



**STATE OF NEVADA  
EMPLOYEE-MANAGEMENT COMMITTEE  
100 N. Stewart Street, Suite 200 | Carson City, Nevada 89701  
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**Meeting Minutes of the Employee-Management Committee  
October 3, 2019**

Held at the Nevada State Library and Archives Building, 100 N. Stewart St., Conference Room 110, Carson City, Nevada, and the Grant Sawyer Building, 555 E. Washington Ave., Room 1400, Las Vegas, Nevada, via videoconference.

**Committee Members:**

**Management Representatives**

**Present**

Mr. Guy Puglisi - Chair	X
Ms. Jennifer Bauer	
Ms. Pauline Beigel	X
Mr. Ron Schreckengost	
Ms. Jennelle Keith	
Ms. Tonya Laney	

**Employee Representatives**

Mr. Tracy DuPree	X
Ms. Turessa Russell	
Ms. Sherri Thompson	
Ms. Sonja Whitten	
Ms. Dana Novotny	X

**Staff Present:**

Mr. Robert Whitney, EMC Counsel, Deputy Attorney General  
Ms. Nora Johnson, EMC Coordinator  
Ms. Ivory Wright-Tolentino, EMC Hearing Clerk

**1. Call to Order**

Chair Puglisi called the meeting to order at approximately 9:00 am.

**2. Public Comment**

There were no comments from the audience or Committee Members.

**3. Committee introductions and meeting overview and/or update - For discussion only.**

Chair Puglisi opened the meeting with Committee introductions.

**4. Adoption of the Agenda – Action Item**

Chair Puglisi stated agenda item #6, grievance #6612 and agenda item #9, grievance #6627 had been pulled from the agenda for resolution conference.

Chair Puglisi requested a motion to adopt the agenda as amended.

**MOTION:** Moved to adopt the agenda.

**BY:** Member DuPree

**SECOND:** Member Beigel

**VOTE:** The vote was unanimous in favor of the motion.

**5. Discussion and possible action related to Grievance of Dana Thomas #5896, Department of Public Safety – Action Item**

Ms. Thomas was represented by Silvia Villanueva, Esq. of Dyer Lawrence, LLP. The agency-employer, the State of Nevada, Department of Public Safety (“DPS”), was represented by State of Nevada, Senior Deputy Attorney General Brandon Price (“DAG Price”). Grievant, former Administrator of Records at DPS Julie Butler (“Ms. Butler”), DPS Public Safety Dispatcher IV Tiffany Alexander (“Ms. Alexander”) and State of Nevada, Division of Human Resource Management (“DHRM”) Management Analyst IV Keyna Jones (“Ms. Jones”) were sworn in and testified at the hearing. There were no objections to the exhibits submitted by the parties.

**STATEMENT OF THE CASE**

Ms. Thomas listed several issues in her grievance, including alleged errors made by DPS to her timesheet covering July 2, 2018-July 15, 2018.

Ms. Thomas also requested shift different pay (“PSD”) for the hours she worked between July 2, 2018 and July 15, 2018. Ms. Thomas further argued that nowhere in Nevada law, and not in NAC 284.210, was it

stated that PSD applied only to an employee's regularly scheduled shift, bidded shift or established shift.

Ms. Thomas alleged in her grievance that her timesheet had been changed by her DPS supervisor, Sonia Vasquez ("Ms. Vasquez"), and that she had not been notified of the changes as required by NAC 284.5255(5), and had found out about the changes when she reviewed the timesheet on her own.

Grievant testified that she only had one conversation with Ms. Vasquez concerning her timesheet covering July 2, 2018-July 15, 2018, during which Ms. Vasquez told her to change her 14.41 hours PPHRM (holiday premium pay) to 10 hours on her timesheet, which Grievant did. Grievant noted in substance that DPS did eventually communicate its changes to her timesheet, but that the communication did not occur until months after the changes had been made.

DPS argued that Grievant had a 40 hour base week and her regularly scheduled shift during the relevant period of time was from 5:00 a.m. until 3:00 p.m., Sunday through Wednesday, and that as four or more hours of Grievant's regularly scheduled shift did not fall within the hours of 6:00 p.m. and 7:00 a.m. she was not entitled to PSD (although DPS stated Grievant was entitled to shift differential overtime pay pursuant to NAC 284.210, which DPS paid Grievant).

