

Volume 23
Issue 2
Spring 2014

Lake Association News
Website: <http://jgla.org> Email: lakeassociation@hickorytech.net
Greater Jefferson German Lakes Association

Annual Meeting set for May 24

This year's annual meeting is set for Marysburg Church Hall. The Hall is located south of the lakes on county road 15. Take a right at the four way stop and go west. The church and hall are on the north side of the road.

Meeting topics:

Preparing for neighborhood meetings to discuss options for complying with the new County septic waste ordinance.

Fighting weeds and other invasive species in the lake chain.

Funding the storm sirens.

County Road 104 upgrade.

Water Safety

Social Events sponsored by the Lake Association

How to increase membership

Newsletter editor needed

Board elections: Terms expire for Scott Hass, Buster West, Arne Jessen

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2014 Dues

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Opinions

The city sewer option should be considered as an option, but not mandated.

It is clear to me from all of the Lake Watch comments that each system has a time and place. For the person who has a large lot or access to nearby property for an individual or cluster system, all of the choices are options. Short term and long term costs as well as convenience will make the decision. Lucky you!

However, not all of the options are available to everyone. In areas with small lots and no ready access to property, their options may be limited to holding tanks or piping their waste to either a cluster system or a city that has excess sewer capacity.

Unfortunately, the county is not even considering if it is more cost effective to try to buy (or condemn) land for clusters compared to working with an existing treatment system in a city. Wouldn't it be good to know how the cost of piping waste to a remote cluster system compares to piping waste to an existing sewer treatment plant?

At this point no one knows which is more cost effective. And since the county isn't even asking the question, we may never know. If you think the city sewer is even an option, you must ask the county to look into it.

What caused the sewer option to fail in the past? I believe it was because the County looked at a mandatory sewer system for all. That was a mistake since many people felt they did not need it. This time the sewer system should be optional. It should be based on comparison of all the options for each neighborhood. But it can't be an option if it is not looked at.

Buster

Lake Watch

We asked for feedback on the options for bringing our septic systems into compliance and you responded! Thanks!

- We haven't heard the information that will be presented at the neighborhood meetings, so let the debate begin.
- Please keep an open mind and find a way to disagree without becoming disagreeable.
- Short term and long term cost will be a factor, of course. But the responses show there are many other issues.

Below are many of the comments you sent us:

I would probably opt for either holding tank or individual septic system. The cluster system is interesting, but I don't think our neighborhood really has a good spot to do one.

The option that we prefer for our situation is a holding tank. First of all that is what we have and it has worked fine for us for 15 years. My wife & I are true seasonal recreational people at the lake, we are there about 4-5 days a week, for 5 to 6 months a year. We are on a list to get the MANDATED inspection done. If it is in compliance and

we have no reason to believe it is not, why would I want to do anything or change to another system? How does it get any better for the lake than pumping your sewage into a holding tank and getting it away from the lake entirely?

Sewer.

- 1. I believe in the long run we will benefit from higher home values offsetting one-time assessment. However I would assume scale is an important factor in sharing implementation costs.*
- 2. Lowest maintenance IF we have an appropriate service provider. Again cost could be factor without appropriate scale.*
- 3. Proven to address compliance issues in the long run*
- 4. As development pressure mounts sewer will become inevitable. I do not relish the idea of paying once for septic and then have the county mandate sewer later.*

I not I'll go septic alone. Tanks is a hassle I would not want to cluster septic without an understanding of the covenant that binds maintenance and shared cost. I get the feeling this is an association arrangement which I am less comfortable with than a sewer arrangement as I don't want to be negotiating maintenance and cost arrangements with my neighbors. If it's a 3rd party outsourced arrangement that's a different story.

Most of the owners in Swede's Bay are summer only. The sewer system is very costly.

It might not be a bad idea to revisit the pipe issue, otherwise a cluster system may be the best option.

I think that a sewer system to a treatment facility is obviously the best solution long-term. That being said it is probably the most expensive. We are seasonal lake goers. We live in Wisconsin and travel to our place during the summer. If we are looking at the most cost effective I think the holding tank is probably the way to go for seasonal users for sure. We are in a position to cover the financial implications of a permanent solution (sewer to treatment facility) but will support what the majority thinks is best for all. I say let's just get it done as it is now a legal requirement and really it is also the right thing to do.

