

**COWDEN LAKE
LAKE IMPROVEMENT BOARD
HEARING OF PRACTICABILITY & REVIEW OF APPORTIONMENTS
July 12, 2023**

A special meeting of the Cowden Lake, Lake Improvement Board was held in the Maple Valley Township Hall, 4662 N Bailey Rd., Coral, Michigan on the 12th day of July 2023, at 6:00 p.m.

The hearing of practicability was called to order by Todd McClelland at 6:00 p.m.

PRESENT: Todd Sattler – Secretary/ Drain Commissioner
Todd McClelland – Chairperson
Jerry Wright – Abutting Property Owner’s Representative
Victor Matulis – Maple Valley Township Representative
ABSENT: Pat Carr – Board of Commissioner’s Representative

ALSO

PRESENT: Rick Buteyn – Progressive AE
Anne Gaylord & Sara McGill – MCDC
See attached for resident list

Chairman McClelland introduces the lake board members.

A motion was made by Victor and seconded by Todd S to accept the minutes of the June 5, 2023; meeting as presented. Motion carried.

Todd S explained the procedures of the Hearing of Practicability and the Review of Apportionments and the necessity of both hearings.

Presentation

Rick provided a presentation to the residents regarding what Progressive does for the lake. He provided a budget of \$25,000.00 to the Board. He provided information on the types of chemicals that are used in the lake and what species they are used to target. Rick noted that the scope of the program is to target invasive exotic species and not native plants. He advised that Starry Stonewort has not been found in Cowden Lake yet, but he anticipates that it will be there within the next five years.

The chairman opened the meeting up to the public for questions and comments.

Carrie Edgerle asked why they don’t still harvest the lake with the big harvester. The Board responded that the harvesting was not effective and caused more weeds than it removed. Rick advised that harvesting used to just clean cut the lake and that would remove both native and invasive weeds. Harvesting for native weeds is good, but bad for invasive species. He added that harvesting doesn’t require additional permitting and could allow them to remove native

species that are closer to the shore. He noted that the Southern area of the lake would be a good spot to harvest. Rick told the Board that they would not be able to complete harvesting this year but could budget and bid it out for future years and added that harvesting is usually done at a cost of 450-500 an acre.

Carrie asked about the safety of the chemicals that are being used to treat the lake and asked if certain houses are able to opt out of treatment. Rick said that they treat the lake as a whole and would not be able to exclude specific properties.

Ed Powell noted that the number of fish in the lake has decreased and asked if that was due to the chemicals. He also asked if they are able to plant native plants to replace the invasive plants that are being removed. Rick stated that the decrease in fish over the lake is more likely due to the development around the lake as opposed to the chemicals being used. He also noted that there have been companies in the past that tried to plant native species with limited success.

John Finkhouse added that he thinks the fishing is great and they are getting bigger fish than they ever have.

Vickie Finkhouse asked what they could do to increase the communication around the lake since most residents are not a part of the association or even aware that the LIB exists. Rick advised that every resident on the lake received notice of the Public Hearing and all receive the treatment notices. Todd M would like to encourage everyone around the lake to talk about the lake and spread information that way.

The Hearing of Practicability was closed by the chairperson.

The Resolution to Proceed with Improvements was offered for approval to the Lake Board.

**RESOLUTION TO PROCEED WITH
IMPROVEMENTS TO COWDEN LAKE**

At a special meeting of the Cowden Lake, Lake Improvement Board held in the Maple Valley Township Hall, 4662 N Bailey Rd., Coral, Michigan, on the 12th day of July 2023, at 6:00 p.m.

PRESENT: Sattler, Wright, Matulis, McClelland

ABSENT: Garr

The following resolution was offered by member Sattler and seconded by member Wright.

WHEREAS, a public hearing was held on the lake improvement program for Cowden Lake; and

WHEREAS, it is the desire of the Cowden Lake, Lake Improvement Board to proceed with implementation of improvements to the lake as described in the attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Lake Board hereby determines that the proposed improvements are practical, and it confirms its intent to proceed with the improvements.
2. The Lake Board hereby approves the lake improvement plan and the estimate of costs for the improvements as shown on the attached Exhibit A.
3. This resolution shall be published in a newspaper of general circulation in Montcalm County. The petition shall not, thereafter, be subject to attack except in an action brought in a court of competent jurisdiction within 30 days after publication.


