



### *Mark Nelson, MAFMIC Chairman 2019-2020*

Greetings! I hope this finds you well and had an enjoyable year. My year as your Chairman will come to an end in a few months. I would like to say thank you to Aaron Cocking, Dani Hennen and Arlette Twedt for making my year as Chairman enjoyable. Appreciation also goes out to all of the volunteers on the committees as well as those who assist at the various events hosted by MAFMIC. In addition, I wouldn't have been able to do this without the other MAFMIC board members; and my thanks also extends to them.

Most, if not all of you, are aware that Aaron Cocking has resigned from MAFMIC. Aaron was with MAFMIC for 7 years and made great strides in building the MAFMIC PAC fund as well as helping our association with any issues that arose during his tenure. MAFMIC wishes Aaron all the best in his new position with the Insurance Federation of Minnesota. The MAFMIC Board is working to find a replacement for Aaron. Once the position has been filled the membership will be notified.

My wife, Cindy, and I would like to invite everyone to attend the 125th MAFMIC Convention at the Radisson Blu. The dates of the convention are February 9-11<sup>th</sup>. I'm confident the Education Committee has done an excellent job planning the convention. I hope to see you at convention.

Monday morning will start with our Prayer Breakfast. I know this is an early start to the day, but if you haven't been to this breakfast before, please attend one time and you won't be disappointed. Brad Bigler will be our Prayer Breakfast speaker this year. Brad is the head men's basketball coach at Southwest Minnesota State University. Brad's family has endured some personal tragedies, but he enjoys sharing his story how faith, family and friends have helped him to take one step at a time and to enjoy life again.

We have heard your feedback regarding the menu, especially the food at the Chairman's reception. This year we are planning on serving a buffet meal on Sunday night instead of appetizers. Please don't expect lobster, but more of a picnic style meal. We are also working closely with the chef from the Radisson Blu to improve the overall food experience for people attending the convention.

Thank you for your ongoing support of MAFMIC as well as me during my term as Chairman. I look forward to a successful transition as Dan Rupp becomes your next Chairman.

*Mark Nelson*  
*MAFMIC Chairman 2019-2020*

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 Joel Peiffer - IMT Computer Services  
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## Grove Mutual Company Profile



Angela  
Fuechtmann  
Manager

Grove Mutual Fire Insurance Company was organized on January 23<sup>rd</sup>, 1902. A group of local farmers, from the town of Grove, decided to establish the company to protect against loss or damage by fire or lightning. Now located in the town of Meire Grove, Grove Mutual employs one full time manager and two part-time employees. Grove Mutual writes for all perils allowed under Chapter 67A. We have 11 Agencies and write in 14 counties around Central Minnesota.

*Our Mission statement is that **Grove Mutual Fire Insurance Company** is committed to provide quality insurance products to eligible member policyholders at a competitive rate while providing excellent member service.*

We strive to serve our local communities, agents and policyholders. Grove Mutual's 5-year goal is to obviously grow in policy count and written premium. We are also striving to develop a strategic marketing plan to educate the general public on what Mutual Insurance Companies do and how we support our communities. One way our Board Members and Staff support our communities is by being involved in numerous non-profits and serve as Board Members on other organizations in neighboring communities. We also support our local schools, fire departments, churches and other local charities.

Our biggest challenge is keeping up with technology to remain competitive with big insurance carriers. The younger generation wants to be able to get a quote, file a claim, and make a payment all through a phone app, but that is not possible for most Mutual Insurance Companies at this time.



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Aaron Cocking MAFMIC President & CEO since 2014 has resigned, his last official day was October 23, 2019. After seven years with the Minnesota Association of Farm Mutual Insurance Companies, Aaron has accepted the position of Executive Vice President with the Insurance Federation of Minnesota.

“Working for MAFMIC has been a tremendous honor. The relationships and friendships I have made during my tenure there will remain with me the rest of my career. I am excited about the future, as I begin this new chapter with the IFM.”