DPS noted that although Grievant may have worked more than the 10 hours on the days she worked during the time period of July 2, 2018-July 15, 2018, those extra hours were voluntarily worked overtime hours. DPS also argued that Grievant had been contacted multiple times about errors in her timesheet in question. In particular, DPS noted that Ms. Vasquez had telephoned Grievant on July 18, 2018 and told her about errors in Grievant's timesheet, and that DPS had subsequent communication about why Grievant had been paid properly, including through the grievance process.

DPS argued that Grievant had initially submitted a time sheet claiming 14.41 hours PPHRM and PSD for July 4, 2018, but that she was not entitled to any PSD, and was only entitled to 8.41 hour of PPHRM, as Grievant had taken 1.19 hours of sick leave time during her regularly scheduled July 4 shift.

DPS also stated that Grievant had been given an hour of overtime pay that she was entitled to after DPS discovered it had made an error in calculating Grievant's overtime pay for the time period in question.

DPS argued that Grievant was only entitled to 8.41 hours of PPHRM because NAC 284.256(1) indicated that an employee was only entitled to holiday pay for the time they worked during their regularly scheduled shift worked on a holiday.

DPS also argued that although Grievant worked more than 8.41 hours on July 4, 2018, the other 6 hours she worked was considered paid overtime, as those 6 hours fell outside of her regularly scheduled shift. DPS also argued in substance that Grievant was aware as early as July 18, 2018 that DPS had seen errors in and had made changes to Grievant's timesheet.

Ms. Alexander testified that she had worked for DPS since 2012, and that part of her duties as public safety supervisor included building DPS employee shift schedules.

With respect to overtime, Ms. Alexander stated in substance that no employee was allowed to work more than 16 hours with an 8 hour turn around, and that DPS took volunteers to work overtime, and that it rarely mandated that its employees work overtime.

Ms. Alexander confirmed Grievant's regularly scheduled shift was from 5:00 a.m. to 3:00 p.m. Sunday through Wednesday during the July 2, 2018-July 15, 2018 time period.

Ms. Alexander also testified in substance that she was part of a telephone conference on July 18, 2018, involving Grievant and several other DPS personnel where it was explained to Grievant that the timesheet she had submitted had errors in it, and that she needed to correct those errors.

With respect to the timesheet modification, Ms. Alexander testified that it was DPS' policy that any time an employee's timesheet was modified that the person in charge of Payroll emailed the employee directly and cc'd the employee's supervisor to make them aware of the modifications. Ms. Jones testified that she had been with DHRM for approximately 20 years, and that her duties as payroll manager included providing oversight of Central Payroll and Central Records.

Ms. Jones also testified in substance that her unit provided training on how to fill out timesheets, and that she was familiar with State holiday pay, and that NAC 284.255 and NAC 284.256 were the relevant regulations concerning holiday pay and how an employee was to be paid holiday pay.

Ms. Jones also testified in substance that PPHRM was paid to an employee when it was the employee's regular day to work and he or she came in and work on the holiday, and the employee was entitled to those hours up to the end of their scheduled shift, and that any hours over and above their scheduled shift which the employee worked would become overtime.

Ms. Jones testified in substance that the initial question from a payroll perspective that needed to be determined when trying to determine whether a State employee was entitled to PPHRM, and how much

PHPRM the employee was entitled to, was to first determine what the employee's regularly scheduled shift was.

In analyzing Grievant's time sheets and examining the facts of Ms. Thomas' grievance, Ms. Jones testified that Grievant was entitled to 8.41 hours, and not 14.41 hours, of PHPRM because NAC 284.256 provided that employees who worked their regular shift on a holiday were entitled to PHPRM for the regular shift hours the employee worked, and the 8.41 hours fell within Grievant's regularly scheduled shift.

Ms. Thomas added that Grievant was entitled to overtime pay for hours worked beyond her regular shift on July 4, 2018.

Ms. Jones also addressed the propriety of DPS taking the 1.19 hours of sick leave Grievant used on July 4, 2018, from her PHPRM and not her overtime.

Ms. Jones testified in substance that since Grievant took the sick leave during her regularly scheduled shift, and not during her overtime hours, then it was proper for DPS to take Grievant's sick leave from her PHPRM, as that pay was for when Grievant worked her regularly scheduled shift, and she was not working overtime when Grievant took the sick leave.

