

**CHEROKEE COUNTY**

**RESOLUTION NUMBER 19-2014**

**A RESOLUTION ADOPTING THE REVIEW AND REVISION OF CHEROKEE COUNTY SOLID WASTE MANAGEMENT PLAN.**

**WHEREAS**, The Southeast Kansas Solid Waste Authority (SEKSWA) Solid Waste Management Plan, and the Solid Waste Management Plans of Allen, Bourbon, Cherokee, Crawford, Labette, Neosho, Wilson, and Woodson Counties contained therein, were approved by the Kansas Department of Health and Environment on March 28, 1996; and,

**WHEREAS**, K.A.R. 28-29-80 requires that the Solid Waste Management Plan be reviewed annually and the county commission submit the review to the Department of Health and Environment; and,

**WHEREAS**, K.A.R. 28-29-81 requires that the Solid Waste Management Plans be reviewed and revised by the Solid Waste Management Committee within five years of the original Solid Waste Management Plan approval date or within five years of the previous five-year review approval date, whichever is more recent, and the county commission or Solid Waste Management Committee submit that review to the Department of Health and Environment; and,

**WHEREAS**, K.A.R. 28-29-78 requires the Solid Waste Management Committee develop a new Solid Waste Management plan if a region dissolves; and,

**WHEREAS**, K.A.R. 28-29-82 requires a Solid Waste Management Committee revise the Solid Waste Management Plan if the availability of waste collection services within the planning area has been reduced or expanded for some or all waste generators and that revision be submitted to the Department of Health and Environment for consideration; and,

**WHEREAS**, the State Plan was completed on December 2, 1996, the SEKSWA Solid Waste Management Plan, and the Solid Waste Management Plans of Allen, Bourbon, Cherokee, Crawford, Labette, Neosho, Wilson, and Woodson Counties contained therein must be reviewed no later than December 2, 1997 and annually thereafter; and,

**WHEREAS**, the Governing Body of the SEKSWOA has previously submitted to the Secretary of the Kansas Department of Health and Environment a NOTICE OF REVIEW AND REVISION OF SOLID WASTE MANAGEMENT PLANS, as adopted by the Governing Bodies of Allen, Bourbon, Cherokee, Crawford, Labette, Neosho, Wilson and Woodson Counties, in compliance with the Solid Waste Management Plan review requirements of K.S.A. 28-29-82 to be effective December 2, 1997; and,

**WHEREAS**, there are no official land-use planning agencies within the area covered by the Solid Waste Management Plan.”

**WHEREAS**, CHEROKEE COUNTY has subsequently reviewed the Solid Waste Management Plan that was in effect for the county and SEKSWOA on December 2, 1997 and revised the plan through completion of the five-year worksheet for the following reasons:

- The SEKSWOA has recently dissolved;
- An annual review is timely;
- A five-year review is timely;
- A Municipal solid Waste collection dumpster (<20 yd<sup>3</sup>) for county residents has been installed at B-3 C&D Landfill.

**WHEREAS**, K.A.R. 28-29-81(b) and K.S.A. 65-3405 require the county commission hold a public hearing at least every five years on the county or regional solid waste management plan, including review of projected solid waste management practices and needs for a 10-year planning period; and,

**WHEREAS**, a public hearing was held on October 27, 2014 with notice published in the Cherokee County News Advocate on October 8, 2014 regarding the Solid Waste Management Committee's five-year review and proposed revisions to the Solid Waste Management Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF CHEROKEE COUNTY**, that the governing body adopts the Solid Waste Management Committee's review and revision of the Solid Waste management plan.

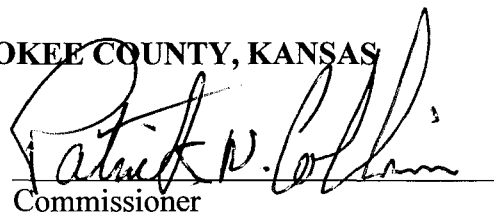
**BE IT FURTHER RESOLVED**, the revised Solid Waste Management plan will be submitted to the Kansas Department of Health and Environment by the county commission or by the Solid Waste Management Committee.

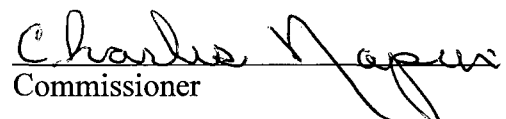
**BE IT FURTHER RESOLVED**, the county commission shall ensure that the approved revisions of the Solid Waste Management Plan are incorporated in public copies of the plan maintained in accordance with K.A.R. 28-29-77.

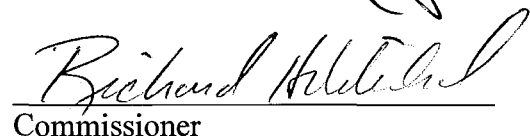
**BE IT FURTHER RESOLVED**, in accordance with K.A.R. 28-29-80, the Solid Waste Management Committee will conduct the next annual review of the Solid Waste Management Plan by October 2015.

**ADOPTED BY THE GOVERNING BODY OF CHEROKEE COUNTY, KANSAS**

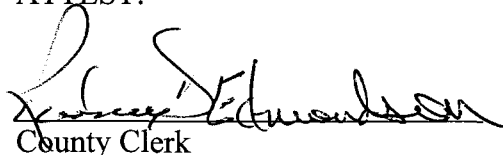
October 27, 2014.

  
Commissioner

  
Commissioner

  
Commissioner

ATTEST:

  
County Clerk