ADOPTED: AYES: 4
 NAYS: 0

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN }
 } ss
COUNTY OF MONTCALM }

I, Todd Sattler, Secretary/Treasurer of said Cowden Lake, Lake Improvement Board, do hereby certify that this is a true and correct copy of a resolution adopted by the Lake Board at a meeting held on the 12th day of July 2023. Public notice of said meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand, this 12th day of July 2023.



Todd Sattler, Secretary/Treasurer
Cowden Lake, Lake Improvement Board

**COWDEN LAKE
MAPLE VALLEY TOWNSHIP
WEED CONTROL PROGRAM EXHIBIT A
2024 - 2028
SPECIAL ASSESSMENT ROLL
2023 - 2027**

IMPROVEMENT	ANNUAL COST
Aquatic Plant Control	\$16,000
Lake Management Consulting	\$7,500
Goose Round-Up	\$750
Administration and Contingency	\$2,750
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TOTAL	\$27,000
Less Existing Surplus	(\$2,000)
Total Annual Assessment	\$25,000

Lake management services would be provided by the Cowden Lake Improvement Board's consultant. The consultant would be responsible for preparing contract documents for the plant control program, conducting GPS-guided surveys of the lake to determine the scope of work to be performed by the plant control contractors, and conducting follow-up surveys to evaluate contractor performance. The consultant would report to the lake board and maintain a written record of the timing, scope and cost of plant control activities. Consultant administrative services would include periodic attendance at meetings, the review and processing of contractor invoices, and assistance with public hearing proceedings.

Management of the goose population will be conducted to control nuisance geese on the lake.

Project administration and contingency would be used for lake board administrative expenses, unforeseen project-related expenses, and any direct costs incurred by the Cowden Lake Improvement Board.

BENEFIT FACTORS

USE AND SIZE FACTORS

Direct

1

The hearing for the review of apportionments was called to order by Chairman McClelland at 6:34 p.m.

Presentation of Special Assessment Roll

Todd S presented the tax roll and explained the benefit factor used to determine the amount to assess each parcel.

Chairman McClelland opened the hearing up for questions and comments from the public.

Gary Holland asked about people who have a parcel on the lake with a house and a parcel off the lake with a pole barn. Todd S noted that only lakefront parcels are being assessed in this roll.

John Finkhouse asked if combinations are done at the County of Township level. Todd S advised that combinations are done through the Township Assessor first before they go to any municipality.

The Review of Apportionments, the hearing was closed by the chairperson.

The Resolution Confirming the Special Assessment Roll was offered for approval by the Lake Board.

**RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL
AND DIRECTING THE COLLECTION OF SPECIAL ASSESSMENTS
FOR IMPROVEMENTS TO COWDEN LAKE**

At a special meeting of the Cowden Lake, Lake Improvement Board held in the Maple Valley Township Hall, 4662 N Bailey Rd., Coral, Michigan, on the 12th day of July 2023, at 6:00 p.m.

PRESENT: Sattler, Matulis, Wright, McClelland

ABSENT: Carr

The following resolution was offered by member Sattler and seconded by member Wright.

WHEREAS, the Lake Board, after due and legal notice, has reviewed the Special Assessment Roll prepared for the purpose of assessing the cost of certain lake improvements to Cowden Lake against benefitting properties; and

WHEREAS, the Lake Board has adopted the benefit factor formula as described in the attached Exhibit A.

WHEREAS, the Lake Board deems said Special Assessment Roll to be fair and equitable;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Special Assessment Roll shall be designated as Cowden Lake Special Assessment Roll. (2023 - 2027)
2. Said Special Assessment Roll in the amount of \$125,000.00 is hereby confirmed.
3. The assessments in said Special Assessment Roll shall be payable in 5 annual installments with the first installment of \$25,000.00 to be due on December 1, 2023, and payable without penalty through February 14, 2024. Subsequent installments of \$25,000.00 shall be due on or before the 1st day of the December of each year thereafter and are payable without penalty through the 14th day of the February of each year thereafter.
4. The assessments made in said Special Assessment Roll are hereby ordered and directed to be collected, and the Township Clerk of Maple Valley Township shall deliver said Special Assessment Roll to the Township Treasurer, with his/her warrant attached, commanding the treasurer to collect the assessments therein in accordance with the directions of the Lake Board, and the treasurer is directed to collect the amounts assessed as the same become due.

