



HUERFANO COUNTY BUILDING AUTHORITY BOARD AGENDA

December 07, 2023 at 3:00 PM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

1. **Zoom Link**
 - a. Zoom Link
<https://us02web.zoom.us/j/84893018908>
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **MINUTES REVIEW**
 - a. Meeting Minutes from 11-16-2023
5. **NEW BUSINESS**
 - a. Rocky Mountain Windows and Exteriors
 - b. Mountain View Solar
6. **OLD BUSINESS**
 - a. Timberline Custom Builders
 - b. J & O Roofing
 - c. Sun Solar
 - d. Onyx Creek
7. **DISCUSSION**
8. **UPCOMING MEETINGS**
9. **ADJOURNMENT**



HUERFANO COUNTY BUILDING AUTHORITY BOARD MINUTES

November 16, 2023 at 3:00 PM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

1. PLEDGE OF ALLEGIANCE

2. PLEDGE OF ALLEGIANCE

Meeting started at 3:10 PM.

3. ROLL CALL

4. MINUTES REVIEW

a. Meeting Minutes from 10/19/2023

Motion made by Bruce Allen and Second by Jacque Sikes to approve the minutes once amending the times Robin Sikes name was used instead of Jacques Sikes. Motion passed unanimously.

5. NEW BUSINESS

a. Rocky Mountain Windows and Exteriors-Illegal Contractor no Contractor's License and no Building Permit pulled for Amy Valdez

Motion made by Jacque Sikes and second by Bruce Allen to move this order of business to the next meeting on December 7, 2023 due to the fact that neither party could be present as both parties did not notify the Building Department prior to the start of the meeting. Motion passed unanimously.

6. OLD BUSINESS

a. Onyx Creek-Update

Motion made by Jacque Sikes and second by Bruce Allen to send a letter for six month provisional and to pull the two building permits for the two unpermitted buildings, as well as pay double the fines for both permits as they were not pulled prior to the start of the job as well as no inspections were called in.

b. Sun Solar-Update

In Process of coming into compliance with their contractor's license.

c. J & O Roofing

Need to pull a whole new building permit to reflect the new work being done on the engineered foundation which they have provided the stamped engineered drawings for by a Colorado Licensed Engineer.

d. Strickbine Engineered Foundation

Timberline did provide the Colorado Stamped Engineered foundation plans within the three weeks time frame as requested by the HCBA.

e. Timberline Updates

f. Fernando Vigil-Bob Martin Walsenburg Building Inspector

Motion made by Jacque Sikes and second by Bruce Allen to pull/suspend his contractor's license indefinitely due to incompleteness of jobs, until he can come back to the HCBA and talk with them about re-instating his license. Motion passed unanimously.

7. DISCUSSION

8. ADJOURNMENT

Motion made by Jacque Sikes and second by Bruce Allen to adjourn the meeting. Motion passed unanimously.

9. UPCOMING MEETINGS

**Huerfano County Land Use
401 Main Street, Suite 304
Walsenburg, Colorado 81089
719-738-1220, Ext. 117**



Item 5a.

Huerfano County Building Authority Board (HCBA) Staff Report

Complaint: This complaint is made by Amy Valdez stating that Rocky Mountain Windows and Exteriors did not do the job agreed to in the contract agreement. The job in question was not permitted and neither is the Contractor Licensed in Huerfano County.

Currently: A courtesy inspection was conducted by Building Inspector Ryan Sablich per the homeowner's request and he concluded that the installation was incomplete.

Huerfano County Building Regulations:

Section 2.02 Meetings of the Authority

- .01 The Authority shall hold regularly scheduled meetings and at the last meeting of a calendar year the set the schedule of meetings for the forthcoming year.
- .02 All meetings shall be open to the public and an agenda of items to be considered by the Authority shall be made available to the public at least one working day prior to the meeting. The Authority may call special meetings to review, discuss, recommend or take action on matters that may periodically come to its attention.
- .03 A majority vote of the voting members of the Authority is required for a recommendation, decision or determination. A roll call vote shall be recorded in the minutes of the meeting. Approved minutes of the Authority meetings shall be available within a reasonable time after any official meeting of the Authority.
- .04 Any person(s) wishing to have a transcript of the proceedings may have a court recorder present at their own expense. Electronic recordings may be purchased but will not be transcribed.
 - (a) Half plus one of all filled seats will constitute a quorum and such a quorum is required for the purpose of conducting the Authority's business.

Section 2.03 Powers and Duties of the Authority

The Authority shall have the Powers and Duties as established in this Section 2.03.

- .01 The members of the Authority shall be familiar with all uniform codes, international codes, model codes, and local ordinances adopted by the county regarding the residential and commercial building industry.
- .02 The Authority shall hear any appeals of orders, decisions or determinations made by the Staff relative to Contractor Licensing or the application and interpretation of this Code.
- .03 The Authority shall hear any complaints against contractors, whether originating from Staff or the public, and after a public hearing, issue a determination and if needed issue a warning, suspension, or revocation of the contractor's license or building permit.
- .04 The Authority shall advise participating jurisdictions, including the Huerfano County Board of County Commissioners regarding the licensure of contractors and tradesmen, including but not limited to A, B, or C general contractors, mechanical contractors, specialty contractors, and mobile home contracting businesses.
- .05 The Authority shall set experience requirements for contractors by resolution of the Authority and without the approval of the participating jurisdictions.
- .06 The Authority shall review and either Approve, Conditionally Approve, or Deny applications for the following:
 - (a) to use alternative building methods
 - (b) for a Certificate of Occupancy to be issued after the lapse or expiration of a building permit
 - (c) for a Certificate of Occupancy to be issued when the inspection record is incomplete.
 - (d) to convert a non-residential structure into a residential structure