As Aaron starts his new venture we at MAFMIC wish Aaron all the best.



### 2019 NAMIC FARM MUTUAL DIRECTOR CERTIFICATION

<b>Bruce Anderson</b>	<b>Madelia-Lake Crystal Mutual</b>
<b>Jessica Anderson</b>	<b>Vasa-Spring Gardens Mutual</b>
<b>John Domeier</b>	<b>Bird Island-Hawk Creek Mutual</b>
<b>Ronald Elbert</b>	<b>Buffalo Lake-New Auburn Mutual</b>
<b>Jeff Erickson</b>	<b>Vasa-Spring Gardens Mutual</b>
<b>John Hobert</b>	<b>Vasa-Spring Gardens Mutual</b>
<b>Joshua Nicolai</b>	<b>Vasa-Spring Gardens Mutual</b>
<b>Joy Oudekirk</b>	<b>Mower County Mutual</b>
<b>Mark Sauter</b>	<b>Vasa-Spring Gardens Mutual</b>
<b>Mark Skarphol</b>	<b>Madelia-Lake Crystal Mutual</b>
<b>Terry Stoudt</b>	<b>Vasa-Spring Gardens Mutual</b>
<b>Jennifer Visser</b>	<b>Bird Island-Hawk Creek Mutual</b>



### 2019 NAMIC PFMM

<b>Jim Bryant</b>	<b>Hay Creek Mutual</b>
<b>Ron Lonneman</b>	<b>Heartland Mutual</b>



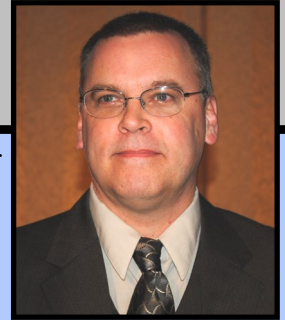
### 2019 NAMIC MERIT SERVICE AWARD

<b>Jenny Eiyneck</b>	<b>St. Joseph Mutual</b>
<b>Karla Bauer</b>	<b>Kenyon-Holden-Warsaw Mutual</b>



## September 2019 Board Meeting Synopsis

*Greg Parent, Secretary-Treasurer*



The MAFMIC Board of Directors held their third quarter meeting on September 11 at the MAFMIC office in St. Joseph. In addition to the financial and management reports, district updates, and committee reports, the board took action on several items requiring approval.

CEO Aaron Cocking reported no changes were necessary regarding the MAFMIC Strategic Plan.

Aaron Cocking also reported that in order to establish a MAFMIC Scholarship Committee to administer the scholarship application process, it would be necessary to amend the MAFMIC Bylaws and Board Policy Manual. Per a request from Jerry Zenke, the board voted to establish a \$1,000 Jim Barta Memorial Scholarship to be given annually to the top-scored scholarship application received. This award will be administered by the scholarship committee once it has been properly established.

CEO Aaron Cocking presented an update on the E2Value Ag Valuation Guide. Aaron checked on pricing and the best deal is for a two year plan. Aaron also indicated he would set up either an E2Value webinar or a demonstration at the convention.

Office Manager Dani Hennen indicated she had settled on a software product for the new association management system. The name of the software is Wild Apricot. Dani reported that a couple of payment options were available, one year or two year prepaid. The board approved the purchase of the two year pricing option.

CEO Aaron Cocking presented a proposed change to Section 3-7 Membership Dues of the Board Policy Manual involving how Chapter 66 & 67A mutual company dues are capped. When a company reaches the highest premium bracket in their respective dues calculation table, their dues will be calculated at a base of \$6,000 plus \$250 per million of the company's Minnesota written premium as of two years prior to billing. Each of the Dues Calculation Tables 3-7A & 3-7B were amended to reflect this change. The board approved this change effective for the 2021 dues. The calculation of 2020 dues will remain under the same procedure as is currently in place.

