



Mutual LINK

MY TRUSTY GREEN FOLDER

By John Neal, Attorney, Willenbring, Dahl, Wocken & Zimmermann, PLLC

Policy cancellation is an ongoing topic that we all confront from time to time. When addressing any cancellation question, I always turn to my trusted source: the green folder labeled "cancellation" that Kirby Dahl gave me in the last days I saw him. While Kirby may no longer be with us, his words and wisdom are. I have taken the liberty of republishing an article from the green folder entitled "Proper Cancellation Procedures for Township Mutuals," which appeared in the Mutual Link several years ago. Tuck this away in a safe place like I do and refer to it the next you have a cancellation question!

PROPER CANCELLATION PROCEDURES FOR TOWNSHIP MUTUALS

When the township mutual issues a TP1 or farm policy, the portions of the policy issued by the township mutual are excluded from the provisions of Minnesota's insurance laws except for those laws that expressly apply to township mutuals (Minnesota Statutes Chapter 67A). However, when the township mutual issues a PH1 or homeowner's policy, all portions of the policy providing homeowner's insurance, including those issued by the township mutual, are subject to the provisions of Minnesota Chapter 65A. This distinction means that the two different types of combination policies are subject to different cancellation requirements.

The township mutual may cancel a TP1 or farm policy by providing at least 10 days written notice to the insured, sent by registered or certified mail to the insured's last known address and to any mortgagee on the policy. It is good practice to factor three additional days into the notice period to account for the time that the notice is traveling through the mail system. Any unearned premium paid by the insured for the unexpired policy period must be refunded on a pro-rated basis along with the cancellation notice or within a reasonable time thereafter. The statewide mutual that jointly issued the TP1 or farm policy is responsible for canceling their own portions of the policy according to their own separate and distinct cancellation procedures.

By contrast, the process for canceling a PH1 or homeowner's is more complicated and depends on a number of factors. If the policy has been in effect for less than 60 days, the township mutual can cancel for any reason if it mails the insured written notice at least 20 days before the effective cancellation date. Again, three days should be added for mailing time.

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~ Member Profile of Sumter Mutual

Manager, Linda Jaskowiak

Sumter Mutual Insurance Company was originally called "The Town of Sumter Fire Insurance Company", it was organized July 5, 1879, commencing business on October 25, 1879. The company was located in Sumter, MN which is south of Hutchinson along Hwy 212. A group of 28 men with a collective value of property over \$25,000 formed the company for loss against fire and lightening. There were seven board members including a President and Secretary.

After the first year the company had 47 policyholders/members, insurance in force was \$62,976, balance on hand was \$13.15. No losses were paid for the partial first year.

We are now located in the small town of Silver Lake, MN just a few miles from Sumter, MN. We write the perils of Fire, Lightening and Additional lines as allowed by statute in nine counties surrounding the original territory. We write packaged homeowner and farm policies with RAM Mutual and North Star Mutual.

Sumter Mutual has two full time employees and a part-time inspector. Our board consists of three men and two women. At this time we have eight agencies with 26 agents, writing good business with us. We use outside local adjusters for our losses.

The business philosophy of Sumter Mutual has always been to give our policyholders and agents, excellent service along with the best product we can offer at a competitive price.

Sumter Mutual has the same challenges as a lot of the other smaller township mutuals and that is keeping up with technology. What we would like to do and what our bottom line tells us, does not always meet when it comes to the advances in technology. Another concern for us is the size of the farms and the equipment, making sure to insure them properly to protect our insured.

Sumter Mutual is involved in some way, in all the events that take place in our small town. We are members of the Business Association and Rhonda is involved in planning and participating with all the local activities.

The one word we would use to describe Sumter Mutual is: "Steady".



Editorial Advisory Committee

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Send address changes to
 Mutual Link, PO Box 880, St. Joseph, MN 56374
 or info@mafmic.org

Continued from page 1.....MY TRUSTY GREEN FOLDER

By John Neal, Attorney, Willenbring, Dahl, Wocken & Zimmermann, PLLC

If a policy is being cancelled for underwriting considerations, the insured must be informed of the source from which the information was received.

