



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

February 20, 2014
10:05am – 12:00pm

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

I. Call to Order

The Guam Solid Waste Authority Board of Directors' meeting was called to order by Interim Chairman, Andrew Gayle, at 10:05am.

II. Roll Call

Board Members:

Andrew Gayle	Interim Chair
Jonathan Denight	Interim Vice Chair
Joseph Duenas	

Management & Staff:

David Manning	Receiver Representative (Via Phone)
Alicia Fejeran	Board Clerk/Customer Service Supervisor
Keilani Mesa	Customer Service
Tony Carbullido	GSWA Operations Supervisor

Guests:

Sandra Miller	Governor's Office
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III. Approval of Minutes

Board Member, Joseph Duenas, motioned to approve minutes for the meeting that was held on November 27, 2013. Board Member, Jonathan Denight, seconded. Motion was passed. Interim Chair, Andrew Gayle, suggested that a correction be made to the minutes for the meeting held on January 09, 2014, Section V where it states, "The Governor's Office responded that they could not consider the approach; however, they suggested that the Court's Order did not have an effect on the AG's Office's ability to address GSWA issues." The suggestion was that the minutes should reflect that Mr. Manning responded that the Governor's Office said that they could not consider the approach; however, they suggested that the Court's order did not have an effect on the AG's Office ability to address GSWA issues. The January 09, 2014 minutes were tabled.

IV. Receiver's Reports

Receiver Representative, David Manning, informs board that the operations continue without any major issues financially and operationally. A Tonnage report and Revenue Report was provided to the board members. Interim Vice Chair, Jonathan Denight,



requested to put on record that the board has requested to receive information as soon as its available after it has been presented to the court, whether or not they have a formal presentation.

David Manning mentioned to the board that Guam Solid Waste Authority has been soliciting proposals from banks to provide the services that Citibank currently provides for the Authority and he had submitted a request to get the Court's approval to designate the Bank of Guam.

V. Unfinished Business

a. Legal Counsel RFP

Board Member, Joseph Duenas, suggested that the board publish the legal counsel RFP using the appropriation in the Budget Act that comes from the General Fund. Interim Chair, Andrew Gayle, asked how this would be executed. Board Member, Joseph Duenas, stated that an account was established with BBMR and they can use that funding to send out the RFP. Vice Chair Interim, Jonathan Denight, mentioned that the money will be in an account shortly for the board to utilize. Mr. Manning advised the Board that they should wait until the Court hearing before proceeding with its motion and that the Receivership would not reimburse the Government unless it's done in accordance with the Court's Orders. Board Member, Joseph Duenas, proposed a motion to publish legal counsel RFP without the AG's Office's review. Interim Vice Chair, Jonathan Denight, Seconded motion. Motion carried.

b. Hiring a Staff Member for the Board

Joseph Duenas discussed that he would like to hire an employee using a fund appropriated by law to assist the board in getting organized, with things such as the rules and regulations for the board. Interim Vice Chair, Jonathan Denight, would like the specifics to be made on what the position, responsibility, compensation, and where the employee would work between now and the next board meeting.

c. Transition Timeline / Letter to the Court

Joseph Duenas had prepared a letter to Judge Tydingco-Gatewood regarding the transition timeline from the Receivership to the Government of Guam. Joseph Duenas proposed a motion to adopt the letter as a board and submit letter to Honorable Judge Tydingco-Gatewood. Interim Vice Chair, Jonathan Denight, Seconded motion. Interim Vice Chair, Jonathan Denight, mentions that the letter can only be submitted once all board members have agreed on its terms and have signed the letter.

d. Green Waste Disposal

Green Waste Discussion has been tabled for next meeting.



e. Election of Vice Chair

Board Member, Joseph Duenas, motioned to nominate Jonathan Denight as Interim Vice Chairman for the board. Interim Chairman, Andrew Gayle, Seconded. Motion was carried.

VI. New Business

a. Election of Board Secretary

Interim Vice Chair, Jonathan Denight, motioned to elect Elyze Iriarte as Interim Secretary for the board. Board Member, Joseph Duenas, seconded motion. Motion carried.

b. GSWA Board of Directors Resolution no.2014-01

Board Member, Joseph Duenas, discussed a resolution that requests that the Governor of Guam bring in action under CERCLA to seek contribution from any and all other potential and liable parties for disposing hazardous waste in the Ordot Landfill. Joseph Duenas, proposed a motion to pass the Resolution and take a position on it. Interim Vice Chair, Jonathan Denight, Seconded motion. Motion carried subject to the change that the Resolution reflects that the board's Chair and Vice Chair be titled as "Interim."

c. Human Resource Transition

Receiver Representative, David Manning, discussed the transition of staffing and operations. He suggested that the board consider how they wish to proceed. Interim Vice Chair, Jonathan Denight, suggested that they wait until the next board meeting to discuss with the other board members. Interim Chair, Andrew Gayle, stated that board likes the idea and they want to start thinking about the logistics of this topic. The committee shall be called the "Transition Committee," working as a sub-committee to the board and coordinating with staff and receiver.

VII. Open Discussion

None.

VIII. Public Forum

Norm Kivett from GGH would like to introduce his superiors to the board at the board's next meeting.

IX. Next Meeting

Next meeting to be held on March 27, 2014 at 10am in the small conference room.

X. Adjourn

Joseph Duenas, motioned to adjourn meeting, and Jonathan Denight seconded. Motion was passed, and meeting was adjourned at 11:20am.