

APPENDICES

**APPENDIX A: ADDITIONAL INFORMATION REGARDING THE
SELECTED SYSTEM**

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NON-SELECTED SYSTEMS**

APPENDIX C: PUBLIC PARTICIPATION AND APPROVAL

APPENDIX D: PLAN IMPLEMENTATION STRATEGY

APPENDIX A: ADDITIONAL INFORMATION REGARDING THE SELECTED SYSTEM

EVALUATION OF RECYCLING

The following provides additional information regarding implementation and evaluations of various components of the Selected System.

DETAILED FEATURES OF RECYCLING AND COMPOSTING PROGRAMS:

The following table shows estimated total waste composition and volumes by material type. Totals include all sectors (residential, commercial, industrial). Nearly all materials in the waste stream are available for recycling or composting, however, it is not at this time practical to recycle or compost the entire waste stream in Grand Traverse County.

Table A-1: Total Waste Composition (tons per year)

	Percent of Total Waste	1998 Tons	2003 Tons	2008 Tons
Totals		104,722	112,828	119,215
Newsprint (ONP)	6%	6,556	7,063	7,463
Mixed Office	7%	7,561	8,146	8,607
Old Corrugated Containers (OCC)	17%	17,782	19,158	20,243
Mixed Other Paper	12%	12,609	13,584	14,353
All Metals	7%	7,833	8,440	8,917
All Textiles	2%	2,471	2,663	2,813
All Glass	5%	5,571	6,002	6,342
All Plastic	7%	7,812	8,417	8,893
All Yard Waste	16%	16,567	17,849	18,860
Food Waste	11%	11,519	12,411	13,114
Wood Waste	4%	3,749	4,039	4,268
Misc. Bio-degradable	3%	2,848	3,069	3,243
Misc. Non Bio-degradable	2%	1,843	1,986	2,098

The table below projects estimates of material recovery by program type.

Table A-2: Program Recovery Estimates (tons per year)

	1997	2003	2008
Drop-off system	3,198	4,200	6,125
Curbside recycling	2,761	2,500	4,500
Commercial recycling	6,001	13,150	17,566
Yard waste	2,510	7,000	7,000
Total Recovery	14,470	26,850	35,191

Equipment Selection

The following briefly describes the processes used or to be used to select the equipment and locations of the recycling and composting programs included in the Selected System.

The Selected System is intended to provide waste collection, recycling and composting opportunities throughout the County.

Existing Programs:

Drop-off recycling stations - The eight existing drop-off recycling services are provided by licensed waste haulers as provided for in the County ordinance. Equipment is selected, provided and operated by the waste hauler, and consists of divided roll-off containers, serviced by a hook-lift truck..

Curbside Collection: Waste collectors operating in the urban curbside district are required to offer curbside collection to residential customers. The operators are able to select the equipment that they use for this service. Curbside collection bins are provided to customers who select that service option.

Commercial Collection: Waste collectors operating in the County are required to offer collection of OCC and office paper to customers. The operators are able to select the equipment that they use for this service.

Recycling Processing - The new Waste Management, Inc. (aka: USA/United Waste) currently operates the only local recycling processing facility, located on the south side of Traverse City. Equipment in the facility is selected, provided and operated by WMI. It consists primarily of a sorting line for mixed containers (plastic, cans and glass), a paper baler, and equipment used to move material around the facility, such as loaders and fork lifts.

Composting - Traverse City and Grand Traverse County each operate composting sites. Between these sites all needed grinding, screening and windrow turning equipment is available. If new equipment is required, either the City or County will select it as needed.

Proposed Programs:

Drop-off recycling stations - Grand Traverse County plans to continue using private contractors to operate drop-off stations with the contractor providing equipment as specified by the County. If contractors are unable to provide adequate and reasonable service, the County may choose to operate some portion of the drop-off collection system. In that case the County BPW would be responsible for selection of new equipment as needed.

Curbside Collection: Waste collectors operating in the urban curbside district continue to be required to offer curbside collection to residential customers. The operators are able to select the equipment that they use for this service. When service contracts are bid, it is expected that private collectors will continue to select and provide their own equipment. The bid language may include requirements that would affect equipment selected.

Commercial Collection: Waste collectors operating in the County continue to be required to offer collection of OCC and office paper to customers. The operators are able to select the equipment that they use for this service. In the future, the County may choose to assist businesses in bundling a service agreement that could include designation of certain bags, bins, carts, dumpsters or other collection containers.

Recycling Processing - The new Waste Management, Inc. (aka: USA/United Waste) currently operates the only local recycling processing facility. Equipment in the facility is selected, provided and operated by WMI. If that facility is expanded to handle more material or types

APPENDIX A

of material, WMI will select the equipment.

Grand Traverse County may also choose to build a recycling processing/transfer facility or work with another firm that will engineer, construct and operate such a facility. In that event, the County DPW with the aid of consultant advisors and/or the facility developer will select facility and equipment as needed to provide desired services.

Composting - No new programs are planned.

Site Availability & Selection

Existing Programs:

Drop-offs - Existing sites will continue to operate. Location of new drop-off sites operated through the County drop-off program will be approved through the County BPW based on need and population growth.

Recycling Processing/Transfer - Existing programs will continue to use existing facilities, until such time as the County develops a new recycling processing and waste transfer facility.

Composting - Existing programs will continue to use existing facilities.

Proposed Programs:

Drop-offs - Existing sites will continue to operate. Additional sites will be added through Ordinance #17 by the County BPW..

Recycling Processing/Transfer - The County may choose to build a new facility that includes transfer capability, a site selection committee will be convened and the Plan site selection process will be followed. If the facility is a recycling processing facility only, the County BPW will identify suitable sites.

Composting - No new site needs have been identified.

Composting Operating Parameters:

The following identifies some of the operating parameters which are to be used or are planned to be used to monitor the composting programs.

Existing Programs:

Program Name	pH Range	Heat Range	Stability
Traverse City compost site	ph: 5.0-8.5	140-160 degrees during active composting	Finished compost shall be a mature, stabilized, humus-like material, capable of supporting plant growth without the addition of fertilizers or other soil amendments; should contain less than 1% of plastic, glass, metal and other physical contaminants
Grand Traverse county compost site	Same as above	Same as above	Same as above

Proposed Programs:

Any new compost programs (public or private) should meet the parameters stated above.

COORDINATION OF EFFORTS:

Solid Waste Management Plans need to be developed and implemented with due regard for both local conditions and the state and federal regulatory framework for protecting public health and the quality of the air, water, and land. The following states the ways in which coordination will be achieved to minimize potential conflicts with other programs and, if possible, to enhance those programs.

It may be necessary to enter into various types of agreements between public and private sectors to be able to implement the various components of this solid waste management system. The known existing arrangements are described below which are considered necessary to successfully implement this system within the County. In addition, proposed arrangements are recommended which address any discrepancies that the existing arrangements may have created or overlooked. Since arrangements may exist between two or more private parties that are not public knowledge, this section may not be comprehensive of all the arrangements within the County. Additionally, it may be necessary to cancel or enter into new or revised arrangements as conditions change during the planning period. The entities responsible for developing, approving, and enforcing these arrangements are also noted.

Implementation of the selected alternative will be completed in full compliance with the state and federal laws and in coordination with both local and regional public health, planning and environmental agencies. Section III of the Plan provides detail on the Management Component of the Plan as well as Ordinances and Siting Requirements.

The Office of Solid Waste and Recycling of the Department of Public Works will have responsibility for program implementation as the designated implementation agency. The Solid Waste Council will oversee the Office and have fiduciary responsibility for the County solid waste management system, while reporting to the Board of Public Works which shall retain final accountability to the County Board of Commissioners. The County Administration will work with these department staff and appointed committee operations to track performance against planned milestones contained in both the Solid Waste Plan and in the Implementation Action Plan.

The County, through intergovernmental agreements with participating communities will administer a comprehensive solid waste management system that includes funding mechanisms, a county-wide ordinance, administrative rules, hauler licensing and facility designation agreements, import/export conditions, contractual arrangements for MRF/Transfer Station development and service contracts for other supporting programs. Participating communities as well as private solid waste management companies will work with the County in developing and operating the selected alternative.

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COSTS & FUNDING:

The following estimates the necessary management, capital, and operational and maintenance requirements for each applicable component of the solid waste management system. In addition, potential funding sources have been identified to support those components.

System Component	Estimated Costs	Potential Funding Sources
<u>Clean Community:</u>		
Solid Waste Collection	\$3 million	Customer contract payments
Spring/fall Cleanup	No estimate	Local governmental unit/Contract agreement
HHHW	\$20,000/yr	BPW SW budget/Landfill surcharge
Adopt a "____" programs	No budget	Volunteer efforts
Ag. Clean Sweep	\$10,000	Dept of Agriculture
<u>Recycling Incentives:</u>		
Promotion and Education	\$60-120,000/yr	BPW SW budget/Landfill surcharge
Pay as You Throw	Approx. \$2.00/bag	Paid by users
<u>Residential Recycling:</u>		
Drop-offs	\$150,000/year (collection and processing)	BPW SW budget/Landfill surcharge/contract agreement
Super Drop-off	\$80-120,000 (capital) \$24,000-77,500/yr (operating)	BPW SW budget/Landfill surcharge
Subscription Curbside	\$36,000 (capital)	Paid by users
Contract Curbside	\$4/hhld/mo \$2/hhld/mo	Paid by user via service fee, bill, municipality
C&D processing	\$0-140,000	User fees/Landfill surcharge
<u>Yard Waste Recovery:</u>		
Yard Waste Drop-off Sites	\$20,000/yr	Landfill surcharge /user fees
Backyard Composting	\$10,000/yr	Landfill surcharge /user fees
Seasonal YW collection	\$60,000/yr	Municipalities / user fees
<u>Commercial Recycling:</u>	(collection and processing)	
Commercial Corrugated Routes	\$420-540,000	User contract fees
Other Commercial Recycling	\$110-200,000	User contract fees
<u>Recycling / Compost Processing:</u>		
Recycling Processing Expansion	\$350,000-\$3million (capital)	Varies with ownership/type of facility, County BPW, private, bonds
Yard Waste Processing	included in above programs	Municipal
<u>Solid Waste Transfer:</u>		
New Type A Transfer with sorting component	Possible future \$2.2 million (capital)	Bonds, user fees
<u>Management Arrangements</u>	Included in above programs	Primarily BPW solid waste budget

EVALUATION SUMMARY OF THE SELECTED SYSTEM:

The solid waste management system has been evaluated for anticipated positive and negative impacts on the public health, economics, environmental conditions, siting considerations, existing disposal areas, and energy consumption and production which would occur as a result of implementing this Selected System. In addition, the Selected System was evaluated to determine if it would be technically and economically feasible, whether the public would accept this Selected System, and the effectiveness of the educational and informational programs. Impacts to the resource recovery programs created by the solid waste collection system, local support groups, institutional arrangements, and the population in the County in addition to market availability for the collected materials and the transportation network were also considered. Impediments to implementing the solid waste management system are identified and proposed activities which will help overcome those problems are also addressed to assure successful programs. The Selected System was also evaluated as to how it relates to the Michigan Solid Waste Policy's goals. The following summarizes the findings of this evaluation and the basis for selecting this system:

ADVANTAGES AND DISADVANTAGES OF THE SELECTED SYSTEM:

Each solid waste management system has pros and cons relating to its implementation within the County. Following is an outline of the major advantages and disadvantages for this Selected System.

Advantages:

- Clean community and education/promotion create stronger interest in responsible practices
- Illegal dumping activity minimized
- Most small quantity unregulated hazardous wastes diverted from landfill disposal
- Recycling/composting starts to become the dominant method of waste management
- Organics management system is an effective alternative to landfilling
- Seasonal/Tourist population has option with recycling and solid waste drop-offs
- Recycling processing/marketing system has very strong foundation
- Less reliance on landfills for disposal especially with ramp up of commercial/C&D recycling
- Alternatives landfills used should costs rise or availability be limited

Disadvantages:

- System costs still can be improved while maintaining or increasing level of diversion

Overall Performance:

- Source reduction impact will be observed both residential and commercial
- Diversion through recycling/composting likely in the 30% +/- range
- Landfill capacity less critical to long term system health

Overall Cost Impact:

- System costs increase (\$10.00 to \$14.00 per capita per year as general estimate)
- Reduced overall solid waste collection costs begin to be realized
- Some offsetting savings in reduced waste transport/disposal (\$30 - \$50 per ton or \$8 - \$10 per capita/yr)

APPENDIX B: ADDITIONAL INFORMATION REGARDING THE NON-SELECTED SYSTEMS

Before selecting the solid waste management system contained within this Plan update, the County developed and considered other alternative systems. The details of the non-selected systems are available for review in the County's repository. The following section provides a brief description of these non-selected systems and an explanation why they were not selected. Complete one evaluation summary for each non-selected alternative system.

Over a period of five months, the Solid Waste Planning Committee met to consider goals and objectives for the solid waste planning period, and to evaluate system alternatives and how each alternative would meet goals and objectives as approved.

In addition, the County was presented with a "continuum" of system approaches, beginning with a base-level system of collection and disposal, through an extremely aggressive recovery and waste reduction approach.

- A: Basic Waste Collection and Disposal Program
- B: Level 1 Basic Clean Community and Drop-Off Recycling Program
- C: Level 2 Expanded Clean Community and Drop-Off Recycling Program
- D: Level 3 Expanded Clean Community and Curbside Recycling Program
- E: Level 4 Expanded Clean Community and Comprehensive Recycling Program
- F: Level 5 Advanced Recovery Systems

Each major level included a relative service level in the following programs:

- I: Clean Community Programs
 - Residential & Commercial Solid Waste Collection at Curb
 - Spring /Fall Cleanup Days
 - Illegal Dumping Enforcement
 - Adopt a "_____" program
 - Household Hazardous Waste Program
 - Agricultural and Small Quantity Hazardous Waste Programs
- II: Recycling Incentive Programs
 - Education
 - Promotion
 - Pay as You Throw (PAYT)
 - Recycle More
 - Material Bans
- III: Drop-off Residential Recycling Programs
 - Mobile Drop-offs - for Sorted Recyclables

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- Mobile Drop-offs - for Commingled Recyclables
- Permanent Drop-offs for Sorted Recyclables
- Permanent Drop-offs for Commingled Recyclables
- IV: Curbside Residential Recycling Programs
 - Curbside Recycling - Sorted
 - Curbside Recycling - Commingled
 - Co-collection of Separated Recyclables and Solid Waste
 - Two or Three Stream "Wet/Dry" Collection
 - Co-collection of "Blue Bag" Recyclables and Solid Waste
- V: Residential Yard Waste Composting Programs
 - Back Yard Composting Bin Distribution Programs
 - Mulching Mower Programs
 - Yard Waste Drop-off Stations
 - Curbside Yard Waste Collection
 - Fall Leaf Collection
- VI: Commercial Recycling Programs
 - Waste Assessment Services
 - Drop-off Recycling Services - Sorted
 - Drop-off Recycling Services - Commingled
 - Commercial Recycling Collection - Sorted
 - Commercial Recycling Collection - Commingled
- VII: Material Transfer and Processing Programs
 - Solid Waste Drop-off Sites
 - Solid Waste Drop-off and Recycling
 - Solid Waste Transfer Stations
 - Solid Waste Transfer Stations w/Recycling Drop-off and Processing Capabilities
 - Stand-Alone Recycling Processing Facilities (MRF)
 - Construction & Demolition Debris Processing Facility
 - Mixed Waste Recycling and Compost Processing Facility
- VIII: Disposal Programs
 - Large Solid Waste Landfills in Region
 - Smaller Solid Waste Landfills Serving Counties
 - Transfer of Waste Out of Region
 - Municipal Solid Waste Incineration

Grand Traverse County evaluated its current achievements and goals for improved future solid waste management against these benchmarks. It was concluded that the County was already operating between the C and D levels. The County chose as a goal of the Solid Waste Plan to move toward the D to E level.

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Programs of the Selected System were built upon existing successes and include every program category considered (as listed above) except those underlined.

The underlined programs were excluded as explained below:

SYSTEM COMPONENTS:

The following briefly describes the various components of the non-selected system.

COLLECTION PROCESSES:

Mobile Drop-offs - for Sorted Recyclables (Grand Traverse County has outgrown this approach in favor of permanent stations)

Co-collection of Separated Recyclables and Solid Waste

Two or Three Stream "Wet/Dry" Collection

Co-collection of "Blue Bag" Recyclables and Solid Waste

The three above programs require extensive capital investment without providing significant advantages over the Selected System programs.

PROCESSING:

Stand-Alone Recycling Processing Facilities (MRF)

Mixed Waste Recycling and Compost Processing Facility

A mixed waste composting program requires extensive capital investment without providing significant advantages over the Selected System programs.

DISPOSAL AREAS:

Smaller Solid Waste Landfills Serving Counties

Grand Traverse County has chosen to consider a landfill ownership option.

Municipal Solid Waste Incineration

Adequate landfill capacity is available. Incineration provides no obvious advantages at significant capital risk.

In selecting a waste management system, Grand Traverse County separated the system management and financial considerations from the cost/benefit evaluation of individual programs. Once it was decided that the County would target a particular level of waste diversion, that disposal needs could be met, and programs that could cost effectively meet the goals had been selected, the management and finance system needs were tabulated and assessed.

The County chose to continue using its powers under its Ordinance and Intergovernmental Agreement as the primary means to finance future programs.

APPENDIX C: PUBLIC PARTICIPATION AND APPROVAL

The following summarizes the processes which were used in the development and local approval of the Plan including a summary of public participation in those processes, documentation of each of the required approval steps, and a description of the appointment of the solid waste management planning committee along with the members of that committee.

PUBLIC INVOLVEMENT PROCESS:

Attached at the end of this Appendix C is a description of the process used, including dates of public meetings, copies of public notices, documentation of approval from solid waste planning committee, County board of commissioners, and municipalities.

PLANNING COMMITTEE APPOINTMENT PROCEDURE:

The County Board ran ads for the Solid Waste Planning Committee in the summer of 1997 immediately after filing with the Michigan DEQ its intent to prepare its own Plan. Completed applications were reviewed by the Legal and Administrative Committee of the County Board. Interviews were conducted when multiple qualified applicants applied for the same appointment. Recommendations were made to the County Board by the Legal and Administrative Committee. The County Board made appointments to fill vacancies as needed.

PLANNING COMMITTEE

Committee member names and the company, group, or governmental entity represented from throughout the County are listed below.

Four representatives of the solid waste management industry:

1. Charles Fiebing, Clearbrook Co.
2. Penny Lautner, Goodwill Ind.
3. Dave Knudsen, Waste Management, Inc.
4. David Martin, Dave's Pickup Service

One representative from an industrial waste generator:

1. Bruce Odom, Odom Reuse

Two representatives from environmental interest groups from organizations that are active within the County:

1. David Krumlauf, Northern Michigan Environmental Action Council
2. Robert Russell, Neahtawanta Resource and Education Center

One representative from County government. All government representatives shall be elected officials or a designee of an elected official.