If the policy has been in effect for 60 days or more, the township mutual may cancel the policy mid-term for any of the following reasons:

- (1) The premium was not paid when due.
- (2) The insured obtained the policy through fraud or misrepresentation.
- (3) The insured engaged in fraud or misrepresentation in pursuing a claim under the policy.
- (4) An act or omission of the insured materially increased the risk originally accepted.
- (5) Physical changes in the insured property which were not corrected or restored within a reasonable time after they occurred and which resulted in the property becoming uninsurable.

If the cancellation is for non-payment of premium, the township mutual may cancel the policy by mailing written notice to the insured at least 20 days before the effective cancellation date. For any of the other reasons above, 30 days' notice is required. In any case, three days should be added for mailing time.

These notices of cancellation must include a statement in a sufficiently clear and specific form as to the reason for cancellation. If an insured of reasonable intelligence is able to identify the basis for the company's cancellation without making further inquiry then the notice is sufficiently clear and specific. These cancellation must also inform the insured of the possibility of coverage through the Minnesota FAIR plan, the insured's right to object to the commissioner in writing within 30 days of receipt of the notice, and the insured's right to the return of unearned premium in appropriate situations. Any unearned premium paid by the insured should be returned at the time of cancellation.

Only proof of mailing (not certified or registered mailing) is required to prove cancellation of PH1 or homeowner's policies.

All notices of cancellation, regardless of the form of the policy being cancelled, must also include the effective date and hour of cancellation.

Lastly, if the insurance policy contains different requirements for cancellation than provided above, you must use the more restrictive method of cancellation. In other words, you must use the cancellation requirements that are more favorable to the insured. Cancellation under the insurance policy can provide insureds with more protection than the law requires, but not less.

It is a good practice for township mutuals to work with their statewide package companies to make sure that the statewide companies properly cancel their portions of the combination policies, as well.

Seipp Service Award Nominations

Robert C. Seipp Service Award is awarded at the MAFMIC Annual Convention. Established in 1986 to honor past MAFMIC President Robert C. Seipp, this award recognizes professionalism and service to the Minnesota Mutual Insurance Industry.

A successful nominee will have provided service and generously given his or her time and expertise to promote a professional image for MAFMIC and the mutual insurance industry; be a current or past employee, director, officer or agent of MAFMIC or a MAFMIC member company; and provided ten (10) or more years of service to MAFMIC and/or a MAFMIC member company.

If you know someone who is deserving of consideration, please submit a Seipp Service Award Application to the MAFMIC Office no later than Friday, October 25th. The nomination should include:

- Nominee's name, organization and contact information
- History of nominee's employment and/or offices held within MAFMIC
- Education (industry and other) and professional designations
- Awards and other recognitions
- Participation in MAFMIC and/or NAMIC

continued

- How has the nominee served and enhanced that mutual insurance industry? Why is the nominee deserving of this award?

Contact information and position of person making nomination.

Applications are available on the MAFMIC website at (www.mafmic.org).

Nominations for Vice-Chairman & Secretary Treasurer

The MAFMIC Nominating Committee is asking for recommendations from the membership for the offices of Vice-Chairman and Secretary-Treasurer of the Association. The nominees will be presented to the membership for their approval at the next annual meeting. The Nominating Committee is chaired by Immediate Past-Chairman and includes current MAFMIC board members and past-chairmen. If you wish to suggest someone, or be considered yourself, please notify the Nominating Committee Chairman no later than October 15th.

Contact: Linda Jaskowiak: summut@mchsi.com

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MAFMIC SCHOLARSHIP CRITERIA

This educational scholarship was established by the Board of Directors of the Minnesota Association of Farm Mutual Insurance Companies, Inc. (MAFMIC) for presentation to one or more Minnesota high school graduating seniors.

Eligibility guidelines:

- The MAFMIC Scholarship will be presented to Minnesota high school graduating seniors.
- Applicant must be a resident of Minnesota.
- Applicant must be the son or daughter of a parent or legal guardian who is a policyholder from a qualifying mutual insurance company (MAFMIC Member Company).
- Applications must be submitted to the MAFMIC office through a qualified mutual member company.
- Applicant must be graduating from a Minnesota high school.
- Applicant must have an accumulative grade point average of 2.5 for high school. A certified copy of the high school transcript must be included with the application.
- Applicant must be beginning their post-secondary education (college, vocational school or community college) for the first time in the fall following high school graduation.
- Applicant must have been accepted to a post-secondary education facility (i.e. accredited college, university or technical school).
- Applicant must submit a typed essay on a topic chosen by the Scholarship Selection Committee.
- All applications must be postmarked on or before March 7th in the year of issue to qualify.

