



Present Fire Board of Appeals Board Members (6):

David Hewett, Chair
Mike Riggs, Vice Chair
Ron Honn
Eric Moburg
Jannic Ekornes
Kyler Bush

Industry Represented:

Small Business
Architecture
Citizen At-Large
Building
Fire Suppression
Large Business

Not Present (0):

Industry Represented:

Vacant Position (1):

-

Industry Represented:

Insurance

Present Fire Board of Appeals Secretary

Kris Cooper, Deputy Fire Marshal

Representing:

Colorado Springs Fire Department

Additional Attendee(s):

Connie Manning, Compliance Coordinator
Sarah DaCosta, Administrative Assistant II

Representing:

Colorado Springs Fire Department
Colorado Springs Fire Department

CALL TO ORDER

1. Board Chair Hewett called the meeting to order at 8:30 A.M. and promptly conducted a roll call.

ADMINISTRATIVE

1. Approval of Meeting Minutes

Board Member Ekornes motioned to approve the meeting minutes.
Board Member Colarelli seconded the motion.
The motion passed unanimously.

2. Contractor Licensing

A. Fire Alarm Contractor A

- i. **Business Name:** Pye-Barker Fire & Safety, LLC
Applicant: Robert Gray
RME: Jasen Spirek

Deputy Fire Marshal Cooper stated the applicant meets the requirements and recommended approval.

**Board Member Colarelli motioned to approve the application
Vice Chair Riggs seconded the motion.
The motion passed unanimously.**

- ii. **Business Name:** Integrity Fire Safety Services Holdings, LLC
Applicant: Ricardo Ortiz
RME: Ricardo Ortiz

Deputy Fire Marshal Cooper stated applicant meets the requirements and recommended approval.

**Board Member Ekornes motioned to approve the application.
Board Member Colarelli seconded the motion.
The motion passed unanimously.**

B. Fire Suppression Contractor B

- i. **Business Name:** Integrity Fire Safety Services Holdings, LLC
Applicant: Marco Perez-Fernandez
RME: Marco Perez-Fernandez

Deputy Fire Marshal Cooper stated applicant meets the requirements and recommended approval.

**Board Member Colarelli motioned to approve the.
Board Member Bush seconded the motion.
The motion passed unanimously.**

C. Fire Suppression Contractor H

- i. **Business Name:** Victory Fire Protection, LLC
Applicant: Nick Crawford
RME: Matthew Hall

Deputy Fire Marshal Cooper stated applicant meets the requirements and recommended approval.

**Vice Chair Riggs motioned to approve the application.
Board Member Ekornes seconded the motion.
The motion passed unanimously.**

Board Member Colarelli asked if Victory Fire Protection carries a "B" license.

Administrative Assistant II, Sarah DaCosta responded that she believes they do, and they are starting to get into the hydrants.

Board Member Colarelli stated he had not heard of them and was curious if they were just doing hydrants.

BUSINESS

1. Update on New Board Members

Presenter: Kris, Cooper, Deputy Fire Marshal, Colorado Springs Fire Department

DFM Cooper stated there are new board members and they are present. He will provide them an opportunity to come forward and introduce themselves. The building contractor position is being filled as Mr. Colarelli's term has been expired for some time. There is a replacement for the fire insurance position. New to this board is an alternate position. An alternate is something new that some of the other boards and commissions have had. The alternate can participate in all proceedings, sit on the dais, and participate in the conversation but is not a voting member unless they are filling in for an absent board member to make sure a quorum is met. DFM Cooper asked Eric Moburg to the podium.

Eric Moburg introduced himself. He is educated in architecture and has been working in commercial contracting for over twenty years. He has been in the community for twenty years. He has been working for Mr. Colarelli for some time and is happy to be aboard.

DFM Cooper asked J Newlin Sharkey to the podium.

Newlin Sharkey introduced himself. He has been in the insurance field for sixteen years, fifteen years of which have been in property and casualty. The majority of that time as an adjuster. He specialized in mechanical systems for a good portion of that time but also did catastrophic losses like chasing hurricanes.

DFM Cooper asked William "Lee" Tankersly to the podium.

Lee Tankersly introduced himself. He is a native of Colorado Springs. He is a journeyman electrician and has been in the trade for 25 years holding a NICET for 15 years. He started not knowing anything about fire alarms and now he is the project manager and runs the fire alarm division for his company.

