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GSWA Minutes - July 19, 2017

BENJAMIN CRUZ <speaker@senatorbjcruz.com> Thu, Aug 24, 2017 at 8:27 AM
To: 34th Guam Legislature Clerks <clerks@guamlegislature.org>
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8/24/2017	8/24/2017	Guam Solid Waste Authority	GSWA Minutes - July 19, 2017*	34-17-915

Please find attached.

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Committee on Appropriations and Adjudication

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2017 7-19 Approved GSWA Board Meeting Minutes.pdf
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Speaker Benjamin J.F. Cruz

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GUAM SOLID WASTE AUTHORITY
BOARD OF DIRECTORS' MEETING
July 19, 2017
11am – 12pm
Guam Solid Waste Authority, Tamuning
GSWA Conference Room
Minutes

I. Call to Order

The Guam Solid Waste Authority Board of Directors' meeting was called to order by Chairman, Andrew Gayle, at 11:00 am.

II. Roll Call

Board Members:

Andrew Gayle	Chairman
Jonathan Denight	Vice Chairman
Minakshi Hemlani	Board Member
Alexandra Taitano	Board Member (via phone)

Management & Staff:

David Manning	Receiver Representative (via phone)
Chace Anderson	Receiver Operations Manager
Alicia Fejeran	GSWA Board Clerk
Keilani Mesa	GSWA Customer Service
Roman Perez	GSWA Operations Supervisor

Guests:

Promila Sullivan	Court Reporter
Terrence Brooks	Board Attorney
Ron White	Green Group Holdings

III. Approval of Minutes

Board members reviewed minutes from the June 21, 2017 board meeting. Vice Chairman, Jonathan Denight, stated that the minutes should state on page 2 that "the employee agreement could possibly go up to 4 years." Board member, Joseph Duenas, made a motion to approve the minutes subject to the change. Board member, Minakshi Hemlani, seconded the motion. Motion was passed subject to the change.

IV. Reports

a. Management/Receiver's Report

i. **Monthly Tonnages and Collections**
Receiver Operations Manager, Chace Anderson, informed the Board that there was an error in the report and he will have it updated and circulated to them via email.

ii. **Operating Budget**
Receiver Representative, David Manning, described the Revenue Report provided to the Board. He informed the Board that he will correct the figures for Island Waste and send it to them. Board member, Alexandra Taitano, repeated her question from the last Board meeting inquiring why GSWA budgets in the deficit. Mr. Manning informed her that GSWA does not budget in a deficit and referred her to an email he had sent providing a more detailed explanation on how he prepares the budget for GSWA.

b. Remaining Court Ordered Tasks

i. **Residential Transfer Station Remediation**
Chace Anderson reported that the remediation for Agat and Malojloj Transfer Station are proceeding with a similar schedule. He stated that the ground is harder underneath the Malojloj Transfer Station than it is at the Agat Transfer Station, which makes it muddy and the remediation a little slower.

ii. **Environmental Closure of Dededo Transfer Station**
Chace Anderson reminded the Board members that the closure of the Dededo Transfer Station will begin once the remediation of Malojloj and Agat are completed. David Manning stated the schedule is a little tight but he still feels they will meet the end of the year deadline.

iii. **Ordot Cap Maintenance**
David Manning informed the Board that they are still accepting proposals for a long term operator.

iv. **Independent Engineer**
David Manning informed the Board that the Receiver is still working on the procurement for the Independent Engineer.

v. **Trustee**
David Manning informed the Board that the procurement is being prepared.

c. Committee Reports

i. **Management Team Search – GM and CFO**
Vice Chairman, Jonathan Denight, suggested that they start the negotiating process with Mr. Martin. He reported that Mr. Martin was the Board's top candidate, and that it was unfortunate that the second candidate, Mr. Lepage was not available for a second interview. Board member, Joseph Duenas, made a motion to hire Greg Martin subject to the criminal background check. Jonathan Denight suggested that the Board prepare an offer. Board member, Minakshi Hemlani, suggested that the Board review the draft agreement Georgette prepared and ensure it is within GSWA's provisions. Board members discussed different options such as moving expenses, airfare, car allowance, and possible housing allowance. The Board and Receiver discussed a salary range. Joseph Duenas amended his motion to hire Mr.