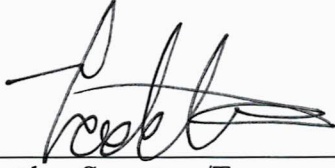
ADOPTED: AYES: 4
NAYS: 0

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN }
COUNTY OF MONTCALM } ss

I, Todd Sattler, Secretary/Treasurer of said Cowden Lake, Lake Improvement Board, do hereby certify that this is a true and correct copy of a resolution adopted by the lake board at a meeting held on the 12th day of July 2023. Public notice of said meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan 1976, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand, this 12th day of July 2023.

A handwritten signature in black ink, appearing to read 'Todd Sattler', written over a horizontal line.

Todd Sattler, Secretary/Treasurer
Cowden Lake, Lake Improvement Board

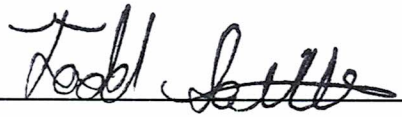
Dated: July 12, 2023

**NOTICE OF CONFIRMATION
OF SPECIAL ASSESSMENT ROLL
FOR IMPROVEMENTS TO COWDEN LAKE**

TAKE NOTICE that the Cowden Lake, Lake Improvement Board has confirmed the Special Assessment Roll for improvements to Cowden Lake. The Special Assessment Roll in the amount of \$125,000.00 has been prepared for the purpose of assessing the cost of aquatic plant control, administration, and contingencies over a 5-year (2023-2027) period. Said Special Assessment Roll and all assessments thereon are final and conclusive unless attacked in a court of competent jurisdiction within 30 days of this notice.

Cowden Lake, Lake Improvement Board
Montcalm County, Michigan

There being no further business to come before the Lake Board, a motion was made by Todd S and seconded by Jerry to adjourn the meeting at 6:55 p.m.

A handwritten signature in black ink, appearing to read "Todd Sattler", written over a horizontal line.

Todd Sattler, Secretary/Treasurer
Cowden Lake, Lake Improvement Board

Dated: July 12, 2023

State of Michigan }
 } ss.

County of Montcalm }

I hereby certify that the foregoing is a true and complete copy of the minutes of a meeting of the Cowden Lake, Lake Improvement Board, Montcalm County, Michigan held on July 12, 2023, and that said minutes are on file in the office on the Montcalm County Drain Commissioner and are available to the public.

I further certify that notice of the meeting was posted at least 18 hours before the meeting at the Office of the Montcalm County Drain Commissioner, which is the principal office of the Cowden Lake, Lake Improvement Board and on the county website at mi-montcalmcounty.civicplus.com.

A handwritten signature in black ink, appearing to read "Todd Sattler", written over a horizontal line.

Todd Sattler
Montcalm County Drain Commissioner

COWDEN LAKE

HEARING OF PRACTICABILITY & REVIEW OF APPORTIONMENTS

July 12, 2023

Maple Valley Township Hall
4662 N Bailey Rd
Coral, Michigan

ATTENDANCE RECORD

1. Anne Gaylord - MCDC
2. Ed Powell
3. Jessica Kurtz
4. Glenna Wright
5. Donna McClelland
6. Todd Sattler
7. Victor Matulis
8. Terri Matulis
9. Macey Matulis
10. Rick Buten
11. John Finkhouse
12. Vickie Finkhouse
13. Anne Edgell
14. Gary Holland
15. Gary Engrich
- 16.
- 17.
- 18.
- 19.
- 20.

