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Messages and Communications

Speaker Won Pat <speaker@judiwonpat.com>  
To: Guam Legislature Clerks Office <clerks@guamlegislature.org>

Wed, Dec 7, 2016 at 10:56 AM

12/7/2016 11/22/2015 Guam Solid Waste Authority Approved minutes from GSWA Board meeting held on 10/19/16. 33-16-2234

----- Forwarded message -----  
From: **Alicia Fejeran** <avfejeran@gmail.com>  
Date: Tue, Nov 22, 2016 at 3:07 PM  
Subject: GSWA Minutes - October 19, 2016  
To: Speaker Won Pat <speaker@judiwonpat.com>

Please find attached, approved minutes from GSWA Board meeting held on 10/19/16.

Thank you,

-

Alicia Fejeran, Waste Management Services Supervisor

**Guam Solid Waste Authority**  
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Customer Service: 671-646-3111  
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33-16-2234  
Office of the Speaker  
Judith T. Won Pat, Ed.D

Date: 12/7/16  
Time: 10:56 AM  
Received By: CJS

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*Uffisinan I Etmâs Ge'helo 'Gi Liheslaturan Guâhan*  
**Office of Speaker Judith T. Won Pat, Ed.D.**  
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2016 10-19 Approved GSWA Board Meeting Minutes.pdf  
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**GUAM SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS' MEETING  
October 19, 2016  
11am – 12pm  
Guam Solid Waste Authority, Tamuning  
GSWA Conference Room  
Minutes**

**I. Call to Order**

The Guam Solid Waste Authority Board of Directors' meeting was called to order by Chairman, Andrew Gayle, at 11:05 am.

**II. Roll Call**

**Board Members:**

|                   |                 |
|-------------------|-----------------|
| Andrew Gayle      | Chairman        |
| Jonathan Denight  | Vice Chairman   |
| Elyze Iriarte     | Board Secretary |
| Alexandra Taitano | Board Member    |
| Joseph Duenas     | Board Member    |

**Management & Staff:**

|                |                             |
|----------------|-----------------------------|
| Chace Anderson | Receiver Operations Manager |
| Alicia Fejeran | GSWA Board Clerk            |
| Keilani Mesa   | GSWA Customer Service       |
| Roman Perez    | GSWA Operations Supervisor  |

**Guests:**

|                      |                          |
|----------------------|--------------------------|
| Georgette Concepcion | GSWA Board Legal Counsel |
| Lester Carlson       | BBMR                     |
| Timiya Kment         | Court Reporter           |
| Sandra Miller        | Governor's Office        |

**III. Approval of Minutes**

Board members reviewed minutes from the September 30, 2016 Board meeting. Board member, Alexandra Taitano, requested to change minutes to reflect that Mr. Lester Carlson was from BBMR and not GEDA. Board Secretary, Elyze Iriarte, motioned to approve minutes subject to the change. Alexandra Taitano seconded motion. Motion was passed.

The board's legal counsel, Georgette Concepcion, made a suggestion that the board ratify the minutes for the meeting held on August 25, 2016 to reflect that the board discussed the possibility of drafting a letter to the court to order the Receiver to provide an updated rate model by November 1, 2016. Board member, Joseph Duenas, made a motion to include the

Board's discussion regarding the idea of submitting a letter to the Court in the August 25, 2016 minutes. The motion was seconded by Elyze Iriarte. The motion was passed.

#### **IV. Reports**

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

###### **i. Monthly Tonnages and Collections**

Receiver Operations Manager, Chace Anderson, informed the board that Receiver Representative, David Manning, was not available to attend the meeting via phone, but if they had any questions they could email him.

The tonnage report showed that the Commercial Hauler Transfer Station tonnage has been even with the previous year. The Layon Landfill had less than a two percent change in tons.

Board Chairman, Andrew Gayle, asked if anyone had caught the Bob Klitsky radio talk show. Chace Anderson stated that he received a call about radio show and was asked about GSWA accepting artificial Christmas trees. Anderson reported that GSWA will now be accepting it at the residential transfer stations to include the metal rods within the tree. The Chairman suggested that GSWA consider more public awareness regarding the services it provides.

###### **ii. Operating Budget**

None.

##### **b. Remaining Court Ordered Tasks**

###### **i. Residential Transfer Station Remediation**

Chace Anderson informed the board that there was one entity that submitted a bid but withdrew. A second bid went out, and two entities had put in bids. There are ongoing negotiations between GSWA and the two entities. Projects would probably be completed around the end of year 2017.