I am connected to the Cluster System on Geldners Lane and am very satisfied with how it has worked out and I was able to fill in my old septic system. Wife can run washing machine to her delight now without drain field overload. Cluster system has really worked for me and neighbors.

We have a holding tank better off because it will not leach into the soil we are only there on weekends and only need to pump it once a year

I would lean towards the Pipe. I'm feeling today's cluster systems and mound systems are not going to be in compliance in 10yrs. and we are back to square one. It seems the County and State continue to raise the bar on septic.

Are people being conservative with their waste water on a cluster systems? Or really taking advantage of it because it is bought and paid for, adding unnecessary waste water to the system / environment. With the pipe, if we are paying per flush and laundry load, I feel everyone would be more smart with their waste water.



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More Lake Watch

- **Holding tank**

For me because I have a 50 ft lot this combined with Option 4 is the best solution. This could be constructed to meet the time limits set forth by the ordinance.

- **Individual septic system (this is not an option for me or any other 50 ft lot.)**

- **Group or cluster system:**

I don't like this option because there is a limited life time period and a new system would have to replace this and when that happens there is not assurance that this option would be approved. The state seems to think something better will take place and this would not be in compliance. Then too who owns it, who maintains the system, who oversees area maintenance. I don't see how this system can be constructed to meet the time limits in the ordinance. See attached questions.

- **Sewer pipe to a treatment facility:**

This is the best long term solution. There would be a someone other than the neighborhood to manage the system and all things that are related. See attached questions.

- **Some combination of the above: At the moment you have all that are available.**

Here are our thoughts:

1. Holding tanks are not only expensive to maintain but there seems to be some uncertainty as to how long this will be an acceptable option.

2. Individual septic systems are a wonderful luxury for property owners that have the room for them, but many of us do not have a large enough lot to allow this.

3. A cluster system would be an option if a person had the land to use for this purpose. However, a vast majority of the neighborhoods would not be able to purchase property, or at least at an affordable price. Then there is the cost for the system itself and if there are problems, the repair cost is an additional expense. There would also be the possibility that if we were without power for any extended time, this option would cause some major issues for property owners.

4. A sewer pipe, in our opinion, seems to be the best option for a majority of property owners. Yes, there will be a cost to this, but the future issues that could arise from any of the other options would be eliminated and the major costs would be more upfront. I would guess that if a sewer pipe was installed, each owner could make the choice to hookup or not??

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More Lake Watch Opinions

i currently have a holding tank. I pump once a year and am only out at the cabin minimal time from May - September and then close during the winter months. My cabin is seasonal. To bare the cost of putting in any other type of system for my particular use makes owning to expensive.

The sewer pipe is still the only solution that is going to meet the test of time. Better to do it now than pay more in the future. The second option of a holding tank is the next best answer to our sewer issue, if money is the concern.

- . Due to the size of our lot and the neighbors have all updated their systems in the last several years, our only option is a holding tank.

We would be in favor of the pipe to have it pumped far from the lake. We know it would be expensive, but every option is. This will probably go on forever if a permanent solution is not chosen

In my view, the best option is the sewer pipe to a treatment facility. I believe this provides the best long term solution as it is a permanent fix, and removes the pollutants from the concentration of housing and waters. While it is a more costly alternative, it alleviates the ongoing cost and inconvenience of holding tanks and the uncertainty of group or cluster systems as it relates to maintenance or future operating costs.

“Lake Watch” alerts

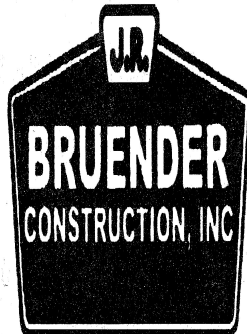
If you were on “Lake Watch Alerts” you would have received dozens of septic inventory “feedback” messages. The feedback has been very interesting! So far we have 268 valid email addresses who have signed up for our “Lake Watch” email alerts. Thanks for your interest. If you are not receiving alerts and would like them, please let me know. Also, please check your “junk mail” folder. My program is showing a large number of emails are not being delivered. Since our list is so large, your computer may be filtering out what it thinks is spam. Contact the Lake Association if you would like to be on the “Lake Watch” list. lakeassociation@hickorytech.net or buster@hickorytech.net

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1:30 registration at floating dock
2:00 parade starts

(Stop by floating dock after parade to see if your boat has won!)



If you have questions, would like to help with the boat parade or have a prize to donate, please call Carynn Klingel 931-9441.

