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BENJAMIN CRUZ <speaker@senatorbjcruz.com>

## MC Fwd: GSWA Minutes - March 15, 2018

1 message

**BENJAMIN CRUZ** <speaker@senatorbjcruz.com>
To: 34th Guam Legislature Clerks <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>

Fri, May 4, 2018 at 10:21 AM

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| 05/04/18 | 05/04/18 | Guam Solid Waste Authority | GSWA Minutes - March 15, 2018* | 34-18-1851 |

---------- Forwarded message ----------
From: **Alicia Fejeran** <alicia.gswa@gmail.com>
Date: Fri, May 4, 2018 at 9:55 AM
Subject: GSWA Minutes - March 15, 2018
To: speaker@senatorbjcruz.com

GCH 34-18-1851
Speaker Benjamin J.F. Cruz

MAY 04 2018

Time: 1021 [X] AM [ ] PM File No. _____
Received By: _____

Hafa adai,

Please find approved GSWA Board meeting minutes attached.

Thank you,

**Alicia Fejeran,**
**Waste Management Services Supervisor**

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OFFICE OF SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication

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**2018 03-15 Approved GSWA Board Meeting Minutes.pdf**
68K

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GUAM SOLID WASTE AUTHORITY
BOARD OF DIRECTORS' MEETING
March 15, 2018
11am-12:00pm
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 11:08 am.

II. Roll Call

Board Members:

| | |
|---|---|
| Andrew Gayle | Chairman |
| Jonathan Denight | Vice Chairman |
| Minakshi Hemlani | Board Secretary |

Management & Staff:

| | |
|---|---|
| David Manning | Receiver Representative (Via phone) |
| Greg Martin | GSWA General Manager |
| Enrique Vinas | GSWA Comptroller |
| Roman Perez | GSWA Operations |
| Coleen Cruz | GSWA Customer Service |

Guests:

| | |
|---|---|
| George Castro | Court Reporter |

III. Approval of Minutes

Board Members reviewed draft minutes from the February 8, 2018 Board meeting. Board members requested for the minutes to indicate the numbers that were mentioned in the previous meeting about the PHR and Government Personnel. A motion to approve the minutes pending the change was made by Board Vice Chairman, Jonathan Denight. The motion was seconded by Board Secretary, Minakshi Hemlani. The motion passed unanimously.

IV. Reports

a. Management/Receiver's Report

i. Monthly Tonnages and Collections

Receiver Operations Manager, Chace Anderson, reported to the Board that the Layon Landfill Tonnage is down about 2.18% within a 12 month period. He reported that it seems the biggest impact would be from the Rubbishman non-compacted tonnage which is down about 21%, and commercial compacted is up about 1.5%.

ii. Operating Budget/Revenue Report

Receiver Representative, David Manning, reported on the Operating budget. Operating budget through the end of February 2018 is seemingly on track. GSWA is a little high on personnel expenses due to acquiring new personnel to meet the transition. There is a substantial increase in the Landfill Operations due to liquidated damages that were assessed last year for GGH's failure to meet the compaction ratios required in the contract. However, Mr. Manning explained that the GGH contract allows GGH to recover the liquidated damages they were required to pay if, one year they are able to achieve the overall compaction ratio required under the contract. GGH did achieve the overall

compaction ration required within one year and the liquidated damages were returned.

Mr. Manning spoke about the revenue report and informed the Board that revenue versus the budgeted number is relatively close but should be good through the rest of the year. Revenue report for February was a strong month compared to the previous year in cash collection although it was a fairly flat month with actual billing and revenue. YTD are down 3 to 3.5 percent down among all commercial and government accounts.

GSWA General Manager, Greg Martin, inquired about GSWA recycling revenue. Payments made to GSWA for recycle revenue are sporadic. Receiver Operations Manager, Chace Anderson, and Chairman Gayle discussed the last payment made to GSWA. Mr. Anderson stated that a check for July 2017 through December 2017 was received, however, Chairman Gayle pointed out that the payment was made over a year and a half ago in 2016. Mr. Anderson stated that GSWA gets 10 percent of revenue generated from the recyclables.

