



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.

Committee of the Whole Meeting

September 25, 2018

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. Introduction – Adam Koivisto, MSU-E District Coordinator
 - B. District Court's 2017 Annual Report
 - C. SAYPA's 2017 Annual Report
7. **ADMINISTRATOR'S REPORT**
8. **OLD BUSINESS**
9. **NEW BUSINESS**
 - A. Budget Adjustments
 - B. Salary & Wage Resolution – Non-Union General #17-09 – Amendment #8 – SRR
10. **BOARD MATTERS FOR DISCUSSION**
 - A. Solid Waste Management Plan
11. **CITIZENS COMMENTS**
12. **BOARD MEMBER COMMENTS**
13. **ADJOURN TO THE CALL OF THE CHAIR**

89TH DISTRICT COURT

2017 Annual Report

*Cheboygan County
Maria I. Barton
District Court Judge
P.O. Box 70
County Building
Cheboygan, MI 49721*

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Mission Statement

The 89th Judicial District Court will serve the public in an informed, efficient manner, with equal treatment for all, according to the law. Employees strive to work as a team with a common goal of public service.

Judge Maria I. Barton – Judge Maria I. Barton was elected to the 89th District Court in 2008 and took office in 2009. Prior to her election, Judge Barton served as the Straits Area Narcotics Enforcement Prosecutor for 16 years. Judge Barton received the Prosecutors Service Award in 2008 in recognition of her 15 years of public service. In 2008, Senator Carl Levin recognized her as “Crime Fighting Mom of the Year” for her service to fighting crime in Northern Michigan. After graduating from Ohio University with a Bachelor’s Degree in Business Administration, she completed her law degree at the University of Toledo, College of Law. Judge Barton lives in Indian River with her husband David and daughter Cassie.

Court Administrator/Court Clerk Jodi Barrette – Jodi Barrette was hired in March 1989 as Criminal Clerk for the 89th District Court. In 1993, she became a State of Michigan Certified Electronic Operator and received her State of Michigan Certificate for Electronic Recording in April of 2001. She was appointed Court Administrator/Judicial Secretary in June of 2005. In May 2009, Ms. Barrette graduated from Michigan State University with a certificate in Judicial Administration. She is a State of Michigan Certified Notary. She is a member of the Michigan Court Administrators Association.

Deputy Criminal Clerk Deborah Keller – Deborah Keller was hired part-time in December of 1989 and became a full-time Traffic Clerk in June of 1990. In February of 1994, she was assigned to the position of Criminal Clerk. Ms. Keller also serves as the Jury Clerk for the 89th District Court. In April 2001, Ms. Keller received her State of Michigan Certified Electronic Operator certificate. She is also a State of Michigan Certified Notary and is also PBT Certified. Ms. Keller graduated from North Central Michigan College with an Associate’s Degree in Business.

Court Recorder/Civil Clerk Christine Hartman –Christine Hartman began employment in October 2001 as the Criminal Clerk for the 89th District Court. In 2015, she was appointed Court Recorder/Civil Clerk. She is a State of Michigan Notary Public. In October of 2003, Ms. Hartman received her State of Michigan Certified Electronic Operator certificate and her State of Michigan Certificate for Electronic Recording in 2006. She is a member of the Court Reporter’s/Recorder’s Association.

Magistrate Liz Stankewitz – Liz Stankewitz began employment with the 89th District Court in January 2009 as Deputy Civil/Traffic Clerk for the 89th District Court. Prior to her employment in District Court, she had served as the Officer Manager for the Cheboygan County Prosecutor’s Office for five years. In July 2009, she was appointed as full-time Magistrate/Traffic Clerk. Ms. Stankewitz is a member of the Michigan Association of District Court Magistrates. Ms. Stankewitz is a Certified Electronic Operator in the State of Michigan and is also PBT Certified.

Chief Probation Officer Kim Tilton – Kim Tilton began employment with the 89th District Court in January 2009 as Probation Officer. Ms. Tilton has become certified through Redwood Toxicology Laboratory for collections of specimens for drug testing purposes and is also PBT Certified. Prior to her employment in the District Court, Ms. Tilton was the Victims Advocate for the Cheboygan County Prosecutor for five years. Ms. Tilton is a member of the Michigan Association of District Court Probation Officers. In May of 2011, Ms. Tilton received her State of Michigan Certified Electronic Operator certificate. In January 2016, she was appointed Chief Probation Officer.

Deputy Criminal Clerk Mellisa LaLonde – Mellisa LaLonde began employment in September 2009 as a part-time Traffic/Civil Deputy Clerk. In October of 2011, Ms. LaLonde received her State of Michigan Certified Electronic Operator certificate. She is a State of Michigan Certified Notary. She is currently the Deputy Clerk in the Criminal Division working full-time.

Probation Officer/Court Officer/Assistant Magistrate Dale Selin – Dale Selin began employment in October 2010. His duties include the transportation of inmates to/from the jail for court hearings, Law Enforcement Information Network (LEIN) coordinator/trainer for the court, as well as working with the Sheriff's Department to provide court security. In December 2010, Mr. Selin was appointed as Assistant Magistrate completing all training in March 2011. In May of 2011, Mr. Selin received his State of Michigan Certified Electronic Operator certificate. Mr. Selin served as Lt. Commander of the Cheboygan Post and SANE drug team before retiring from the Michigan State Police after 32 years of service. In January 2016, Mr. Selin became a full-time employee and was appointed as Probation Officer in addition to some of his other duties and responsibilities.

Part-Time Office Assistant Aimee Faggion – Aimee Faggion joined the staff in October of 1993 through the Lamplighters Activity Center. She works seven hours per week. Ms. Faggion is responsible for copying, filing and assisting court staff as needed.

The 89th District Court achieved many accomplishments in 2017 as summarized below. The court's overall operations, as well as its service to the public, have been enhanced by these accomplishments.

Operational and Procedural Improvements

Commitment to Efficient Use of Public Resources

- The 89th District Court recognizes its responsibility to be fiscally responsible with the use of public resources. In 2017, District Court's budget was \$635,238.12 which was a decrease of \$8,617.10 from the 2016 budget. In 2017, the 89th District Court total expenditures were \$18,067.06 less than budgeted. District Court has come in under budget every year from 2009 through 2017 for a total savings of \$243,134.14 to the county.

Operational and Procedural Improvements Continued

Judge Barton and staff have focused on maintaining a high standard of public service by increasing productivity through internal operational and procedural improvements.

Jury Costs

- The 89th District Court continues to address the issues of trials and preliminary hearings in an effort to improve the timeliness of cases and to reduce the time, effort and cost in subpoenaing police officers and other witnesses (prosecutor expenses). These efforts result in more cases being settled before the day of trial, reducing witness fees for the Prosecutor's Office, overtime costs to the police agencies and jury costs in District Court. Below are the jury costs incurred since 2009.
 - 2009 jury costs were \$ 6,566.57
 - 2010 jury costs were \$ 2,264.37
 - 2011 jury costs were \$ 0.00
 - 2012 jury costs were \$ 2,923.68
 - 2013 jury costs were \$ 3,861.91
 - 2014 jury costs were \$ 864.76
 - 2015 jury costs were \$ 1,507.64
 - 2016 jury costs were \$ 495.77
 - 2017 jury costs were \$ 1,245.50

Operational and Procedural Improvements Continued

Collections

- The court continues to pursue the collection of fines and costs at the time of sentencing. In 2009, the District Court focused on improving our collections by ordering that fines, costs and fees are due in full at time of sentencing per Michigan Court Rules. The court notifies the defendant of the amount of the fine at the time of plea. Additionally, the notice of sentencing contains information regarding the amount of the fine. As a result, more defendants are paying fines at the time of sentencing, thereby reducing staff time required to pursue collection after sentencing. The court continues to routinely address outstanding fines and costs through show causes where defendants are ordered into court to address their outstanding obligations. In 2011, the court began garnishing tax returns for individuals with outstanding fines and costs to help reduce the outstanding receivables. To date, the court has collected approximately \$101,667.18 on cases where garnishments were sent but the individual came in and paid prior to the garnishment being processed by the Department of Treasury. An additional \$6,441.20 has been collected via garnishments that were issued and processed by the Department of Treasury.

Polycom (State of Michigan Courts Video Project)

- In September 2012, the State of Michigan installed approximately \$50,000.00 worth of electronic video equipment into all three courtrooms in Cheboygan. This project was spearheaded by Jodi Barrette, District Court Administrator in conjunction with the State of Michigan Courts Video Project. When defendants are lodged in other counties or in prison, the court can resolve the case via a video Polycom proceeding thereby saving the costs of transportation and/or overtime to local police agencies to have the defendant brought to Cheboygan. The Polycom system reduces prisoner transportation costs for local police agencies, overtime compensation for police officers and Department of Corrections, increases public safety, reduces costs for Michigan State Police Forensics and increases productivity. The District Court utilizes this equipment whenever possible in order to make the most efficient use of time for the court, staff, police agencies, Department of Corrections and assigned judges. We believe this equipment will prove to be a very effective cost saving project as well as provide further safety to the citizens of Cheboygan County. In 2017, the District Court, through the use of the Polycom, helped the county save an estimated \$5,302.92 in prisoner transportation and visiting judge costs. We have saved approximately \$22,293.79 for 2013 through 2017 combined.
- In January of 2017, the State of Michigan provided our county with all new Polycom systems. This upgrade has helped to make the system work more efficiently. Additionally, the Cheboygan County Sheriff Department is pursuing this technology which will allow other county courts and jails to have access to Cheboygan County prisoners directly through our Sheriff Department.