**Thanks to all who participate...boaters and shoreline fans!
See you on the lake!**

More Lake Watch comments:

I find it interesting that the people that are strongly advocating putting the pipe around our lakes appear to be those who because of the size or location of their lots on the lakes do not have the options of their own septic systems or appear to not want to enter into cluster systems or holding tanks. This additionally would include those owners of campgrounds and mobile home parks.

Important issues that need to be addressed regarding putting a pipe around all of the lakes.

1. Initial cost: I understand that each individual lot will be levied over \$20,000.00 just for initial installation of the system.
2. Maintenance of the Pipe System: Any problems occurring after the installation i.e. failure of grinders will fall totally on the homeowners. I understand this has happened often around Lake Washington since the installation of the pipe there.
3. On going service cost after installation of the pipe: The homeowner will be at the mercy of the provider what the monthly service charges will be or future increases for this service. This most likely will be a city (e.g. Mankato) which is out of our voting jurisdiction where you will have no voice or control over what maintenance and monthly fees including periodic increases will be.

My vote would go to individual septic systems, holding tanks where not enough space would allow a septic system, or cluster systems even though I firmly believe that over 90% of the actual lakes pollution problems are directly the result of farm chemicals being pumped through drain tiles or runoff from the adjoining fields directly into the lakes. It appears that our elected officials have no interest in addressing the real issue.



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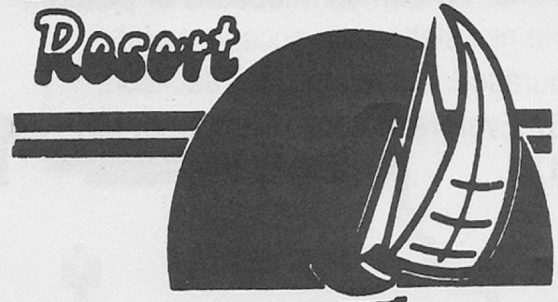
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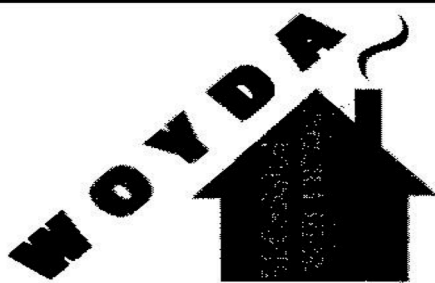


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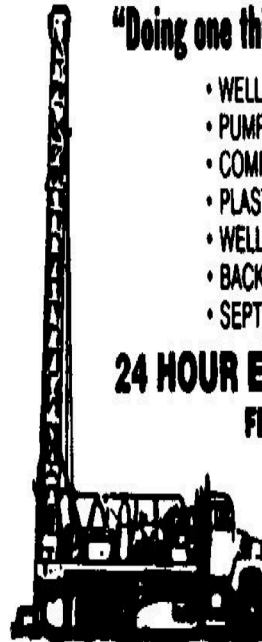
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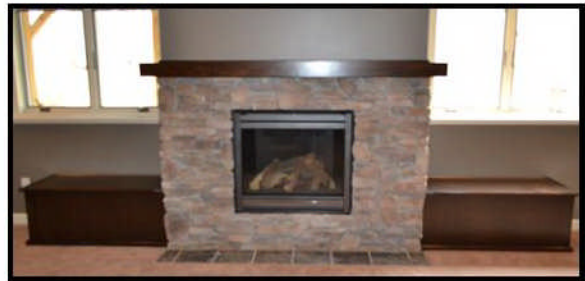


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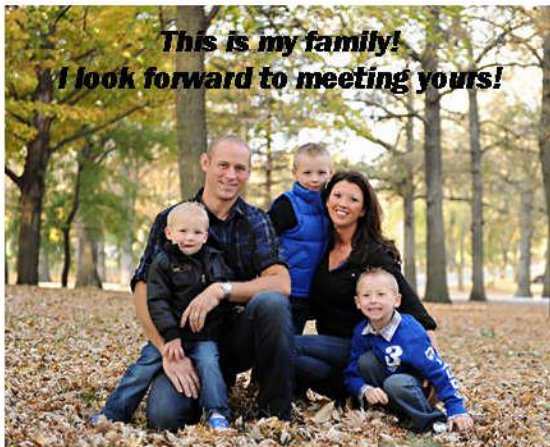
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More Lake Watch Feedback (Neighborhood Sewer Service Area or NSSAs questioned)

If neighborhoods are organized to form small sanitary districts, there are a significant number of questions to be addressed and understood. It is assumed that the Wenk Feasibility Report has been accepted and will be used as the foundation for each neighborhood sewer service area (NSSA) project. I have been informed that Aaron Wills, with the Cannon River Watershed Partnership and SE MN Wastewater Initiative, is the facilitator for the County.