1. Anthony Buday, County Commissioner

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One representative from township government:

1. Joe Bartko, East Bay Township

One representative from city government:

1. Linda Smyka, City Commissioner, Traverse City

One representative from the regional solid waste planning agency:

1. Peter Hembrough, Northwest Michigan Council of Governments Regional Environmental Planning Task Force

Three representatives from the general public who reside within the County:

1. Tom Karas
2. Roger Mawby
3. Joel Wright

SOLID WASTE PLANNING COMMITTEE
SCHEDULE OF MEETINGS

November 13, 1997

December 11, 1997

January 8, 1998

February 5, 1998

March 5, 1998

April 2, 1998

May 7, 1998

June 4, 1998

July 2, 1998

August 20, 1998

September 3, 1998

October 15, 1998

November 4, 1998

December 3, 1998

April 8, 1999

Date: August 28, 1998

LEGAL NOTICES
TRAVERSE CITY RECORD EAGLE
P.O. BOX 632
TRAVERSE CITY, MICHIGAN 49685

FAX: 946-8273

Please publish the following Public Notice in the Traverse City Record Eagle Legal Notice Section beginning no later than September 1, 1998 for two days only. After this notice has been published, we would appreciate your furnishing us an affidavit of publication. Thank you.

PUBLIC NOTICE

AS REQUIRED BY SECTION 11539a OF PART 115, SOLID WASTE MANAGEMENT,
OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT 1994
PA 451, AS AMENDED

The Draft Grand Traverse County Solid Waste Management Plan Update is now available for the 90 day public review and comment period, September 1, 1998 to November 29, 1998. Please send comments to:

Grand Traverse County Solid Waste and Recycling Office
Randy Smith - Solid Waste Coordinator
400 Boardman Ave.
Traverse City, MI 49684

Phone: 616-922-4576

FAX: 616-922-4427

Email: rsmith2@co.grand-traverse.mi.us

Central Repository Location: Deputy Administrator's Office
400 Boardman Avenue
Traverse City, MI 49684

2410
G.T. County

AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN }
County of Grand Traverse } SS.

PUBLIC NOTICE
AS REQUIRED BY SECTION
11539a OF PART 115, SOLID
WASTE MANAGEMENT, OF
THE NATURAL RESOURCES
AND ENVIRONMENTAL
PROTECTION ACT 1994 PA
451, AS AMENDED
The Draft Grand Traverse
County Solid Waste Man-
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available for the 90 day public
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September 1, 1998 to Novem-
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comments to:
Grand Traverse County Solid
Waste and Recycling Office
Randy Smith - Solid Waste
Coordinator
400 Boardman Ave.
Traverse City, MI 49684
Phone: 616-922-4576
FAX: 616-922-4427
Email: rsmith2@co.grand-
traverse.mi.us
Central Repository Location:
Deputy Administrator's Office
400 Boardman Avenue
Traverse City, MI 49684
Sept. 1 & 2, 1998-21

M.C. Hove being duly sworn
deposes and says the annexed printed copy of
notice was taken from the Traverse City RECORD-
EAGLE, a newspaper printed and circulated in
said State and County, and that said notice was
published in said newspaper on the following
dates:

September 1, 2, 1998

that he or she is the agent of the printers of said
newspaper, and knows well the facts stated
herein.

Subscribed and sworn to before me

this 9th day of Sept 1998

E. Dolores Ekey

Notary Public in and for Grand Traverse County.

Commission Expires _____ 19____

E. DOLORES EKEY

Notary Public, Gr. Traverse County, MI
My Commission Expires Sept. 14, 2000

43448
G.T. County

NOV 01 1998

AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN }
County of Grand Traverse } SS.

PUBLIC HEARING NOTICE

A Public Hearing on the Draft Grand Traverse County Solid Waste Management Plan Update will be held on November 4, 1998, at 7:00 p.m. at the Grand Traverse County Civic Center, 1213 W. Civic Center Dr., Traverse City, Michigan.

The public is invited to communicate with the Solid Waste Planning Committee what recycling, composting and trash disposal services they want represented in the Plan. This Public Hearing will be officially recorded as part of the public process outlined in P.A. 451, Part 115 of the Natural Resources and Environmental Protection Act of 1994, as amended.

The Draft Grand Traverse County Solid Waste Management Plan Update is available for the 90 day public review and comment period, September 1, 1998 to November 29, 1998. Please send comments to or obtain copies from:

Grand Traverse County Solid Waste and Recycling Office
Randy Smith - Solid Waste Coordinator

400 Boardman Ave.
Traverse City, MI 49684
Phone: 616-922-4576
FAX: 616-922-4427
Email: rsmith2@co.grand-traverse.mi.us

Central Repository Location:
Deputy Administrator's Office
400 Boardman Avenue
Traverse City, MI 49664
Oct. 1 & 2, 1998-21

M.C. Nau being duly sworn
deposes and says the annexed printed copy of
notice was taken from the Traverse City RECORD-
EAGLE, a newspaper printed and circulated in
said State and County, and that said notice was
published in said newspaper on the following
dates:

October 1, 2, 1998

that he or she is the agent of the printers of said
newspaper, and knows well the facts stated
herein.

Subscribed and sworn to before me

this 6th day of Oct 19 98

E. Dolores Ekey

Notary Public in and for Grand Traverse County.
Commission Expires 19

E. DOLORES EKEY

Notary Public, Gr. Traverse County, MI
My Commission Expires Sept. 14, 2000

GRAND TRAVERSE SOLID WASTE PLANNING COMMITTEE
MINUTES OF MEETING
WEDNESDAY, NOVEMBER 4, 1998

Present: Bob Russell, Joel Wright, Dave Krumlauf, Mike Fiebing, Tom Karas, Linda Smyka, Roger Mawby, David Martin, Joe Bartko, Tony Buday, Penny Lautner
Excused: Peter Hembrough, Bruce Odom
Staff: Randy Smith
Guest: Jim Frey, Don Pizzurro and Norm Emery - Waste Management, Paul Biondo, Paula Gale, Mark Nixon, Don Suchocki - Northern Disposal

- I) **CALL TO ORDER:** Meeting was called to order at 5:44 p.m. by Chairman Russell.
- II) **APPROVAL OF MINUTES:** Motion made by Mawby to approve October minutes as written. Seconded by Wright. Motion passed.
- III) **PUBLIC COMMENT:** Jim Frey indicated he is working with the NWMCOG on a USEPA Grant Application specific to Recycling Processing and Competition in the "Region" and hopes Grand Traverse County will be a participant through the COG. Discussion.

Don Pizzurro and Norm Emery of Waste Management indicated their company is striving to improve services and communication. Don and Norm are available to service the community residents needs and they indicated Waste Management is more user friendly than ever before.

IV) **DISCUSSION/ACTION ITEMS:**

1. **Siting Criteria** - Staff discussed the extensive discussion on siting criteria with the DEQ's Seth Phillips, Jim Frey, and Mac McClelland. Discussion. Staff will provide a summary of changes with the revised document for December.
2. **Summary Comments on the Draft Plan** - Discussion. Fiebing indicated staff's presentation in Fife Lake Township was the least biased. Green Lake - there was concern about "government's" commitment because of the past handling of Solid Waste issues. Fiebing indicated targeted education was needed and most appreciated hearing the information, the concern is if they were hearing it for the first time.

Village of Kingsley - (meeting November 2, 1998) - are in the process of renewing their contract and were concerned if the Plan would prevent them from continuing with their current program. Kingsley Village residents explained they "lost" their incentive to recycle under the Village's waste collection contract.

Tom Karas - suggested there be a consideration for licensing companies that haul construction debris, possibly with a "volume threshold".

Norm Emery - suggested adding in numbers for scrap recycling to increase recycling percentage - both the total Solid Waste and total recycling would increase.

Discussion to continue at the close of the public comment period.

Meeting was recessed at 6:40 p.m. until the beginning of the Public Hearing at 7:00 p.m.

Chairman Russell called the Public Hearing to order at 7:00 p.m. Mr. Russell explained the Public Hearing format and gave an overview of the planning process and Plan content. Two comments were made by the public as follows: Paula Gale - Is the vote on the Plan in January? They have an incentive to approve the Plan because of the State writing one. Mark Nixon - Could you expand on public ownership of the landfill? What is the long term benefit of public vs. private landfill ownership?

The Public Hearing was closed at 7:40 p.m. All testimony will be transcribed and assembled as part of

the Grand Traverse County Solid Waste Management Plan Update.

The Planning Committee will review all public comments and determine to what extent changes should be made to the Draft Plan and submit the results to the County Board of Commissioners for their approval.

- V) **Adjournment:** Meeting adjourned at 7:40 p.m. Next meeting scheduled for December 3, 1998, at 5:30 p.m., at Randy Smith's house, 5499 Trager Rd., Traverse City, MI.

Randy Smith, Recording Secretary

Date

Bruce Odom, Secretary

GRAND TRAVERSE SOLID WASTE PLANNING COMMITTEE
MINUTES OF MEETING
THURSDAY, DECEMBER 3, 1998

DRAFT

Present: Bob Russell, Joel Wright, Dave Krumlauf, Mike Fiebing, Tom Karas, Linda Smyka, Roger Mawby, David Martin, Bruce Odom, Tony Buday, Penny Lautner
Excused: Peter Hembrough, Joe Bartko
Staff: Randy Smith, Mac McClelland
Guest: Laurel Durkin and Dave Herberholz - Waste Management, Jim Frey

- I) **CALL TO ORDER:** Meeting was called to order at 6:25 p.m. by Chairman Russell.
- II) **APPROVAL OF MINUTES:** Motion made by Buday to approve November minutes as written. Seconded by Mawby. Motion passed.
- III) **PUBLIC COMMENT:** None.
- IV) **DISCUSSION/ACTION ITEMS:**
 1. **Old Business:**
 - A) Siting Criteria - The Committee discussed siting criteria changes. The Committee noted tighter commitment to surface water regulations and difficulties in increasing the distance to locate a site near surface water from 100 to 300 feet. Discussion.
 - B) Summary Comments on the Draft Plan - Discussion.
 2. **Adoption of the Grand Traverse County Solid Waste Management Plan Update - Jim Frey** delivered copies of the revised Plan to the Committee members and summarized the changes between the last two drafts for the Committee.

Motion made by Wright to approve the Draft 1998 Grand Traverse county Solid Waste Management Plan Update. Seconded by Mawby. Discussion. The Committee noted the "global" changes as outlined by Mr. Frey. Martin expressed concerns that the industry was bearing too much of the cost burden outlined in the Plan. Staff was requested to review for any errors. The Chair called for a role call vote on the motion.

The motion passed 9-3 with Fiebing, Martin, and Emery voting no. The Plan Update will be furnished to the County Board of Commissioners for their consideration.
 3. **Other - None.**
- V) **Adjournment:** Meeting adjourned at 7:45 p.m. Next meeting is scheduled for January 7, 1999 at 5:30 p.m. in the Committee Room, Governmental Center, Traverse City, MI.

Randy Smith, Recording Secretary

Date

Bruce Odom, Secretary

GRAND TRAVERSE COUNTY

FOR COMMITTEE MEETING: Solid Waste Planning
FOR MEETING DATE: January Meeting Canceled
SUBJECT: Solid Waste Management Plan Update Adoption
FROM: Randy Smith, Solid Waste Coordinator

SUMMARY OF ITEM TO BE PRESENTED:

Congratulations to all of the Solid Waste Planning Committee members for 16 months of focused effort in drafting the Update to the County Solid Waste Plan! Your job is mostly completed at this point. The County Board will "send" the Update to all governmental units in the County for their action. The Solid Waste Planning Committee will likely have one or more meetings depending on the response or action taken by the local governmental units. I will keep you posted of the progress at the beginning of each month, and a meeting will be scheduled after the Townships, Villages and the City have had an opportunity to approve or disapprove the Plan. The Plan will then be forwarded to the MDEQ for State approval.

If the Townships, Villages and City disapprove of the Plan, they must indicate what changes they want represented in the Plan and send it back to the Solid Waste Planning Committee for discussion and amendment. The County Board of Commissioners must accept any changes in the plan before it is returned for adoption by the local governmental units.

I have five copies of the Grand Traverse County Solid Waste Management Plan Update available now, and will be making additional copies for distribution after the first of the year to all local governments in Grand Traverse County.

As you are aware, the Planning Committee released the Draft Grand Traverse County Solid Waste Management Plan Update for public comment on September 1, 1998. A public hearing was held November 4, 1998 and presentations to all 16 of the Townships, Villages and the City of Traverse City were made during the 90 day public review and comment period. There were many comments discussed, which I believe are all appropriately addressed in the Plan Update.

The waste industry, and MDEQ have made the only specific disagreements with the draft Plan Update. The waste industry does not want services contracted for and the MDEQ comments on the Plan were regarding siting. I believe the Plan adopted by the Planning Committee and County Board has been amended to satisfy the MDEQ's concerns without changing the intent of the Draft Plan. Very few other changes have been made to the initial September draft.

Your dedication and consideration for waste reduction, reuse, recycling, composting, and long term solid waste disposal for ALL of the County residents and business is well appreciated.

Please contact me if you have any questions at 922-4576.

plan file

RESOLUTION

Approval of Adoption of Solid Waste Management Plan

WHEREAS, The Ways and Means Committee met in regular session on December 15, 1998, and reviewed the Solid Waste Management Plan Update; and,

WHEREAS, Grand Traverse County has engaged in the Update to the County Solid Waste Management Plan, as required by state statute and through this update process, the Plan is recommended for adoption by the Solid Waste Planning Committee; and,

WHEREAS, Upon approval by the Board of Commissioners, the Plan is forwarded to all the local units of government in the County for approval and upon 67% approval, the plan is considered "locally approved" and forwarded to the MDEQ for state approval; and,

WHEREAS, The Ways and Means Committee recommends approval of the Grand Traverse County Solid Waste Management Plan Update and encourages continual support of the Solid Waste program,

NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD OF COMMISSIONERS, THAT Grand Traverse County adopts the Grand Traverse County Solid Waste Management Plan Update as submitted by the Solid Waste Planning Committee.

APPROVED: December 30, 1998

99-4

RESOLUTION TO APPROVE THE 1998 GRAND TRAVERSE COUNTY
^ SOLID WASTE MANAGEMENT PLAN

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, Acme Township has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with Acme Township.

NOW, THEREFORE, BE IT RESOLVED that Acme Township approves the 1998 Grand Traverse County Solid Waste Management Plan.

Those voting in favor: R. Aguado, D. Hovsice, W. Kury
M. Ritter, N. Knopf

Those voting against: none

Absent members: none

I certify that the above is a true record of the action taken at the Regular
meeting of Acme Township.

Noelle Knopf
Noelle Knopf, Clerk
Acme Township

RESOLUTION TO APPROVE THE 1998 GRAND TRAVERSE County
SOLID WASTE MANAGEMENT PLAN

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, Blair Township has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with Blair Township.

NOW, THEREFORE, BE IT RESOLVED that Blair Township approves the 1998 Grand Traverse County Solid Waste Management Plan.

Those voting in favor: JOE LOWE, ROGER ZEITS, KATHY NOWAK, BETTY A. THARP

Those voting against: DON WEATHERS

Absent members: _____

I certify that the above is a true record of the action taken at the FEBRUARY 9, 1999 meeting of Blair Township.

Betty A Tharp
Betty A Tharp, Clerk
Blair Township

RESOLUTION TO APPROVE THE 1998 GRAND TRAVERSE County
SOLID WASTE MANAGEMENT PLAN

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, East Bay Township has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with East Bay Township.

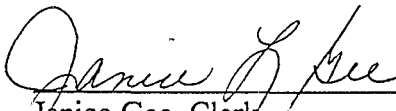
NOW, THEREFORE, BE IT RESOLVED that East Bay Township approves the 1998 Grand Traverse County Solid Waste Management Plan.

Those voting in favor: BARTKO, GEE, HENTSCHEL

Those voting against: STRAIT, COURTADE

Absent members: WATSON, FINNILA

I certify that the above is a true record of the action taken at the REGULAR FEBRUARY 8, 1999 meeting of East Bay Township.



Janice Gee, Clerk
East Bay Township

99-03 R

RESOLUTION TO APPROVE THE 1998 GRAND TRAVERSE County
SOLID WASTE MANAGEMENT PLAN

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, Fife Lake Village has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with Fife Lake Village.

NOW, THEREFORE, BE IT RESOLVED that Fife Lake Village approves the 1998 Grand Traverse County Solid Waste Management Plan.

Those voting in favor: Chartier, Forwerck, Geyman, Lewis,
Midlough, Broering

Those voting against: _____

Absent members: Eby

I certify that the above is a true record of the action taken at the February 1, 1999
meeting of Fife Lake Village.

Barbette L. Lane

Barbette Lane, Clerk
Fife Lake Village

RESOLUTION TO APPROVE THE 1998 GRAND TRAVERSE County
SOLID WASTE MANAGEMENT PLAN

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, Fife Lake Township has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with Fife Lake Township.

NOW, THEREFORE, BE IT RESOLVED that Fife Lake Township approves the 1998 Grand Traverse County Solid Waste Management Plan.

Those voting in favor: Braering, Stromland, Angerson
& Larson, Cusack absent.

Those voting against: - 0 -

Absent members: Al Cevalera

I certify that the above is a true record of the action taken at the 2-25-99
meeting of Fife Lake Township.

Toni Larson
Toni Larson, Clerk
Fife Lake Township

CHARTER TOWNSHIP OF GARFIELD

**RESOLUTION 99-3-T
APPROVAL OF THE 1998 GRAND TRAVERSE COUNTY SOLID
WASTE MANAGEMENT PLAN**

WHEREAS, the Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

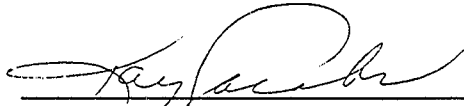
WHEREAS, Garfield Township has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, and the designated solid waste management planning agency have discussed the plan with Garfield Township.

NOW, THEREFORE, BE IT RESOLVED that Garfield Township approves the 1998 Grand Traverse County Solid Waste Management Plan.

**Leo Strait//moved, Brad Barnes/supported, PASSED to adopt Resolution 99-3-T.
Roll call vote for the motion:
Yes: Lee Wilson, Kay Jacobs, Judy McManus, Brad Barnes, Leo Strait
No: None
Absent and excused: Dale Doerr, Jim Harvey**

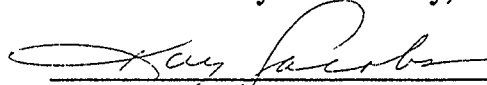
The Chairman declared Resolution 99-3-T adopted this 11th day of February, 1999.



Kay Jacobs, Clerk

CERTIFICATION

I, Kay Jacobs, Clerk of the Charter Township of Garfield, hereby certify that the above Resolution 99-3-T is a true and correct copy of a Resolution adopted by the Town Board of the Charter Township of Garfield on the 11th day of February, 1999.



Kay Jacobs, Clerk

RESOLUTION TO APPROVE THE 1998 GRAND TRAVERSE County
SOLID WASTE MANAGEMENT PLAN

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, Grant Township has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with Grant Township.

NOW, THEREFORE, BE IT RESOLVED that Grant Township approves the 1998 Grand Traverse County Solid Waste Management Plan.

Those voting in favor: Malik, Moyer, Acre, Albrecht, Kreiser

Those voting against: N/A

Absent members: N/A

I certify that the above is a true record of the action taken at the March 15, 1999 meeting of Grant Township.

Karen Kreiser
Karen Kreiser, Clerk
Grant Township

RESOLUTION TO APPROVE THE 1998 GRAND TRAVERSE County
SOLID WASTE MANAGEMENT PLAN

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, Green Lake Township has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with Green Lake Township.