Operational and Procedural Improvements Continued

IyeTek (Michigan State Police Electronic Citations)

- In January 2014, the 89th District Court began accepting electronic citations from the Michigan State Police. Although the exact costs savings cannot be determined by the court, there would be a significant savings for the State Police in mileage and time. The court has noticed increased efficiency in processing these citations from State Police, as the court electronically receives the citations the following morning, and they are automatically uploaded to the court's case management system. This is a significant time savings to the court, as these citations do not need to be entered by the court; and information can be given right away when individuals call about their ticket. Additionally, the court is able to provide information to other departments such as the Prosecutor's Office, police agencies, and the Cheboygan County Jail.

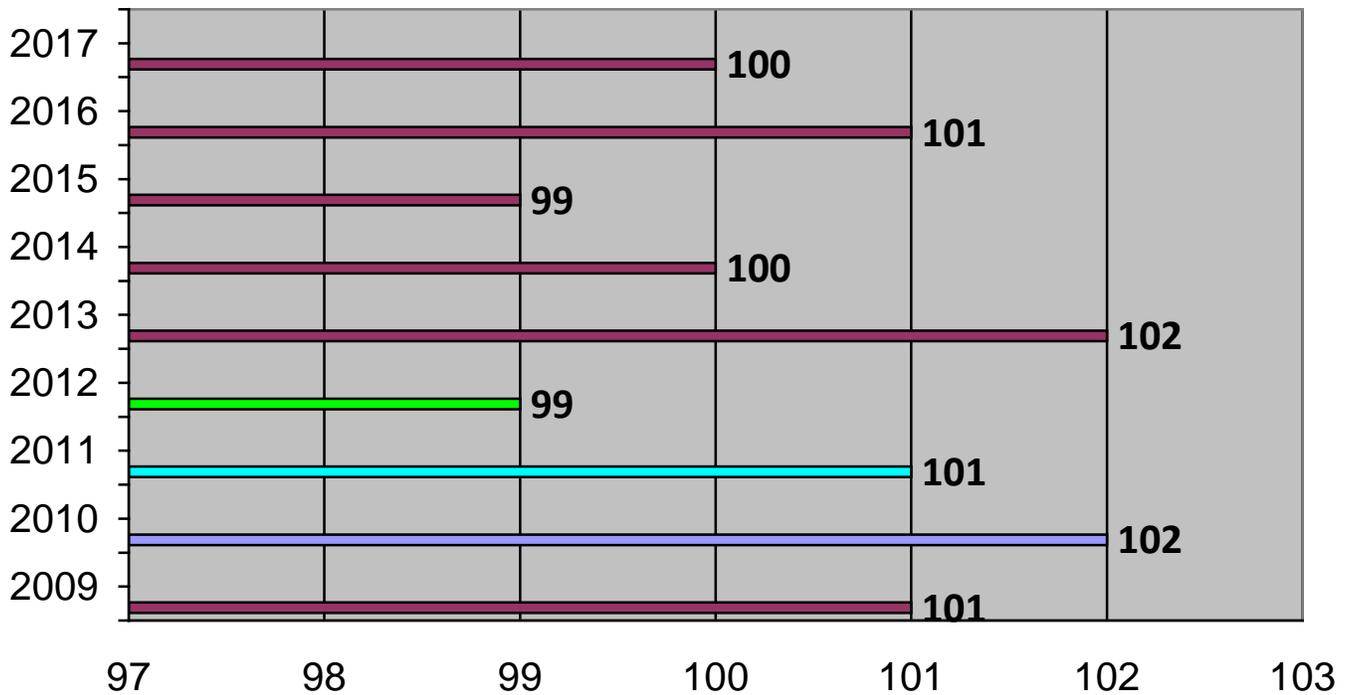
C.C.E. Central Dispatch/Sungard (Cheboygan County Sheriff Department Electronic Citations)

- In September 2017, in conjunction with the C.C.E. Central Dispatch Authority and the Cheboygan County Sheriff Department, we began accepting E-Citations from our Cheboygan County Sheriff Department. This has proven to be as beneficial as the Michigan State Police Citations.

Caseflow Management

- Efficient Case Processing – Clearance rates are a way to measure caseflow management and efficiency of a court. Clearance rates indicate the extent to which a court is keeping up with incoming caseload. Clearance rates above 100% indicate that a court is reducing a backlog. A clearance rate of 100% indicates the court is keeping up with its current caseload and maintaining the size of any pending caseload. The higher the percentage, the more efficient the court is in handling its caseload.

In 2017, the 89th District Court’s clearance rate was 100% with 4,958 new or reopened cases and 4,981 disposed cases.



Sobriety Court

The 89th District Sobriety Court was started in August of 2012 after the team attended the 2012 DWI Court training with the National Highway Safety Administration in late June. The Sobriety Court team includes:

Honorable Maria I. Barton, District Judge
Jodi Barrette, DWI Coordinator
Kim Tilton, Probation Officer
Dale Selin, Research Expert
Fred Feleppa, Assistant Prosecutor
James Gilbert, Defense Counsel
Mike Brege, Detective Lieutenant – Cheboygan County Sheriff Department

In addition to the above team, Kathy Mason and Kim Lytle from Harbor Hall play a significant role in our program.

The mission of Sobriety Court is to help substance abusers achieve sobriety by providing a structural framework within which to be successful and to help facilitate change in addictive behaviors. The Sobriety Court focuses on holding individuals accountable through the team approach.

The 89th District Court revised workload and job responsibilities within the court to be able to operate the Sobriety Court without additional personnel or costs to the county. Participants in the program are responsible for paying their fines and costs, a participation fee of \$20.00 per month for each month in sobriety court, fees for drug testing, fees for alcohol monitoring systems, and counseling. The Sobriety Court budget is comprised of funds the 89th District Court receives annually from the State of Michigan for Drunk Driving and Drug cases filed. The court receives an average of \$9,000.00 to \$12,000.00 annually.

In 2012, the Sobriety Court accepted a total of 8 participants into the program, in 2013 accepted 11 participants, in 2014 accepted 11 participants, in 2015 accepted 12 into the program, in 2016 accepted 11 into the program and in 2017 accepted 8 into the program. Since inception, eleven individuals were discharged due to non-compliance, three individuals were transferred to another court, one individual is on warrant status and 35 were discharged after successful completion of our program. We now have 11 active participants in our program.

Jail Savings

- Based upon the charges of the individuals that have participated in this program and possible jail sentence, the Sobriety Court program saved approximately \$19,900.00 in 2012, \$24,600.00 in 2013, \$54,400.00 in 2014, \$78,300.00 in 2015, \$73,000.00 in 2016 and \$23,600.00 in 2017 in jail costs for Cheboygan County. This figure is based on \$20.00 a day per inmate.

Community Service/Work Crew

- In 2017, the Sobriety Court participants completed 55 hours of community service in lieu of employment hours and for sanctions.

Sobriety Court Budget

The Sobriety Court budget was \$12,200.00 for 2017.

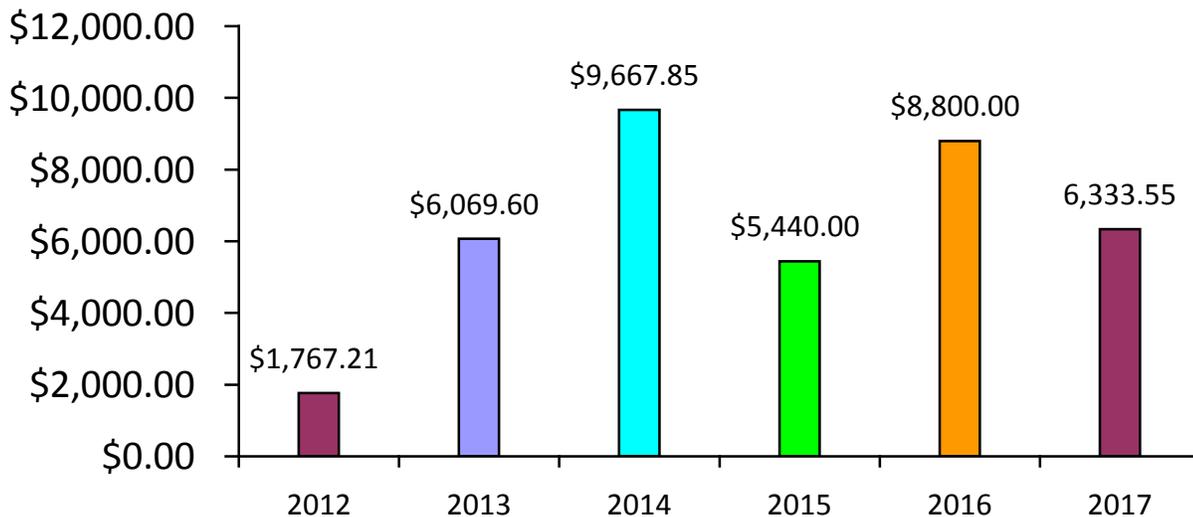
Expenditures:

Description	2017 Amended Budget	YTD Activity 2017	Available Balance
Expenditure Control	5,200.00	0.00	5,200.00
Contractual Services	0.00	0.00	0.00
Consul/Ind Provider	0.00	0.00	0.00
Incentives/Supplies	2,260.00	1,868.97	391.03
Travel/Lodging/Meals etc.	2,000.00	1,884.35	115.65
Employee Training	1,475.00	1,475.00	0.00
Tether/Drug Testing Fees	1,265.00	232.95	1,032.05
Total Expenditures	\$12,200.00	\$5,461.27	\$6,738.73

Revenue:

In 2017, the Sobriety Court’s revenue was \$6,738.73. Revenue is comprised of a \$5.00 portion of every filing fee from civil cases (\$3,345.00), sobriety court fees (\$2,898.55) and District Court costs (\$90.00).