As I mentioned before, forming NSSA takes time and funds. It is known that most of the property owners are not living on site but are scattered over a significant area and may not be available and organized to meet the time period limits set by the county.

I have questions about the mound system in general. The manner in which the system is being marketed assumes the system is going to function forever with regular inspection and maintenance. **What can be expected for the life of the first facility? This is a very important point that must be brought before the affected parties.**

The following questions assume that each NSSA will be the legal entity. It may be that many of the issues presented in the following list will be part of Mr. Wills responsibility. Nevertheless, I am asking them for background information.

- In as much as there are significant legal issues that will be encountered with the eventual construction of the project, is it necessary that each NSSA become incorporated to be the responsible legal party?
- Who seeks and selects a qualified designer for the project, enters into a contract for their services and pays the cost? (The NSSA does not have taxing power.)
- Who selects the site and determines if soils, etc, are suitable?
- Who negotiates purchase of the sites, easements, finances all costs for surveys and legal documents? (This assumes there is a willing seller. If not, will the county exercise eminent domain to acquire the site in as much as there is such a limited time period to construct the facility. Will the county extend the time limit due to delays?)
- Who becomes the owner of the site, facilitates and assumes the responsibility for the care of the site (site access, weed control, etc), pays necessary taxes and other issues that may come to the owners/benefitted parties?
- Who assumes the role of bidding the project, reviewing the bids, awards the contract and pays the bill.
- Who enters into a contract with the successful bidder and who selects the attorney for the associated legal services and pays for those services?
- Who determines assessments to the benefited parties for the construction of the project, performs all work in levying, collecting and pursuing non-payment and associated costs in collecting same?
- Who pays the contractor?
 - Who inspects the construction of the facilities to assure that the work has been done properly? Who pays for these service? Who keeps the books so to speak in managing the finances?
 - Who is responsible for the eventual maintenance of the facility? Who does the facility inspections to assure the owners that the system is functioning properly? Who assesses the owners if the system needs corrective work, gathers the costs from each benefitted party and has the authority to pursue collections?
- How often should the system be inspected? What can be described as "minor or normal maintenance? What happens when the sand filter becomes clogged? An auxiliary site is needed as backup as part of the system. When the first facility has lived its effected life time, will it have to be removed and a new facility constructed and the first site restored to become the backup site?
- Who makes the policy for property owners now on a compliant individual systems? What happens when these units are no longer in compliance? The proposed system is designed for a specific number of homes and could not accommodate these unfortunate parties. History indicates that systems may be in compliance today and out of compliance tomorrow. Wouldn't a community wide system connected to a municipal system provide a safety net for this contingency?
- Will bonding and insurance be needed for the owners and/or board members of the NSSA or will they be covered under the Sewer District?
- What exactly is the relationship of each NSSA to the Sewer district?

What are the responsibilities and liabilities of the NSSA? In any case, must they form a political structure?

These are major concerns of which the public should be informed. As stated above, it seems that Mr. Wills has been hired by the county as an appointed entity and is the facilitator. What are his specific duties?

West Jefferson: Ice Up/Ice out CLMP#4393, Lake ID 10, 40-0092-04

Year	Ice Out	Ice Up
1978	April 7	X
1979	April 18	X
1980	April 12	X
1981	March 14	X
1982	April 2	X
1983	April 3	X
1984	April 12	X
1985	April 3	X
1986	April 3	X
1987	March 8	X
1988	March 28	X
1989	April 8	X
1990	March 16	X
1991	April 4	X
1992	April 5	X
1993	April 15	X
1994	April 2	X
1995	March 24	X
1996	April 14	X
1997	April 5	X
1998	March 28	X
1999	March 27	X
2000	March 7	X
2001	April 14	X
2002	April 7	X
2003	March 26	X
2004	March 28	X
2005	April 4	X
2006	April 5	X
2007	March 27	Nov 30
2008	April 16	Nov 20
2009	March 25	Dec 11
2010	March 30	Nov 23
2011	April 10	Dec 7
2012	March 15	Dec 11
2013	April 23	Nov 24
2014	April 13	