Section 2.04 Procedures of the Authority

- .01 At public hearings conducted by the Authority, any party at interest shall be allowed to present evidence and to cross-examine witnesses. A party at interest for this purpose shall be defined to include:
 - (a) an applicant or duly appointed representative(s) of an applicant,
 - (b) a party issuing a complaint or their duly appointed representative(s),
 - (c) any party that a complaint has been issued against or their duly appointed representative(s),
 - (d) owners of and tenants on property adjacent to the site(s) under discussion including the site under discussion,
 - (e) members of the Authority and the Governing Boards of participating Jurisdictions, as well as the officers, agents, or representatives of said boards.
- .02 Public hearings before the Authority shall be conducted by the Chair of the Authority or another competent person selected by the Chair to act as Hearing Officer. At the discretion of the Hearing Officer, evidence and other testimony may be accepted from persons present at the hearing who are not parties at interest, as defined above.
- .03 The Hearing Officer may, at their discretion, limit the presentation of evidence and cross-examination in order to prevent repetitive, redundant or superfluous evidence or cross-examination.
- .04 All public hearings before the Authority, if tabled, postponed or continued, must be so designated and announced to continue at a date and time certain.
- .05 Whenever the Authority decides to table review, discussion or action on an agenda item before the Authority, it may do so without further notice to the affected parties. The matter tabled shall be rescheduled within thirty (30) days from the date of the meeting at which it was heard unless the Authority receives written consent from the applicant to extend the time period. If an applicant or duly appointed representative is not present, the Authority may decide on its own initiative to continue a proposal or other agenda item.

- .06 Applicants or Complainants and Respondents appearing at a public hearing before the Authority shall be notified in writing within ten (10) working days after the Authority takes action or makes a recommendation of the action taken or recommendation made and any comments or special conditions recommended by the Authority.

Key Considerations: There was no contractor's license obtained nor did they apply for a building permit. When talking to the contractor, James Christensen, he did not believe he needed to have either one. When talking to the customer Amy Valdez, she was unaware of the need for a building permit for the window installation.

Staff Thoughts/Comments: Both parties were talked with at length, as well as a building inspection conducted. James Christensen stated he had no problem getting a Contractor's License and a Building Permit. He didn't obtain them prior to the installation because he didn't feel he needed them. It is suggested that Rocky Mountain Windows and Exteriors should get a contractor's license and pull a building permit, paying double the fine for not getting one originally.

Additional Information: The land owner and the contractor have a civil dispute regarding the payment of the job. This should **NOT** be addressed in the HCBA meeting by either party.

ROCKY MOUNTAIN WINDOWS & EXTERIORS TM

Office # 719-253-0511

Sales Agreement

Toll Free # 1-800-548-1114

Purchaser Name(s) Amy Valdez Date: 7-8-2023
 Address: 670 County Rd 575 City: Red Wing State: Mo Zip: 56104
 Home Telephone: 79 746-0166 Work His: () Work Hers: ()

The undersigned purchaser(s) hereby request(s) Rocky Mountain Windows & Exteriors to furnish all labor and materials to complete the work outlined below at the work address: above to wit:

1. Rocky Mountain Windows & Exteriors shall remove 2 windows; 1 storm windows; 1 patio doors; 1 entry doors; 1 storm doors; (other items specified); and haul all debris from premises.

2. Rocky Mountain Windows & Exteriors shall install the following products as specified:
Rm1 will remove 2 windows, 1 storm door
1 entry door fiber glass ornate
1 vinyl 80 white. Pk. (2)

3. Rocky Mountain Windows & Exteriors shall provide all appropriate warranties for products specified above.

4. Additional information or work to be provided:
Order Materials / clean-up / haul away trash
Call back windows / Check Study Fabio Lora
Rocky Government Fuel Credit. 5223 06
Hours 47578 2611 00
3612 06

All of the above work is to be completed in a substantial and workman like manner according to the standard practices for the sum of Five thousand two hundred thirty three Dollars (\$ 5223 06).
Terms: 50% due at signing, balance upon completion excluding financing.

Any deviations or alterations from the above specifications and / or attached worksheets involving extra cost or materials or labor will only be executed upon written orders for same, and will become an extra charge over the sum stipulated above. All requests for change must be made in writing and signed by all parties to this sales agreement.

Respectfully submitted by: JAMES CHULTNER Accepted by: Acceptance

The purchaser(s) hereby authorize Rocky Mountain Windows & Exteriors to furnish all materials and labor necessary to complete the work described above, for which the purchaser(s) agrees(s) to pay the amount stated in this agreement and according to the terms and conditions thereof.
Purchaser Signature: J. Chultner Date: 7-8-2023
Purchaser Signature: _____ Date: _____

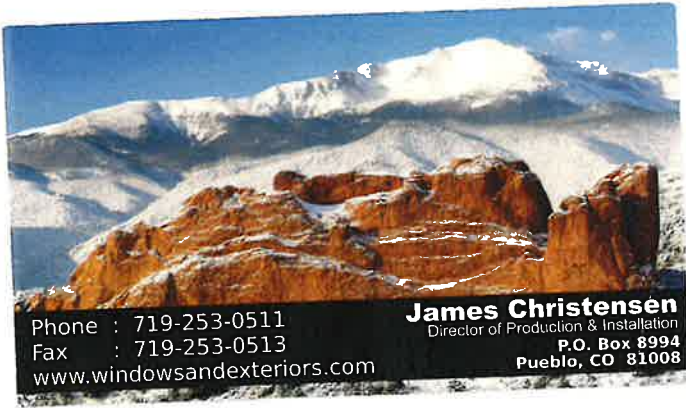
Purchaser's Right to Cancel

If this agreement was solicited at your residence and you do not want the goods or services, you may cancel this agreement by mailing a notice to the seller. The notice must say that you do not want the goods or services and must be mailed or delivered before midnight on the third business day after you sign this agreement. The notice must be mailed or delivered to the address below Attention: Order entry. Any agreement cancelled after the 72 hour period will be assessed a 35 percent of agreement penalty. The 72 hour period may be extended pending approval of requested financing without penalty.