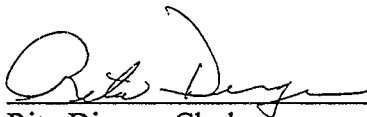
NOW, THEREFORE, BE IT RESOLVED that Green Lake Township approves the 1998 Grand Traverse County Solid Waste Management Plan.

Those voting in favor: Schroeter, Sager, Cayo, Dinger, Biondo

Moved Sager, Support Cayo to adopt the Resolution to approve the 1998 Grand Traverse County Solid Waste Management Plan with the provision that any changes to the plan or any talk about franchising on the plan be brought back to the Green Lake Township Board for Discussion and approval. Carried.
Those voting against: _____

Absent members: -0-

I certify that the above is a true record of the action taken at the February 8, 1999 meeting of Green Lake Township.



Rita Dinger, Clerk
Green Lake Township

RESOLUTION 3-98/99-18

**RESOLUTION TO APPROVE THE 1998 GRAND TRAVERSE COUNTY
SOLID WASTE MANAGEMENT PLAN**

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, Long Lake Township has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with Long Lake Township.

NOW, THEREFORE, BE IT RESOLVED that Long Lake township approves the 1998 Grand Traverse County solid Waste Management Plan, with the following amendments:

- 1) The Drain Commissioner be included as a required member of the site selection committee.
- 2) The notice to residents be increased from 300' to one-half mile.

Those voting in favor: Rosa, Allen, Imhoff, Hoffman, Linnerson

Those voting against: None

Absent members: None

I certify that the above is a true record of the action taken at the March 9, 1999 Regular meeting of the Long Lake Township Board.

Carol A. Hoffman
Carol A. Hoffman, Clerk
LONG LAKE TOWNSHIP

RESOLUTION TO APPROVE THE 1998 GRAND TRAVERSE County
SOLID WASTE MANAGEMENT PLAN

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, the City of Traverse City has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with the City of Traverse City.

NOW, THEREFORE, BE IT RESOLVED that the City of Traverse City approves the 1998 Grand Traverse County Solid Waste Management Plan.

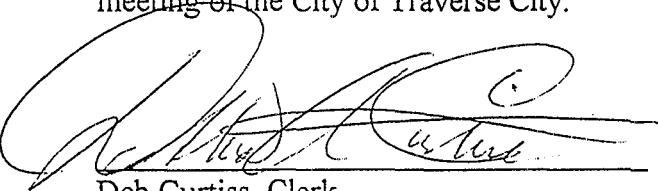
Those voting in favor: Mayor Tompkins; Commissioner Hardy; Commissioner Gilbert

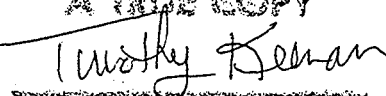
Commissioner Smyka; Mayor Pro Tem Dodd

Those voting against: None

Absent members: Commissioner Weese; Commissioner Orth

I certify that the above is a true record of the action taken at the February 16, 1999
meeting of the City of Traverse City.


Deb Curtiss, Clerk
City of Traverse City

A TRUE COPY

Dep. CITY CLERK
TRAVERSE CITY, MICHIGAN

RESOLUTION TO APPROVE THE 1998 GRAND TRAVERSE County
SOLID WASTE MANAGEMENT PLAN

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, Paradise Township has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with Paradise Township.


NOW, THEREFORE, BE IT RESOLVED that Paradise Township approves the 1998 Grand Traverse County Solid Waste Management Plan.

Those voting in favor: Strange, Sedlacek, Dean, Hoyt, Case

Those voting against: N/A

Absent members: N/A

I certify that the above is a true record of the action taken at the March 10, 1999 meeting of Paradise Township.


Jessica Sedlacek, Clerk
Paradise Township

RESOLUTION TO APPROVE THE 1998 GRAND TRAVERSE County
SOLID WASTE MANAGEMENT PLAN

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, Peninsula Township has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with Peninsula Township.

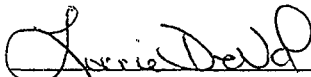
NOW, THEREFORE, BE IT RESOLVED that Peninsula Township approves the 1998 Grand Traverse County Solid Waste Management Plan.

Those voting in favor: Manigold, Breadon, DeVol, McManus, Gray

Those voting against: none

Absent members: none

I certify that the above is a true record of the action taken at the February 9, 1999 meeting of Peninsula Township.



Lorrie DeVol, Clerk
Peninsula Township

RESOLUTION TO APPROVE THE 1998 GRAND TRAVERSE County
SOLID WASTE MANAGEMENT PLAN

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, Union Township has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with Union Township.

NOW, THEREFORE, BE IT RESOLVED that Union Township approves the 1998 Grand Traverse County Solid Waste Management Plan.

Those voting in favor: Stein, Biro, Kafeve, Ritter
Mansfield

Those voting against: _____

Absent members: _____

I certify that the above is a true record of the action taken at the March 10, 1999
meeting of Union Township.


Sheree Stein, Clerk
Union Township

RESOLUTION #99-9

**Resolution to Approve the 1998 Grand Traverse County
Solid Waste Management Plan**

Whitewater Township
Grand Traverse County, Michigan

WHEREAS, The Grand Traverse County Board of Commissioners has proceeded in the development of a County Solid Waste Management Plan as required by Section 11539a of Part 115, Solid Waste Management Section, of the Michigan Natural Resources and Environmental Protection Act 1994, PA 451, as amended, and

WHEREAS, Whitewater Township has received notice that the Grand Traverse County Solid Waste Management Planning Committee has approved the plan for public review, and has received a copy of said plan, and

WHEREAS, the County Solid Waste Staff, the designated solid waste management planning agency, has discussed the plan with Whitewater Township.

NOW, THEREFORE, BE IT RESOLVED that Whitewater Township approves the 1998 Grand Traverse County Solid Waste Management Plan.

Those voting in favor: Galligan, Stites, Beckwith, Amos

Those voting against: None

Absent members: None

I certify that the above is a true record of the action taken at the March 16, 1999 meeting of Whitewater Township.

Sandra Beckwith
Sandra Beckwith, Clerk
Whitewater Township



**GRAND TRAVERSE COUNTY
SOLID WASTE OFFICE**

400 BOARDMAN AVENUE
TRAVERSE CITY, MI 49684-2577
(616) 922-4576 • FAX (616) 922-4427

April 12, 1999

Mayfield Township
Dan Bauer
7034 Schichtel Road
Kingsley, MI 49649

Dear Mr. Bauer:

On February 15th, 1999, Mayfield Township reviewed and accepted the Solid Waste Management Plan for Grand Traverse County. To date, we have not received a copy of the signed and sealed Resolution to Approve. Please provide a copy of this document at your earliest convenience, as we must forward a copy to the State of Michigan with the plan. I have enclosed a blank copy of the resolution form in the event it has been misplaced. Please call if there are any further questions.

Sincerely,

R. Smith /cp

Randall S. Smith
Solid Waste Coordinator
Grand Traverse County

RSS/cjc



RECYCLED PAPER



**GRAND TRAVERSE COUNTY
SOLID WASTE OFFICE**

400 BOARDMAN AVENUE
TRAVERSE CITY, MI 49684-2577
(616) 922-4576 • FAX (616) 922-4427

April 12, 1999

Village of Kingsley
Rodney Bogart
621 Fenton Street
Kingsley, MI 49649

Dear Mr. Bogart:

On March 1st, 1999, the Village of Kingsley reviewed and accepted the Solid Waste Management Plan for Grand Traverse County. To date, we have not received a copy of the signed and sealed Resolution to Approve. Please provide a copy of this document at your earliest convenience, as we must forward a copy to the State of Michigan with the plan. I have enclosed a blank copy of the resolution form in the event it has been misplaced. Please call if there are any further questions.

Sincerely,

Randall S. Smith
Solid Waste Coordinator
Grand Traverse County

RSS/cjc



RECYCLED PAPER

APPENDIX D: PLAN IMPLEMENTATION STRATEGY

The following discusses how the County intends to implement the plan and provides documentation of acceptance of responsibilities from all entities that will be performing a role in the Plan.

The County Board's adoption of the Plan is intended as a demonstration of the County's acceptance of responsibilities for implementing the Plan as follows:

This timetable is a guideline to implement components of the Plan's Enforceable Program. The Timeline gives a range of time in which the component will be implemented such as "1999-2000" or "On-going." Timelines may be adjusted later, if necessary.

MANAGEMENT COMPONENTS	TIMELINE
1) Designate Office of Solid Waste as Implementation Agency	1999
2) Designate Solid Waste Council as Imp. Oversight Committee	1999
3) Develop/Adopt Implementation Action Plan	1999
4) Amend Intergovernmental Agreements/Ordinance/Rules/Regs	1999
5) Preliminary Program Specifications for Planned Programs	1999
6) Establish Budgets for Planned Programs	1999
7) Determine Ownership/Operation Arrangements for MRF/TS	1999
8) Finalize Funding Structure and Mechanisms	1999
9) Engineer, design & construct transfer station/MRF	1999/2000
10) Initiate all outreach/education programs	1999/2000
11) Procure all other system improvements	1999/2000
12) Final Implementation of Funding Mechanisms	1999/2000
13) Trigger Ban on Selected Items from Landfill Disposal	2000-2008
14) Negotiate/Adhere to Contract for Disposal Capacity	2000-2003
15) Evaluation of Options for Long Term Disposal Capacity	2000-2003
16) Implement Options for Long Term Disposal Capacity	2002-2008
17) Data Tracking to Assess Program Performance	Annual/Ongoing
18) Update Implementation Action Plan	Annual/Ongoing

ATTACHMENTS

ATTACHMENTS

The following attachments are included as part of the Plan.

ATTACHMENT A: Resolutions - NOT APPLICABLE

The following are resolutions from County Board of Commissioners approving municipality's request to be included in an adjacent County's Plan.

ATTACHMENT B: Listed Capacity

Documentation from landfills that the County has access to their listed capacity.

ATTACHMENT C: Maps

Maps showing locations of solid waste disposal facilities used by the County.

ATTACHMENT D: Inter-County Agreements

Copies of Inter-County agreements with other Counties (if any).

ATTACHMENT E: Detailed Population Data

Detailed population data in chart form

ATTACHMENT F: Special Conditions

Special conditions to import and export of solid waste in addition to those related to Inter-County Agreements as provided for in Attachment D.

ATTACHMENT G: Grand Traverse County Solid Waste Ordinance and Intergovernmental Agreement

Copy of the version of the Grand Traverse County Solid Waste Ordinance and Intergovernmental Agreement in effect at the time of Plan adoption.

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ATTACHMENTS

ATTACHMENT B
LISTED CAPACITY

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Glen's Sanitary Landfill, Inc.

A Subsidiary of United Waste System

Randy Smith
Solid Waste Coordinator, GT. County
400 Boardman Ave.
Traverse City, MI, 49684

.. 9/2/98

Dear Randy,

Per the requirements of the DEQ County solid waste management plans "Plan Format"
Section III-28 "siting review procedures" and section D-3 "Listed capacity"
Glen's Sanitary Landfill submits the following.

Under Glen's existing 133 acre DEQ expansion permit, and subsequent licensing program, we can supply
your county with 10 years of airspace / disposal.

Please feel free call with any questions, (616) 228-6725

Sincerely,

Dave Barron
Site Manager

cc: File

P.O. BOX 148 MAPLE CITY, MI 49664
PHONE 616-228-5196



100% RECYCLED PAPER

ATTACHMENT C

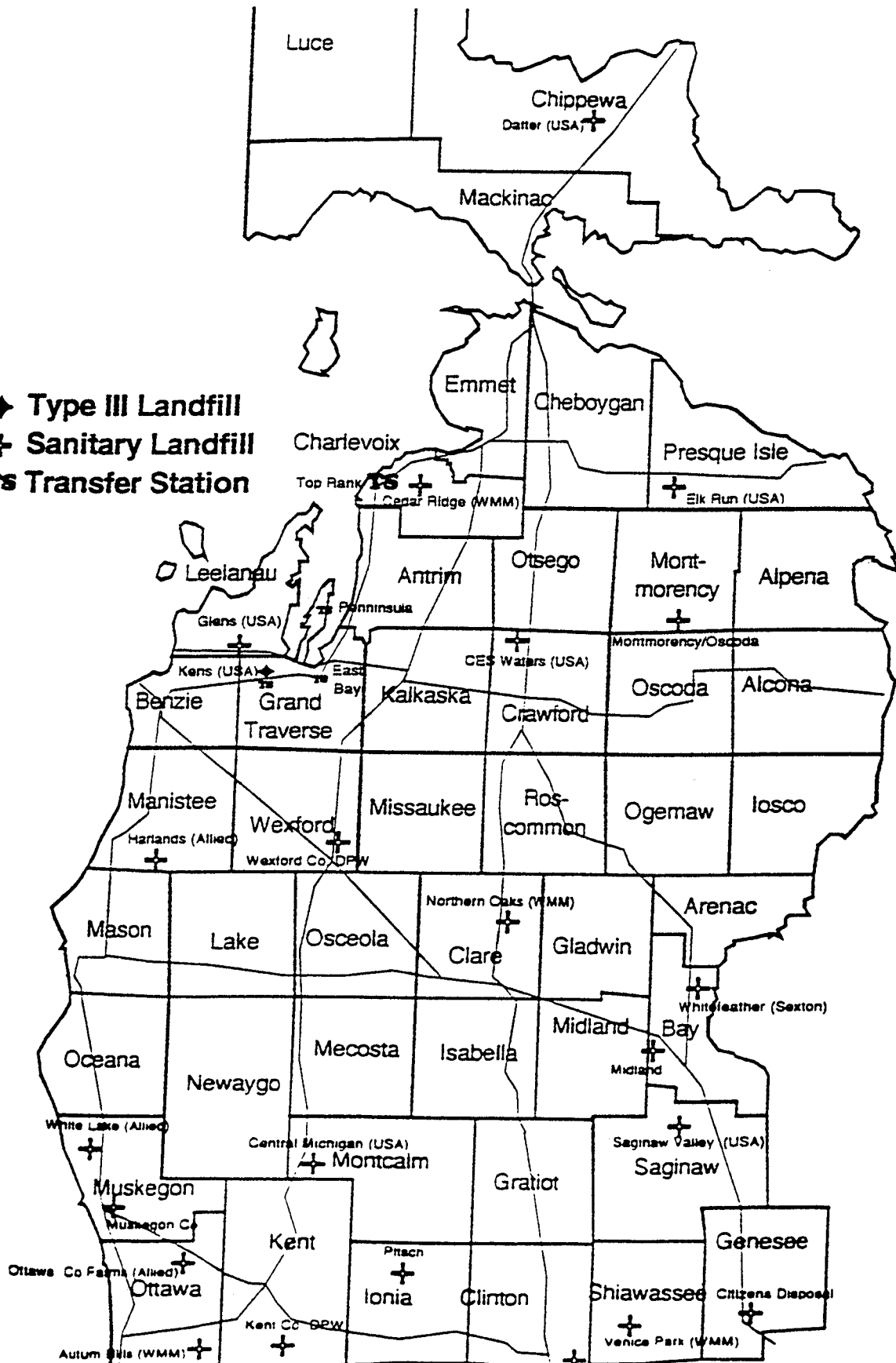
MAPS

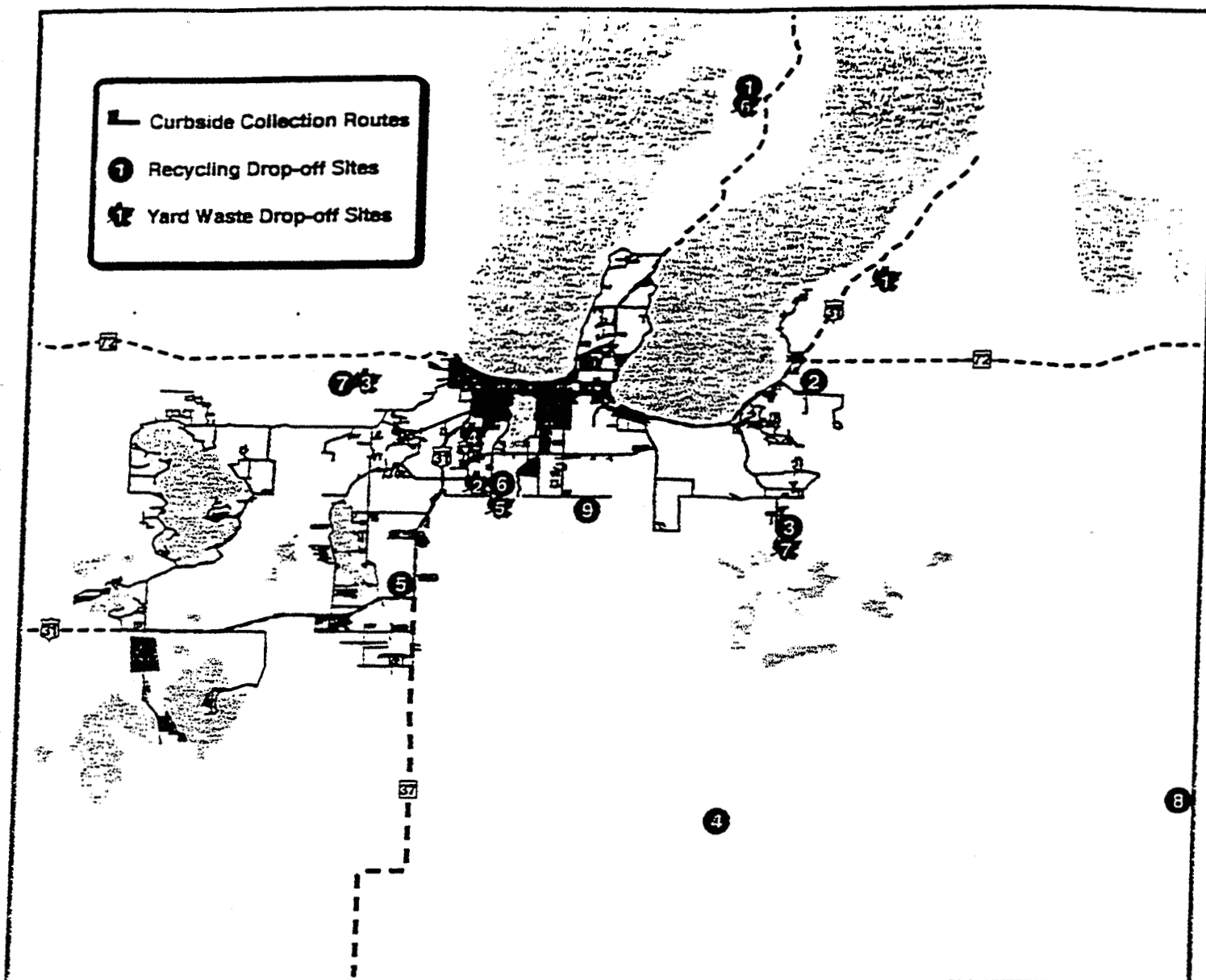
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Landfills & Transfer Stations

Potentially Serving Grand Traverse County

- ◆ Type III Landfill
- + Sanitary Landfill
- TS Transfer Station





Recycling and Yard Waste Collection in Grand Traverse County

ATTACHMENTS

ATTACHMENT D

INTER-COUNTY AGREEMENTS

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**GRAND TRAVERSE COUNTY
SOLID WASTE OFFICE**

400 BOARDMAN AVENUE
TRAVERSE CITY, MI 49684-2577
(616) 922-4576 • FAX (616) 922-4427

August 27, 1998

FIELD(CONTACT)
FIELD(DEPT)
FIELD(ADDRESS)
FIELD(CITY)

Dear FIELD(GREETING):

Grand Traverse County is in the process of preparing the 1998 Update to our County Solid Waste Management Plan and would like to include FIELD(COUNTY) as an export county for our solid waste management purposes. Grand Traverse County would also include FIELD(COUNTY) as an import county.