The board reviewed and approved the 2020 MAFMIC Convention Budget.

The board also held an Executive Session to conduct the annual Employee Performance & Salary Reviews of the MAFMIC staff. Chairman Mark Nelson and Chairman-Elect Dan Rupp met with CEO Aaron Cocking following the meeting to report what the board had approved.

The board will hold their final quarterly meeting at the MAFMIC office in St. Joseph on December 18-19. Members are encouraged to contact their MAFMIC District Directors with any concerns or issues that may need to come before the board.

*Greg Parent, Secretary-Treasurer*

# 125th Annual Convention Registration

February 9-11, 2020

Radisson Blu Mall of America

2100 Killebrew Drive

Bloomington, Minnesota 55425



Mutual Insurance Company

**Cancellations/Transfers** must be made in writing. Substitute another person at no additional charge. *Cancellations on or before Jan. 24th - 75% refundable. Jan. 25-Feb 6 - 50% refundable. No Refunds after Feb 6th.*

*\* Make checks payable to **MAFMIC***

<u>Registration</u>		<u>Early Bird</u>	<u>After Jan. 17</u>
Delegate		\$350	\$375
Spouse/Guest		\$350	\$375
Non-member		\$550	\$575
One Day Only	→	Call MAFMIC Office	
<b>* Must register by January 17 for the Early Bird Rate! *</b>			
<b>Delegate/Spouse/Guest/Non-member</b> - will receive all meal tickets <u>except</u> the prayer breakfast. <i>Prayer Breakfast is an Optional Ticket that can be purchased for \$40.</i>			

OPTIONAL

		Delegate	Spouse/Guest	First Time Attendee	Gluten Free Meal	Add'l Chairman's Reception \$70	Prayer Breakfast \$40	Add'l Monday Lunch \$45	Add'l Breakfast Buffet \$45	Add'l Tuesday Lunch \$45	Add'l Banquet \$70	TOTAL AMOUNT
*1.												
2.												
3.												
4.												
5.												
6.												
7.												
8.												
9.												

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PO Box 880  
St. Joseph, MN 56374

Fax  
(320) 271-0912

Phone  
(320) 271-0909

(office use) Check:

Date:

Total \$



# 125th Annual Convention At-A-Glance

## *Sunday, February 9*

1:30 p.m. - 6:00 p.m.

Registration

1:30 p.m. - 5:00 p. m.

North Star Coffee Reception

5:00 p.m. - 8:00 p.m.

Chairman's Reception

## *Monday, February 10*

7:00 a.m. - 4:00 p.m.

Registration Desk Open

7:00 a.m. - 4:00 p.m.

Hospitality Break Area

7:00 a.m. - 8:30 a.m.

Prayer Breakfast

9:00 a.m. - 11:30 a.m.

Opening General Session

11:30 a.m.- 12:45 p.m.

Public Policy Luncheon

1:00 p.m.– 2:30 p.m.

General Session

1:00 p.m.- 4:00 p.m.

Optional Auxiliary Program

2:30 p.m.- 4:00 p.m.

Ice Cream Social & Massage Chairs

6:00 p.m. - 7:30 p.m.

Banquet

7:30 p.m. - Midnight

Hospitality Rooms

## *Tuesday, February 11*

7:00 a.m. - 12:00 p.m.

Hospitality /Coffee Area

7:30 a.m. - 12:00 p.m.

Registration Desk Open

7:30 a.m. - 8:45 a.m.

Hot Breakfast Buffet

9:00 a.m. - 10:15 a.m.

Annual Business Meeting

9:00 a.m. - 11:00 a.m.

Auxiliary Meeting & Program

10:30 a.m.-12:00 p.m.

General Session

12:00 p.m.- 1:30 p.m.

