



CITY OF COLORADO SPRINGS
 FIRE BOARD OF APPEALS MEETING **MINUTES**
 PIKES PEAK REGIONAL BUILDING DEPARTMENT
 2880 INTERNATIONAL CIRCLE
 JANUARY 10, 2020 – 8:30 A.M. TO 10:00 A.M.

Present Fire Board of Appeals Board Members (6):	Industry Represented:
Vince Colarelli	Construction
David Hewett, Vice-Chair (Incoming)	Small Business
David Helmer	Large Business
John Putnam	Insurance
Christine Riggs, Vice-Chair (Outgoing)	Architecture
Roger Wallace, Chair	Fire Suppression
Not Present (1):	Industry Represented
Ron Honn	Citizen At-Large
Present Fire Board of Appeals Acting Secretary	Representing:
Kris Cooper, Deputy Fire Marshal	Colorado Springs Fire Department
Additional Attendee(s):	Representing:
Matthew Matzen, Permit Supervisor	Pikes Peak Regional Building Dept.
Rebecca Mulder, Contractor Licensing Supervisor	Pikes Peak Regional Building Dept.
Mark Trudell, Deputy Fire Marshal	Colorado Springs Fire Department
Cynthia McKenzie, Office Specialist	Colorado Springs Fire Department
Jacob Schneider, Driver Engineer	Colorado Springs Fire Department
Katha Snow, Compliance Coordinator	Colorado Springs Fire Department

CALL TO ORDER

1. Chairperson Wallace called the meeting to order and conducted a rollcall at 8:32 a.m.

ADMINISTRATIVE

1. Annual Election of Chair

**Motion by Board Member Colarelli, seconded by Board Member Putnam, to re-nominate Roger Wallace as chairperson.
 The motion passed with a vote of 5-0-1-1**

Aye: 5 – Colarelli, Helmer, Hewett, Putnam, and Riggs
 Nay: 0 – None
 Abstain: 1 – Wallace
 Not present: 1 – Honn

2. Annual Election of Vice-Chair

Motion by Board Member Colarelli, seconded by Chairman Wallace, to nominate David Hewett as vice-chair.

The motion passed with a vote of 5-0-1-1

Aye: 5 – Colarelli, Helmer, Putnam, Riggs, and Wallace
Nay: 0 – None
Abstain: 1 – Hewett
Not present: 1 – Honn

3. Annual Designation of Meeting Notification Posting Location

Motion by Board Member Riggs, seconded by Board Member Helmer, to designate the location of meeting notifications as: The Colorado Springs City Clerks’ posting board, located at 30 South Nevada Avenue.

4. Review December 13, 2019’s Fire Board of Appeals Meeting Minutes

Motion by Board Member Riggs, seconded by Board Member Putnam, that December 13, 2019’s Fire Board of Appeals Meeting Minutes be approved.

The motion passed with a vote of 6-0-0-1.

Aye: 6 – Colarelli, Helmer, Hewett, Putnam, Riggs, and Wallace
Nay: 0 – None
Abstain: 0 – None
Not present: 1 – Honn

5. Contractor Licensing

A. Fire Alarm Contractor (FAC) A

- i. Business Name: Cosco Fire Protection, Inc.**
- Principal Officers: Theodore Hanson, President**
- Francis Charles Konecny II, Branch Manager**
- Licensee: Francis Charles Konecny II**
- RME: Michael A. Lamitola**

Deputy Fire Marshal (DFM) Cooper reported the applicant meets Pikes Peak Regional Building Code’s FAC A licensing requirements. DFM Cooper recommended approval.

Motion by Board Member Putnam, seconded by Board Member Colarelli, that the application be approved.

Motion passed with a vote of 6-0-0-1.

Aye: 6 – Colarelli, Helmer, Hewett, Putnam, Riggs, and Wallace
Nay: 0 – None
Abstain: 0 – None
Not present: 1 – Honn

B. Fire Suppression Contractor (FSC) A

- i. Business Name: Arapahoe Fire Protection, Inc.**
- Principal Officers: Kraig Denkins, President**
- Licensee: Kraig Denkins**
- RME: Erik S. Legum**

DFM Cooper reported the applicant meets Pikes Peak Regional Building Code's FSC A licensing requirements. DFM Cooper recommended approval.