Ms. Jones also testified concerning Grievant's PSD claim.

Ms. Jones noted that pursuant to NAC 284.210, to be eligible for shift differential the State employee had to work for a State unit that had multiple shifts in a 24 hour period, and had to work a qualifying shift, which was defined by NAC 284.210(2) as "[a]ny shift of at least 8 hours that is other than a qualifying shift plus 4 or more hours between 6 p.m. and 7 a.m. In such cases, an employee must receive the differential rate of pay for only the hours worked between 6 p.m. and 7 a.m."

Ms. Jones stated in substance that to determine if a shift was qualifying the employee's regularly scheduled shift needed to be determined, and overtime worked on a shift was not part of the analysis. In this situation, since Grievant's regularly scheduled shift was from 5:00 a.m. until 3:00 p.m., she did not work a qualifying shift.

Thus, according to Ms. Jones, Grievant was not entitled to PSD during the July 2, 2018-July 15, 2018 time period, and DPS was correct in not awarding Grievant PSD.

Ms. Jones noted, in response to questioning, that NAC 284.210 did not expressly state that paid shift differential was based on an employee's regularly scheduled shift, but that was the manner in which DHRM interpreted the regulation, and in reading NAC 284.210 in its entirety the regulation would not make sense if paid shift differential did not apply to an employee's regularly scheduled shift.

Ms. Jones' testimony corroborated Memo PERD # 66-10, which dealt with PSD and when it was to be applied.

Ms. Jones also addressed the issue of DPS as employer modifying Grievant's timesheet. Ms. Jones testified in substance that NAC 284.5255(5) concerned the ability of an employer to modify its employee's timesheets and noted that an employer/agency could modify its employee's timesheet in accordance with the agency's policy, but that the employee had to be notified of the change to his or her timesheet.

When asked about an employee relocating overtime to a day later in the week than the day the overtime was actually worked, Ms. Jones testified in substance that she was unfamiliar with employee's doing this, but did not believe that the practice was prohibited, and that it would be left to the agency's discretion.

Ms. Butler testified that she met with Grievant on September 5, 2018, and that on that date Grievant acknowledged that she had had a conversation with Ms. Vasquez on July 18, 2018 about her timesheet. In her mind, according to Ms. Butler, Grievant had sufficient information that there were problems with her timesheet, and that if she did not correct those problems her timesheet would be modified to make sure she received the correct amount of pay.

Ms. Butler also stated in substance that the deadline for submitting timesheets to Central Payroll would have been around July 17 or 18, 2018. With respect to NAC 284.5255(5), Ms. Butler testified that DPS complied with this regulation in that DPS' policy on or about July 18, 2018 was that an employee needed to be notified of a change to the employee's timesheet, preferably by email, but that the policy did not specify that the notice had to be by email. Ms. Butler stated in substance that in this case the notice was via telephone from Ms. Vasquez on July 18, 2018.

The EMC deliberated on Ms. Thomas's grievance. Member DuPree had questions about Memo PERD # 66-10, and Attorney Villanueva's argument that it was invalid.<sup>1</sup> Member DuPree also stated in substance that it was his understanding that an employee's timesheet should reflect the actual hours the employee worked, and that the corrected timesheet did that in this case. Member DuPree finally stated in substance that he did not see where DPS had done anything improper in how it paid Grievant and how it dealt with Grievant's timesheet.

Member Novotny stated in substance that she did not believe that Grievant could change overtime to a different day, and that she agreed with Member DuPree that the grievance should be denied.

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<sup>1</sup> Grievant's counsel had argued during closing that Memo PERD # 66-10 had expired by the date of Ms. Thomas' grievance. However, no proof was provided that Memo PERD # 66-10 had expired, and so the EMC apparently did not consider this argument.

Member Beigel stated that NAC 284.5255(1) prohibited an employee from moving overtime hours to a date that the employee did not actually work the overtime, and she noted in substance that it was not always possible for an agency to tell its employee that it was going to modify the employee's time sheet prior to actually doing so, and that an agency should tell the employee as soon as practicable after the change was made.

Chair Puglisi noted in substance that Grievant's timesheet was incorrect to start with, and that it should never have been approved.

Member Novotny stated in substance that it appeared after all the evidence was presented DPS had paid Grievant correctly, and that she had received notice that her timesheet had errors in it, although DPS may not have notified Grievant of the final change it had made.

