



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



LIESL EICHLER CLARK
DIRECTOR

November 19, 2021

VIA E-MAIL

Ms. Tracy Hall, Chairperson
Kalamazoo County Board of Commissioners
201 West Kalamazoo Avenue
Kalamazoo, Michigan 49007

Dear Ms. Grover:

The locally approved amendment #1 to the Kalamazoo County Solid Waste Management Plan (Plan Amendment) received by the Department of Environment, Great Lakes, and Energy (EGLE), Materials Management Division (MMD) on August 6, 2021, is hereby approved with the clarification below.

The amendment makes the following changes:

- Identifies the Waste Not C&D Recycling Center as an approved Transfer Station and Processing Facility.
- Adds a Facility Description for the Waste Not C&D Recycling Center.
- Identifies the Waste Not C&D Recycling Center as a new Transfer Station and Processing Facility that is automatically consistent with the plan.

The following should be noted regarding the Plan Amendment:

Attachment D-12a of the Plan Amendment includes maps and a description of a proposed driveway easement across the Kalamazoo River Valley Trail. This easement was denied by the Department of Natural Resources (DNR) as of August 9, 2021. Therefore, another location for an entrance will be needed to access the facility. Please note that this does not prevent listing this site in the Plan.

EGLE would like to thank Kalamazoo County for its efforts in addressing its materials management issues. If you have any questions, please contact Ms. Christina Miller, Solid Waste Planning Specialist, Sustainable Materials Management Unit, Solid Waste Section, MMD, at 517-614-7426; EGLE-MaterialsManagementPlanning@Michigan.gov; or EGLE, P.O. Box 30241, Lansing, Michigan 48909-7741.

Sincerely,

Elizabeth M. Browne, Director
Materials Management Division
517-284-6551

cc: Senator Sean McCann
Representative Julie Rogers
Representative Christine Morse
Representative Beth Griffin
Representative Matt Hall
Ms. Liesl Eichler Clark, Director, EGLE
Mr. Aaron B. Keatley, Chief Deputy Director, EGLE
Mr. Travis Boeskool, Legislative Liaison, EGLE
Mr. Hugh C. McDiarmid Jr., EGLE
Ms. Tracy Kecskemeti, EGLE
Ms. Rhonda S. Oyer, EGLE
Mr. Jeff Spencer, EGLE
Mr. Fred Sellers EGLE
Ms. Christina Miller, EGLE
Ms. Carlie Money, EGLE
Ms. Amy Karana, EGLE/Kalamazoo County File



KALAMAZOO COUNTY GOVERNMENT

In the Pursuit of Extraordinary Governance...

Sent via email

August 6, 2021

Christina Miller
Materials Management Division
Department of Environment, Great Lakes and Energy
Constitution Hall
P.O. Box 30241
Lansing, MI 48909-7741
millercl@michigan.gov

RE: Kalamazoo County Solid Waste Management Draft Plan Amendment #1 – Waste Not C&D Recycling Center

Ms. Miller,

Per the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA), Part 115, and its Administrative Rules, the Kalamazoo County Department of Planning and Development and the Kalamazoo County Solid Waste Management Planning Committee (SWMPC) are requesting review of Kalamazoo County Solid Waste Management Plan Amendment #1.

Attached via email is the draft Plan Amendment #1 language for the addition of Waste Not C&D Recycling Center to the County Solid Waste Management Plan. The draft Plan Amendment #1 includes the specific locations of additions or changes in the Plan, with a map and property description included for the proposed location. The SWMPC and the Kalamazoo Metropolitan County Planning Commission (KMCP), the County's Designated Planning Agency, have followed the administrative approval process for the approval of draft Amendment #1, including providing a 90-day public review period with a public hearing.

Following the public review period and the public hearing, the SWMPC recommended Draft Plan Amendment #1 to the County Board of Commissioners (BOC) on April 21, 2021. The County BOC approved the draft Amendment #1 on June 1, 2021, and recommended Plan Amendment #1 to the municipalities in Kalamazoo County. Greater than 67% of the local municipalities in Kalamazoo County have passed a Resolution approving Draft Plan Amendment #1. The BOC resolution and the

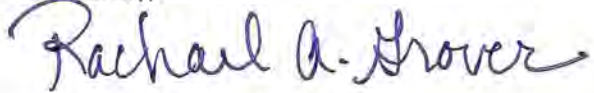
PLANNING & DEVELOPMENT DEPARTMENT

201 West Kalamazoo Avenue | Kalamazoo, Michigan 49007
Phone: (269) 384-8112 | www.kalcounty.com/planning

resolutions of approval from 20 of 24 municipalities within Kalamazoo County are also included with the Draft Plan Amendment #1.

Kalamazoo County appreciates your assistance and guidance during this process. Please contact me with questions or if you need additional information for the review of the Kalamazoo County Solid Waste Management Plan Amendment #1.

Sincerely,

A handwritten signature in dark ink, reading "Rachael A. Grover". The signature is fluid and cursive, with the first name "Rachael" being more prominent and the last name "Grover" following in a similar style.

Rachael Grover
Director

Cc: Tracie Moored, Administrator/Controller, Kalamazoo County Government
Jeff Sorensen, Chair, Kalamazoo County SWMPC
Vince Carahaly, Chair, KMCPC
Art Mulder, Waste Not Recycling, LLC



45 Ottawa Avenue SW
Suite 1100
P.O. Box 306
Grand Rapids, MI 49501-0306



GRANT E. SCHERTZING
Attorney at Law

616.831.1714
616.988.1714 fax
schertzingg@millerjohnson.com

October 22, 2020

VIA EMAIL AND CERTIFIED MAIL — RETURN RECEIPT REQUESTED

Kalamazoo County Solid Waste Management Planning Committee
c/o Lotta M. Jarnefelt, Planning & Development Department
201 W. Kalamazoo Avenue
Kalamazoo, Michigan 49007
LMJARN@kalamazoo.org

Re: **Application to Amend Kalamazoo County Solid Waste Management Plan**

Dear Ms. Jarnefelt:

We represent Waste Not Recycling, LLC (“**Waste Not**”). Waste Not Recycling seeks to build and operate a recycling center for construction and demolition waste (“**C&D**”)¹ at 2206 Nichols Road in Kalamazoo Township. While Kalamazoo County (“**County**”) has many recycling programs available for municipal solid waste (“**MSW**”), the closest facility capable of recycling C&D is 100 miles away.² Without a local recycling option, the only destinations for the County’s C&D are either (1) a landfill,³ or (2) a local transfer station⁴ for diversion to a landfill or an out-of-county recycling facility.

Waste Not Recycling’s proposed center would sort C&D, remove wood, cardboard, metal, and other reusable materials, and sell those materials for reuse, sending the rest to a landfill. The center would also receive MSW from smaller trucks and reload the waste onto larger trucks for diversion to landfills. The center would have little or no adverse effect on neighboring properties, the center would benefit Kalamazoo Township and the County by —

- investing \$4 million in the construction and development of the project,
- creating 20 full-time jobs and supporting the creation of still more through secondary sales,
- removing materials from the waste stream and consolidating MSW, which would reduce traffic congestion and the wear on the County’s roads,
- preserving the capacity of landfills for actual waste,

¹ R 299.4102(f) (Defined as the “waste building materials, packaging, and rubble that results from construction, remodeling, repair, and demolition operations on houses, commercial or industrial buildings, and other structures.”).

² The closest in-state facility is Recycle Ann Arbor’s “Recovery Yard” at 7891 Jackson Road, Ann Arbor, Michigan 48103 (±92 miles from the County Administration Building).

³ E.g., Republic Services’ Marshall landfill, Waste Management’s Three Rivers landfill, or Orchard Hill Landfill.

⁴ E.g., Best Way Disposal’s Miller Road transfer station, Republic Services’ Gembrit Circle transfer station, or Waste Management’s Wayne Road transfer station.

- keeping reusable materials near their source, which would also keep recycled products and dollars in the County's market and preserve the capacity of landfills for actual waste, and
- facilitating LEED certification by contractors and property owners, which would qualify some construction and renovation projects for financial incentives, result in faster lease-up rates, higher property values, and other indirect benefits, and encourage the high standards of energy efficiency, water usage, air quality, and access that are associated with the certification.

The center would be qualify as a solid waste disposal area under Part 115 of the Natural Resources and Environmental Protection Act ("**Part 115**").⁵ Part 115 and the Solid Waste Management Rules require any application for a permit to construct a disposal area to be consistent with the solid waste management plan of the county where that area is to be located.⁶ In this case, the Kalamazoo County Solid Waste Management Plan approved on July 28, 1999 (the "***Solid Waste Management Plan***") identifies all disposal areas within the County that may handle solid waste generated within the County. Since the center is not identified in the Solid Waste Management Plan, the center can only be built and operated if the County amends the Solid Waste Management Plan to identify it.

Under Part 115 and the Solid Waste Management Rules, an amendment to a county solid waste management plan may be presented to the county's solid waste management planning committee at any time. Once an amendment to the county's solid waste management plan has been presented, the committee must then meet in public to direct the drafting of the amendment by the county's designated planning agency. The agency then prepares a draft amendment as directed by the committee, makes the amendment available for public review for at least 90 days, and holds a public hearing on it.

This letter is an application to amend the Solid Waste Management Plan to identify Waste Not Recycling's proposed center as a solid waste disposal area.

⁵ MCL 324.11503(5).

⁶ R 299.4902(2); R 299.4903.

A. Applicant Information

Name of Applicant: Waste Not Recycling, LLC

Address: 3333 Ravine Road
Kalamazoo, MI 49006

Email: ken.wastenot@gmail.com

B. Property Owner Information

Name of Owner: Art Mulder

Address: 3333 Ravine Road
Kalamazoo, MI 49006

Email: art.wastenot@gmail.com

C. Property Information

Street Address: 2206 Nichols Road

Parcel ID: 3906-08-170-010

Government Unit: Kalamazoo Township

Legal Description: Commencing at a point 666.25 feet North of the West 1/4 post of Section 8, Town 2 South, Range 11 West; thence North on the West line of said Section 355.85 feet to the Right of Way of the Michigan Central Railroad; thence Southeasterly along the Southerly line of said Railroad 803.03 feet; thence South parallel with the West line of said Section 215.75 feet and thence Northwesterly to the Place of Beginning.

Also, a parcel in Section 8, Town 2 South, Range 11 West, commencing at a point 405.5 feet North of the West 1/4 post of said Section and running thence East at right angles to said West line 183.0 feet; thence South parallel to said West line 66 feet; thence East at right angles to said West line 522 feet for the Place of Beginning; thence Northwesterly to a point on the West line of said Section 666.25 feet North of the West 1/4 post of said Section; thence Southeasterly to a point 80 feet North of the Place of Beginning; thence South 80 feet to the Place of Beginning.

Acres: 5.19 acres (Gross), 4.92 acres (Net)

D. Type of Request

Adopt the enclosed Amendment to Kalamazoo County Solid Waste Management Plan.

MILLER JOHNSON

October 22, 2020

Page 4

Please contact my office with any questions or if any additional information is required. Thank you.

Very truly yours,

MILLER JOHNSON

By

A handwritten signature in black ink, appearing to read 'Grant E. Schertzing', written in a cursive style.

Grant E. Schertzing

Enclosure

cc: Ken Hoving, *via email at* ken.wastenot@gmail.com

Art Mulder, *via email at* art.wastenot@gmail.com

Jeff Sorensen, Chair, *via email at* supervisor@coopertwp.org

**AMENDMENT 1 TO KALAMAZOO COUNTY
SOLID WASTE MANAGEMENT PLAN**

_____, 202__

The Kalamazoo County Solid Waste Management Plan (December 1998) is hereby amended and supplemented as follows:

1. Table 2, "Inventory of Solid Waste Disposal Areas" (II-2), is hereby supplemented as follows:

- a. At the end of the list of solid waste disposal areas under the heading "Type A Transfer Stations," add the following:

<u>Type A Transfer Stations</u>	<u>County</u>
Waste Not C&D Recycling Center	Kalamazoo

- b. At the end of Table 2, following the list of solid waste disposal areas under the heading "Type B Transfer Stations," add the following:

<u>Processing Plants</u>	<u>County</u>
Waste Not C&D Recycling Center	Kalamazoo

2. Table 3, "Descriptions of Solid Waste Disposal Areas" (II-3), is hereby supplemented as follows:

- a. At the end of the list of solid waste disposal areas under the heading "Type A Transfer Stations," add the following:

TYPE A TRANSFER STATIONS

Waste Not C&D Recycling Center

Location: Kalamazoo County, T2S R11W Section 8

Final disposal site: 1) Orchard Hills Landfill; 2) Westside Landfill;
3) South Kent Landfill; 4) C & C Landfill

Landfill Owner: 1) Landfill Management Company (private); 2) Waste Management of Michigan d.b.a. Westside RDF (private); 3) Kent County (public); 4) Republic Services (private)

Operating Status: pending

Wastes received: residential, commercial, industrial, construction and demolition, contaminated soils, paper sludge, tree stumps and limbs

Total area of facility property: 5.19 acres (Gross), 4.92 acres (Net)

Estimated days open per year: 304

Estimated yearly disposal volume: unknown

- b. At the end of Table 3, following the list of solid waste disposal areas under the heading "Type B Transfer Stations," add the following:

PROCESSING PLANTS

Waste Not C&D Recycling Center

Location: Kalamazoo County, T2S R11W Section 8

Final disposal site: 1) Orchard Hills Landfill; 2) Westside Landfill;

3) South Kent Landfill; 4) C & C Landfill

Landfill Owner: 1) Landfill Management Company (private); 2) Waste Management of Michigan d.b.a. Westside RDF (private); 3) Kent County (public); 4) Republic Services (private)

Operating Status: pending

Wastes received: residential, commercial, industrial, construction and demolition, contaminated soils, paper sludge, tree stumps and limbs

Total area of facility property: 5.19 acres (Gross), 4.92 acres (Net)

Estimated days open per year: 304

Estimated yearly disposal volume: unknown

3. Table 4, "Solid Waste Collection Service Providers" (II-11), is hereby supplemented as follows:

- a. At the end of the list of solid waste collection service providers under the heading "Solid Waste Collection Service Providers," add the following:

<u>Service Provider</u>	<u>Disposal Facility Used</u>
Waste Not C&D Recycling Center	Orchard Hills Landfill; Westside Landfill; South Kent Landfill; C & C Landfill

4. Table 11, "Inventory of Solid Waste Disposal Areas" (III-6), is hereby supplemented as follows:

- a. At the end of the list of solid waste disposal areas under the heading "Type A Transfer Stations," add the following:

<u>Type A Transfer Stations</u>	<u>County</u>
Waste Not C&D Recycling Center	Kalamazoo

- b. At the end of Table 11, following the list of solid waste disposal areas under the heading "Type B Transfer Stations," add the following:

<u>Processing Plants</u>	<u>County</u>
Waste Not C&D Recycling Center	Kalamazoo

5. Table 12, "Descriptions of Solid Waste Disposal Areas" (III-7), is hereby supplemented as follows:

- a. At the end of the list of solid waste disposal areas under the heading "Type A Transfer Stations," add the following:

TYPE A TRANSFER STATIONS

Waste Not C&D Recycling Center

Location: Kalamazoo County, T2S R11W Section 8

Final disposal site: 1) Orchard Hills Landfill; 2) Westside Landfill;
3) South Kent Landfill; 4) C & C Landfill

Landfill Owner: 1) Landfill Management Company (private); 2) Waste Management of Michigan d.b.a. Westside RDF (private); 3) Kent

County (public); 4) Republic Services (private)
Operating Status: pending
Wastes received: residential, commercial, industrial, construction and demolition, contaminated soils, paper sludge, tree stumps and limbs
Total area of facility property: 5.19 acres (Gross), 4.92 acres (Net)
Estimated days open per year: 304
Estimated yearly disposal volume: unknown

- b. At the end of Table 12, following the list of solid waste disposal areas under the heading "Type B Transfer Stations," add the following:

PROCESSING PLANTS

Waste Not C&D Recycling Center

Location: Kalamazoo County, T2S R11W Section 8
Final disposal site: 1) Orchard Hills Landfill; 2) Westside Landfill;
3) South Kent Landfill; 4) C & C Landfill
Landfill Owner: 1) Landfill Management Company (private); 2) Waste Management of Michigan d.b.a. Westside RDF (private); 3) Kent County (public); 4) Republic Services (private)
Operating Status: pending
Wastes received: residential, commercial, industrial, construction and demolition, contaminated soils, paper sludge, tree stumps and limbs
Total area of facility property: 5.19 acres (Gross), 4.92 acres (Net)
Estimated days open per year: 304
Estimated yearly disposal volume: unknown

6. Table 15, "Selected Recycling System" (III-19), is hereby supplemented as follows:
- a. At the end of the paragraphs under the heading "Drop-off programs," add the following:

The **Waste Not C&D Recycling Center** is a privately operated drop-off which is open to the public year-round. The drop-off accepts construction and demolition waste.

7. On Page III-27, add the following below the paragraph in "Facility Siting Procedure":

"The following facility is deemed automatically consistent with the plan:

Waste Not C&D Recycling Center as a new processing plant and transfer facility; located at 2206 Nichols Road, Kalamazoo, MI 49004"

8. Appendix D, "Attachments" (D-1) is hereby amended as follows:

- a. Under the heading, "Solid Waste Disposal Facility Location Maps," amend the first paragraph as follows:

Solid Waste Disposal Facility Location Maps

The following maps and/or legal descriptions (Attachments D-1 through -12a) are intended to identify the locations of the various solid waste disposal facilities proposed to serve Kalamazoo County during the planning period.