Lakewatch comments:

Our preference would be sewer pipe to treatment facility. This is in spite of just putting in a brand new individual septic system. The reasons would be that

1. We believe it is the best long term solution without needs for continual upgrades.
2. No one on the system will need to be concerned about changing government regulations .
3. No one on the system will need to be concerned about potentially causing pollution to our lakes from our waste.
4. We would assume that water would come with the sewer pipeline which would take care of any potential long term issues with water safety and availability from old wells on the lakes.
5. We can turn more fully our attention to other critical elements that need to be addressed to improve our lakes' quality.

We would like to see a sewer pipe to treatment plant. Less hassle for owner & probably cost about the same. If a person wants to do any additions/remodel it would be so much easier. Why do something twice with pipe initial cost kinda high but then it's done. Won't have to replace again in 15+ years.

We will opt for the holding tank if the central sewer pipe system is not adopted.

Our first choice would be the central septic sewer pipe to treatment facility but that seems unattainable at this time. No one can put an individual septic system and have the expectation that it will be in compliance a year from now. So we feel our choices are limited to a holding tank or sewer pipe.

The definition of ice out is to be able to be able to take a boat down the middle of the lake from one end to the other. The definition of ice up is for the lake to be frozen down the middle from one end of the lake to the other.

Pollution safeguards lacking for rural rivers

Detailed maps show that many farms lack protective “buffer strips” to keep runoff out of streams and rivers.

By **JOSEPHINE MARCOTTY** josephine.marcotty@startribune.com □

Four-fifths of the cropland that butts up against the streams and rivers of southern Minnesota is missing at least some of the legally required natural borders that are the first step in safeguarding waters that flow to the Mississippi River, Lake Pepin and eventually the Gulf of Mexico, according to the first detailed mapping of the region’s rivers.

Overall, the southern third of the state earns a “C” because most of the waterways have modest protections, according to the Environmental Working Group, a national watchdog group that conducts scientific research to promote environmental action.

But a set of precise aerial maps compiled by the group also reveal widespread violations and large disparities from one watershed to another.

Those borders of wild grasses, trees or shrubs — 50-foot buffer strips required by state law — are nature’s way of filtering agricultural pollutants such as nitrogen and phosphorus, while also providing critical refuge for birds, bees, turtles, frogs and other wildlife. They are considered the first step in conservation in an area of the state where row crops take up more than half the landscape.

Minnesota’s rule has been in place for years and is one of the few such laws in the country. The aerial photo maps created by EWG specifically for Minnesota are the first comprehensive look at how well it’s being implemented at a time when the state and the nation are becoming increasingly concerned about agriculture’s impact on water.

The Environmental Protection Agency estimates that agricultural runoff degrades more than 125,000 miles of rivers and streams across the country. Minnesota is spending millions in state tax dollars in a watershed-by-watershed effort to make major reductions in agricultural pollution by 2025.

But enforcement of the state’s buffer rule has long been a sore point with environmental groups. They argue that the state and county governments, which are charged with implementing it, rarely use one of the few but very effective regulatory tools they have to protect vulnerable streams and rivers.

“Laws do work,” said Kris Sigford, a water quality specialist with the Minnesota Center for Environmental Advocacy, a nonprofit environmental law firm. The fact that most of the rivers are partly protected is evidence of that, she said, adding, “But they are not self-implementing.”

‘Useful’ information

The state’s top environmental officials, who reviewed the findings, said EWG’s methodology and results are accurate and show that many places need attention. In particular, they said, EWG found that nearly half of the missing buffers are along the small streams that form the headwaters of Minnesota’s great rivers.

“It’s very useful,” said John Linc Stine, Commissioner of the Pollution Control Agency. “We are going to use this to inform local governments.”

Local officials said that many farmers plant healthy buffers voluntarily, while others are more reluctant. Planting buffer strips can mean a difficult choice to take productive land out of production, especially in recent years as corn and soybean prices have spiked, said Tom Muller, a farmer who serves on the Cottonwood County soil and water board.

County officials say attention to the issue is on the rise, but acknowledge that many county boards are simply unaware of the rule or are reluctant to create controversy in small agricultural communities. But they also say the report illustrates the scope of problems on the landscape that have been frustrating them for years.