Due to a history of poor performance by Arapahoe Fire Protection, Inc. and Colorado Springs Fire Board of Appeals' (FBA) previous task of monitoring reports on the company's plan review and inspection processes, Board Member Colarelli requested Colorado Springs Fire Department provide an update. Fire Protection Engineer (FPE) Withee stated Arapahoe Fire Protection, Inc. is performing on par.

Motion by Board Member Hewett, seconded by Board Member Helmer, that the application be approved.
Motion passed with a vote of 6-0-0-1.

Aye: 6 – Colarelli, Helmer, Hewett, Putnam, Riggs, and Wallace
Nay: 0 – None
Abstain: 0 – None
Not present: 1 – Honn

6. Consideration for Approval of the Colorado Springs Fire Department Construction Services Fee Schedule (Estimated effective date: January 15, 2020)
Presented by: Deputy Fire Marshal Mark Trudell

DFM Trudell stated an examination of the amount of time dedicated by the Colorado Springs Fire Department (CSFD) Construction Services' employees to plan reviews and inspections compared to fees assessed over the previous two years demonstrated adjustments to the Construction Services Fee Schedule was necessary. Most specifically, the analysis identified negative disparities between fees associated with large construction projects and "performance-based designs" and the amount of time required and dedicated to them by staff. DFM Trudell further explained, turnaround times for plan reviews and inspections have increased to an unacceptable level due to the surge in construction. Modifications to the proposed fee schedule align with expenses incurred for personnel dedicated to large construction projects and will fund additional employees.

Board Member Hewett asked how the proposed changes to the schedule were calculated. DFM Trudell explained fees were calculated by analyzing the amount of time dedicated to each fee and the need to adequately cover large projects and the additional staff needed to trim plan review and inspection wait times.

Board Member Colarelli asked and FPE Withee answered the following questions:

- A. Question: What does the "Foundation only/superstructure/limited review" line item include?
Answer: Access and water supply to the sight.

- B. Question: How is the “Cancelled projects prior to permit, per hour or portion thereof” line item enforced if the contractor walks away from the project?
Answer: Construction Services places calls and or sends invoices to contractors with fees associated with outstanding projects.
- C. Question: Under what circumstances is a Work at Risk Permit issued?
Answer: Work at Risk permits are often requested by “systems guys” because they need to get started before drawings are submitted or approved. Work at Risk permits deviate from the normal process, are discouraged, and only allowed when necessary. FPE Withee also provided, the drafted fee schedule now lists a System Demolition Permit, which allows contractor to perform demolition to “safe-off systems.” Previously, demolition of this type was completed under a Work at Risk Permit.
- D. Question: What is an “Annual Facilities Permit”?
Answer: The Annual Facilities Permit is in place for campus facilities (e.g. hospitals, college campuses). Plan reviews and inspections are completed “more on a quarterly basis” versus submitting and waiting for plan review and then having to schedule inspections. No contractors have taken advantage of this permit.

Board Member Colarelli asked if the fire department views pre-plan consultations as an aid in reducing the amount of time dedicated by plan reviewer after the plans are actually submitted for review. DFM Trudell explained, the first thirty minutes of a pre-plan consultation is free of charge, and \$140 is assessed for each subsequent hour. A pre-plan consultation saves contractors a lot of time on the backend; however, not many contractors utilize the service. Board Member Riggs stated PPRBD provides consultation services at the rate of \$50 an hour; however, the first half-hour is not free of charge.

DFM Cooper further explained, Construction Services is a government enterprise, and taxpayer dollars may not support its operation. Therefore, their provided services are granted only by collected fees. The current fee schedule cannot fund the high number of demands placed on our limited number of plan reviewers and fire code inspectors. The fee schedule adjustments are necessary to generate enough revenue to fund new positions, lesson plan review and inspection turnaround times, and ultimately, provide an enhanced service for our community.

Chairman Wallace stated a meeting he attended provided that fees will support placing a “clerk” in Construction Services’ front desk to handle scheduling, and the fee schedule is to be reviewed annually, with a recommendation from the attendees that a review occurs at the six-month level in case the economy turns south or continues to grow

DFM Trudell explained the drafted fee schedule is intended to support additional inspectors, reviewers and an office specialist.