- b. Add the attached site plan and the following description after Attachment D-12 as "Attachment D-12a":

Attachment D-12a

Waste Not C&D Recycling Center Boundary Description

Land situated in the Township of Kalamazoo, County of Kalamazoo, State of Michigan, described as follows:

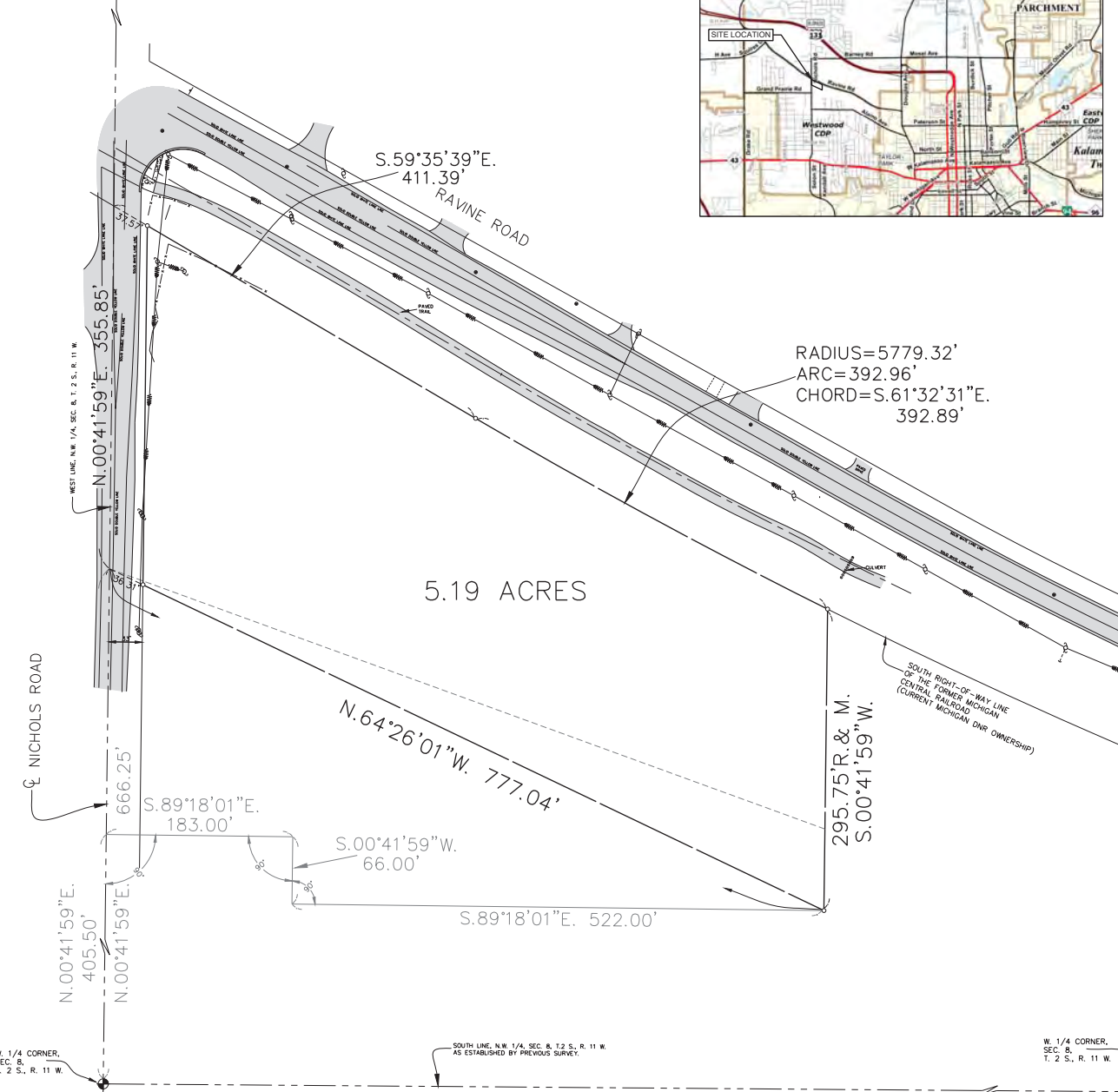
Commencing at a point 666.25 feet North of the West 1/4 post of Section 8, Town 2 South, Range 11 West; thence North on the West line of said Section 355.85 feet to the Right of Way of the Michigan Central Railroad; thence Southeasterly along the Southerly line of said Railroad 803.03 feet; thence South parallel with the West line of said Section 215.75 feet and thence Northwesterly to the Place of Beginning.

Also, a parcel in Section 8, Town 2 South, Range 11 West, commencing at a point 405.5 feet North of the West 1/4 post of said Section and running thence East at right angles to said West line 183.0 feet; thence South parallel to said West line 66 feet; thence East at right angles to said West line 522 feet for the Place of Beginning; thence Northwesterly to a point on the West line of said Section 666.25 feet North of the West 1/4 post of said Section; thence Southeasterly to a point 80 feet North of the Place of Beginning; thence South 80 feet to the Place of Beginning.

Commonly known as: 2206 Nichols Road, Kalamazoo, MI 49004
Tax ID No. 3906-08-170-010



N.W. CORNER,
SEC. 8,
T. 2 S., R. 11 W.



GRAPHIC SCALE



- IRON ROD PLACED
- IRON ROD OR PIPE FOUND
- △ ROD SPIKE PLACED IN ROOT
- RECORD DIMENSION
- MEASURED DISTANCE
- UTILITY POLE
- OVERHEAD UTILITY LINES

PARCEL DESCRIPTION (Warranty Deed Doc. No. 2019-001282):

Land situated in the Township of Kalamazoo, County of Kalamazoo, State of Michigan described as follows:

Commencing at a point 666.25 feet North of the West 1/4 post of Section 8, Town 2 South, Range 11 West; thence North on the West line of said section 355.85 feet to the right-of-way of the Michigan Central Railroad*; thence Southeasterly along the Southerly line of said railroad* 803.03 feet; thence South parallel with the West line of said section 215.75 feet and thence Northwesterly to the Place of Beginning.

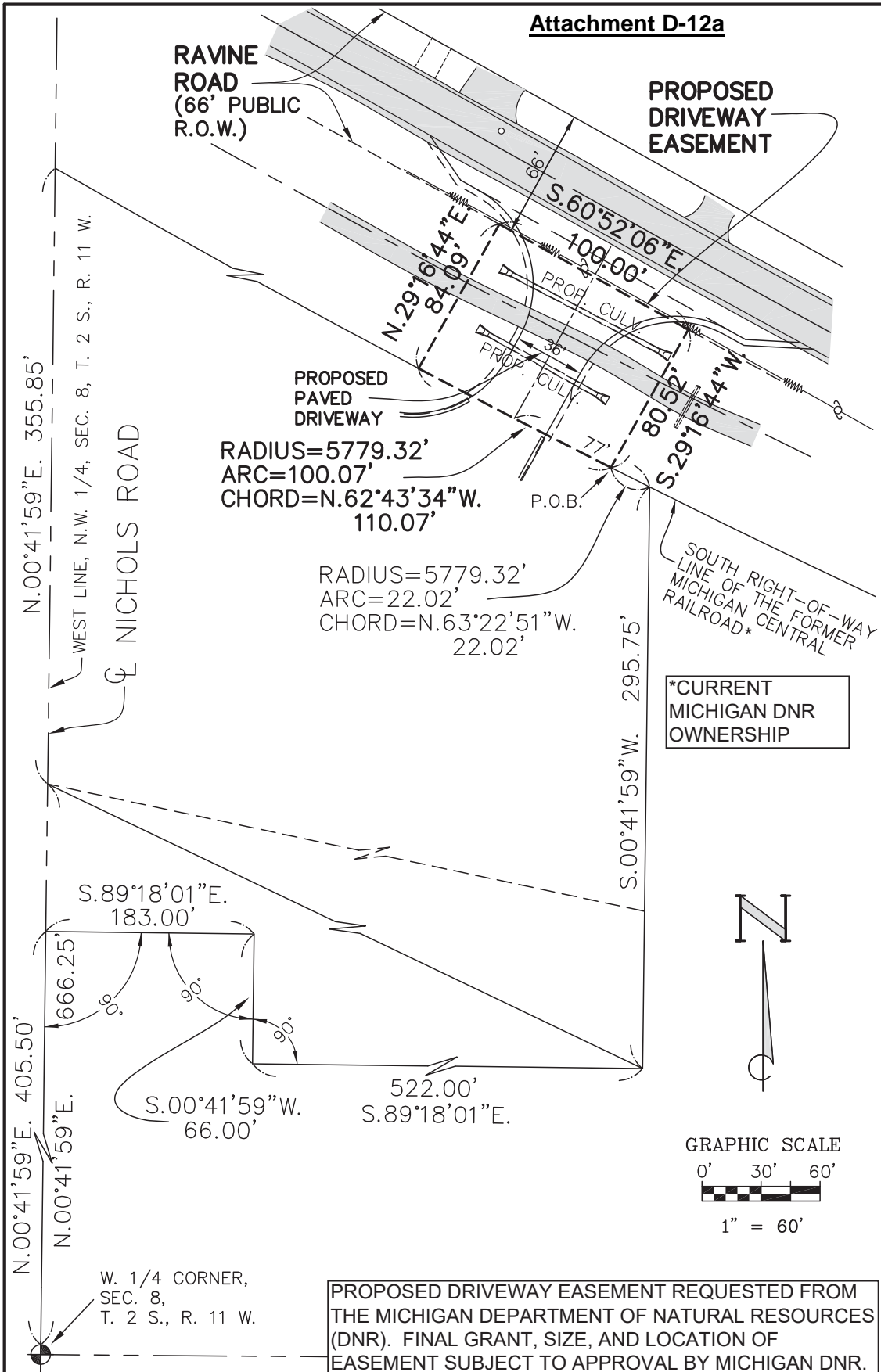
ALSO, a parcel in Section 8, Town 2 South, Range 11 West, commencing at a point 405.5 feet North of the West 1/4 post of said section and running thence East at right angles to said West line 183.0 feet; thence South parallel to said West line 66 feet; thence East at right angles to said West line 522 feet for the Place of Beginning; thence Northwesterly to a point on the West line of said section 666.25 feet North of the West 1/4 post of said section; thence Southeasterly to a point 80 feet North of the Place of Beginning; thence South 80 feet to the Place of Beginning.

*CURRENT MICHIGAN DNR OWNERSHIP

DATE	REVISION
10/07/20	ADDED POINTS FOR RAVINE & NICHOLS ROAD

BOUNDARY AND TOPOGRAPHIC SURVEY REPORT		DATE	7/23/2019
ART MULDER		JOB No.	36743
PROPERTY IN THE N.W. 1/4, SEC. 8, KALAMAZOO TWP. & CO., MI.		DRAWN No.	1
Ingersoll, Watson & McMachen, Inc.			
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS			
1133 East William Road • Portage, Michigan 49802 • Area 269-344-0100 • Fax 269-344-0050			

Attachment D-12a



<p>SKETCH OF EASEMENT ART MULDER NORTHWEST QUARTER, SECTION 8, KALAMAZOO TOWNSHIP</p>	<p>DATE 1/12/2021</p>
<p>Ingersoll, Watson & McMachen, Inc. CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS 1209 East Milham Road Suite B * Portage Michigan 49002 * Phone 269-344-6165 * Fax 269-344-0555</p>	<p>SHEET No. 1 of 2</p> <p>JOB No. 36743</p>

Attachment D-12a

DESCRIPTION OF PROPOSED DRIVEWAY EASEMENT:

A parcel of land situated in the Northwest quarter of Section 8, Town 2 South, Range 11 West, Kalamazoo Township, Kalamazoo County, Michigan being more particularly described as follows:

Commencing at the West quarter corner of Section 8, Town 2 South, Range 11 West; thence N.00°41'59"E. 405.50 feet along the West line of the Northwest quarter of Section 8; thence S.89°18'01"E. 183.00 feet perpendicular with said West line; thence S.00°41'59"W. 66.00 feet parallel with said West line; thence S.89°18'01"E. 522.00 feet perpendicular with said West line; thence N.00°41'59"E. 295.75 feet parallel with said West line to the South right-of-way line of the former Michigan Central railroad; thence Northwesterly 22.02 feet along said South right-of-way line along the arc of a non-tangent curve to the right having a radius of 5779.32 feet, a central angle of 0°13'06" and a chord of N63°22'51"W. 22.02' to the Place of Beginning; thence continuing Northwesterly 110.07 feet along said South right-of-way line along the arc of a curve to the right having a radius of 5779.32 feet, a central angle of 1°05'28" and a chord of N62°43'34"W. 100.07'; thence N.29°16'44"E. 84.09 feet to the Southerly right-of-way line of Ravine Road (66' wide); thence S.60°52'06"E. 100.00 feet along said South right-of-way line of Ravine Road; thence S.29°16'44"W. 80.52 feet to the Place of Beginning.

DESCRIPTION OF LAND BENEFITTED BY THE PROPOSED DRIVEWAY EASEMENT(Warranty Deed Doc. No. 2019-001282):

Land situated in the Township of Kalamazoo, County of Kalamazoo, State of Michigan described as follows:

Commencing at a point 666.25 feet North of the West 1/4 post of Section 8, Town 2 South, Range 11 West; thence North on the West line of said section 355.85 feet to the right-of-way of the Michigan Central Railroad; thence Southeasterly along the Southerly line of said railroad 803.03 feet; thence South parallel with the West line of said section 215.75 feet and thence Northwesterly to the Place of Beginning.

ALSO, a parcel in Section 8, Town 2 South, Range 11 West, commencing at a point 405.5 feet North of the West 1/4 post of said section and running thence East at right angles to said West line 183.0 feet; thence South parallel to said West line 66 feet; thence East at right angles to said West line 522 feet for the Place of Beginning; thence Northwesterly to a point on the West line of said section 666.25 feet North of the West 1/4 post of said section; thence Southeasterly to a point 80 feet North of the Place of Beginning; thence South 80 feet to the Place of Beginning.

*CURRENT MICHIGAN DNR OWNERSHIP

PROPOSED DRIVEWAY EASEMENT REQUESTED FROM
THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES
(DNR). FINAL GRANT, SIZE, AND LOCATION OF
EASEMENT SUBJECT TO APPROVAL BY MICHIGAN DNR.

SKETCH OF EASEMENT <i>ART MULDER</i> NORTHWEST QUARTER, SECTION 8, KALAMAZOO TOWNSHIP	DATE 1/12/2021
	SHEET No. 2 of 2
Ingersoll, Watson & McMachen, Inc. CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS 1209 East Milham Road Suite B * Portage Michigan 49002 * Phone 269-344-6165 * Fax 269-344-0555	JOB No. 36743

Section 2

Signed Minutes - Amendment #1

- a. SWMPC approval prior to 90-day comment period**
- b. SWMPC approval to forward to County Commission**

SOLID WASTE MANAGEMENT PLANNING COMMITTEE

Members – Representing:

Emily Bridson, Vice Chair – Solid Waste Management
Chris Phillips, Secretary – Solid Waste Management
Eric Shafer – Solid Waste Management
Steve Taplin – Solid Waste Management
Lee Adams – Regional Solid Waste Planning Agency
Rebekah Kik – City Government
Zac Bauer – County Government
Roger Tuinier (alternate) – County Government

Andy Wichman – Industrial Waste Generator
Chandler Lyons – General Public
Roxanne Myles – General Public
Chad Visser – General Public
Jeffrey Sorensen, Chair – Township Government
VACANCY – Environmental Interest Group
VACANCY – Environmental Interest Group

Designated Planning Agency (DPA) contact – Lotta Jarnefelt, Deputy Secretary; Director, Planning & Development Department

KALAMAZOO COUNTY

SOLID WASTE MANAGEMENT PLANNING COMMITTEE (SWMPC)

Meeting of December 16, 2020

MINUTES

I. Call to Order

Chair Sorensen called the virtual meeting held via Zoom to order at 7:00 pm and noted that the meeting is being recorded.

II. Roll Call

Chair Sorensen asked Ms. Jarnefelt to take attendance by roll call. Ms. Jarnefelt stated that advisory boards have been directed to ask everybody to provide their location during Zoom meeting roll calls (city, township, village or county):

Present:

Lee Adams – yes, Portage

Zac Bauer – (joined later from City of Kalamazoo)

Emily Bridson – yes, Kentwood

Rebekah Kik – yes, City of Kalamazoo

Chandler Lyons – yes, Kalamazoo Charter Township

Roxanne Myles – yes, Kalamazoo Charter Township

Chris Phillips – yes, City of Kalamazoo

Eric Shafer – yes, City of Three Rivers

Jeffrey Sorensen – yes, Cooper Charter Township

Steve Taplin – (joined later from Cooper Township)

Roger Tuinier – no

Chad Visser – (joined later)

Andy Wichman – yes, Prairie Ronde Township

Zac Bauer, Steve Taplin, Chad Visser and alternate Roger Tuinier not present during roll call, two vacancies.

Others present were Lisa Henthorn, Deputy Administrator for the County, External Affairs, Sarah Osborne, legal consultant for the County and Rachael Grover, technical support for the meeting.

III. Members Excused

Chair Sorensen asked if any members had called in advance to be excused. The Chair was hoping that some of the members would join the meeting later.

IV. Additions/Deletions/Changes to the Agenda

No changes to the agenda were requested.

V. Approval of the Agenda

Motion by Mr. Phillips, seconded by Ms. Bridson to approve the agenda. Approval by roll call. All present stated yes.

Chad Visser reported difficulty joining the meeting. Zac Bauer joined the meeting from the City of Kalamazoo and voted yes for the agenda. Motion carries.

It was noted that Christina Miller from EGLE was present and available to answer questions if needed.

VI. Approval of Minutes

Motion by Mr. Shafer, seconded by Mr. Phillips to approve the minutes of November 18, 2020. Approval by roll call. All yes, motion carries.

Steve Taplin reported that he was in the meeting by phone and he was moved over from the Zoom Public webinar attendees to the Panelists.

VII. Public Comments

Steve Leuty spoke and deferred to Section 8 for a non-agenda item.

Mike Balkema from Best Way Disposal asked when it was appropriate for him to speak and the Chair asked him to speak when Best Way Disposal's amendment proposal is being discussed.

VIII. Discussion and/or Action Items

1. Review of Current Bylaws – Action Item

i. Review edits and potential approval of bylaws.

Ms. Jarnefelt read the questions that had been compiled about the bylaws received from the members and the response to them from Ms. Osborne.

Motion by Ms. Bridson, seconded by Mr. Shafer to approve bylaws.

During discussion Ms. Jarnefelt asked if anyone had any experience in defining an annual application time for amendment applications. Chair Sorensen stated that any amendment application or other items for the SWMPC agenda should be received in a timely manner so the Committee can review the item before the meetings. He also pointed out that the SWMPC's part in the application process is just one of many steps, such as local municipalities' approvals required for any proposed projects to come to fruition.

Question to Ms. Osborne was made whether the bylaws should state that materials

need to be received within a specified time before the meeting. She stated that it can be a requirement going forward, but it is acceptable to process the amendment application items on the current agenda at this time.