Grand Traverse County has a firm commitment to resources recovery and hazardous materials management, yet at this time does not have a licensed type II landfill within the County and our only type III facility is due to close in the next two years. However, our draft update to the County Solid Waste Management Plan outlines the potential of a County developed landfill or contract for waste disposal. During this planning period, Grand Traverse County would anticipate exporting by contract from 150,000 to 300,000 cubic yards of solid waste annually.

As an importer of solid waste, Grand Traverse County would accept up to 300,000 cubic yards of solid waste annually from any one or a combination of counties listed in our plan for primary and/or contingency disposal in solid waste facilities so long as they are open to the public and comply with our County Solid Waste Ordinance and Intergovernmental Agreement. Our Draft Solid Waste Management Plan will be released by September 1, 1998 for the 90 day public review period.

In order to provide the best options for both Counties, we will include FIELD(COUNTY) in our Solid Waste Management Plan Update, and appreciate your inclusion of Grand Traverse County in the FIELD(COUNTY) Solid Waste Management Plan.

If you have any questions, please do not hesitate to contact me at (616) 922-4576.

Sincerely,

Randall S. Smith
Solid Waste Coordinator



RECYCLED PAPER

LIST OF COUNTIES IMPORT/EXPORT AUTHORIZATION LETTER WAS SENT TO:

Delta
Ontonagon
Midland
Menominee
Montcalm
Manistee
Chippewa
Presque Isle
Charlevoix
Montmorency
Wexford
Bay
Clare
Muskegon
Saginaw
Sanilac
Ottawa
Kent
Clinton
Shiawasee
Genesee
Kalamazoo
Barry
Ingham
Oakland
Macomb
Calhoun
Jackson
St. Joseph
Berrien
Lenawee
Monroe

ATTACHMENTS

ATTACHMENT E

DETAILED POPULATION DATA

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Grand Traverse County Solid Waste Plan

Permanent Population of Grand Traverse County

Municipality	1990 pop	90-96 change	96/90 ratio	annual growth	1998 lin	2003 lin	2008 lin	98 forecast	03 forecast	08 forecast
Acme township	3447	554	1.1607	1.0241	4171	4700	5295	4157	4571	4991
Blair township	5249	840	1.1600	1.0240	6347	7148	8049	6326	6951	7587
East Bay township	8307	1325	1.1595	1.0240	10040	11301	12722	10005	10991	11992
Fife Lake village	394	55	1.1396	1.0211	466	517	574	464	503	541
Balance of Fife Lake township	950	56	1.0589	1.0092	1022	1070	1120	1019	1041	1056
Garfield township	10516	1753	1.1667	1.0250	12810	14492	16394	12766	14094	15454
Grant township	745	120	1.1611	1.0242	902	1016	1145	899	988	1080
Green Lake township	3677	636	1.1730	1.0259	4510	5124	5822	4495	4983	5488
Long Lake township	5977	959	1.1604	1.0241	7231	8145	9175	7206	7922	8649
Mayfield township	967	151	1.1562	1.0235	1164	1308	1469	1160	1272	1384
Kingsley village	738	113	1.1531	1.0231	886	993	1112	883	965	1049
Balance of Paradise township	1770	282	1.1593	1.0239	2139	2407	2709	2131	2341	2554
Peninsula township	4340	697	1.1606	1.0241	5251	5916	6665	5233	5753	6282
Traverse City city *	15116	-76	0.9950	0.9992	15019	14958	14898	14967	14547	14043
Union township	255	41	1.1608	1.0241	309	348	392	308	338	369
Whitewater township	1825	293	1.1605	1.0241	2208	2487	2802	2201	2419	2641
Grand Traverse County Total	64273	7799	1.1213	1.0185	74476	81931	90343	74220	79680	85160
Michigan DMB Estimates					74220	79680	85160			

*growth in Traverse City was projected to decline between 1990 and 1996, and thus future projections indicate a population decline;
however, actual numbers may increase as heavy growth is experienced

Grand Traverse County Solid Waste Plan

1998 Estimated Seasonal Population

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Avg.
Seasonal Multiplier	1.11	1.12	1.13	1.11	1.16	1.37	1.38	1.39	1.18	1.17	1.15	1.14	1.20
Acme township	4614	4656	4698	4614	4822	5695	5737	5778	4905	4864	4781	4739	4992
Blair township	7021	7085	7148	7021	7338	8666	8729	8793	7464	7401	7274	7211	7596
East Bay township	11106	11206	11306	11106	11606	13707	13807	13907	11806	11706	11506	11406	12014
Fife Lake village	515	520	524	515	538	636	641	645	548	543	534	529	557
Balance of Fife Lake township	1131	1141	1151	1131	1182	1396	1406	1416	1202	1192	1172	1161	1223
Garfield township	14171	14298	14426	14171	14809	17490	17617	17745	15064	14937	14681	14554	15330
Grant township	998	1007	1016	998	1043	1231	1240	1249	1061	1052	1034	1025	1079
Green Lake township	4989	5034	5079	4989	5214	6158	6202	6247	5304	5259	5169	5124	5397
Long Lake township	7999	8071	8143	7999	8359	9873	9945	10017	8503	8431	8287	8215	8654
Mayfield township	1288	1300	1311	1288	1346	1590	1601	1613	1369	1358	1334	1323	1393
Kingsley village	980	989	997	980	1024	1209	1218	1227	1041	1033	1015	1006	1060
Balance of Paradise township	2366	2387	2408	2366	2472	2920	2941	2963	2515	2494	2451	2430	2559
Peninsula township	5809	5861	5914	5809	6071	7170	7222	7275	6176	6123	6018	5966	6285
Traverse City city (pt.)	16614	16763	16913	16614	17362	20505	20655	20804	17661	17512	17212	17063	17973
Union township	341	344	348	341	357	421	424	428	363	360	354	351	369
Whitewater township	2443	2465	2487	2443	2553	3015	3037	3059	2597	2575	2531	2509	2643
Grand Traverse County Total	82384	83126	83869	82384	86095	101681	102424	103166	87580	86837	85353	84611	89126

1998 Estimate Waste Generation, tons

	mult.*	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total, tpy
Acme township	3.0	215	196	218	208	224	256	267	269	221	226	215	220	2735
Blair township	2.0	218	198	222	211	227	260	271	273	224	229	218	224	2774
East Bay township	2.6	448	408	456	433	468	535	556	560	460	472	449	460	5704
Fife Lake village	2.0	16	15	16	15	17	19	20	20	16	17	16	16	204
Balance of Fife Lake township	2.0	35	32	36	34	37	42	44	44	36	37	35	36	447
Garfield township	3.0	659	601	671	638	689	787	819	825	678	695	661	677	8398
Grant township	2.0	31	28	31	30	32	37	38	39	32	33	31	32	394
Green Lake township	2.0	155	141	157	150	162	185	192	194	159	163	155	159	1971
Long Lake township	2.0	248	226	252	240	259	296	308	311	255	261	249	255	3160
Mayfield township	2.0	40	36	41	39	42	48	50	50	41	42	40	41	509
Kingsley village	2.0	30	28	31	29	32	36	38	38	31	32	30	31	387
Balance of Paradise township	2.0	73	67	75	71	77	88	91	92	75	77	74	75	935
Peninsula township	2.0	180	164	183	174	188	215	224	226	185	190	181	185	2295
Traverse City city (pt.)	3.8	979	892	996	947	1023	1169	1217	1225	1007	1031	981	1005	12471
Union township	2.0	11	10	11	10	11	13	13	13	11	11	11	11	135
Whitewater township	2.0	76	69	77	73	79	90	94	95	78	80	76	78	965
Grand Traverse County Total	2.28	3412	3109	3473	3302	3566	4075	4242	4273	3510	3596	3421	3504	43483

*Waste Gen. Multiplier is presently 2.0 pounds per person per day for rural areas, 2.6 ppppd for urban areas.

Grand Traverse County Solid Waste Plan

2003 Estimated Seasonal Population

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Avg.
Acme township	5073	5119	5165	5073	5302	6262	6307	6353	5393	5348	5256	5211	5489
Blair township	7716	7786	7855	7716	8064	9523	9593	9663	8203	8133	7994	7925	8348
East Bay township	12200	12310	12420	12200	12749	15058	15167	15277	12969	12859	12640	12530	13198
File Lake village	558	563	568	558	583	689	694	699	593	588	578	573	604
Balance of File Lake township	1155	1166	1176	1155	1207	1426	1436	1447	1228	1218	1197	1187	1250
Garfield township	15644	15785	15926	15644	16349	19308	19449	19590	16631	16490	16208	16067	16924
Grant township	1097	1107	1117	1097	1147	1354	1364	1374	1166	1157	1137	1127	1187
Green Lake township	5531	5581	5631	5531	5781	6827	6877	6927	5880	5830	5731	5681	5984
Long Lake township	8793	8872	8951	8793	9189	10852	10932	11011	9347	9268	9110	9031	9512
Mayfield township	1412	1424	1437	1412	1475	1742	1755	1768	1501	1488	1463	1450	1527
Kingsley village	1071	1081	1091	1071	1120	1322	1332	1342	1139	1129	1110	1100	1159
Balance of Paradise township	2599	2622	2645	2599	2716	3207	3231	3254	2763	2739	2692	2669	2811
Peninsula township	6386	6444	6501	6386	6674	7882	7940	7997	6789	6732	6617	6559	6909
Traverse City city (pt.)	16148	16293	16439	16148	16875	19930	20075	20221	17166	17020	16730	16584	17469
Union township	375	379	382	375	392	463	467	470	399	396	389	386	406
Whitewater township	2685	2709	2734	2685	2806	3314	3338	3363	2855	2830	2782	2758	2905
Grand Traverse County Total	88445	89242	90038	88445	92429	109162	109958	110755	94022	93226	91632	90835	95682

2003 Estimate Waste Generation, tons

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total, tpy
Acme township	236	238	240	236	247	291	293	295	251	249	244	242	3063
Blair township	239	241	244	239	250	295	297	300	254	252	248	246	3105
East Bay township	492	496	501	492	514	607	611	616	523	518	509	505	6383
File Lake village	17	17	18	17	18	21	22	22	18	18	18	18	225
Balance of File Lake township	36	36	36	36	37	44	45	45	38	38	37	37	465
Garfield township	727	734	741	727	760	898	904	911	773	767	754	747	9444
Grant township	34	34	35	34	36	42	42	43	36	36	35	35	442
Green Lake township	171	173	175	171	179	212	213	215	182	181	178	176	2226
Long Lake township	273	275	277	273	285	336	339	341	290	287	282	280	3539
Mayfield township	44	44	45	44	46	54	54	55	47	46	45	45	568
Kingsley village	33	34	34	33	35	41	41	42	35	35	34	34	431
Balance of Paradise township	81	81	82	81	84	99	100	101	86	85	83	83	1046
Peninsula township	198	200	202	198	207	244	246	248	210	209	205	203	2570
Traverse City city (pt.)	951	960	968	951	994	1174	1182	1191	1011	1003	985	977	12347
Union township	12	12	12	12	12	14	14	15	12	12	12	12	151
Whitewater township	83	84	85	83	87	103	103	104	88	88	86	85	1081
Grand Traverse County Total	3627	3660	3692	3627	3790	4476	4509	4542	3856	3823	3758	3725	47084

*Waste Gen. Multiplier is presently 2.0 pounds per person per day for rural areas, 2.6 ppppd for urban areas.

Grand Traverse County Solid Waste Plan

2008 Estimated Seasonal Population

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Avg.
Acme township	5540	5590	5640	5540	5790	6838	6888	6938	5889	5840	5740	5690	5993
Blair township	8422	8498	8574	8422	8801	10395	10470	10546	8953	8877	8725	8650	9111
East Bay township	13311	13431	13551	13311	13911	16429	16549	16669	14150	14030	13791	13671	14400
Fife Lake village	601	606	611	601	628	741	747	752	638	633	622	617	650
Balance of Fife Lake township	1172	1183	1193	1172	1225	1447	1457	1468	1246	1236	1215	1204	1268
Garfield township	17154	17308	17463	17154	17926	21171	21326	21481	18235	18081	17772	17617	
Grant township	1198	1209	1220	1198	1252	1479	1490	1501	1274	1263	1242	1231	1297
Green Lake township	6091	6146	6201	6091	6366	7518	7573	7628	6475	6420	6311	6256	6590
Long Lake township	9600	9686	9773	9600	10032	11849	11935	12022	10205	10119	9946	9859	10385
Mayfield township	1537	1550	1564	1537	1606	1897	1910	1924	1634	1620	1592	1578	1662
Kingsley village	1164	1174	1185	1164	1216	1437	1447	1457	1237	1227	1206	1195	1259
Balance of Paradise township	2835	2860	2886	2835	2963	3499	3525	3550	3014	2988	2937	2912	3067
Peninsula township	6973	7036	7099	6973	7287	8607	8669	8732	7413	7350	7225	7162	7544
Traverse City city (pt.)	15588	15729	15869	15588	16290	19239	19380	19520	16571	16431	16150	16009	16864
Union township	410	414	417	410	428	506	510	513	436	432	425	421	443
Whitewater township	2932	2958	2985	2932	3064	3619	3645	3672	3117	3090	3038	3011	3172
Grand Traverse County Total	94528	95379	96231	94528	98786	116669	117521	118372	100489	99637	97934	97082	83706

2008 Estimate Waste Generation, tons

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total, tpy
Acme township	258	235	262	249	269	308	320	323	265	272	258	265	3283
Blair township	261	238	266	253	273	312	325	327	269	275	262	268	3327
East Bay township	536	489	546	519	561	641	667	672	552	565	538	551	6837
Fife Lake village	19	17	19	18	19	22	23	23	19	20	19	19	237
Balance of Fife Lake township	36	33	37	35	38	43	45	46	37	38	36	37	463
Garfield township	798	727	812	772	834	953	992	999	821	841	800	819	10166
Grant township	37	34	38	36	39	44	46	47	38	39	37	38	473
Green Lake township	189	172	192	183	197	226	235	236	194	199	189	194	2406
Long Lake township	298	271	303	288	311	355	370	373	306	314	298	306	3793
Mayfield township	48	43	48	46	50	57	59	60	49	50	48	49	607
Kingsley village	36	33	37	35	38	43	45	45	37	38	36	37	460
Balance of Paradise township	88	80	89	85	92	105	109	110	90	93	88	90	1120
Peninsula township	216	197	220	209	226	258	269	271	222	228	217	222	2755
Traverse City city (pt.)	918	837	935	889	959	1097	1141	1150	945	968	921	943	11701
Union township	13	12	13	12	13	15	16	16	13	13	13	13	162
Whitewater township	91	83	93	88	95	109	113	114	94	96	91	93	1158
Grand Traverse County Total	3841	3500	3910	3717	4014	4588	4775	4810	3951	4048	3851	3945	48949

*Waste Gen. Multiplier is presently 2.0 pounds per person per day for rural areas, 2.6 pppd for urban areas.

Grand Traverse County Solid Waste Plan

Grand Traverse County Residential Waste Projections Summary

Municipality	1998	2003	2008
Acme township	2735	3063	3283
Blair township	2774	3105	3327
East Bay township	5704	6383	6837
Fife Lake village	204	225	237
Balance of Fife Lake township	447	465	463
Garfield township	8398	9444	10166
Grant township	394	442	473
Green Lake township	1971	2226	2406
Long Lake township	3160	3539	3793
Mayfield township	509	568	607
Kingsley village	387	431	460
Balance of Paradise township	935	1046	1120
Peninsula township	2295	2570	2755
Traverse City city (pt.)	12471	12347	11701
Union township	135	151	162
Whitewater township	965	1081	1158
Grand Traverse County Total	43483	47084	48949
	tons/year	tons/year	tons/year

ATTACHMENTS

ATTACHMENT F

SPECIAL CONDITIONS

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ATTACHMENTS

ATTACHMENT F: Special Conditions

Flows of solid waste between counties including those covered by the Inter-County Agreements that the County may negotiate must be consistent with the following special conditions affecting import or export of solid waste and must be consistent with all other aspects of the Plan.

Section III Table 1-B Attachments Section

FUTURE IMPORT VOLUME AUTHORIZATION OF SOLID WASTE CONTINGENT ON NEW FACILITIES BEING SITED

*** Condition for Future Imports to Ken's Landfill:**

Only Type III construction and demolition waste may be imported for disposal at Ken's Landfill.

*** Condition for Future Imports to the County Selected Site:**

Up to 100% of Type II and Type III solid waste will be able to be imported from a listed county to a future landfill to be located at the County Selected Site (see Siting Review Procedures Section) and then only if the exporting county and Grand Traverse County sign an intergovernmental contract that includes two key provisions; 1) exporting county must have arranged to provide comprehensive waste management services to their residential households and businesses including recycling services, composting services, household hazardous waste collection services and business waste assessment services; and 2) a specific authorized daily and annual quantity of waste to be imported is negotiated, potentially up to 100% of the Type II and Type III solid waste generated in the exporting county.

Section III Table 2-A Attachments Section

CURRENT EXPORT VOLUME AUTHORIZATION OF SOLID WASTE

*** Condition for Current Exports:**

Export of Type II and Type III waste will be allowed to the identified counties only if such waste collected for export is collected in compliance with all applicable laws, ordinances, rules and regulations of the Grand Traverse County Solid Waste Management System, Ordinance and Intergovernmental Agreement consistent with the Plan's Enforceable Program.

Section III Table 2-B Attachments Section

FUTURE EXPORT VOLUME AUTHORIZATION OF SOLID WASTE CONTINGENT ON NEW FACILITIES BEING SITED

*** Condition for Future Exports:**

Export of Type II and Type III waste will be allowed to the identified counties only if such waste collected for export is collected in compliance with all applicable laws, ordinances, rules and regulations of the Grand Traverse County Solid Waste Management System, Ordinance and Intergovernmental Agreement consistent with the Plan's Enforceable Program.

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ATTACHMENTS

ATTACHMENT G

INTERGOVERNMENTAL AGREEMENT

AND

**GRAND TRAVERSE COUNTY
SOLID WASTE ORDINANCE**

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GRAND TRAVERSE COUNTY SOLID WASTE DISPOSAL SYSTEM

INTERGOVERNMENTAL CONTRACT

THIS CONTRACT is made and entered into this 30 day of June, 1992, by and among the COUNTY OF GRAND TRAVERSE, a Michigan county corporation (the "COUNTY"), by and through its Board of Public Works, and Acme Township, Blair Township, City of Traverse City, East Bay Township, Fife Lake Township, Fife Lake Village, Charter Township of Garfield, Grant Township, Green Lake Township, Village of Kingsley, Long Lake Township, Mayfield Township, Paradise Township, Peninsula Township, Union Township, and Whitewater Township, each a Michigan public corporation located entirely or in part in the COUNTY (each a "LOCAL UNIT" and collectively, the "LOCAL UNITS").