RAM/MAFMIC Luncheon

## “Bad Faith Claims” 66A & Statewides

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

Minn. Stat. § 604.18 holds that an insurance carrier commits bad-faith in denying a claim when there is an (1) “absence of a reasonable basis for denying the benefits of the insurance policy; and (2) that the insurer knew of the lack of a reasonable basis for denying the benefits of the insurance policy or acted in reckless disregard of the lack of a reasonable basis for denying the benefits of the insurance policy.” An insurer, who commits bad-faith, can be liable for the following penalties:

- One half of the amount awarded at trial that is in excess of the amount the insured offered at least 10 days prior to trial or \$250,000, whichever is less;
- Attorney’s fees not to exceed \$100,000; and,
- Costs, along with pre- and post-judgment interest

Given these penalties, there is a lot at stake in ensuring a claim is properly evaluated before a denial is issued.

For a majority of the MAFMIC membership the bad-faith statute does not apply. Minn. Stat. § 604.18, subd. 1(a)(5) specifically excludes written insurance agreements under 67A.191. Arguably, this would include the entire package-policy, inclusive of those perils the township mutual and statewide carriers write. However, the bad-faith statute will affect those 66A companies and statewide carriers issuing stand-alone policies not subject to 67A.191.

On June 3, 2019, the Minnesota Court of Appeals issued its decision in *Peterson v. Western Nat. Ins. Co.*, 930 N.W.2d 443 (Minn. Ct. App. 2019). The decision clarified what it means for an insurer to have an “absence of a reasonable basis for denying benefits.”

### Case Background

On October 21, 2009, Alison Peterson sustained a whiplash injury as the result of a motor vehicle accident. Peterson was not at fault. She suffered severe headaches on a daily basis as a result. Her neurologist opined that her headaches were permanent and she would need Botox injections every 3 to 4 months for the rest of her life to relieve the pain.

Peterson sought a second opinion, which confirmed her neurologist’s initial opinion. Peterson incurred \$46,235 in past medical expenses and estimated that her future medical expenses would exceed \$300,000. Peterson settled with the other driver’s carrier for \$45,000 of the \$50,000 policy limits and sought Underinsured Motorist (UIM) benefits from her carrier, Western National, which had a \$250,000 policy limit. Western National requested medical records and retained a separate Independent Medical Examiner (IME) to offer an opinion. Nearly a year went by without Western National making any coverage determination.

Peterson, therefore, initiated suit. The parties disagreed that the motor vehicle accident was the cause of Peterson’s headaches. Western National’s IME opined that there was no causal connection between the headaches and the accident. The matter proceeded to mediation. Western National’s claims representative prepared a case analysis for

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*Continued on page 8* →

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**“Bad Faith Claims” 66A & Statewides****By John Neal, Attorney, Willenbring, Dahl, Wocken & Zimmermann, PLLC***Continued from page 7*

Western National’s claims board, assessing zero value to Peterson’s claim. The claims representative failed to include the second opinion from Peterson’s neurologist and the claims representative’s case analysis contained a number of errors. As a result, Western National considered the case to be of no more than “nuisance value” and offered \$2,000 at mediation. Peterson’s offer was \$200,000. Following mediation, Peterson’s counsel secured a \$1.1 million verdict in a different Botox-treatment case. Peterson’s counsel presented this case to Western National, who did not find it comparative to Peterson’s case, but nonetheless increased its offer to \$10,000 and finally to \$50,000 before trial. The case did not settle and instead proceeded to trial. At the conclusion of trial, a jury awarded Peterson \$1.4 million, which included \$900,000 for past and future medical expenses. Western Mutual paid Peterson the \$250,000 UIM policy limits. Peterson then proceeded with her bad-faith claim against Western National. The trial court found that there was no reasonable basis for Western National to deny the claim and that it acted in reckless disregard in denying Peterson benefits. The trial court awarded Peterson \$100,000, plus \$97,940.50 in attorneys fees for her bad-faith claim. Western National appealed.