Sobriety Court Revenue

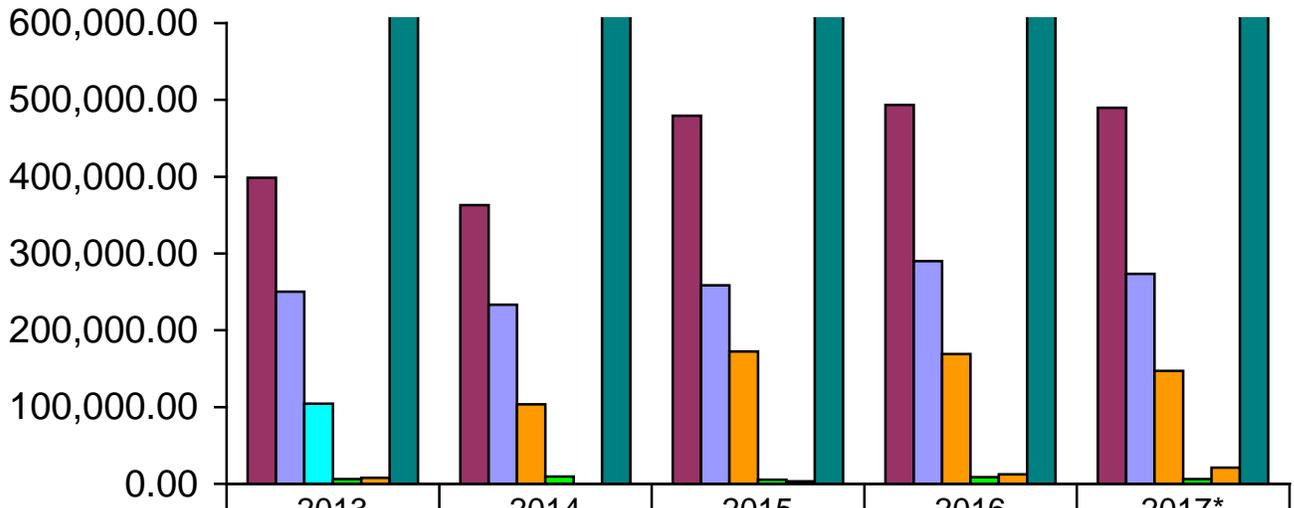


Timely Case Disposition

The 89th District Court is meeting or exceeding most of the guidelines specified by the Michigan Supreme Court.

89 th District Court 2017 percentage	Michigan Supreme Court Time Guidelines
100%	90% of General Civil and Miscellaneous Civil cases adjudicated within 273 days from case filing
100%	98% of General Civil and Miscellaneous Civil cases adjudicated within 455 days of filing
100%	95% of Summary Civil cases without jury demand, including small claims, landlord/tenant, and land contract actions adjudicated within 126 days from case filing
n/a	65% of Summary Civil cases with jury demand, including landlord/tenant and land contract actions adjudicated within 154 days from case filing
96%	90% of Civil Infraction cases, including traffic, non-traffic and parking cases adjudicated within 35 days from case filing
99%	98% of Civil Infraction cases, including traffic, non-traffic and parking cases adjudicated within 84 days from case filing
91%	85% of Misdemeanor cases, including misdemeanor drunk driving and misdemeanor traffic adjudicated within 63 days of first appearance
99%	95% of Misdemeanor cases, including misdemeanor drunk driving and misdemeanor traffic adjudicated within 126 days of first appearance
50%	60% of Preliminary Examinations including extradition/detainer cases held within 14 days of arraignment
80%	75% of Preliminary Examinations including extradition/detainer cases held within 28 days of arraignment

Revenue



	2013	2014	2015	2016	2017*
General Revenue	398,717.20	362,799.98	479,519.48	493,339.52	489,788.65
Trust & Agency	250,246.86	233,367.12	258,693.33	289,963.00	273,443.80
Penal Fine	104,497.99	103,638.11	172,302.07	168,903.65	146,939.24
Sobriety Court	6,069.60	9,667.85	5,440.00	8,800.00	6,333.55
Coll/Not Earned/Other	7,830.00		3,225.00	12,510.00	21,280.00
Total	767,361.65	709,473.06	919,179.88	973,516.17	937,785.24

In 2017, the 89th District Court’s revenue was \$937,785.24 down \$35,730.93 from 2016. The decrease is believed to be a combination of the decrease in traffic civil infraction cases as well as criminal and traffic misdemeanor cases and the ebb and flow of collections. Of the \$937,785.24 collected, \$489,788.65 was given to the Cheboygan County general fund.

Pursuant to statute and local ordinance, \$273,443.80 from the Trust and Agency account was distributed to the Police Agencies, DNR Fish/Game Fund, and Secretary of State, Crime Victim Fund, State Court Fund, Convicted OUIL Assessment, Juror Compensation, Civil Filing Fee Fund, Justice System Fund and Victim Restitution. Money assessed by the courts for penal fines is dispersed to public libraries per statute. In 2017, \$146,939.24 was dispersed to Cheboygan, Indian River, and Mackinaw City, Presque Isle, Topinabee and Wolverine libraries. Sobriety Court revenue totaled \$6,333.55.

In 2017, the District Court had additional revenue that was collected but not earned of \$21,250.00. This revenue is a surety bond that was forfeited when the defendant failed to appear in court. The bonding agencies have one year to find the defendant and turn him/her over to the court. If the bonding agency is unable to locate the defendant, this revenue will be turned over to the Cheboygan County general fund. Also, \$30.00 collected for the Cheboygan County Preservation Fund.

*Unaudited data

Expenses

District Court's budget was \$635,238.12 for 2017. District Court was under budget by 2.84% in 2017.

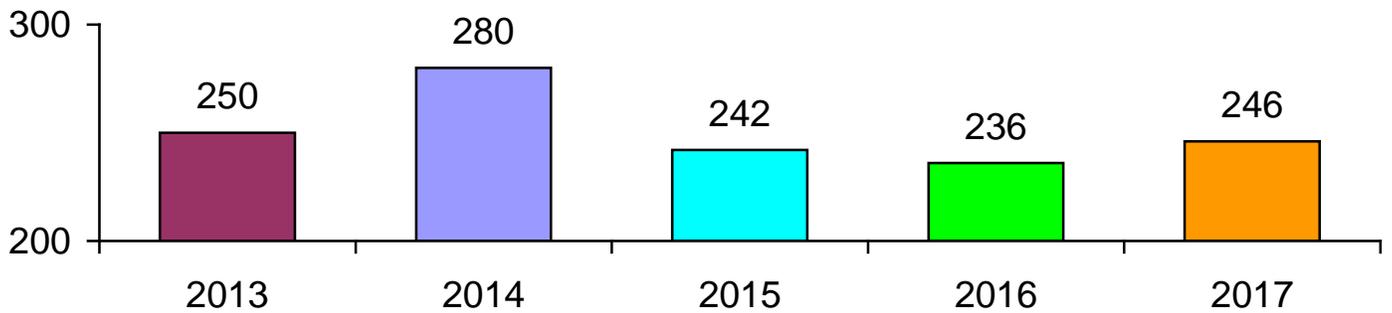
Description	2017 Amended Budget	Year-to-Date Balance 2017	Available Balance
Judge Standard Payment	40,039.00	40,039.00	0.00
County Supplement Judges Salary	5,685.00	5,685.00	0.00
Fringe	207,925.00	207,531.27	393.73
Full Time	316,136.00	316,038.80	97.20
Part Time	4,620.00	4,614.96	5.04
Year End Salary Adjustment	12,371.12	12,607.48	(236.36)
On Call/Reimbursement	11,767.00	10,218.63	1,548.37
Office Supplies	5,000.00	4,858.63	141.37
Uniforms	50.00		50.00
Transcripts	1,500.00		1,500.00
Jury Fees	2,500.00	1,254.50	1,254.50
Contractual Services	500.00	306.86	193.14
Legal-Court Appointed Attorneys	1,745.00	1,745.00	0.00
Visiting Judges	241.76	241.76	0.00
Membership & Subscriptions	2,225.00	1,590.64	634.36
Telephone	1,500.00	1,264.31	235.69
Cell Phone	1,620.00	1,620.00	0.00
Travel/Lodging/Meals etc.	1,000.00	966.27	33.73
Employee Training	500.00	300.00	200.00
Caseflow Assistant Grant	10,000.00	0.00	10,000.00
Tether/Drug Testing Fees	1,000.00	507.15	492.85
Fees	456.00	456.00	0.00
Office Equipment & Furniture	1,050.00	1,031.80	18.20
Computer-Hardware/Software/Maintenance	5,807.24	4,302.00	1,505.24
2017 Total Expenditures *	\$635,238.12	\$617,171.06	\$18,067.06
2016 Total Expenditures	\$643,855.22	\$625,197.83	\$18,657.39
2015 Total Expenditures	\$605,608.00	\$570,103.47	\$35,504.53
2014 Total Expenditures	\$560,153.00	\$540,134.32	\$20,018.68
2013 Total Expenditures	\$531,338.00	\$513,612.76	\$17,725.24
2012 Budget	\$512,668.00	\$511,917.18	\$750.82