I hereby wish to cancel this agreement: _____ Date: _____
Purchaser Signature _____
Mail To: Rocky Mountain Windows & Exteriors, PO Box 8994, Pueblo, CO 81008

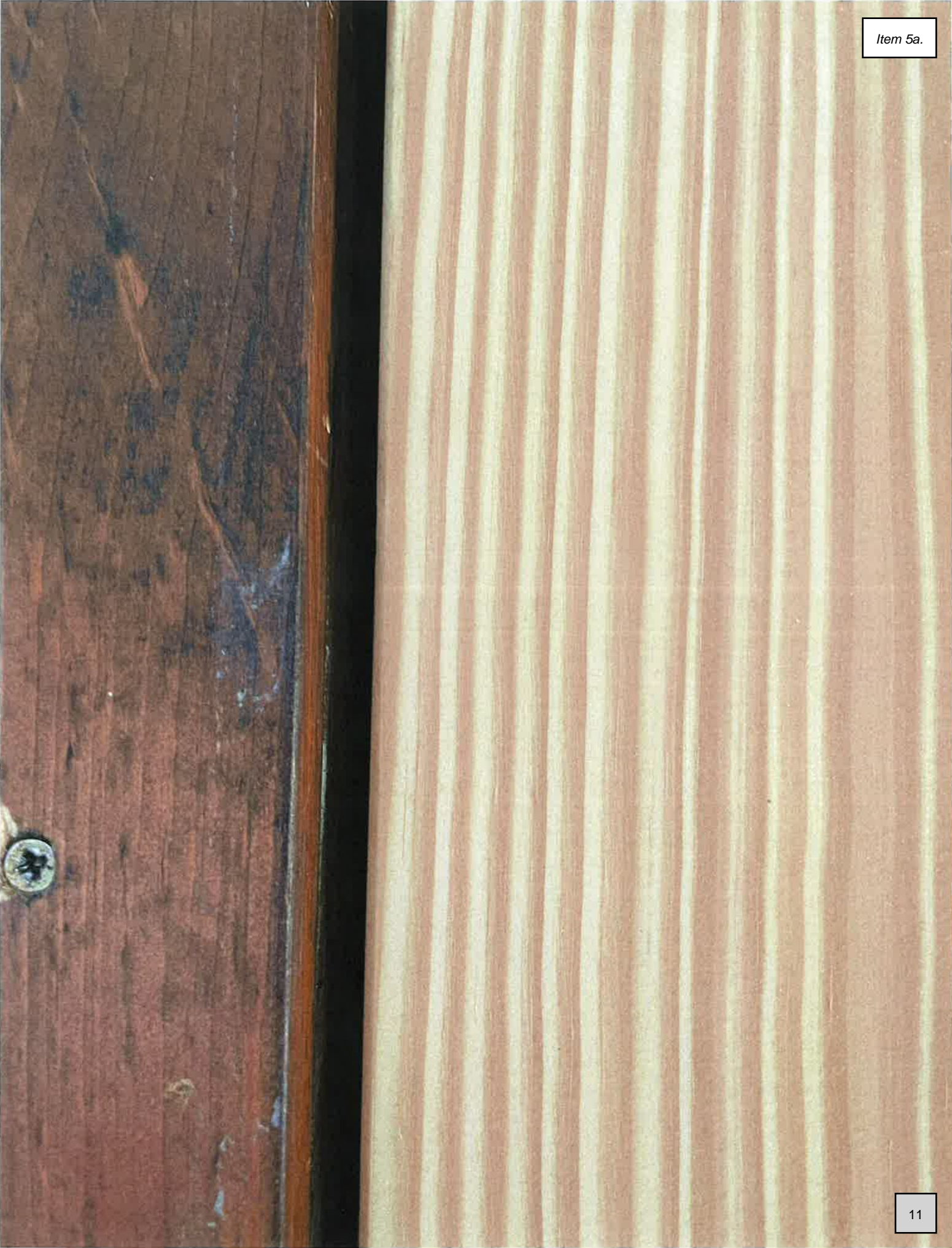
Cosas por hacer ...

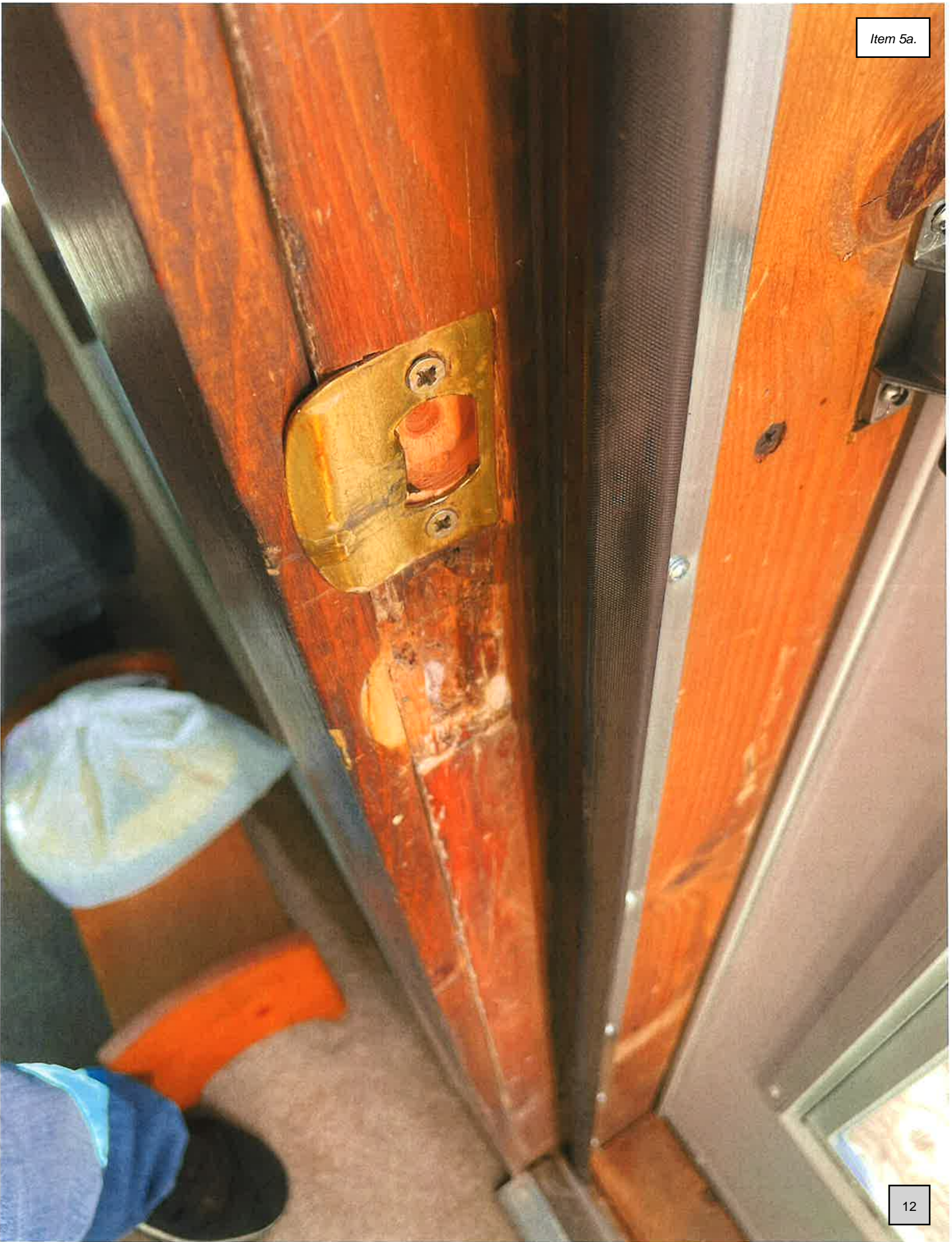
Phone Book # ⁵⁰²² 553-~~9022~~
Cell - 719-553-7873
~~719-253-0511~~ Jim
Rocky Mtn Windows
719-253-0511 Jim





