

# Kansas Elevator Safety Advisory Board

Meeting minutes  
December 9, 2024

## Call to order:

Mark Engholm called meeting to order at 10:00am

## Present:

In person: Cole Haston, Senator Mike Petersen, Jarrod Mann, Julie Garcia-online, George Werth-online, Brent Snyder, Mark Engholm, Jacob Poteete, Todd Stanton-online, Representative Francis (for Rep. Tarwater)-online

Absent: Spencer Duncan

## Guests:

Brenda McNorton, Bill VanAusdall, Jared Smith, Jessica Dunderdale, Christina Lambotte, Wes Chiles

## Old business

1. Approval of the 9th meeting minutes-motion by Mark Engholm, accepted Jarrod Mann seconded by Senator Petersen

## Agenda items discussed by Mark Engholm and staff.

1. Mark Engholm welcomed George Werth, who took over for Mark Wendland from the Department of Administration.
2. Jessica Dunderdale presented a graphic containing the elevator numbers. The graphic indicated how many applications were actually received each month. Jessica reminded the board that in 2025 and 2026, the chart will have renewals of contractors, mechanics and inspectors. There was discussion about the City of Wichita numbers being added to the numbers on the graph. It was discussed there were no renewals on this graph.
3. Jared Smith presented the 49% form to the subcommittee. He stated that determination of whether or not the 49% threshold gets passed would need to be a case-by-case basis. He provided feedback from the subcommittee meeting. He stated that the subcommittee thinks that a replacement of a controller, by itself, couldn't be an across-the-board material alteration as has been previously discussed in previous Elevator Safety Board meetings. He also stated that the subcommittee thinks that most times the modernization of an elevator would require a code currency and most times the modernization does include an update for replacements of the controller and that would pass the 49% threshold.
4. Jared Smith presented the KORA/open meetings information. KORA is Kansas Open records act, and it's the laws that require that information. The form and characteristics of public records that are kept or maintained in the possession of a public agency, so it can be requested and disclosed. Under KORA, the public has the right of access to all meetings for the conduct of affairs of transactions of business by all legislative and administrative bodies, the agencies of the state, which would include boards like this one. If a project is being funded by public funds and the meeting consists of a majority group, then it is subject to KORA laws. The meeting can be in person, or through technology. If a meeting involves the majority of the body, the majority is communicating about business, that meeting is subject to KORA laws.

An e-mail chain of a majority of the board counts as a KORA as an open meeting. The public needs to be aware of any going on businesses that come before the board that includes any pending agency items. An executive session is an opportunity to receive nonpublic information. For privacy reasons, you can't go into an executive session without first starting the open meeting, and there's certain requirements that have to take place before you go into that, which are there needs to be a formal motion made, seconded and carried by the board. There was discussion about the change of meeting dates for 2025 from Mondays to Wednesdays and the tentative dates that were listed on the agenda. It was agreed everyone would look at their calendars to see if there were any major conflicts.

5. Cole Haston brought up an item that was not on the agenda. He said there has been some confusion in the statute that says a mechanic cannot inspect the work they performed. If there's a third-party inspector present, you're hiring an outside contractor to be present to witness the test. Would it be OK for the mechanic that perform the work on the elevator to be present during the inspection to assist?

Representative Francis recalled, the legislative intent of that question was simply quality assurance and the person doing the work was not inspecting their own work. It was not intended that they couldn't be present at the inspection.

Representative Francis also stated, we thought what was going to happen; the maintenance companies have maintenance agreements every year with these companies, and they go out and they look at the elevator every year to make sure it's properly operating. So, the facilities do not have to hire a second company to do the inspections.

Representative Francis specified changing out of electrical panel, for instance, that may necessitate a separate inspector. He also stated the annual maintenance contract goes around to every elevator that you have covered and look at it to make sure it's working appropriately. He remarked the legislative intent was to help the shortage of inspectors and shortage of separate companies. We feel it should be basically part of your maintenance contract. We don't need to get two people to go around every year to look at the elevator, for the maintenance and then a separate inspector to come out.

Cole Haston replied to Rep. Francis stated maintenance visits are very different really because there can be such a variety of maintenance contracts out there. There can be just a simple oil and grease or more. He stated think of maintenance agreement almost like the warranty agreement that you would buy from a dealership. If it's full maintenance, it's going to include parts. The pricing and when we show up, we can do cleaning if we see some basic parts are worn out and replace them and that's a full maintenance agreement.

