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MC Fwd: GSWA Minutes - November 29, 2017

BENJAMIN CRUZ <speaker@senatorbjcruz.com> Wed, Dec 27, 2017 at 10:16 AM
To: 34th Guam Legislature Clerks <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>

12/27/2017	12/27/2017	Guam Solid Waste Authority	GSWA Minutes - November 29, 2017*	34-17-1341

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From: **Alicia Fejeran** <alicia.gswa@gmail.com>
Date: Wed, Dec 27, 2017 at 10:12 AM
Subject: GSWA Minutes - November 29, 2017
To: speaker@senatorbjcruz.com

GL# 34-17-1341
Speaker Benjamin J.F. Cruz

DEC 27 2017
Time: 1016 [X] AM [ ] PM File No. ____
Received By

Hafa adai,

Please find approved minutes attached from GSWA Board meeting.

Thank you,

Alicia Fejeran,
Waste Management Services Supervisor

Guam Solid Waste Authority
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2017 DEC 27 AM 10:33

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OFFICE OF SPEAKER BENJAMIN J.F. CRUZ
Committee on Appropriations and Adjudication
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2017-11-29 Approved GSWA Board Meeting Minutes.pdf
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GUAM SOLID WASTE AUTHORITY
BOARD OF DIRECTORS' MEETING
November 29, 2017 at 11 a.m.
Guam Solid Waste Authority
GSWA Conference Room, Tamuning

I. Call to Order

The Guam Solid Waste Authority Board of Directors' meeting was called to order by Chairman, Andrew Gayle, at 11:03 am.

II. Roll Call

Board Members:

Andrew Gayle	Chairman
Jonathan Denight	Vice Chairman
Minakshi Hemlani	Secretary

Management & Staff:

David Manning	Receiver Representative (via telephone)
Greg Martin	GSWA General Manager
Alicia Fejeran	GSWA Board Clerk
Keilani Mesa	GSWA Customer Service
Roman Perez	GSWA Operations

Guests:

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

III. Approval of Minutes

Board Members reviewed draft minutes from the November 14, 2017 Board Meeting. Board Vice Chairman, Jonathan Denight, moved to approve the minutes subject to the following changes: Spelling correction of Kathy Kakigi's name on page three under the Adoption of DOA personnel Rules and spelling correction of Attorney Georgette Concepcion's name on page four under the FY-2018 Budget, and remove section that reads, "and have it set to the minimum" on page three under updates to GSWA Rules. Board Secretary, Minakshi Hemlani, seconded the motion. The motion passed unanimously.

IV. Reports

a. Management/Receiver's Report

i. Monthly Tonnages and Collections
Tabled.

ii. Operating Budget
Tabled.

iii. GM Transition Report
General Manager, Greg Martin, reported to the Board that the Department of Administration (DOA) had submitted a draft Memorandum of Understanding (MOU) and it is currently being reviewed by himself and staff. Board Vice Chairman, Jonathan Denight, requested that the Board start receiving a printed timeline from Mr. Martin that indicates dates and updates regarding transition.
Board Chairman, Andrew Gayle, suggested that management stock up on necessary supplies to ensure that operations can continue post Receivership without any issues. Board clerk, Alicia Fejeran,

advised the Board that there is a new requirement for procurement staff to be certified and that GSWA does not yet have a certified procurement officer. Board Secretary, Minakshi Hemlani, stated that she does not foresee any issues with Alicia Fejeran and Greg Martin certifying any future procurement post Receivership, and legal counsel would do actual procurement bids. Legal Counsel, Georgette Concepcion, reminded the Board that Bill-200 allows for GSWA to handle its own procurement and that she is also familiar with procurement laws.

b. Remaining Court Ordered Tasks

i. Residential Transfer Station Upgrades
Tabled.

ii. Environmental Closure of Dededo Transfer Station
Tabled.

iii. Ordot Post-Closure Operator
Receiver Representative, David Manning, reported that the negotiating process is still ongoing with two proposers. He hopes to have it completed by the end of the year to transition out of the temporary post closure maintenance services.

iv. Independent Engineer for Ordot Post-Closure Maintenance
Mr. Manning reported that the Receiver has not proceeded on any further steps on the procurement, and it will be rescheduled to coincide with the resolution of the methane issues at Ordot; sometimes in Spring of 2018.

