

Heartland Material Management Planning Committee By-Laws

ARTICLE I

NAME

This organization shall be known as the Heartland Material Management Planning Committee, further known as Heartland MMPC. This organization will be a regional planning committee including the Counties of: Clare, Gladwin, Gratiot, Isabella, Mecosta, Midland, Ogemaw, and Osceola.

ARTICLE II

OFFICE

The office and mailing address of the Heartland Material Management Planning Committee shall be: Director, Operations Supervisor, Regional DPA, Isabella County Material Recovery Facility, 4208 E. River Rd., Mt. Pleasant, MI 48858

ARTICLE III

PURPOSE AND FUNCTION

Section 1. Purpose

The purpose of this organization, in accordance with the State of Michigan's Materials Management Program pursuant to Subpart 11 of Part 115 of the Natural Resources and Environmental Protection Act of the Michigan Acts of 1994, as amended (the "Act"), is to:

- A. Implement a new Materials Management Plan (MMP) that will focus on sustainable material management approaches such as recycling and composting instead of landfilling waste; and
- B. Provide recommendations and guidance to the Director of the Isabella County Material Recovery Facility who shall serve as the Regional Designated Planning Agency (DPA) pursuant to the Act; and
- C. Provide information to each designated County Approval Agency (CAA) through the Regional DPA and each designated County DPA, as directed under the Act and the MMP; and
- D. Provide a new MMP to the State of Michigan and the CAA pursuant to the terms and conditions of the Act.

Section 2. Function

The function of the MMPC is to:

- A. Meet on a consistent and timely basis to provide recommendations and guidance to the Regional DPA for the Work Plan that is to be submitted to the State of Michigan.
- B. Review and approve the Regional Work Plan.
- C. Provide guidance and recommendations for all issues identified in Part 115 of the Act to the Regional DPA.
- D. Shape the MMP program's philosophy and long- and short-term goals and objectives.

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- E. Provide the final level of approval of the MMP before it is presented for CAA approval.

Section 3. Establishment: Voting Members

The Heartland Materials Management Planning Committee shall consist of the following:

- The eleven (11) municipal members matching the criteria listed in Sec. 11572(4) of the Act.
- Each county may have one representative DPA, one business that produces waste, and one elected official from their county or municipality, not to exceed three from any one municipality.
- In the case of a tie vote, Regional DPA will make a final and binding decision.

Section 4: Term of Office

All MMP Committee members shall serve for five (5) years. Changes, such as re-appointment, removal, or acceptance of a MMP Committee member will be by a majority vote of the County Board of Commissioners (BOC) of the County which they represent.

In case of a vacancy or change in status, all members shall continue to serve until a successor is duly appointed in the same manner as the original appointment for the duration of the unexpired term.

Section 5: Resignation

A member will indicate their intent to resign, in writing, with an effective date of resignation to the BOC of the County which they represent and the Regional DPA. The Regional DPA will provide a copy to the Municipal Committee within three (3) business days of receiving notice.

Each committee member shall provide the Regional DPA at least two (2) weeks' notice before any such resignation shall become effective.

ARTICLE IV

POSITIONS AND DUTIES

Section 1: Positions

Regional Designated Planning Agent (RDPA) - Director of Isabella County Material Recovery Facility.

County Designated Planning Agent (CDPA) - Appointed by each County BOC Approval Agency which they represent.

MMPC Elected Official - Designated by County BOC which they represent.

MMPC Chairperson- Voted by majority vote of Heartland MMPC and must be a CDPA or Elected Official.

MMPC Secretary- Voted by majority vote of Heartland MMPC and must be a CDPA or Elected Official.

Section 2: Duties

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Regional Designated Planning Agent- Director or Operation Supervisor of Isabella County Material Recovery Facility.

- Communicate with all County DPAs all upcoming deadlines and requirements that they need to be aware of.
- Provide monthly update of project status.
- Provide support of County DPA/MMPC members.

County Designated Planning Agent- Designated by each County BOC Approval Agency

- Actively communicate as requested by Regional DPA in regards of time sensitive matters.
- Communicate with respective CAA the status of MMP.
- Post meeting notifications within County.
- Participate in Municipal Committee.

Designee

- Designated to vote ONLY in the absence of County DPA in Municipal Committee votes.

Materials Management Planning Committee- Chairperson (three (3) year term)

- Voted into office by Municipal committee majority.
- Term is limited to two (2) consecutive terms in any given six (6) year period.
- Responsible for creating agenda at least seven (7) calendar days prior to meeting and send to Secretary for disbursement.
 - MMPC members may add to the agenda at the approval of the chair.
- Communicate with members for issues that may need to be addressed on the agenda.
- Work with secretary to set agenda.

