

CLINTON COUNTY BOARD OF COMMISSIONERS



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Diane Zuker

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Chairperson

Larry Martin

Vice-Chairperson

Robert Showers

Members

Jack Enderle

Eileen Heideman

Terry Link

Paul McNamara

David Pohl

CLINTON COUNTY RESOLUTION 2007-19

TO ENSURE PARITY IN USE OF COUNTY RESOURCES FOR RECYCLING AND WASTE MANAGEMENT INITIATIVES

At a regular meeting of the Board of Commissioners of the County of Clinton, Michigan, held at the County Building in St. Johns, Michigan on the 27th day of November 2007, at 9:00 o'clock a.m. local time.

PRESENT: Commissioners: David Pohl, Larry E. Martin, Paul McNamara, Jack Enderle, Robert E. Showers, Eileen Heideman and Terry Link.

ABSENT: Commissioners: None

It was moved by Commissioner Showers and supported by Commissioner Pohl that the following resolution be adopted.

WHEREAS, The State of Michigan, in May 2007, adopted an updated Solid Waste Management Policy which establishes a 50% waste utilization goal to be attained thru recycling, composting and other management technologies; and

WHEREAS, the Clinton County Board of Commissioners ("BOARD") on behalf of Clinton County ("COUNTY"), has adopted a Solid Waste Management Plan ("PLAN") pursuant to state law, incorporating similar recycling goals, both of which were approved by all local units ("LOCAL UNITS") of government within the COUNTY as well as the Michigan Department of Environmental Quality; and

WHEREAS, the attainment of the PLAN and subsequent recycling and waste utilization goals requires a substantial governmental contribution for the purposes of planning, administration, education, outreach, and funding of contractual services; and

WHEREAS, all LOCAL UNITS and households in the COUNTY bear a share of the responsibility for the residential waste generated in the COUNTY each day; and

WHEREAS, the COUNTY has enacted Act No. 138 of the Public Acts of 1989 ("ACT 138"), which provides a legal funding mechanism for all LOCAL UNITS to generate funds to finance recycling services thru an annual surcharge of occupied residential dwellings of not more than \$25.00 per household per year; and

WHEREAS, the COUNTY has a responsibility to ensure that funds generated to implement the PLAN goals are used in a fair and equitable manner to the benefit of the whole of its residents and not favor any the LOCAL UNITS in particular; and

WHEREAS, the COUNTY has been the primary financier of the services provided by the St. Johns Lions Club Recycling Center (“RECYCLING CENTER”) since 1996, and the RECYCLING CENTER is known to provide recycling services to a number of LOCAL UNITS who do not otherwise provide adequate funding for recycling services utilized by their residents; and

WHEREAS, on April 25, 2006 the COUNTY adopted Resolution 2006-14 to encourage shared funding for recycling services and directed its Waste Management Coordinator to seek participation from those LOCAL UNITS whose residents use, and are in the vicinity of, the RECYCLING CENTER, but who do not currently provide for adequate funding for the services utilized by their residents; and

WHEREAS, those LOCAL UNITS targeted for participation include the townships of Bengal, Bingham, Duplain, Essex, Greenbush, Olive and Riley (“DESIGNATED LOCAL UNITS”); and

WHEREAS discussions with the DESIGNATED LOCAL UNITS have been ongoing but have not resulted in commitments to share in funding the RECYCLING CENTER;

NOW, THEREFORE, BE IT RESOLVED: that in order to ensure parity in the use of COUNTY resources for recycling and other waste management initiatives the BOARD strongly advises that the DESIGNATED LOCAL UNITS enter into an Interlocal Agreement with the COUNTY to share in funding responsibilities for the RECYCLING CENTER; and

BE IT FURTHER RESOLVED: that those DESIGNATED LOCAL UNITS adopt ACT 138 if they are unable to utilize general fund dollars to finance their cost share commitment; and

BE IT FURTHER RESOLVED: that the BOARD authorizes the extension of the contract between the COUNTY and the St. Johns Lions Club thru December 31, 2008 at a flat rate of \$10,000; and

BE IT FURTHER RESOLVED: that the BOARD does not intend to continue to contract with the St. Johns Lions Club to operate the RECYCLING CENTER unless a cost share commitment is made by the DESIGNATED LOCAL UNITS.

YEAS: Commissioners: Enderle, Pohl, Showers, McNamara, Link, Heideman and Martin.

NAYS: Commissioners: None

ABSTENTIONS: Commissioners: None

RESOLUTION ADOPTED:

Diane Zuker, Clinton County Clerk