*Unaudited Data

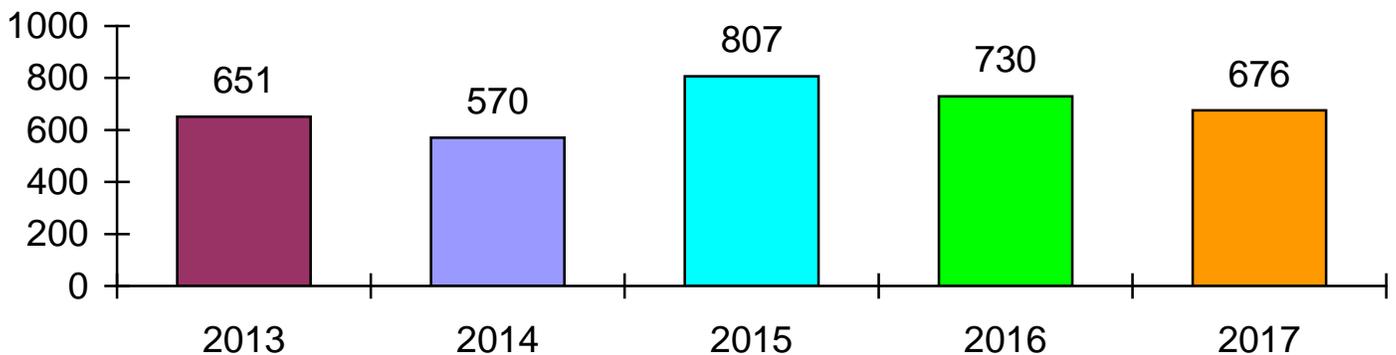
The 89th District Court is divided into three divisions – criminal, civil and traffic. All criminal cases whether misdemeanor or felony, begin in District Court. The Criminal Division of the District Court handles a wide range of criminal proceedings including misdemeanor offenses for which the maximum possible sentence is one year or less. Examples of District Court misdemeanor offenses include drunk driving, use or possession of marijuana, shoplifting, domestic violence, assault and battery, and driving while license suspended. In misdemeanor cases, Judge Barton arraigns the defendant, sets bond, takes pleas, conducts the trial and sentences the defendant.

In addition to issuing misdemeanor complaints, the District Court also issues all felony complaints, sets bond and conducts preliminary hearings for felony cases. If at the preliminary hearing, the prosecutor establishes by probable cause that a crime has been committed and the defendant committed the crime, the case is transferred to Circuit Court for trial. The Criminal Division of the court is also responsible for issuing search warrants, scheduling all hearings and trials for misdemeanors, receipting and maintaining all criminal bonds, keeping records of all criminal matters, reporting information to state agencies including Secretary of State for motor vehicle violations and notifying Michigan State Police of criminal convictions.

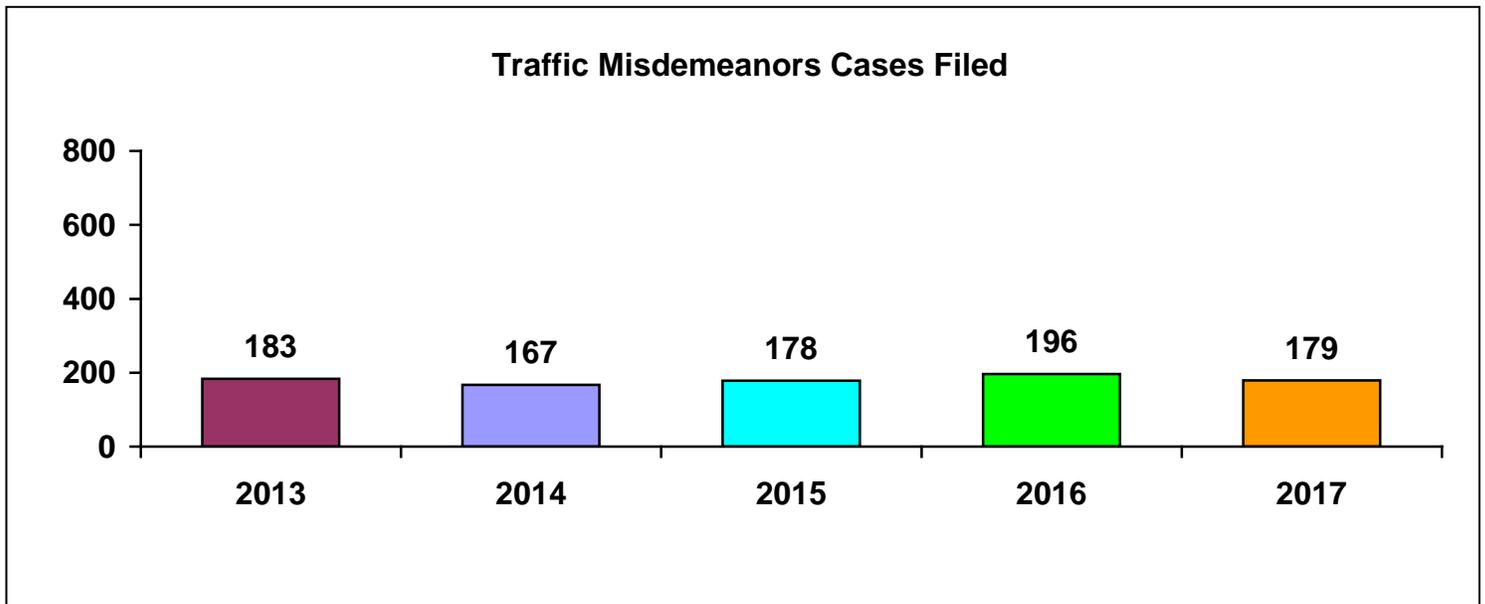
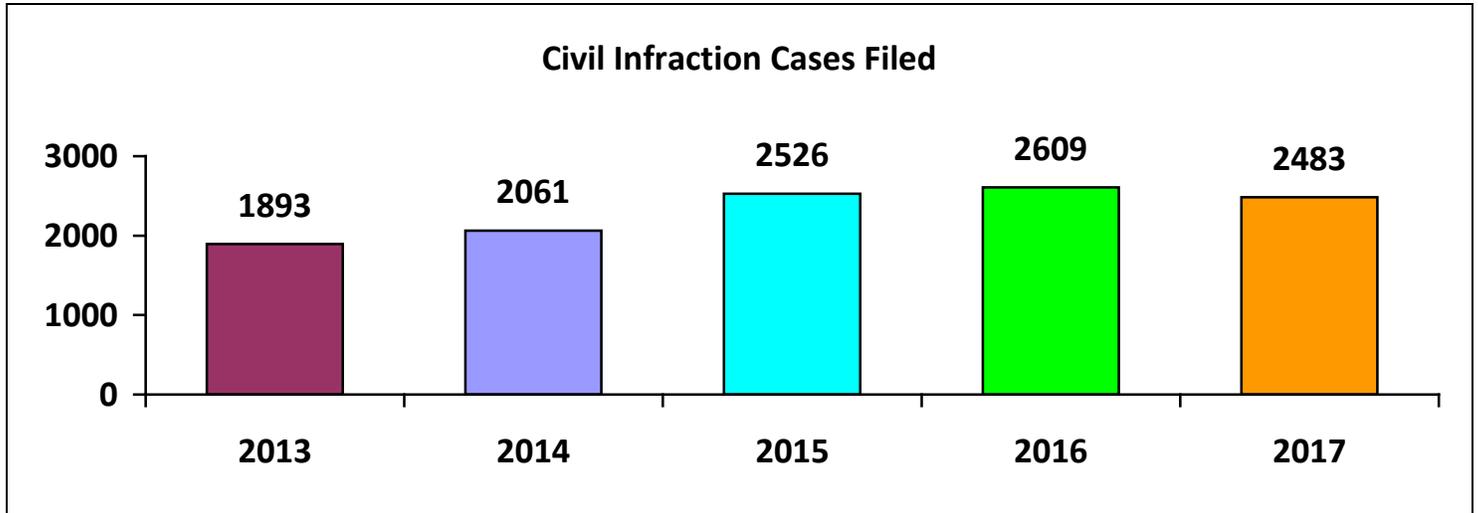
Felony Cases Filed



Misdemeanor Cases Filed



The Traffic Division processes all civil infractions, which include minor traffic matters, some Department of Natural Resource matters and certain misdemeanor cases. Speeding tickets, registration/plate violations, careless driving, parking, seatbelt violations, no proof of insurance, defective equipment and failure to stop or yield are examples of civil infractions handled by District Court. These civil infractions make up the majority of activity in the Traffic Division. Other cases handled in this division are misdemeanors such as failure to display valid operator’s license on person, expired plate violations, violation of restricted license as well as various hunting, camping, boating and fishing violations.