WITNESSETH:

WHEREAS, it is necessary for the public health and welfare of the present and future residents of the LOCAL UNITS that a coordinated solid waste disposal system, to include, but not limited to, a mechanism for licensing solid waste haulers operating in the COUNTY, and the development and utilization of materials recovery facilities, composting facilities and recycling stations, be established to meet the present and future requirements of the LOCAL UNITS, as further described below (the "System"); and

WHEREAS, the COUNTY, under the provisions of Act 185, Public Acts of Michigan, 1957, as amended ("Act 185"), has established a Department of Public Works for the administration of the powers conferred upon the COUNTY by Act 185, which Department is under the immediate control of the Board of Public Works (the "BPW") and under the general control of the Board of Commissioners of the COUNTY; and

WHEREAS, the Michigan Constitution of 1963 and Michigan law, including specifically Act 185, provide for a practicable method and means for establishing, maintaining and enforcing the System as set forth in this Contract, which is necessary for the public health and welfare of the residents of the COUNTY residing in the LOCAL UNITS to be served; and

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

WHEREAS, it is necessary for the COUNTY and the LOCAL UNITS to contract relative to the establishment, operation, administration, enforcement and maintenance of the System;

NOW THEREFORE, in consideration of the premises and the covenants of each of the parties, the parties hereto agree as follows:

1. System. The COUNTY and the LOCAL UNITS approve the establishment of the System as the Grand Traverse County Solid Waste Management System under the provisions of the Michigan Constitution and statutes, including Act 185 and this Contract. The System shall consist generally of a solid waste hauler licensing mechanism promulgated by the COUNTY by ordinance, as described hereinafter, and administered and enforced by the BPW and the COUNTY, as well as the designation, development and utilization of certain facilities to be used for the recovery, processing, composting, recycling and disposal of solid waste and other materials. Except as may be regulated by the licensing mechanism established pursuant to this Contract, the System shall not include the direct collection of solid waste or the imposition of regulation of rates associated therewith.
2. Access to Public Streets. Each of the LOCAL UNITS hereby consents to the use by the COUNTY of the public streets, alleys and rights-of-way in the LOCAL UNIT for the purpose of establishing, operating and maintaining the System. Notwithstanding the above, nothing in this Contract shall be construed to permit the BPW, in operating and administering the System, to preempt or override any LOCAL UNIT's zoning ordinance.
3. Participation in the System. The System is designed to serve the LOCAL UNITS and is immediately necessary to protect and preserve the public health, and the LOCAL UNITS do, by this Contract, consent to the participation in the System, and the exercise, as provided in this Contract, by the County and the BPW of its powers within the borders of each LOCAL UNIT necessary to establish, operate, maintain, administer and enforce the System pursuant to the provisions of this Contract. Each LOCAL UNIT hereby transfers all of its functions and responsibilities to the County and the BPW, to establish, operate, maintain and enforce the System, pursuant to the limitations set forth in this Contract.

4. Process for Developing the System. The BPW will promptly proceed to develop, maintain, coordinate and monitor the System of licensed solid waste haulers and processing capacity through private parties, which may include the use of existing facilities and future expansion of those facilities as necessary to service the System, and which may include, but is not limited to, material recovery facilities, composting facilities, and recycling stations, as set forth in the Ordinance attached hereto as Exhibit A (the "Ordinance") and the Rules and Regulations attached hereto as Exhibit B (the "Rules and Regulations"). The Ordinance and Rules and Regulations are incorporated into this Contract as if fully set forth herein.

In its discretion, the BPW shall proceed to enter into agreements or other arrangements as may be necessary and available with all willing, qualified and capable applicants, on terms acceptable to the BPW and consistent with the requirements of this Contract, to develop any portion of the System. Each contract with an applicant shall take the form of a hauler license or facility registration agreement signed by both the applicant and the BPW outlining the terms and conditions of its hauler license or designated facility arrangement.

The BPW shall have the responsibility for the contractual oversight of private parties chosen to be responsible for the operation, maintenance and administration of any portion of the System for and on behalf of the COUNTY and the LOCAL UNITS.

5. Modification of System Development. If, in the sole judgement of the BPW, adequate arrangements for the development of the processing capacity for the System cannot be reasonably made, the BPW shall notify each of the LOCAL UNITS, and shall present the LOCAL UNITS with a plan for providing the processing capacity using the following process:

- (a) The BPW will notify LOCAL UNITS that the process for seeking competitive bids for processing capacity has begun.
- (b) LOCAL UNITS will appoint an elected official to an advisory committee to the BPW at their next meeting or within 45 days, whichever is first.

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

- (c) The advisory committee, comprised of an elected official from each LOCAL UNIT that has completed the appointment task described in 5b, will convene within 60 days of BPW notification.
- (d) By this first meeting, the Solid Waste Council and the BPW will present the local unit advisory committee with a solicitation to the private sector for processing capacity proposals.
- (e) Within 30 days of this first meeting, the local unit advisory committee will review, revise and ratify the solicitation for processing capacity proposals. Upon action of the local unit advisory committee, the BPW will distribute the ratified solicitation.
- (f) If ratification is not received from the local unit advisory committee within 30 days, the BPW may either proceed to distribute the solicitation or extend the time frame for ratification from the local unit advisory committee.
- (g) The local unit advisory committee will review proposals submitted by the private sector and within 45 days of the proposal due date, recommend one or more of the proposals to the BPW.
- (h) If no recommendation is made from the local unit advisory committee within the specified time period, the BPW may either proceed to select one or more of the proposals or extend the time ~~frame for a recommendation~~ from the local unit advisory committee.
- (i) LOCAL UNITS representing (1) 67 percent of the population of all LOCAL UNITS, or (2) 67 percent of the number of LOCAL UNITS may, at any time prior to BPW selection of proposals or a proposal, suspend this process through official vote of each elected body.
- (j) This process may also be initiated by official vote of LOCAL UNITS elected body representing 51% of the member LOCAL UNITS population or 51 percent of the member LOCAL UNITS.

- (k) In addition, any LOCAL UNIT through official vote of their elected body may request the BPW to review the existing system if they feel that their constituents are not receiving adequate service. The BPW must officially respond within 60 days to such requests.

6. Term. This Contract shall remain in full force and effect for a period of ten (10) years from the date hereof with automatic five (5) year renewals unless a LOCAL UNIT takes official action to terminate the Contract at the time of automatic renewal, in which case that LOCAL UNIT shall be deemed to have withdrawn from this Contract.

7. Reporting to LOCAL UNITS. The BPW shall cause to be compiled and distributed to the Clerks of each of the LOCAL UNITS no later than June 1 of each year a comprehensive report concerning the status and operation of the System, including a financial statement of the previous calendar year, an assessment of the programs offered by the System and recommendations for changes or improvements to the System.

8. Rules and Regulations. The BPW shall promulgate and adopt the Rules and Regulations with respect to the administration, implementation, continued operation and use of the System, and solid waste hauler licensing requirements, as set forth in the Ordinance. The initial set of Rules and Regulations as set forth in Exhibit B hereto to be adopted by the BPW is hereby accepted and consented to by each of the LOCAL UNITS, and each of the LOCAL UNITS hereby delegates to the COUNTY and BPW the powers and rights necessary to administer and enforce said Rules and Regulations.

9. Hauler Licensing. Each LOCAL UNIT hereby expressly consents, agrees to, accepts and ratifies the provisions of the Ordinance, to be enacted by the COUNTY, and expressly accepts and ratifies the provisions of the Ordinance relating to the hauler licensing rules and requirements. Each LOCAL UNIT hereby transfers all of its functions, responsibilities, powers and rights necessary to administer and enforce the Ordinance to the COUNTY and BPW. Each LOCAL UNIT hereby expressly covenants and agrees not to repeal its consent, acceptance and ratification of the Ordinance or its transfer of necessary functions and responsibilities or to promulgate, adopt or enforce, by ordinance or otherwise, other rules, regulations or requirements which, in the sole judgement of the BPW, adversely affect the System, without the prior written consent of the BPW.

10. Designation of BPW as Agent. Each LOCAL UNIT hereby appoints and designates the BPW to act on its behalf to promulgate, implement and administer the Ordinance and Rules and Regulations accepted and ratified by the LOCAL UNIT pursuant to this Contract.

11. Amendment of Rules and Regulations and Ordinance. The Rules and Regulations or the Ordinance may be amended only pursuant to the procedure set forth as follows. The County shall notify each of the LOCAL UNITS and other interested parties of the intent to amend the Rules and Regulations or the Ordinance and shall provide at that time the language of the proposed amendment. The amendment may be initiated and implemented only if, after 45 days has expired, unless extended by the LOCAL UNIT pursuant to the Ordinance, from the time each LOCAL UNIT receives the notice and proposal, the BPW has not received from LOCAL UNITS representing either, (1) 67 percent of the population of all the LOCAL UNITS, or (2) 67 percent of the number of LOCAL UNITS, a resolution adopted by the governing body of each LOCAL UNIT rejecting such proposal. Mandatory recycling will not be imposed without the consent of the LOCAL UNITS representing both (1) 67 percent of the population of all LOCAL UNITS, and (2) 67 percent of the number of LOCAL UNITS.

12. Preconditions. The obligations and undertakings of each of the parties to this Contract shall be conditioned upon the occurrence of each of the following:

- (a) approval and execution of this Contract no later than August 1, 1992 by a sufficient number of LOCAL UNITS comprising at least two-thirds of the population of the COUNTY, based on the 1990 Census; and
- (b) adoption and enactment by the COUNTY of the Ordinance substantially in the form attached hereto as Exhibit A no later than August 1, 1992.

Upon satisfaction of each of the above conditions, the BPW shall notify each LOCAL UNIT of the fact. If for any reason whatsoever all of the above conditions are not satisfied, the Contract shall be considered void and of no force and effect, in which case all parties shall bear their own costs as incurred to that time.

13. LOCAL UNIT Indemnification. The parties hereto hereby expressly agree that the LOCAL UNITS shall not be liable for and the COUNTY shall pay, indemnify and save each of the LOCAL UNITS harmless of, from and against all liability of any nature whatever regardless of the nature in which such liability may arise, for any and all claims, actions, demands, expenses, damages and losses of every conceivable kind whatsoever (including, but not limited to, liability for injuries to or death of persons and damages to or loss of property) asserted by or on behalf of any person, firm, corporation or governmental authority arising out of, resulting from or in any way connected with ownership, acquisition, construction, operation, maintenance and repair of the System, this contract or the issuance, sale and delivery of any bonds or other financing herein described. It is the intent of the parties that each of the LOCAL UNITS be held harmless by the COUNTY from liability for such claims, actions, demands, expenses, damages and losses, however caused or however arising. In any action or proceeding brought about by reason of any such claim or demand, the COUNTY will also pay, indemnify and save each of the LOCAL UNITS harmless from and against all costs, reasonable attorneys' fees and disbursements of any kind or nature incidental to or incurred in said defense, and will likewise pay all sums required to be paid by reason of said claims, demands or any of them, in the event it is determined that there is any liability on the part of a LOCAL UNIT. Upon the entry of any final judgement by a court of competent jurisdiction or a final award by an arbitration panel against a LOCAL UNIT on any claim, action, demand, expense, damage or loss contemplated by this section and notwithstanding that the LOCAL UNIT has not paid the same, the COUNTY shall be obligated to pay to the LOCAL UNIT upon written demand therefor, the amount thereof not more than sixty (60) days after such demand is made. In the event that any action or proceeding is brought against the LOCAL UNIT by reason of any such claims or demands, whether said claims or demands are groundless or not, the COUNTY shall upon written notice and demand from the LOCAL UNIT, resist and defend such action or proceeding in behalf of the LOCAL UNIT, and shall have the right to settle and such action in the proceeding on behalf of the LOCAL UNIT. Notwithstanding the foregoing, nothing contained in this Section shall be construed to pay, indemnify or hold harmless a LOCAL UNIT against or from any claims, actions, demands, expenses, damages and liability relating to the authority and capacity of the LOCAL UNIT to execute and deliver this Contract, or which it would otherwise have arising from the wrongful or negligent actions

or failure to act on the part of the LOCAL UNIT's employees, agents or representatives with respect to matters not related to the ownership, acquisition, construction, operation, maintenance or repair of the System, this contract or the issuance, sale or deliver of the bonds herein described. Moreover, nothing contained in this Section shall be construed to pay, indemnify or hold harmless a LOCAL UNIT for bodily injury to persons or damage to property caused by or resulting entirely from the LOCAL UNIT's sole negligence in the case of construction, alteration, repair or maintenance of a building, structure, appurtenance and appliance.

This Section shall not apply to any drop-off facilities to be owned and maintained by the LOCAL UNITS.

14. Successors and Assigns. This Contract shall inure to the benefit of and be binding upon the respective parties hereto, their successors and assigns.

15. Effectiveness. This Contract shall become effective upon approval and execution of a sufficient number of LOCAL UNITS as required in Section 12 hereof, by the Board of Public Works of the COUNTY and by the Board of Commissioners of the COUNTY. This Contract may be executed in several counterparts.

16. No Transfer of Employees and Property. The LOCAL UNITS shall not be required to transfer or reassign any employees, or to transfer, sell or otherwise dispose of any real or personal property, facilities or equipment pursuant to this Contract.

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the date and year first above written.

COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By *[Signature]*
Chairperson

By *[Signature]*
Secretary

TOWNSHIP OF ACME

By *[Signature]*
Supervisor

By *[Signature]*
Township Clerk

JUL 17 1992

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the date and year first above written.

COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By

J. Hardy

Chairperson

By

Christy Berg

Secretary

TOWNSHIP OF BLAIR

By

Bob A. Williams

Supervisor

By

Nancy J. Blauke

Township Clerk

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the date and year first above written.

COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By

Chairperson

By

Secretary

CITY OF TRAVERSE CITY

By

Mayor

By

City Clerk

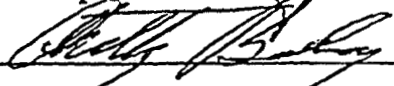
THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

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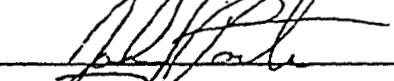
COUNTY OF GRAND TRAVERSE

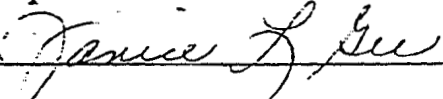
By its Board of Public Works

By 
Chairperson

By 
Secretary

TOWNSHIP OF EAST BAY

By 
Supervisor


By 
Township Clerk

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

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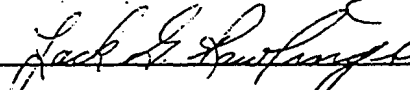
COUNTY OF GRAND TRAVERSE

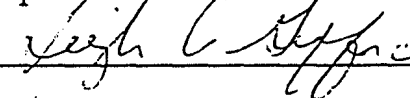
By its Board of Public Works

By 
Chairperson

By 
Secretary

TOWNSHIP OF FIFE LAKE

By 
Supervisor

By 
Township Clerk

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

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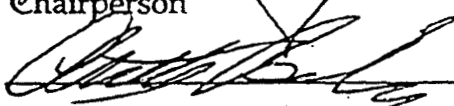
COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By


Chairperson

By

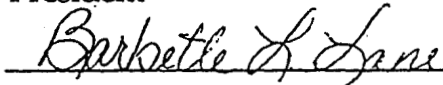

Secretary

VILLAGE OF FIFE LAKE

By


President

By


Village Clerk

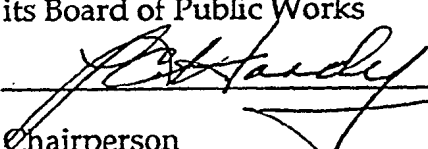
THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

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COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By

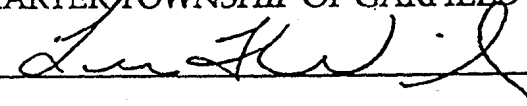

Chairperson

By

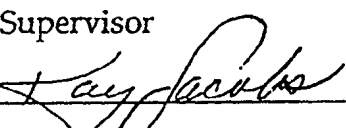

Secretary

CHARTER TOWNSHIP OF GARFIELD

By


Supervisor

By


Township Clerk

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the date and year first above written.

COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By

Chairperson

By

Secretary

TOWNSHIP OF GRANT

By

Supervisor

By

Township Clerk

AUG 17 1992

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the date and year first above written.

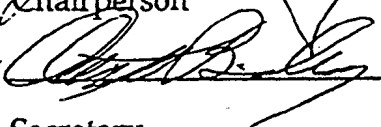
COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By


Chairperson

By



Secretary

TOWNSHIP OF GREEN LAKE

By


Supervisor

By


Township Clerk

AUG 14 1992

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the date and year first above written.

COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By


Chairperson

By


Secretary

VILLAGE OF KINGSLEY

By


President

By


Village Clerk

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

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COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By

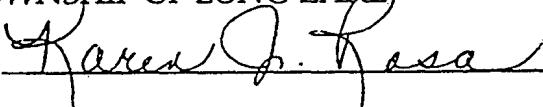

Chairperson

By

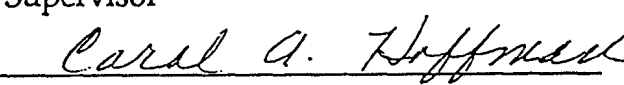

Secretary

TOWNSHIP OF LONG LAKE

By


Supervisor

By


Township Clerk

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the date and year first above written.

COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By

Al Hardy
Chairperson

By

Cliff Bueh
Secretary

TOWNSHIP OF MAYFIELD

By

Albert C. Harwood
Supervisor

By

Fred Bauer
Township Clerk

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

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COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By


Chairperson

By

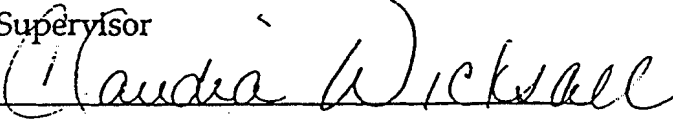

Secretary

TOWNSHIP OF PARADISE

By


Supervisor

By


Township Clerk

JUL 2 1992

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the date and year first above written.


COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By


Chairperson

By


Secretary

TOWNSHIP OF PENINSULA

By


Supervisor

By


Township Clerk

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

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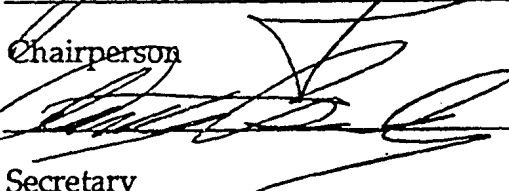
COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By



Chairperson

By

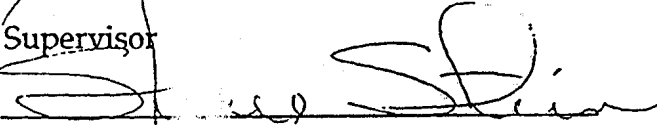

Secretary

TOWNSHIP OF UNION

By


Supervisor

By


Township Clerk

JUL 10 1992

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the date and year first above written.

COUNTY OF GRAND TRAVERSE

By its Board of Public Works

By

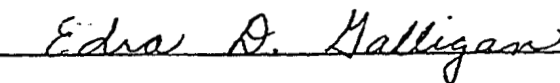

Chairperson

By

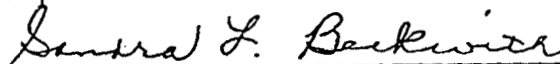

Secretary

TOWNSHIP OF WHITEWATER

By


Supervisor

By


Township Clerk

**CONTRACT
EXHIBIT A
County Ordinance No. 17**

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the date and year first above written.

