



Speaker Won Pat <speaker@judiwonpat.com>

Messages and Communications: GSWA Board Minutes and Agenda

1 message

Speaker Won Pat <speaker@judiwonpat.com>

Tue, Dec 10, 2013 at 2:52 PM

To: Guam Legislature Clerks Office <clerks@guamlegislature.org>

12/10/2013 12/10/2013 Guam Solid Waste Authority

Board of Directors meeting Agendas from 10/31/13 - 11/27/13 and Board of Directors 32-13-1070 meeting 09/26/13 - 10/31/13 \*emailed

Office of the Speaker  
Judith T. Won Pat, Ed. D.

Date 12.10.13  
Time 2:53 PM  
Received by [Signature]

Forwarded message

From: Alicia Fejeran <avfejeran@gmail.com>  
Date: Tue, Dec 10, 2013 at 1:16 PM  
Subject: GSWA Board Minutes and Agenda  
To: Speaker Won Pat <speaker@judiwonpat.com>

Hafa Adai,

Attached are the agendas from our meetings on 10/31/2013 and 11/27/2013. Also attached are the approved minutes from our meetings on 9/26/2013 and 10/31/2013.

Thank you,

-

Alicia Fejeran, Customer Service Supervisor

Guam Solid Waste Authority  
542 N. Marine Corps Dr. Tumon, GU 96913  
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Direct Line: 671-647-4312  
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2013 DEC 10 PM 3:12 [Signature]

Ufisinan I Etmás Ge'helo'Gi Liheslaturan Guåhan  
**Office of Speaker Judith T. Won Pat Ed.D.**  
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4 attachments

12/10/13

Mail at Judi Won Pat Mail - Messages and Communications: GSWA Board Minutes and Agenda

 **GSWA Board Meeting Minutes - 9-26-13.pdf**  
363K

 **GSWA Board Meeting Minutes - 10-31-13.pdf**  
369K

 **Meeting Agenda - 10-31-13.pdf**  
22K

 **Meeting Agenda - 11-27-13.pdf**  
22K



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

October 31, 2013

10am – 12pm

Ricardo J. Bordallo Governor's Complex, Adelup  
Small Conference Room

- I. Call to Order
- II. Roll Call
- III. Approval of Minutes
- IV. Reports
  - a. Management/Receiver's Report
  - b. Weather Impact
  - c. Schedule Change Impact
  - d. Performance Indicators
  - e. Court Order of 10/29/13
- V. Unfinished Business
  - a. Legal Counsel – RFP Status
  - b. Superfund Status (alternative funding for consent decree projects)
- VI. New Business
  - a. Recycling Program
  - b. Layon Landfill Operations
- VII. Open Discussion
- VIII. Public Forum
- IX. Next Meeting
- X. Adjourn



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

September 26, 2013

9am to 11am

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, Joseph Duenas, at 9:01 a.m.

Interim Vice Chairman, Andrew Gayle, motioned to adopt the meeting agenda, and Board member Jonathan Denight seconded. There was no discussion and motion was passed.

**II. Roll Call**

**Board Members:**

Joseph Duenas	Interim Chairman
Andrew Gayle	Interim Vice Chair
Jonathan Denight	
Elyze Iriarte	
Alexandra Taitano	

**Management & Staff:**

Chace Anderson	GBB Vice President/Receiver Operations Manager
David Manning	Receiver Representative (via phone)
Alicia Fejeran	Board Secretary/Customer Service Supervisor
Danny Galiza	Engineer Supervisor
Keilani Mesa	Customer Service

**Guests:**

Bob Shambach	EA Engineering, Science, and Technology, Inc.
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**a. Approval of Minutes**

Andrew Gayle motioned to approve the minutes from the 8/22/13 Board meeting, and Jonathan Denight seconded. Motion was passed.

**III. Reports**

**a. Management Report/Receiver's Report**

An updated tonnage report with the amount of tons per day included was provided along with the amount of cash collected and total amount billed. Chace Anderson and Jonathan Denight discussed the reasons for different tonnages each month.

Andrew Gayle expressed concern that the financial reports provided were inadequate for board meetings. He and Joseph Duenas requested for the Receiver to provide more detailed financial reports such as profit and loss, however, the Receiver stated that governments do not provide what the private sector calls "Profit and Loss Reports." The Receiver also stated that it has been its policy since the Court appointed the Receivership to provide financial reports to the Court before providing them to any other entity. Andrew Gayle stated that, for the record, the Receiver is not being cooperative with the Board's requests.

