



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

Wednesday
November 29, 2017, 11am
GSWA Conference Room

- I. Call to Order
- II. Roll Call
- III. Approval of Minutes
- IV. Reports
 - a. Management/Receiver's Report
 - i. Monthly Tonnages and Collections
 - ii. Operating Budget
 - iii. GM Transition Report
 - iv. Legal Issues Update
 - b. Remaining Court Ordered Tasks
 - i. Residential Transfer Remediation at Malojloj and Agat
 - ii. Environmental Closure of Dededo Transfer Station
 - iii. Ordot Cap Maintenance
 - iv. Quality Control Engineer for Cap Maintenance
 - v. Trustee
 - c. Committee Reports
 - i. Management Team Search
 - a. Controller
 - ii. Personnel Transition
 - a. Status of Proposed Legislation
 - b. Transition of Current Government of Guam workers
 - c. Recommendation from AG to novate PHRS agreement
- V. Unfinished Business
 - a. Updates to GSWA's Rules and Regulations – Chace to provide comparison of rules in use vs. DPW rules on record
 - b. Adoption of DOA personnel rules and regulations
 - c. MOU with DOA for Payroll, GG1s, Increments
 - d. **GM Transition Plan**
 - e. Legal Transition issues update
 - f. FY 2018 Budget
- VI. New Business
- VII. Open Discussion
- VIII. Public Forum
- IX. Next Meeting
- X. Adjourn



**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
Jonathan Denight
Minakshi Hemlani

Chairman
Vice Chairman
Secretary

Management & Staff:

David Manning
Greg Martin
Alicia Fejeran
Keilani Mesa
Roman Perez

Receiver Representative (via telephone)
GSWA General Manager
GSWA Board Clerk
GSWA Customer Service
GSWA Operations

Guests:

Georgette Concepcion
Promilla Sullivan
Ron White

Board Legal Counsel
Court Reporter
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, sometime 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.