



**Clinton County Solid Waste Planning Committee**  
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## **Solid Waste Planning Committee Meeting**

Part 115 of Michigan's Solid Waste Management Act (MCL §324.11501 *et seq.*) ("Part 115")

CLINTON COUNTY COURTHOUSE BOARD OF COMMISSIONERS ROOM  
100 East State Street, St Johns, MI 48879

THURSDAY FEBRUARY 23, 2023  
6:00PM

### **AGENDA**

1. Call Meeting to Order
2. Election of Officers
3. Approval of Agenda
4. Review and Approve By-Laws
5. Approval of Per Diems/Mileage Vouchers
6. Public Comment
7. Review DRAFT Amendment language – please see attached documents
8. Other Business
9. Adjournment

ALL TIMES ARE TENTATIVE. TO REQUEST ACCOMMODATIONS OR MATERIALS IN AN ALTERNATIVE FORMAT, PLEASE CONTACT ADMINISTRATION AT (989)224-5120 OR TDD USERS WITHIN CLINTON COUNTY MAY DIAL 9-1-1 FOR GENERAL COUNTY SERVICES OR USE MICHIGAN RELAY 1-800-649-3777 OR THE NATIONAL RELAY NUMBER OF 7-1-1 NO LATER THAN 48 HOURS PRIOR TO THE MEETING.

**BY-LAWS OF THE CLINTON COUNTY SOLID WASTE PLANNING COMMITTEE**

**COUNTY OF CLINTON**

**STATE OF MICHIGAN**

Article I: Establishment

Section 1. This Committee was established by the Board of Commissioners of the County of Clinton on September 30, 1980, under the authority of Part 115 of PA 451 of Michigan Public Acts of 1994.

Section 2. The official title of this Committee shall be the Clinton County Solid Waste Planning Committee (Committee).

Article II: Scope and Purpose

Section 1. The Committee shall assist in the preparation of the Solid Waste Management Plan by providing advice and consultation. The duties of the Committee include, but are not limited to:

1. Review of Clinton County Department of Waste Management's (the Department) Work Program.
2. Identification of local policies and priorities.
3. Insuring coordination and public participation.
4. Periodically advise the County and Municipalities of the plan's status.
5. Review work elements.
6. Approve the plan.

Section 2. It is the responsibility of the Committee to assure the Department is fulfilling all the requirements of the act and rules as to both the content of the plan and the public participation.

Article III: Membership

Section 1. Membership on the Committee shall be in accordance with the Section 11534 of Part 115 of Act 451 of the Michigan Public Acts of 1994.

Section 2. Membership on the Planning Committee shall include:

1. Four (4) Representatives from the Solid Waste Management Industry.
2. Two (2) Representatives from Environmental Interest Groups.
3. One (1) Representative from City Government.
4. One (1) Representative from County Government.
5. One (1) Representative from Township Government.
6. One (1) Representative from the Regional Solid Waste Planning Agency.
7. Three (3) Representatives from the General Public.
8. One (1) Representative from the Industrial Waste Generating sector.

Section 3. The Board of Commissioners of the County of Clinton shall appoint the membership to the Committee.

Section 4. The term of the appointment to this Committee shall be two years.

#### Article IV: Officers

Section 1. Each year the Committee shall elect from its membership a Chairperson, Vice-Chairperson and Secretary. All officers are eligible for re-election.

Section 2. The Chairperson shall: preside at all meetings; appoint subcommittees; and decide all questions of procedure under the Committee's rules of procedure subject to appeal by a majority vote of the full membership.

Section 3. The Vice-Chairperson shall: preside at a meeting in the absence of the Chairperson; assume the duties and responsibilities of the Chairperson when the Chairperson is unable to do so because of illness, travel, or any other situation which in the majority opinion of the Committee prevents the Chairperson from performing such function of their office.

Section 4. The Secretary shall; preside at a meeting in the absence of the Chairperson and Vice-Chairperson; assume the duties and responsibilities of the Chairperson when the Chairperson and Vice-Chairperson are unable to do so because of illness, travel, or any other situation in which the majority opinion of the Committee prevents the Chairperson and Vice-Chairperson from performing such functions of their office; shall keep written record of all business transacted by the Committee.