Greg Martin subject to the criminal background check and rate negotiation starting with $125,000 per annum. Board Member, Minakshi Hemlani, seconded the motion. Motion was passed.

Board members discussed a letter they received from Chace Anderson regarding the CFO and Controller positions. The Board agreed that they will change the job opening from the position of CFO (which requires a CPA license) to Controller. Board member, Joseph Duenas, suggested that the Board start the position as unclassified because it allows the Board flexibility with the candidate's salary. Chace Anderson suggested that the advertising for the Controller position should state that pay is negotiable.

Jonathan Denight made a motion to have GSWA management advertise the Controller position and indicate that the position is unclassified and that the pay is negotiable. Joseph Duenas seconded the motion. Motion was passed.

ii. Personnel Transition

a. Status of Proposed Legislation

Board's Legal Counsel Representative, Terrence Brooks, reported that he was informed by Georgette that the legislation will be brought before a committee before the end of August.

b. Transition of current Government of Guam workers

Chace Anderson informed the Board, via circulated letter, that all Government SWMD employees were transferred to GSWA by law. He informed the Board that the GG1 papers were stamped and received by Department of Administration.

V. Unfinished Business

a. Updates to GSWA Rules

Chace Anderson reported to the Board that he went through the rules and regulations and put together a draft that he sent to David Manning for input. The draft needs to be refined a little more and then it will be sent to the Board for further review.

b. Rate Adoption by PUC

The Board incorporated the rates into the proposed legislation that is being introduced by Senator Ada.

c. Court Order

Board member, Joseph Duenas, made a motion to give the board Chairman, Andrew Gayle, the authority to draft a report for the judge on behalf of the board. Board member, Minakshi Hemlani, seconded the motion. Motion was passed.

VI. New Business

Chairman, Andrew Gayle, stated that the secretary position has not been filled. He suggested that the Board vote to fill it. Joseph Duenas made a motion to nominate Minakshi Hemlani to fill the secretary position. Jonathan Denight seconded the motion. Motion was passed.

VII. Open Discussion

Board member, Joseph Duenas, stated he crossed paths with the personnel servicing his trash and that employee asked him to discuss placing two loaders in the back of the truck instead of just one. Chace Anderson informed the Board that one is an industry standard and that there is no need to go back to two loaders.

Vice Chairman, Jonathan Denight, asked if GSWA management had hired Joseph Acfalle back because he saw it in the news. Chace informed the Board that Mr. Acfalle had not been rehired by GSWA.

VIII. Public Forum

Ron White from Green Group Holdings provided the Board with a list of GGH's assets as the Board had requested. Ron White informed the Board that GGH would purchase new equipment if the board would work out an agreement to purchasing the equipment at fair market value. Board Chairman, Andrew Gayle, asked the receivers for their recommendations. Operations Manager Chace Anderson informed the Board that he agrees with Mr. White that the new equipment is needed and Receiver Representative, David Manning, stated that, assuming reasonable provisions clearly stating how fair Market value would be determined, such an agreement could be in everyone's best interest. Board members agreed that the recommendations the receiver had suggested should be taken into consideration. Board Chairman, Andrew Gayle, informed Ron that once the board brings on the General Manager this will be one of the contracts that they will have him review and request his feedback on.

IX. Next Meeting

The next Board meeting will be held on August 16, 2017 at 11am at the Guam Solid Waste Authority conference room**.**

X. Adjourn

A motion to adjourn the meeting was made by Minakshi Hemlani at 12:12pm. The motion was seconded by Jonathan Denight. Motion was passed.