COUNTY OF GRAND TRAVERSE
By its Board of Public Works

By _____
Chairperson

By _____
Secretary

CITY OF _____

By _____
Mayor

By _____
City Clerk

(CHARTER) TOWNSHIP OF _____

By _____
Supervisor

By _____
Township Clerk

VILLAGE OF _____

By _____
President

By _____
Village Clerk

ORDINANCE NUMBER 17

AN ORDINANCE TO REGULATE THE COLLECTION, TRANSPORTATION, DELIVERY AND DISPOSAL OF SOLID WASTE, YARD WASTE, AND RECYCLABLE MATERIALS; TO REQUIRE THE LICENSING OF HAULERS; TO ESTABLISH CONDITIONS OF THE HAULER LICENSE REQUIREMENTS; TO PROVIDE FOR COUNTY-DESIGNATED FACILITIES; TO PROHIBIT ROADSIDE DUMPING OF REFUSE; TO PROHIBIT SCAVENGING OF RECYCLABLES; TO ALLOW THE PROMULGATION OF RULES AND REGULATIONS; AND TO PROVIDE PENALTIES AND REMEDIES FOR VIOLATIONS THEREOF.

- Section 1: Definitions
- Section 2: Licensing of Haulers
- Section 3: Conditions of Hauler License
- Section 4: Unlawful Dumping of Refuse and Prohibition on Scavenging
- Section 5: Rules and Regulations
- Section 6: Miscellaneous

THE COUNTY OF GRAND TRAVERSE ORDAINS:

SECTION 1

DEFINITIONS

- 1.1 Definitions. For purposes of this Ordinance, the words and phrases listed below in alphabetical order shall have the following meanings.
- 1) "Act 641" means Act No. 641 of the Public Acts of Michigan, 1978, the Solid Waste Management Act, as amended.

THE GRAND TRAVERSE COUNTY SOLID WASTE ALTERNATIVES PROJECT

- 2) "Administrator" means the Director of the Grand Traverse County Department of Public Works or other person as appointed by the County Board to administer or enforce the elements of this Ordinance.
- 3) "Banned Material" means any material that cannot be included in the solid waste set out for collection from any premises located within the County.
- 4) "Banned Materials List" means a list established by the BPW of banned materials.
- 5) "BPW" means the Board of Public Works of Grand Traverse County.
- 6) "County Board" means the County Board of Commissioners of Grand Traverse County.
- 7) "County" means the County of Grand Traverse, Michigan, acting by and through its County Board.
- 8) "County-Designated Facility" or "Designated Facility" means a facility which the County has identified as an approved location for the disposal of solid waste or the collection, processing and marketing of yard waste or recyclable material. A County-Designated Facility would include any of the following: 1) a solid waste transfer facility, 2) a sanitary landfill, 3) a solid waste processing plant or 4) any other facility utilized in the collection, transfer, processing or disposal of solid waste, yard waste or recyclable material.
- 9) "Demolition and Construction Debris" means a type of solid waste consisting of waste building materials and rubble resulting from construction, remodeling, repair and demolition operations on houses, commercial buildings and other structures. Construction and demolition debris includes trees, stumps, and brush removed from property during construction, maintenance or repair. Construction and demolition waste does not include any of the following, which is defined under this Ordinance as solid waste even if it results from construction, remodeling, repair and demolition of structures which includes: (a) garbage, (b) furniture and (c) solid waste resulting from a processing technique that renders individual waste components unrecognizable, such as pulverizing or shredding. It also does not include any of the following which may require special disposal considerations: (a) asbestos waste, (b) drums and containers, (c) fuel tanks, (d) corrugated container board, and (e) appliances.

- 10) "Designated Curbside Recycling District" means all areas in the County identified by the BPW as requiring curbside collection services for yard waste and recyclable materials for single-family residential structures and multi-family residential structures with less than 5 units per building.
- 11) "Effective Operation Date" means April, 1992 unless otherwise specified in this Ordinance or the Rules and Regulations.
- 12) "Hauler" means any person possessing a valid hauler license from the County who is engaged in whole or in part in the business of collecting, transporting, delivering, or disposing of solid waste, yard waste or recyclable material within the County other than the refuse generated by the person so hauling.
- 13) "Hazardous Waste" means hazardous waste as defined in Act No. 64 of the Public Acts of Michigan, 1979, as amended, and as identified in administrative rules promulgated pursuant to said Act by the Director of the Michigan Department of Natural Resources.
- 14) "Local Unit of Government" means a city, village, township or charter township located within Grand Traverse County.
- 15) "Member Units" means a city, village, township or charter township located within Grand Traverse County which has contracted with the BPW for the purpose of participating in the facilities, programs and services that are the subject of this Ordinance.
- 16) "Person" means any individual, firm, public or private corporation, partnership, trust, public or private agency or any other entity or any group of such persons.
- 17) "Premises" means a parcel of land, including any building or structures located thereon, within Grand Traverse County used for residential, commercial, industrial, agricultural or institutional purposes either separately or in combination to which a separate street address, postal address or box, tax roll description, or other similar identification has been assigned to or is in use by a person having control of the area.

- 18) "Recyclable Material" means material intended to be discarded by the generator as no longer useful to the generator that are to be collected, separated, or processed, and used as raw materials or products. Examples of recyclable material include newspaper, corrugated cardboard, magazines, computer print-out paper, office paper, glass containers, high density and low density polyethylene containers (HDPE and LDPE), polyethylene terephthalate (PET) containers, tin cans, ferrous metal and non-ferrous metal.
- 19) "Refuse", for the purposes of this Ordinance, shall have the same meaning as Solid Waste.
- 20) "Solid Waste" means garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, municipal and industrial sludges, solid commercial and solid industrial waste, and animal waste as described in Section 7(1) of Act 641, as amended.
- 21) "Solid Waste Council" means the standing advisory committee to the Grand Traverse County Board of Public Works that has been assigned oversight responsibility for the county-wide solid waste management system.
- 22) "Source Separated Yard Waste and/or Recyclable Materials" means yard waste or recyclable materials which are kept separate from refuse at the point of generation and have been prepared for disposal according to local guidelines for participation in county-wide recycling programs.
- 23) "Special Refuse" means furniture, household appliances, brush, large tree limbs and other bulky refuse items, with the exception of construction and demolition debris.
- 24) "Targeted Materials List" means the list established by the County BPW of all materials that are to be collected through the collection services for yard waste and recyclable materials provided by licensed haulers, through the drop-off depots and through the solid waste transfer stations.
- 25) "Tipping Fee" means a fee to be charged upon delivery of solid waste, recyclable materials or yard waste to a County-Designated Facility.

- 26) "Volume-Based Fee System" means a fee system, used by a licensed hauler to charge customers for services, that meets requirements to establish an incentive for the customer to reduce waste and to recycle and compost as established by the BPW pursuant to this Ordinance.
- 27) "Yard Waste" means leaves, grass clippings, vegetable or other garden debris, shrubbery or brush or tree trimmings that can be converted to compost humus. This term does not include stumps, agricultural wastes, animal waste, roots, sewage sludge or garbage.

SECTION 2

LICENSING OF HAULERS

- 2.1 Hauler License. No person shall engage in the business of collecting, transporting, delivering or disposing of solid waste, yard waste or recyclable materials generated by another person within Grand Traverse County without first obtaining a hauler license.
- 2.2 License Application. Every person desiring to engage in the collecting, transporting, delivering or disposing of solid waste, yard waste or recyclable materials generated by another person within Grand Traverse County shall make written application to the County on forms provided by or prescribed by the BPW. The application shall require such information as will enable the Administrator to determine whether the applicant, if licensed, will serve the public in compliance with requirements of this Ordinance, and all other applicable laws, statutes, ordinances, rules and regulations.
- 2.3 License Fee. Annual hauler application or renewal licensing fees must be paid by the applicant upon submittal of a license application to the Administrator.
 - a) Initial Hauler License Application Fee. At the time of initial application for a hauler license, an application fee of \$50.00 (fifty dollars) shall be paid to the BPW.
 - b) License Renewal Fee. At the time of renewal application for a hauler license, an application fee of \$25.00 (twenty-five dollars) shall be paid to the BPW.

2.4 Approval or Denial of License. Upon receipt of an administratively complete application and upon payment of an applicant licensing fee, the Administrator shall forward the application to the BPW which shall grant or deny the hauler license within 90 days of receipt by the Administrator. If granted, the Administrator shall issue the license. The BPW may deny the issuance of the license for any of the following reasons:

- a) Failure of the applicant to comply with this Ordinance.
- b) Violations of this Ordinance or any other applicable federal, state, county and local laws, statutes, rules and regulations, including but not limited to those pertaining to the collecting, transporting, delivering or disposing of solid waste, yard waste and recyclable materials generated within Grand Traverse County.
- c) Prior criminal convictions in connection with solid waste collection, processing and disposal activities in the last ten years (other than minor traffic offenses) by the applicant, its subsidiaries or its parent company or prior license revocation(s) by the applicant, its subsidiaries or its parent company.
- d) Misrepresentations of any material fact in the application for the license.

If hauler license is denied the BPW shall refund the applicant licensing fee. Before denial of a license application, the BPW shall inform the applicant of its intentions and provide the applicant with an opportunity for a hearing before the BPW after which the BPW shall make its final decision.

2.5 License Expiration and Renewal. A license issued under Section 2.4 shall expire on the first day of January of the following year. Licenses may be renewed annually following the same procedures set forth in this Section for license applications upon payment of an annual renewal licensing fee, unless revoked in accordance with the terms of this Ordinance.

2.6 Non-transferability of Licenses. All licenses shall be non-transferable.

SECTION 3

CONDITIONS OF HAULER LICENSE

3.1 General License Conditions. It shall be a condition of each Hauler License that the hauler shall comply with all of the following:

- a) All provisions of this Ordinance and the Rules and Regulations promulgated under authority of this Ordinance.
- b) All applicable federal, state, county and local laws, statutes, rules and regulations, including but not limited to those pertaining to the collecting, transporting, delivering or disposing of solid waste, yard waste and recyclable materials generated within Grand Traverse County.
- c) All applicable provisions of the Grand Traverse County Solid Waste Plan as required under Act 641 and any agreements regarding inter-county transport of solid waste authorized or restricted through that plan.
- d) All applicable provisions of the rules and regulations adopted and amended as required for the administration and operation of County-Designated Facilities.

3.2 Specific License Conditions. As part of the terms and conditions of a Hauler License issued pursuant to this Ordinance the licensee agrees to:

- a) Residential Service: Provide, or arrange to provide through subcontract, regularly scheduled curbside pickup services for yard waste and recyclable materials on the Targeted Materials List that are generated by single-family residential structures and multi-family residential structures with less than 4 units per building receiving solid waste collection services from the licensee in all Designated Curbside Recycling Districts. Service specifications will be developed by the BPW as described in the Rules and Regulations promulgated under Section 5 of this Ordinance. Service specifications will identify the Designated Curbside Recycling Districts, the types of residential structures that services must be provided to in those areas, the materials to be collected, specifications for their preparation, and other appropriate requirements of the licensee.

- b) **Commercial Service:** Provide or arrange to provide through subcontract, pickup services for yard waste and recyclable materials on the Targeted Materials List that are generated by commercial, institutional and industrial establishments and by residential multi-family structures with 4 or more units per building receiving solid waste collection services from the licensee. The pickup services shall be at a degree of customer convenience and a frequency that meets or exceeds the degree of customer convenience and frequency of the solid waste collection services provided to the establishment by the licensee. Materials to be collected, specifications for their preparation, and other appropriate service specifications will be developed by the BPW in the Rules and Regulations promulgated under Section 5 of this Ordinance.
- c) **Banned Materials:** Not allow materials to be included in the solid waste collected by the licensee that are on the Banned Materials List as described in the Rules and Regulations promulgated under Section 5 of this Ordinance.
- d) **County-Designated Facilities:** Arrange for delivery of all solid waste, and recyclable material collected under provisions of this Ordinance to County-Designated Facilities. Arrange for disposal of all yard waste by an approved method as defined by regulation.
- e) **Fees for Service:** Establish any fee for service charged to customers as a Volume-Based Fee System as defined in this Ordinance and described in the Rules and Regulations promulgated under Section 5 of this Ordinance.
- f) **Annual Reports:** File with the Administrator by the fifteenth day of January on a form provided by the BPW annual updates on each of the following:
 - 1) A description of the number and types of equipment the applicant will use the types of collection services to be provided and the geographic service areas for handling solid waste, yard waste and/or recyclable material within the County.
 - 2) Other information as required to show the hauler's intentions to meet all collection and disposal requirements outlined in this Ordinance.
 - 3) Proof of liability insurance and worker's compensation insurance.
 - 4) Samples of all educational and promotional materials distributed to customers during the previous license period.

- g) Quarterly Reports: File with the Administrator, or an independent third party selected by the Administrator, by the fifteenth day of January, April, July and October of each year, on a form provided by the BPW, operations information from the last full 3 month period which may include, at the discretion of the Administrator, documentation of the quantities, in cubic yards and tons, of solid waste, including demolition and construction waste, and source separated yard waste and recyclable material collected by the licensee within Grand Traverse County.

SECTION 4

UNLAWFUL DUMPING OF REFUSE

AND PROHIBITION ON SCAVENGING

- 4.1 Approved Collection Methods. The owner of each residential, commercial, institutional and industrial property within Grand Traverse County shall be responsible for securing an approved method of collection for solid waste, yard waste and recyclable material generated on their premises. Approved methods shall be limited to 1) arrangements for transport by a licensed hauler, or 2) transport of a person's own solid waste, or recyclable material to a County-Designated Facility. Yard waste shall be disposed of by an approved method. All special refuse, construction debris and demolition debris must be removed using an approved method and delivered to a facility licensed for the receipt of such wastes by the Michigan Department of Environmental Quality. Approved methods shall be limited to: 1) arrangements for transport by a licensed hauler, and 2) transport of a person's own material to a County-Designated Facility.
- 4.2 Delivery of Solid Waste, Yard Waste and Recyclable Materials by Licensed Haulers: Effective Operation Date. As of the Effective Operation Date and all times thereafter, licensed haulers shall a) deliver all solid waste, and recyclable material to a County-Designated Facility; b) pay the tipping fee for delivery thereof; and c) dispose of all yard waste by an approved method. As of the Effective Operation Date and all times thereafter, no licensed hauler shall deliver solid waste, or recyclable material collected or transported from a site or generated within the County to any site other than a County-Designated site.

- 4.3 Delivery of Solid Waste, Yard Waste and Recyclable Materials by Persons: Effective Operation Date. As of the Effective Operation Date and all times thereafter, a person transporting solid waste, yard waste or recyclable material generated from his or her household or business shall a) deliver such material to a County-Designated Facility and b) pay the tipping fee for delivery thereof. As of the Effective Operation Date and all times thereafter, a person transporting solid waste, yard waste or recyclable material generated from his or her premise within the County shall not deliver such material to any site other than a County-Designated Facility.
- 4.4 Unlawful Dumping. No person shall deposit or cause to be deposited, sort, scatter, throw, drop or leave any solid waste, hazardous waste, special waste, banned materials, construction or demolition debris, yard waste or recyclable material, as herein defined, upon or into any street, right-of-way, alley, container or other property, public or private, within Grand Traverse County except in accordance with the provisions of this Ordinance.
- 4.5 Accumulation of Refuse. No owner or occupant of a commercial establishment shall permit the accumulation of solid waste upon any commercial premises for a period in excess of fifteen (15) days. No owner or occupant of a residential dwelling unit shall permit the accumulation of solid waste upon a residential premises for a period in excess of thirty (30) days.
- 4.6 Composting and Recycling. Yard waste may be accumulated indefinitely for composing purposes in a manner which will not harbor rodents or become a public nuisance. Source separated recyclable materials may be accumulated indefinitely in a manner which will not become a public nuisance for the purpose of transport and delivery to a recycling facility.
- 4.7 Restrictions. No person shall place in any container or receptacle intended for receipt of solid waste, special waste, banned materials, construction or demolition debris, yard waste or recyclable material any other material that might endanger the collection personnel or that would be detrimental to the normal collection personnel or that would be detrimental to the normal collection operation, for example: gaseous, solid, or liquid poisons, dead animals, ammunition, explosives, or any material that posses heat or chemical properties sufficient to ignite any other collected materials.
- 4.8 Anti-Scavenging Provision. No person shall take, collect or transport from any street right-of-way, alley or dumpster within this County any solid waste, yard waste or recyclable material that has been designated for collection by a public agency or licensed hauler unless otherwise provided for. This restriction applies to materials that have been placed at a drop-off location, at the edge of a curb, road or alley, or at other designated collection sites.

SECTION 5

RULES AND REGULATIONS

- 5.1 Promulgations of Rules and Regulations. The BPW will draft and adopt rules and regulations to carry out the provisions of this Ordinance including those pertaining to the administration, implementation and continued operation of any projects related to this Ordinance; the establishment, administration and enforcement of hauler licensing requirements and service specifications; the definition of materials on the Banned and Targeted Materials Lists; and the establishment, administration and enforcement of provisions for County-Designated Facilities.
- 5.2 Procedures for Promulgation and Amendment. Promulgations of any amendments to the rules and regulations will be adopted by the BPW in accordance with the following procedure:
- a) Proposed amendments to the rules and regulations are reviewed by the BPW and the BPW's Solid Waste Council.
 - b) Proposed amendments are initially accepted by the BPW and the BPW's Solid Waste Council.
 - c) Proposed amendments are sent to each Member Unit of the BPW, all licensed haulers, all designated facility operators and with public notice published in the Traverse City Record Eagle, at least 45 days prior to final consideration by the BPW.
 - d) Member units have 45 days to respond to the BPW on any or all of the proposed amendments. A public hearing on the proposed amendments shall be held by the BPW no earlier than 30 days after the notification described in 5.2.c. One additional 45 day extension to the comment period will automatically be granted upon submittal to the BPW, before the initial 45 day comment period ends, of a resolution adopted by the governing body of any Member Unit requesting the extension.

- e) After the final 45 day comment period and consideration of Member Unit response and the public hearing record and upon the advice of the BPW's Solid Waste Council, the BPW acts to accept, reject, repeat the comment period, or further revise any or all of the proposed amendments to the rules and regulations, except that a proposed amendment is vetoed if the BPW has, before the end of the final 45 day comment period, received from Member Units representing either (1) 67 percent of the population of the Member Units, or (2) 67 percent of the number of Member Units, a resolution adopted by the governing body of each Member Unit rejecting that proposed amendment. Any substantial changes to a proposed amendment in response to the comments received require a repeat of the 45 day comment period opportunity.

SECTION 6

MISCELLANEOUS

- 6.1 Revocation of Hauler License. The BPW shall have the right to revoke the license of any hauler that fails to abide by any provision of this Ordinance and any rules and regulations so authorized. Prior to such action, the BPW shall inform the licensed hauler, via certified mail, of its intentions, provide justification used in consideration of the revoking action and provide the applicant with an opportunity for a hearing before the BPW after which the BPW shall make its final decision. Prior revocation of a license shall be sufficient grounds for refusal by the BPW to certify any future application by such licensee.
- 6.2 Penalties and Remedies. Upon a violation of any provision of this Ordinance and any rules and regulations so authorized, the County may seek criminal prosecution and may seek legal and/or equitable relief in a court of competent jurisdiction. Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars (\$500) or imprisonment not to exceed 90 days, or both such fine and imprisonment. Each day that a violation occurs or continues shall be deemed a separate offense.
- 6.3 Severability. Sections of this Ordinance shall be deemed severable and should any section, clause or provision of this Ordinance be declared to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.
- 6.4 Effective Date. This Ordinance shall become effective as of April, 1992.