#### Article V: Meetings

Section 1: All meetings shall be open to the public and the public shall be afforded the opportunity to speak.

Section 2: The chief elected official of each municipality and any other person so requesting within the County shall be notified not less than ten (10) days before each public meeting that the Committee plans to discuss the county plan. The letter shall indicate as precisely as possible the subject matter to be discussed.

Section 3: A quorum of the full membership shall be defined as eight (8) official members. An affirmative vote by a majority of the members appointed and serving is required to pass a motion. In the absence of a quorum, no action shall be taken by the Committee.

#### Article VI: Public Hearings and Adoption of a Plan

Section 1. A Public Hearing shall be held when required by PA 115 of Public Acts 451 of 1994, the duly adopted by-laws of the Solid Waste Planning Committee, or when a majority of the membership of the Committee deem a public hearing necessary. Such hearing shall be advertised by a notice which shall be printed in a newspaper of general circulation in the County not less than thirty (30) days before such hearing. Additional notices may be published when deemed necessary by the majority of the membership of the Committee. The notice shall indicate a location where copies of the plan are available for public inspection and the time and place of the public hearing.

Section 2. The Solid Waste Management Plan as designated in Part 115 of Public Acts 451 of 1994 the Committee shall be approved in accordance with Part 115 of Act 451 of 1994.

#### Article VII: Rules of Order

Section 1. It shall be general responsibility of the Chairperson to preserve order and decide upon questions of order procedure in a manner consistent with the Mason Rules of Legislative Procedure.

Section 2. Each member shall be recognized by the Chairperson before speaking.

Section 3. The Chairperson or the Secretary shall repeat any motion at the request of a member before the vote is taken.

Section 4. Voting shall be by voice with the Secretary recording the passage or failure of a motion unless a Roll Call Vote is required by Michigan Statute, these by-laws or Mason's Rules of Legislative Procedure, or when requested by any member of the Committee.

Section 5. Vote by ballot shall be allowed only in those cases specified in the Open Meetings Act, Public Act 267 of 1976.

Section 6. No member shall vote on a question in which they have a direct personal or pecuniary interest. When such a case arises, a member shall be excused from voting by the Chairperson.

Section 7. A quorum is determined by the number of members present, not by the number of voting, except when the number excused from voting by reason of Article VII, Section 6 of these by-laws results in less than a quorum eligible to vote.

Section 8. A motion, after it has been supported and duly recorded, may be debated until such time as a member calls for one of the following undebatable actions:

- a) Adjournment (unqualified).
- b) Previous questions.
- c) To recess, when other business is pending.
- d) Close, extend, or limit the time of the debate.
- e) To refer to a committee.
- f) To amend an undebatable motion.
- g) To divide the motion in component parts.

Section 9. All motions to reconsider any action shall be made at the same meeting or at the following meeting and such motions must be made by a member who was either absent or voted with the prevailing side. A motion to reconsider having been lost shall not be renewed at the same meeting. A motion to reconsider shall be declared carried only when it received a majority vote of the full majority.

Section 10. The rules may be suspended by a vote of nine (9) members.

#### Article VIII: Amendments

Section 1. The by-laws may be amended by a majority vote of the membership of the Committee at a regular meeting. Any proposed amendment to the by-laws shall be submitted to the membership at least five (5) days prior to such meeting.

Article IX: Statute

Section 1. Part 115 of Act 451 of Michigan Public Acts of 1994 is incorporated in and is hereby part of these by-laws.

Adopted on this date: \_\_\_\_\_

Attested: \_\_\_\_\_

Signature of Chairperson: \_\_\_\_\_

Filed with County Clerk: \_\_\_\_\_

**STATE OF MICHIGAN**

**COUNTY OF CLINTON**

**RESOLUTION**

At a regular meeting of the Board of Commissioners of the County of Clinton, Michigan, held at the County Building in St. Johns, Michigan on the \_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock \_\_.m. local time.

