



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

July 10, 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 Chairman, Joseph Duenas, at 9:08 a.m.

**II. Roll Call**

**Board Members:**

Joseph Duenas	Interim Chairman
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
Keilani Mesa	Customer Service

**Guest:**

Tom Hertslet

**III. Consent Agenda**

Joseph Duenas distributed a rearranged agenda for the current meeting and suggested that the board adopt the new agenda.

Alexandra Taitano motioned to adopt the rearranged agenda, and Elyze Iriarte seconded.

Joseph Duenas also suggested that moving forward, the chairman of the board solicit the agenda to the board members and to the receiver and the final agenda will be submitted to the Receiver. Andrew motioned to accept the suggestion, and Elyze Iriarte seconded. There



were no objections. Motion was passed.

**a. Approval of Draft Minutes**

Board members showed concerns about the draft minutes for the 6/19/2013 board meeting. They felt that the draft minutes were not accurate because it did not include specific time frames and did not capture some parts of their discussion about the RFP for legal counsel. Joseph Duenas, asked to table the approval of the minutes until the next board meeting. Elyze Iriarte motioned to table the approval of the minutes, and Alexandra Taitano seconded. There was no further discussion. Motion was passed.

**IV. Reports**

**a. Management Report**

**i. Operations Report**

Chace Anderson had provided the board with a tonnage report of the amount of trash received at the Hauler Only Transfer Station and the Layon Landfill in FY 2012 and 2013 was given to the board.

**ii. Financial Report**

Operating budget statements for FY 2012 and 2013, a report of monthly billings and cash collected from 2009 through present were presented to the board along with a Rate Model which was provided to the PUC, the Governor, and the Legislature. Board member, Alexandra Taitano, inquired with David Manning about the increase in debt service that would take effect on September 30, 2013. She inquired if this increase in debt service would cause an increase in tipping fees. Manning informed the board that he had informed the court, the Governor, the PUC, and the Legislature that there would need to be a significant increase in rates if the increase in debt service was to be fully reimbursed to the Government. Manning said that the court did not require the Receiver to make this decision and that the Government would have to make this decision, however, no action or decision by the Government has thus far been made.

Joseph Duenas thanked the Receivers for providing the reports. Manning informed the board that they can contact him anytime regarding any questions they might have about the reports.

**b. Presentation by the Receiver**

Chace Anderson presented a slideshow that was shown to former Governor, Felix Camacho. The presentation showed an overview of the Guam Solid Waste Management



Division when the Receivers first came into place and the problems the division possessed that brought in the Receiver.

**V. Unfinished Business**

**a. Board of Directors' Role: Court Orders 6/28/13 and 7/1/13**

The Board appreciated Judge Tydingco-Gatewood making time for the board and for answering their questions. They look forward to working with her and fulfilling the court order.

The Chair noted that according to the court's order, the Attorney General's office was to serve the board as needed until the board found outside legal counsel, and that he had emailed Assistant Attorney General, Kathy Fokas, to ask if a representative from the Attorney General's office would be in attendance. The Chair asked the Clerk to note in the minutes that there was no representative from the Attorney General's office in attendance.

Elyze Iriarte inquired with Chace Anderson on how the board would be able to identify the orders that the judge had advised them to read. Anderson informed the board that most of the orders can be found on the Receivership website along with all the status hearing reports and procurement documents. David Manning added that, if the board wanted, he could pull up all the orders and give it to them because not all orders might be on the website.

**b. Receiver's Proposed Transition Schedule**

Receiver Operations Manager, Chace Anderson, presented the board members with a transition timeline at the board meeting on 6/19/2013. The timeline consisted of educational activities about the agency that would take place between June 2013 through December 2015. Board members had previously inquired if the activities could be compacted into a 1-2 day retreat. Joseph Duenas inquired again if this could still be a possibility. Anderson said it would depend on people's availability to do the presentations. David Manning said they could try to be flexible and put multiple sessions together, however, he encouraged the board to utilize the time they have and try not to push too much together at one time. Elyze Iriarte voiced that she believes the board should continue to follow the proposed timeline until the board is able to put their revised timeline together as well as figuring out the presenter's availabilities.

**c. Board Resources Needed for Effective Transition**

**i. Legal Counsel – RFP Status**

Receiver Operations Manager, Chace Anderson, distributed copies of the draft RFP and Contract for legal counsel to the board and requested that they review it and send their comments to him. Anderson and the board members discussed



a timeline for receiving the comments and putting out the RFP. It was decided that Elyze Iriarte would consolidate the board's comments and send it to Anderson by 7/26/2013.

**ii. Technical Advisor/Interim Transition Manager**

Board members discussed the idea of hiring a transition manager. The board believes it would be a good idea and that it would make the transition from the Receiver to Gov Guam seamless, however, some board members felt that it is too early and would like to discuss it at a later time. They agreed that they would, first, focus more on adopting rules and regulations and establishing officers.

**iii. Board Secretary**

Alicia Fejeran will be the coordinating entity for the board and GBB. There was no further discussion.

Elyze Iriarte requested for Fejeran to send out the court filings to the board members within two business days from when they're filed. David Manning suggested that the board be sent the filings directly instead. Chace Anderson said he would inquire with the court about what they could do.

**iv. Board Rules and Regulations (Pending Legal Counsel)**

No discussion, but this item will stay on the agenda until it is done.

**VI. New Business**

**a. Existing SWA Contracts**

No discussion.

**b. Presentation by Tom Herslet**

Tom and Boris Herslet, presented a slideshow on the waste tire issue on Guam and some suggested solutions Guam might consider.

**VII. Open Discussion**

Andrew Gayle inquired with Chace Anderson about the suggestion made at the last court status hearing to deposit a certain amount of money in an account to be gaining interest to be used for Ordot Dump's post closure care. He asked Anderson if this is how other places would typically do it if they had never set aside money for post closure costs. He had also asked if some places have used operating revenue from other operations to cover this cost. Anderson said he could check, and also suggested that David Manning could provide more detail about what other governments normally do.

Elyze Iriarte expressed her concern that the last court hearing was requested by one board



member and not voted on by the Board as a whole. She made a motion that the Board should make any further communications with the court only after a majority vote, and that such a request represent the Board's wishes and not an individual Board member's. Alexandra Taitano seconded. Joseph Duenas opened the discussion. Motion was passed unanimously.

**VIII. Public Forum**

None.

**IX. Next Meeting**

The next board meeting will be held on Thursday, 8/22/2013 at 9:00am in the small conference room in Adelup.

**X. Adjourn**

Elyze Iriarte motioned to adjourn meeting, Alexandra Taitano seconded. There were no objections. Motion was passed, and meeting was adjourned at 11:00 a.m.