Item 5a.

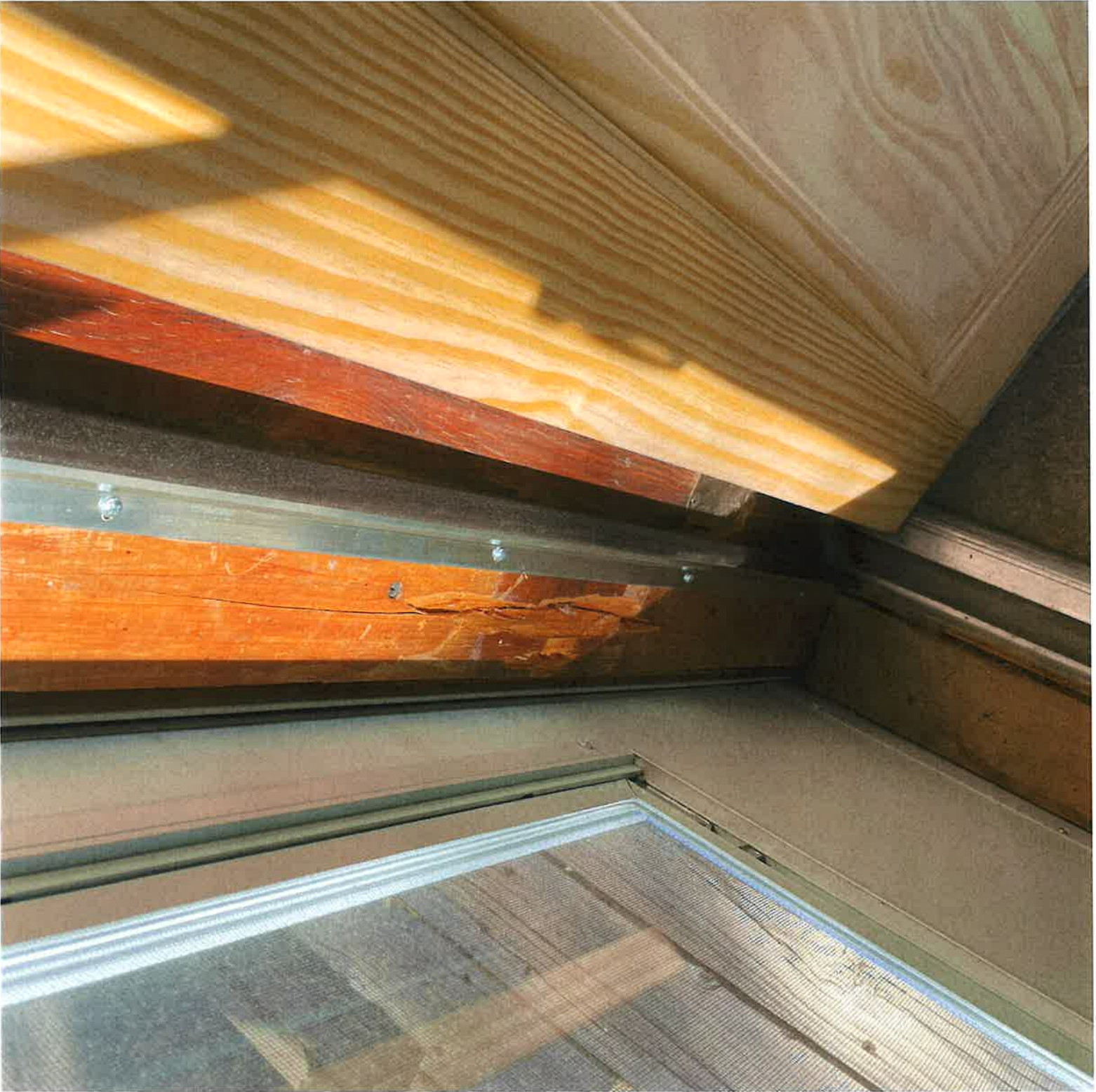


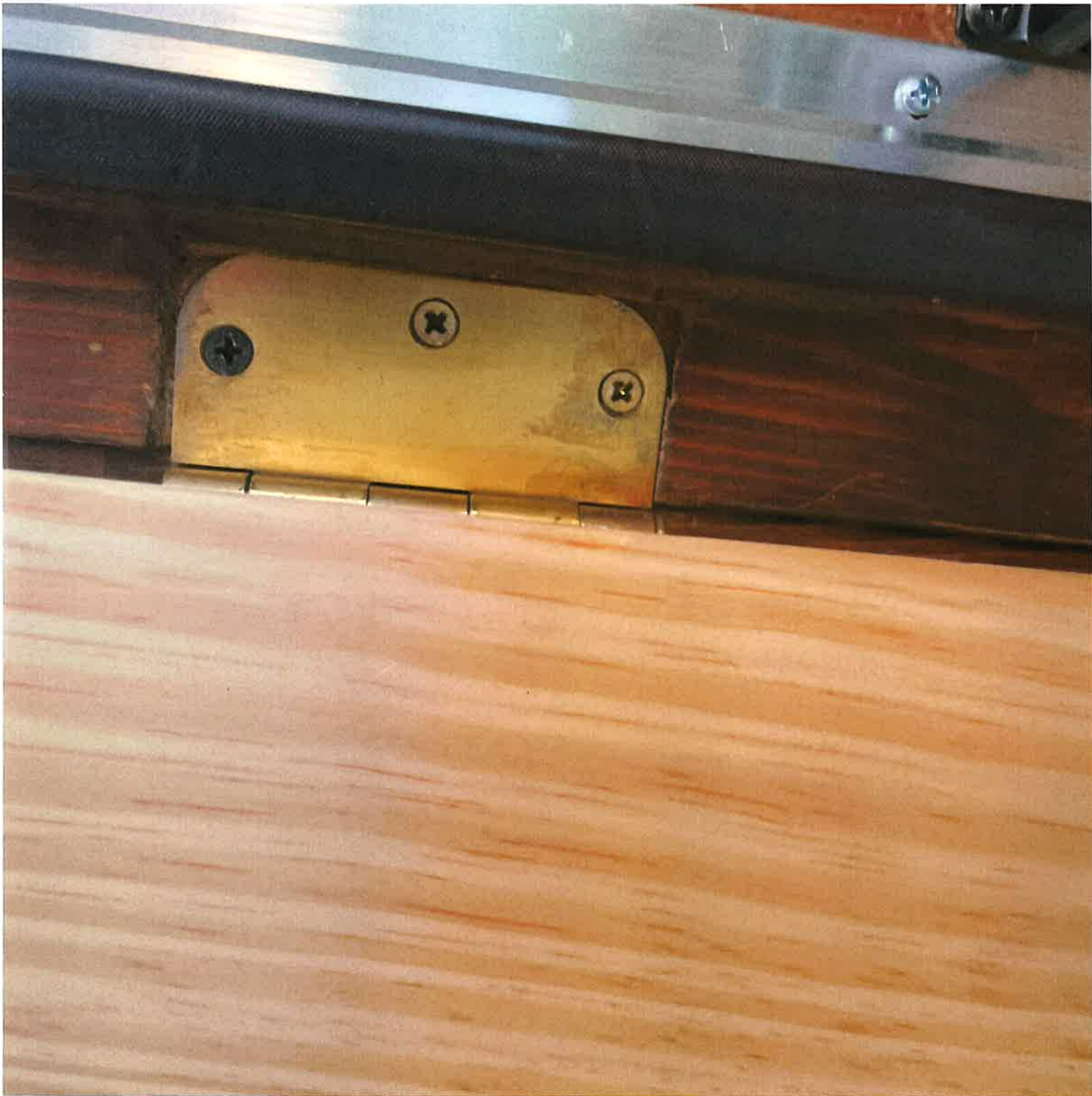


Item 5a.

