



**GUAM SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS' MEETING MINUTES  
Thursday, September 24, 2020  
1:00 pm-2:00 pm  
Guam Solid Waste Authority Via Video Conference**

**I. Call to Order**

The Guam Solid Waste Authority (GSWA) Board of Directors' meeting was called to order by Chairman Gayle at 1:05 p.m.

**II. Roll Call**

**Board Members:**

Andrew Gayle	Chairman
Minakshi Hemlani	Vice Chairwoman
Margaret Denney	Secretary
Jim Oehlerking	Member

**Management & Staff:**

Larry J. Gast	General Manager
Katherine Kakigi	Comptroller
Alicia Fejeran	Chief of Administration
Keilani Mesa	Administrative Assistant
Chelsea Cruz	Customer Service
Lance Sablan	Customer Service

**Guests:**

Ken Orcutt	Office of the Attorney General of Guam
John O'Connor	The Guam Daily Post
Charlene Flores	Senator Perez's Office

**III. Approval of Minutes**

The Board reviewed the minutes for the Board meeting held on September 03, 2020. Vice Chairwoman made a motion to approve the minutes and the motion was seconded by Member Oehlerking. The motion was passed unanimously.

**IV. Reports**

**a. Management Report**

**i. Financial Update**

**a. Letter to Governor re: CIP Grants**

Chairman Gayle stated that he is drafting a letter to the Governor regarding Capital Improvement Plan Grants. He reminded the Board that Comptroller Kakigi presented the revenue shortfall of the authority. Chairman Gayle stated that they are drafting a letter addressed to the Governor requesting consideration for grants from two possible sources which include Department of Interior CIP grant that is awarded to territories annually and the Compact Impact Funds that identifies solid waste as being one of the entities that qualify to receive funding from this grant. Chairman Gayle stated he wants to draft a letter on behalf of the Board to the Governor to ask her to consider GSWA as a recipient. He



stated he will use the current financial situation as justification for this request and stress that GSWA would need the assistance to maintain its primary mission of Municipal Solid Waste. He stated he would mention that GSWA would otherwise have to either reduce services or increase rates to continue its current operations.

Member Oehlerking made a motion authorizing Chairman Gayle to draft a letter on behalf of the Board to request consideration for financial assistance addressed to the Governor of Guam. The motion was seconded by Secretary Denney and passed unanimously.

ii. **PUC Management Audit Update**

Chairman stated that he and General Manager Gast had a video conference with the Management Auditors and the ALJ. He stated that the auditors agreed to include the impact of COVID 19 but are unsure as to what extent their reporting of the impact will be. Chairman Gayle stated that their target to present to the ALJ is mid-October and then the ALJ will present to the PUC by the end of October. The presentation would show the auditors' recommendations to any rate adjustments.

b. **Committee Reports**

i. **GM Search / Succession Plan**

Vice Chairwoman Hemlani stated that she received an update that there was one applicant for the General Manager position; however, they are still reviewing it to see if the applicant meets the statutory requirements for the position. Chairman Gayle stated that the statute that enabled the GSWA lays out specific requirements for the General Manager position. Chairman Gayle stated that statute also provides that the General Manager could hire an Assistant General Manager to carry out operational and technical duties. Chairman Gayle stated that the committee proposed to have General Manager Gast continue in his position as the General Manager of GSWA and hire an Assistant General Manager. Chief of Administration Fejeran would handle and maintain operations in the interim as GSWA continues the search for an Assistant General Manager. This proposal would allow the Board additional time to find a suitable replacement for the General Manager position. Attorney Orcutt stated he would have to review the statute carefully to determine whether the Board would need to approve the selected applicant for the Assistant General Manager position and get back to the Board.

Vice Chairwoman Hemlani made a motion to authorize General Manager Gast to hire an Assistant General Manager. The motion was seconded by Secretary Denney and passed unanimously.

Vice Chairwoman Hemlani made a motion to allow General Manager Gast to rescind his resignation in writing and work remotely from Florida. The motion was seconded by Secretary Denney and passed unanimously.

ii. **Zero Waste**

Charlene Flores from Senator Perez's office stated that the Senator is still finalizing dates for a roundtable discussion with the zero waste working group and will update the Board when she does.

V. **Unfinished Business**

a. **Cell 3 Construction Update**

General Manager Gast stated that there is progress made with the certification of payroll. He stated CTI has not paid anyone Holiday Pay or any Overtime and he spoke to Attorney Orcutt and GSWA is putting in a letter that states as long as they are continuing to correct the issue, GSWA will approve the pay applications. He stated he was concerned because CTI is at the 50% mark of the



billing which means no more retainage comes out of their payments and he wants to get this straightened out. Chairman Gayle inquired if they are on track with the timing as far as the schedule goes. General Manager Gast stated that they are actually a little ahead of their current schedule. He stated that they are grinding for the asphalt removal and are currently removing the old road and have begun stockpiling materials for future use. Secretary Denney inquired about the last meeting if General Manager Gast was specific about only expecting about four change orders. He stated as of right now that is what it looks like.

**b. Ordot Post Closure Update**

None.

**VI. New Business**

General Manager Gast informed the Board that he wanted to begin Customer Service assisting customers by Monday. Board Chairman stated this was an operational decision that General Manager Gast could decide and it did not require Board approval.

Chairman Gayle stated that the Board had talked about some operational changes in order to enhance revenue such as a \$3.00 charge for paper billing, requiring a \$50 deposit when registering for service that will be returned when services are properly cancelled, and rescinding the current discount for commercial haulers. He informed the Board that he was speaking with Attorney Orcutt and his team and has the following updates. In the opinion of the AG for the implementation of the \$3.00 charge and the \$50.00 deposit, the Board could either go through the AAL process or go through the PUC and request to be placed on their docket for discussion of implementing the charges. For the Prompt Payment Discount that is offered to the Commercial Haulers, that could possibly be removed since it was implemented by the Receivership; however, the AG has not released an official opinion regarding this specific matter. Chairman Gayle stated he was not expecting anything at this time but would like for the management team to present something to the Board in the near future.

**VII. Open Discussion**

Secretary Denney stated that she wanted to inform the Board that she was going to move forward with putting together a business plan for accepting Asbestos at the landfill. General Manager Gast informed her that the operations plan is in line with the permit for Layon. Secretary Denney stated she will learn more about it and pursue it.

Member Denney requested that Comptroller Kakigi put together a breakdown or financial impact of what the three proposals would possibly generate.

**VIII. Public Forum**

None.

**IX. Next Meeting**

The next Board meeting is scheduled for Thursday, October 15, 2020 via video conference at 1 p.m.

**X. Adjournment**

Secretary Denney moved to adjourn meeting at 2:26 p.m. The motion was seconded by Vice Chairwoman and passed unanimously.