Board Member Colarelli asked if the department gets criticized for the fee schedule being too high. DFM Trudell stated, “Absolutely,” and explained, Construction Services cannot generate a profit / income. Fees are based on “right-sizing” (budgeting for revenue, expenses, a small reserve, and no profit). Annual monitoring of the fee schedule will allow for transparency and identify if the levels of funding require changing.

Board Member Putnam asked if the drafted fee schedule went through a stakeholder process.

DFM Trudell explained, the proposed fee schedule was presented to “ACCA, HBA, the Business Enterprise, and individual subcontractors groups,” and all demonstrated overwhelming support and understanding of the need.

Chairman Wallace shared that the drafted fee schedule does not have to be approved by City Council. It is to be approved by the mayor, and Construction Services would like the new fee schedule implemented on January 15th.

Per Board Member Putnam, “I move that we approve the proposed rate changes as presented. Motion seconded by Chairman Wallace. Motion passed with a vote of 6-0-0-1.

Aye: 6 – Colarelli, Helmer, Hewett, Putnam, Riggs, and Wallace
 Nay: 0 – None
 Abstain: 0 – None
 Not present: 1 – Honn

Board Member Hewett recognized CSFD Construction Services for a job well done.

DFM Cooper requested Chairman Wallace write a letter, on behalf of Colorado Springs Fire Board of Appeals, showing support of the proposed fee schedule. DFM Cooper explained the letter is to be part of a submittal packet that will be present for final consideration by the mayor.

UPDATE

1. Annual Presentation on Pikes Peak Regional Building Department Contractor Licensing Statistics

Presented by: Rebecca Mulder, Contractor Licensing Supervisor

Ms. Mulder provided the following 2019 Pikes Peak Regional Building Department licensing statistics:

LICENSE TYPE	IN SYSTEM	ACTIVE*	EXPIRED**	EXPIRED IN 2019
Fire Alarm Contractor A	111	68	12	12
Fire Alarm Contractor B	61	32	29	4
Fire Suppression Contractor A	63	35	-	5
Fire Suppression Contractor B	25	16	-	4
Fire Suppression Contractor C	11	9	-	0
Fire Suppression Contractor H	16	6	-	4

*Active: License holders are compliant with all licensing requirements.
 **Expired: License holders lost their ability to operate within El Paso County. (Some expired license holders have the opportunity to renew within the allotted timeframe.)

Board Member Colarelli stated, in most cases, approximately forty percent of the licensees are not active and asked if there is a point in time when the department contacts expired license holders to discuss their intent to practice in El Paso County. Ms. Mulder explained, PPRBD does not have an adequate amount of staff to follow-up with contractors that do not review licenses. However, there is a 180-day grace period on renewals. Approximately, one-third of the "Expired in 2019" licenses will renew within the grace period. Ms. Mulder also noted, some of the expired licenses are because businesses obtained a new licensee or responsible managing employee, which requires applying for a new license; subsequently, the previous license expires with no intent to renew.

Board Member Colarelli asked if PPRBD continues to see a lot of new companies applying for licenses. Ms. Mulder stated, the department is seeing a steady submittal of licensing applications for all trades, not just fire, and many companies are applying for and holding licenses to keeping work internal versus subbing the work to licensed contractors.

Board Member Hewett asked if all licensed require someone to be in the county or can someone from out of town be licensed here. Ms. Mulder explained, an applicant can be from out of town. For instance, a large amount of Denver organizations are obtaining licenses.

Ms. Mulder explained this is her last day to work for PPRBD and stated it has been a pleasure working with everyone. Matt Matzen was introduced as the acting licensing supervisor.

ADJOURN

**Motion by Board Member Putnam, seconded by Board Member Colarelli, to adjourn.
Motion passed with a vote of 6-0-0-1.**

Aye: 6 – Colarelli, Helmer, Hewett, Putnam, Riggs, and Wallace
Nay: 0 – None
Abstain: 0 – None
Not present: 1 – Honn

Meeting adjourned at 9:18 a.m.

Respectfully submitted by,



Kris Cooper
Deputy Fire Marshal

KC/ks