



GUAM SOLID WASTE AUTHORITY
BOARD OF DIRECTORS' MEETING
September 16, 2015
11am – 12pm
Ricardo J. Bordallo Governor's Complex, Adelup
Small 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 11:06am.

II. Roll Call

Board Members:

Andrew Gayle	Chairman
Jonathan Denight	Vice Chairman
Elyze Iriarte	Secretary
Joseph Duenas	Board Member

Management & Staff:

Chace Anderson	GBB Receiver, Operations Manager
Alicia Fejeran	GSWA Customer Service Supervisor
Keilani Mesa	GSWA Customer Service

Guests:

Georgette Concepcion	GSWA Board Legal Counsel
Sandra Miller	Office of the Governor
Lorrie Crisostomo	Office of the Governor
Bob Perron	Guahan Waste Control
Fred Santos	Pacific Waste Systems
Promila Sullivan	Court Reporter

III. Approval of Minutes

Revised minutes for the July 15, 2015 meeting was provided to the Board. The Board requested that changes made to draft minutes be marked when given to the Board for review. Receiver Operations Manager, Chace Anderson, suggested that the draft minutes with any marked changes be sent via email prior to the Board meeting, and the clean draft be presented at the Board meeting.

Motion to approve July 15, 2015 minutes was made by Board Secretary, Elyze Iriarte. Motion was seconded by Board Member, Joseph Duenas. Motion was carried, and minutes were approved.



Draft minutes for the August 19, 2015 Board meeting was reviewed by the Board. Motion to approve the minutes was made by Elyze Iriarte. Motion was seconded by Joseph Duenas. Motion was carried, and minutes were approved.

IV. Reports

a. Management / Receiver Report

i. Monthly Tonnages and Collections

Receiver Operations Manager, Chace Anderson, reported that the Harmon Transfer Station has seen an increase in customers; however, it has not received as many customers as the Dededo Transfer Station. He also reported that curbside trash collection registrations have increased.

ii. Operating Budget

Chace Anderson described the Operating Budget Report. Report indicated unaudited numbers and expenses through August 31, 2015. Expenses are 8% below budget, and revenue came in 4% below expected.

Chace Anderson will inquire with Receiver Representative, David Manning, if the fund balance is increasing.

Board members asked Chace Anderson to let the Board know why his salary is not included in the Operating Budget for GSWA, and if there are any other expenses, salary or otherwise, that are also left out and why.

Spreadsheet on the cash collections was distributed to the Board.

b. Remaining Court Ordered Tasks

i. Residential Transfer Station Permits

No discussion

ii. Environmental Closure of Dededo Transfer Station

No discussion

iii. Dero Road remediation

Timeline for this project is currently being worked on by the Receiver for presentation at the next court hearing.

iv. Post Closure costs for Ordot

Receiver Project Engineer, Chris Lund, is working with US EPA on the procurement of the post closure care of Ordot.

Status of the Ordot Closure is on track.

V. Unfinished Business

a. Sub-Committee Reports

i. GSWA Board of Directors Rules and Regulations – update: 90 days at Legislature expires 9/6/15

GSWA Board Legal Counsel, Georgette Concepcion, confirmed with the Legislative Secretary's Office that the Board of Directors Rules and Regulations were officially promulgated on September 6, 2015.



1. Draw lots for terms; election for permanent officers

In accordance with the Board's Rules and Regulations, Board Members drew lots to determine each member's length of term on the Board. The terms of the Board Members would be staggered to ensure knowledge is retained on the Board as new members are appointed. Three members would serve a term of two years, and two members would serve a term of four years. Should a Board member resign and be replaced, the replacement would fulfill the remaining term of that member. The Board members' terms would begin 9/16/2015, the day the lots were drawn.

Board Legal Counsel, Georgette Concepcion, had each Board Member pull one of five cards. Each card indicated the length of term each member will serve. Board member, Alexandra Taitano, was not present so the remaining card determined her term.

Elyze Iriarte and Jonathan Denight will serve four years.

Joseph Duenas, Andrew Gayle, and Alexandra Taitano will serve two years.

Board Members elected permanent officers as current positions are Interim. Joseph Duenas motioned to make the current Interim Officers permanent. Jonathan Denight seconded. Motion was passed.

Board Members earn \$50 per Board Meeting. Chairman, Andrew Gayle, requested for GSWA staff to look into how many meetings they would be retroactively paid for and requested for Georgette Concepcion to formulate an opinion regarding the Members being retroactively paid for prior meetings.

ii. GSWA General Manager Search

No discussion.

iii. GSWA CFO/Controller Search

No discussion

iv. Letter to Court

Chairman, Andrew Gayle, reported that he met with Attorney General Elizabeth Barrett-Anderson. Chairman stated that the Attorney General considers the Board a client now that the Board's rules and regulations have been promulgated. The AG reviewed the Board's letter to the Court and she agreed with the letter.

Andrew Gayle and Elyze Iriarte will meet with the AG again and educate her on the actions the Board has taken. They will ask for her advice on what the next step should be in regards to the letter and if she would submit the letter to the Court.

Board Legal Counsel, Georgette Concepcion, stated that the AG submitting the letter is an option and that the AG could be seen as the litigation Attorney for the Board.

Board member, Joseph Duenas, made a motion that the Board ask Attorney General Barrett-Anderson to submit the Board's letter to the court on the Board'



behalf. However, if she decides not to submit the letter, the Board will submit it on their own behalf. Elyze Iriarte seconded the motion. Motion was passed.

- VI. **New Business**
None.
- VII. **Open Discussion**
None.
- VIII. **Public Forum**
None.
- IX. **Next Meeting**
The next meeting will be held on October 28, 2015 at 11am in the conference room in Adelup.
- X. **Adjourn**
Motion to adjourn meeting at 12:00pm was made by Elyze Iriarte. Motion was seconded by Joseph Duenas. Motion passed.