Material Management Planning Committee- Secretary (three (3) year term)

- Designated by Municipal Committee majority vote.
- Term is limited to two (2) consecutive terms in any given six (6) year period.
- Responsible for sending previous month's minutes and agenda to MMPC members at least ten (10) business days prior to scheduled meetings for review.
- Agenda/minutes will be sent to website for update.
- Take minutes of all meetings- if unable to attend- find coverage.

Materials Management Planning Committee Members- Term five (5) years-

- Designated by Municipal Committee.
- Collaborate with other members to move the MMP process forward.
- Regularly attend meetings.

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ARTICLE V

COMMITTEES

Section 1: Committees in General

The Chair and Regional DPA shall identify the necessity of any additional committees to assure the proper conduct of business. Standing committees are the Municipal Committee and Education/Economic Development Committee.

Section 2: Municipal Committee

The Municipal Committee shall be composed of County DPAs or their designee from each of the eight (8) Counties. The Municipal Committee shall be responsible for filling/removing/seating the MMPC. In the event of a tie vote, Regional DPA makes the final decision.

The Municipal Committee shall review the recommendations and advice of the MMP and shall provide feedback to the Regional DPA and the MMP regarding the Plan as defined in the Act. The concerns and recommendations of the Municipal Committee shall be formally transmitted to the MMP. This committee is responsible for, and acts as, an Executive Committee as needed.

Section 3: Education and Economic Development Committee

The Education and Economic Development Committee shall be chaired by the Regional DPA and will consist of a minimum of one (1) MMPC member. The Education and Economic Development Committee will provide feedback, recommendations, and advice regarding the development of education and economic business necessary to implement the plan.

ARTICLE VI

Meetings

Section 1: Regular meetings

Regular meetings of the Heartland Material Management Planning Committee will be held on a timely and consistent basis and open to the public. Meetings will be held at a rotating location on the 3rd Friday of each month.

Meetings shall comply with Michigan's Open Meetings Act and will be held in person, and via zoom (for the benefit of the public). Voting can only take place in person per the Open Meetings Act.

Section 2: Notice of Meetings

Written notice of meetings shall be electronically mailed to each member of the MMPC at least ten (10) business days prior to the date of each regular meeting. A schedule of the Committee Meeting Dates will be posted on each County's website- updated by the Committee Secretary to each County's designee for updating on each county's website.

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Section 3: Special Meetings

With a 48- hours' notice to MMPC membership, special meetings may be requested by the Regional DPA.

Section 4: Quorum

A quorum will consist of a simple majority of current voting members.

Section 5: Conducting Business

Business shall be conducted in accordance with Robert's Rules of Order and any applicable laws or regulations of state and federal law. All meetings shall be held in full compliance with Michigan's Open Meetings Act, MCL 15.261 *et seq.* Public notice of time, date, and place of meetings shall be posted in the manner required by Michigan's Open Meetings Act.

Section 6: Voting

- A. Except for business conducted by the Municipal Committee, each member of the MMPC has one vote. There is no proxy voting.
- B. Each member shall be present during the motion and discussion of the voting issue at hand to be eligible to vote.
- C. If circumstances prevent a member from being physically present, a member may participate in the discussion by teleconference or video conference only if authorized to do so under Michigan's Open Meetings Act.

Section 7: Conflict of Interest

Potential Members of the MMPC shall:

- A. Disclose any financial conflict of interest with all member counties prior to being seated.
- B. Be required to sign the Heartland MMPC Ethics and Conflict forms.

ARTICLE VII

MEETINGS

These by-laws may be amended by the Municipal Committee by presenting proposed adjustments to the MMPC at least seven (7) calendar days prior to the next scheduled meeting. Each proposed amendment shall be openly debated and may have feedback provided to the Regional DPA before the amendment is voted on.

ARTICLE VIII

ADOPTION

These By-Laws shall become effective October 1, 2024, and stay in effect until the 31st day of December 2024, and from year-to-year thereafter as presented or revised by a majority vote of the MMPC.

Date Adopted: _____

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Signatures:

Regional DPA- Director of Isabella County Material Recovery Facility Date _____

Clare County DPA- Date _____

Gladwin County DPA- Date _____

Dave Owens

Gratiot County DPA- Date 2/18/25

Isabella County DPA- Date _____

Mecosta County DPA- Date _____

Midland County DPA- Date _____

Ogemaw County DPA- Date _____

Osceola County DPA- Date _____