Ms. Miller from EGLE stated that when making any official action such as for a 90-day comment period or approval of a Plan amendment the majority of the 14 members (8) would have to vote in favor in order to approve it, not just the majority of members attending a meeting. It was agreed that the bylaws have adequate language to reflect this. Approval by roll call. All yes, motion carries.

2. Application to Amend Kalamazoo County Solid Waste Management Plan (Plan) from Waste Not Recycling, LLC

i. Review draft amendment language

Ms. Jarnefelt reviewed the draft amendment language. The applicant had provided complete amendment language, and only minor tweaks had been made in it such as adding page numbers for reference. One item that was lacking was a siting procedure, which had been added. A final version of the amendment was emailed before tonight's meeting and the amendment is ready for approval for the 90-day public review.

Mr. Shafer asked about the timeline of approval and when the public will have an opportunity to comment.

Chair Sorensen and Ms. Jarnefelt provided a review of the amendment process, and outlined opportunities for public comment on the amendments including during the 90-day public review as well as when the amendments are presented to the County Board of Commissioners and the Township Boards for their approvals respectively. In addition the required local site plan approval processes have a public comment component.

Chair Sorensen stated that he would like a separate motion for each amendment to keep the amendments independent of each other during the Plan amendment process. He asked for input from Ms. Osborne who agreed that the applications can be considered separately and then be discussed whether to combine them or not.

Mr. Shertzing representing Waste Not Recycling, LLC, gave an overview of steps that have been taken with the amendment process at this time. He asked to have the public hearing as soon as possible and not to combine the amendments, stating they can run concurrently. If one was contentious, it could make it complicated during the various stages of approval if one or the other amendment was put on hold for some reason.

Ms. Miller from EGLE said concurrent amendments are acceptable, and she recommended to approve both for public review at the same time to avoid confusion.

Mr. Shafer made the motion to amend the County Solid Waste Management Plan to consider the Waste Not Recycling LLC amendment proposal, Ms. Lyons seconded.

Mr. Shafer asked it to be confirmed that since he is not an employee of Waste Not Recycling, LLC he can vote on this item. This was confirmed by Ms. Osborne.

Mr. Taplin asked whether there has to be approval from the local unit before the amendment can be processed. Local approval is not needed for the Plan amendment to move forward, but local site plan and other appropriate approvals are still needed before a project can be finalized.

There was discussion about what type of motion was needed.

Mr. Shafer revised his motion to be a motion to authorize the Plan Amendment 1, Waste Not Recycling, LLC, application to proceed to the 90-day public comment period. Ms. Lyons agreed to second the revised motion.

The Chair allowed Mr. Steve Leuty from the public to comment. Mr. Leuty is a Kalamazoo Township Trustee, but also talked as a previous employee having worked as the County's Recycling Coordinator. He noted that construction demolition materials make up a big part of the materials that end up in the landfill and that there is currently not much financial incentive to sort the trash, in fact the opposite is true. Mr. Leuty sees the proposed Waste Not Recycling project to be in line with the County's solid waste management goals to reduce waste that goes to landfills.

Approval by roll call. All yes, motion carries.

ii. Consider Next Steps

This item sidestepped as irrelevant

3. Application to Amend Kalamazoo County Solid Waste Management Plan from Best Way Disposal, Inc.

i. Review application

Chair Sorensen stated that the next item is to have a motion to allow the Best Way Disposal proposal, Amendment 2, to move to the 90-day Public Comment period.

Mr. Shafer made a motion to authorize the Plan Amendment 2 application by Best Way Disposal, Inc. to proceed to the 90-day comment period. Ms. Lyons seconded.

Ms. Myles, asked whether the Committee will be hearing from Best Way Disposal, Inc. Mike Balkema from Best Way Disposal, Inc. offered to provide a brief overview of the amendment proposal. Only a small part of Best Ways Disposal's property is listed as a solid waste disposal area in the current Solid Waste Management Plan, and the Plan does not allow any sorting or processing on the property. The company currently has a recycling drop-off as allowed in the Plan. The company is proposing to amend the Plan to allow use all of the available 9.51 acres of land for its current activities, as well as allowing to process and recycle materials on this 9.51 acres of land.

Approval by roll call. Eleven yes, Mr. Phillips abstained, motion carries.

ii. Consider Next Steps

This item sidestepped as irrelevant

4. Consider to combine applications and approving amendment language before going

out for the 90-day comment.

Chair Sorensen noted that item 4. on the agenda is immaterial as the motions to proceed to the 90-day public comment period have been approved separately for both proposed amendments.

IX. Staff Report/Updates

i. Update on Committee member appointments.

Ms. Jarnefelt reported that there are still two vacancies on the SWMPC board for members representing Environmental Interest Groups, and that the positions were posted on the County website until December 18. She encouraged members to spread the word and anybody who is interested to apply on Kalamazoo County website under Advisory Boards. It was clarified that applicants in this category should represent environmental interest groups, for example non-profits like the Kalamazoo Environmental Council, the Kalamazoo Nature Center, Southwest Michigan Land Conservancy, recycling non-profit groups. The applicants can be either volunteers or staff in the non-profits. Preferably they should live in the County according to the rules.

Chair Sorensen confirmed that the proposed Amendment 1 and Amendment 2 had been approved to be moved to the 90-day public comment period concurrently but as two separate amendments.

Ms. Jarnefelt clarified that she will be arranging to publish a notice in the paper about the 90-day public comment period and arrange to have the public hearing. Ms. Miller from EGLE has offered to help to schedule the next steps. After the comment period ends, the SWMPC may or may not incorporate received comments and adjust the language of either of the amendments. The proposed amendments will then go to the County Board of Commissioners for approval to send out to the municipalities to review. An approval rate of 67% is needed from the townships in order to then move forward to the next step.

X. Public Comments (3 minutes each)

Mr. Shertzing thanked the SWMPC for its work and for sending Amendment 1 to public comment.

Mr. Balkema thanked the SWMPC for its work on behalf of Amendment 2 and sending it to public comment.

XI. Other

No comments.

XII. Board Member Comments

Chair Sorensen asked for a roll call for member comments. No comments from members except as follows:

Ms. Bridson – Wished all Happy Holidays

Ms. Myles – Thanked staff for sharing information and wished all Merry Christmas

Mr. Phillips – Wished all Happy Holidays, and looks forward to discussions on amendments.

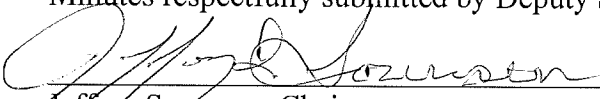
Chair Sorensen – Thanked all for good discussion and wished all Happy Holidays

Mr. Wichman – Wished all Happy Holidays and to stay safe.

XIII. Adjournment

Mr. Phillips made a motion to adjourn the meeting, seconded by Ms. Kik. With no nays, the meeting was adjourned 8:16 pm.

Minutes respectfully submitted by Deputy Secretary Lotta Jarnefelt



Jeffrey Sorensen, Chair

Next scheduled SWMPC meeting: Wednesday, February 17, 2021, at 7 pm

Room 207A, County Admin Bldg

Or alternatively, held electronically or via teleconference.

Please go to <https://www.kalcounty.com>

for electronic meeting notice and instructions

Meetings of the Solid Waste Management Planning Committee (SWMPC) are open to all without regard to race, sex, color, age, national origin, religion, height, weight, marital status, political affiliation, sexual orientation, gender identity, or disability. SWMPC will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon four (4) business days' notice to the SWMPC. Individuals with disabilities requiring auxiliary aids or services should contact the SWMPC by writing or calling:

Lotta Jarnefelt
Director, Planning and Development Department
Kalamazoo County Government
201 West Kalamazoo Avenue
Kalamazoo, MI 49007
Phone: (269) 384-8112, LMJARN@kalcounty.com

SOLID WASTE MANAGEMENT PLANNING COMMITTEE

Members – Representing:

Emily Bridson, Vice Chair – Solid Waste Management
Chris Phillips, Secretary – Solid Waste Management
Eric Shafer – Solid Waste Management
Steve Taplin – Solid Waste Management
Lee Adams – Regional Solid Waste Planning Agency
Rebekah Kik – City Government
Roger Tuinier – County Government
John Gisler (alternate) – County Government

Andy Wichman – Industrial Waste Generator
Chandler Lyons – General Public
Roxanne Myles – General Public
Chad Visser – General Public
Jeffrey Sorensen, Chair – Township Government
VACANCY – Environmental Interest Group
VACANCY – Environmental Interest Group

Designated Planning Agency (DPA) contact – Lotta Jarnefelt, Deputy Secretary; Director, Planning & Development Department

KALAMAZOO COUNTY

SOLID WASTE MANAGEMENT PLANNING COMMITTEE (SWMPC)

Meeting of April 21, 2021

MINUTES

I. Call to Order

This meeting was recorded.

Chair Sorensen called the virtual meeting held via Zoom to order at 7:01 pm and noted that during roll call members need to state where they are calling from.

II. Roll Call

Chair Sorensen asked Ms. Jarnefelt to take attendance and location by roll call. She stated that the meeting is being recorded.

Present:

Lee Adams – no

Emily Bridson – yes, Kentwood, Kent County

Rebekah Kik – yes, City of Kalamazoo, Kalamazoo County

Chandler Lyons – yes, Kalamazoo Charter Township, Kalamazoo County

Roxanne Myles – yes, Kalamazoo Charter Township, Kalamazoo County

Chris Phillips – yes, Portage, Kalamazoo County

Eric Shafer – yes, Lockport Township, St Joseph County

Jeffrey Sorensen – yes, Cooper Charter Township, Kalamazoo County

Steve Taplin – no

Roger Tuinier – yes, Comstock Charter Township, Kalamazoo County

Chad Visser – yes, Kalamazoo County

Andy Wichman – Prairie Ronde Township

All in Michigan.

10 present, meeting has quorum. Steve Taplin had informed staff that he will not be present.
Two vacancies.

Six public members present, also Lisa Henthorn, Deputy Administrator for the County - External Services, Sarah Osborne, legal consultant for the County and Rachael Grover, and technical support for the meeting.

III. Members Excused

Motion by Mr. Shafer, seconded by Mr. Phillips to excuse Mr. Adams and Mr. Taplin. Motion carries.

IV. Additions/Deletions/Changes to the Agenda

No changes requested.

V. Approval of the Agenda

Motion by Mr. Phillips, seconded by Mr. Visser to approve the agenda. Motions carries.

VI. Approval of Minutes

Motion by Ms. Bridsen, seconded by Mr. Visser to approve the minutes of March 17, 2021. Motion carries.

VII. Public Comments (3 minutes)

Chair Sorensen invited the public to speak.

Commissioner John Gisler brought three items to the Committee's attention:

- There was a vote by County Board of Commissioners on funding for a YWCA program with about \$44,000 of County funds previously earmarked for Southwest Michigan First. Mr. Gisler did not vote for it.
- Work has started on the County Justice Center with digging on the site. There should be no delays in the construction process as the court staff is expected to take occupancy in May 2023. Otherwise the County has to start paying rent on the Michigan Avenue Courthouse.
- Mr. Gisler stated that he is newly appointed on the Disaster Committee, which deals with FEMA type items. He wanted to share information about vaccinfinder.org, a way for residents to find out where vaccinations are available. He encouraged everybody to take note of the website.

VIII. Discussion and/or Action Items

1. Review of Amendment 1 – Waste Not Recycling LLC

- i. Public comments received during 90-day review and public hearing.

Ms. Jarnefelt reported that all written comments received during the public comment period from January 4th to April 5th, 2021, were in favor of the project, except for one comment from the Parks Department received at the Public Hearing. The comments received are included in the meeting packet.

During the public hearing on March 17, there were 3 in favor of the project. There was 1 comment from the County Parks Department (the same as received in written form) that raised some concerns, especially about the driveway crossing State land that has an easement on it for the Kalamazoo River Valley Trail.

The public comment period has come to an end, and the SWMPC members are welcome to discuss the comments at this time.

Chair Sorensen stated that his research shows that it's hard to deny access to a property in these types of situations. He thinks that much positive changes have already been made on the site, and hopes that the County Commissioners will approve the draft amendment. He stated that it benefits the community, environment and both amendments will do a good job to make sure they are not a nuisance to the community. He understands that some people have concerns but believes that concerns will be addressed by both companies. He asked for any comments from the members. There was no comments.

ii. Review/Approval of proposed language of Amendment 1.

Ms. Jarnefelt noted that in discussions with Christina Miller at EGLE she received guidance to request a revised map from the applicant that just shows the outline of the property and also the proposed easement across the trail where the driveway would be. All the facility design and setbacks will have to meet the State requirements, from the State's perspective that information is not needed for the Amendment at this point. The State's requirements for the facility have to be met, the Township requirements can be stricter but cannot be less strict than the State's requirements. She pointed out that the draft Amendment 1 now has a map with the outline of the property, and a detail that shows the proposed easement over the railroad right-a-way and the trail to Ravine Road.

Chair asked if there was any further discussion.

Mr. Tuinier asked if the driveway across the trail was going to be a hold-up in the progress of this project.

Chair responded that it does not hold up the amendment process, but the approval from the DNR to allow the driveway to cross its property could be a hold up. He reiterated that it would be hard for a government agency to landlock a property without any access. The Road Commission has approved the access from Ravine Road for this venture contingent on approval from DNR. It could be a hold up, but the Chair noted that there are several driveway crossings of the trail and those safety issues have been dealt with stop signs and similar, and it should not be major concern. The trail crosses over railroads in several places. It is doable, but there could be a few hold ups but should work. He wishes that the EGLE, DNR and the Parks Department realize that.

There were no more comments.

iii. Motion to approve and recommend to the County Board of Commissioners to approve draft Plan Amendment 1.

Chair Sorensen asked if there was a motion regarding Amendment 1.

Mr. Visser made a motion, seconded by Mr. Shafer, to approve and recommend to the County Board of Commissioners that it approve the draft Plan Amendment 1.

During discussion, Ms. Jarnefelt reviewed the next steps should the County approve the draft Amendment. The next steps would be the review and approval by the municipalities (townships, villages and cities) in the County. When 67% approval rate was received from them, the draft Amendment would be sent to EGLE for final review and approval.

Should the County Board not approve the Amendment and send the Amendment back to the SWMPC with objections, the SWMPC has 30 days to respond to the objections and resubmit to the County Board for approval. If the County Board approved it at that point, the next steps would then follow.

Mr. Shafer asked if there was a time limit for the responses from the municipalities. Ms. Jarnefelt stated that there was no time limit, and that she planned to make the municipalities aware and request that they put the Amendment review and approval on their Board agendas. It is in the interest of the developer to make sure that the item gets on the agendas and the 67% approval rate is achieved within a reasonable time period.

Mr. Tuinier asked about the timeline and when the item is planned to be in front of the County Board of Commissioners. Ms. Jarnefelt stated that if the SWMPC votes to approve tonight, the Amendment is scheduled to be on the May 4th agenda for discussion and request for a decision by the County Board will be on the May 18th agenda.

Vote on the motion by roll call, all yes. Motion carries.

2. Review and Discussion of Amendment 2 – Best Way Disposal, Inc.

- i. Public comments received during the 90-day review and public hearing.
Ms. Jarnefelt reported that only a few comments were received and they are included in the meeting packet. One comment came from Calhoun County and a memo was received from Best Way Disposal, Inc. A representative of Best Way Disposal, Michael Balkema, also spoke at the public hearing. All three comments were in favor of the project, none expressed concerns.
- ii. Review/Approval of proposed language of Amendment 2.
Ms. Jarnefelt reported that there were no changes to the Amendment 2 language.
- iii. Motion to approve and recommend to the County Board of Commissioners to approve draft Plan Amendment 2.
Motion by Mr. Shafer, seconded by Ms. Lyons, to approve and recommend to the County Board of Commissioners that it approve the draft Plan Amendment 2.

There was no additional discussion.

Vote by roll call, 9 yes, Mr. Phillips abstained. Motion carries.

3. Next steps in process.

Chair Sorensen asked Ms. Jarnefelt to reiterate the next steps in the process. She stated that the amendments will be on the County Board of Commissioners' May 4th meeting agenda for discussion and for a decision 2 weeks later on the May 18th meeting agenda. The Board agenda is usually posted on the County website on the Friday before the Tuesday meeting. If approved, a request and related materials will be sent to the municipalities to vote on the amendments. The resolutions from the municipalities will be part of the amendment packet information that will be submitted to EGLE once the 67% approval rate has been achieved from the municipalities.

Chair Sorensen said he would be happy to attend the County Board meeting and would be available to respond to any questions if needed. All members are welcome to the open public meeting. Ms. Jarnefelt will forward the agenda when it is posted.

IX. Staff Report/Updates

1. Update on Committee vacancies

Chair Sorensen mentioned that the two positions for representatives of environmental interest groups on SWMPC have still not been filled.

Ms. Jarnefelt mentioned that as the amendment process is winding down, she wanted to mention that the solid waste management legislation is changing and recycling is going to become a much more important part of the work of the SWMPC. There will be changes in the Committee itself. There will be more information coming about the changes at a later date.

Mr. Shafer wondered if the one applicant to SWMPC (representing the public) could become a member of an environmental interest group in order to qualify for the vacant positions. Ms. Jarnefelt said she would look into that.

Ms. Jarnefelt reported that Rebekah Kik has resigned from her position as the city representative on SWMPC. The position will be posted soon on the County website.

X. Public Comments (3 minutes each)

No public comment

XI. Other

Ms. Jarnefelt stated that she will be retiring and her last day will be June 2, 2021. Another staff member will be taking over managing the SWMPC.

XII. Board Member Comments

Ms. Myles had well wishes for Ms. Kik and congratulations to Ms. Jarnefelt.

Mr. Phillips thanked Ms. Jarnefelt and Ms. Kik for their service.

Mr. Shafer echoed what was said before and thanked Ms. Kik and Ms. Jarnefelt for their

service.

Chair Sorensen said that he has strived to build intergovernmental relations, one of the ways to accomplish this has been to have an annual golf outing (except for last year due to Covid). All elected, staff and a friend or spouse are welcome, no need to play, one can attend just for fun and lunch at 1 pm for a small fee. June 25th, at Cooper Township, a shotgun start at 9 am, prices are available. He will provide a flier to Ms. Jarnefelt to forward to the Committee members. Also hopefully a banquet will be held again in November as well. Contact Chair Sorensen at Cooper Township at any time.

