

**EMERGENCY MEETING OF THE TELLER COUNTY
BOARD OF COUNTY COMMISSIONERS
TELLER COUNTY CENTENNIAL BUILDING
CRIPPLE CREEK, COLORADO
August 20, 2007**

PRESENT: James Ignatius, Chairman Christopher Brandt, County Attorney
 Robert Campbell, Vice-Chairman Sheryl Decker, County Administrator
 William Buckhanan, Commissioner

Commissioner Ignatius called the meeting to order at 9:15 a.m.

**9:15 A.M. CONSIDER APPEAL BY RAY ESQUIBEL DBA ALPINE HARDSCAPE
SPECIALTIES OF THE TELLER COUNTY BOARD OF REVIEW DECISION OF JULY
11, 2007**

Commissioner Ignatius and Chris Brandt explained the process of this appeal of the Board of Review decision to suspend the Class C License of Alpine Hardscape Specialties, with Ray Esquibel as the examinee, for 6 months. This is an appeal only of the Board of Review's suspension of the Class C license, and is a de novo review based on the record. No new evidence may be presented at this hearing today. The members of the BOCC have each received and reviewed copies of the record including the documents presented at the BOR hearing, and a copy of the transcript of the BOR hearing.

Alan Chamberlin, Teller County Building Official explained the receipt of the complaint against Ray Esquibel DBA Alpine Hardscape Specialties from Derek Hoffman, his inspection and the building code violations he found. The Board asked questions regarding the record and reviewed the site visit document dated June 25, 2007.

Mr. Derek Hoffman, owner of the subject property. Mr. Hoffman offered to answer any questions from the Board of County Commissioners.

Mr. Ray Esquibel, offered to answer any questions from the Board of County Commissioners. Extensive questioning and discussion regarding the transcript and record followed.

Alan Chamberlin, Teller County Building Official, was asked to readdress and clarify issues brought up during the discussion with Mr. Esquibel and Mr. Hoffman. Al also made some clarifying comments as to the preceding discussions.

Mr. Derek Hoffman, owner of the subject property, was asked to readdress and clarify questions brought up during the previous discussions. Mr. Hoffman also made several closing comments.

Alan Chamberlin, Teller County Building Official, was asked to answer additional questions.

There was no public present, so no public comment was made.

Mr. Esquibel made a few closing statements regarding the beam size and the delivery and set of the home.

The Board of County Commissioners took a short recess to review notes and information received.

Commissioner Ignatius called the meeting back to order at 12:03 p.m.

A short discussion occurred.

ACTION: Commissioner Campbell moved and Commissioner Buckhanan seconded to suspend for 6 months the contractor's license of Alpine Hardscape Specialties, with Ray Esquibel as examinee, license number 4077C and/or to suspend for 6 months the right of the examinee to be an examinee for any other partnership, joint venture, corporation or entity under Section 107.b of the Teller County Building Code, based on the following numbered acts or omissions listed in Section 107.b:

- (2) Departure from approved plans or specifications without authority from the owner, or the owner's authorized representative and the Building Department.
- (3) Violations of the Teller County Building code, including any building-related codes which are adopted by reference, and with the finding that such violations are not trivial imperfections in or omissions from the structure or work to which the code applies.

The stated suspension is imposed on such violations together, but would also be imposed for each violation individually, or for any combination of such violations, and with the finding that the commission of such violations was willful, substantial, reckless, or repeated and/or that the commission of such violations has caused, or could cause, personal injury, substantial damage to property, or substantial economic harm.

ALL COMMISSIONERS VOTED YES

Mr. Esquibel was advised of his right to appeal to the courts.

The meeting was adjourned at 12:10 p.m.