Selection guidelines:

- Members of the Scholarship Selection Committee will review all applications to insure eligibility as an applicant.
- The recipient(s) will be selected by blind assessment from all qualifying applications.
- Only one scholarship per year will be awarded through any single qualified company.
- Scholarship recipients will be notified via mail prior to **May 1st**.

Distribution guidelines:

- A minimum of one scholarship in the amount of \$500 will be awarded each year that there is a sufficient balance in the scholarship fund.
- The scholarship award will be paid jointly to the educational institution and the recipient following the completion of the first semester and prior to the start of the second semester.

Completed applications should be mailed to: Scholarship Selection Committee
Minnesota Association of Farm Mutual Insurance Cos.
601 Elm Street East – PO Box 880
St. Joseph, MN 56374
E-mail: info@mafmic.org
Phone: (320) 271-0909

2014 MAFMIC SCHOLARSHIP APPLICATION

Name _____ Telephone _____

Please print or type.

Street Address _____

City/State/Zip _____

Minnesota School Currently Attending _____

A certified copy of my high school transcript has been enclosed. Yes No

What post-secondary school do you plan to attend? _____

Have you been accepted for admission to this school? Yes No

If not, please indicate reason: _____

ESSAY: On a separate sheet of paper please address one of the following topics in 150 typed words or less.

1) Describe your involvement in school and community activities and what impact they have had.

2) Describe your life goals and objectives.

Parent's Name _____

Parent's Address _____

Parent's Insurance Company _____ Policy No. _____

Agent's Name _____ Company Phone _____

Please read carefully before signing: *"I am applying for the MAFMIC Educational Scholarship. I have read and understand the application criteria. I hereby certify that all the information provided by me on this application is true and accurate to the best of my knowledge. I understand that MAFMIC officials may verify information provided by me."*

Applicant Signature

Date

Parent Signature

Date

Mail to: MAFMIC Scholarship Committee, 601 Elm Street East, PO Box 880, St. Joseph, MN 56374.
Application must be postmarked by March 7th to qualify.

Office Use Only Date Received _____ Date Reviewed _____

Comments:

**MAFMIC
FALL REGIONAL
MEETINGS**

Meeting Locations

November 18 - Shooting Star, Mahanomen

November 19 - Holiday Inn, St. Cloud

November 20 - Ramada Inn, Rochester

November 21 - Jackpot Junction, Morton

Early registration fee on or before Monday, October 18, 2013

\$60 member early registration (\$90 member late registration)

Continuing Education Credit: Application has been made for **3.0 hours** of non-company continuing education credits. We do not give partial credit for any portion of this Seminar. **(Approval Pending)**

Cancellation Policy : All Cancellations are non-refundable. You may substitute a participant at no additional charge.

AGENDA FOR ALL LOCATIONS

8:00 – 8:15 am	REGISTRATION & COFFEE
8:15 – 8:30 am	Welcome & MAFMIC Updates , <i>Chairman, Jeff Mauland</i>
8:30 - 9:15 am	NAMIC Updates Legislative Updates , <i>Aaron Cocking, Government Affairs Director</i>
9:15 - 9:30 am	BREAK
9:30 - 10:30 am	Strategic Business Planning - (FMDC) <i>Tim Sullivan, NAMIC</i>
10:30 - 11:30 am	Corporate Governance for Mutuals - (FMDC) <i>Tim Sullivan, NAMIC</i>
11:30 - 12:30 pm	Succession Planning - (FMDC) <i>Tim Sullivan, NAMIC</i>
12:30 - 1:15 pm	LUNCH
1:15 pm	Open Discussion / Optional District Meetings

Company _____

Location Attending _____

FMDC

☐

(Manager)

☐

(Directors)

☐
☐
☐

Total Amount Due: \$ _____



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PO Box 880
St. Joseph, MN 56374



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(320) 271-0912



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(320) 271-0909



~~ Golf Winners ~~ July 18, 2013

The 2013 MAFMIC Scholarship Golf Outing took place once again at the Little Crow County Club in Spicer, MN. The event hosted 65 golfers and 16 teams! The sales for the putting contest, hit-the-circle contest, raffle tickets and mulligans for the day totaled \$1,172!