**Court of Appeals’ Decision**

On appeal, both Peterson and Western National presented different interpretations of the term “absence of a reasonable basis for denying benefits.” Western National argued that, as long as there is some evidence to support a denial, there can be no bad-faith. Peterson argued that the trial court interpreted the statute correctly in determining whether a reasonable insurer would have denied benefits. The Court of Appeals reviewed the statute and determined that either party’s interpretation was reasonable and therefore the statute was ambiguous. Therefore, the Court reviewed the legislative history of the bad-faith statute. The Court reached the following conclusion and interpretation of what it means for an insurer to have an “absence of a reasonable basis for denying benefits”:

an insurer must conduct a reasonable investigation and fairly evaluate the results to have a reasonable basis for denying an insured’s first-party insurance-benefits claim. If, after a reasonable investigation and fair evaluation, a claim is fairly debatable, an insurer does not act in bad-faith by denying the claim.

The Court of Appeals, applying this standard, upheld the trial court’s determination and award in favor of Peterson. The Court concluded that the claims adjuster failed to provide a fair evaluation of Plaintiff’s case to the Western National’s board. The report failed to include the second opinion from Peterson’s neurologist and it contained a number of errors.

Following the Court of Appeals’ decision, Western National asked the Minnesota Supreme Court to review matters. The Supreme Court accepted review on August 6, 2019. Therefore, the Court of Appeals’ decision is not final.

**Conclusion**

While the Court of Appeals’ decision is subject to further review at this time, it is important to understand the decision and interpretation applied to the bad-faith statute. Furthermore, while the Peterson case occurred in the context to an automobile policy, the bad-faith statute has application across various lines of insurance, other than the exception noted above (i.e., policies written pursuant to Minn. Stat. 67A.191). The statute also gives some relieve for “arson” and “fraud” claims, as Minn. Stat. 604.18, subd. 2(c) states that “an insurer does not violate this subdivision by conducting or cooperating with a timely investigation into arson or fraud.”



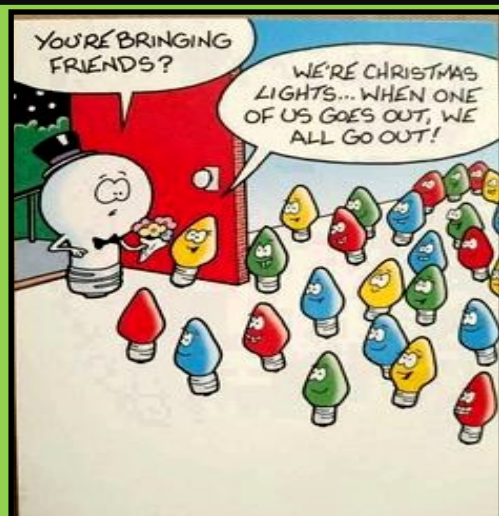
## “Microsoft Ending Support for Windows 7” *Submitted by Joel Peiffer, IMT Computer Services*

As we approach the end of 2019 it is natural to turn focus towards normal year end processes. Running reports and closing the books likely receive most of you and your staff's attention from December through January. However, don't forget other important items that you may have been putting off! One of the main focuses should be keeping your hardware up to date.

Microsoft originally announced that in July of 2019 they would be discontinuing their support of their Windows 7 operating system. However this date got pushed back earlier this year to January 14th, 2020. While people have known about the end of Windows 7 for some time, many still use it both in a personal and professional setting.

So what does *ending support* actually mean for the end user? On January 15th will your computer stop working? Will you be unable to perform your daily tasks and routines? In most cases you likely won't notice a difference in your day to day operations. However, don't let this fool you that it is okay to continue using Windows 7 without taking any action. When Microsoft ends their support they'll stop sending out security updates to any computer running Windows 7. This makes all of the data on your computer much more susceptible to potential harm or mistreatment by outside parties. Additionally, you will be unable to receive any technical support from Microsoft should you any issues arise.