PRESENT: Commissioners: \_\_\_\_\_

\_\_\_\_\_

ABSENT: Commissioners: \_\_\_\_\_

It was moved by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_ that the following resolution be adopted.

WHEREAS, Part 115 of Michigan’s Solid Waste Management Act (MCL §324.11501 *et seq.*)(“Part 115”) requires Clinton County to promulgate and periodically amend a Solid Waste Management Plan (“Plan”);

WHEREAS, Clinton County has adopted such a Plan;

WHEREAS, the Granger Landfill has requested two amendments to Plan, one involving import authorization from Branch County to export solid waste to Clinton County for disposal and the other to increase the area sited for use at the Granger Grand River Avenue Landfill to include the potential use of the closed area of that facility which is 60 acres, thereby increasing the area sited for use of the total Granger Grand River Avenue Landfill from 120.9 acres to 180.9 acres;

WHEREAS, the Solid Waste Management Planning Committee has recommended that the Plan be amended to accommodate each of Granger’s proposed amendments;

WHEREAS, the Clinton County Board of Commissioners determines that approval of the Plan amendments incorporated in this Resolution is in the best interests of the County’s citizens;

NOW, THEREFORE, BE IT RESOLVED that the following amendments to the Clinton County Solid Waste Management Plan of 2000 are hereby approved:

\* \* \*

[In Section 5.5, entitled “IMPORT AUTHORIZATION,” to the table entitled “Import Volume Authorizations of Solid Waste” on page 43, the following county, quantities and conditions are added as a row:

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME	AUTHORIZED QUANTITY/DAILY	AUTHORIZED QUANTITY/ANNUAL	AUTHORIZED CONDITIONS
Clinton	Branch	ALL	unlimited*	unlimited*	P*

Authorization indicated by P= Primary Disposal; C= Contingency Disposal; and \*=Other conditions exist.

\*ANNUAL CAP: The sum of all waste disposed of in facilities within Clinton County, which were owned by Granger at the time of the writing of this Plan, may not exceed 2,500,000 cubic yards per year. See Section 6.8 of this Plan document.

In all other respects the remaining content of this table and of Section 5.5 as contained in the 2000 Plan is ratified, preserved and confirmed];

\* \* \*

[In Section 5.6, entitled “EXPORT AUTHORIZATION,” to the table entitled “Export Volume Authorizations of Solid Waste” on page 45, the following counties are added as rows

EXPORTING COUNTY	IMPORTING COUNTY	FACILITY NAME	AUTHORIZED QUANTITY/DAILY	AUTHORIZED QUANTITY/ANNUAL	AUTHORIZED CONDITIONS
Clinton	Branch	ALL	unlimited*	unlimited*	P*

Authorization indicated by P= Primary Disposal; C= Contingency Disposal; and \*=Other conditions exist.

In all other respects the remaining content of this table and of Section 5.6 as contained in the 2000 Plan is ratified, preserved, and confirmed]

\* \* \*

[In Section 5.8, entitled Facility Descriptions on page 48 (a-2), the following sentence is added:

“The Plan also authorizes a potential use of the 60 acres on the Granger Grand River Avenue Landfill site that are presently closed, so that the total area sited for use at the Granger Grand River Avenue Landfill is 180.9 acres.”

In all other respects the remaining content of Section 5.8 as contained in the 2000 Plan is ratified, preserved and confirmed];

BE IT FURTHER RESOLVED that the Clinton County Solid Waste Coordinator and Clinton County Clerks shall circulate this Resolution to the municipalities and State Department of Environment, Great Lakes, and Energy for their approval under Part 115;

BE IT FURTHER RESOLVED that this Resolution shall supersede, modify, augment, or replace any previous inconsistent resolution, motion or Board action on these subjects.

YEAS: Commissioners: \_\_\_\_\_  
\_\_\_\_\_

NAYS: Commissioners: \_\_\_\_\_  
\_\_\_\_\_

ABSTENTIONS: Commissioners: \_\_\_\_\_

RESOLUTION ADOPTED.

\_\_\_\_\_  
Robert Showers, Chairperson,  
Clinton County Board of Commissioners

\_\_\_\_\_  
Deb Sutherland, Clinton County Clerk