The weather was a bit sultry & hot but thank goodness for the breeze, a fun time was had by all!

First place “Green Jacket” Winners: Linda & Michael Jaskowiak, Justin Pape, Aaron Cocking

Second place winners: Tim Iverson, Bruce Kinnunen, Dan Meier, Steve Storm

Third place winners: Mike Sagedahl, Jeff Mauland, Kevin Strandberg, Wes Magnuson

Low Gross Team: Aaron Grove, Kevin Johanson, Mark Fraki, Brady Roisum

High Score Team: Jim Williams, Jayson Strusz, Lance Ziesemer, John Qualy

Other winners include:

Longest Drive: Cory Thorsland

Shortest Drive: Mark Braun

Longest Putt: Don Hughes

Closest to the Pin: Bruce Kinnunen

Complimentary Golf Certificate: Dave Pederson winner of “Hit the Circle” contest.

Golf Shirt donated by Little Crow Country Club: Tim Radermacher

MAFMIC would like to thank everyone for their generosity and making the day fun in the sun! Please visit www.mafmic.org to view more photos from the Annual Golf Outing.

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Golf Scramble Highlights



Aaron Cocking, Linda & Michael Jaskowiak & Justin Pape



Wes Magnuson, Kevin Strandberg, Jeff Mauland & Mike Sagedahl



Steve Storm, Bruce Kinnunen, Tim Iverson & Dan Meier



Steve Knight, Bert Tellers
Norma Monson, Leon Kirchner
& Dave Pederson



Cory Thorsland
Mark Thorsland
Dana Spry
Leon Benson



John Qualy, Lance Ziesemer,
Jason Strusz & Jim Williams

Golf Scramble Highlights

CLEAN SPIKES
BEFORE ENTERING



Nick Hager, Mike Flugum
Gary Swearingen & Todd Bossuyt



Greg Covell, Eric Gesell,
Mark Braun & Bob Meeker

Cilla &
Don
Hughes



Gary &
Carol
Fuchs

Duane Oftendahl
Scott Briffett
Mark Noack
Mark Nelson



Tim Rademacher, Mike Knudson
Cameron Vien & Michael Lund

Golf Scramble Highlights



Karl Porisch
Ken Grothe
Tom Hurlbut
Mark Peterson



Brady Roisum, Aaron Grove,
Kevin Johanson & Mark Fraki



Dave Selness
Larry Johnson
Kevin Nickelson
Jim Froberg



Caleb Voigt, Aaron Madison,
Barb Brandt & Dick Swanson

Ben Lohre
Steve Severson
Jim Dibble
Frank Erickson



Golf Scramble Highlights



Golf Scramble Highlights



Aaron Cocking, Mike & Linda Jaskowiak & Justin Pape



Tim Iverson, Steve Storm, Dan Meier & Bruce Kinnunen



Mike Sagedahl, Jeff Mauland & Wes Magnuson
(not pictured: Kevin Strandberg)



Team with the Highest Score
Jim Williams, John Qualy, Lance Ziesemer & Jason Strusz



Dry Conditions Prime for Field Fires, *Larry Gallagher, Grinnell Mutual*

After another dry summer, conditions during this harvest season may be conducive to fires, warns Grinnell Mutual Reinsurance Company.

“With weeks and weeks of dry weather, it doesn’t take much to ignite a fire that can destroy nearby fields, fences, buildings, and other property,” said Grinnell Mutual Senior Claims Adjuster Terry Hintz.

Across the United States, it’s estimated that nearly 700 combine fires are reported every year and another 200 go unreported. Over the years, claims adjusters and investigators have seen several causes of combine fires, including equipment malfunction, low combine headers that scrape rocks and cause sparks, and smoldering chaff or oil that build up on the combine and then drop to the field.

“A lot of new combine models have electronic warnings to alert drivers that something is getting hot on the equipment. It’s important to heed those warnings,” explained Grinnell Mutual Assistant Vice President of Claims Scott Sharp.

Both insurance professionals and manufacturers agree—it’s essential to keep equipment clean and maintained throughout harvest season to prevent fires.

Check out these additional precautionary tips from Mark Hanna, Iowa State University Extension agricultural and biosystems engineer.