What should you do if you have a computer (or multiple computers) in your office still running Windows 7? The best action to take would be to contact your hardware vendor and purchase new machines. Your computers are some of the biggest assets in being able to efficiently run your business, so this is a small investment to ensure you don't have unnecessary issues. An alternative option would be to purchase the Windows 10 operating system and you can upgrade your current computer(s). Either of these would be good solutions. The one thing you don't want to do is nothing at all. Don't leave yourself or your business vulnerable. Take action now so you can rest easier come January!



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Please advise the MAFMIC office of your annual meetings.

The **date, time & location.**

We would like to include the annual meeting on the website calendar.

Your help is very much appreciated!

## The **JOB OPENINGS** Bulletin Board

Western Mutual Insurance Company of Minnesota, (WMIM) located in Balaton, Minnesota, is seeking candidates to become the **General Manager**.

To Apply:

Send resume including applicable experience, education, employment history and references to:

*Western Mutual Insurance Company of Minn.*

*Attention Ron Schwartau,*

*125 3<sup>rd</sup> Street, Balaton, MN 56115*

or email to [Coorain@nobleswildblue.com](mailto:Coorain@nobleswildblue.com)

All applications will remain confidential.

For further information regarding this position call

Cindy Thompson at 507-734-3541 or

Ron Schwartau 507-220-8148.

Wanamingo Mutual located in Wanamingo, Minn., is seeking candidates to become the full time **Mutual Manager**.

To Apply:

Send resume - including applicable experience, any accounting & technology skills, employment history and references to:

*Wanamingo Mutual Insurance*

*Attention Bonnie Hermann,*

*PO Box 279, Wanamingo, MN 55983*

or email to [wmfi@frontiernet.net](mailto:wmfi@frontiernet.net)

Wishing you and your families a bountiful Thanksgiving and a wonderful holiday season with happiness & prosperity throughout the coming year, 2020 !  
The MAFMIC STAFF, Dani & Arlette

## Become a SPONSOR!

Please consider sponsoring for our 125th Annual MAFMIC Convention.

Funds will be used towards: Speakers & Entertainment Breaks, Meals, Receptions, and Miscellaneous items such as Programs, Lanyards, Banners, Signs Awards etc...



### New at the Short Course Attitude Adjustment Hour

**Friendly Feud**  
We are planning to have **4 TEAMS**  
5 People / Team

So gather your Team of FIVE and come up with a TEAM NAME. Since this is new we will only be going with the first 4 teams that sign up. Sign up sheet will be available at the Registration Desk at the Short Course! Ask Dani or Arlette about any questions you may have. *It should be FUN*

## Holiday Hours



### MAFMIC CLOSED

**Thanksgiving Thurs. Nov. 28th**

**Thanksgiving Friday Nov. 29th**

**Xmas Eve Tues. Dec. 24th**

**Xmas Day Wed. Dec. 25th**

**New Years Eve Tues. Dec. 31, 2019**

**New Years Day Wed. January 1, 2020**

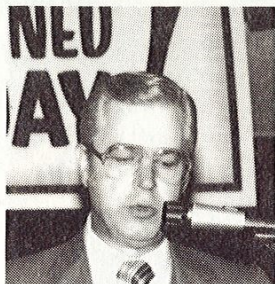




# 1981 MAFMIC Convention Annual Convention



JOURNAL PRINTING ENTERTAINED -- Pictured above are Janice and Marlin Thompson, Lake Benton, who hosted the Journal Printing Co., coffee party for all conventioners on Sunday p.m.



