

ALPENA COUNTY BOARD OF COMMISSIONERS

BOARD ACTION #07

TO: County Clerk, County Treasurer
FROM: Alpena County Board of Commissioners
SUBJECT: Soil Erosion Service Agreement Addendum


BOARD ACTION:

ACTION ITEM #5: Recommendation to approve the Soil Erosion Service Agreement term extension through June 30, 2025, or until a replacement contractor is found as presented.

Moved by Commissioner Francisco and supported by Commissioner Fournier to approve the addendum to the Soil Erosion Service Agreement as presented. Motion carried.

This action was XX APPROVED DISAPPROVED

BY: Ayes: 7 Nays: 0 Excused: 1 Absent: 0 Abstaining: 0

Alpena County Board Chairman's Signature:  _____

Alpena County Board Vice-Chairman's Signature: _____

Date of the Board Meeting: August 27, 2024

Addendum to Extend Contract

between

County of Alpena

And


Mike Kieliszewski

This Addendum is made to the Agreement between the County of Alpena and Mike Kieliszewski executed January 26, 2021, and now amended by mutual agreement by the parties as follows:

1. Contract Term Extension – The Contractor’s current contract with the County of Alpena shall extend until June 30, 2025.

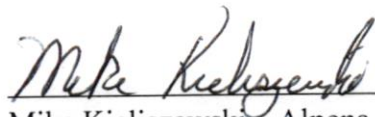
All other terms and conditions remain unchanged and in effect. This Addendum and any/all preceding amendments to the Agreement are hereby incorporated by reference into the original Agreement executed January 26, 2021, as if fully rewritten therein.

Executed on August 27, 2024



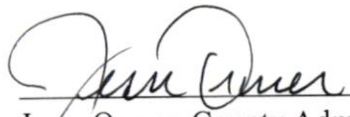
John Kozlowski, Board Chairman
Alpena County Board of Commissioners

Date: 8/28/2024



Mike Kieliszewski – Alpena, MI 49707
Independent Contractor

Date: 8/27/2024



Jesse Osmer, County Administrator
County of Alpena

Date: 8/27/24

**MEMORANDUM OF UNDERSTANDING
FOR SOIL EROSION SERVICES**


The County of Alpena (hereinafter referred to as the "County") and Mike Kieliszewki, 7066 LaComb Road, 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 January 26, 2021 through December 31, 2023.

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:

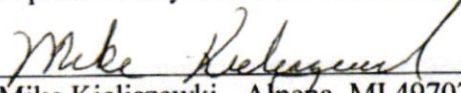
- 1) To keep the County informed (upon request) of applications received and permits issued for projects subject to this Memorandum of Understanding under Part 91 of Public Act 451 of 1994.
- 2) To handle all applications, issue permits, inspect sites and to provide needed technical advice for applicants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



Robert Adrian, Board Chairman
Alpena County Board of Commissioners

1-26-21

Date



Mike Kieliszewki - Alpena, MI 49707
Independent Contractor

January 25, 2021

Date