Mr. Anderson reported on cart repossessions. GSWA repossessed about 907 carts for non-payment over the past two months. In July through December 2017, 40 percent of customers whose carts were repossessed had reinstated their services.

iii. Update on Methane Remediation at Ordot

Mr. Manning reported that there are two bidders who seem to be responsive. An award should be made in the next few days.

iv. Update on Land Condemnation

Mr. Manning stated that a report was provided regarding Lot 450 and Lot 3434 were the last two portions that were subject to litigation. Lot 450 involved recent negotiation conducted by the Office of the Attorney General. A settlement offer was made and requires an additional payment and tax credits. The settlement offer was accepted and the matter is now pending approval by the Superior Court of Guam.

Mr. Manning also reported that there was a dispute of who actually owned Lot 3434. The Superior Court of Guam ordered a land registration process with Department of Land Management. However, the AG's Office did not believe that there was sufficient evidence that that Government of Guam already owned the land to pursue the land registration process. The Estate that claimed ownership had agreed to settle for the amount already paid to the Court for the land meaning that the settlement required no additional payments to be made. This settlement was also pending approval of the Guam Superior Courts.

v. General Manager's Report

General Manager, Greg Martin, provided his report to the Board. He reported that he and CFO, Enrique Vinas, had spent the last week and a half trying to prepare and get a handle on the Layon Landfill by meeting with key personnel and working with current contractors and vendors. He reported that Guam EPA is holding up some of the work at the Landfill.

Mr. Martin reported that he is still trying to set up a meeting between PHR and DOA with regard to personnel.

Alicia Fejeran and Coleen Cruz will be attending the conference for the Alpine system that GSWA uses. He also informed the Board that Mr. Vinas will not be attending this conference because he will be attending the Procurement Module. Vice Chairman Denight inquired on the goal of the conference and if GSWA will be looking to switch out the system. Mr. Anderson responded that the conference is for Alpine customers to learn about upgrades and changes.

Mr. Martin said the status report will be completed for the Court Hearing and it has been a good learning experience for the both of them. He has been working with Attorney Concepcion in preparing the report.

Mr. Martin also reported that he had requested and received Fleet Services invoices dating back 5-years which should help him going forward.
Mr. Martin informed Mr. Manning that since the last Board meeting he had requested to be more involved in the personnel selection and be made aware of employees leaving. He stated that GSWA has hired about three people since then and he had not been involved in the process. He would also like for Mr. Vinas to be involved because the individuals will be working under his supervision. Mr. Martin stated he wanted to be involved in the interview committee but maybe not be a voting member at this point. Mr. Anderson asked for clarification if he wanted to be involved at this point or not. Mr. Martin clarified that he wanted to observe and be a part of the interview process at this point if he is available. Mr. Anderson stated this would not be a problem.

b. Committee Reports

i. Personnel Transition

a. Government Classification and Compensation Plan

Mr. Anderson informed the Board that several attempts in the last two months have been made to coordinate a meeting with DOA, PHR, and the GSWA Management but there have been delays from the DOA HR department. GSWA had also lost the Civil Service Case with Mr. Joseph Acfalle so he will be reporting back to GSWA, however, no paperwork has been received to begin the process.

b. Current Staffing Pattern

Board received the staffing pattern via email by Mr. Manning.

V. Unfinished Business

a. Updates to GSWA Rules

Mr. Vinas stated that the last update he received about the rules was that it was approved by the AG.

b. MOU with DOA for payroll, GG1's, and Increments

Mr. Martin stated that Mr. Manning signed an MOU with DOA. Mr. Manning informed the Board that the MOU that is currently in place expires when the Receivership ends.

VI. New Business

a. Court Order for next hearing

Mr. Martin reported that they collected information for the report that needs to be presented to the Judge at the Court hearing.

VII. Open Discussion

Chairman Gayle mentioned new Board members were being considered.

VIII. Public Forum

None.

IX. Next Meeting

The Board scheduled its next meeting for Wednesday, April 11, 2018, at 11am at the Guam Solid Waste Authority conference room.

X. Adjourn

Vice Chairman, Jonathan Denight, motioned to adjourn the meeting at 11:55 a.m. Board Secretary, Minakshi Hemlani, seconded the motion, and the motion passed unanimously.