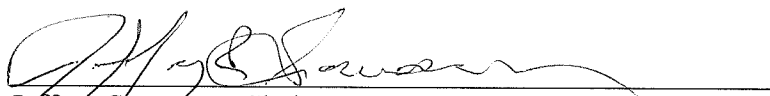
Mr. Tuinier stated that he was glad to see the Amendments moving forward. He asked how much longer before any construction would start on these projects. Ms. Jarnefelt stated that EGLE's estimate of an amendment process is 12-18 months. The process for these Amendments started in November 2020. Depending on how fast the responses are received from the municipalities (if received in the next 1-2 months) there is a possibility to receive a response from EGLE in the fall. However EGLE also takes some time to review the amendment applications, so the 12-18 month timeframe is the best estimate.

No other comments.

XIII. Adjournment

Chair Sorensen adjourned the meeting at 7:48 pm.

Minutes respectfully submitted by Deputy Secretary Lotta Jarnefelt


Jeffrey Sorensen, Chair

Next scheduled SWMPC meeting: Wednesday, April 21, 2021

Room 207A, County Admin Bldg

Or alternatively, held electronically or via teleconference.

Please go to <https://www.kalcounty.com>

for electronic meeting notice and instructions

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Lotta Jarnefelt
Director, Planning and Development Department
Kalamazoo County Government

201 West Kalamazoo Avenue
Kalamazoo, MI 49007
Phone: (269) 384-8112, LMJARN@kalcounty.com

Section 3

Signed Minutes - Amendment #1

County Board of Commissioner approval



KALAMAZOO COUNTY GOVERNMENT

In the Pursuit of Extraordinary Governance...

MINUTES

KALAMAZOO COUNTY BOARD OF COMMISSIONERS

June 1, 2021

ITEM 1 CALL TO ORDER

The Regular Meeting of the Board of Commissioners was called to order by Chairperson Hall, at 7:00 pm virtually due to COVID, on June 1, 2021.

ITEM 2 INVOCATION/REFLECTION

Reverend Gardner gave the Invocation on behalf of Vice Chair Rey.

ITEM 3 PLEDGE OF ALLEGIANCE

Vice Chair Rey led the Pledge.

ITEM 4 ROLL CALL

Commissioners: Dale Shugars, Fran Bruder Melgar, Jeff Heppler, John Gisler, Mike Quinn, Jen Strebs, Roger Tuinier, Tami Rey, Tracy Hall, Veronica McKissack, Zac Bauer.

Members Absent: None.

Administrators Present: Tracie Moored, County Administrator/Controller; Corporate Counsel; Amanda Morse, Deputy County Administrator; Meredith Place, Clerk; Dina Sutton, Executive Coordinator.

ITEM 5 APPROVAL OF MINUTES

Commissioner Strebs moved and it was duly seconded that the Minutes of the May 18, 2021 Board meeting be approved as distributed.

The roll call vote was as follows:

Ayes: All Commissioners present

Nays: None

Abstains: None

Absent: None

The motion carried.

ITEM 6 PUBLIC COMMENT

We will now be entering Public Comment. This session is intended for the Public only. Public comment is a time for Commissioners to hear from the public. During this time, anyone may address the Board on any topic. If you would like to address the Board, please add yourself to the queue by selecting the raise hand button or by dialing *9 on your phone. Once selected, please unmute yourself by selecting the Mute Button or by dialing *6 and state your name and tell us where you are from. Please limit your remarks to 3 minutes. An audio timer will sound when your time is up. This is a time to provide input in a professional and respectful manner.

Steve Leuty, Grant Schertzing, and Dan Schaafsma stated they supported the Amendment #1 to the Solid Waste Plan.

Rick Omilian urged the Board to support the Gun Violence Proclamation.

ITEM 7 ADDITIONS/DELETIONS/CHANGES TO THE AGENDA

Chair Hall asked for any additions/deletions/changes to the Agenda.

Commissioner Bauer asked to have Item 2021-2666 moved to Non-Consent.

ITEM 8 APPROVAL OF THE AGENDA

Commissioner Heppler moved and it was duly seconded to approve the agenda as amended.

The roll call vote was as follows:

Ayes: All Commissioners present

Nays: None

Abstains: None

Absent: None

The motion carried.

ITEM 9 COMMUNICATIONS/REPORTS

Several Commissioners had communications.

ITEM 10 CONSENT AGENDA

Recommendation for Approval of Transfers & Disbursements

2021-2713 Request for Approval of Accounts Payable & Payroll Disbursements

That the Board of Commissioners approve the disbursements as defined and set forth in the document entitled, Board Agenda Request, noting payroll disbursements totaling \$2,191,838.98 are presented for the May 14th and May 28th payrolls and accounts payable disbursements in the amount of \$4,632,962.17 are presented to be approved; that the County Clerk be authorized to

certify to the County Treasurer that the Board has approved on this date the accounts payable disbursements in the list dated June 1, 2021.

Administration

2021-2714 Request for Approval of Acceptance of US Department of Treasury Coronavirus Local Fiscal Recovery Fund and to Designate the County Administrator as the Authorized Representative for the Electronic Grant System

That the Board accept US Department of Treasury Coronavirus Local Fiscal Recovery Fund and to Designate the County Administrator as the Authorized Representative for the Electronic Grant System.

Drain Commissioner

2021-2654 Request for Approval of Creation of .5 FTE Drain Maintenance Position

That the Board approve the creation of .5FTE Drain Maintenance position as outlined in the packet.

Equalization

2021-2659 Request for Approval of Resolution to Levy Operating Tax

That the Board approve of Resolution to Levy Operating Tax.

Planning

2021-2653 Request for Approval to Appoint County Grant Administrator for Remonumentation Program

That the Board approve the Appointment of Rachael Grover as the County Grant Administrator for the Remonumentation Program.

Board of Commissioners

2021-2670 Request for Review and Approval of the Young Professional 2021 Initiative (Michigan Works!)

That the appropriate County officials be authorized and directed to execute Young Professional 2021 Initiative in the amount of \$150,000 for the period of March 1, 2021 – February 28, 2022.

Vice Chair Rey moved and it was duly seconded that the Consent Agenda Items be voted on at one time by a roll call vote and be considered as a consent agenda by the Board.

The roll call vote was as follows:

Ayes: All Commissioners present

Nays: None

Abstains: None

Absent: None

The motion carried.

ITEM 11 PROCLAMATIONS

2021-2639 Request for Approval of Proclamation Declaring Friday June, the 4th, to be National Gun Violence Awareness Day in the County of Kalamazoo

Vice Chair Rey moved and it was duly seconded to approve of Proclamation Declaring Friday, June 4th to be National Gun Violence Awareness Day in the County of Kalamazoo.

The roll call vote was as follows:

Ayes: All Commissioners present, except

Nays: Commissioner Shugars, Tuinier

Abstains: None

Absent: None

The motion carried.

2021-2638 Request for Approval of a Proclamation Declaring June 2021 to be LGBT Pride Month in Kalamazoo County

Commissioner Strebs moved and it was duly seconded to approve of a Proclamation Declaring June 2021 to be LGBT Pride Month in Kalamazoo County.

The roll call vote was as follows:

Ayes: All Commissioners present, except

Nays: Commissioners Shugars, Tuinier

Abstains: None

Absent: None

The motion carried.

NON-CONSENT AGENDA ITEMS

Finance

2021-2666 Request for Approval of the Amendment to the Lease Agreement with Local Initiatives Support Corporation (LISC) for space within the Administration Building.

Vice Chair Rey moved and it was duly seconded that the appropriate County officials be authorized and directed to execute an Amendment to the Lease Agreement with Local Initiatives Support Corporation (LISC) for space within the Administration Building for the period of July 1, 2021 through June 30, 2022.

The roll call vote was as follows:

Ayes: All Commissioners present, except

Nays: None

Abstains: Commissioner Bauer

Absent: None

The motion carried.

2021-2510 Request for Action regarding Amendment 1 to the County's Solid Waste Management Plan
Commissioner Tuinier moved and it was duly seconded to approve Amendment 1 to the County's Solid Waste Management Plan.

Commissioner Tuinier felt comments made during public comment time answered all of his questions and would support this request.

Counsel Sarah Osburn indicated once the Board approved this Amendment it would be sent to the municipalities for approval and then to EGLE for approval.

Commissioner Heppler stated he hoped that Waste Not and the residents in the area can come up with a compromise and mitigate any issues before they arise.

Commissioner Bruder Melgar raised a lot of questions.

Ms. Moored indicated the questions being raised had been discussed by the Solid Waste Planning Commission and the Board was being tasked to vote on their recommendation as presented.

Counsel Matt Nordjford clarified the process.

Commissioner Bauer stated as a former member of the Solid Waste Planning Commission all of these questions were presented to the Commission and were answered.

Vice Chair Rey inquired if an environmental impact study had been done?

Counsel Nordjford indicated that an environmental impact study would be done once the Plan has been amended.

Discussion ensued.

Commissioner Bruder Melgar moved and it was duly seconded to postpone this item until the next Board meeting.

Ms. Moored asked for clarification from the Board of their expectations for the next meeting.

Commissioner Bruder Melgar indicated she would like Dan Schaafsma and the EGLE Assessment available for the next meeting.

Vice Chair Rey suggested Ms. Moored work with Commissioner Bruder Melgar on getting her questions answered.

Commissioner Quinn stated he was concerned with the increased traffic this project would bring.

Counsel Nordjford stated a vote needed to occur on the postponement.

The roll call vote on the motion was as follows:

Ayes: Commissioners Bruder Melgar, Quinn

Nays: All Commissioners present, except

Abstains: None

Absent: None

The motion failed.

The roll call vote on the original motion was as follows:

Ayes: All Commissioners present, except

Nays: Commissioners Bruder Melgar, Quinn

Abstains: None

Absent: None

The motion carried.

2021-2633 Request to Approve Amendment 2 to the Solid Waste Management Plan for next phase.

Vice Chair Rey moved and it was duly seconded to approve Amendment 2 to the County's Solid Waste Management Plan.

The roll call vote was as follows:

Ayes: All Commissioners present

Nays: None

Abstains: None

Absent: None

The motion carried.

2020-1670 Request for Approval to move the Financial Administrator Position back to the Office of the Sheriff

Commissioner Bruder Melgar moved and it was duly seconded to approve the Financial Administrator Position move back to the Office of the Sheriff.

Ms. Moored stated Administration was ready to move this position back to the Sheriff's Office. The roll call vote was as follows:

Ayes: All Commissioners present

Nays: None

Abstains: None

Absent: None

The motion carried.

ITEM 12 PUBLIC COMMENT

We will now be entering Public Comment. This session is intended for the Public only. Public comment is a time for Commissioners to hear from the public. During this time, anyone may address the Board on any topic. If you would like to address the Board, please add yourself to the queue by selecting the raise hand button or by dialing *9 on your phone. Once selected, please unmute yourself by selecting the Mute Button or by dialing *6 and state your name and tell us where you are from. Please limit your remarks to 3 minutes. An audio timer will sound when your time is up. This is a time to provide input in a professional and respectful manner.

Jacob Pinney-Johnson stated today was the 100th Anniversary of the Tulsa riot and June was also Juneteenth.

ITEM 13 COUNTY ADMINISTRATOR'S REPORT

Ms. Moored anticipated epidemic orders will be rescinded on July 1st, if that occurs the County buildings would be open.

ITEM 14 CHAIRPERSON'S REPORT

Chair Hall thanked Administrator Moored for the summary of the consent agenda.

ITEM 15 VICE CHAIRPERSON'S REPORT

Vice Chair Rey thanked Rick Omilian for his work on gun violence awareness in Kalamazoo County.

ITEM 16 MEMBERS' TIME (FOR ITEMS NOT ON THE AGENDA)

Commissioner Bauer stated he was named as Executive Director for LISC. He announced he would resign his Commission position effective June 15th.

Commissioner Bruder Melgar stated she was hopeful Mulder listened to the residents.

Commissioner Gisler stated he was sad to hear Commissioner Bauer was resigning. He stated he participated in the Vicksburg Village parade yesterday.

Commissioner McKissack congratulated all of the 2021 graduates.

Commissioner Quinn stated he participated in the Memorial Day Parade in Mendon.

Commissioner Shugars asked Administration for fact sheet/talking points on the Justice Facility. He stated the new facility was going to be safer and more efficient. He thanked those who served and continue to serve in the military.

Commissioner Strebs stated she was reflected on the meaning of Memorial Day. She stated she attended the ISAAC conference on race.

Commissioner Tuinier congratulated Commissioner Bauer on his new position.

ITEM 17 ADJOURNMENT

There being no further business to come before the Board, Chairperson Hall adjourned the meeting at 9:03 pm.



Tracy Hall, Chairperson

Section 4

Notice of Public Hearing

STATE OF MICHIGAN)
County of Kalamazoo

ss Dawn Sutton

Being duly sworn deposes and say he/she is Principal Clerk of



THE KALAMAZOO GAZETTE

DAILY EDITION



a newspaper published and circulated in the County of Kalamazoo and otherwise qualified according to Supreme Court Rule; and that the annexed notice, taken from said paper, has been duly published in said paper on the following day(day(s)) _____

January 3 A.D. 2021

Sworn to and subscribed before me this 4th day of January 2021

Teasha R. Payne
TEASHA R. PAYNE
NOTARY PUBLIC, STATE OF MI
COUNTY OF MECOSTA
COMMISSION EXP FEB 24 2026
ACTING IN COUNTY OF Kent

PUBLIC NOTICE

TO: ALL INTERESTED PARTIES

Please be advised that at its meeting on December 16, 2020, the Kalamazoo County Solid Waste Management Planning Committee (SWMPC) voted to initiate a ninety-day review and comment period for the purpose of processing the following amendments to the Kalamazoo County Solid Waste Management Plan (Plan):

Amendment 1 – to allow the Waste Not C&D Recycling Center to be determined automatically consistent with the Plan and to be permitted as a transfer station and processing facility at the following location: 2206 Nichols Road, Kalamazoo, MI 49004.

Amendment 2 – to allow the existing Miller Road Transfer Station to be determined automatically consistent with the Plan for an expansion as a transfer station and permitted as a new processing facility at the following location: 2606 Miller Road, Kalamazoo, MI 49001.

You can view the amendment language online at the following: <https://www.kalcounty.com/directory/boards/board.php?board=39> or by appointment by contacting Lotta Jarnefelt, Kalamazoo County Planning & Development Department, 201 W Kalamazoo Ave, Kalamazoo, MI 49007. Please email LMJARN@kalcounty.com or call (269) 384-8112 to set up an appointment.

The 90-day public review and comment period will initiate on January 4, 2021 and is initiated pursuant to PA 451 of 1994, as amended, and will terminate on April 5, 2021. A public hearing on the proposed amendment will be conducted by the Kalamazoo Metropolitan County Planning Commission (KMPC) as the Designated Planning Agency pursuant to PA 451 of 1994, as amended, on Wednesday, March 17, 2021 at 7:00 p.m. via Zoom (link will be in the meeting agenda at www.kalcounty.com about a week before meeting) or in Room 201 of the Kalamazoo County Administration Building, 201 W Kalamazoo Avenue should in-person meetings be allowed at that time.

Written comments regarding these Amendments should be submitted/directed to the SWMPC in care of the Kalamazoo County Planning & Development Department at the above address and will be entered into the public record if received no later than 5:00 p.m. on April 5, 2021. Verbal comments should be made at the public hearing on March 17, 2021. Questions may be answered in the interim time period by contacting the Planning & Development Department during normal business hours Monday through Friday.

0936007-01

Section 5

Public Comments

Notes by Lotta Jarnefelt, DPA, from

**Kalamazoo Metropolitan County Planning Commission (KMCPC)
Special Meeting of Wednesday, March 17, 2020 at 7 pm
to hold Public Hearings of Amendment 1 & 2 to the
Kalamazoo County Solid Waste Management Plan.
Meeting held virtually by Zoom.**

1. Public Hearing for Amendment 1 to Kalamazoo County Solid Waste Management Plan.

- a) Open Public Hearing for Amendment 1: Waste Not Recycling LLC
Chair Carahaly opened the Public Hearing for Amendment 1.

- b) Description of Amendment 1 by Staff

Staff gave a brief overview of Amendment 1. The applicant is Waste Not Recycling LLC proposing to construct a recycling center for construction waste at the southeast corner of Nichols Road and Ravine Road in Kalamazoo Township. They would also receive municipal household waste from smaller trucks and would sort and haul non-recyclable materials to a landfill. Investing 4 million dollars in the construction and create about 20 jobs. Divert materials from landfills and promote recycling.

Ms. Eickholt asked if the applicants had provided any information regarding potential odor and noise issues with the facility. Staff mentioned it had been discussed during other discussions of the project but could not provide details on how those issues would be addressed, stating that an answer might be expected during public comment.

- c) Public Comment (3 minutes each)

Public Comment #1 by Grant Schertzing, attorney with Miller & Johnson, representing Waste Not Recycling.

Gave a brief outline of the project. Mentioned that the closest building materials recycling facility is 100 miles away, not cost effective. The new facility would sort and sell reusable materials and take the remainder to landfills. Facility designed to minimize the adverse effects to the neighbors. Transfer and recycling activities will take place in an enclosed building to minimizing noise, odors, debris. Parking lot will be paved to minimize dust. Benefits: keeping re-usable materials closer to home, increase tax base, creating new jobs, providing investment, more support for LEED certification in Kalamazoo County, which encourages all types of reductions in energy use. Over 200 letters were received by Kalamazoo Township Planning Commission in support of the project. Developer is currently addressing the conditions that were put on the site plan approval by the Kalamazoo Township Planning Commission, including concerns about noise and odors mentioned earlier in the meeting. In order to receive an operating permit from EGLE, the site has to be in the County Solid Waste Management Plan, therefore the application for amendment

has been submitted to include it in the Plan. The amendment would be referencing siting procedure, transfer stations, processing procedure, solid waste collection providers, and drop off programs. If the amendment is approved, the developer can apply for construction permit and ultimately break ground on the project.

Public Comment #2 by Brian.

Lives in City of Kalamazoo and is known as the “trash pastor.” Picks up trash along the roads. The project struck a chord with him as an investment of a lot of money in recycling, and secondly an opportunity to create 20 jobs. He applauds the developer for doing this. He tries to advocate for people that are making the situation with trash better and help the environment for the next generations. As a citizen and community member he wants to express his support for the project.

Public Comment #3 by David Rachowicz, Director of Kalamazoo County Parks & Expo Center.