Representative Francis asked Are these different levels you're saying your standard your standard maintenance contract industry wide across the state of Kansas didn't include a category one inspection? It was our understanding the majority of the maintenance contracts included an inspection to make sure that the elevator was safe to operate. Cole replied to the Representative, maintenance can vary widely from company to company and contract to contract. Todd Stanton stated I just wanted to share a little direct knowledge here with one of my elevators, which is traction elevator with a very expensive Cadillac maintenance agreement does not include any testing.

Mark Engholm wrote on the board, Kansas Office of Revisor of Statutes. 44-1805 (b) No individual shall inspect any elevator within a building or other structure in this state, including, but not limited to, private residences, unless such individual is a licensed elevator inspector or

mechanic or is employed by a licensee. **No licensed elevator mechanic or employee of such a licensee shall inspect work that was performed on an elevator by that individual.** This subsection shall not apply to any individual employed as an elevator inspector by a city or county who performs inspections only while engaged in the performance of such individual's duties as an employee of such city or county.

6. New business: Wes Chiles-Westside Christian Church-Wes Chiles wanted to speak to the board about having to pay two companies for 45-minute inspection, which cost his small church \$1,670.00. He stated was going to request to the board to make regulatory changes but now has heard from the meeting the new statue in place will help save his small church money.

7. Next meetings dates and times:

- February 12
- April 16
- June 11
- August 13
- October 15
- December 10

Next meeting: February 12<sup>th</sup>, 2025, location to be in same place

Adjournment called by Mark Engholm at 10:58 am, motioned by Jarrod Mann, Seconded by Senator Petersen

Minutes submitted by Jessica Dunderdale

Minutes approved by

**ELEVATOR NUMBERS JUNE-NOV 2024**  
**New applications (except the registered elevators)**

Categories	June	July	August	September	October	November	2023-Current Total
Contractor-new apps	0	0	1	0	0	0	33
Inspector-new apps	0	0	1	0	0	0	23
Mechanics-new apps	2	4	6	1	7	2	296
Permits-new apps	47	8	19	11	26	22	552
Install	28	0	0	0	20	14	
Alter	19	8	19	11	6	8	
Registered elevators	5,521	5,749	5,854	5,980	5,879	5,920	

\*City of Wichita/Sedgwick County numbers not included in total-1,480 (active)179 (red tag)



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DEC 02 2024

STATE FIRE MARSHAL

November 26, 2024

**Fire Marshall Mark Engholm**  
800 SW Jackson St., Suite 104  
Topeka, Kansas 66612

Dear Fire Marshall Engholm:

On behalf of West Side Christian Church, we are writing to express our concerns regarding the cost of an annual elevator inspection.

**In 2023, our small church paid two elevator firms a total of \$1,670.00 to conduct an inspection which lasted approx. 45 minutes.** The primary elevator firm informed us that two (2) mechanics were required (per the union) at a cost of \$660 an hour for the crew and we were charged for 2 full hours. A representative from a second firm was also required to witness the work of the other firm at a cost of an additional \$245... plus the State's Certificate Fee of \$105.

We want to provide a safe elevator for the use of our church and community patrons who use our building for worship, mission and outreach, and social service programs. We understand the need for elevator inspections and we support public safety. However, we would also like to understand the extent of the public safety risks which would justify the current costly requirements such as the number of elevators breaking down and the number of riders being injured or trapped, etc.

We request that the State make regulatory changes so that elevator inspections can be more affordable for small churches and other non profits and consider requiring only one firm, rather than two, and for inspections to be every other year. We understand that Senate Bill 615 was introduced in 2024 to exempt non-profits from annual inspections.

We would be glad to meet with State officials and also to testify regarding our concerns. David Brant can be reached at [dbrantks@gmail.com](mailto:dbrantks@gmail.com) or (785) 220-1629. Thank you for your consideration.

Wes Chiles  
Property Chairman

David Brant  
Treasurer

cc: Sen. Caryn Tyson, Sen. Brenda Dietrich, Sen. Mike Petersen  
Rep. Tobias Schlingensiepen, and Spencer Duncan