



GUAM SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS' MEETING  
May 13, 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 Interim Chairman, Andrew Gayle, at 11:09am.

**II. Roll Call**

Board Members:

Andrew Gayle

Interim Chairman

Jonathan Denight

Interim Vice Chairman

Elyze Iriarte

Interim 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

George Castro

Court Reporter

Sandra Miller

Governor's Office

Lorrie Crisostomo

Governor's Office

Bob Perron

Guahan Waste Control

**III. Approval of Minutes**

A motion to approve the minutes of the meeting held on April 8, 2015, with the changes as noted by Ms. Taitano, was made by Board member, Joseph Duenas. The motion was seconded by Interim Board Vice Chair, Jonathan Denight. Motion was carried and minutes were approved.

A motion to approve the minutes of the meeting held on April 29, 2015 was made by Jonathan Denight. The motion was seconded by Interim Board Secretary, Elyze Iriarte. Motion was carried and minutes were approved.



#### **IV. Reports**

##### **a. Management / Receiver Report**

###### **i. Monthly Tonnage and Collections**

Receiver Operations Manager, Chace Anderson, explained the tonnage report to the board. He pointed out that the sludge has gone down at the Layon Landfill due to a GWA's reported mechanical and lack of polymer issues but expects the tonnage to increase once these issues are resolved.

##### **b. Highlights of recent court rulings**

###### **i. Estimated impact on transition timeline**

Receiver Operations Manager, Chace Anderson, informed the Board that the court has asked the receiver to prepare a new timeline to be presented at the next quarterly hearing. He informed the Board that there are two outstanding issues, the post closure fund for Ordot and the Route 4 roads. He also mentioned that there may be other court orders that may be issued that it will affect the new timeline.

#### **V. Unfinished Business**

##### **a. Sub-Committee Reports**

###### **i. GSWA Board of Directors Rules and Regulations**

Board's Legal Counsel, Georgette Concepcion, informed board that the Attorney General's Office sent the rules and regulations back with some minor changes. Ms. Iriarte stated that two changes which were somewhat substantive included allowing the Governor to appoint the Chairperson, and that the language concerning courtesy resignations was deleted. Interim Board Secretary, Elyze Iriarte, made a motion to ratify the changes that the subcommittee made upon the recommendations of the Attorney General's Office. The motion was seconded by Joseph Duenas. Motion was passed. Georgette informed the Board that once they receive the revised draft back from the Attorney General's Office the draft will be sent to the Governor's Office for review and after that it will be sent to the Legislative Secretary and the rules and regulations will be promulgated if no corrections need to be made after 90 days.

###### **ii. GSWA General Manager Search**

Interim Vice Chair, Jonathan Denight, provided the Board copies of the draft GM job announcement and a draft timeline of the hiring process. He informed the Board that most of the Receiver's recommendations and comments were included in the new draft. He informed the Board that he changed the starting pay to \$125,000.00 with the rate being negotiable. He also stated that they will not have a closing date for the announcement and that it will remain open until the Board fills the position. Joseph Duenas made a motion to adopt the latest draft job announcement for the



General Manager position. Motion was seconded by Elyze Iriarte. Motion was passed.

**iii. GSWA CFO Search**

Jonathan Denight provided the Board copies of the job announcement and draft timeline of the hiring process. The Board discussed if they will be hiring a CFO or Controller. Joseph Duenas made a motion to adopt the latest draft for a CFO, but changing the position to Controller. Motion was seconded by Elyze Iriarte. Motion was passed. Board members agreed that they would remove the title, "CFO", and put the advertisement for a Controller.

Joseph Duenas made a motion to change the language of the Pay portion of the announcement to reflect "starting at" and "negotiable". He also motioned that the Board ask the receiver to publish the job announcement advertisements and if the Receiver does not publish it, the Board will find other funding to do so or locate advertising sources that do not require funding. Motion was seconded by Jonathan Denight. Motion was passed.

The Board decided that they would run the GM and Controller announcements concurrently. Board Legal Counsel, Georgette Concepcion, informed the Board that she sent a request to Chace Anderson to provide an updated list of places the Board could advertise the job announcements

**b. GSWA Rate Model Update**

Receiver Operations Manager, Chace Anderson, informed board that he has no recent updates from Receiver Representative, David Manning, regarding an updated rate model. Jonathan Denight mentioned that the Receiver released a special report on 12/22/2014 title ECF 1464, that stated that the rates of the trash services need to be raised otherwise the agency will collapse. Mr. Anderson informed the board that the Receiver's position is that raising the rates is the Government of Guam's decision and that the current rate schedule is sufficient to complete the goals mandated by the Federal Court.

Interim Board Chair, Andrew Gayle, suggested forming a subcommittee who will look into the possibility of raising the current rates while waiting on an updated rate model from the Receiver. Jonathan Denight motioned to form a subcommittee that will look into analyzing the rates. Motion was seconded by Elyze Iriarte. Motion was passed. Andrew Gayle and Jonathan Denight will be on the subcommittee to analyze the rates and look into receiving assistance from the Public Utilities Commission.

**VI. New Business**

The Board discussed issues it may wish to address with the Court at the next Quarterly Hearing. Interim Board Secretary, Elyze Iriarte, noted that she was unable to attend the next hearing but asked that the current process of the Board's legal services be addressed. Ms. Iriarte noted the lack of autonomy the Board has for its legal services, citing a recent instance in which the Receiver indicated it may not approve the payment for legal counsel to review the court order. She suggested that the current method whereby the Receiver approves legal services on a line item basis is tedious and suggested that alternatively, a budget for legal services could be



utilized since GSWA is the client, and GSWA's Board is composed of fiduciaries who will utilize the budget for legal services wisely and in accordance with what it believes are in the best interests of the agency.

Jonathan Denight would like Chace Anderson to find out if there was an appropriation for the Board on the budget. Mr. Anderson stated he will find out by the end of the week and let the Board know. Mr. Denight would like to discuss the process of obtaining and utilizing those funds that are set aside for the board at the next court hearing.

**VII. Open Discussion**

None.

**VIII. Public Forum**

None.

**IX. Next Meeting**

- X. The next meeting will be held on June 10, 2015 at the Governor's office in the small conference room at 11am.

**XI. Adjourn**

Motion to adjourn meeting at 12:13pm was made by Elyze Iriarte. Motion was seconded by Jonathan Denight. Motion passed.