Board Member Colarelli asked that the alternate role could fill in for any position.

DFM Cooper stated that is his understanding.

Board Member Colarelli stated that he (the alternate board member) becomes a proxy for whatever the vacancy is for that day.

DFM Cooper confirmed this.

Chair Hewett welcomed the new board members.

DFM Cooper instructed the new board members to look for their nameplates at the dais next month and to sit at that location. Today is a good introduction to see the proceedings they will participate in next month.

2. DRE Customer Advisory Committee

Presenter: Kris Cooper, Deputy Fire Marshal, Colorado Springs Fire Department

DFM Cooper stated there are no substantial updates. The organization of this committee is still being worked on. He will keep the board posted as the group

convenes and gets more organized. It is his understanding that Board Member Honn is the delegate from this board.

NEW BUSINESS

1. Fire Construction Services Staffing, Mellisa Wutzke Transferring

Presenter: Kris Cooper, Deputy Fire Marshal, Colorado Springs Fire Department

DFM Cooper stated that Mellisa has transferred to a position in Planning and Neighborhood Services and will support the Planning Commission and the CSFD is happy for her. Sarah DaCosta has stepped in to fill Mellisa's role and continues with her normal duties. The position has been posted and interviews should happen toward the end of the month.

DFM Cooper also stated that the vacant Deputy Fire Marshal position for Fire Construction Services has been filled. The candidate is going through all the necessary background checks and processes. Once that is complete and confirmed, the board will be updated, and the candidate could be introduced at the next meeting.

Board Member Colarelli asked if it is a Colorado Springs individual.

DFM Cooper stated the candidate is currently living in Colorado Springs, but not a Colorado Springs native nor a fire service employee in Colorado Springs. They come from Arkansas where the majority of their fire service career took place and brings a wealth of knowledge.

Board Member Colarelli asked if there is a plan for the candidate to reach out to the industry. The last two transitions were good about getting out and introducing themselves.

DFM Cooper stated the CSFD will make sure the individual is active through all the stakeholder groups like the HBA (Home Builders Association). The individual will be very busy getting around to meetings and different groups.

Board Member Colarelli asked when the announcement would be made.

DFM Cooper replied that the CSFD is waiting for the final information to come back. The start date is looking like August 4th with a possible earlier date depending on the transition of their current work.

Board Member Colarelli stated this position will not be rotating out and the individual will be here for a while.

DFM Cooper responded affirmatively. Like DFM Cooper and Fire Marshal Lacey, this role is a civilian position and will no longer be a rotation position through Operations. This brings stability to the workgroup and brings someone who is a fire prevention professional. The line captains have done an exceptional job, but they do have a steep learning curve as their world revolves around fire operations and not fire prevention. This will be a good move going forward.

2. Review of FBA Meeting Procedure

Presenter: Kris Cooper, Deputy Fire Marshal, Colorado Springs Fire Department

DFM Cooper stated the City Council workgroup is trying to clean up procedures and make sure things are consistent among all the various City Council boards and commissions that are appointed. We have been asked to review the rules and procedures and the expectations of the board. Normally this should be done at the annual meeting, and we will be sure to include it on the annual meeting agenda. The chair and vice chair have received an email concerning a work plan and annual report. This falls in line with item E. He recommended Chair Hewett consider how he wants to proceed. This work product is due by October 17, 2024. DFM Cooper asked Vice Chair Riggs if he had any input on the email.

Vice Chair Riggs replied he had received the email.

Chair Hewett stated he has received the email and will diligently continue to focus on it and be prepared.

Connie Manning, Fire Prevention Compliance Coordinator, informed the board that Ayana Garcia with the city council, recommended the three of them (Chair Hewett, Vice Chair Riggs, and Connie Manning) meet to go over the work plan and annual report. Any items on the forms that are not applicable to this board may be indicated on the forms. Coordinator Manning suggested a meeting be scheduled between the three of them.

Chair Hewett and Vice Chair Riggs both agreed.

Chair Hewett stated he would coordinate a meeting.

DFM Cooper continued to review portions of the "Rules of Procedures of the Fire Board of Appeals of the City of Colorado Springs" (page 69 of the packet).