###### **ii. Environmental Closure of Dededo Transfer Station**

The same entity that will complete the remediation will also handle the environmental closure of the Dededo Transfer Station.

###### **iii. Dero Road remediation- Awarded to Hawaiian Rock**

Chace Anderson informed the board that the project is progressing as scheduled and there are already improvements on Dero Road. He also stated the project should be completed shortly.

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

##### **a. Personnel Transition Proposed Legislation**

Board's legal counsel and subcommittee reported that they had started a draft of Legislation and met with the Attorney General to ask her opinion. They reported that they would be able to maintain the current arrangement with third party employment if the legislation approves of it. The subcommittee plans to meet with Senator Tom Ada on October 27, 2016 at 1:30pm, to see if he has any opinions on which route they should take.

The committee also reported that they will be obtaining a sample classification plan that they will be working off of. In the Legislation, new positions may be created by the General Manager with the approval of the GSWA Board. Board was informed that an employee may be employed without a GED or Diploma provided they have been certified for their position of employment. Alexandra Taitano requested that management provide the Board with the number of employees who do not meet the requirements and a cost estimate for them to get certified. She also requested for information on the type of certification they would need. Chace Anderson asked the board if they would allow an exemption for three years to provide the employees time to meet the requirements. The subcommittee stated they planned to introduce the legislation this month but since there are changes to be made it will be pushed back.

**b. Discussion of the latest Court Order**

The board's legal counsel informed the board that the judge granted the board's request to have an updated rate model to provide to the Public Utilities Commission provided to them by the end of this year. Board Vice Chairman, Jonathon Denight, requested that the board begin preparing now so that they will be ready on January 1, 2017. Joseph Duenas asked Chace Anderson if the Receiver will support the board in their search for new management. Chace Anderson informed the board that the Receiver is ordered to assist beginning January 1, 2017. Chairman suggested that the subcommittee meet and go over the job descriptions and pay information to prepare for January 1st. Chairman suggested that the subcommittee start with the General Manager position.

**VI. New Business**

- a. BBMR's representative, Lester Carlson, explained to the board that the indenture requirements that were in place in 2009 stated that GSWA will pay for the cost of its operations first and then repay the debt service. He stated that GSWA is not solely responsible for the full amount of the bond, but it is responsible for approximately 79.92 percent of it. Sandra Miller pointed out that in the enabling legislation, 10GCA Section 51A-201D, states all debts incurred by the authority shall be payable by the authority including revenues and shall not be deemed to be public debt of the territory. Lester Carlson informed the board that there are no ramifications from the bond holders but the Government of Guam can sue the GSWA Board if the debt services are not reimbursed. Board member, Alexandra Taitano, suggested possibly raising the rates to start paying back the debt service. Board member, Joseph Duenas, suggested the board explore other ways that are more financially bearable than raising the customer rates because that might lead to more illegal dumping. Vice Chairman, Jonathan Denight, stated he wanted to make it clear that the board has not made a decision about raising the rates but has requested for the rate model to discuss the options.

**VII. Open Discussion**

None.

**VIII. Public Forum**

A GSWA residential customer, Tom Tedtaotao, stated that he would like the board to look into changing the policy regarding trash collection. He stated he has had a frustrating time with the collection of trash at his residence and it has not been rectified. Mr. Tedtaotao stated he is not satisfied working with the management of GSWA. Mr. Tedtaotao discussed his situation with the Operations Supervisor, Roman Perez. Mr. Perez informed Mr. Tedtaotao that he must be in compliance with our rules and regulations in order to receive pick up regularly. He also provided his contact information so that Tom Tedtaotao can reach him in the early mornings when the services are rendered to him. Chairman, Andrew Gayle, informed Tom Tedtaotao that he appreciates his feedback and that he hopes that the issue can be resolved at the management level. Chairman, stated that Tom Tedtaotao is more than welcomed to come back at the next meeting if he has any issues. Alexandra Taitano requested that GSWA policies be sent to her via email.

**IX. Next Meeting**

The next board meeting will be held on November 22, 2016 at 11am at the Guam Solid Waste Authority conference room.

**X. Adjourn**

A motion to adjourn the meeting was made by Joseph Duenas at 12:24pm. The motion was seconded by Alexandra Taitano. Motion was passed.