- 6.5 Repeal Clause. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.
- 6.6 Exemptions. All local units of government who are not considered to be Member Units as defined by this Ordinance shall be exempted from the provisions of this Ordinance.
- 6.7 Amendment. Promulgation of any amendments to this Ordinance will be adopted by the County in accordance with the following procedure:
- a) Proposed amendments to this Ordinance are reviewed by the BPW and the BPW's Solid Waste Council and submitted to the County Board of Commissioners.
 - b) Proposed amendments are initially accepted by the Board of Commissioners for further consideration and final adoption.
 - c) Proposed amendments are sent to each Member Unit of the BPW, all licensed haulers, all designated facility operators and public notice printed in the Traverse City Record Eagle, at least 45 days prior to final consideration by the County Board of Commissioners.
 - d) Member Units have 45 days to respond to the County on any or all of the proposed amendments to the Ordinance. A public hearing on the proposed amendments shall be held by the County Board of Commissioners no earlier than 30 days after the notification described in 6.7 c. One additional 45 day extension to the comment period will automatically be granted upon submittal to the BPW, before the initial 45 day comment period ends, of a resolution adopted by the governing body of any Member Unit requesting the extension.
 - e) After then final 45 day comment period and consideration of Member Unit response and the public hearing record, the County Board of Commissioners may adopt, reject, repeat the comment period, or further revise any or all of the proposed amendments at its own discretion except that a proposed amendment is vetoed if the County has, before the end of the final 45 day comment period, received from Member Units representing either (1) 67 percent of the population of the Member Units, or (2) 67 percent of the number of Member Units, a resolution adopted by the governing body of each Member Unit rejecting that proposed amendment. Any substantial revisions to the proposed amendment in response to the comments received shall require a repeat of the 45 day comment period opportunity.

- f) This amendatory process is supplemental to any statutory requirements for County ordinance adoption and amendments under State law.

6.8 Other Requirements. The provisions of this Ordinance and the Rules and Regulations promulgated thereunder shall preempt any conflicting requirements and ordinances of Member Units; except that the provisions of Section 4, Unlawful Dumping of Refuse and Prohibition on Scavenging, and Section 6 paragraph 6.2, Penalties and Remedies, of this Ordinance and the Rules and Regulations promulgated thereunder shall be supplementary and in addition to the other requirements and ordinances of the applicable Member Unit. In the event of a conflict between the provisions of Section 4 and Section 6 paragraph 6.2 and those of another requirement or ordinance of the applicable Member Unit the stricter shall apply and take precedence.

**CONTRACT
EXHIBIT B
Rules and Regulations**

RULES AND REGULATIONS FOR ORDINANCE NUMBER 17

RULES AND REGULATIONS FOR AN ORDINANCE TO REGULATE THE COLLECTION, TRANSPORTATION, DELIVERY AND DISPOSAL OF SOLID WASTE, YARD WASTE, AND RECYCLABLE MATERIALS; TO REQUIRE THE LICENSING OF WASTE HAULERS; TO ESTABLISH CONDITIONS OF THE HAULER LICENSE REQUIREMENTS; TO PROVIDE FOR COUNTY-DESIGNATED FACILITIES; TO PROHIBIT ROADSIDE DUMPING OF REFUSE; TO PROHIBIT SCAVENGING OF RECYCLABLES; TO ALLOW THAT PROMULGATION OF RULES AND REGULATIONS; AND TO PROVIDE PENALTIES AND REMEDIES FOR VIOLATIONS THEREOF.

- Section 1: Definitions
- Section 2: Project and System Goals
- Section 3: Targeted and Banned Materials
- Section 4: Collection Service Requirements
- Section 5: Fees, Rates and Charges for Collection Services
- Section 6: County-Designated Facilities
- Section 7: Program Management and Administration
- Section 8: Enforcement
- Section 9: Approved Methods of Yard Waste Disposal

THE BOARD OF PUBLIC WORKS OF GRAND TRAVERSE COUNTY HEREBY PROMULGATES THE FOLLOWING RULES AND REGULATIONS FOR ORDINANCE NO. 17:

SECTION 1

DEFINITIONS

1.1 Definitions. For purposes of these Rules and Regulations, the definitions provide for key words and phrases will be those contained in Section 1 of Ordinance No. 17. The following definitions, presented in alphabetical order, are hereby added to that list:

- 1) "Act 641 Solid Waste Management Planning Process" means an authorized solid waste planning process managed by an MDNR approved Grand Traverse County designated planning agent as described in Act No. 641 of Public Acts of Michigan, 1978, the Solid Waste Management Act, as amended.
- 2) "Act 641 Solid Waste Plan" means the final plan resulting from the Act 641 Solid Waste Management Planning Process that has been officially approved by MDNR.
- 3) "Compostable Material" means that material which is identified as the organic fraction of the waste stream and is separated from general solid waste.
- 4) "MDNR" means the Michigan Department of Natural Resources.
- 5) "Organic Fraction" means that component of the waste stream which is classified as food waste, wood waste and yard waste.

SECTION 2

PROJECT AND SYSTEM GOALS

- 2.1 System Goals and Target Dates: The BPW, upon the recommendation of the Solid Waste Council, shall adopt annual system goals for each year during the next five year period for the solid waste stream generated in Grand Traverse County. These system goals shall be broken down by types of material in the waste stream, including at a minimum the materials on the targeted and banned materials list as established in Ordinance No. 17. The system goals shall be expressed in terms of percentages, per capita cubic yards and tons and total cubic yards and tons of material to be handled by the end of the target year through various types of source reduction, recycling, composting, landfilling, or other applicable waste handling methods. These adopted system goals and target dates shall be considered an amendment to these Rules and Regulations, following amendment procedures as established in Ordinance No. 17, and shall be included as Exhibit A of the Rules and Regulations.

Until amended as stated above the system goals defined by the currently adopted Act 641 Solid Waste Management Plan shall prevail. The system recycling goal is at least 25 percent of the total waste collected over a one year period by 1994 and the system composting goal is 75 percent of the organic fraction of the waste stream over a one year period by 1994.

- 2.2 Setting Goals and Target Dates. The BPW shall work within the Grand Traverse County Act 641 Solid Waste Management Planning Process to gain the required 67 percent approval by local units of government of five year system goals and target dates for the solid waste stream generated in Grand Traverse County as part of the regular updates of the Act 641 Solid Waste Management Plan required by MDNR. These plan approved system goals and target dates shall be included in the next proposed amendment to Exhibit A of these Rules and Regulations. In the absence of an active MDNR authorized update process for the Plan, the BPW shall continue to establish five year system goals and target dates as defined in this Section and as is consistent with any previous plan approved system goals and target dates.
- 2.3 Annual Deadline for Submittal. The Solid Waste Council shall submit to the BPW their proposed annual system goals and target dates for the upcoming five year period as proposed amendments to these Rules and Regulations by July 1 of each year, with July 1, 1992 being the first date this requirement shall be effective.

- 2.4 Annual Deadline for Approval. If no action is taken by the BPW within 90 days of submittal of these proposed system goals and target dates they shall automatically take effect and be considered as adopted amendments to these Rules and Regulations.
- 2.5 Failure to Submit Updated System Goals and Target Dates. Should the Solid Waste Council not submit proposed amendments for annual system goals and target dates by the July 1 deadline the existing system goals shall remain in effect with the percentage and per capita system goals for the fifth year being automatically extended for one additional year.
- 2.6 Tracking Progress Towards System Goals and Target Dates. The Solid Waste Council, to the degree practicable, shall collect, verify and analyze data necessary to document annual progress towards the system goals and target dates. Such data collection, verification and analysis activity shall include the following at a minimum:
- a) Requirements of all licensed haulers for quarterly submittal on a form prepared by the Solid Waste Council of a licensed hauler's estimated activity in the previous three month period in collecting all materials on the banned and targeted materials list and all solid waste, refuse and demolition and construction debris. Such estimates shall be in cubic yards and shall be broken down by type of collection activity and by point of final delivery. Due dates for filing this information are the fifteenth day of January, April, July and October of each year, with July 15, 1993 being the first year this requirement shall be effective.
 - b) Requirements of all County-Designated Facilities for quarterly submittal on a form prepared by the Solid Waste Council of a designated facility's estimated activity in the previous three month period in receiving and processing all materials on the banned and targeted materials list and all solid waste, refuse and demolition and construction debris. Such estimates shall be in cubic yards and shall be broken down by type of processing activity and by point of final destination of material after marketing. Due dates for filing this information are the fifteenth day of January, April, July and October of each year, with July 15, 1993 being the first year this requirement shall be effective.
 - c) Other data collection and verification activity through techniques that may include, as deemed appropriate, 1) field, phone and mail surveys, 2) site visits, 3) statistically verifiable field sampling of types of activity, participation rates, material quantities, contamination levels, or characterization of streams of yard waste, recyclable materials, solid waste and demolition and construction debris.

- d) Data analysis as needed to document the performance of the system in the most recent full calendar year including at a minimum the performance in terms of percentages, per capita cubic yards and tons, and total cubic yards and tons of material handled that year through various types of source reduction, recycling, composting, landfilling, or other applicable waste handling methods. The documented performance for the most recently completed calendar year shall be released as a report to the BPW, all Member Units, licensed haulers and County-Designated Facilities by May 15th of each year and shall be included in tabular form in the proposed amendment to these Rules and Regulations defining annual system goals and target dates for the next five year period.

2.7 Tracking Progress Towards Source Reduction Goals and Target Dates. The Solid Waste Council, in evaluating progress towards source reduction goals and target dates, shall incorporate documented increases or decreases in activity during the calendar year being evaluated in any of the following areas:

- a) Composting of organic material onsite, referred to as backyard composting for residential generators.
- b) Mulching of organic material back into the soil during lawn and yard maintenance activities.
- c) Use of reusable containers, utensils, products or tools by households, businesses and industry.
- d) Purchase of longer life products and equipment.
- e) Increased efficiency through higher yields in utilization of feedstock materials during production, distribution and consumption activities within the County.
- f) Other activities as deemed appropriate.

Reductions in the per capital rate of generation for materials recycled, composted and disposed shall serve as supporting documentation of increased source reduction only when those results can be correlated to specific source reduction activities.

2.8 Tracking Progress Towards Recycling Goals and Target Dates: The Solid Waste Council, in evaluating progress towards recycling goals and target dates, shall incorporate documented increases or decreases in recyclable material handled during the calendar year being evaluated in any of the following areas:

- a) Collection activity by licensed haulers.
- b) Processing activity at County-designated recycling drop-offs and material recovery facilities.
- c) Disposal site separation activity at County-designated transfer facilities, type II landfills and type III landfills.
- d) Self-baling and backhauling of recyclables generated onsite by commercial and industrial enterprises. Some examples include supermarkets and manufacturing facilities.
- e) State of Michigan deposit container glass recycling by beverage distributors.
- f) Other retail outlet sponsored recycling activity in which product or packaging types sold by a particular location are received by that location for recycling. Some examples include retail outlet collection and recycling for tires, white goods, auto batteries, and plastic bag packaging.

2.9 Tracking Progress Towards Composting Goals and Target Dates: The Solid Waste Council, in evaluating progress towards composting goals and target dates, shall incorporate documented increases or decreases in compostable material handled during the calendar year being evaluated in any of the following areas:

- a) Collection activity by licensed haulers.
- b) Processing activity at County-designated yard waste drop-off and composting facilities.
- c) Disposal sites separation activity at County-designated transfer facilities, type II landfills and type III landfills.
- d) Brush chipping and reuse activity by tree trimmers, lawn care companies, land clearing firms and landscapers.
- e) Land application activity of yard waste and food processing waste.

SECTION 3

TARGETED AND BANNED MATERIALS

- 3.1 Targeted Materials Listing - Collection Requirements for Residential Services. As of November, 1993 the following materials, in the form specified, shall be included in any residential curbside, multi-family or drop-off recycling and composting collection services provided as part of the hauler licensing conditions in Ordinance No. 17.
- a) Old newspapers and printed materials made from newsprint - material must be non-yellowed from age, free of moisture, and bagged or bundled with string or twine. Magazines, catalogs, junk mail or office paper are contaminants and must not be included. The old newspaper must contain less than 5 percent of other paper grades such as white ledger papers, glossy fillers, or mailers.
 - b) Old corrugated containers having liners of kraft, jute, or test liner - must be broken down and stacked flat in bundles no wider than three feet and tied with string or twine. Office paper, wood, plastic, large metal pieces, and food are contaminants as are wax coated cardboard and cardboard not made from kraft, jute or test liner. None of this material can be included. Old corrugated containers are acceptable if wet and staples and tape with water soluble glues are acceptable.
 - c) Boxboard as used for cereal boxes and similar packaging purposes - must be bagged or broken down and stacked flat in bundles and tied with string or twine. Other paper, plastic, and food are contaminants and should not be included in the boxboard.
 - d) Mixed office paper free of moisture and bagged or stacked in bundles and tied with string or twine. The bag or bundle can include all of the following.
 - i. Computer printout, known as CPO, consisting of white sulfite or sulfate papers most often found in "continuous feed" white or "green bar" computer paper typically from impact computer printers (not laser printers).
 - ii. White ledger consisting of white writing paper, bond, sulfite or sulfate ledger, and impact-printed and laser-printed CPO typically including copy paper, computer paper, letterhead.

- iii. Filestock consisting of all white and colored uncoated (not glossy) office papers which may also include manila folders, adding machine tapes, accounting ledgers, tabulating and time cards, letters, pamphlets, brochures, booklets, posters, legal pads, looseleaf pages, receipts, scratch and message pads, copy and typing paper, and interoffice memos.
- e) Commingled container materials consisting of green, clear and brown glass bottles and jars, tinplate steel food cans, high density polyethylene bottles (coded as #2 HDPE and small-mouthed such as milk jugs and laundry detergent bottles), clear Poly-Ethylene Terephthalate (PET or PETE containers coded as #1), aluminum cans, aluminum food trays and aluminum foil. All tops must be removed from containers and only metal tops included in the commingled mix of container materials. All containers must be rinsed free of food contaminants. Metal containers must be flattened and have the paper labels removed. Ceramics, aerosol cans, plastic lids and caps, plastic tubs, plastic motor oil bottles, plastic bags, plastic toys, polystyrene, and aseptic food containers are all contaminants and must not be included in the commingled container material.

Note that the drop-off stations will require that the user separate glass by color from the other commingled container material.

- f) Yard waste including leaves, grass clippings, vegetable or other garden debris, shrubbery or brush or tree trimmings less than 6 inches in diameter. Brush and tree trimmings must be cut to lengths 3 feet or shorter and placed in bundles with a diameter less than 18 inches and tied with string or twine. All other yard waste must be set out in bulk carts or containers or bagged in kraft paper bags. Bulk collection of leaves, such as is practiced in Traverse City shall be considered consistent with these Rules and Regulations.
- g) Magazines, catalogs, and coated glossy papers including stapled catalogs, glossy fillers or mailers are included in this category. Material must be either loose, bagged, or stacked in bundles. Books, hard cover bound materials, plastic, wood, or metal are not included in this category.

3.2 Targeted Materials Listing - Delivery Requirements for Residential Services. As of November, 1993 residential recycling and composting collection services provided as part of the hauler licensing conditions in Ordinance No. 17 must deliver the targeted materials to County-Designated Facilities in the following form:

- a) At the County-designated recycling facility or facilities the licensed hauler shall tip

loads of commingled fiber materials consisting of bagged or bundled old newspapers, bagged or bundled old corrugated cardboard, and bagged or bundled mixed office paper.

- b) At the County-designated recycling facility or facilities the licensed hauler shall tip loads of commingled container materials collected from curbside recycling services. The licensed hauler shall tip loads of source separated green glass, clear glass, brown glass and balance of commingled containers from drop-off stations.
- c) At the County-designated composting facility or facilities the licensed hauler shall tip loads of yard waste consisting of bulk material, kraft bagged material and/or bundled brush.

3.3 Targeted Materials Listing - Commercial, Institutional and Industrial Services. As of November, 1993 the following materials, in the form specified, shall be included in any commercial, institutional or industrial recycling and composting collection services provided as part of the hauler licensing conditions in Ordinance No. 17.

- a) Old newspapers and printed materials made from newsprint as defined in Section 3.1 a. of these Rules and Regulations.
- b) Old corrugated containers having liners of kraft, jute, or test liner. The material is acceptable if wet and staples and tape with water soluble glues are acceptable. Any attached wood, plastic, large metal pieces, and food are contaminants and must be removed by the user. Wax coated cardboard and cardboard not made from kraft, jute or test liner must not be included.
- c) Mixed office paper free of moisture and bagged or stacked in bundles and tied with string or twine. The bag or bundle can include all materials as defined in Section 3.1 d. of these Rules and Regulations.
- d) Commingled container materials as defined in Section 3.1 e) of these Rules and Regulations.
- e) Yard waste including leaves, grass clippings, vegetable or other garden debris, shrubbery or brush or tree trimmings less than 6 inches in diameter. Brush and tree trimmings must be cut to lengths 3 feet or shorter and placed in bundles with a diameter less than 18 inches and tied with string or twine. All other yard waste must be set out in bulk carts or containers or bagged in kraft paper bags.

3.4 Targeted Materials Listing - Delivery Requirements for Commercial, Institutional and Industrial Services. As of November, 1993 commercial, institutional and industrial recycling and composting collection services provided as part of the hauler licensing conditions in Ordinance No. 17 must deliver the targeted materials to County-Designated Facilities in the following form:

- a) At the County-designated recycling facility or facilities the licensed hauler shall tip loads of source separated or commingled fiber materials consisting of loose old corrugated cardboard, bagged or bundled old newspapers, bagged or bundled old corrugated cardboard, and bagged or bundled mixed office paper.
- b) At the County-designated recycling facility or facilities the licensed hauler shall tip loads of commingled container materials.
- c) At the County-designated composting facility or facilities the licensed hauler shall tip loads of yard waste consisting of bulk material, kraft bagged material and/or bundled brush.

3.5 Banned Materials Listing. The following materials shall be banned as of November, 1993 from any solid waste or demolition and construction debris collected within the County and/or disposed of in County-Designated Facilities.

- a) Household hazardous waste including oil based paint, latex paint, paint thinners, solvents, drain cleaners, pesticides, herbicides, aerosol products, antifreeze, household cleaners, photographic chemicals, pool chemicals, ammunition, fireworks, medicines, and any other household product considered to be explosive, toxic or hazardous.
- b) All types of batteries and electric fuel cells whether for household appliances, combustion engine driven equipment, or vehicles of any size.
- c) Lubricating oils of all types including used motor oil, cutting oils and machine oils.
- d) Tires of all types including auto, truck, motorcycle, off-road vehicle, garden tractor, and farm equipment tires.
- e) Large appliances of all types including residential, commercial and industrial refrigerators, kitchen stoves, clothes dryers, clothes washers, central air conditioners, window air conditioners, furnaces, humidifiers, dehumidifiers, hot water heaters, trash compactors, dishwashers, commercial food processors, metal sinks, metal countertops, and other related large appliances.

- f) Metal auto parts of all kinds, including mufflers, exhaust pipes, body parts, bumpers, wheels, brakes, frames, axles, and engine components.
- g) Yard waste including leaves, grass clippings, vegetable or other garden debris, shrubbery or brush or tree trimmings less than 6 inches in diameter.

