carnivals that play in and around North Carolina as well as those that play festivals and corporate events should be included in their criteria.

Chairman Brooks stated that the main STAR criteria must focus on safety. Secondly, to focus on how it looks, how it is maintained and if it enhances overall safety. This department looks at these things already. We have a good idea of all the safety standards on these devices.

Mr. Brinkley said he believes we need to look at appearance of the staff, the midway layout and the general appearance a show has. Most take pride in their appearance and having everything almost perfect. Others can improve on what they look like now. Corky Powers also believes this. They want to look better than other shows. They are proud of what they look like and how others look at them.

Mr. Toppin explained that perception means a lot; whether it is the fairgrounds, equipment or the operators. It should look like it is safe for the public.

Chairman Brooks stated that the regulatory side is handled by this Bureau. The "above and beyond" can include the cosmetic part. Maybe the assessment team should include someone from OSH.

Mr. Frazier stated that maybe someone from the Fair Association should be part of the program for the cosmetic end.

Mr. Britt suggested that at this early stage of development, all recommendations for potential members or criteria should just be considered. He suggested making a large list now of all criteria items and throw out some later. The basic regulatory issues should be first and then add to that. He believes there is a need for an OSH component to cover safety at work. The Elevator and Amusement Device Bureau will cover safety on a ride. He suggests it may be good to have an OSH person on the Assessment Team. It would benefit all to start with a large list and pare it down.

Chairman Brooks said that the Elevator and Amusement Device Bureau will meet its standards – regardless. Our statutes say that the operators must have training, but not how or how much. Training programs should be inclusive as well as background checks, drug testing, etc. He also agrees that perception of clean is important. The public feels better about their kids being safer on clean rides. He also agrees that a Fair Association member could be a part of this Team.

Mr. Gaffney agreed with the cleanliness of shows, parks, etc. He also feels they should be certified with NAARSO or AIMS, etc. He says we should look at those things and pride ourselves on the look of the park, midways, etc. It should include no trash on midways, clean equipment/rides, repairs to worn equipment, etc.

Mr. Brinkley stated the Rider Safety Program has helped in this area. The height requirements this year was a great success and was enforced. He didn't have as many parents coming to him complaining about their kids not being able to ride on certain rides. Even

though the ride hasn't been recently painted, it can be clean. He stated the ride operators should be clean as well as the rides.

Mr. Brinkley stated he would like to see the inspection certificate in the ticket box with the inspection sheet (as mandated on elevators), so the public can see if they choose.

Chairman Brooks agreed that we should put together a large list and begin by going over the OABA list today. He would like to have the program ready by next year's fair season (2008).

OABA Criteria

A document was given to all listing the criteria used by the Outdoor Amusement Business Association for rewarding members of excellence. The OABA has only one set of criteria. They all must meet and maintain above board standards to apply. OABA points that can be used in our program are: A-Presentation: 1, 2, 5, 7, 8, 10, 11, 12, and 14. B-Amusement Rides: 1, 2, 3 and 4. C-Game Concessions and D-Food Service will not be used. E-Personnel: 2 only. F-Show Vehicles will not be used. G-Documentation may not be used.

Mr. Britt explained that in the OSHA STAR programs the companies or applicant's have internal safety committees that serve as the liaison to the Department's assessment team. The company safety team could meet with the audit team to confer while going through the assessment on-site. The company employees can take part in this program this way, thereby showing he/she cares about his company and this business. This may already be done at some companies with inspections.

Chairman Brooks agrees that there should be a lead man with companies to meet with the inspectors and/or supervisors in case the fair manager is not there. Most shows will do this but many others do not. It would prevent searching for the fair manager through so many people. A lot of fairs/shows do not have an internal person to see. It certainly would make life easier for the inspectors. At Carowinds there are two people that work at the permanent park to meet you before you can go in. This could add points, but not take away points.

Chairman Brooks suggested that with the OABA, traveling shows criteria and other criteria discussed today; he would have enough to introduce/present to the Fair Association Meeting in January. We can add fairs and permanent parks criteria to this list and have a good start. He will compile all the criteria discussed today with the OABA list and send out to members. The remaining criteria can be gathered by using the Proposal Project and Star Program Comparison (handouts) and added later.

Mr. Britt explained the outline handout was a list of some of the STAR programs already operating in DOL. He further explained that this was simply a working document that allowed you to see all the components of the various STAR programs on one piece of paper. The members were invited to use this as a guide in developing criteria for the proposed Amusement STAR program.

Chairman Brooks will email the Star comparison sheet and proposal project to the members absent today. He will also get a draft from everyone to add to the criteria list.

Fairgrounds

Mr. Toppin read his criteria list for fairgrounds. All agreed to his list. Most of smaller fairs are run by volunteers with renovations completed to enhance it for fairgoers. The Fair Association recognizes the people for what they do. The Association breaks down fairs by size and use attendance count as they do. There are compliance agreements; a list of things to do and they agree to handle. Someone on the Assessment Team should be familiar with this. He also suggested staff members be identifiable – such as same color shirts. Members agreed that this goes hand in hand with safety.

Chairman Brooks showed a prototype of the Fair Partnership flag to be used. This will be made in another type material for awarding, but wanted to show what it would look like today at the meeting.

Closing

Chairman Brooks said he had enough on the fairs and traveling shows to present to the Fair Association in January. He will compile and send a new list to everyone. His goal for the next meeting will be compiling a list for permanent parks and water parks.

Mr. Brinkley asked a couple of questions to be considered. He and Mr. Powers would like to know if the word “violations” could be changed to something else. This word makes them all feel like they did something wrong, but they did not violate the law. It is too harsh and would like to see some other word used if possible to change. These are not violations in code as in OSH or Elevator. Mr. Brooks will talk to our legal department to see if we can change this to another word.

Mr. Brinkley also asked that when inspecting carnivals, would the inspectors please inspect the generators also.

Next Meeting

The members agreed that the next meeting would be held in **February**. The dates for the meeting were given as 11, 12, 13 or 18, 19, 20 of the month. Mr. Brooks will email all members to get the best meeting day; then send out the date to all.

Decision was made for each member to bring his industry criteria to the next meeting to discuss and compile into a more complete criteria list. This will result in draft documentation. Absent members will be contacted and minutes sent regarding this meeting and the scheduled date of the next meeting.

Adjournment:

A motion was made and seconded to adjourn the meeting at 4:00 pm.