



## Cheboygan County Board of Commissioners

### *MISSION STATEMENT*

*Cheboygan County officials and staff will strive to provide public services in an open and courteous manner and will responsibly manage county resources.*

**March 28, 2017**

**9:30 a.m.**

### **Agenda**

1. Call to Order
2. Roll Call
3. Invocation/Pledge of Allegiance
4. Approve Agenda
5. **CITIZENS COMMENTS** (3 minutes)
6. **SCHEDULED VISITORS/DEPARTMENT REPORTS**
  - A. Data Sharing Agreement – Little Traverse Conservancy – Tom Bailey
7. **ADMINISTRATOR'S REPORT**
8. **OLD BUSINESS**
9. **NEW BUSINESS**
10. **BOARD MATTERS FOR DISCUSSION**
  - A. Solid Waste Management Plan Amendment Discussion
11. **CITIZENS COMMENTS**
12. **BOARD MEMBER COMMENTS**
13. **ADJOURN TO THE CALL OF THE CHAIR**



# CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721  
PHONE: (231)627-8489 ■ FAX: (231)627-3646  
[www.cheboygancounty.net/planning/](http://www.cheboygancounty.net/planning/)

## **Cheboygan County Solid Waste Management Plan (SWMP)**

Upon recent review of the Solid Waste Management Plan it has become clear that some limited updates could be made. This requires an amendment process should the county choose to make changes to the plan.

At the next County Board of Commissioners meeting we will outline the process for a plan amendment and discuss the proposed amendments.

We provide you now with the list of proposed amendment topics, a Frequently Asked Questions document on the SWMP amendment process, flow chart, and draft Notice of Intent document that would be filed with the state should the County choose to amend the plan.

Although the last plan amendment was coordinated by NEMCOG, the County can undertake the amendment process and would keep NEMCOG involved and would have to appoint someone from NEMCOG on the SWMP committee. We'll discuss this more on Tuesday.

## **Proposed amendment topics**

1. Decide how to treat Type B Transfer Stations
2. Make correction to list of criterion that disposal area must comply with (p. 85), possibly make different review processes for transfer stations. Existing criteria appear to be more appropriate for landfills.
3. Clarify the "two-part" siting review process (p. 72, A. and B.). There doesn't seem to be a two-part process in the plan.
4. Review *Processing Facilities* and choose how they are to be reviewed. They are not currently listed.
5. Updates
  - a. Verify locations of existing transfer stations approved in the 2000 plan.
  - b. Possible siting review fee update
  - c. Verify the list of responsible parties (p. 93-94)
6. Enforcement

**FREQUENTLY ASKED QUESTIONS:  
COUNTY SOLID WASTE MANAGEMENT PLAN AMENDMENTS**

**1. Is there a limit to the number of changes I can make to the Plan in an amendment?**

**Answer:** No, you may make as many changes as needed. However, if you are amending the Plan close to a five-year update, the amendment will not serve as a substitute for a full Plan update.

**2. Does the amendment approval process differ from the Plan update approval process?**

**Answer:** No, an amendment follows the same approval process and steps as a full Plan update (see attached flowchart).

**3. How long does it take for a DEQ decision to be made on an amendment?**

**Answer:** In most cases a decision will be made within 6 months of the submittal date.

**4. Does a 14 member Solid Waste Management Planning Committee (SWMPC) need to be appointed in order to develop an amendment?**

**Answer:** Yes, unless a Solid Waste Management Planning Committee is already established.

**5. Who are the 14 members of the SWMPC?**

**Answer:** The 14 member SWMPC consists of the following: 4 shall represent the solid waste management industry, 2 shall represent environmental interest groups, 1 shall represent county government, 1 shall represent city government, 1 shall represent township government, 1 shall represent the regional solid waste planning agency, 1 shall represent industrial waste generators, and 3 shall represent the general public.

*(Please note that Part 115 does not provide definitions for each of the SWMPC member positions. Therefore, the county must be able to demonstrate how each member meets the position it holds, if challenged.)*

**6. How is the public notified of the Public Hearing that is required during the 90-day public comment period? Is there a timeframe required for the notice?**

**Answer:** The Public Hearing shall be published in a newspaper having a majority circulation within the county. The notice shall indicate a location where copies of the plan are available for public inspection and shall indicate the time and place of the public hearing. Yes, a notice shall be published not less than 30 days before a hearing.