Has provided written comments to the SWMPC regarding the project. His concerns are not based on the merits of the project, which he supports, or the location of the project, but are focused on the potential impact on the Kalamazoo River Valley Trail (KRVT). The 2206 Nichols Rd property does not have road frontage on Ravine Road. The site plan shows the north line of the property as the south line of the former Michigan Central Railroad. The former railroad property is owned by the Michigan Department of Natural Resources. The property was purchased with a Natural Resources Trust Fund grant for recreational use for State residents. Kalamazoo County leased the property to construct the KRVT in 2008. The planned driveway across the trail raises several concerns: trucks turning in and out of the site will pose a risk for trail users due to pure sightline visibility. No necessity for a drive on Ravine Road since there is already drive access from Nichols Road. Increasing safety for vehicle traffic by moving the drive to Ravine Road does it at the cost of the safety of the non-motorized and pedestrian trail users. The proposed site plan is inconsistent with the plan that was approved by the Kalamazoo Township Planning Commission approval: it does not show the setbacks from the northern property line to the trail, and the landscaping and other elements have been removed. Some safety concerns still remains. Location of the scale house and scale could create a backup that could block the trail. Ultimately the State has to grant an easement for this project to proceed with the new drive. That has not yet occurred. The County Board of Commissioners will also have to approve the plan amendment before it moves forward. It is up to the County Commissioners to decide if the Kalamazoo County Preservation and Natural Resource Protection Policy applies in this case. These comments have been provided in written form as well.

Public Comment #4 Harry Bennical, owner of 3315 Ravine Road, adjacent property to the proposed recycling plant.

Speaks in favor of the project. Has been in business for 15 years. Before Mr. Mulder purchased the property, it was an eyesore, filled with junk. Mr. Mulder cleaned it up and made it look nice. Recycling center is a benefit to the community. When Mr.

Bennical's business remodeled, there was much waste that was taken to landfill. If there was a recycling center it would benefit the community and avoid filling the landfills. His liquor store has traffic going across the trail, and they have not had any incidence with it. Did not think it would be a problem with the proposed facility.

- d) Close Public hearing for Amendment.

With no more public comments, Chair Carahaly closed the public hearing for Amendment 1.

2. Public Hearing for Amendment 2 Kalamazoo County Solid Waste Management Plan.

- a) Open Public Hearing for Amendment 2: Best Way Disposal, Inc
Chair Carahaly opened the Public Hearing for Amendment 2.

- b) Description of Amendment 2 by Staff.

Staff gave a brief overview of Amendment 2 requested by Best Way Disposal, Inc at their Miller Road facility. It is currently included in the County's Solid Waste Management Plan. Seek to enlarge the boundaries of the operation of the facility, currently activities are only allowed within the building footprint. They would like to increase the area allowed for their activities to cover all the property that they own at the site, which is 9.5 acres. The facility is listed as a solid waste collection service provider, it uses the Miller Rd transfer station and Orchard Hill landfill as a disposal facility, no changes expected there. Little or no adverse effects on the neighboring properties if allowed to expand as necessary benefit the community. By expanding the footprint they would be able to seamlessly incorporate processing and recycling at this facility as needed and remain at their site and not move away in order to expand.

- c) Public Comment (3 minutes each)

Public Comment # 1 Michael Balkema, representing Best Way Disposal.

Mentioned that staff already covered what is sought in the amendment: to expand the boundaries to include both parcels, as well as include sorting and processing into the plan. He is available to answer any questions.

- d) Close Public Hearing for Amendment 2

With no more public comments, Chair Carahaly closed the public hearing for Amendment 2.

3. KMCP Board member Comments

Mr. Gisler asked if the two amendments are mutually exclusive. Staff responded that these are two independent amendments, both could be approved or denied, or one denied and the other approved. They happened to be submitted about the same time and the public review processes are running concurrently.

Mr. Cook mentioned that he hears Brian's concerns and also picks trash along roads when he can.

Ms. LaDuca please to have more recycling options.

Ms. Eickholt mentioned that both proposals would be good for the County. The only concerns is the location of the Waste Not Recycling project. It is located at the base of the hill and noise and odors tend to move upwards. Would the people living above the site potentially be bothered by noise or odors. Especially transferring waste from smaller trucks to larger trucks would be inherently noisy and messy processes that may be unpleasant to live by.

Mr. Janssen says more discussion may be needed but is looking forward to someone pioneering additional recycling options.

Kalamazoo County Planning & Development Department

RE: Lotta Jarnefelt

201 W Kalamazoo Ave,

Kalamazoo, MI 49007



Dear Lotta:

I am writing this in support of the proposed construction and demolition recycling center on Ravine Road.

The location used to be an eyesore and an environmental risk. Now that it is cleaned up, it is important that any new industry located there is a responsible one. A recycling business that makes it possible to reuse wood, metal, asphalt, and other materials, instead of sending those things to a landfill, is the right fit. I trust the local ownership to run the business in a way that is respectful to the neighborhood.

Thank you for the opportunity to share my support of this business.

Sincerely, *Jeffrey Holmes*

Holmes

7924 West G Ave

Kalamazoo, Mich. 49009

GRAND RAPIDS MI 493

5 MAR 2021 PM 1 L

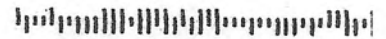
Kalamazoo County Planning

201 W Kalamazoo Ave.

Kalamazoo, Mich. 49007

Attention Lotta

49007-372601



Kalamazoo County Planning and Development
201 West Kalamazoo Ave
Kalamazoo, MI 49007

Lotta:

My name is Brooklyn Hatfield, and I am writing this letter in support of the new recycling center that is being proposed at the corner of Nichols and Ravine Rd. I lived at 1925 Nichols Rd, which is about 1000 feet from the new recycling center. I have seen a couple of signs, mostly last summer, while driving down Grand Prairie and Nichols that are in opposition of the new project. Recently, there has only been one set of signs in front of a neighboring house, and those people seem to always have problems with any new projects in the area.

One of the main reasons my husband and I are in favor of this project is that Art Mulder, of Mulder's Landscape Supplies is involved in it. He has been in business in Kalamazoo Township for over 35 years. You see the name Mulder's Landscape everywhere; little leagues, ice cream socials, parades, golf outings, car shows, and so many more places. They have also been involved in a lot of projects for non-profits in and around the Kalamazoo area for years. Even though they are in the "dirt" business, their yard is always neat, clean, and organized. We see their trucks driving around often, and every time we're in awe at how clean and spotless their trucks are. With them dealing with dirt all the time, the fact they're able to keep their trucks as clean as they have, is incredible. We personally have no doubt that the recycling business will be held to the same standards that the landscape company is held to by Art and his employees. There is no doubt in my mind that Art Mulder is the perfect person to be in charge of this project.

I have grown up in the Kalamazoo area my entire life. When passing by the business that used to be on the corner years ago, I always thought about how messy it looked and saw all the random things laying around the property. Since Art Mulder has acquired the property, the eyesore that used to be there has since been cleaned up, and even with him just doing that, the piece of land now is clear of debris, and looks so much better. While everyone else was complaining about the piece of property, Art took incentive, bought the property and cleaned it up.

Recycling is a topic that is on everyone's minds now-a-days, and how we need to start recycling more to save our earth. There is now a company who wants to take a blighted piece of property, invest millions of dollars, while also providing the Kalamazoo area with good paying jobs. The increase in the property taxes alone should make you want to approve this project. The most important thing is the positive environmental impact that the new recycling center will have. This is a win, win for not only the environment, but for the community of Kalamazoo.

I strongly urge you to approve this project so that we can better our environment and community.

Sincerely,

Brooklyn Hatfield



KALAMAZOO COUNTY GOVERNMENT

In the Pursuit of Extraordinary Governance...

March 17, 2021

Kalamazoo County Solid Waste Management Planning Committee
201 West Kalamazoo Avenue
Kalamazoo, MI 49004

Re: Kalamazoo County Solid Waste Management Plan Amendment 1 to allow the Waste Not C&D Recycling Center at 2206 Nichols Road

Please accept the following comments and concerns regarding the Kalamazoo County Solid Waste Management Plan Amendment 1 to allow the Waste Not C&D Recycling Center at 2206 Nichols Road:

1. The main driveway access to the project site as proposed is from Ravine Road. The 2206 Nichols Drive property does not include road frontage along Ravine Road. The site plan incorrectly identifies the northern property line as the south right-of-way of the former Michigan Central Railroad. The neighboring parcel to the north of 2206 Nichols Road is owned fee-title by the Michigan Department of Natural Resources. The property was purchased with a grant from the Michigan Department of Natural Resources Trust Fund. Kalamazoo County subsequently leased the property to construct and operate the Kalamazoo River Valley River Trail (KRV Trail) as a public recreation facility. This section of the KRV Trail opened in 2008.
2. The proposed site plan raises significant concerns regarding access from 2206 Nichols Road and the direct impact on the KRV Trail. The concerns include:
 - a: safety of KRV Trail users – truck traffic completing left and right turns onto the property will pose a significant risk to trail users with poor site line visibility available.
 - b: Use and modification of a portion of a public recreation amenity for a commercial drive with high volumes of heavy truck traffic.
 - c: Construction will temporarily eliminate non-motorized use of the trail facility.
 - d: There is no necessity for a new drive for this parcel since the site already has drive access off Nichols Road and the proposed plan does not eliminate that drive. Change in use should not be contingent on use of neighboring park property. Understanding that the proposed drive is preferred from a safety perspective related to vehicle traffic, it does so at the cost of increasing risk to non-motorized trail users and pedestrians.

PARKS & EXPO CENTER

2900 Lake Street, Kalamazoo MI 49048

Phone: 269.383.8778 | www.kalcounty.com

3. The proposed site plan provided in conjunction with the public hearing is inconsistent with the site plan that was presented to the Kalamazoo Township Planning Commission. Some of the inconsistencies directly impact the Kalamazoo River Valley Trail. The site plan does not include the necessary setbacks from the northern property line along the Kalamazoo River Valley Trail Parcel and required landscaping/screening is not shown. The layout is also inconsistent.
4. While the layout changes do address some safety concerns, concerns remain that the proposed scale and scale house are positioned in a manner that the drive will be used as staging/line-up space to weigh and pay for services. As a result the drive may be used for operations and could block the trail – again creating a safety concern
5. The State of Michigan and Michigan Department of Natural Resources has the authority to grant the drive easement for this proposed project as the property owner. The Kalamazoo County Board of Commissioners will also be involved in approving the proposed plan amendments. The Kalamazoo County Board of Commissioners adopted a Kalamazoo County Park Preservation and Natural Resources Protection Policy (Attachment A). The goals of the policy include:
 - a. Protect and preserve significant and sensitive natural and cultural resources in accordance with the adopted policy so that these resources may be handed on to future generations.
 - b. The public and governing bodies have trust in the stewardship responsibility of Kalamazoo County.
 - c. Protect the natural environment and historical resources.
 - d. Ensure the long term protection, preservation, and sustainability of park resources.
 - e. Protect park lands and facilities from non-park uses, encroachments, vandalism and other unauthorized uses of parklands including removal of, or damage to, archaeological artifacts, plants, shrubs, trees and/or animal species.
 - f. Decisions impacting the future of County Park Property are transparent and are made with complete details and information available to the public, Kalamazoo County Park Commission, and the Kalamazoo County Board of Commissioners.

The Board of Commissioners has final authority to determine if the policy applies and potential impact on the plan amendment.

Thank you for the opportunity to offer comments on the proposed plan amendments.

Sincerely,



David Rachowicz

Director, Kalamazoo County Parks & Expo Center

Cc: Lisa Henthorn, Kalamazoo County Deputy Administrator
Patrick Hudson, Kalamazoo Township Planner
Jill Sell, Michigan Department of Natural Resources

Kalamazoo County Park Preservation and Natural Resources Protection Policy

Adopted by Park Commission 12/5/2019

Adopted by Board of Commissioners 12/17/2019

I. INTRODUCTION:

The Kalamazoo County Park and Recreation Commission was established in 1968 and has a history of providing resource oriented regional parks for Kalamazoo County residents and visitors. The Kalamazoo County Park Commission works under the authority of and in partnership with the Kalamazoo County Board of Commissioners. The Park Commission was established by the Board of Commissioners under Michigan Public act 261 of 1965. The Kalamazoo County Parks Rules and Regulations Ordinance regulates the activity and use of Kalamazoo County Park Property.

The Mission of Kalamazoo County Parks is to provide responsible stewardship and preservation of our green space and historic resources with recreation, relaxation, and learning opportunities for everyone.

The Kalamazoo County Parks are a unique and valuable resource and they represent Kalamazoo County's commitment to the preservation of open space, natural features, natural resources, local history, and provide outdoor recreational opportunities to the residents and visitors of Kalamazoo County. It is in the best interest of Kalamazoo County to manage, operate, and protect all Kalamazoo County Park land and manage Kalamazoo County Parks in such a way that they may be maintained and preserved for present and future generations.

According to the National Recreation and Park Association (NRPA), the mission of public parks and recreation at all levels should support the conservation and stewardship of land, water, and natural resources. Parks serve an essential role in preserving natural resources and wildlife habitat, protecting clean water and clean air, and providing open space for current and future generations. Clean, green, accessible parks and open space improve the quality of life for every person in Kalamazoo County.

The Kalamazoo County Park Commission considers its responsibilities to the citizens of Kalamazoo County to be in the nature of a public trust, requiring commitment to the preservation and protection of natural, cultural, horticultural and recreation resources located on parklands.

This policy is designed to provide guidance to the Kalamazoo County Board of Commissioners and the Kalamazoo County Park Commission in arriving at decisions in accordance with the goals, purposes, objectives and policies of the County, and to the staff of Kalamazoo County Parks in determining appropriate procedures for implementing those decisions.

II. Goals of the policy:

1. Protect and preserve significant and sensitive natural and cultural resources in accordance with the adopted policy so that these resources may be handed on to future generations.
2. The public and governing bodies have trust in the stewardship responsibility of Kalamazoo County.
3. Protect the natural environment and historical resources.
4. Ensure the long term protection, preservation, and sustainability of park resources.
5. Protect park lands and facilities from non-park uses, encroachments, vandalism and other unauthorized uses of parklands including removal of, or damage to, archaeological artifacts, plants, shrubs, trees and/or animal species.
6. Decisions impacting the future of County Park Property are transparent and are made with complete details and information available to the public, Kalamazoo County Park Commission, and the Kalamazoo County Board of Commissioners.

III. Park Purposes:

This policy does not limit or restrict the management, development, maintenance or operation of Kalamazoo County Parks for park purposes and public uses. The Park Commission will plan, develop, preserve, administer, maintain and operate park and recreation places and facilities. This includes:

1. Development, construction, reconstruction, updating and renewing buildings.
2. Installation of utilities and utility infrastructure for park purposes.
3. Management of natural resources, habitat preservation or management, invasive species removal, and hazard mitigation.
4. Management of historical and cultural features.
5. Development and installation of Barrier Free facilities and amenities.
6. Design and development of facilities that are appropriate with the natural and historical features of each site.
7. Development and implementation of park master plans at each county park location.
8. Development and improvement of regional, nature based activities. Provide park and recreation facilities that meet the need of County residents and visitors.
9. The Park Commission may adopt, amend, or repeal rules for the protection, regulation and control of its facilities and areas only with the approval of the County Board.

The Kalamazoo County Park property policy may be superseded by existing recorded easements, deed restrictions, mineral rights ownership, grant obligations, state law, or other state or federal requirements.

The Commission and County Board reserves the right to manage, develop, and maintain or operate the Kalamazoo County Parks for park purposes and public purposes. Nothing herein shall be construed as restricting the County use and development of park property for the purpose of operating, improving or developing park facilities. The Kalamazoo County Park property policy may be superseded by existing recorded easements, deed restrictions, mineral rights ownership, grant obligations, state law, or other state or federal requirements.

IV. Kalamazoo County Parks Non-Park Use Restrictions:

The non-park uses of Kalamazoo County Parks are divided into two categories, Prohibited and Restricted Non-Park Uses. Prohibited Non-Park Uses are not permitted and Restricted Non-Park Use requests are only considered for approval if all required conditions are met.

Prohibited Non-Park Uses: Kalamazoo County and the Park Commission shall resist by all appropriate means, including legal action, any attempt by any public agency, company, group or individual to destroy or encroach upon any park land or natural area under the control of the Park Commission for all items covered in Prohibited Non-Park Uses.

V. Prohibited Non-Park Uses – Not permitted

1. Use of County Park Property for non-park related commercial purposes.
2. Exploration, production, or extraction of oil, minerals, soil, sand, gravel, or other surface or subsurface natural resources.
3. Cell phone towers or telecommunications sites.
4. Timber harvest or commercial firewood harvest excluding resource management practices or storm damage removal.
5. Solar panels, windmills, or other electrical generation facilities for non-park purposes.
6. Overhead electric lines.
7. Sale of County Park property.
8. Diversion of County Park property for non-park purposes (public or private).
9. Non park use of surface or sub-surface water resources.
10. Encroachments (temporary or permanent).
11. Removal or destruction of historical artifacts or features.

VI. Restricted Non-Park Uses: All requests submitted that qualify as Restricted Non-Park Uses, must be approved by Board of Commissioners upon recommendation by the Park Commission.

VII. Restricted Non-Park Uses

1. Underground utilities.
2. Road construction projects.
3. Storm water projects.
4. Environmental clean-up activities.
5. Natural, environmental, or other emergency activities.
6. Drive or utility easements across linear trail right-of-way or property.

VIII. The Kalamazoo County Park Commission shall consider a recommendation for approval by the Board of Commissioners for Restricted Non-Park Uses only if the conditions following are met:

1. All other possible locations have been exhausted by the applicant and no feasible and prudent alternative site exists.
2. Proposed uses are deemed public in nature and are determined by Kalamazoo County to be in the best interest of Kalamazoo County residents.
3. Proposed use creates no hazard to the public or legal exposure/liability to the Park Commission or County.
4. The proposed location or use does not adversely affect significant natural or cultural resources, including environmentally sensitive areas such as wetlands, wooded areas, or native prairies.
5. In the sole determination of the Park Commission and the Board of Commissioners, the proposed location or use does not displace and is compatible with existing or planned park facilities.
6. In the sole opinion of the Park Commission and the Board of Commissioners, the proposed location, use and construction does not detract from the character of the park or have any negative impact.