COWDEN LAKE
PUBLIC HEARING

AGENDA

- Chairman calls meeting to order
- Approval of June 20, 2023, minutes
- Chairman introduces the Lake Board Members
- Todd explains the procedures of the Lake Board

PUBLIC HEARING OF PRACTICABILITY

- Presentation of Proposed Program 2024 thru 2028
- Chairman opens the hearing up for questions and comments
- Hearing of Practicability closed
- Resolution to Proceed with Improvements

REVIEW OF APPORTIONMENTS HEARING

- Presentation of Special Assessment Roll
- Chairman opens the hearing up for questions and comments
- Corrections to Special Assessment Roll
- Review of Apportionments Hearing closed
- Resolution Confirming Special Assessment Roll
- Adjourn meeting

Cowden Lake Finance Sheet 2019 - 2023 (84003)

Tuesday, July 11, 2023

Date	Vendor	Description	Check #	Expenses	Revenue	Balance
		Beginning Balance				\$ 26,274.98
5/31/2019	Montcalm County	2018 Settlement			\$ 22,250.00	\$ 48,524.98
6/27/2019	Michigan Lakefront Solutions	Invoice #279A Weed Treatment		\$ 1,102.80		\$ 47,422.18
7/11/2019	Progressive AE	1st Quarter Lake Consulting Fee		\$ 1,875.00		\$ 45,547.18
7/25/2019	Michigan Lakefront Solutions	Invoice # 296 Weed Treatment		\$ 4,021.09		\$ 41,526.09
8/22/2019	Michigan Lakefront Solutions	Invoice #323 Weed Treatment		\$ 5,119.76		\$ 36,406.33
10/3/2019	Michigan Lakefront Solutions	Invoice #345 Eel Grass Treatment		\$ 5,368.44		\$ 31,037.89
10/10/2019	Progressive AE	2nd Quarter Lake Consultant Fee		\$ 1,875.00		\$ 29,162.89
1/6/2020	Progressive AE	3rd Quarter Lake Consulting Fee		\$ 1,875.00		\$ 27,287.89
4/8/2020	Michigan Lakefront Solutions	2020 Permit Fee		\$ 800.00		\$ 26,487.89
3/3/2020	Progressive AE	2nd Quarter Lake Consultant Fee		\$ 1,875.00		\$ 24,612.89
6/1/2020	Montcalm County	2019 Tax Collection			\$ 22,250.00	\$ 46,862.89
7/16/2020	Progressive AE	3rd Quarter Lake Consulting Fee	154062	\$ 1,875.00		\$ 44,987.89
6/28/2020	Michigan Lakefront Solutions	Weed Treatment	154163	\$ 2,783.02		\$ 42,204.87
7/23/2020	Michigan Lakefront Solutions	Eel Grass Treatment	154810	\$ 5,927.65		\$ 36,277.22
8/28/2020	Progressive AE	4th Quarter Lake Consulting Fee	155659	\$ 1,875.00		\$ 34,402.22
8/31/2020	Montcalm County	Indirect Cost Allocations		\$ 348.36		\$ 34,053.86
9/11/2020	Spicer Group	Accounts Support	156014	\$ 50.00		\$ 34,003.86
9/30/2020	Cowden Lake	Interest Revenue			\$ 70.30	\$ 34,074.16
1/19/2021	Progressive AE	1st Quarter Lake Consulting Fee	157254	\$ 1,875.00		\$ 32,199.16
4/8/2021	Michigan Lakefront Solutions	2021 EGLE Permit Fee	158601	\$ 800.00		\$ 31,399.16
4/8/2021	Progressive AE	2nd Quarter Lake Consultant Fee	158616	\$ 1,875.00		\$ 29,524.16
4/30/2021	Montcalm County	2020 Tax Settlement			\$ 22,250.00	\$ 51,774.16
6/22/2021	Michigan Lakefront Solutions	06/02/2021 Weed Treatment	160003	\$ 2,259.41		\$ 49,514.75
7/6/2021	Progressive AE	3rd Quarter Lake Consulting Fee	160330	\$ 1,875.00		\$ 47,639.75
7/29/2021	Michigan Lakefront Solutions	06/22/2021 Weed Treatment	160793	\$ 4,040.00		\$ 43,599.75
8/26/2021	Michigan Lakefront Solutions	07/28/2021 Weed Treatment	161340	\$ 6,998.60		\$ 36,601.15
10/7/2021	Progressive AE	4th Quarter Lake Consulting Fee	162065	\$ 1,875.00		\$ 34,726.15
1/20/2022	Progressive AE	1st Quarter Lake Consulting Fee	163988	\$ 1,875.00		\$ 32,851.15
4/7/2022	Progressive AE	2nd Quarter Lake Consultant Fee	165494	\$ 1,875.00		\$ 30,976.15
4/21/2022	Michigan Lakefront Solutions	2022 EGLE Permit Fee	165786	\$ 800.00		\$ 30,176.15
5/23/2022	Montcalm County	2021 Collected Settlement			\$ 21,379.00	\$ 51,555.15
5/23/2022	Montcalm County	2021 Delinquent Settlement			\$ 871.00	\$ 52,426.15
7/7/2022	Spicer Group	Accounts Support	167408	\$ 32.81		\$ 52,393.34
7/7/2022	Spicer Group	Accounts Support	167408	\$ 41.75		\$ 52,351.59
7/14/2022	Progressive AE	3rd Quarter Lake Consulting Fee	167583	\$ 1,875.00		\$ 50,476.59
8/11/2022	Michigan Lakefront Solutions	06/28/2022 Weed & Algae Treatment	168137	\$ 4,852.00		\$ 45,624.59
9/20/2022	Michigan Lakefront Solutions	07/26/2022 Weed Treatment	168869	\$ 6,151.33		\$ 39,473.26
10/20/2022	Progressive AE	4th Quarter Lake Consulting Fee	169529	\$ 1,875.00		\$ 37,598.26
10/20/2022	Michigan Lakefront Solutions	06/02/2022 Weed Treatment	169516	\$ 2,854.80		\$ 34,743.46
1/19/2023	Progressive AE	1st Quarter Lake Consulting Fee	171352	\$ 1,875.00		\$ 32,868.46
1/26/2023	Michigan Lakefront Solutions	2023 EGLE Permit Fee	171550	\$ 875.00		\$ 31,993.46
1/31/2023	Huntington Bank	Interest Revenue			\$ 72.01	\$ 32,065.47
2/28/2023	Huntington Bank	Interest Revenue			\$ 120.92	\$ 32,186.39
3/31/2023	Huntington Bank	Interest Revenue			\$ 102.98	\$ 32,289.37
4/18/2023	Progressive AE	2nd Quarter Lake Consultant Fee	173256	\$ 1,875.00		\$ 30,414.37
5/2/2023	Montcalm County	2022 Delinquent Settlement			\$ 1,271.41	\$ 31,685.78
5/8/2023	Montcalm County	2022 Collected Settlement			\$ 20,130.95	\$ 51,816.73
5/31/2023	Huntington Bank	Interest Revenue			\$ 152.07	\$ 51,968.80
6/15/2023	Michigan Lakefront Solutions	05/23/2023 Weed Treatment	174598	\$ 7,046.81		\$ 44,921.99
6/30/2023	Huntington Bank	Interest Revenue			\$ 145.70	\$ 45,067.69
		Remaining Balance				\$ 45,067.69