**7. How long does a Designated Planning Agency have to revise the amendment once the 90-day public comment period has ended?**

**FREQUENTLY ASKED QUESTIONS:  
COUNTY SOLID WASTE MANAGEMENT PLAN AMENDMENTS**

**Answer:** The Designated Planning Agency has 30 days to revise the amendment, get SWMPC approval, and recommend the amendment to the County Board of Commissioners (BOC).

- 8. Does the BOC have to approve or disapprove the amendment in a specified timeframe?**

**Answer:** No.

- 9. If the BOC disapproves the amendment, how long does the SWMPC have to revise it and send it back to the BOC for approval?**

**Answer:** 30 days.

- 10. Does a BOC have to provide objections when disapproving the amendment?**

**Answer:** Yes, the BOC must provide objections when disapproving the amendment. The DEQ prefers to have written objections. However, if verbal objections were provided and contained in the meeting minutes, that is acceptable.

- 11. Is there a statutory time frame in which the BOC has to make a decision on the amendment?**

**Answer:** No.

- 12. What happens if the BOC does not take formal action on the amendment?**

**Answer:** The amendment process is stopped until the BOC either approves or disapproves the amendment with objections.

- 13. If the BOC disapproves the amendment a second time, what happens to the amendment?**

**Answer:** If the amendment was required by the DEQ and is not approved by the BOC a second time, the BOC may prepare its own amendment. If the BOC chooses not to prepare its own amendment, the DEQ will prepare the amendment for the County.

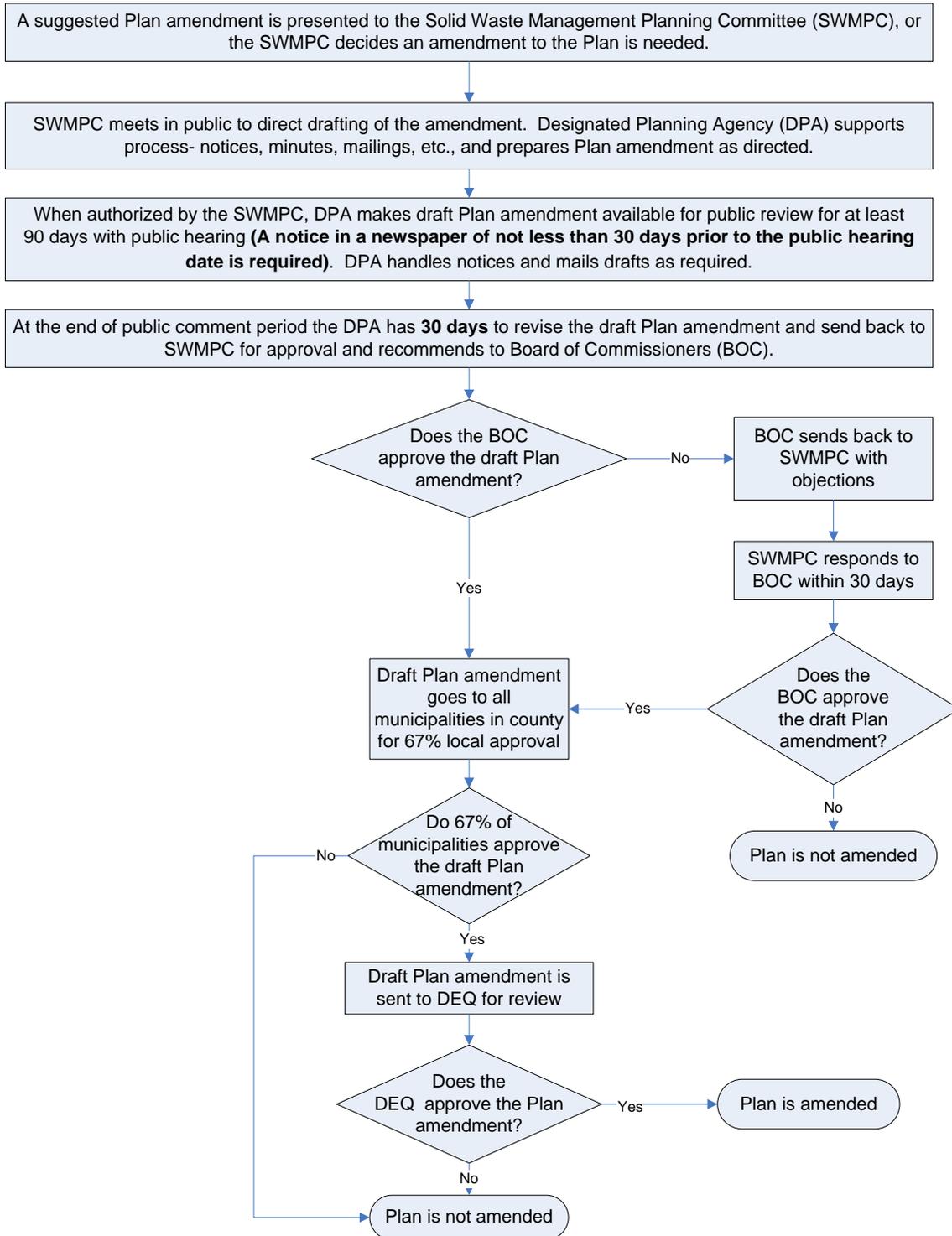
If the amendment that is being pursued was not required by the DEQ and is not approved by the BOC a second time. The amendment pursued will not be completed and the process will be done. Any new amendment must start at the beginning of the process.