3.6 Additions, Deletions, and Exemptions to the Targeted and Banned Materials Listings.

The BPW, upon the recommendation of the Solid Waste Council, shall work with current and potential County-Designated Facilities to insure adequate capacity to process and market the materials on the targeted materials lists.

- a) By October 1 of each year the Solid Waste Council shall have completed and made available to the BPW, all Member Units, licensed haulers and County-Designated Facilities an evaluation of the lists of targeted and banned materials and propose any additions or deletions to those lists or clarification of collection or delivery specifications. Proposals for additions and deletions shall be handled as amendments to these Rules and Regulations.
- b) Member Units, licensed haulers and County-Designated Facilities may petition the BPW in writing at any time to have additions, deletions or changes in collection or delivery specifications made to the targeted and banned materials lists. The BPW, under the advice of the Solid Waste Council, shall respond in writing within 60 calendar days and that response and the original petition shall be included in the published minutes of the BPW.
- c) Member Units, licensed haulers and County-Designated Facilities may petition the BPW in writing at any time for emergency relief from the collection or delivery specifications for materials on the targeted and banned materials lists. The BPW, under the advice of the Solid Waste Council, shall respond in writing within 30 calendar days and that response and the original petition shall be included in the published minutes of the BPW. Any emergency relief granted by the BPW shall be for a period of no more than 180 days, and shall include restrictions as deemed necessary by the BPW to guarantee consistency with the intent of these Rules and Regulations and Ordinance No. 17. If emergency relief is requested and granted more than once for the same reason, a process must be initiated by the BPW to consider necessary changes that should be made to these Rules and Regulations.

SECTION 4

COLLECTION SERVICE REQUIREMENTS

- 4.1 Requirements for Hauler License. A hauler license will be required for all those engaged in the business of collecting, transporting, delivering or disposing of solid waste, yard waste or recyclable materials generated within Grand Traverse County. This shall include but not be limited to:

- a) Solid waste haulers.
- b) Recycling companies.
- c) Lawn care companies, landscapers and land clearing firms.
- d) Solid waste transfer station operators.
- e) Specialized haulers providing services that include pickup of solid waste, yard waste or recyclable materials along with other materials.

Persons hauling solid waste, yard waste or recyclable materials from their own residence or site of principle business activity to County-Designated Facilities or otherwise disposing of yard waste by an approved method are exempt from the requirement to have a hauler license. Beverage distributors and persons who arrange to backhaul recyclables in the same vehicles that deliver their goods are exempt from the requirement to have a hauler license but must comply with the reporting requirements of the hauler license as described in Section 3 of Ordinance No. 17.

- 4.2 Curbside Recycling and Yard Waste Collection Services. As of November, 1993 the following service specifications apply for curbside recycling and yard waste collection services:

- a) Curbside recycling and yard waste collection services must be provided for the materials identified and described in the targeted materials list by any licensed hauler who provides refuse collection services in designated curbside recycling districts.

- b) Designated curbside recycling districts include but are not limited to all single-family residential structures and multi-family residential structures with less than 4 units per building located in residential areas within boundaries determined by the Solid Waste Council as generally having either sewer service or underground natural gas service and that are within the jurisdiction of participating Member Units. A map will be approved by the Board of Public Works and reviewed annually by the Solid Waste Council and incorporated into these Rules and Regulations as Exhibit B.
- c) A Member Unit at its own discretion can list other areas under its jurisdiction as being part of the designated curbside recycling district. Notice of this action must be provided to the BPW in a timely manner. The notice shall include a description of the designated area, and an effective date.
- d) The licensed hauler must provide to each of its customer households, or arrange to provide through subcontract, at least one household recycling collection bin of 12 to 18 gallon capacity made of HDPE plastic with at least a 25% post consumer recycled plastic content. The bin must have the name of the licensed hauler identified in writing on its side. Bags may be substituted for bins as long as they are made of LDPE and have 25% post consumer recycled plastic content.
- e) Within the designated curbside recycling districts on the same day as refuse pickup day the licensed hauler must provide, or arrange to provide through subcontract, for pickup of the recyclable material from any household recycling collection bin or bag set out by its customers and any yard waste set out in bulk containers or kraft bags by its customers. Yard waste may, at the hauler's discretion, be picked up on a regularly scheduled day other than the day of refuse pickup.
- f) At the time of original distribution of the bins or bags and at least annually thereafter, the licensed hauler must distribute to these customers a printed publication that shall clearly define the preparation and set-out requirements for materials on the targeted materials list, the available recycling opportunities for materials on the banned materials list, the procedure the hauler will use for continued maintenance and enforcement of these user requirements, methods for backyard composting of yard waste and tips for household waste minimization. The phone number of the hauler shall be included in the publication along with the following: "For further information on Grand Traverse County recycling efforts call 922-2052" with the phone number included to be specified by the County at the time of hauler license approval.

4.3 Recycling Drop-off Services. As of November, 1993 the following service specifications apply for recycling drop-off services:

- a) Drop-off recycling services must be provided to any area that is not in a designated curbside recycling district and that is within the jurisdiction of participating Member Units.
- b) A Member Unit at its own discretion can identify and request development of one or more recycling drop-off sites, even in designated curbside recycling districts.
- c) At least annually the licensed hauler must distribute to these customers a printed publication that shall identify all drop-off locations and operating hours, clearly define the preparation and drop-off requirements for materials on the targeted materials list, the available recycling opportunities for materials on the banned materials list, the procedure the hauler will use for continued maintenance and enforcement of these user requirements, and methods for backyard composting of yard waste and tips for household waste minimization. The phone number of the hauler shall be included in the publication along with the following: "For further information on Grand Traverse County recycling efforts call 922-2052" with the phone number included to be specified by the County at the time of hauler license approval.
- d) Each licensed hauler providing residential solid waste collection services within Grand Traverse County outside the designated curbside collection district shall provide one (1) recyclables drop-off station for each one thousand (1,000) of its residential customers receiving service outside the designated curbside collection district.
 - i) Each such drop-off station shall be at a location agreed upon between the hauler and the BPW which location shall be reasonably convenient to the area to be served by the station. Each such station shall be equipped in a manner reasonably suited to provide drop-off services to the public. Physical layout and equipment are subject to approval by the Board of Public Works, which shall not be unreasonably withheld.
 - ii) Each such station shall be established, operated, and maintained without charge to any member of the public or unit of government.

iii) Each such station shall accept all recyclables on the targeted materials list. If the hauler so elects, additional materials may be collected at the recycling station. The Hauler shall deliver all recyclables for processing to a county-designated recycling facility and any non-recyclable residue shall be properly landfilled.

iv) Each such station shall be open and accessible to the public during regular business hours and evenings and weekends in accordance with a schedule approved by the BPW at the time the location of the drop-off station is determined. Each hauler shall maintain such drop-off stations in an orderly and sanitary condition so as not to become a nuisance to surrounding properties. Provided that, the local unit within which the drop-off station is located may establish more restrictive days or hours of operation, or both, if it so desires, upon thirty (30) days notice in writing to the hauler and the Board of Public Works.

e) Within thirty (30) days after a hauler begins to serve one thousand (1,000) or more residential customers within Grand Traverse County outside the designated curbside collection district, the hauler shall notify the Board of Public Works of the number of customers so served, and the general location of such customers, together with a proposed location for the drop-off station or stations to be established to serve the recycling needs of those customers. The hauler shall also supply such information as the Board of Public Works may reasonably request concerning the equipment to be provided, the hours of operation, and a site plan of the facility. Within thirty (30) days the Board of Public Works shall act to approve or disapprove the drop-off station request. In the event that the Board of Public Works disapproves the location request it shall state the reasons for such refusal. Approval shall not be unreasonably withheld.

f) Once established, the drop-off station or stations established by the hauler shall be reviewed at the time of hauler license renewal and the location and number may be adjusted in accordance with the hauler's customer base as of the preceding July 1. The Board of Public Works shall provide for the required information in the hauler license application form. Locations, equipment, and hours of service as approved by the Board of Public Works from time to time shall be deemed a part of the hauler license and the requirements thereof. Failure to provide the drop-off stations required by these regulations shall be grounds for termination of the hauler license.

g) In determining the number of residential customers served by a hauler outside the designated curbside collection district, (sometimes referred to as the "customer base" in these regulations) the following applies. Each household served with regular residential waste collection service is one customer. (Residential customers located in multi-family dwellings with four (4) or more units are excluded.) For service provided on a "budget bag" system whereby the customer purchases a supply of bags, which the hauler will

collect, for use at his or her discretion, customers will be determined by determining the number of "budget bags" sold by the hauler within Grand Traverse County, taking ninety percent (90%) of that number, and dividing the result by 50. The result shall be deemed to equal the number of customers. For purposes of determining drop-off stations, a household which receives curbside collection of recyclables but is located outside the curbside collection district is not a "customer". Haulers who are subsidiaries of a common parent or are otherwise affiliated shall be deemed a single hauler for determining the customer base. So defined, the hauler's "customer base" is the aggregate of Grand Traverse County customers who are not served with curbside collection of recyclables and are located outside the curbside collection district.

h) Upon the request of a hauler, the hauler and Board of Public Works may agree upon a schedule or drop-off stations to remain in force for a period of not more than three (3) years. Provided that, in case of hardship, the Board of Public Works may, in its discretion, allow relief to the hauler by revising the schedule during the three (3) year period.

4.4 Commercial, Institutional and Industrial Recycling and Yard Waste Collection Services.

As of November, 1993 the following service specifications apply for commercial, institutional and industrial recycling and yard waste collection services:

- a) Recycling and yard waste collection services must be provided for the materials as identified and described in the targeted materials list by any licensed hauler who provides refuse collection services to commercial, institutional, and industrial customers including residential multi-family structures with 4 or more units per building within the jurisdiction of participating Member Units.
- b) The licensed hauler must provide to each of its customers, or arrange to provide through subcontract, suitable outdoor containers for the recyclable materials and yard waste in a location providing a level of customer convenience that meets or exceeds that of the solid waste containers provided to the same customer. The containers must have the name of the licensed hauler identified in writing on its side along with the preparation requirements for all materials allowed in each container and typical contaminants not allowed in each container.
- c) The licensed hauler must provide, or arrange to provide through subcontract, for pickup of the recyclable material and yard waste from each of its customers at the degree of frequency required to remove the accumulated materials without spillage or overflow of material from the provided containers.

- d) At the time of original distribution of the bins and at least annually thereafter, the licensed hauler must distribute to these customers a printed publication that shall clearly define the preparation and set-out requirements for materials on the targeted materials list, the available recycling opportunities for materials on the banned materials list, and the procedure the hauler will use for continued maintenance and enforcement of these user requirements. The phone number of the hauler shall be included in the publication along with the following "For further information on Grand Traverse County recycling efforts call _____" with the phone number included to be specified by the County at the time of hauler license approval.

SECTION 5

FEES, RATES AND CHARGES FOR COLLECTION SERVICES

5.1 Fees for Service Charged by Licensed Haulers. All fees for service charged by licensed haulers for solid waste collection services must be volume based. All costs for providing curbside recycling and yard waste collection, drop-off recycling and composting services, commercial, institutional, and industrial recycling and yard waste collection services and all tip fees charged by recycling and composting facilities must be bundled into the fee for service charge by licensed haulers for solid waste collection services. The BPS shall review the proposed structure of a licensed haulers fee system at the time of license application to insure that it meets these requirements. Haulers can use two collection rate structure options for charging fees to their customers:

- a) Designated Curbside Recycling Districts: An acceptable volume based fee for service system may include either of the following:
 - i. Per bag - Customers pay for waste collection services on a per bag basis. Recycling and composting services would be available on an additional charge basis.
 - ii. Full service - Customers pay a fixed monthly fee with a volume limited to the carts provided by haulers or a limit of a specified number of bags if a cart is not used. Recycling services are included in the full service fee. Composting services are charged on a volume basis. Additional volume of solid waste would require additional charges.
- b) Other Areas: An acceptable volume based fee for service system may include either of the following

- i. Per bag - Customers pay for waste collection services on a per bag basis. Recycling and composting services would be available on an additional charge basis.
- ii. Full service - Customers pay a fixed monthly fee with a volume limited to the carts provided by haulers or a limit of a specified number of bags if a cart is not used. Recycling and composting services would be available on an additional charge basis. Additional volume of solid waste would require additional charges.

SECTION 6

COUNTY-DESIGNATED FACILITIES

- 6.1 Facility Inventory - Report. The Solid Waste Council, to the degree practicable, shall collect, verify and analyze data necessary to inventory existing solid waste, recyclable material and yard waste processing and landfill capacity available to generators and licensed haulers in the County and submit this inventory to the BPW and to all other interested parties by July 1 of each year.
- 6.2 Capacity Analysis and Determination of Need. The BPW, under the advice of the Solid Waste Council, shall work with current and potential operators of County-Designated Facilities to insure adequate solid waste, recyclable material and yard waste processing and landfill capacity as needed to meet the goals and target dates as described in Section 2 and to handle all targeted and banned materials as described in Section 3.

By October 1 of each year the Solid Waste Council shall have completed and made available to the BPW, all Member Units, licensed haulers, County-Designated Facilities and the general public a Capacity Analysis and Determination of Need Report as required to meet the next five year goals and target dates. That analysis shall identify for the next five years, any capacity shortfalls or excess capacity broken down by material type that are expected to occur and recommend a strategy for corrective action through adjustments to designated facility status for current operators or potential developers of that capacity.

- 6.3 Capacity Procurement for Designated Facilities. The BPW shall then be responsible for final approval and implementation of the procurement strategy defined in the Solid Waste Council's Capacity Analysis and Determination of Need Report. Before adopting the report the BPW shall hold a public hearing no earlier than 30 days after release of the report by the Solid Waste Council. Any substantial changes to the Capacity Analysis and Determination of Need Report in response to the comments received require a repeat of the 30 day comment period opportunity. Final approval of the Capacity Analysis and

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Determination of Need Report shall take place at the last meeting held in December of each year.

- a) Capacity Procurement for Designated Facilities: The BPW shall utilize a public notice procedure in soliciting applications for designated facility capacity. The contract with operators shall take the form of a facility registration agreement signed by both the operator and the BPW outlining all terms and conditions of the designated facility arrangements as deemed necessary by the BPW for each type of designated facility. Any service provider meeting the minimum operating requirements provided below shall receive status as a designated facility.
- b) Minimum Operating Requirements for Designated Facilities: Designated Facilities must agree to:
 - i. Inform the BPW, or a designated third party agent selected by the BPW, on a quarterly basis in a format specified by the BPW as to the volume of Grand Traverse materials received in each of three generator categories: residential, small business/retail, and industrial/other, volume processed and marketed volumes by material type; residual solid waste volumes from recycling and compost processing, and verification of end markets and market prices.
 - ii. Collect a volume based surcharge applied to all materials generated in Grand Traverse County that are delivered to the county-designated landfills or transfer stations excluding materials for which the surcharge has been collected at another Designated Landfill or Transfer station and transfer those funds to the County to cover costs for administration, enforcement and coordination of the system and costs for direct provision of services as needed as part of the system.
 - iii. Sign the Facility Registration Agreement provided by the BPW and adhere to all its terms and conditions.

SECTION 7

PROGRAM MANAGEMENT AND ADMINISTRATION

- 7.1 Budget Development Process. The BPW shall adopt an annual budget for its obligations in administration, enforcement and coordination of the system and costs for direct provision of services associated with the system. Its proposed budget for the system shall be released by November 1 to all Member Units, licensed haulers, County-Designated

Facilities and the general public. Before adopting the annual budget the BPW shall hold a public hearing no earlier than 30 days after release of the budget. Final approval of the budget shall take place at the last meeting held in December of each year.

- 7.2 System Accounting Procedures. The BPW shall arrange for and complete a certified audit of the costs incurred to meet its obligations in managing and administering programs associated with the system. Copies of the Certified Audit shall be made available to all Member Units and the general public by July 1 of each year.
- 7.3 System Procedures and Policies. The BPW and the Solid Waste Council may from time to time adopt policies and procedures as required to meet its obligations in administration, enforcement and coordination of the system and costs for direct provision of services associated with the system. All policies and procedures shall be organized in a manner easily accessible to the Member Units and the general public and be available for review through scheduled appointments.
- 7.4 Rules and Regulations - Amendment Process. These Rules and Regulations shall be amended only in accordance with procedures outlined in Section 5 of Ordinance No. 17.

SECTION 8

ENFORCEMENT

- 8.1 Annual System Compliance Report. The Solid Waste Council, working with BPW staff, shall be responsible for ongoing monitoring of system compliance. A system of record keeping shall be put in place to track incidents of hauler licensing and designated facility agreement violations, illegal dumping, failure of generators to comply with banned material list requirements, and other violations of this ordinance as necessary. The activity from this system of record keeping shall then be compiled by staff with approval of the Solid Waste Council, as an Annual System Compliance Report that shall be released no later than May 1 of each year.
- 8.2 Duties of Licensed Haulers. Licensed haulers shall monitor and assist in enforcement of compliance by generators with provisions of the ordinance and these Rules and Regulations requiring that banned materials not be placed in solid waste set out for disposal and that targeted materials be prepared in a manner required by specifications provided in these Rules and Regulations. Enforcement actions shall first start with a quality control enforcement sheet being left with the bin, cart or container used by the violator. In such an instance the hauler is not obligated to pick up the material that has not been properly prepared. After two to five such actions (at the discretion of the licensed hauler) the hauler shall then contact the violator in writing, and provide a copy to

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the BPW. If said violations continue the hauler shall inform the BPW, and the BPW shall issue a notice of violation and proceed with appropriate enforcement action which may include appropriate fines as authorized in Ordinance No. 17 and a stop service order to all licensed haulers in the County which would prevent licensed haulers from providing solid waste collection services to the violator.

Licensed haulers shall also provide information as available to the BPW on any violations by other licensed or unlicensed haulers in providing services that fall under the hauler licensing requirements and on any violations or questionable practices by County-Designated Facilities or non-county designated facilities in providing services that fall under the designated facility requirements.

- 8.3 Duties of BPW and County Agencies. The BPW shall be responsible for developing a system of enforcement response, working with licensed haulers, designated facilities and government agencies as required. This system shall have the capabilities and funding to adequately follow through on administrative and legal enforcement steps as required. These steps shall include the ability to: 1) support licensed haulers and designated facility operators in their enforcement activities as described in 8.2 and 8.3 of these Rules and Regulations; 2) initiate independent investigations to discover violations and respond with enforcement action; 3) initiate proceedings to revoke hauler licenses; 4) monitor and enforce provisions of designated facility agreements; 5) proceed with illegal dumping cleanup, cost recovery and enforcement; 6) enforce stop service order to unlicensed haulers and non-designated facilities; and 7) provide for other enforcement actions as required.

SECTION 9

APPROVED METHODS OF YARD WASTE DISPOSAL

- 9.1 Yard waste must be disposed of by an approved method. Approved methods are:
- 1) Disposal at a facility designated for that purpose by the County in accordance with the rules of that facility, or;
 - 2) Land application of grass clippings, thatch, leaves, and wood chips with the consent of the landowner or tenant for use in mulching, enhancing soil, erosion control or compost or a combination of these,
- 9.2 Use of yard waste as fuel or as feedstock for manufacturing processes is an approved method where consistent with local land use and other applicable regulation.

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- 9.3 Yard waste shall be land applied in such a manner as not to create a nuisance to adjoining landowners, be the source of foul or obnoxious odors, or attract rodents or other pests.