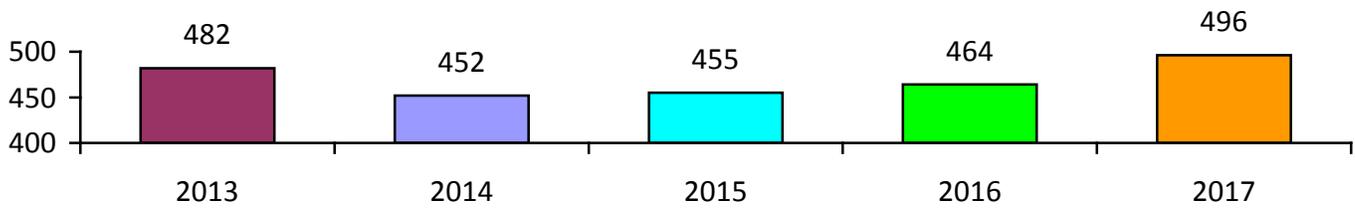


The Civil Division of the court has jurisdiction over all civil disputes where the amount in controversy is less than \$25,000, small claims and landlord tenant cases. General civil also includes cases for claim and delivery.

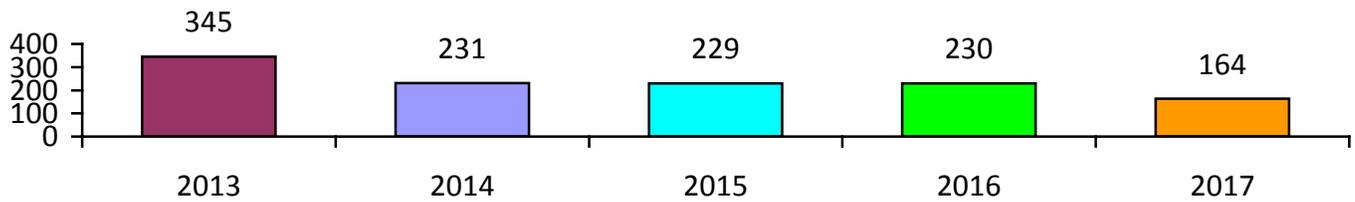
In small claims cases, the amount in controversy is \$6,000 or less. Litigants waive the right to be represented by an attorney, waive the right to a jury trial and the right to appeal the district judge’s decision.

Landlord tenant cases are filed by landlords or land contract vendors when tenants or land contract vendees are not complying with the terms of the lease or contract. This area also includes summary proceeding matters.

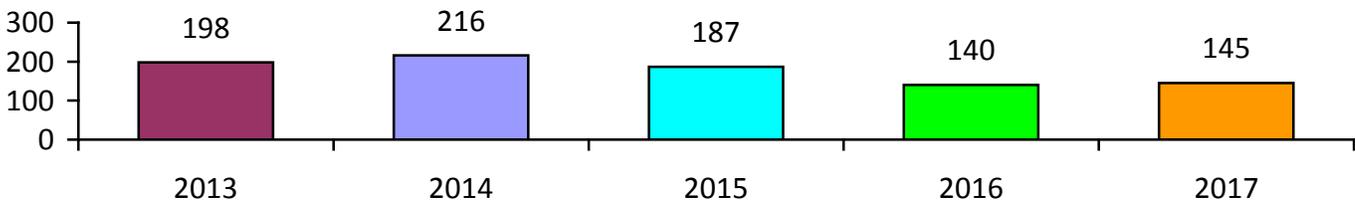
General Civil Cases



Small Claim Cases

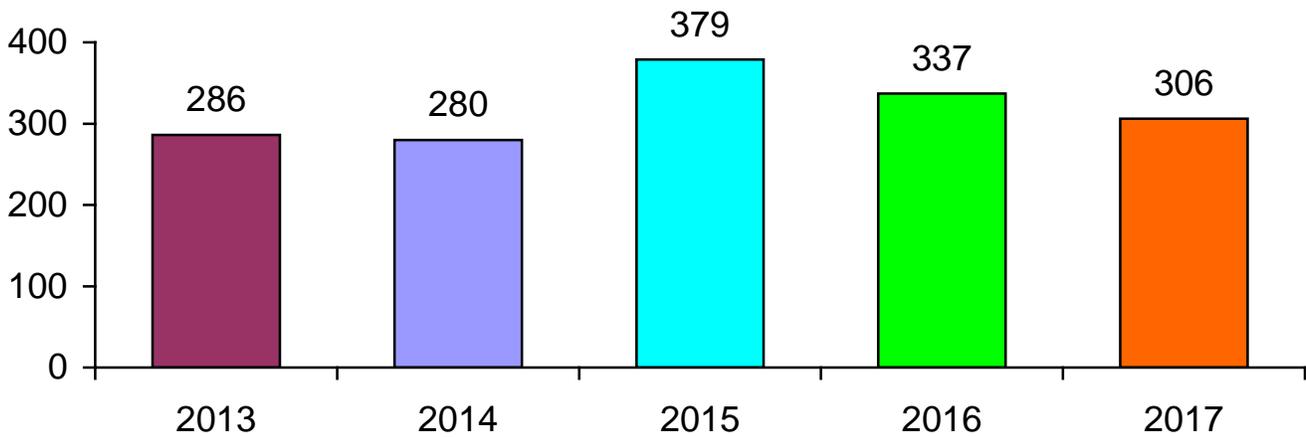


Landlord/Tenant Cases

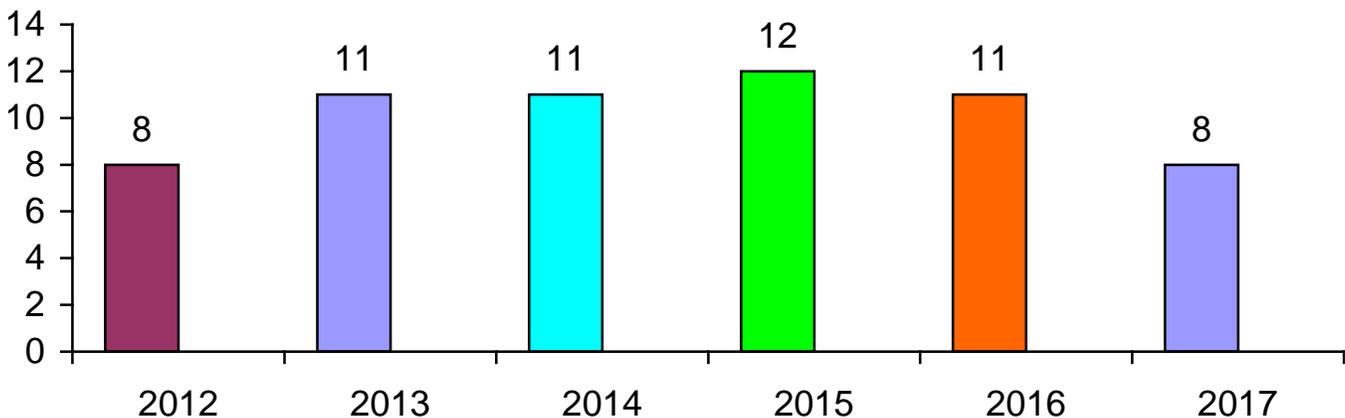


The Probation Department provides services to the judge, victims and probationers. The probation agent is responsible for the preparation of pre-sentence investigation reports and the supervision and referral to appropriate programs/services for defendants placed on probation. Monitoring probationers is necessary to restore victims and communities, protect the public, promote probationer accountability, and create a climate for probationers' rehabilitation. This includes the supervision of community service placements and those individuals referred to Community Corrections as alternatives to incarceration. The chart below reflects the total number of probationers placed on probation in each year to include non-reporting probation cases.

District Court Probation Caseload



Sobriety Court Probation Caseload



The District Court had eight individuals enter our program in 2012, eleven in 2013, eleven in 2014, twelve in 2015, eleven in 2016 and eight in 2017. In 2012, there were no individuals discharged, in 2013 there were four discharged as non-compliant, eleven discharged in 2014, eight in 2015 along with one non-compliant and one that is on warrant status, fourteen discharged in 2016 and in 2017 we had one transferred, two discharged as non-compliant and eight discharged successfully. To date, we have a total of 16 active individuals in our program.