“I live a half mile from Watonwan River,” said David Bucklin, a technician for the Cottonwood County Soil and Water Conservation District in southwest Minnesota. Decades ago a 3-mile segment was straightened, and now giant farm equipment plows right up to its banks. “It looks more like a ditch,” he said.

A simple barrier

Buffers, which have been around as long as farming itself, are part of Minnesota's Shore-land Protection Act, the law that lays out protections for its thousands of lakes and thousands of miles of rivers and streams. Environmentalists say the rules applying to farmers are the least explicit and most lenient; some lakes require up to 350 feet of protective natural vegetation, while farm buffer strips are only 50 feet.

Still, buffer strips are as functional as they are simple. A stand of prairie grasses, shrubs or trees creates a barrier that stops soil from running off fields into the streams, where it clouds the water, killing fish and some plant life. Much of that chemical-laden sediment then flows into the Minnesota River and eventually dumps into Lake Pepin. But more important, excess phosphorus finds its way into the water when it attaches to the soil. And phosphorus, a fertilizer that causes excess plant growth and toxic algal blooms, is one of the key pollutants in the Mississippi River that has created a dead zone in the Gulf of Mexico the size of Connecticut.

"It's very effective for phosphorus," said Matt Helmers, a soil scientist who studies buffer strips at Iowa State University.

Craig Cox, a vice president at EWG, said the buffer analysis was a natural because new mapping and photography technology makes it possible, and because Minnesota is the only state in the Midwest to have such a law.

"In the heart of the Corn Belt, I don't know of any other state that has comparable protection," he said. But such laws and their enforcement are critical "to strike a balance between what taxpayers pay for and what should be the basic responsibilities that go with the rights of land ownership," he said.

'I didn't even know'

Drawing on federal land-use data as well as high resolution aerial photographs from 2012 and 2013, EWG found that only 18 percent of the waterways adjacent to cropland earned an "A," meaning that 100 percent of the acres within 50 feet of the water were covered by natural vegetation. About a third had less than 70 percent. But there were major differences among counties, watersheds and even the same stream.

"It's really a checkerboard, and kind of inexplicable," Cox said.

Some county environmental officials disputed EWG's grading system. Julie Conrad, land use planner for Blue Earth County, where three major rivers merge into the Minnesota River, said EWG judged their water protection efforts purely on agricultural land, and not on land with other owners or uses. The county's mapping shows that when considered as a whole, their waterways are quite well protected, she said.

Cox said the study focused on farms "because that's where the pollution comes from."

One problem, county officials said, is that in many places, farmers, county and zoning officials don't even know the law exists.

"I didn't know about that ordinance, even though I sit on the soil and water board," said Muller, who helps run a family farm of about 2,600 acres of corn and soybeans in Cottonwood County. He rents some cropland that borders a "nice creek" that is planted with natural grasses as part of a federal conservation program.

But there is resistance as well, Muller added. "It's kind of a nuisance thing," he said. "A lot of farmers, especially if they are renters, they say, 'Let's get as much out of this [land] as we can.'"

In addition, enforcement is a difficult and politically fraught problem, said several county environmental officials. It requires the backing and funding of a county board, which usually includes farmers or retired farmers for members.

"If this is ever going to be taken on on a larger basis, it has to come down from the state," said Bucklin.

State environmental officials say that putting their weight behind the law requires a delicate balancing act.

"We've been careful not to push the counties over the edge of the cliff in their work," said Rob Collett, water resource manager for the Department of Natural Resources's southern region. "But I do think we could do a better job on seeking enforcement and follow-up."

When counties do take action, they can be very effective. Conrad said that in 2012, the county launched a new effort to increase protections "because our rivers are highly valued." They identified 336 landowners who need to install or improve their buffers, and so far 227 have started putting that land into conservation programs.

But now the hard part starts, she said — persuading landowners who are reluctant. "The backing of the county board is essential," she said. "And the county attorney's office has to be willing to prosecute it, too."