7. The proposed facility location and use does not adversely affect park operations or maintenance.
8. Clear demonstration is given that impact to adjacent uses and property owners are minimal.
9. The applicant accepts full responsibility and costs for all staff evaluation and review, plan preparation, and procurement of all necessary permits and other approvals from the appropriate governmental agencies.
10. The Board of Commissioners shall require adequate compensation for use of parkland for other than park purposes based on the extent of the impact and may require monetary assurances (bonding, escrow, or deposit) from the requesting agency, corporation or individual to ensure compliance and restoration requirements.

IX. Restricted Non-Park Purposes Application Process:

1. Application or request must be made a minimum of 180 days prior to the date requested to the Kalamazoo County Parks Director. The application request time frame may be reduced at the discretion of the Kalamazoo County Parks Director and Kalamazoo County Administrator for emergency activities.
2. Temporary Emergency Approval may be granted by the Kalamazoo County Administrator and County Parks Director for environmental, public safety, or public health emergencies. Applications must still be submitted and emergency authorization will need confirmation by the Park Commission and County Board.
3. Applications that do not meet the definition or all conditions for Restricted Non-Park Purposes will not be considered or reviewed by the Park Commission or Board of Commissioners.
4. All applications that meet the definition and conditions for Restricted Park Purposes will be sent by the Director to the County Board Chairperson and Vice-Chairperson, County Administration, and the Kalamazoo County Park Commission Chairperson and Vice-Chairperson at the time of application.
5. Applications must include complete written information on what is being requested and the impact to the site. Request must include the following items in writing:

- a. Site plans, proposed use, limits of impact, distances to all park facilities, neighboring parcels, and environmentally sensitive areas.
 - b. Details of all other possible locations, feasible and prudent alternative sites.
 - c. Impact and benefit related to County residents and public nature of proposed use.
 - d. Impact on proposed location including natural resources, historical and cultural aspects, environmentally sensitive areas, and all other park property and facilities.
 - e. Information that enables Kalamazoo County to evaluate impact on existing or planned park facilities, impact on the character of the park location, impact on park operations or maintenance, impact to adjacent uses and property owners.
 - f. Project schedule with detailed dates for start, impact and completion.
 - g. Details and evaluation on long-term impacts of the request.
 - h. Details and evaluation on the risks associated with the request and all other safety related concerns.
 - i. Proposed compensation for use.
6. County Park Administration will complete a preliminary review and may request additional information or details related to the requested use.
7. The Park Commission will review the request at a regularly scheduled Kalamazoo County Park Commission Meeting. Action will be considered at the second following regularly scheduled Kalamazoo County Park Commission Meeting. The Park Commission will have authority limited to making a recommendation to the Kalamazoo County Board of Commissioners.
8. All application materials provided, review documentation by the County Parks Director, and the recommendation from the Park Commission will be sent to the Board of Commissioners.
9. The Board of Commissioners have final authority to approve or deny all non-park uses recommended by the Kalamazoo County Park Commission at a regularly scheduled meeting.

Rec'd
3/12/2021

March 8, 2021

Dear Sirs and/or Madams,

I am writing this letter in support of the proposed C and D recycling center to be built on Ravine Road, just east of Nicholas Road.

This enterprise is to be built on what was once a salvage yard. In real terms it was a blight on the land and an eyesore to those of us who owned businesses up and down the road.

This project will be brand new, architecturally sound and professionally landscaped. It will enhance the entire area and fit well with existing businesses.

More than just looking good, this four million project will employ up to twenty full time employees and several part timers. A project like this is needed, dare I say crucial for a time like we have had in the last year.

The talk nationally is to "be green" and to "lower our carbon footprint." This project is a slam dunk in regards to pursuing these goals. Putting a C and D recycling center on formally blighted land is brilliant.

I urge you to move this project forward with all due speed.

Sincerely,
Ronald J. Vlatkovic

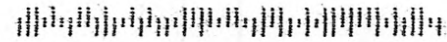


Ronald Vlietstra
3899 W B Ave
Plainwell, MI 49080

TAMPA FL 335
SAINT PETERSBURG FL
8 MAR 2021 PM 8 L

KALAMAZOO COUNTY PLANNING & DEVELOPMENT Dept
ATTN: SWMPC
201 W. KALAMAZOO Ave
KALAMAZOO, MI 49007

49007-372601





LAWN SERVICES, INC.



March 4, 2021

SWMPC

c/o Kalamazoo County Planning & Development Department
201 W. Kalamazoo Ave.
Kalamazoo, MI 49007

SUBJECT: Kalamazoo County Construction and Demolition Recycling Center

To Whom It May Concern,

I am writing to voice our support for Mulder's Landscape Supplies and Waste Not Recycling's proposed plan to build a new construction and demolition waste recycling center in Kalamazoo County at the southeast corner of Ravine and Nichols Rd.

We appreciate Mr. Mulder's efforts in keeping his properties clean, organized and up to date. His proposed use of the previous Kalamazoo Wrecking Company land as a Recycling Center is continued proof of his desire for enrichment.

Art Mulder and his team have been good neighbors and responsible business owners on Ravine Road and in the North Kalamazoo area for many years and we have no doubt that they will continue to do so with this new venture.

We encourage the Kalamazoo County Solid Waste Management Committee to update the current plan to allow this type of facility to be built.

In closing, I want to emphasize that a facility of this nature would not only help local commercial and residential contractors, but it is also beneficial to our community as a whole with the jobs it will bring, and the improvements that recycling of materials does for our environment.

Sincerely,

Thomas Block, President
Wolverine Lawn Services, Inc.



CALHOUN COUNTY

Office of Community Development

Parks & Recreation – Planning – GIS – MSU Extension – Solid Waste
315 West Green Street, Marshall, Michigan 49068 – 269/781-0784

MEMORANDUM

To: SWMPC, C/O Kalamazoo County Planning & Development Department
From: Sarah Kelly, Calhoun County Solid Waste and Recycling Coordinator
Date: March 8, 2021
Re: Notice of Proposed Amendments 1 and 2 to the Kalamazoo County Solid Waste Management Plan

Comments:

Amendment 1 – to allow the Waste Not C&D Recycling Center to be determined automatically consistent with the Plan and to be permitted as a transfer station and processing facility at the following location: 2206 Nichols Road, Kalamazoo, MI 49004.

Upon review of the November 18, 2020 Kalamazoo County Solid Waste Committee minutes and June 4, 2020 Kalamazoo Township Planning Commission minutes, the Calhoun County Solid Waste Program and Community Development Department support Amendment 1 to the Kalamazoo County Solid Waste Plan. This amendment allows the addition of both a transfer station and processing plant to the Kalamazoo Solid Waste Plan. This facility would be privately operated and open to the public accepting construction and demolition waste along with trash, tree stumps, and limbs. Currently, our region lacks access to construction and demolition recycling opportunities. By allowing this processing plant to open and operate, it would increase the recycling rate in our region and reduce the amount of material that is currently landfilled. Calhoun County would benefit from the host fee revenue generated by the material Waste Not C&D Recycling Center landfills at the C&C Landfill located in Convis Township, Calhoun County. This amendment would also allow more convenient access to Calhoun County residents and businesses seeking to recycle their construction and demolition waste.

Amendment 2 – to allow the existing Miller Road Transfer Station to be determined automatically consistent with the Plan for an expansion as a transfer station and permitted as a new processing facility at the following location: 2606 Miller Road, Kalamazoo, MI 49001.

Currently, the Miller Road Transfer Station is limited to using only +/-1 acre of their property based on the existing Kalamazoo County Solid Waste Plan, and they are restricted to only offering a drop-off recycling center at that location. This amendment allows the Miller Road Transfer Station to be determined automatically consistent with the Kalamazoo County Solid Waste Plan and allows the business to use all their +/- 9.51 acres and expand their operations to include processing material. This amendment will reduce the landfilling of material that has value as a recyclable in our region. The Miller Road Transfer Station is operated by Best Way Disposal. Best Way Disposal is represented on the Calhoun County Solid Waste Management Planning Advisory Committee and is a vendor of the Calhoun County Solid Waste Program. Upon review of the December 16, 2020 Kalamazoo County Solid Waste Committee minutes, the Calhoun County Solid Waste Program and Community Development Department support Amendment 2 to the Kalamazoo County Solid Waste Plan.



45 Ottawa Avenue SW
Suite 1100
P.O. Box 306
Grand Rapids, MI 49501-0306



GRANT E. SCHERTZING
Attorney at Law

616.831.1714
616.988.1714 fax
schertzingg@millerjohnson.com

April 13, 2021

Kalamazoo County Solid Waste Management
Planning Committee
c/o Lotta Jarnefelt, Director,
Kalamazoo County Planning & Development Department
lmjarn@kalcountry.com

Re: **Response to comments by Kalamazoo County Parks & Expo Center on
Amendment 1 to Kalamazoo County Solid Waste Management Plan**

Dear Members of the Kalamazoo County Solid Waste Management Planning Committee:

As you know, we represent Waste Not Recycling in seeking an amendment to the County's Solid Waste Management Plan for a construction and demolition waste recycling center at 2206 Nichols Road in Kalamazoo Township.

On March 17th, the County Parks & Expo Center sent a letter to this Committee and spoke at the public hearing to raise concerns about the center's proposed driveway off Ravine Road and its impacts to the Kalamazoo River Valley Trail. This is not the first time the County has raised these concerns. Comments "1" and "2" of the Parks & Expo Center's letter are taken almost word for word from a letter by the County Planning Department on June 3rd of last year (**enclosed**). We have done our best to address these concerns, but the Parks & Expo Center has declined to review our plans for the Trail crossing until the County's Solid Waste Management Plan is adopted. The Planning Department's letter last year even ended by saying:

Pending the completion and adoption of the amendment to the Kalamazoo County Solid Waste Management Plan and appropriate approvals from EGLE, if the proposed project is still proceeding we look forward to addressing these specific Kalamazoo River Valley Trail concerns *at that time* [emphasis added].

By raising these concerns now, the Parks & Expo Center seems to be *both* objecting to our amendment because they have not approved the Trail crossing *and* requiring this amendment as a condition for that approval.

This is a chicken-and-egg problem. The Parks & Expo Center cannot decline to approve a crossing until we secure an amendment only to object to the amendment on that basis. It is also not relevant to what this Committee has been asked to consider: namely, how the center would affect the County's management of its solid waste.

Of course, we understand that members of this Committee or users of the Trail may share many of the same concerns as the Parks & Expo Center, and we appreciate the opportunity to explain how those concerns will be addressed. For ease of reference, we have reproduced each of the comments from the Park & Expo Center's March 17th letter below in **bold** and respond to each in turn.

1. **The main driveway access to the project site as proposed is from Ravine Road. The 2206 Nichols Drive property does not include road frontage along Ravine Road. The site plan incorrectly identifies the northern property line as the south right-of-way of the former Michigan Central Railroad. The neighboring parcel to the north of 2206 Nichols Road is owned fee-title by the Michigan Department of Natural Resources. The property was purchased with a grant from the Michigan Department of Natural Resources Trust Fund. Kalamazoo County subsequently leased the property to construct and operate the Kalamazoo River Valley River Trail (KRV Trail) as a public recreation facility. This section of the KRV Trail opened in 2008.**

Response: Michigan's DNR does own the property between the North boundary of the site and Ravine Road. However, we have applied for a driveway easement, which would provide access by Ravine Road.

(We included the "Former Michigan Central Railroad" label on the site map because current and historic descriptions of the property refer to the railroad right of way to describe the property's northern boundary line — both in the deeds recorded with the County Register of Deeds and in the tax records of the Township. Nevertheless, since this seems to have been a point of some confusion, we have revised the site map to include an express reference to the current ownership of that right of way by Michigan's DNR.)

2. **The proposed site plan raises significant concerns regarding access from 2206 Nichols Road and the direct impact on the KRV Trail. The concerns include:**

- a: **safety of KRV Trail users — truck traffic completing left and right turns onto the property will pose a significant risk to trail users with poor site line visibility available.**

Response: The lines of sight where the driveway would cross the Trail are not poor and would not pose any meaningful risk to users of the Trail. This has been confirmed at both the County and Township levels:

- The Road Commission of Kalamazoo County (RCKC) has reviewed our driveway plan for compliance with its driveway entrance guidelines, and has granted preliminary approval (**enclosed**).
- The Township Planning Commission has also reviewed our site plan, which shows where the driveway would cross the Trail. In the County Planning Department's June 3rd letter, the County asked the Township to consider the impacts to the Trail as part of that site plan review. The Township did consider them and has granted conditional site plan approval, requiring only signs to direct driveway traffic to yield to users of the Trail (which will be provided).

b: Use and modification of a portion of a public recreation amenity for a commercial drive with high volumes of heavy truck traffic.

Response: One more commercial driveway will not change the character of the Trail near the site. That stretch of the Trail already runs through a heavily industrial and commercial area that exposes users to high volumes of heavy traffic — in many places, at higher speeds and with fewer safety measures than what would be associated with a driveway.

Almost all 2.3 miles of the Trail near the site, from Squires Drive to Douglas Avenue run

- through property that the Township has zoned either “Commercial” or “Industrial,” which are associated with intensive uses; and
- along a roadway (Ravine Road) that the County has designated a “primary road,” which is associated with higher volumes of traffic and truck traffic.

So, despite the presence of the Trail, the County and Township have both earmarked this area for commercial and industrial uses, fully aware that those uses include (or even generate) heavy truck traffic.

Our driveway would also not be the first (or last) commercial crossing of the Trail in the area. Heading West from the site, the Trail immediately crosses Nichols Road, then a driveway for Tali’s Market, a second driveway for E I Morrow Co, and another four driveways for Mulder’s Landscape Supplies. Heading East from the site, the Trail crosses two driveways for Division 5 Metalworks and Building Restoration before dead-ending into Ravine Road itself, where traffic regularly reaches speeds of over 45 miles per hour. From there, users must choose between either crossing Ravine (without any traffic signal or stop sign) to reach a parking area or continuing on the shoulder/bike lane of Ravine for another three-quarters of a mile to reach the next trailhead. If a user continues on, the Trail crosses another 14 driveways and then Douglas Avenue itself (again, without any traffic signal or stop sign for cross-traffic), before they connect to the next trailhead.

c: Construction will temporarily eliminate non-motorized use of the trail facility.

Response: It is not unusual for construction activities to temporarily affect or limit use of the Trail. For example, the intersection of Nichols Road and Ravine Road, which includes a Trail crossing, will be under construction for most of this Spring and Summer, which will temporarily obstruct use of the Trail. The construction for our driveway would affect only about 50 feet of the Trail and for a much shorter period. Likewise, any signage for users of the Trail that is required by the County will be implemented.

d: There is no necessity for a new drive for this parcel since the site already has drive access off Nichols Road and the proposed plan does not eliminate that drive. Change in use

should not be contingent on use of neighboring park property. Understanding that the proposed drive is preferred from a safety perspective related to vehicle traffic, it does so at the cost of increasing risk to non-motorized trail users and pedestrians.

Response: The RCKC is permanently closing and eliminating the existing driveway off Nichols Road as part of the Nichols Road construction project described in our response to comment “c” above. This is largely for safety concerns, due to the existing driveway’s close proximity to the intersection, but also other concerns, such as erosion issues. We have received confirmation of that fact from the RCKC (**enclosed**).

(The Township Fire Marshall had previously required this driveway to remain for emergency access. However, in light of the Nichols Road construction, the Fire Marshall has agreed to the closure with minor modifications to the proposed fire hydrant placement and Fire Department connection location, as shown on the site plan.)

- 3. The proposed site plan provided in conjunction with the public hearing is inconsistent with the site plan that was presented to the Kalamazoo Township Planning Commission. Some of the inconsistencies directly impact the Kalamazoo River Valley Trail. The site plan does not include the necessary setbacks from the northern property line along the Kalamazoo River Valley Trail Parcel and required landscaping/screening is not shown. The layout is also inconsistent.**

Response: The site map attached to the amendment was never intended to show the same level of detail as the site plan. The site map attached to the amendment is for Appendix D of the Plan, which includes “maps and/or legal descriptions” of “the locations of the various solid waste disposal facilities proposed to serve Kalamazoo County.” Most maps in Appendix D show only the boundary of the property and approximate building sizes and locations. Based on those examples, the site map was intended to show only the general layout of the center. To the extent that layout differs from the site plan previously submitted to the Township, it is because the Township has required changes to the layout as part of its approval.

The final site plan will be subject to still more levels of approval, including permits by Michigan’s Department of Environment, Great Lakes, and Environment (EGLE), which could mean more changes to the layout. In light of that fact, and based on discussions with EGLE, the County Planning Department has actually recommended that we attach a *less* detailed site map, showing only the boundary of the property (and *no* details for the center).

Since the level of detail of the current site map does appear to have been another point of confusion, we have followed the County’s recommendations and attached simplified surveys and legal descriptions of the property and the proposed driveway easement from the Michigan DNR (**enclosed**) to be used as the site map for the amendment.

4. While the layout changes do address some safety concerns, concerns remain that the proposed scale and scale house are positioned in a manner that the drive will be used as staging/line-up space to weigh and pay for services. As a result the drive may be used for operations and could block the trail — again creating a safety concern.

Response: The scale and scale house have been moved as far into the site as physically possible, while still allowing trucks enough room to maneuver. The new locations allow for at least *four* 40-foot trucks to be staged inside the site before being at risk of encroaching onto the Trail.

5. The State of Michigan and Michigan Department of Natural Resources has the authority to grant the drive easement for this proposed project as the property owner. The Kalamazoo County Board of Commissioners will also be involved in approving the proposed plan amendments. The Kalamazoo County Board of Commissioners adopted a Kalamazoo County Park Preservation and Natural Resources Protection Policy (Attachment A). The goals of the policy include:
- a. Protect and preserve significant and sensitive natural and cultural resources in accordance with the adopted policy so that these resources may be handed on to future generations.
 - b. The public and governing bodies have trust in the stewardship responsibility of Kalamazoo County.
 - c. Protect the natural environment and historical resources.
 - d. Ensure the long term protection, preservation, and sustainability of park resources.
 - e. Protect park lands and facilities from non-park uses, encroachments, vandalism and other unauthorized uses of parklands including removal of, or damage to, archaeological artifacts, plants, shrubs, trees and/or animal species.
 - f. Decisions impacting the future of County Park Property are transparent and are made with complete details and information available to the public, Kalamazoo County Park Commission, and the Kalamazoo County Board of Commissioners.