v. Trustee
Mr. Manning reported that the Receiver has not proceeded on any further steps on the procurement and it will be rescheduled to coincide with the resolution of the methane issues at Ordot; sometime in Spring of 2018.

c. Committee Reports

i. Management Team Search

a. Comptroller
Chairman Gayle reported that negotiations have been ongoing with the candidate, Mr. Vinas. Bill-200 was passed into law and enables the Board to hire Mr. Vinas as the Comptroller. The Board members discussed Mr. Vinas' draft employment agreement and made changes. The Board informed Mr. Martin that he will be the one to continue the negotiation process with Mr. Vinas. When the negotiating process is completed the final agreement will be prepared and sent to the Attorney General (AG) for her review. If the AG has no issues with the agreement, it will be sent to the Board for their signature and then to Mr. Manning to certify funding. Mr. Manning stated he will sign the agreement as long as the AG has no issues with the terms in the agreement.

ii. Personnel Transition

a. Status of Proposed Legislation
With the passing of Public Law 34-58, all contracts will be extended for three (3) years after the transition. Attorney Concepcion informed the Board that Attorney General recommended that the Board discuss and votes on the continuation of the Pacific Human Resources' Contract and Alicia Fejeran's contract post Receivership. Board Chairman Gayle directed Mr. Martin to look into the contracts and make sure that the contracts will continue after the transition date.

b. Transition of Current Gov. Guam workers
No discussion.

c. Recommendation from AG to novate PHRS agreement
No discussion.

V. Unfinished Business

a. Updates to GSWA Rules
Board Chairman Gayle discussed the narrative that the Receivers had provided to the Board describing the

current operational rules under Receivership. Chairman Gayle stated that he would like to adopt the current operational rules that the Receiver has put in place. Mr. Martin stated that he would draft the Rules and submit it by the next Board meeting.

Board Secretary, Minakshi Hemlani, made a motion to authorize Mr. Martin to lead a team or subcommittee to bring the operational rules and regulations up to date, prepare and revise the rules and regulations based on the narrative provided by the Receiver, and work with Attorney Concepcion to format the rules so that the Board could properly transmit them to the Legislature. The motion was seconded by Board Vice Chairman, Jonathan Denight. The motion passed unanimously. The draft should be completed by the next Board meeting on December 13, 2017.

b. Adoption of DOA Personnel Rules and Regulations

Attorney Concepcion recommended that the Board adopt and continue with DOA personnel rules and regulations and adopt them as a default. Board Clerk, Alicia Fejeran, informed the Board that she would review DOA Personnel Rules and Regulations to see if she has any recommended changes or suggestions. Board Secretary Hemlani made a motion to adopt DOA Personnel Rules and Regulations subject to any changes that might come up in the discussion with Alicia and Greg. The motion was seconded by Vice Chairman Denight. The motion passed unanimously.

c. MOU with DOA

Mr. Martin informed the Board that he would like for the Comptroller to come aboard to review the MOU that was drafted by DOA before approving the agreement. Board Chairman Gayle suggested that the MOU be completed before the end of year 2017.

d. GM Transition Plan

Removed from Unfinished Business

e. Legal Transition Issues Update

Board Secretary Minakshi Hemlani made a motion to provide a supplemental update to inform the court of the status of the Governor signing the Bill No. 209 into law and further accomplishments that took place at today's Board meeting. The motion was seconded by Vice Chairman Denight. The motion was passed unanimously.

f. FY18 Budget

Public Law 34-68 was signed and with its passing, the Budget was also passed.

VI. New Business

Mr. Martin informed the Board that GSWA had placed two new trucks out for recycle. Martin plans to work with the Comptroller to see what trucks cost the most and see what can be done with the older trucks. He also reported that the Green Group Holdings' replacement for Ron White will be on Guam next week Monday, and he will be meeting with them and talking to them about the landfill and the methane collection programs.

VII. Open Discussion

None.

VIII. Public Forum

None.

IX. Next Meeting

The Board scheduled its next meeting for Wednesday, December 13, 2017, at 11am at the Guam Solid Waste Authority conference room.

X. Adjourn

Board Secretary, Minakshi Hemlani, moved to adjourn the meeting at 12:07 p.m. Board Vice Chairman, Jonathan Denight, seconded the motion, and the motion passed unanimously.