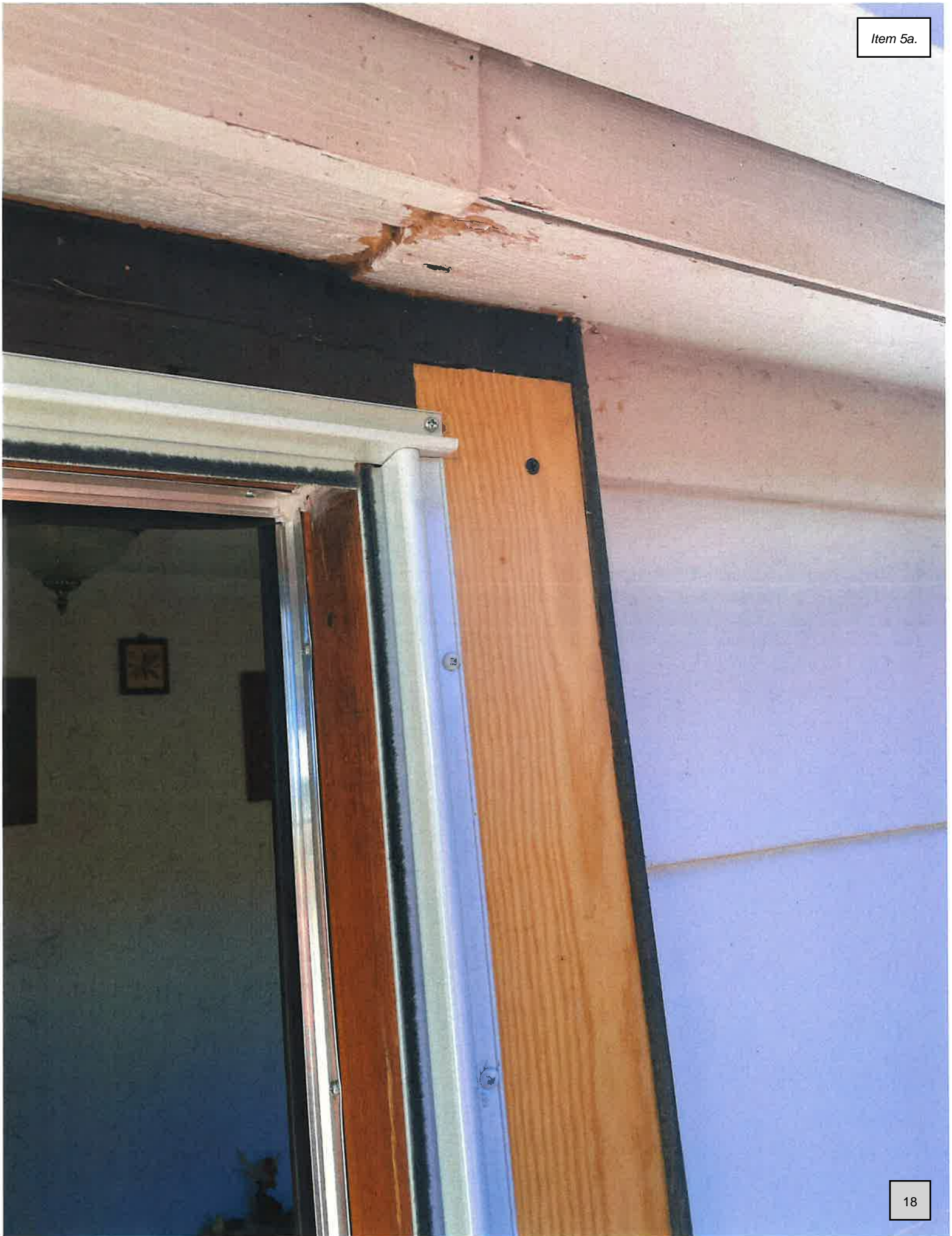


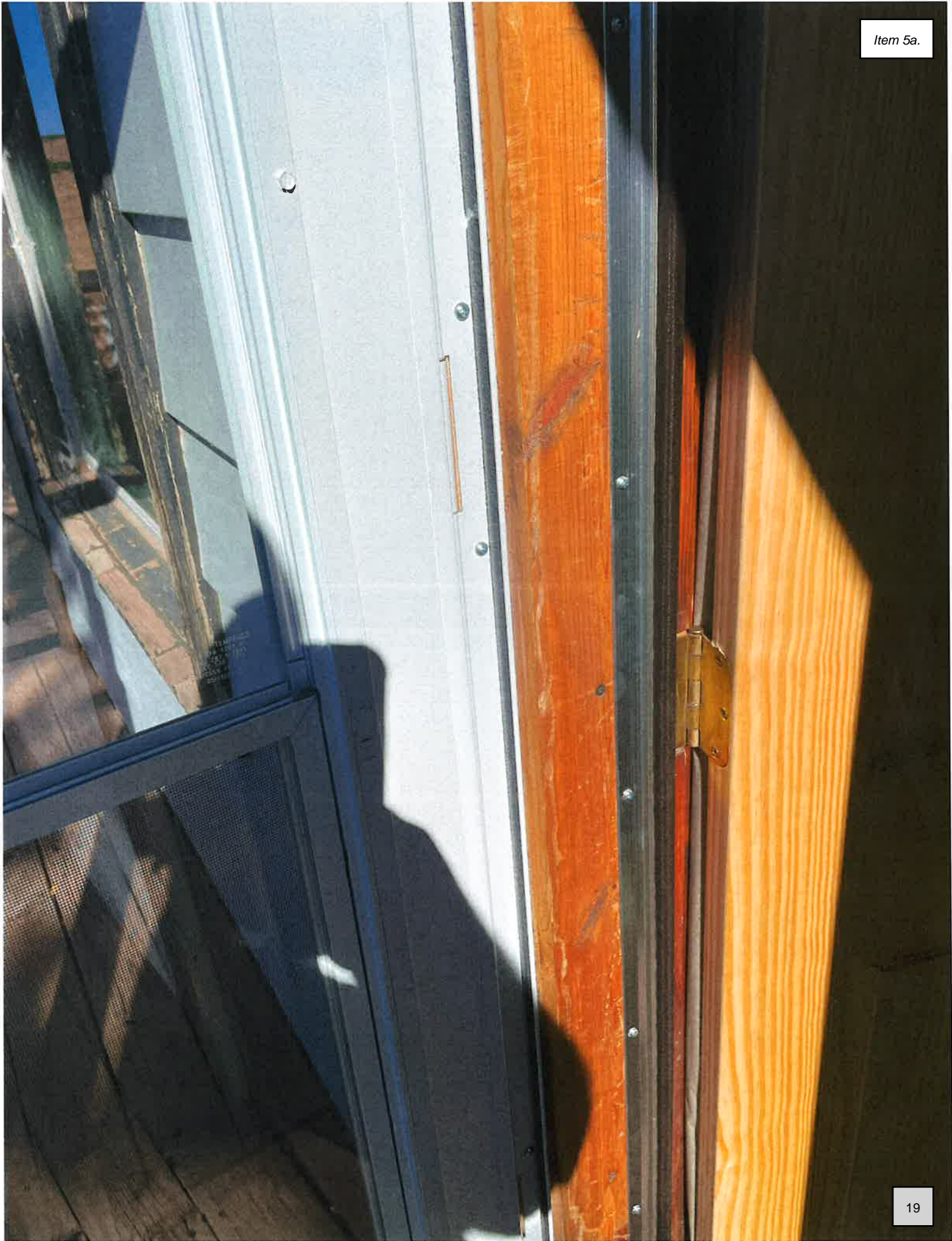


















Huerfano County Land Use
401 Main Street, Suite 304
Walsenburg, Colorado 81089
719-738-1220, Ext. 117



Huerfano County Building Authority Board (HCBA) Staff Report

Complaint: A complaint is being made by Huerfano County Building Department. The Department received a phone call from Lucretia Jordan who was distraught because she had found out she needed a building permit for solar and wanted to come into compliance. (The Jordan's have purchased a Manufactured Home from Clayton Homes in Pueblo, and have an active building permit with Huerfano County). We ascertained the contractor the Jordan's used, Mountain View Solar, isn't licensed in Huerfano County. The homeowners Frederick and Lucretia Jordan were recommended the Solar Company by Clayton Homes.

Currently: Huerfano County Building Department contacted Mountain View Solar and asked them to submit a contractor's license. They stated, since they were Amish he needed to use the postal service. A permit was sent via the United States Postal Service over a week ago and Mountain View Solar claims they still have not received it.