Jury Fee Reimbursement

The Juror Compensation Reimbursement Fund was created as of January 1, 2003, to provide a source of reimbursement funding to trial courts for legislated increases in juror attendance compensation. Beginning October 1, 2003, jurors were compensated at new, higher rates (see MCL 600.1344) and trial court funding units can claim reimbursement biannually from the fund for the increased expense. The figures below reflect the reimbursements to Cheboygan County (Circuit, District and Probate Courts) which are deposited into the county’s general fund.

Year	1 st Term	2 nd Term
2012	\$2,150.00	\$2,755.00
2013	\$2,845.00	\$4,750.00
2014	\$2,175.00	\$ 372.50
2015	\$2,957.50	\$4,095.00
2016	\$2,195.00	\$4,587.50
2017	\$2,410.00	\$1,095.00

Drunk Driving Caseload Assistance Fund

The Drunk Driving Caseload Assistance Fund was created by statute effective January 1, 1992. The fund was created to provide a source of funding for implementation of new case processing time guidelines which would promote the timely disposition of cases in which the defendant was charged with a qualifying drunk driving offense. Offenses can be charged under either state statute or local ordinance. Funds received are based on previous year’s caseload.

Year Received	
2013	\$ 8,994.90
2014	\$ 10,875.74
2015	\$ 9,400.55
2016	\$ 9,538.48
2017	\$ 9,689.22

Drug Cases Information Management Fund

The Drug Case Information Management Fund was created by statute effective September 1, 1994. The fund was created to provide a source of funding for timely management and new reporting to the Secretary of State of specific cases. The case types include an attempt to violate, a conspiracy to violate, or a direct violation of the Public Health Code for drug-related offenses. Offenses can be charged under either state statute or local ordinance. Funds received are based on previous year’s caseload.

Year Received	
2013	\$ 565.95
2014	\$ 649.84
2015	\$ 769.87
2016	\$ 881.26
2017	\$ 747.08

Community Service Program

This sentencing alternative provides the Court with the opportunity to allow certain indigent offenders to perform volunteer work as part of their sentence as credit against payment of fines and costs. Placements are located in government or community not-for-profit agencies and supervised by the Probation Officer. Paperwork must be completed on each referral, a suitable location selected, and supervision or oversight required.

In 2017, 2,311 hours of community service were completed by defendants assigned to the Community Service program. Community service hours resulted in \$20,569.08 being credited toward eligible fines, costs and fees.

Smart Start/Rancilio Home Confinement Services/House Arrest Services

Defendants who are sentenced to be on an alcohol monitor/tether are referred to any one of these agencies. These programs are utilized by the court to help monitor an individual’s alcohol intake and/or keep the defendant confined to his/her home and provide accountability to the un-incarcerated defendant. Other types of technology are also available to allow the court to monitor at different levels of security based on the seriousness of the offense such as Alcohol Tether w/GPS, Ignition Interlock with/without camera, and Vehicle Immobilization.

Williams House/Evangeline House

The Williams House and Evangeline House are structured transitional houses for recovering alcoholics/addicts. The Williams House is for men 18 or older, and the Evangeline House is for women 18 or older. The goal of the transition houses is to help people recover and maintain sobriety in a structured, drug-free environment so they can return to their families and jobs.

Community Mediation Services

The court utilizes this mediation program to assist the court and public in resolving small claim cases. Mediation allows parties an opportunity to resolve their cases in a non-adversarial manner while working with a trained mediator.

Year	2011	2012	2013	2014	2015	2016	2017
# of Referrals	8	6	7	0	6	7	6
# Cases Mediated	8	6	7	0	6	6	6
# Cases Mediated to agreement	8	5	5	0	4	5	4
# Cases Mediated without agreement	0	1	2	0	2	1	2
Overall Mediated to Agreement Rate	100%	83%	71%	0	67%	83%	67%

Court Website

The 89th District Court’s website provides information about the court and its services. The site provides general information to the public about the district court and basic procedural guidelines to assist the public in understanding how the district court operates. Included on the website is information about location and hours of operation, court calendar, payment options, court dispositions, fines and costs, filing fees and other helpful links as well as information with regard to criminal, civil and traffic cases. Since 1994 through 2017, the District Court has collected approximately \$2,397,967.82 in credit card payments. Our website address is www.89thdistrictcourt.org.

Work Crew

This program was started by the Cheboygan County Sheriff Department to provide a Work Crew Program in lieu of jail to reduce jail overcrowding, provide an alternative sentencing option to the judges and provide a program allowing a defendant to give back to the community through community service. In 2017, 99 individuals were ordered to the work crew which represents approximately 1078 beds saved.

Other Programs

The District Court also utilizes other programs such as Alcohol Highway Safety Education, Outpatient Counseling, Inpatient Treatment, Shoplifter's Alternative, Anger Management, and Domestic Violence Counseling.



Cheboygan County

Board of Commissioners' Meeting

September 25, 2018

Title: Budget Adjustments – Inter-budget Transfers – Payroll Related

Summary:

The following inter-budget transfer is requesting a transfer related to a personal services (payroll) line items:

- A position in the Prosecutor's Office has become vacant as of September 20, 2018. This has resulted in an opening which is being advertised for. The position is not expected to be filled until October 8, 2018 or after. The Prosecutor has requested to transfer the savings of \$2,073 resulting from the vacancy from full-time to overtime and fringe to allow the other departmental staff additional hours to keep up with the work load and train the new employee. This budget adjustment decreases the Full-Time expenditure line item and increases the Overtime and Fringe expenditure line items by a total of \$2,073. *(Note: This does not require a wage resolution amendment as these changes are temporary due to the existing vacancy which will be filled on a permanent basis.)*
- Straits Regional Ride has three bus driver vacancies that will need to be filled. In order to maintain adequate coverage of the bus routes, staff will have to be rotated around until new bus drivers are hired as follows: move part-time swing driver/part-time office to full-time swing driver and move part-time dispatcher to full-time dispatcher. It was determined that available budget in full-time dispatcher pay classification is insufficient and needs to be adjusted. This budget adjustment decreases Part-Time Dispatchers and Full-Time Other Administrative and increases Full-Time Dispatchers expenditure line items by a total of \$7,560.

Financial Impact:

None – inter-department budget transfers, no additional appropriations (from 101-229 to 101-229 totaling \$2,073 and from 588-599 to 588-599 totaling \$7,560).

Recommendation:

Motion to approve the inter-department budget transfers provided in the following attachment.

Prepared by: James Manko

Department: Finance



Cheboygan County

Board of Commissioners' Meeting

September 25, 2018

Title: 2018 Salary & Wage Resolution - Non-Union General Employees #17-009 – Amendment #8

Straits Regional Ride Full-Time Dispatcher Wage

Summary:

The original 2018 Salary & Wage Resolution approved on October 10, 2017, listed a part-time dispatcher wage rate of \$11.75 per hour, but did not provide a wage rate of a full-time dispatcher. Due to three vacancies, staff will be rotated around to maintain adequate coverage for the bus routes. The plan is to move the part-time dispatcher to full-time dispatcher at a rate of \$13.50 per hour.

Financial Impact:

None, no additional appropriations as funding is provided in the current Straits Regional Ride Budget. Refer to Straits Regional Ride Inter-Budget Transfer – Payroll Related included in the September 25, 2018 Board packet.

Recommendation:

Adopt Amendment #8 to the 2018 Salary and Wage Resolution – Non-Union General Employee #17-009 to be effective September 26, 2018 and authorize the Chair to sign.

Prepared by: James Manko

Department: Finance

ADMINISTRATOR'S REPORT
9-25-18

Solid Waste Management
Plan Amendment:

Legal counsel will be present at the meeting to provide direction to the Board concerning amending the County's Solid Waste Management Plan. Based on discussion during the Board's planning session the following items will be reviewed:

1. How to process new request for Type B transfer stations related to definition, siting, approval and number.
2. Whether to license solid waste haulers.
3. Enforcement

A key topic for discussion is if the Board would like to limit the location of future transfer stations to industrial park areas. The amendment process should also verify existing solid waste disposal facilities and review the fees for siting facilities.

NEMCOG has suggested developing draft platform language concerning the Board of Commissioner's amendment topics to provide to the Solid Waste Planning Committee that will provide direction and also allow NEMCOG to develop a quote for their planning cost.

**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.

**GUIDANCE DOCUMENT:
COUNTY SOLID WASTE MANAGEMENT PLAN AMENDMENTS**

This document is intended to provide guidance on the process of amending your County Solid Waste Management Plan (Plan). For requirements and guidance on content, please see the Guide to Preparing the Solid Waste Management Plan Update Format (Guide).

Pursuant to Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, Section 11533(2) "...an amendment to a solid waste management plan shall be prepared and approved as provided in this section and sections 11534, 11535, 11536, 11537, and 11537a."

A Plan amendment vs. a Plan update:

A Plan can be amended by the county at any time. An amendment can be used to change a portion of the Plan, or the entire Plan. However, an amendment cannot take the place of a full Plan update, even if the amendment is approved near the same time the Director calls for a Plan update. A Plan update may only be initiated by the Department of Environmental Quality (DEQ) Director and may not be initiated by the county.