Cowden Lake Improvement Board Public Hearings: July 12, 2023

Rick Buteyn
progressive|ae

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2024-2028 Proposed Budget

Improvement	Annual Cost
Aquatic Plant Control	\$16,000
Lake Management Consulting	\$7,500
Administration and Contingency	\$2,750
<u>Less Existing Surplus</u>	<u>(\$2,000)</u>
Total	\$25,000

Lakefront properties will have an approximate assessment of \$227

2

Aquatic Plant Control

\$16,000

Herbicide Treatments



SPECIMEN LABEL

ProcellaCOR EC

A selective systemic herbicide for management of freshwater aquatic vegetation in slow-moving/quiet waters with little or no continuous outflow: ponds, lakes, reservoirs, freshwater marshes, wetlands, bays, drainage ditches, and non-irrigation canals, including shoreline and riparian areas in or adjacent to these sites. Also for management of invasive freshwater aquatic vegetation in slow-moving/quiet areas of rivers (coves, oxbows or similar sites).

FLOPYRAZIFEN-BENZYL GROUP HERBICIDE

Active Ingredients:
 1-propyl-4-phenyl-2-pyridyl-1H-imidazole-5-carboxylate acid 2.74%
 4-amino-3-chloro-6-(4-chloro-2-fluoro-5-methoxyphenyl)-5-pyridyl-methyl ester 27.33%
Other Ingredients: 71.93%
TOTAL: 100.00%
 Contains 0.0052 lb propyl-4-phenyl-2-pyridyl-1H-imidazole-5-carboxylate acid (PDU) or 0.21 lb 4-amino-3-chloro-6-(4-chloro-2-fluoro-5-methoxyphenyl)-5-pyridyl-methyl ester (PDU) per Prescription Dose Unit (PDU) of product.

