

**GUAM SOLID WASTE AUTHORITY
BOARD OF DIRECTORS' MEETING**

March 18, 2013

3pm to 4:30pm

District Court's Training Room, First Floor

MINUTES

I. Call to Order

The Guam Solid Waste Authority Board of Directors' meeting was called to order by Chace Anderson at 3:26PM.

II. Roll Call

Board Members:

Jonathan Denight

Joseph Duenas

Andrew Gayle

Alexandra LG Taitano

Management & Staff:

Chace Anderson

GBB Vice President/ Receiver Operations Manager

Alicia Fejeran

Board Secretary/Customer Service Supervisor

Keilani Mesa

Customer Service

Guest:

Patrick Mason

The Office of the Attorney General

Kathy Fokas

The Office of the Attorney General

III. Unfinished Business

None.

IV. New Business

a. Attorney General

i. Presentation by Attorney General's Office on Protocol of Government Boards

Binders containing the GSWA Statute, Open Government Law (OGL), Sunshine Law, Administrative Adjudication Law, and AG Information and Guidance regarding Boards and Commissions were distributed to the Board Members.

Assistant Attorney General, Kathy Fokas, described the OGL. She cautioned the Board about having conference calls and sending group emails as they can be easily tampered with. She emphasized that not following the OGL can be subject to criminal liability. She spoke about publicizing notices in newspapers regarding Board meetings and suggested creating a logo so the notices will stand out. She distributed

copies of Bill No. 26-32 and explained that the bill states that notices may soon be publicized on a Guam Public Notice Website.

Fokas also distributed copies of Bill 65-32 and explained that the purpose of the bill is to seek more training for Board members. She spoke about reporting requirements for Boards and said audio recordings of the meetings must be submitted to the Office of Public Accountability in a MP3 format.

Fokas described the Sunshine Act saying the public has the right to inspect public records. She stated that any Sunshine Request must be responded to within 4 days. Fokas informed the Board that they must submit the number of Sunshine Acts that they received to the Attorney General's Office at the end of the year.

Fokas lightly touched on the Administrative Adjudication Law. She said it deals with licensing matters and personnel issues. She told the Board members that they will not be dealing with these issues, but she would just like them to be aware. She explained that the GSWA Statute would provide the Board with a road map of things to follow such as appointing a General Manager, and this statute would provide the qualifications for the position. She informed the Board that an immediate action they should take is drafting rules and regulations that is in accordance with the GSWA Statute and that they may establish by laws. She also advised the Board to establish procedures that should be followed when a Sunshine Request is submitted to the agency.

Deputy Attorney General, Patrick Mason, informed the Board that the Attorney General's office must approve any purchases of \$500,000 or more as well as all legal service contacts. Patrick Mason advised the Board to obtain legal counsel by either a contract or permanent hire.

ii. Consideration/ Adoption of Parliamentary Procedures

Tabled.

b. Board Elections

i. Chair

Board member, Alexandra Taitano, nominated Jon Denight for Chairman. Denight declined.

The Board agreed to wait for the fifth Board member to be confirmed before electing officers.

ii. Vice- Chair

Tabled.

iii. Other Officers

Tabled.

c. Key Vacancies

i. Board

Tabled.

ii. Legal Counsel

The Board members discussed whether they would contract an attorney/firm or hire a full time in house attorney. Chace Anderson informed the Board that Receiver, at this time, per the Court's orders, is completely responsible for all personnel and contract management. The Receiver, he said, is more than happy to accommodate the Board's need of administrative counsel and would speak to Mr. David Manning about this the next day.

iii. GSWA General Managers

Tabled.

iv. Chief Financial Officer

Board member, Alexandra Taitano, requested that GBB Receiver Principal Associate, David Manning, produce a timeline detailing how much time Mr. Manning spends acting as the CFO for GSWA.

d. Mandated Milestones

None.

V. Open Discussion

None

VI. Public Forum

None.

VII. Next Meeting

Next meeting will be on Wednesday, May 1, 2013 at 9 am. Chace Anderson will confirm if the District Court Training Room will be available.

VIII. Adjourn

Meeting adjourned at 4:55PM