The Department talked with Matt Wisman with Clayton Homes and he told us that Mountain View Solar was recommended to them because they are one of the few solar companies that install off-grid solar. Clayton Homes has used them for three projects and found they not obtaining contractor licenses, not applying for building permits, as well as not obtaining the proper electrical permits from the State of Colorado. The State Electrical Inspector, Luke Hansen, went to inspect the property and denied electricity to the property until the permitting is completed as well as Mountain View Solar coming into compliance with the ground mount solar inspections per the Colorado State regulations. The Jordan's have paid over \$25,000.00 for this solar project that will not pass state inspection.

The Building Department spoke with Mr. John Mast on December 6, 2023. Mr. Mast stated that he only sells the equipment. However, if the homeowner requests help installing the system he will install at no charge. Mr. Mast admonished that he does not pull any permits whether it is a building permit or the state electrical permit(s). Mr. Mast indicated that he had "No interest in obtaining a Contractor's License" as he only sells the product. Mr. Mast is not registered with the Secretary of State but claims to holds a "Colorado State Vendor's License."

Huerfano County Building Regulations:

Section 8.02 Enforcement Authority

.01 The authority, procedures and powers of the County Building Official designated by resolution of the Huerfano County Board of County Commissioners to enforce the edition of the International Building Code adopted by Huerfano County at any given time shall be as specified in Article 28, Title 30, Colorado Revised Statutes.

.02 The authority, powers and procedures of the County Attorney or his or her designee to act in regard to the enforcement of these Regulations, other Huerfano County building related resolutions and regulations, and the edition of the International Building Code adopted by Huerfano County at any given time shall, as specified in Article 28, Title 30, Colorado Revised Statutes.

.03 All other authority, processes and procedures regarding the enforcement, violation and penalties of these Regulations, other Huerfano County building related resolutions and regulations and the edition of the International Building Code adopted by Huerfano County at any given time shall be as specified in Article 28, Title 30, Colorado Revised Statutes.

.04 Nothing herein shall limit the enforcement of authority of the County, or any participating jurisdiction, via the Courts

Key Considerations: Mountain View Solar has not obtained a Contractor's License in Huerfano County, they have not pulled building permits for their projects, and they have not pulled any required electrical permits from the State of Colorado. Also, there is a possibility that Mountain View Solar is not insured. On the invoice that Mountain View Crafts and Solar provided to the Jordan's, it states a "\$17,000.00 down balance when installed".

Staff Thoughts/Comments: We would like to ask The Board for suggestions on how to proceed with this situation or whether to refer it to Code Enforcement.

Huerfano County Land Use Department
 401 Main Street, Suite 304, Walsenburg, CO 81089
 Office: 719-738-1220, Ext. 103
 To Request an Inspection: 719-738-1220, Ext. 104



Item 5b.

BUILDING PERMIT APPLICATION

PROPERTY OWNER INFORMATION

Name: Frederick + Lucretia Jordan
 Mailing Address: P.O. Box 2312
 City, State, Zip: Albany, TX 76430
 Phone No. 1/2: 335 725 9242 / 335 627 6249
 E-Mail Address: lucretiajordan@att.net

CONTRACTOR INFORMATION

Name: Mountain View Solar
 Mailing Address: 6689 CR DD. 5
 City, State, Zip: Lajara, Co 81140
 Phone No. 1/2: 330 317 0896
 E-Mail Address:

TYPE

- New construction
- Remodel
- Addition
- Demolition
- In kind replacement
- Extension of building permit

OCCUPANCY

- Site built residential
- Manufactured residential
- Residential accessory building
- Commercial
- Agricultural
- Industrial

INTENDED USE

- Single or multi family dwelling
- Residential garage/utility
- Agricultural animal husbandry
- Commercial (give details in scope)
- Industrial (give details in scope)
- Storage (note stored materials)

SCOPE OF WORK: _____

SITE ADDRESS, LEGAL DESCRIPTION, OR PARCEL NUMBER: Lot 73 Unitcc-1 CL+G

ZONING DISTRICT: AGRICULTURAL RURAL RESIDENTIAL URBANIZING RESIDENTIAL INDUSTRIAL COMMERCIAL

SUBDIVISION (IF APPLICABLE): _____

SETBACKS (FEET FROM PROPERTY LINES): _____ FRONT _____ REAR _____ SIDES

DESCRIBE EXISTING STRUCTURES ON SITE: _____

SUBMITTAL CHECKLIST – THE FOLLOWING DOCUMENTS TO BE SUBMITTED WITH YOUR APPLICATION:

- | | | |
|---|--|--|
| <input type="checkbox"/> Deed or Proof of ownership | <input type="checkbox"/> Sanitation and water | <input type="checkbox"/> Exterior Elevations |
| <input type="checkbox"/> Foundation Plan (stamped) | <input type="checkbox"/> Floor Plan | <input type="checkbox"/> Framing Plan |
| <input type="checkbox"/> Engineered Truss Plan (stamped) | <input type="checkbox"/> Mechanical Plan | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Owner/Builder Liability Form (if applicable) | <input type="checkbox"/> Bid or quote (for remodels/alterations) | <input type="checkbox"/> Radon Mitigation |

HOA Name: _____ or Property not located in an HOA/POA.

HOA/POA has reviewed and approves of the proposed construction. (If HOA is registered with the Secretary of State)

HOA Representative: _____ HOA Contact info: _____

HOA Signature: _____ HOA Comments _____

Applicant Signature: Lucretia Jordan Submittal Date: 11-17-2023

BELOW THIS LINE FOR USE BY BUILDING DEPARTMENT ONLY

OCCUPANCY: BUILDING SIZE: COST OF BUILDING VALUATION:
 (SQUARE FEET) (PER SQUARE FEET)

FLOODPLAIN? YES NO
 CONDITIONS: OTHER PERMITS:

PAYMENT OF FEES:

COUNTY RECEIPT NO: _____
 PERSONAL CHECK NO: _____

TOTAL VALUATION: _____
 FEE MODIFIER: x0.0115
 PERMIT FEE:
 PLAN REVIEW FEE:
TOTAL PERMIT FEE

APPROVAL:

 HUERFANO COUNTY BUILDING INSPECTOR

DATE: _____

COUNTY BUILDING PERMIT NO:

PRIMARY OCCUPANCY CLASS:

TYPE OF CONSTRUCTION:

Final Bill

Mountain View Crafts and Solar

6689 CR DD.5
LaJara CO 81140 330-317-0896

Invoice

Date	Invoice #
8/26/2023	260

Bill To
Frederick Jordan P.O. Box 2312, Albany, Texas 76430

Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
			8/26/2023			
Quantity	Item Code	Description			Price Each	Amount
2	solar rack 6	6 panel solar rack			650.00	1,300.00
12	370w	370w solar panel			250.00	3,000.00
1	sol-ark 12kw	12'000w Sol Ark inverter controller			7,200.00	7,200.00
100	8/2 wire	8/2 wire			1.40	140.00
	wire	10ga pv wire			65.00	65.00
4	cable ends	pv cable connectors			2.50	10.00
	skidsteer	skidsreer rental			460.00	460.00
	drivers	drivers			650.00	650.00
	trailer	trailer rental			95.00	95.00
4	4-0 lug	4-0 x 3/8" cable lug			2.15	8.60
10	cable	#4 BATTERY CABLE			5.30	53.00
1	mnpv3	midnite 3combiner box			115.00	115.00
2	fuse holder	midnite fuse holder			7.00	14.00
2	fuse	15amp fuse 1000vdc			5.05	10.10
8	sackcrete	80# bag sackcrete			11.50	92.00
	misc.	misc wire & conduct			150.00	150.00
3	48v 190Ah	190Ah Rhino/voltz lithium battery			4,000.00	12,000.00T
		Sales Tax4.9				588.00
17,000.00 down balance when installed					Total	\$25,950.70

PD - 17,000.00
8,950.70

**Huerfano County Land Use
401 Main Street, Suite 304
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Huerfano County Building Authority Board (HCBA) Staff Report

Contractor: Timberline Custom Builders

Complaint: Strickbine BP 22-184 and Grandote BP 23-005

Currently: On October 19, 2023 The Huerfano County Building Authority Board made a motion with a majority vote to prevent Timberline Custom Builders from accepting new building permits or construction projects in Huerfano County until all current projects are finished. They then may approach the HCBA to inquire about re-instating the license or re-apply. Timberline and their attorney have filed an appeal to this decision.

Huerfano County Building Regulations:

Section 5.09 Revocation or suspension of a contractor's license; causes; hearing

- .01 The Building Official may suspend a license for any of the following infractions until the infraction has been satisfactorily corrected or a decision of an appeal of the suspension to the Authority has been made.
- .02 Any license or registration issued pursuant to this Policy may be revoked or suspended by the Building Official or Building Authority, after notice and hearing, for any of the following causes:
 - (a) Abandonment of a contract without legal justification.
 - (b) Failure to obtain required permits.
 - (c) **Diversion or misapplication of funds or property received to perform or complete a contract or for a specified purpose in the performance or completion of a contract; application or use of such funds for any other contract, obligation or purpose; or the failure, neglect or refusal to use such funds or property to perform or complete such contract.**
 - (d) Substantial departure from, or disregard of plans or specifications in any material respect, without consent of the owner or the owner's duly authorized representative.
 - (e) Disregard or violation of applicable major codes or minor codes.
 - (f) Failure to comply with any lawful order of the Building Official or a Chief Inspector.
 - (g) Failure to keep records for a period of one (1) year after completion of each separate contract, showing all receipts and disbursements of the licensee or registrant in all transactions as a contractor, and to produce the same for examination by the Board when required.

- (h) Fraud or misrepresentation of a material fact by applicant in obtaining a license or registration.
- (i) Committing any willful or fraudulent act by the licensee or registrant as a contractor.
- (j) Using a license or registration to obtain permits for another reason.
- (k) Carelessness or negligence in providing reasonable safety measures to protect workers or the public.
- (l) Canceling or not renewing required insurance coverage: provided; however, that such license or registration shall only be suspended for this cause, and shall be reinstated upon refilling proof of insurance as approved by the Building Official.
- (m) Being convicted of a felony relating to performing construction contract.
- (n) Failing to timely pay any indebtedness or obligation owed to the Department; provided, however, that such license or registration shall only be suspended for this cause and shall be reinstated upon payment of such debt or obligation.
- (o) Failing to notify the Department of a change of address and/or telephone number, provided however, that such license or registration shall only be suspended for this cause and shall be reinstated upon notification of said new address and/or telephone number.

.03 Three (3) violations of this Subsection may cause the Building Authority to review the license for further disciplinary action.

.04 Upon receiving a Notice of Infraction, the recipient has the following options:

- (a) Acknowledge the infractions and commit to satisfactorily correcting the issue in a time frame acceptable by the building official, or
- (b) Appeal the Notice of Infraction to the Building Authority.

.05 Upon receiving a notice of appeal, Staff will forward all necessary information to the Building Authority, which, upon receipt of the information, the Authority shall convene the hearing within 10 working days.

.06 Notice of hearing for revocation of a license or registration shall be given in writing, setting forth specifically the causes or grounds of the complaint and the time and place of the hearing. Such notice may be served personally on the licensee or registrant or may be sent by first class mail, postage prepaid, to the licensee's or registrant's address shown on the records of the Department, at least five (5) days before the hearing.

.07 If the Building Authority finds against the registrant or licensee, the Authority in its sole discretion may immediately revoke, or decline to renew the license or registration. If the license or registration is to be revoked, another such license or registration shall not be issued to such person within a period no less than 6 months and not to exceed twenty-four (24) months after the effective date of revocation.

.08 Within twenty-eight (28) days after any decision or order of the Authority, the Building Official, licensee or registrant or any person who is aggrieved by such decision or order may appeal to the Board of Review. Only after appeal to the Board of Review may the aggrieved party seek review

pursuant to Rule 106 (a)(4) of the Colorado Rules of Civil Procedure in the District Court for the County. Review shall not be extended further than to determine whether the Board exceeded its jurisdiction or abused its discretion.

Key Considerations: Please read the above section from Resolution NO. 21-22 Huerfano County Building Regulations section 5.09 on Revocation or Suspension of a Contractor’s License; causes; hearing.

Staff Thoughts/Comments: Would like to review for further discussion.