Chair Puglisi noted that in looking at NAC 284.210(4) (noted by Chair Puglisi as being part of Exhibit J), which said "except as otherwise provided in subsection 3, if a non-exempt employee in the classified service is assigned to a qualifying shift . . ." and that by using the word "assigned" in the regulation, that this meant scheduled, because overtime was variable.

Chair Puglisi stated in substance that he felt that Memo PERD # 66-10 was helpful in explaining in laymen's terms what NAC 284.210 actually meant, as that regulation could be confusing.

Member Beigel agreed with Chair Puglisi's comments, and noted in substance that her agency had employees who started work at 3:00 a.m., so that their timesheets always involved shift differential, and that the Nevada Department of Transportation ("NDOT") also had people who started at 7:00 a.m., but who might work overtime, and those employees would only be paid shift differential if the employee's scheduled shift was at least 8 hours, at least 4 hours of which fell between 6:00 p.m. and 7:00 a.m.

Member Beigel added in substance that NDOT followed what NAC 284.210 said and what Memo PERD #66-10 said. Member Beigel closed out by noting that she agreed with Members DuPree and Novotny with respect to denying the grievance.

Chair Puglisi went through the different issues raised by the grievance, such as notification of Grievant of changes to her timesheet prior to making the change, with respect to which Chair Puglisi stated in substance that the EMC did not have jurisdiction to tell DPS that it was prohibited from doing this, and that DPS had the right to manage its affairs as it saw fit in accordance with NRS 284.020 as long as it did not violate any statute or regulation.

Chair Puglisi also pointed out that NAC 284.5255 said that employees were to be notified if their timesheets were modified, and that in this matter there seemed to be disagreement as to whether Grievant was notified of some of the changes to her timesheet.

Chair Puglisi stated in substance that there was no dispute that Grievant was notified on July 18, 2018 that there were issues with her timesheet, so to him that raised “the flag” that the timesheet was a concern, and that Grievant went back in and looked at the timesheet the day after it had been submitted in a modified status by her supervisor, after which she filed this grievance.

Chair Puglisi further noted with respect to the shift differential issue that the contention was that nowhere in statute was it stated that it was only for regularly bid or regular shifts that State employees would receive PSD, but that PSD was only for qualifying shifts, or overtime that exceeded four hours outside of that, and that since this was the case Grievant was properly compensated on her timesheet.

Chair Puglisi also noted in substance that he did not feel that the overtime worked by Grievant could be moved around to different days because employees’ timesheets were supposed to accurately reflect the hours they had worked each day.

Chair Puglisi also discussed the family sick leave taken by Grievant on July 4, 2018 and felt that NAC 284.256 was clear that to earn PPHRM an employee had to actually work on the holiday, and that sick leave was not hours worked.

Thus, Chair Puglisi felt that there was no relief that could be granted by the EMC, other than telling DPS it needed to do a better job of notifying its staff when it changed staff’s timesheets.

A motion was made by Member DuPree to deny Grievance No. 5896 based on the testimony and evidence not proving that DPS violated any regulation or statute posed by Grievant regarding the payment of shift differential, family sick leave or holiday premium pay. Furthermore, the EMC did not have the authority to direct an agency to notify employees prior to the agency changing the employee’s timesheet pursuant to NRS 284.020(2). Member Novotny seconded Member DuPree’s motion, which carried unanimously.

### **FINDINGS OF FACT**

Based upon the testimony of the witnesses, the arguments made by the parties, the briefs, evidence, and documents on file in this matter, the EMC makes the following findings of fact. All findings made are based upon a preponderance of the evidence.

1. Grievant was a non-exempt State of Nevada employee.
2. Grievant worked as a DPS dispatcher during the time period of July 2, 2018-July 15, 2018.