Writing the Plan amendment:

The most useful way to present an amendment is to include all proposed changes in a single document or cover letter, and include any revised forms, tables, or maps. It is not necessary to make each change to the original approved Plan pages and send the entire Plan to us for approval.

If an amendment will add additional pages such as a new facility description, please note the page numbers by adding "a, b, c..." after the next sequential page number. For example, if you would like to add a facility description after page II-10, number the new facility description page as II-10a. *It is not necessary to change all subsequent page numbers in the Plan.*

Please see the table below for common amendments, and the best way to write and present the amendment for approval:

Part of the Plan you would like to change (or amend):	What should be included in amendment package in addition to the list on page 3:
Add a solid waste facility located in your county.	<ul style="list-style-type: none"> • The cover letter should include the facility that will be added and include all page numbers where the facility will be referenced and page numbers where the new facility description will be included (pages II-#a and III-#b). • A complete facility description. • An updated facility map including any proposed expansions envisioned under the Plan. • If the facility will be importing waste from other counties you must include an updated version of the import authorization table*.

GUIDANCE DOCUMENT:
COUNTY SOLID WASTE MANAGEMENT PLAN AMENDMENTS

<p>Add a solid waste facility located outside the county to demonstrate 10-year capacity requirements.</p>	<ul style="list-style-type: none"> • The cover letter should include the facility that will be added including all page numbers where the facility will be referenced and page numbers where the new facility description will be included. • A complete facility description. • A facility map. • An updated copy of the export authorization table.* • A letter from the facility stating they have available capacity to fulfill the 10-year capacity requirement.
<p>Change an existing facility description to allow expansion, or change the type of disposal area when no siting procedure exists in the Plan (i.e. you would like to change a Type B transfer station to a Type A transfer station).</p>	<ul style="list-style-type: none"> • The cover letter should include changes made to the "Authorized Disposal Area" section of the Plan's Siting Review Procedure and, either state the specific site expansion by acreage and/or capacity OR change the Plan to add an approvable siting process and criteria. • A completed revised facility description that includes the expansion or changes. • A facility map that includes the expansion area.
<p>Authorize another county to import waste to your county, or authorize your waste to be exported to another county.</p>	<ul style="list-style-type: none"> • The cover letter should include a general statement indicating the new county that will be authorized to import or export waste, including "all references to importing or exporting counties will include 'x' county." • An updated copy of the import or export authorization table.*
<p>Authorize automatic consistency with the Plan for a specific disposal area.</p>	<ul style="list-style-type: none"> • The cover letter should include changes made to the "Solid Waste Disposal Areas" to include the facility and to the "Authorized Disposal Area" of the Plan's siting review procedure. • A completed revised facility description that includes the expansion or changes. • A facility map that includes the expansion area.
<p>Change the name of a facility.</p> <p><i>It is not necessary to amend the Plan if a facility name has changed through sale or other means. You may wish to include this change if you are amending the Plan for other reasons.</i></p>	<ul style="list-style-type: none"> • The cover letter should include a general statement such as "all references to 'X Landfill' in the Plan will be changed to 'Z Landfill'."

* The import or export of waste is not authorized until the reciprocal county also authorizes the import/export. If the county is listed in future import/export area of the table and a facility becomes operational, an amendment is not needed to include it as a "current" authorized import or export county.

GUIDANCE DOCUMENT:
COUNTY SOLID WASTE MANAGEMENT PLAN AMENDMENTS

Plan Amendment Requirements and Approval Process:

The amendment approval process is the same and requires the same steps be taken as that for a Plan update (see attached flow chart).

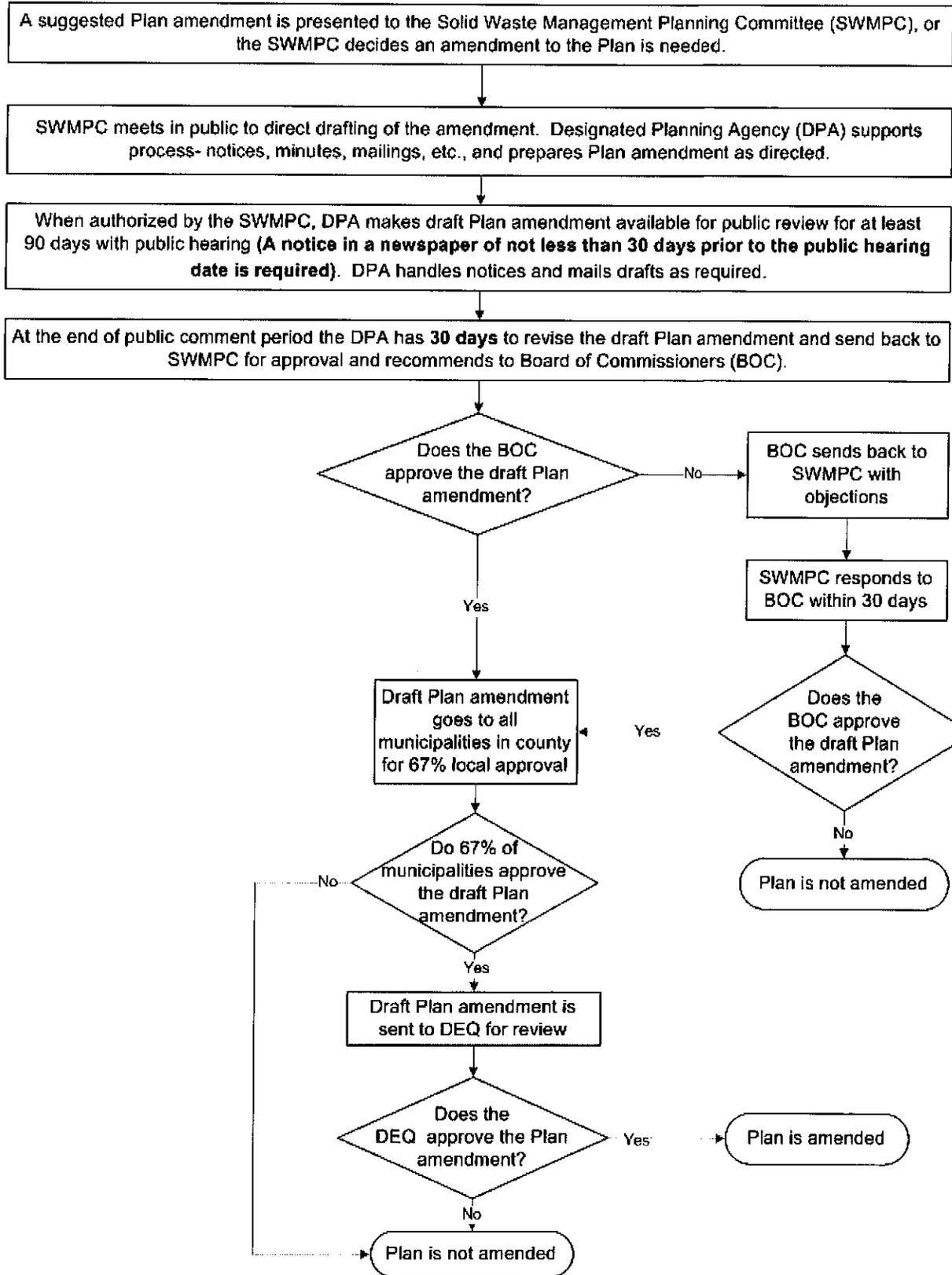
The following documents must be included when submitting the amendment to the DEQ for final approval:

- A cover letter explaining major concepts or changes included in the amendment, the exact language to be changed by the amendment, and all revised tables, forms, and maps.
- Signed and approved minutes and/or resolution indicating approval of the amendment by the Solid Waste Management Planning Committee. (1 – approval prior to the 90-day public comment period and 2 – approval before the Board of Commissioners formal action)
- Signed and approved minutes and/or resolution indicating approval of the amendment by the County Board of Commissioners.
- A copy of the notice of public hearing that includes the date of publication. (*Notice must be a minimum of 30 days prior to the public hearing date.*)
- Notes taken at the public hearing, including all written and oral comments on the Plan.
- Signed resolution or approval of the amendment from at least 67 percent of all municipalities. (*Please include a list of all municipalities within the County.*)
- List of the Solid Waste Management Planning Committee members and their areas or representation.

If you have any additional questions, please contact Christina Miller, DEQ Solid Waste Planning contact at (517) 284-6587 or millerc1@michigan.gov.

GUIDANCE DOCUMENT:
COUNTY SOLID WASTE MANAGEMENT PLAN AMENDMENTS

Amendment Approval Process



authorized for disposal in a disposal area under this part and the rules promulgated under this part are disposed of in the disposal area.

(2) An initial solid waste management plan shall be prepared and approved under this section and shall be submitted to the director not later than January 5, 1984. Following submittal of the initial plan, the solid waste management plan shall be reviewed and updated every 5 years. An updated solid waste management plan and an amendment to a solid waste management plan shall be prepared and approved as provided in this section and sections 11534, 11535, 11536, 11537, and 11537a. The solid waste management plan shall encompass all municipalities within the county. The solid waste management plan shall at a minimum comply with the requirements of sections 11537a and 11538. The solid waste management plan shall take into consideration solid waste management plans in contiguous counties and existing local approved solid waste management plans as they relate to the county's needs. At a minimum, a county preparing a solid waste management plan shall consult with the regional planning agency from the beginning to the completion of the plan.