- 14. Will the DEQ assume responsibility for and prepare the amendment if it has been disapproved by the BOC or municipalities?**

**Answer:** The DEQ only assumes responsibility for and prepares Plan updates that were initiated by the DEQ Director; unless the amendment was required by the DEQ, then it would prepare the amendment.

# FREQUENTLY ASKED QUESTIONS: COUNTY SOLID WASTE MANAGEMENT PLAN AMENDMENTS

## Amendment Approval Process





Michigan Department of Environmental Quality,  
Office of Waste Management and Radiological Protection

**COUNTY'S NOTICE OF INTENT TO PREPARE  
COUNTY SOLID WASTE MANAGEMENT PLAN AMENDMENT**

*Authorized by Section 11533, Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Section 11533 indicates that the County, Municipalities, or Regional Planning Agency (as appropriate) shall notify the State as to their intent with regard to preparation of a County Solid Waste Management Plan Amendment.*

The County of Cheboygan does hereby serve notice that it:

will

prepare and file with the State of Michigan, Department of Environmental Quality, Office of Waste Management and Radiological Protection an amendment of its County Solid Waste Management Plan as provided by Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Such amendment plan shall fulfill all the requirements of Part 115, as well as all applicable administrative rules.

Signed by: \_\_\_\_\_  
Anthony Matelski, Chairperson, Board of Commissioners

**Complete the following only if preparing plan amendment:**

The Northeast Michigan Council of Governments (NEMCOG) is designated by the above named County as the agency responsible for preparation of the Solid Waste Management Plan Amendment. The address, contact person, and phone number for the County's designated planning agency is:		
Name of Contact Person: <b>Diane Rekowski</b>		
Name of Designated Planning Agency: <b>Northeast Michigan Council of Governments</b>		
Address of Agency: <b>80 Livingston Blvd, Suite U-108</b>		
City: <b>Gaylord</b>	State: <b>MI</b>	Zip Code: <b>49734</b>
Telephone: <b>989-705-3734</b>	Fax: <b>989-732-5578</b>	
E-mail Address: <b>drekowski@nemcog.org</b>		

Please attach a copy of the Resolution or meeting minutes of the Board of Commissioners agreeing to prepare a plan amendment.

**When completed, submit this form to:** SUSTAINABLE MATERIALS MANAGEMENT UNIT  
SOLID WASTE SECTION  
OFFICE OF WASTE MANAGEMENT AND RADIOLOGICAL PROTECTION  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
PO BOX 30241  
LANSING MI 48909-7741

County Notice of Intent received by Department of Environmental Quality, Office of Waste Management and Radiological Protection	
By: _____	Date: _____