3. Grievant's regular shift from July 2, 2018-July 15, 2018 was from 5:00 a.m. to 3:00 p.m., Sunday through Wednesday.
4. Grievant also worked a number of overtime hours between July 2, 2018-July 15, 2018.
5. On July 4, 2018, Grievant was scheduled to work from 12:00 a.m. to 3:00 p.m.
6. On July 4, 2018, Grievant took family sick leave for 1.19 hours, between the hours of 5:00 a.m. to 3:00 p.m.
7. Other than the 1.19 hours, Grievant worked all of her shift on July 4, 2018.
8. On July 18, 2018, Grievant was contacted by Ms. Vasquez and directed to change her timesheet from claiming 14.41-hour PHPRM to 10 hours PHPRM for July 4, 2018.
9. Grievant made the changes Ms. Vasquez directed her to make.
10. After July 18, 2018, DPS discovered additional errors in Grievant's timesheet and changed/modified Grievant's timesheet in order to correct those errors.
11. DPS did not notify Grievant that it had changed/modified her timesheet prior to Grievant discovering the changes/modifications on her own on July 20, 2018.
12. DPS changed 10-hour PHPRM for July 4, 2018, to 8.41 hours PHPRM, deleted 80 hours of PSD for the July 2, 2018-July 15, 2018 time period, deleted 1 hour of paid overtime and deleted 1.04 hours of PSD overtime from Grievant's timesheet after Grievant submitted it after she made the corrections she was directed to make by Ms. Vasquez.
13. Since Grievant discovered on July 20, 2018 that DPS had changed her timesheet, DPS had communication about the changes with Grievant, including through the grievance process.
14. The 1 hour of paid overtime deleted from Grievant's timesheet was subsequently returned to Grievant, and she was properly compensated for the 1-hour overtime.
15. Memo PERD #66-10 clarified for State agencies the application of PSD.

### **CONCLUSIONS OF LAW**

1. For this grievance, it was Grievant's burden to establish by a preponderance of the evidence that DPS improperly failed to notify her of changes it had made to Grievant's timesheet in accordance with NAC 294.5255(5), that DPS incorrectly modified Grievant's timesheet, and thus failed to properly pay her, by changing 10 hour of PHPRM to 8.41 hours PHPRM for working on July 4, 2018, by deleting 80 hours of PSD from the time period of July 2, 2018-July 15, 2018, and by deleting 1.04 hours of PSD overtime from the timesheet Grievant submitted after making the corrections she was directed to make by Ms. Vasquez.
2. A grievance is any act, omission or occurrence which an employee who has attained permanent status feels constitutes an injustice relating to any condition arising out of the relationship between an employer and an employee. NRS 284.384(6).
3. Ms. Thomas' grievance falls within the jurisdiction of the EMC under NRS 284.073(1)(e).
4. NAC 284.255 and NAC 284.256 concern PHPRM. In particular, NAC 284.255(3)(c) states:

A: (1) Full-time nonexempt employee with an innovative workweek agreement may earn additional holiday pay on an hour-for-hour basis for any hours he or she works in excess of the holiday pay provided in paragraph (a) and in subsection 2, not to exceed the number of

hours in his or her established workday as set forth in his or her innovative workweek agreement.

5. NAC 284.256 states in relevant part that:
  1. As used in this section, “holiday premium pay” means pay or compensatory time at an employee’s normal rate of pay for hours designated as worked on a holiday, except those hours that are considered overtime pursuant to [NRS 284.180](#).
  2. A nonexempt employee who works on a holiday is entitled to receive holiday premium pay, overtime pay or compensatory time for the hours he or she works on the holiday, in addition to any holiday pay that he or she is entitled to be paid pursuant to [NAC 284.255](#). A nonexempt employee who elects to receive compensatory time for the hours he or she works on a holiday must not exceed the limits on the accrual of compensatory time set forth in [NAC 284.250](#).
6. Grievant’s established workday (as the term is used in NAC 284.255(3)(c)) on July 4, 2018 was her regularly scheduled shift.
7. Grievant’s regularly scheduled shift did not include overtime she worked on July 4, 2018, as NAC 284.256(1) states that PHPRM “means pay or compensatory time at an employee’s normal rate of pay for hours designated as worked on a holiday,” and specifically excludes overtime from being considered PHPRM.
8. As Grievant’s regularly scheduled shift on July 4, 2018, was from 5:00 a.m. to 3:00 p.m. theoretically she would at most have been entitled to 10 hours PHPRM.
9. However, for an employee to earn PHPRM, pursuant to NAC 284.256(1) the employee must actually have worked on the holiday.
10. The use of sick leave is not working.
11. As Grievant took 1.19 hours of sick leave during her regularly scheduled shift, DPS did nothing improper by paying Grievant for 8.41 hour of PHPRM for July 4, 2018.
12. NAC 284.210 deals with PSD. NAC 284.210(1)(b) states that a qualifying shift is “period of work of 8 hours or more, of which 4 hours must fall between the hours of 6 p.m. and 7 a.m. . . .”
13. Additionally, NAC 284.210(2)(a) states:

An employee is eligible for the differential rate of pay if he or she works in a unit which provides services requiring multiple shifts within a 24-hour period and is:

  - (a) A nonexempt employee in the classified service who works:
    - (1) A qualifying shift; or
    - (2) Any shift of at least 8 hours that is other than a qualifying shift plus 4 or more hours between 6 p.m. and 7 a.m. In such cases, an employee must receive the differential rate of pay for only the hours worked between 6 p.m. and 7 a.m.
14. Qualifying shift was determined to be an employee’s regularly scheduled shift, based on a reading of NAC 284.210 in its entirety, and based on Memo PERD #66-10.
15. As Grievant’s regularly scheduled shift during the time period of July 2, 2018-July 15, 2018 was from 5:00 a.m. to 3:00 p.m., she did not qualify for PSD pursuant to NAC 284.210. Thus, DPS acted properly in removing the PSD claimed by Grievant during the July 2, 2018-July 15, 2018 time period.
16. Grievant, pursuant to NAC 284.210, was entitled to shift differential overtime pay, which DPS paid Grievant.

17. NRS 284.52555(5) states:

The supervisor or the person who is responsible for coordinating the payroll of the agency may change an entry on an employee's time sheet in accordance with the policy of the agency. If a change is made to an entry on the employee's time sheet, the employee must be notified of the change. If the employee contests a change to an entry on his or her time sheet, he or she is entitled only to his or her base pay for the workweek in question. The contested entry must be resolved as soon as practicable, and any adjustment must be made during the next pay period following the resolution of the contested entry.

18. DPS' adjustment of Grievant's timesheet was proper pursuant to NRS 284.5255(5).

19. The EMC does not have jurisdiction to direct a State agency to notify its employees prior to the agency making changes to its employees' timesheets pursuant to NRS 284.020(2), which states "[t]his chapter does not limit the authority of elective officers and heads of departments to conduct and manage the affairs of their departments as they see fit."

### **DECISION**

Based upon the evidence in the record, and the foregoing Findings of Fact and Conclusions of Law, and good cause appearing therefor: Grievance No. 5896 is hereby DENIED. Based on the testimony and evidence, Grievant failed to prove that DPS violated any statute or regulation posed by Grievant regarding the payment of PSD, PPHRM or family sick leave. Furthermore, the EMC does not have the jurisdiction to direct an agency to notify its employees prior to changing its employees' timesheets pursuant to NRS 284.020(2).

**MOTION:** Moved to deny grievance #5896 based on the testimony and evidence not proving that DPS violated any regulation or statute posed by Grievant regarding the payment of shift differential, family sick leave or holiday premium pay. Furthermore, the EMC did not have the authority to direct an agency to notify employees prior to the agency changing the employee's timesheet pursuant to NRS 284.020(2).

**BY:** Member DuPree

**SECOND:** Member Novotny

**VOTE:** The vote was unanimous in favor of the motion.

#### **6. Discussion and possible action related to Grievance #6624 Jennifer Vargas, Department of Corrections – Action Item**

Chair Puglisi opened the Committee for discussion.

Chair Puglisi the Committee should discuss grievance #6624 and #6625 together as they were the same issue.

Chair Puglisi stated that similar grievances had been granted and cited EMC Decision 23-18, Prost

Chair Puglisi stated the per advice from the EMC Counsel, the Committee could also grant grievances per NAC 284.695, based on prior decisions as long as the grievances were similar enough in nature to the decided grievance.

Mr. Whitney also cited EMC Decision 35-19, Butler and EMC Decision 36-19, Jones in addition to the Prost grievance.

Member DuPree moved grant grievance #6624 and grievance #6625 based on EMC Decision 35-19 and EMC Decision 36-19.

Member Novotney seconded the motion.

Chair Puglisi asked if there was any discussion, there was none.

**MOTION:** Moved to grant grievance #6624 and grievance #6625 based on EMC Decision 35-19 and EMC Decision 36-19.

**BY:** Member DuPree

**SECOND:** Member Novotny

**VOTE:** The vote was unanimous in favor of the motion.

**7. Public Comment**

There were no comments in the North or in the South.

**8. Adjournment**

Chair Puglisi adjourned the meeting at approximately 12:19 pm