DFM Cooper highlighted rule 7. G. Weather Cancellations. Connie will work with the board to reschedule if there is a cancellation. He also read rule 7. H. Voting, and rule 7. I. Conflicts of Interest. DFM Cooper stated that this has been a hot topic at recent City Council meetings. He reminded the board if they have a business interest with the appellant or ex parte communication with the individual, that would be grounds for recusal from that agenda item.

Board Member Colarelli asked about board members having relationships with licensees. Traditionally, board members have not recused themselves. Board members have raised questions when there were concerns. The argument was that the reason people from industry are on the board is they have certain knowledge particularly as it relates to professional conduct.

DFM Cooper stated he would reach out to the legal representation to get clarification. He does not see that as being a conflict of interest unless ongoing negotiations are going on for a project.

Board Member Colarelli stated this issue has been referred to before. The greater argument is someone like Jannic (Ekornes) who may not have a professional relationship but could clearly have a conflict of interest with the approval of competing companies. Board Member Colarelli stated when this was brought up before, the board's duty was to act without regard to that sort of thing but to apply their professional knowledge. He believes there has been a track record of this. If the City Attorney is going to raise a question like that, it may need to be addressed.

DFM Cooper agrees with Board Member Colarelli's statement. DFM Cooper will get clarification. He does not know approving a license would create a conflict, but he does think taking action on someone's license in a penalty-type situation could be a conflict. An example is if there is a fire suppression contractor that comes before the board for revocation of their license, could that be a conflict as it takes one person out of the pool that competes?

Board Member Colarelli stated the last occasion when this came up was concerning a fire suppression contractor and there was a fire suppression contractor on the board, and it was referred to Frederick (Stein). He recalls the fire suppression subcontractor on the board participated fully.

DFM Cooper stated he would get clarification, and it sounds like we already have a track record of that not being a concern. Generally speaking, the legal counsel can attend these meetings, though they do not always attend. If a board member has a concern over an agenda item, let Connie know to request legal participation at the meeting.

DFM Cooper discussed 9. Hearing Procedures. The last two appeals that have come before the board have gone a little out of order. The fire department presents first and then the applicant is invited up to the dais. The CSFD is not trying to influence the board, but the staff does a lot of work on the front end by doing the staff agenda and we want to present the summary and provide clarity to the board on what the request is. That way when the board hears from the appellant, they have a good idea of what the appellant is bringing forward. DFM Cooper continued to read the remaining items of the hearing procedures. DFM Cooper provided examples of time limits that the chair could impose.

DFM Cooper stated the board can read through the remainder of the items. He will get with Connie to make sure this review is on the annual meeting agenda that happens in January.

Chair Hewett stated he appreciates the update and review. As we continue to move forward, it is important to have this on the agenda as it should be as this board reports to the City Council.

DFM Cooper added that when a motion is made and a second motion is made, each member of the board states their vote and the reason for their vote. He also reminded the members to make sure their microphone is on and state their name when they make a motion or second a motion, so Connie knows, and it is on the record for the recording.

3. Recognition of Service, Vince Colarelli

Presenter: Kris Cooper, Deputy Fire Marshal, Colorado Springs Fire Department

DFM Cooper stated today is bittersweet. Mr. Colarelli has been on this board since 2008 and has expired his term several times. It is time for a transition. DFM Cooper presented Board Member Colarelli with an appreciation certificate, gift, and challenge coin.

Chair Hewett thanked Board Member Colarelli for his service, it has been an honor to be a part of this board and it is because of him that Chair Hewett joined this board. Board Member will be sorely missed and appreciates all he has done for Chair Hewett personally as well as this board.

Board Member Colarelli thanked Chair Hewett. He stated this is an outstanding board and for the new members, he wishes he could be here to work with them. It has been fabulous for him, and he is hopeful that the new members will experience it the way he

has. They are on a great board with a great group and a fabulous staff, and they will come to appreciate what a wonderful organization this fire department is, unlike anyone they work with anywhere else.

Chair Hewett asked if there was a motion to adjourn the meeting.

ADJOURN

**Board Member Bush motioned to adjourn.
Board Member Riggs seconded the motion.
The motion passed unanimously.**

Meeting adjourned at 9:02 A.M.

Respectfully submitted by,



Kris Cooper
Deputy Fire Marshal and Secretary to the Fire Board of Appeals

KC/cm