Tips to minimize and prevent field fires:

- Carry a minimum of two class ABC fire extinguishers: a smaller 10-lb. unit in the cab and a larger 20-lb. extinguisher at ground level on the combine. Each motorized piece of equipment used in the field should also carry an extinguisher. Invert the extinguishers once or twice a season and shake them to ensure that powder inside the extinguisher hasn't been compacted together by machine vibrations.
- Arrange to have tillage equipment present during harvest. In the event a fire should occur this equipment may allow farmers to create a barrier around the perimeter of the field to prevent fire spreading to adjacent fields.
- Equip motorized equipment with small hand shovels to throw soil on a fire. Keep a cell phone nearby to contact emergency personnel while in the field.
- Minimize truck traffic during harvest. Grain transport or pickup trucks with exhaust systems below the chassis can ignite field fires. Catalytic converters operate at several hundred degrees.
- Check engine fluid levels (such as coolant and oil) at the beginning of each day.
- Blow leaves, dust and chaff off the engine if compressed air is available. Older combines with front engine compartments can be particularly susceptible to collecting debris.
- Examine exhaust or heat bearing surfaces because they can be ignition sources for dry, combustible material.
- Check the pressurized oil supply line to the turbocharger shaft for areas that may rub from wear and start an oil leak.
- Place wiring harnesses in proper holders.

Patent Troll

In early 2013, our company was contacted by an entity identified as a limited liability corporation. They claimed that they owned certain patent rights that were routinely performed by multi-function scanners/copiers/printers. They indicated that they had identified our company as one that appeared likely to use their patented technology. Specifically, they cited that any document that is scanned and directly emailed to an employee email address as a PDF attachment is infringing upon their patented rights. They suggested that we enter into a license agreement as a remedy.

The initial letter was followed up with two letters and a telephone call from a law firm that indicated they were representing the limited liability corporation that had previously contacted us. They were contacting us on behalf of their client in an effort to obtain a licensing agreement. They suggested that in order to obtain a license to legally use the technology capabilities of our multi-function scanner/copier/printer, they would offer a licensing agreement with a fee of approximately \$1,000 per user. If we chose to ignore this warning, they would begin legal action against us. The second correspondence from the law firm was even more threatening and included a copy of a summons and complaint that would be forthcoming if we did not respond.

In response to the second letter, I contacted the supplier that we purchased our office equipment from but was unable to get much assistance. I also informally contacted several attorneys and none of them were aware of any similar cases. Upon researching this on the internet, we believe that we were being targeted by a “patent troll”. Patent trolls buy certain obscure patents and then attempt to intimidate unsuspecting small businesses into paying unnecessary licensing fees to avoid legal action.

One attorney I discussed this with suggested that I send copies of the letters I had received to the office of the Minnesota Attorney General. As this seemed sensible, I forwarded copies of the letters I had received along with a completed consumer report form to the Office of Minnesota Attorney General Lori Swanson. A very helpful Analyst handled our complaint and upon receipt of our information sent two letters on our behalf to the patent troll law firm. Following the Attorney General’s second letter, the limited liability corporation contacted me to let me know that certain developments had occurred involving the patents and unless they contacted us in writing they would no longer be pursuing a license with our company and we could consider the matter closed. The patent troll law firm also confirmed this message in their response to the Attorney General’s office.

Based upon this experience, if you are contacted by a potential “patent troll”, you may want to contact a trusted attorney for legal advice. However, my experience with the Minnesota Attorney General’s Office served as a cost effective means to effectively resolve this matter.

A Mutual's Role in Community: Mound Prairie Mutual Insurance

Article by Jerry Zenke, Mound Prairie Mutual



According to the Minnesota Department of Public Safety, dollar loss from fire in this state averaged around 300 dollars per minute in recent years. As many Mutual Insurance Companies in Minnesota know, fire poses one of the greatest threats to a Mutual Insurance Company, both financially and emotionally, as many times they are working with an insured that has lost everything.

"So far this year we have had four house fires in our area," said Jerry Zenke, General Manager of Mound Prairie Mutual Insurance in Houston, Minnesota.

Having this many house fires in the first half of 2013 demands the attention of the community and the volunteer fire departments that serve these smaller Minnesota towns. Zenke, among other Mutual's in Minnesota have ensured that their communities and their fire departments are as effective and efficient as possible by planning charitable events.