The Board and the Receiver discussed the option of raising the rates of tipping fees to cover the increase in debt service. Receiver Representative, David Manning, informed that board that the Receiver had personally presented, in July 2012, all the necessary information to the Governor, members of the Legislature, PUC as well as the Court regarding the option to raise rates to fully reimburse the General Fund. Joseph Duenas asked why the Receiver had increased the tipping fee a few times in the past few years but takes no position on raising rates to reimburse the General Fund. Mr. Manning explained that it was in the Receiver's authority to raise the rates to fulfill operations in the Guam Solid Waste Authority and comply with the Consent Decree. The current rate increase being discussed, Mr. Manning said, has nothing to do with the funding of operations at GSWA. The discussion of these rates is simply from where the funds for the payment of the debt come from and being as such it is a policy decision that should be made by the Governor and Legislature. The Receiver, Mr. Manning said, has no recommendation for the Government, but has simply reminded the Government of Guam that this is its decision to make and provided the necessary calculations and other information needed by the Government should it decide to increase the rates. Mr. Manning stated that every decision made to correct a horrible situation in Guam Solid Waste has been made by the Receiver and by the Court, and not a single decision has been made by the Government of Guam, and should the Government of Guam want to



raise rates further to allow it to spend on non-solid waste things is their prerogative and responsibility.

**i. OPA Audit Overview**

David Manning reported that he was pleased with the results of the latest audit. He mentioned that there were contractual issues in the audit finding, however, there were no significant or material findings.

**IV. Unfinished Business**

**a. Legal Counsel – RFP Status**

Board member, Elyze Iriarte, had finalized the review of the Draft RFP and its associated Contract and sent it to the Receiver. The RFP and Contract will now go to the Attorney General's office for review. Ms. Iriarte stated that the Contract should clearly state that the Board is the client and not the Receiver. She requested that the Attorney General's office share their thoughts on the clarity of who the client is when they review the RFP and Contract.

Elyze Iriarte motioned to adopt the RFP, and Jonathan Denight seconded. Motion was passed.

Elyze Iriarte motioned to adopt the Contract, and Alexandra Taitano seconded. Motion was passed.

**V. New Business**

**a. Presentation – Water Monitoring**

Bob Shambach of EA Engineering, Science, and Technology provided an overview of the different types of water monitoring that is currently taking place at the Layon Landfill.

**VI. Open Discussion**

Andrew Gayle requested Chace Anderson to look into information about Ordot Dump being a Superfund site, and if there are any federal funds available that can be used towards Ordot dump's closure.

**VII. Public Forum**

None.

**VIII. Next Meeting**

The next board meeting will be held on Thursday, 10/31/2013 at 9:00 a.m.

**a. Upcoming Proposed Meetings**

- i. Wednesday, December 11, 1pm (SWA Employees)**
- ii. Thursday, January 9<sup>th</sup>, 9am (Chris Lund)**



**IX. Adjourn**

Jonathan Denight motioned to adjourn meeting, Alexandra Taitano seconded. Motion was passed, and meeting was adjourned at 10:53 a.m.



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

October 31, 2013

10am to 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 Vice Chairman, Andrew Gayle, at 10:08 a.m.

**II. Roll Call**

**Board Members:**

Andrew Gayle	Interim Vice Chair
Elyze Iriarte	
Alexandra Taitano	

**Management & Staff:**

Chace Anderson	GBB Vice President/Receiver Operations Manager
David Manning	Receiver Representative (via phone)
Alicia Fejeran	Board Secretary/Customer Service Supervisor
Danny Galiza	Engineer Supervisor
Keilani Mesa	Customer Service

**Guests:**

Jay Lather  
Arthur Clark  
Tom Herslet

**III. Approval of Minutes**

Andrew Gayle requested to add Receiver Representative, David Manning's statement regarding all decisions made for Guam Solid Waste Authority to the last paragraph of Section III, part A of the draft minutes from Board of Directors' meeting on 9/26/2013. There were no objections.

Board member, Elyze Iriarte, motioned to approve the draft minutes subject to change.





Board member, Alexandra Taitano, seconded. Motion was passed.