Response: As an environmentally focused enterprise, we applaud the County and the Parks & Expo Center for promoting the area's natural resources and amenities. We see the Trail as an important community asset and, as part of this community, we are committed to operating safely and minimizing any effect on the Trail's use. Other businesses and industries operate along the Trail with little impact. We will do the same. We look forward to addressing any specific concerns that might be raised.

MILLER JOHNSON

April 13, 2021

Page 6

Thank you for your attention to this letter.

Very truly yours,

MILLER JOHNSON

By



Grant E. Schertzing

GES

Enclosures

cc: David Rachowicz, Director, Kalamazoo County Parks & Expo Center
Lisa Henthorn, Kalamazoo County Deputy Administrator
Patrick Hudson, Kalamazoo Township Planner
Jill Sell, Michigan Department of Natural Resources



KALAMAZOO COUNTY GOVERNMENT

In the Pursuit of Extraordinary Governance...

June 3, 2020

Township Clerk Mark E. Miller and the Planning Commission
Charter Township of Kalamazoo
1720 Riverview Dr
Kalamazoo, MI 49004

Re: Planning Commission Public Hearing June 4th, 2020 at 7 pm to consider AKKG, LLC (Art Mulder) exception and site plan approval request.

To Clerk Miller and the Township Planning Commission:

We have preliminary reviewed the AKKG, LLC (Art Mulder) exception and site plan approval request. While this is clearly a decision of the Township, we felt it appropriate to address certain matters which may assist the Township regarding the project proposed for 2206 Nichols Road at the Public Hearing scheduled for June 4th, 2020:

1. The proposed activities on the site will require a permit from the Michigan Department of Environment, Great Lakes & Energy (EGLE). At this time, EGLE would not be able to issue a permit because the activity is not included in the County's Solid Waste Management Plan (Plan).
2. The proposed project would require an amendment to the County's current Plan to include the activity. The developer has informed the County that he is seeking a Plan amendment. The first step in the Plan amendment process was initiated with the approval of re-assembling the County's Solid Waste Management Planning Committee (SWMPC), by the Kalamazoo County Board of Commissioners at their May 19 County Board meeting. Due to the required steps, the Plan amendment process is likely to take a minimum of 12-18 months. The Plan amendment's approval to include the activity will depend on approvals by the SWMPC, the County, 2/3 of the local governments and EGLE.
3. Even if the special use is approved by the Township's Planning Committee, the facility cannot be operated until it is included in the County's Solid Waste Management Plan, provided that the Plan amendment allowing such activity is approved by all parties identified in item 2 above.
4. The main driveway access to the project site as proposed is from Ravine Road. The 2206 Nichols Road property does not include road frontage along Ravine Road. The neighboring parcel to the north of 2206 Nichols Road is owned fee-title by the Michigan Department of Natural Resources. The property was purchased with a grant from the Michigan Department of Natural Resources Trust Fund. Kalamazoo County subsequently leased the property to

construct and operate the Kalamazoo River Valley River Trail as a public recreation facility. This section of the KRV Trail opened in 2008.

The proposed site plan raises significant concerns regarding access from Ravine Road and the impact on the KRV Trail. The concerns include:

- a. safety of KRV Trail users
- b. use and modification of a portion of a public recreation amenity for a commercial drive with high volumes of heavy truck traffic
- c. impact on the use and safety of the Kalamazoo River Valley Trail
- d. showing the proposed vegetative screening/landscape plan on the MDNR property, and having an incompatible impact on this natural resource and public recreation facility.

It may be prudent to avoid confusion if any exception and/or conditional site plan approval which may be considered in the discretion of the Township expressly and additionally stipulates that approval is conditioned upon the fully satisfying items 1-3 of this letter, as well as any other further or additional conditions required by the Township or by law and, make clear that the facility cannot be sited (much less operated) until all such precondition approvals are satisfied. Pending the completion and adoption of the amendment to the Kalamazoo County Solid Waste Management Plan and appropriate approvals from EGLE, if the proposed project is still proceeding we look forward to addressing these specific Kalamazoo River Valley Trail concerns at that time.

Sincerely,



Lotta Jarnefelt
Director
Planning & Development Department

Cc: Patrick Hudson, Planning & Zoning Administrator

From: Brian Franklin
To: [Schaafsma, Daniel](#)
Cc: [AT&T](#); [Ken Hoving](#); [Jon Fitzsimmons](#); [Mark Worden](#)
Subject: RE: Waste Not Driveway Permit Application
Date: Thursday, January 21, 2021 8:24:46 AM
Attachments: [image004.png](#)
[Insurance policy and example form.pdf](#)

EXTERNAL EMAIL

Hi Dan,

We have reviewed the last set of plans that you have provided. The plans have been approved by the RCKC.

In order to obtain a permit from the RCKC for a new commercial driveway, you or your client will need to submit the following:

- An [application](#) with the contractor listed on the application.
- The contractor's insurance listing the RCKC as additional insured. [RCKC policy](#) and an [example form](#).
- A letter from the Kalamazoo County Parks granting you permission to cross Kalamazoo River Valley Trail.

Once we have received the listed documentation, we will be happy to issue a new commercial driveway for this property.

Thanks, Brian

-
-

COVID-19 Notice: *Our RCKC Team is dedicated to ensuring the essential services of maintaining our infrastructure continue. The RCKC lobby is closed and by appointment only effective Monday 11/16/20. Members of the RCKC Team are working remotely and therefore the public is asked to please conduct all business via telephone and/or electronically. Communication will continue on all RCKC platforms including www.kalamazoocountyroads.com, Facebook, Twitter, LinkedIn, RCKC Connect, news releases, etc. We appreciate your patience and cooperation during this time.*

Brian Franklin, Permit Agent
Road Commission of Kalamazoo County
3801 E Kilgore Rd
Kalamazoo, MI 49001
(269)381-3170 Ext.273
Fax (269)381-1760
www.kalamazoocountyroads.com

From: Brian Franklin
To: [David M. Rachowicz](#); [Schaafsma, Daniel](#)
Subject: RE: Private Road Easement #20210029
Date: Monday, March 22, 2021 6:16:49 AM
Attachments: [image004.png](#)

EXTERNAL EMAIL

Hi David,

That is correct. We require that the current driveway located on Nichols Road be closed for safety concerns and also other concerns such as erosion issues.

Thanks, Brian

-
-

COVID-19 Notice: *Our RCKC Team is dedicated to ensuring the essential services of maintaining our infrastructure and public service continue. The RCKC lobby is open as of Monday, March 15, 2021, however members of the public are asked to please attempt to conduct all RCKC business by appointment, via telephone and/or electronically. We appreciate your patience and cooperation during this time.*

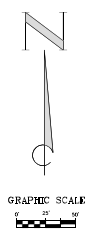
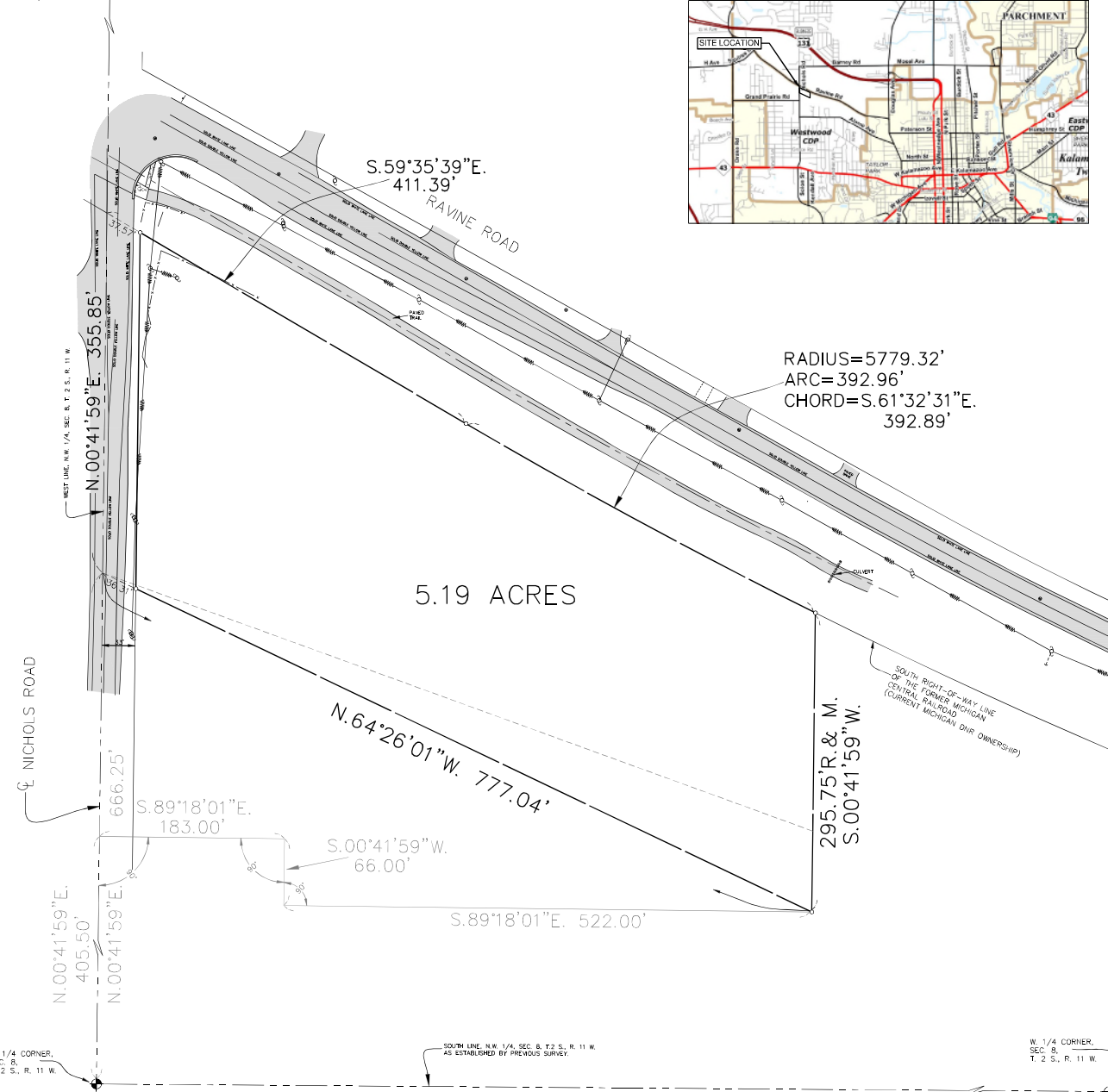
Brian Franklin, Permit Agent
Road Commission of Kalamazoo County

3801 E Kilgore Rd
Kalamazoo, MI 49001
(269)381-3170 Ext.273
Fax (269)381-1760
www.kalamazoocountyroads.com



Confidentiality Notice: *The information contained in this electronic mail message and any attachments is intended only for the use of the individual or entity to which it is addressed and may contain legally privileged, confidential information or work product. If the reader of this message is not the intended recipient, you are hereby notified that any use, dissemination, distribution, or forwarding of the Email message is strictly prohibited. If you have received this message in error, please notify me by Email reply, and delete the original message from your system.*

N.W. CORNER,
SEC. 8,
T. 2 S., R. 11 W.



- IRON ROD PLACED
- IRON ROD OR PIPE FOUND
- BOLT SPINE PLACED IN FOOT
- RECORD DIMENSION
- MEASURED DISTANCE
- UTILITY POLE
- OVERHEAD UTILITY LINES

PARCEL DESCRIPTION (Warranty Deed Doc. No. 2019-001282):

Land situated in the Township of Kalamazoo, County of Kalamazoo, State of Michigan described as follows:

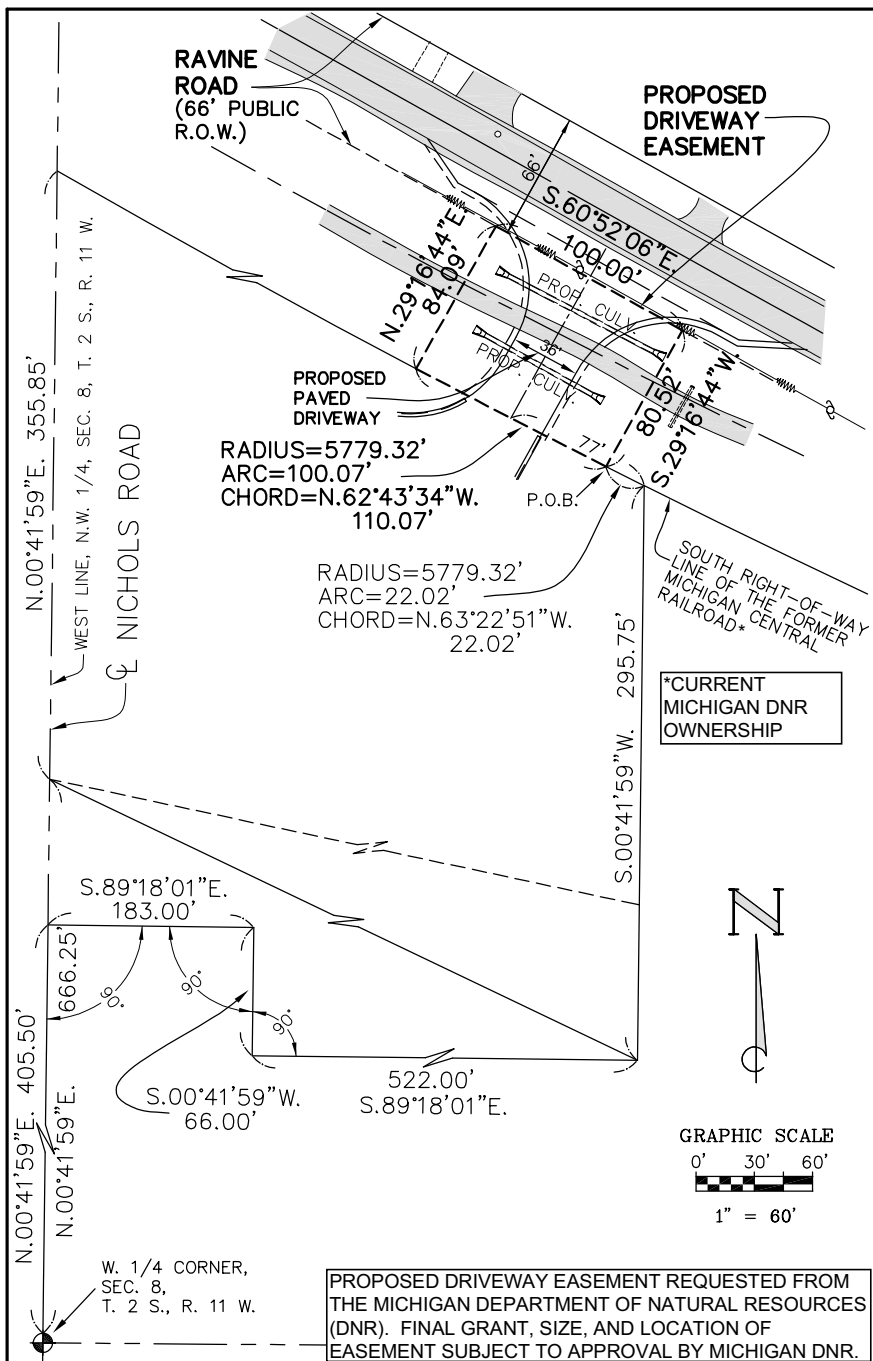
Commencing at a point 666.25 feet North of the West 1/4 post of Section 8, Town 2 South, Range 11 West; thence North on the West line of said section 355.85 feet to the right-of-way of the Michigan Central Railroad*; thence Southeasterly along the Southerly line of said railroad* 803.03 feet; thence South parallel with the West line of said section 215.75 feet and thence Northwesterly to the Place of Beginning.

ALSO, a parcel in Section 8, Town 2 South, Range 11 West, commencing at a point 405.5 feet North of the West 1/4 post of said section and running thence East at right angles to said West line 183.0 feet; thence South parallel to said West line 66 feet; thence East at right angles to said West line 522 feet for the Place of Beginning; thence Northwesterly to a point on the West line of said section 666.25 feet North of the West 1/4 post of said section; thence Southeasterly to a point 80 feet North of the Place of Beginning; thence South 80 feet to the Place of Beginning.

*CURRENT MICHIGAN DNR OWNERSHIP

DATE	REVISION
10/07/20	ADDED POINTS FOR RAVINE & NICHOLS ROAD

BOUNDARY AND TOPOGRAPHIC SURVEY REPORT		DATE	7/23/2019
ART MULDER		JOB No.	36743
PROPERTY IN THE N.W. 1/4 SEC. 8, KALAMAZOO TWP. & CO., MI.		SHEET No.	1
Ingersoll, Watson & McMachen, Inc.			
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS			
1133 East Midland Road • Portage, Michigan 49802 • Phone 269-344-0100 • Fax 269-344-0555			



DESCRIPTION OF PROPOSED DRIVEWAY EASEMENT:

A parcel of land situated in the Northwest quarter of Section 8, Town 2 South, Range 11 West, Kalamazoo Township, Kalamazoo County, Michigan being more particularly described as follows:

Commencing at the West quarter corner of Section 8, Town 2 South, Range 11 West; thence N.00°41'59"E. 405.50 feet along the West line of the Northwest quarter of Section 8; thence S.89°18'01"E. 183.00 feet perpendicular with said West line; thence S.00°41'59"W. 66.00 feet parallel with said West line; thence S.89°18'01"E. 522.00 feet perpendicular with said West line; thence N.00°41'59"E. 295.75 feet parallel with said West line to the South right-of-way line of the former Michigan Central railroad; thence Northwest 22.02 feet along said South right-of-way line along the arc of a non-tangent curve to the right having a radius of 5779.32 feet, a central angle of 0°13'06" and a chord of N63°22'51"W. 22.02' to the Place of Beginning; thence continuing Northwest 110.07 feet along said South right-of-way line along the arc of a curve to the right having a radius of 5779.32 feet, a central angle of 1°05'28" and a chord of N62°43'34"W. 100.07'; thence N.29°16'44"E. 84.09 feet to the Southerly right-of-way line of Ravine Road (66' wide); thence S.60°52'06"E. 100.00 feet along said South right-of-way line of Ravine Road; thence S.29°16'44"W. 80.52 feet to the Place of Beginning.

