

**MEMORANDUM OF UNDERSTANDING
FOR SOIL EROSION SERVICES**

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The County of Alpena (hereinafter referred to as the "County") and Donald H. Gilmet - Gilmet Construction Services of 220 E. Crapo Street, Alpena, MI 49707, an Independent Contractor (hereinafter referred to as the "Independent Contractor") have entered into a Memorandum of Understanding for Soil Erosion Services beginning July 1, 2019 through June 30, 2021.

THE COUNTY AGREES:

- 1) To retain the responsibility of providing legal assistance as needed for:
 - a. Prosecution for failure to comply with Part 91 of Public Act 451 of 1994.
 - b. Any other litigation resulting from involvement in administration of Part 91 of Public Act 451 of 1994 and to hold harmless and assume responsibility for any legal costs or judgements against, arising from Part 91 of Public Act 451 of 1994.
 - c. Full liability coverage under the County's Errors and Omissions policy and other insurance coverages as it relates to the activities in the administration of Part 91 of Public Act 451 of 1994.
- 2) To adopt an annual budget.
- 3) To provide financial support to the Independent Contractor for administration of Part 91 of Public Act 451 of 1994. Soil Erosion applications are available at the MSU office. Once completed, they are returned to the MSU office, where the fee is collected. All fees are deposited with the County Treasurer monthly, 90% of those fees collected shall be paid to the Independent Contractor and 10% of those fees will be retained with the County of Alpena. Revenues and expenses to be used exclusively for this program.
- 4) To establish permit fees with the concurrence of the Alpena County Board of Commissioners.

THE INDEPENDENT CONTRACTOR AGREES:

- 1) To keep the County informed (upon request) of applications received and permits issued for projects subject to this Memorandum of Understanding under Part 91 of Public Act 451 of 1994.
- 2) To handle all applications, issue permits, inspect sites and to provide needed technical advice for applicants and permit holders.
- 3) To maintain current standards and specifications for correct soil erosion and sedimentation control.

Brad McRoberts, Board Chairman
Alpena County Board of Commissioners

Date

Donald H. Gilmet, Gilmet Construction Services
Independent Contractor

Date

Alpena County

Erosion Control Permit Fee Schedule

Transportation Facilities

To include but not limited to: streets, highways, roadways - public/private, trails and paths.

	<u>Plan Review</u>	<u>Permit Fee</u>	<u>Total</u>
Up to ½ mile	Included	\$145.00	\$145.00
Disturbance of ½ mile	Included	\$177.00	\$177.00
Each additional ½ mile or fraction thereof	Included	\$ 53.00	\$ 53.00

Industrial/Commercial Development

Review fees included in permit fee along with 3 inspections included in fee.

Up to one acre	included	\$225.00	\$225.00
Each additional acre	included	\$ 75.00	\$ 75.00

Commercial projects, greater than one acre, require sealed, engineered site plans with runoff calculations, and either a signed letter of acknowledgment or a letter of credit. If the inspector feels that it is necessary to have a professional engineer review the plans submitted to the County, all review costs will be paid for by the developer.

Utility and Corridor Development

To include but not limited to: underground cables, above ground major transmission cables, water mains and sewers.

0-3 feet wide disturbance	\$ 0.01	\$ 0.01	\$ 0.02
4-10 feet wide disturbance	\$ 0.02	\$ 0.02	\$ 0.04
>10 feet wide disturbance	\$ 0.04	\$ 0.04	\$ 0.08

Gravel and Sand Pit Excavation

To include any open pit greater than one acre in size, active or inactive. Generally a five year permit may differ if a signed agreement is made with the agent in advance.

Sand/Gravel Pit	\$134.00	\$37.00 x 5	\$319.00
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Waterway Impoundment Construction or Improvements

To include but not limited to: ponds, seawalls, rip rap, etc.

Up to one acre	\$ included	\$145.00	\$145.00
Disturbance of one acre	\$ included	\$177.00	\$177.00
Additional acre or fraction thereof	\$ included	\$ 53.00	\$ 53.00

Septic Systems

To include septic system installation, replacement or repair not associated with other earth change activities.

Septic System	\$ included	\$ 27.00	\$ 27.00
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Residential Construction and Miscellaneous Earth Changes

To include all single family dwellings, additions, barns, garages and subjects not covered by or within the above categories. 3 inspections included in fee.

Up to one acre	Included	\$125.00	\$125.00
Each additional acre	Included	\$ 50.00	\$ 50.00

* Additional Site Inspections for any permit, beyond three, will be charged at a rate of \$50.00 per visit and will be billed to the landowner at the expiration of the permit.

Any projects, one acre or larger, with a storm water collection, or discharge point may require a storm water operator for the duration of the project. Any project five acres or larger shall require a certified storm water operator for the duration of the project.

MAKE CHECK PAYABLE TO: Alpena County Soil Erosion