...CHAIRMAN  
TROE  
IN  
ACTION



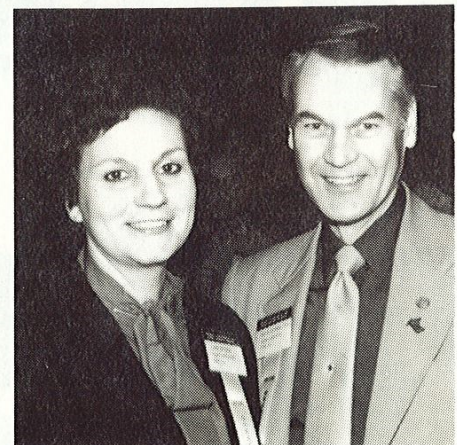
MAFMIC PAST CHAIRMEN CONVENED -- Shown above are Past Chairmen who met at a convention breakfast session to formulate a Past Chairmen's Advisory Council. Kenneth Bargfrede of Jackson will head the group in 1981.



REGISTRATION DESK CREW WAS TOPS! - They are still smiling despite long, tedious hours of work! They are: Larry Broich, Joyce Jensen, Dort Seipp, Harris Haugen and Stan Weros.



IOWA ATTENDED IN FULL STRENGTH -- The entire slate of officers from the Iowa Mutual Insurance Assn. were on hand for MAFMIC's 86th annual convention. Thanks for coming, Hawkeyes!!!



ILLINOIS HERE TOO -- Executive Vice-Pres. Dave & Linn Ostrem, were on hand representing the Illinois Association.



# IN SYMPATHY

*MAFMIC wishes to express its sincerest condolences to family and friends of Mike & Daniel.*



**R. M. "Mike" Connelly 74**, Mike was born to Dot (Burns) and Billy Connelly on July 4, 1945. (Our very own fire-cracker). Mike went to school and graduated from Graceville High School. He married his high school sweetheart, Kathy (Curran) Connelly at St. Barnabus Catholic Church in Barry, MN on February 3, 1963.

Mike taught school in Morgan, MN for one year and in Fairmont, MN for 3 years. While in Fairmont he started the wrestling program there. He was a championship racquetball player and also enjoyed family canoeing. **Mike became a crop hail adjuster and then a Field Representative and Manager of Mid-State Mutual for 7 years. His career in insurance was cut short by a heart attack on Dec. 26, 1986.**

Mike is survived by his wife of 56 years, Kathy, after living their life of love since age 15; sons: Mick of Montevideo, Tim (Brenda Ofstie) Connelly of Welch, MN; two grandchildren: Jen Harker and Chris Connelly of Montevideo; 2 great-grandchildren; and nieces, nephews.



**Daniel Arthur Linbo, 76**, of Kasson and formerly of Sargeant, passed away on Sept. 30, 2019, surrounded by family and friends at his home in Kasson following a courageous seven-year battle with colon cancer and over 20 years with Multiple Sclerosis (MS).

Daniel was born on June 9, 1943, in Rochester to LaVaine and John Linbo the oldest of four children. He grew up in Sargeant living with his parents and at the age of 13 moved to live with his grandparents, Edith and Anton Tiegen near Oslo, to help on the farm. Dan graduated from Hayfield High School and attended college in Mankato.

In 1985, Dan and his brother, Kevin, began selling crop and hail insurance along with fire, wind and liability. In 1994, Dan sold the Sargeant Store and **became secretary and manager of the Vernon Edda Mutual Fire Insurance Co. for 16 years, for which he also sold insurance.** Dan was a current, active board member of Vernon Edda, attending a board meeting just last week. When Dan retired as an agent, his son, Kirk, took over the Linbo Insurance Agency.



## Calendar 2019-20 of Events

**Nov. 20-21**     **MAFMIC Short Course**  
Minneapolis Marriott NW

### 2020

**Feb. 9-11**     **MAFMIC 125th Convention**  
Radisson Blu, Bloomington

**May 5-6**     **Managers Workshop**  
Grand View Lodge, Nisswa

**May 19-20**     **NAMIC Farm Forum**  
St. Louis, MO

**July 15**     **MAFMIC Golf Outing**  
Blackberry Ridge, Sartell

**July 21-23**     **NAMIC Ag Risk Inspection School**  
St. Louis, MO

**Sept. 20-23**     **NAMIC 125th Annual Convention**  
Boston, Mass

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