(3) Not later than July 1, 1981, each county shall file with the department and with each municipality within the county on a form provided by the department, a notice of intent, indicating the county's intent to prepare a solid waste management plan or to upgrade an existing solid waste management plan. The notice shall identify the designated agency which shall be responsible for preparing the solid waste management plan.

(4) If the county fails to file a notice of intent with the department within the prescribed time, the department immediately shall notify each municipality within the county and shall request those municipalities to prepare a solid waste management plan for the county and shall convene a meeting to discuss the plan preparation. Within 4 months following notification by the department, the municipalities shall decide by a majority vote of the municipalities in the county whether or not to file a notice of intent to prepare the solid waste management plan. Each municipality in the county shall have 1 vote. If a majority does not agree, then a notice of intent shall not be filed. The notice shall identify the designated agency which is responsible for preparing the solid waste management plan.

(5) If the municipalities fail to file a notice of intent to prepare a solid waste management plan with the department within the prescribed time, the department shall request the appropriate regional solid waste management planning agency to prepare the solid waste management plan. The regional solid waste management planning agency shall respond within 90 days after the date of the request.

(6) If the regional solid waste management planning agency declines to prepare a solid waste management plan, the department shall prepare a solid waste management plan for the county and that plan shall be final.

(7) A solid waste management planning agency, upon request of the department, shall submit a progress report in preparing its solid waste management plan.

History: 1994, Act 451, Eff. Mar. 30, 1995;—Am. 2004, Act 44, Imd. Eff. Mar. 29, 2004.

Popular name: Act 451

Popular name: NREPA

Popular name: Solid Waste Act

324.11534 Planning committee; purpose; appointment, qualifications, and terms of members; approval of appointment; reappointment; vacancy; removal; chairperson; procedures.

Sec. 11534. (1) The county executive of a charter county that elects a county executive and that chooses to prepare a solid waste management plan under section 11533 or the county board of commissioners in all other counties choosing to prepare an initial solid waste management plan under section 11533, or the municipalities preparing an initial solid waste management plan under section 11533(4), shall appoint a planning committee to assist the agency designated to prepare the plan under section 11533. If the county charter provides procedures for approval by the county board of commissioners of appointments by the county executive, an appointment under this subsection shall be subject to that approval. A planning committee appointed pursuant to this subsection shall be appointed for terms of 2 years. A planning committee appointed pursuant to this subsection may be reappointed for the purpose of completing the preparation of the initial solid waste management plan or overseeing the implementation of the initial plan. Reappointed members of a planning committee shall serve for terms not to exceed 2 years as determined by the appointing authority. An initial solid waste management plan shall only be approved by a majority of the members appointed and serving.

(2) A planning committee appointed pursuant to this section shall consist of 14 members. Of the members appointed, 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. A member appointed to represent a county, city, or township government shall be an elected official of that government or the designee of that elected official. Vacancies shall be filled in the same manner as the original appointments. A member may be removed for nonperformance of duty.

(3) A planning committee appointed pursuant to this section shall annually elect a chairperson and shall establish procedures for conducting the committee's activities and for reviewing the matters to be considered by the committee.

History: 1994, Act 451, Eff. Mar. 30, 1995.

Popular name: Act 451

Popular name: NREPA

Popular name: Solid Waste Act

324.11535 County or regional solid waste management planning agency; duties.

Sec. 11535. A county or regional solid waste management planning agency preparing a solid waste management plan shall do all of the following:

(a) Solicit the advice of and consult periodically during the preparation of the plan with the municipalities, appropriate organizations, and the private sector in the county under section 11538(1) and solicit the advice of and consult with the appropriate county or regional solid waste management planning agency and adjacent counties and municipalities in adjacent counties which may be significantly affected by the solid waste management plan for a county.

(b) If a planning committee has been appointed under section 11534, prepare the plan with the advice, consultation, and assistance of the planning committee.

(c) Notify by letter the chief elected official of each municipality within the county and any other person within the county so requesting, not less than 10 days before each public meeting of the planning agency designated by the county, if that planning agency plans to discuss the county plan. The letter shall indicate as precisely as possible the subject matter being discussed.

(d) Submit for review a copy of the proposed county or regional solid waste management plan to the department, to each municipality within the affected county, and to adjacent counties and municipalities that may be affected by the plan or that have requested the opportunity to review the plan. The county plan shall be submitted for review to the designated regional solid waste management planning agency for that county. Reviewing agencies shall be allowed an opportunity of not less than 3 months to review and comment on the plan before adoption of the plan by the county or a designated regional solid waste management planning agency. The comments of a reviewing agency shall be submitted with the plan to the county board of commissioners or to the regional solid waste management planning agency.

(e) Publish a notice, at the time the plan is submitted for review under subdivision (d), of the availability of the plan for inspection or copying, at cost, by an interested person.

(f) Conduct a public hearing on the proposed county solid waste management plan before formal adoption. A notice shall be published not less than 30 days before a hearing in a newspaper having a major 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.

History: 1994, Act 451, Eff. Mar. 30, 1995.

Popular name: Act 451

Popular name: NREPA

Popular name: Solid Waste Act

324.11536 Request by municipality to be included in plan of adjacent county; approval by resolution; appeal; final decision; formal action on plan; return of plan with statement of objections; review and recommendations; approval by governing bodies; preparation of final plan by department.

Sec. 11536. (1) A municipality located in 2 counties or adjacent to a municipality located in another county may request to be included in the adjacent county's plan. Before the municipality may be included, the request shall be approved by a resolution of the county boards of commissioners of the counties involved. A municipality may appeal to the department a decision to exclude it from an adjacent county's plan. If there is an appeal, the department shall issue a decision within 45 days. The decision of the department is final.

(2) Except as provided in subsection (3), the county board of commissioners shall formally act on the plan following the public hearing required by section 11535(f).

(3) If a planning committee has been appointed by the county board of commissioners under section 11534(1), the county board of commissioners, or if a plan is prepared under section 11533(4), the municipalities in the county who voted in favor of filing a notice of intent to prepare a county solid waste management plan, shall take formal action on the plan after the completion of public hearings and only after the plan has been approved by a majority of the planning committee as provided in section 11534(1). If the county board of commissioners, or, if a plan is prepared under section 11533(4), a majority of the municipalities in the county who voted in favor of filing a notice of intent to prepare a county solid waste management plan, does or do not approve the plan as submitted, the plan shall be returned to the planning committee along with a statement of objections to the plan. Within 30 days after receipt, the planning committee shall review the objections and shall return the plan with its recommendations.

(4) Following approval the county plan shall be approved by the governing bodies of not less than 67% of the municipalities within each respective county before the plan may take effect.

(5) A county plan prepared by a regional solid waste management planning agency shall be approved by the governing bodies of not less than 67% of the municipalities within each respective county before the plan may take effect.

(6) If, after the plan has been adopted, the governing bodies of not less than 67% of the municipalities have not approved the plan, the department shall prepare a plan for the county, including those municipalities that did not approve the county plan. A plan prepared by the department shall be final.

History: 1994, Act 451, Eff. Mar. 30, 1995.

Popular name: Act 451

Popular name: NREPA

Popular name: Solid Waste Act

324.11537 Approval or disapproval of plan by department; time; minimum requirements; periodic review; revisions or corrections; withdrawal of approval; timetable or schedule for compliance.

Sec. 11537. (1) The department shall, within 6 months after a plan has been submitted for approval, approve or disapprove the plan. An approved plan shall at a minimum meet the requirements set forth in section 11538(1).

(2) The department shall review an approved plan periodically and determine if revisions or corrections are necessary to bring the plan into compliance with this part. The department, after notice and opportunity for a public hearing held pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws, may withdraw approval of the plan. If the department withdraws approval of a county plan, the department shall establish a timetable or schedule for compliance with this part.

History: 1994, Act 451, Eff. Mar. 30, 1995.

Popular name: Act 451

Popular name: NREPA

Popular name: Solid Waste Act

324.11537a Use of siting mechanisms to site capacity.

Sec. 11537a. Beginning on June 9, 1994 a county that has a solid waste management plan that provides for siting of disposal areas to fulfill a 20-year capacity need through use of a siting mechanism, is only required to use its siting mechanisms to site capacity to meet a 10-year capacity need. If any county is able to demonstrate to the department that it has at least 66 months of available capacity, that county may refuse to utilize its siting mechanism until the county is no longer able to demonstrate 66 months of capacity or until the county amends its plan in accordance with this part to provide for the annual certification process described in section 11538.

History: 1994, Act 451, Eff. Mar. 30, 1995.

Popular name: Act 451

Popular name: NREPA

Popular name: Solid Waste Act

324.11538 Rules for development, form, and submission of initial solid waste management plans; requirements; identification of specific sites; calculation of disposal need requirements; interim siting mechanism; annual certification process; new certification; disposal area serving disposal needs of another county, state, or country; compliance as