Le Sueur County Commissioners

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David Gliszinski
28481 141st Ave
New Prague, MN 56071
Phone: (952) 212-1953

Commissioner of: City of New Prague, City of Heidelberg, Lanesburgh Township

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Joe Connolly
36966 261st Ave.
Le Sueur, MN 56058
Phone: (507) 665-6150

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John King
403 Ferry St
Le Sueur, MN 56058
Phone: (507) 665-2256

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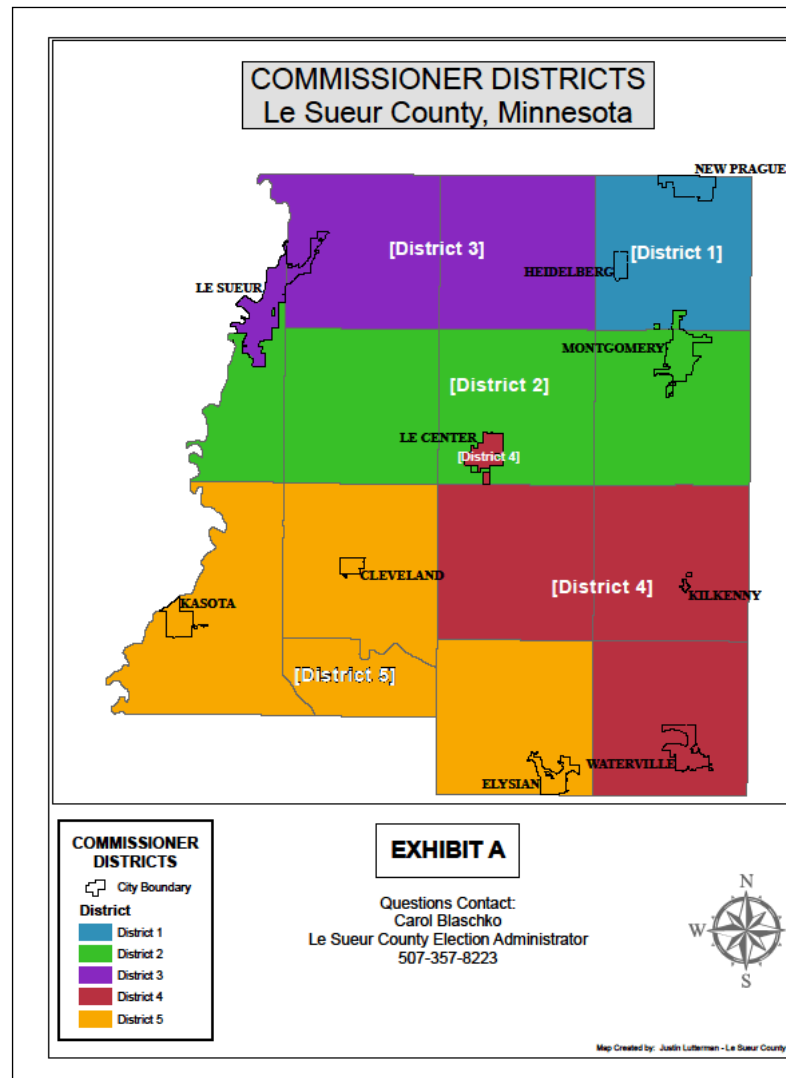
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Le Center, MN 56057
Phone: (507) 357-6621

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Steven J. Rohlfing
28020 Maple Lane
Madison Lake, MN 56063
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Storm Sirens, Lake Management Plan, Sportsmen Club
3565 E. 260th St
Webster MN 55088 952-461-6330
scott.hass@hickorytech.net

Buster West (Vice President)

Newsletter, Website content
46451 Evergreen Lane
Cleveland, MN 56017 507-934-4251
buster@hickorytech.net

Arne Jessen (Secretary)

COLA representative, Lake Management Plan
46256 Beaver Dam Road
Cleveland MN 56017 507-931-6408
arnemeryl@yahoo.com

Term expires 2015

Bud Warmka

28246 Cedar Trail
Cleveland MN 56017 507-931-0995
bwarmka@mediacombb.net

Steve Schulte

Summer Fishing Contest
47826 Outback Lane
Elysian, MN 56028 507-931-6306
scubaschulte@hotmail.com

Rick Connors

Nutrient runoff from farms, summer fishing contest
46463 Cape Horn Road
Cleveland MN 56017 507-380-9962

Larry Wasmund (Treasurer)

Sewer Board, Septic Inventory, Roads and bridges
28275 464th Street
Cleveland MN 56017 507-469-0205
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Mission Statement

The mission and purpose of the Association is to:

- Promote and coordinate water management, water quality, and water control in the Jefferson German lakes water basin.
- Further communication between members of the Association and other parties interested in the Jefferson German lakes water basin.
- And do all other things of common interest and benefit with regard to water management, water quality, and water control regarding the Jefferson German lakes water basin.