#### **IV. Reports**

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

An updated report of total amount billed and cash collected was distributed along with an updated tonnage report of tonnage going into the landfill on average per day. Andrew Gayle inquired on how the forecast will change in the future for the amount of tonnage, on average, daily. Receiver Operations Manager, Chace Anderson, explained that the forecast was given previously and that there will not be much of a difference. Board member, Alexandra Taitano, inquired if there will be a separate line item for recyclables now that GSWA has implemented curbside recycle collections. Chace Anderson explained that the first load will start on Monday, 11/04/13, and they will keep track of it by route and there will be a separate line for recyclables.

##### **b. Weather Impact**

Chace Anderson and GSWA Engineer Supervisor, Danny Galiza, discussed the impact that the heavy rain and typhoon had on the Landfill. GSWA currently follows procedures that were set by DPW for when Guam is experiencing a typhoon. Residential and Commercial customers were not affected by the weather; however, the negative outcome from the typhoon was that GSWA was unable to send leachate through the lines leading to Guam Water Authority's pump station for seven days due to lack of maintenance and undersized pumps. As a result, GSWA hired Detry Plumbing to pump and transport the leachate, which was an added expense.

##### **c. Schedule Change Impact**

Guam Solid Waste Authority had changed the trash collection schedule for about 8,000 customers. Chace Anderson explained that customers were informed three different ways. They had notified customers by putting stickers on the trash carts, contacting them personally, and mailing out notices. Collection is now 4 days a week, Monday through Thursday, and from 8 hours a day to 10 hours a day. GSWA also requested to Department of Administration for the employees' paychecks to be available on Thursday. Chace Anderson explained that employees were thrilled to have 3 days off.

##### **d. Performance Indicators**

Andrew Gayle requested the Receiver to provide key performance indicators to help the Board better understand the financial and operations of GSWA. The receiver informed the Board that the key indicators are in the Court Status Reports, but would have to be



reported to the court first. The Board members requested that the Receiver communicate the Board's request to see the information on a monthly basis to the Court, and the Receiver agreed.

**e. Court Order of 10/29/13**

The Governor's Office filed an appeal that the Receiver not award the contract to close Ordot Dump. The Court has issued an order for the Receiver to move forward with closing the Dump. Also, the Attorney General's Office was released from representing the Governor's Office.

**V. Unfinished Business**

**a. Legal Counsel – RFP Status**

RFP was sent to the AG's Office for review. The Board Members inquired on if they can proceed without the AG's review since the new court order. David Manning agreed to inquire with the AG on whether or not the Board can proceed without the AG's review.

**b. Super Fund Status**

David Manning provided a memorandum regarding the funding for the Layon Landfill and Closure of Ordot Dump. Board member, Alexandra Taitano, inquired on why Governor Camacho rejected the federal funding. David Manning explained that because of the amount of debt the Government was in, there was no viable use for the grant and decided not to accept it. Ms. Taitano requested to be provided with the letter from Governor Camacho rejecting the additional funding.

**VI. New Business**

**a. Recycling Program**

GSWA launched the deliveries for the recycle carts on Friday, 10/25/13 and will continue until it has been distributed throughout the island. The Board inquired on the financial impact of the program. David Manning explained that the special report filed with the District Court on August 2013 will show the financial report. Recycle collections will not require new trucks and new personnel due to the trash collection schedule change and reduction in routes. Customers can also sign up for recycle collection email reminders.

**b. Layon Landfill**

Danny Galiza is concerned about the operations and maintenance of the GWA pumps because it affects the pumping of leachate at the Layon Landfill. Danny Galiza expressed his concerns about additional costs of hiring a private company to pump and transport



the leachate when rainy weather occur. Andrew Gayle inquired if there was a specific line item in the budget for situations like this. David Manning stated that there is none at this time, however, if a trend is clear, it would make financial sense to budget for it.

**VII. Open Discussion**

No discussion.

**VIII. Public Forum**

Tom Herslet inquired on the recycling services and if customers are required to bag the recycled items. Chace Anderson informed him that no bag is needed to separate the recyclable items and they may be mixed into the bin.

Mr. Herslet also asked for the comparison of leachate in dry and rainy season. Danny Galiza explained that during a dry season they receive about 3,000 gallons and when the rain increases it can go up to 100,000 gallons.

**IX. Next Meeting**

The next board meeting will be held on Wednesday, November 27, 2013 at 9:00am.

**X. Adjourn**

Elyze Iriarte motioned to adjourn meeting. Alexandra Taitano seconded. Motion was passed, and meeting was adjourned at 11:39am.