"We have an annual golf tournament," said Zenke. "We have done it for 21 years now. We pay the expenses [renting the golf course, etc.] and everything we make goes to three area fire departments."

Mound Prairie and Zenke have served 21 different departments over two decades and given nearly 130,000 dollars to aid in high quality fire and rescue resources.

"It's a good time. We have a lot of fire fighters come out and play. We like to get them together because it promotes comradery between the different fire crews," said Zenke. This year, the tournament is expected to contribute nearly 9,000 dollars to three fire departments in Southeastern Minnesota.

Mound Prairie Mutual Insurance serves ten counties with claims that involve machinery fires, grass fires, and this year's uncommonly high number of house fires.

"They [firefighters] can do us a lot of good," said Zenke. "When there is a fire, if they have good equipment and they are well-trained, the amount of damage can be lessened."

Contributing to hometown fire departments is only one way Zenke and Mound Prairie Mutual give back to the communities in which they serve. The company also consistently purchases two animals at the fair's 4H auction and donates to a camp organization for handicapped children.

Being active in community events and prioritizing charitable action is not an obligation according to Zenke, "It's our civic duty."

This year, Zenke hopes to see more than 150 golfers attend the tournament which takes place August 10 in Houston. Each participant gets a steak dinner, two drink tickets, and has the opportunity to win door prizes provided by Mound Prairie Mutual.

Jerry Zenke

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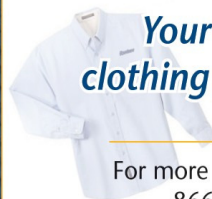
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2013 - 2014 MAFMIC CALENDAR OF EVENTS

- September 5** PIA –Education Day & Trade Show
Mystic Lake Casino, Prior Lake
- Sept. 22-25** NAMIC 118th Convention
Seattle, Washington
- November 18** Fall Regional Meetings
Shooting Star, Mahanomen
- November 19** Fall Regional Meetings
Holiday Inn, St. Cloud
- November 20** Fall Regional Meetings
Ramada Inn, Rochester
- November 21** Fall Regional Meetings
Jackpot Junction, Morton
- Feb 2-4, 2014** MAFMIC Convention
DoubleTree by Hilton, Bloomington
- Mar 12-14, 2014** Short Course
River's Edge Convention. Center,
St. Cloud



To submit an article to be published in the Mutual Link please send them to Mutual Link, PO Box 880, St. Joseph, MN 56374 or email them to info@mafmic.org.

IN SYMPATHY



Howard Hokkanen, 87, Annandale, MN., passed away on June 24th, son of Oscar and Sarah Hokkanen was born on the farm near West Albion on April 26, 1926. He is survived by his wife, Adeline of Annandale and children, Darlene (Dave) Zylstra of Maple Lake, Patty (Steve)

Hohag of St. Michael, and Ken (Bev) Hokkanen of Chaska. He is grandfather to Ryan Zylstra, Zylstra Insurance Agency & Cokato Mutual Fire Insurance Company. He attended the Gunnary country school and Annandale High School.

In 1962 Howard started working for the Agriculture and Stabilization and Conservation (A.S.C.) as a Federal Crop Insurance Agent for Wright, Hennepin and Carver counties. In 1973 he became the Manager for the Cokato Mutual Fire Insurance Company and also worked as an insurance agent for the company. He worked as the manager for 23 years, was on the board of directors for 58 years and recently retired as an insurance agent in 2012.



Melvin Cook, 82, Comfrey, MN, died June 28th at his home. Mel was born on September 13, 1930 in Mulligan Township the son of George & Barbara (Nowak) Cook. Mel married Marie A. Windschitl on April 16, 1956.

He was a member of the Board of Directors for Stark Farmers Mutual Insurance and an agent for 42 years. He was preceded in death by his parents, wife, Marie in 2008, and sister, Della in 2000. Services were held at the Church of the Japanese Martyrs, Leavenworth, on Tuesday, July 2, 2013.

MAFMIC wishes to express its sincerest condolences to family and friends of Howard & Melvin.



LET AN INDEPENDENT GUIDE SHOW YOU AN UNBIASED VIEW OF YOUR FINANCIAL OPTIONS.

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