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GSWA Minutes - September 6, 2017

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11/28/2017	11/28/2017	Guam Solid Waste Authority	GSWA Minutes - September 6, 2017*	34-17-1270

OFFICE OF SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication

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GUAM SOLID WASTE AUTHORITY
BOARD OF DIRECTORS' MEETING
September 6, 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 11:05 am.

II. Roll Call

Board Members:

Andrew Gayle	Chairman
Jonathan Denight	Vice Chairman
Minakshi Hemlani	Secretary
Joseph Duenas	Board Member

Management & Staff:

Alicia Fejeran	Board Clerk
Keilani Mesa	GSWA Customer Service

Guests:

Georgette Concepcion	Board Legal Counsel
Ron White	Green Group Holdings
Promilla Sullivan	Court Reporter

III. Approval of Minutes

Board members reviewed minutes from the August 16, 2017 board meeting. Vice Chairman, Jonathan Denight moved to approve the minutes. Board Secretary, Minakshi Hemlani, seconded the motion. The motion passed unanimously and the minutes were approved.

IV. Reports

a. Management/Receiver's Report

i. Monthly Tonnages and Collections

Alicia Fejeran, GSWA Board Clerk, informed the board that there was a decrease in tonnage at the southern transfer stations but an increase in residential collection services.

ii. Operating Budget

No discussion.

b. Remaining Court Ordered Tasks

i. Residential Transfer Station Remediation

No discussion.

ii. **Environmental Closure of Dededo Transfer Station**
No discussion.

iii. **Ordot Cap Maintenance**
No discussion.

iv. **Quality Control Engineer for Cap Maintenance**
No discussion.

v. **Trustee**
Board Chairman, Andrew Gayle, inquired about the RFP that was out for the Trustee. Alicia Fejeran informed him that an RFP had not yet been issued; however, an RFP was issued for the post-closure operator.

c. **Committee Reports**

i. **Team Search – GM and Controller**
Vice Chairman, Jon Denight, reported that GM Greg Martin was on Guam and provided with a cellular phone. Board Member, Joseph Duenas, reported that he would have the scanned copy of the GM contract signed by Acting Governor, Ray Tenorio; since the contract could be signed in counterparts. He advised GSWA to then submit the contract and GG1 to DOA Director, Christine Baleto, to begin processing for Greg Martin. In the interim, Mr. Martin could obtain required court and other clearances. The Board discussed the possibility of providing Mr. Martin with a rental car so that he could obtain necessary clearances, and later a government vehicle so that he could perform his job duties.
Chairman Gayle inquired if there were any other applicants for the Controller position. Alicia informed the board there were currently only two qualified applicants. Vice Chairman Denight stated that the Board will have Mr. Martin conduct the interview and hiring process for the Controller position.

ii. **Personnel Transition**

a. Status of Proposed Legislation
Chairman Gayle update the Board on the email sent by Senator Ada. Bill 111-34 received its required public hearing. The Committee Report is in the final stage of completion and will be ready for the next legislative session scheduled for the week of September 25th. Assuming passage of Bill 111-34, the Governor must decide, enact or veto, the bill by approximately October 16, 2017.

b. Transition of Current GovGuam workers
Employee transition is addressed in the pending legislation.

V. Unfinished Business

a. Updates to GSWA Rules
Receiver Operations Manager, Chace Anderson, to provide the Board with an update when he returns.

b. Rate Adoption by PUC
PUC Rate Adoption is addressed in the pending legislation.

c. Board member terms expiring

Chairman Gayle stated he spoke with Sandra Miller from the Governor's Office, and she informed him that a formal letter should be drafted and addressed to the Governor informing him of the upcoming term expirations. Chairman Gayle asked Board Legal Counsel, Georgette Conception, to draft an official letter for GSWA.

VI. New Business

a. Court Order on August 31, 2017

Chairman Gayle reported that the court ordered the Board to provide an update regarding the pending legislation timetable and respond as to whether the Board was committed to building on the current recycle program after the transition. The Board discussed current non-profit/chartable programs such as Relay for Life, Island Wide Beautification, and Coastal Clean Up, that were not required to pay tipping fees. Vice Chairman Denight asked what the process was for non-profits to become exempt from paying tipping fees. Board Clerk Fejeran explained that they usually submitted a written request. Board Secretary Hemlani suggested that the new General Manager look into the recycling program and provide the Board with his thoughts for continuation or expansion.

The Board discussed responses to the court regarding the pending legislation, and decided to include their opinion for a post-closure plan that would not require a Trustee. The Board agreed that a post-closure operator and engineer could report to the Board in the same manner that they would have reported to a Trustee. The Board said it was important to explain that as an autonomous agency, GWSA accounts could not be "raided." The Board agreed to also provide the court with an update on the revised rules and regulations, and the status of the GM and Controller positions. Board Member Duenas motioned to include all responses discussed and finalize the response to the court in pleading format. The motion was seconded by Secretary Hemlani. The motion passed unanimously; Georgette Concepcion was instructed to draft response for the Board and circulate for review before filing.

b. Public Hearing

Chairman Gayle informed the Board that there will be a public hearing on September 7, 2017 held by Senator Telena Nelson, Senator Tommy Morrison, and Senator Fernando Esteves to increase the Host Community Benefit Premium for Inarajan. The legislation seeks to increase the aggregate solid waste premium for Inarajan from $150k to $250k per year. Chairman Gayle stated that the legislative intent was not stated.

c. Procurement Training

Chairman Gayle reported that the Attorney General's Office was providing Government Procurement training and held four places for GSWA employees. The Board recommended Mr. Martin, Board Clerk Fejeran, and two other GSWA employees attend.

d. Assistant General Manager

Board Member Duenas suggested that looking forward, the Board should consider hiring an Assistant General Manager with experience in Guam Public Administration to assist Mr. Martin.

VII. Open Discussion

Board Member Duenas reported that he has taken part in clean ups around the island and continues to see illegal dump sites, especially in the Northern part of Guam. He suggested that

Board investigate how GSWA can provide trash services to all residents. The illegal dump sites included large appliances and other whitegoods. Board Member Duenas suggested the possibilities of transferring tipping fees to the taxing of goods at the Port Authority. Board Secretary Hemlani questioned how Mayor's Offices were able to drop off trash without cost once a day, and whether the community mayors should coordinate residents in their villages to drop off whitegoods for disposal. Chairman Gayle agreed that the Board needs to consider these suggestions and explore other policy options.

VIII. Public Forum

GGH Representative, Ron White, observed that the Mayors' offices seemed to haul a lot of trash daily, without cost, and questioned where all the trash was coming from. Board Secretary Hemlani stated that the Board may want to consider guidelines for free trash drops going forward.

IX. Next Meeting

The next Board meeting was scheduled for October 4, 2017 at 11am at the Guam Solid Waste Authority conference room**.**

X. Adjourn

A motion to adjourn the meeting was made by Board Member Duenas at 12:01 p.m. The motion was seconded by Board Secretary Hemlani. The motion passed unanimously.