User Safety Recommendations

Users should:

- Wear gloves before mixing, drinking, chewing gum, using tobacco or using the tool.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

FIRST AID

- If in eyes: Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.
- Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
- Call a poison control center or doctor for treatment advice.

HOTLINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of emergency, call 1-800-535-5053.

Environmental Hazards

Under certain conditions, treatment of aquatic weeds can result in oxygen depletion or loss due to decomposition of dead plants, which may cause fish suffocation. Water bodies containing very high plant density should be treated in sections to prevent the potential suffocation of fish. Consult with the State agency for fish and game before applying to public waters to determine if a permit is needed.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying. Do not apply this product in a way that will contact swimmers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe.

3

Aquatic Plant Control

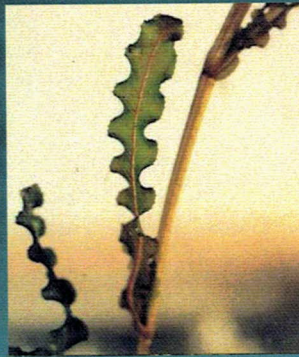
Plants of Primary Concern

Invasive exotic species:

Eurasian (hybrid) milfoil



Curly-leaf pondweed



Starry stonewort



4

Aquatic Plant Control

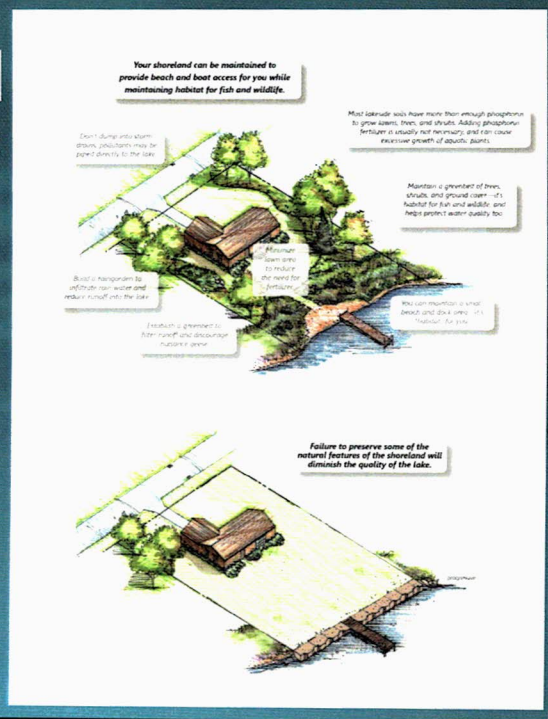
Algae concerns and what you can do:

Algae types:

Filamentous algae



Blue-green algae

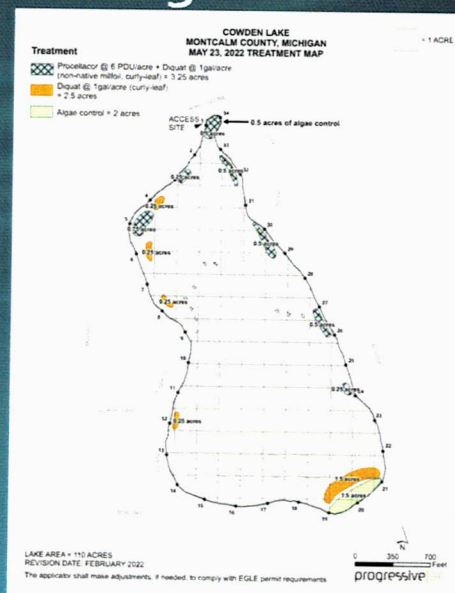


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Lake Management Consulting

\$7,500

- Monthly GPS guided aquatic plant surveys
- Contractor oversight
- Keep records of date, scope, and cost of plant control activities
- Meetings and public hearings attendance
- Assist the Lake Board with project administration



6

Goose Management

\$750

- Nest destruction
- Goose roundup
- Volunteer based program



7

Administration and Contingency

\$2,750

- Public hearings related costs (mailings, advertisements, etc....)
- Administrative costs incurred by the county
- Additional herbicide treatment

8