DESCRIPTION OF LAND BENEFITTED BY THE PROPOSED DRIVEWAY EASEMENT(Warranty Deed Doc. No. 2019-001282):

Land situated in the Township of Kalamazoo, County of Kalamazoo, State of Michigan described as follows:

Commencing at a point 666.25 feet North of the West 1/4 post of Section 8, Town 2 South, Range 11 West; thence North on the West line of said section 355.85 feet to the right-of-way of the Michigan Central Railroad; thence Southeasterly along the Southerly line of said railroad 803.03 feet; thence South parallel with the West line of said section 215.75 feet and thence Northwest to the Place of Beginning.

ALSO, a parcel in Section 8, Town 2 South, Range 11 West, commencing at a point 405.5 feet North of the West 1/4 post of said section and running thence East at right angles to said West line 183.0 feet; thence South parallel to said West line 66 feet; thence East at right angles to said West line 522 feet for the Place of Beginning; thence Northwest to a point on the West line of said section 666.25 feet North of the West 1/4 post of said section; thence Southeasterly to a point 80 feet North of the Place of Beginning; thence South 80 feet to the Place of Beginning.

*CURRENT MICHIGAN DNR OWNERSHIP

PROPOSED DRIVEWAY EASEMENT REQUESTED FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES (DNR). FINAL GRANT, SIZE, AND LOCATION OF EASEMENT SUBJECT TO APPROVAL BY MICHIGAN DNR.

<p>SKETCH OF EASEMENT ART MULDER NORTHWEST QUARTER, SECTION 8, KALAMAZOO TOWNSHIP</p> <p>Ingersoll, Watson & McMachen, Inc. CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS 1209 East Milham Road Suite B * Portage Michigan 49002 * Phone 269-344-6165 * Fax 269-344-0555</p>	DATE
	1/12/2021
	SHEET No.
	1 of 2
	JOB No.
	36743

<p>SKETCH OF EASEMENT ART MULDER NORTHWEST QUARTER, SECTION 8, KALAMAZOO TOWNSHIP</p> <p>Ingersoll, Watson & McMachen, Inc. CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS 1209 East Milham Road Suite B * Portage Michigan 49002 * Phone 269-344-6165 * Fax 269-344-0555</p>	DATE
	1/12/2021
	SHEET No.
	2 of 2
	JOB No.
	36743

Section 6
Resolutions from Municipalities
Amendment #1

As of 8/03/2021

	Municipalities	Amendment 1 approved?	Amendment 2 approved?
1	City of Galesburg		
2	City of Kalamazoo	8/2/2021	8/2/2021
3	City of Parchment	7/1/2021	6/23/2021
4	City of Portage	6/22/2021	6/22/2021
5	Village of Augusta	7/13/2021	7/13/2021
6	Village of Climax	7/19/2021	
7	Village of Richland	6/14/2021	6/14/2021
8	Village of Schoolcraft	6/28/2021	
9	Village of Vicksburg	6/28/2021	6/28/2021
10	Alamo Township	6/14/2021	6/15/2021
11	Brady Township	7/7/2021	7/12/2021
12	Charleston Township	6/29/2021	6/29/2021
13	Climax Township		7/13/2021
14	Comstock Township	6/22/2021	6/22/2021
15	Cooper Township	6/14/2021	6/14/2021
16	Kalamazoo Township	6/14/2021	6/14/2021
17	Oshtemo Township	6/22/2021	7/27/2021
18	Pavilion Township	6/14/2021	6/14/2021
19	Prairie Ronde Township	7/13/2021	7/13/2021
20	Richland Township	6/15/2021	6/15/2021
21	Ross Township		
22	Schoolcraft Township		
23	Texas Township	6/28/2021	6/28/2021
24	Wakeshma Township	8/2/2021	

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. 21-42

**RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT
C&D RECYCLING CENTER – TO THE KALAMAZOO COUNTY SOLID
WASTE MANAGEMENT PLAN**

Minutes of a regular meeting of the City Commission of the City of Kalamazoo held on August 2, 2021, at 7:00 o'clock p.m., local time, by electronic means.

PRESENT, Commissioners: Cunningham, Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

ABSENT, Commissioners: None

RESOLVED: that the Kalamazoo City Commission approves Amendment 1 – Waste Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.

The above resolution was offered by Commissioner Cunningham and supported by Commissioner Hess.

AYES, Commissioners: Cunningham, Hess, Knott, Praedel, Urban, Vice Mayor Griffin, Mayor Anderson

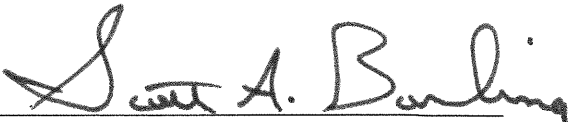
NAYS, Commissioners: None

ABSTAIN, Commissioners: None

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on August 2, 2021. Public notice was given and the meeting was conducted in compliance with the Michigan Open Meetings Act (PA 267 of 1976) as amended by PA 254 of 2020. Minutes of the meeting will be available as required by the Act.

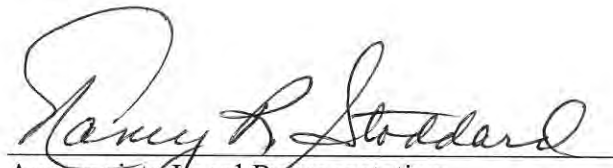

Scott A. Borling, City Clerk

RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

By action of the City Commission of the City of Parchment.

It is hereby resolved that we APPROVE Amendment 1 - Waste
(Approve/Disapprove)

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and it's Administrative Rules.


Appropriate Local Representative


Witnessed by

7/1/21
Dated

RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

By action of the Board/Commission/Council of City of Portage
(City/Township/Village)

It is hereby resolved that we Approve Amendment 1 - Waste
(Approve/Disapprove)

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.

Erica L. Eklov

Appropriate Local Representative
Erica L. Eklov, City Clerk

Venus M. Buller

Witnessed by
Venus Buller, Administrative Assistant

June 22, 2021

Dated

APPROVED AS TO FORM FOR CITY OF PORTAGE
BAUCKHAM, SPARKS, THALL,
SEEBER, & KAUFMAN, PC
By: CATHERINE P. KAUFMAN
On: Catherine Kaufman

6/15/2021

RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

By action of the Board/Commission/Council of The Village of Augusta
(City/Township/Village)

It is hereby resolved that we Approve Amendment 1 - Waste
(Approve/Disapprove)

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.

Shirley H. Clark
Appropriate Local Representative

W. H. Apple
Witnessed by

7-13-21
Dated

RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 - WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

By action of the Board/Commission/Council of Chimney, Michigan
(City/Township/Village)

It is hereby resolved that we APPROVE Amendment 1 - Waste
(Approve/Disapprove)

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.

James J. Tice
Appropriate Local Representative

Mike Wilson DPW
Witnessed by

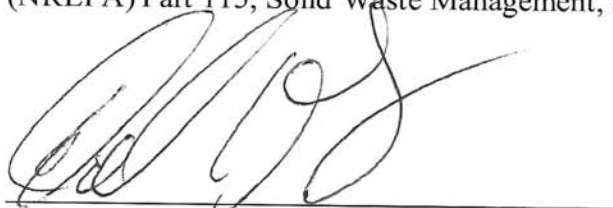
7-19-21
Dated

RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

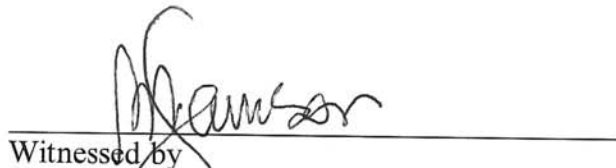
By action of the Board/Commission/Council of Village of Richland
(City/Township/Village)

It is hereby resolved that we Approve Amendment 1 - Waste
(Approve/Disapprove)

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.



Appropriate Local Representative



Witnessed by

6-14-2021

Dated

Resolution # 021-05

**VILLAGE OF SCHOOLCRAFT
KALAMAZOO COUNTY, MICHIGAN**

RESOLUTION NO. 2021-08

**RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C & D
RECYCLING CENTER – TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN**

By action of the Board/Commission/Council of The Village of Schoolcraft.

It is hereby resolved that we Approve Amendment 1 – Waste Not C & D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environment Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management , and its Administrative Rules.

Kevin M. D'Arcy, Village Clerk
Appropriate Local Representative

Charm. Futz
Witnessed by

June 28, 2021
Dated





Village of
Vicksburg

The Village with a Vision

126 N Kalamazoo Ave
Vicksburg, MI 49097
269-649-1919 ph
269-649-3997 fax
www.vicksburgmi.org

RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN


By action of the Board/Commission/Council of Village of Vicksburg it is hereby resolved that

we Approve via 7-0 roll call vote on June 28, 2021 Amendment 1 - Waste

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared

pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended

(NREPA) Part 115, Solid Waste Management, and its Administrative Rules.

 James P. Mallery
Appropriate Local Representative

 Michelle O. Morgan
Witnessed by

June 29, 2021
Dated



RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

By action of the Board/Commission/Council of Alamo Township
(City/Township/Village)

It is hereby resolved that we Approve Amendment 1 - Waste
(Approve/Disapprove)

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.

Gail VanderWeele
Appropriate Local Representative

Cindy Snyder
Witnessed by

6.14.21
Dated

RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

By action of the Board/Commission/Council of Brady Township
(City/Township/Village)

It is hereby resolved that we Approve
(Approve/Disapprove) Amendment 1 - Waste

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.

[Signature]
Appropriate Local Representative

[Signature]
Witnessed by

7.7.2021
Dated

RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

By action of the Board/~~Commission/Council~~ of Charleston Township
(City/Township/Village)

It is hereby resolved that we Approve Amendment 1 - Waste
(Approve/Disapprove)

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.

Jerry Vander Roest
Linda Kramer
Appropriate Local Representative

Brenda J. Schug
Witnessed by

6/29/21
Dated



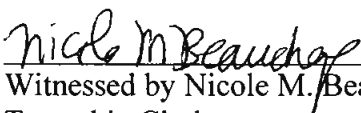
RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

By action of the Board/Commission/Council of Charter Township of Comstock
(City/Township/Village)

It is hereby resolved that we Approve Amendment 1 - Waste
(Approve/Disapprove)

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.


Randy L. Thompson
Township Supervisor


Witnessed by Nicole M. Beauchamp
Township Clerk

6/22/21
Dated

RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

By action of the Board/Commission/Council of Cooper Charter Township
(City/Township/Village)

It is hereby resolved that we Approve Amendment 1 - Waste
(Approve/Disapprove)

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.

DeAnna Ganssen
Appropriate Local Representative

Steve Adams
Witnessed by

June 16, 2021
Dated

CLERKS CERTIFICATE

I, DeAnna Janssen, Township Clerk of the Charter Township of Cooper, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Township Board at a regular meeting held pursuant to the Open Meetings Act on the 14th day of June, 2021.

Dated: June 16, 2021

DeAnna Janssen

DeAnna Janssen, Cooper Township Clerk

KALAMAZOO CHARTER TOWNSHIP

**RESOLUTION FOR THE APPROVAL OF AMENDMENT 1, WASTE NOT C&D
RECYCLING CENTER, TO THE KALAMAZOO COUNTY SOLID WASTE
MANAGEMENT PLAN**

It is hereby resolved to approve Amendment 1, Waste Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.

Motion was made by Clerk Miller and supported by Trustee Leuty to adopt the foregoing resolution.

Upon roll call vote the following voted "aye": Supervisor Donald D. Martin, Clerk Mark E. Miller, Treasurer Sherine M. Miller, Trustee Ashley Glass, Trustee Steven C. Leuty, Trustee Lisa Moiaery, and Trustee Clara D. Robinson.

The following voted "nay": None

The following was absent: None

The Supervisor declared the Resolution duly adopted.

CERTIFICATE

The undersigned, Mark E. Miller, the duly elected and acting Clerk of the Charter Township of Kalamazoo hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by the Township Board of Kalamazoo Township on June 14, 2021, the original of which resolution is on file in my office, at which meeting a quorum was present, that said meeting was conducted in accordance with the Open Meetings Act of the State of Michigan and that the members of said Board voted upon said Resolution as hereinbefore set forth and that the minutes of the meeting will be or have been made available as required by the Open Meetings Act.



Mark E. Miller, Clerk

1720 Riverview Drive

Kalamazoo, MI 49004

269-381-8080

**OSHTEMO CHARTER TOWNSHIP
COUNTY OF KALAMAZOO, MICHIGAN**

**RESOLUTION FOR THE APPROVAL OF AMENDMENT 1
–WASTE NOT C&D RECYCLING CENTER –
TO THE KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN**

Adopted: June 22, 2021

Effective: June 22, 2021

By action of the Township Board of the Charter Township of Oshtemo, it is hereby resolved that we Approve Amendment 1 - Waste Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules, as attached hereto.

Motion was made by **Cheri Bell** and seconded by **Zak Ford**, to adopt the foregoing Resolution.

Upon roll call vote the following voted "Aye":

Elizabeth Heiny-Cogswell, Dusty Farmer, Clare Buszka, Cheri Bell,
Kizzy Bradford, Kristin Cole, Zak Ford

The following voted "Nay":

None

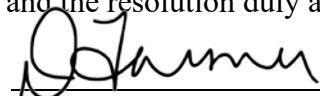
The following were Absent:

None

The following Abstained:

None

The Supervisor declared the motion carried, and the resolution duly adopted.



Dusty Farmer, Clerk
Oshtemo Charter Township

CERTIFICATE

STATE OF MICHIGAN)
) ss
COUNTY OF KALAMAZOO)

I Dusty Farmer, the duly appointed and acting Clerk of the Township of Oshtemo, hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a regular meeting of the Oshtemo Charter Township Board held, via permitted ZOOM video conference during COVID-19 public health crises as authorized by PA 254 of 2020, on June 22, 2021, which meeting was preceded by required notices under the Michigan Open Meetings Act, being 1976 PA 267; that a quorum of the Board was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.



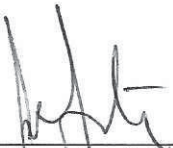
Dusty Farmer, Clerk
Oshtemo Charter Township

RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

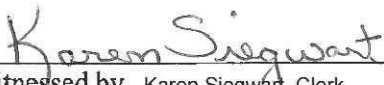
By action of the Board/Commission/Council of PAVILION TOWNSHIP
(City/Township/Village)

It is hereby resolved that we APPROVED Amendment 1 - Waste
(Approve/Disapprove)

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.



Appropriate Local Representative
John Speeter, Supervisor



Witnessed by Karen Siegwant, Clerk

June 14, 2021


Dated

RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

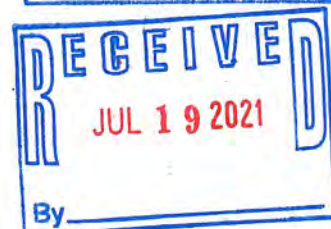
By action of the Board of Prairie Ronde Township

It is hereby resolved that we Approved Amendment 1 - Waste Not C&D Recycling Center,
to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural
Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115,
Solid Waste Management, and its Administrative Rules.


Appropriate Local Representative


Witnessed by

July 13, 2021
Dated





7401 North 32nd Street • Richland, Michigan 49083-9701
(269) 629-4921 • FAX (269) 629-5993

Resolution 21-06-20

RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 – WASTE NOT C&D
RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN

By action of the Board/Commission/Council of Richland Township
(City/Township/Village)

It is hereby resolved that we Approve Amendment 1 - Waste
(Approve/Disapprove)

Not C&D Recycling Center, to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the Natural Resources and Environmental Protection Act, 1994 PA451, as amended (NREPA) Part 115, Solid Waste Management, and its Administrative Rules.

Clerk Priest resolved to adopt the foregoing resolution, supported by Trustee Foust.

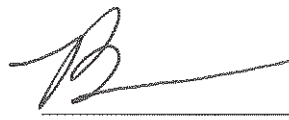
Ayes:

Drouin, Eldridge, Peter, Foust, Priest, Harma, Wendzel

Nyes:

None

The Resolution was adopted by a vote of 7 to 0.


BEAR PRIEST - CLERK
Appropriate Local Representative


Lynne Harma
Witnessed by

6-15-2021
Dated



CHARTER TOWNSHIP OF TEXAS

RESOLUTION NO. 21-22

**RESOLUTION FOR THE APPROVAL OF AMENDMENT 1 –
WASTE NOT C&D RECYCLING CENTER - TO THE
KALAMAZOO COUNTY SOLID WASTE MANAGEMENT PLAN**

At a meeting of the Township Board of the Charter Township of Texas, Kalamazoo County, Michigan, held by electronic means on June 28, 2021 at 6:00 p.m.

PRESENT: Beutel, Boven, Hammon, Loeks, Mazer and Roberts

ABSENT: Kerr

the following resolution was offered by Loeks and supported by Mazer.

By action of the Board/Commission/Council of the Charter Township of Texas,
It is hereby resolved that we approve Amendment 1 - Waste Not C&D Recycling Center,
to the Kalamazoo County Solid Waste Management Plan, prepared pursuant to the
Natural Resources and Environmental Protection Act, 1994 PA451, as amended
(NREPA) Part 115, Solid Waste Management, and its Administrative Rules.

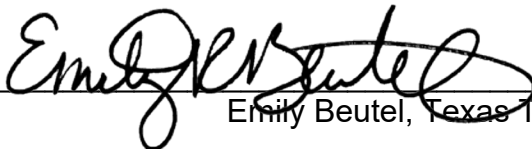
YEAS: Beutel, Boven, Hammon, Loeks, Mazer and Roberts

NAYS: None

THE RESOLUTION WAS DECLARED ADOPTED.

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting Township Clerk of the Charter Township of Texas, Kalamazoo County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board at a meeting held on the 28th day of June 2021, at 6:00 p.m.



Emily Beutel, Texas Township Clerk

Section 7

Solid Waste Management Planning Committee

List of members and areas of expertise

Kalamazoo County Solid Waste Management Planning Committee	
NAME	Area of Representation
Lee Adams	Regional Solid WastePlanning Agency
Emily Bridson	Solid Waste Management
Rebekah Kik	City Government
Chandler Lyons	General Public
Roxanne Myles	General Public
Chris Phillips	Solid Waste Management
Eric Shafer	Solid Waste Management
Jeff Sorensen, Chairperson	Township Government
Steve Taplin	Solid Waste Management
Roger Tuinier	County Government
Chad Visser	General Public
Andy Wichman	Industrial Waste Generator
Vacancy	Environmental Interest Group
Vacancy	Environmental Interest Group
Rachael Grover, Director Kalamazoo County Planning & Development	Designated Planning Agency Contact