

Minutes
Dunkirk Dam Lake District (DDL D)
Special Meeting of the DDL D Commissioners
December 5, 2024

In Attendance:

DDL D Commissioners
<ul style="list-style-type: none"> • Laura Davis • Becky Dakin • Nicholas Schmuhl • Michael Engelberger • Dan Jenks

Topic	Discussion	Action
Call to Order	Laura called the special meeting of the DDL D Commissioners to order at 10:00am.	
Purpose	Laura clarified that the purpose of the special meeting was to review and approve the Insurance quote received from John Knight of Energy Insurance & Bonds.	
Background	<ul style="list-style-type: none"> • Laura reminded us that the current DDL D liability insurance policy has been cancelled. Our coverage ends 12.28.24. • Becky added that in the search for new insurance, she was told by an agent that insurance companies throughout Wisconsin have dropped coverage of dams. The reason for this is that Wisconsin has the second highest dam failure rate in the nation. The insurance companies throughout the state have cancelled coverage for dams because of this “news.” In our last DDL D meeting we asked Tom Reiss (Dam Lessee) if dams can fail. He stated, “Not really.” But said that what really happens, because of flood waters, the earthen dams can erode/break causing flooding and damage. • Laura stated that the quote we received is from Tom Reiss’ insurance carrier. • Current insurance policy is \$1800. This quote is for \$6374. In our recent budget approval we included \$5000 for insurance. • Laura also stated that we currently have an auto policy with our liability policy. The auto coverage is for volunteer auto usage which we really don’t have, therefore, we did not ask for another auto policy. 	
Yearly renewal?	<ul style="list-style-type: none"> • We questioned if the policy renews every year. We discussed that the company can 	

<p>Required coverage?</p>	<p>increase premiums, change coverage, or drop coverage however they wish so we will take this one year at a time.</p> <ul style="list-style-type: none"> • We passed this company info on to Eric Olson at Extension Lakes as a possible lead for others seeking coverage. John Knight said he would welcome the inquiries. • We discussed if the liability coverage is required. Laura commented that the DNR requires us to have liability coverage. Becky stated that Chapter 33 of the state statute does NOT require insurance. The word “insurance” does not appear in Chapter 33. However, in talking with the Eric Olson, Director of Wisconsin Extension Lakes, he said it is standard practice for Lake Districts to have liability insurance. • Becky had an extensive conversation with the insurance broker, John Knight to clarify each line item and better understand the insurance verbiage. • Becky provided the explanation of each item in writing and reviewed all verbally. • John Knight, Insurance Broker explained that this General Liability policy is a commercial policy through a wholesale insurance company. He further explained that he is the Retail Insurance Broker that we work with directly. He works with the Wholesale Broker (RPS) who works directly with the Wholesale Insurance Company (Kinsale). The customer does NOT deal directly with Kinsale. • The policy is for “general liability.” John Knight explained that this type of coverage is standardized throughout the field. You cannot pick and choose what you do/do not want. Standard coverage is included. \$1mil max per incident with a max payout of \$2mil per year. • John Knight also commented that this insurance quote was DDL D’s ONLY option. There were no other company quotes available to us. He said that we are very fortunate that Kinsale provided this quote at all. He stated that this was a very good rate for this type of coverage. • In Becky’s conversation with John Knight, he also clarified that this coverage is for the entire Lake District in that this liability coverage is applicable if: <ol style="list-style-type: none"> 1. DDL D homeowner/member is sued because someone gained access to the river through their property and an incident occurred (Homeowner and DDL D would be sued). 2. The coverage is applicable if the DDL D is sued for an incident that occurs on the common property around the dam. 3. AND applicable if we are sued for something that happens within the dam property/equipment (within fenced area). 	<p>Becky, investigate DNR’s policy that we hold liability insurance. Is this b/c of the hydroelectric dam? How can they require this?</p>
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	<ul style="list-style-type: none"> John also told Becky that this coverage was not duplicative of Tom Reiss' coverage. We can think of the DDLD coverage as "homeowner's insurance" and Tom's own policy as "renter's insurance." Both policies are needed and necessary. 	
Motion	<ul style="list-style-type: none"> Becky made a motion to accept the insurance quote as stated and to provide information as requested. Motion carried 	Becky, provide Laura with a draft email to send to John Knight. Include 1. Binding orders 2. Five year loss report 3. Physical address of dam 4. Agreement re contractors to carry liability ins
Provide minutes to the members?	<ul style="list-style-type: none"> Becky asked if she needed to take minutes and provide them to the members via website, facebook, email. Yes 	Becky took minutes. Post them to the website and inform members via facebook and email.
Extension Lakes Conference in March in Stevens Point	<ul style="list-style-type: none"> Becky's submitted a proposal to have a "roundtable discussion" at the Spring annual conference. The proposal was accepted to include an open discussion regarding ownership and management of dams. This session will be open to the public. 	Becky will register for this conference and keep members informed.
Clarification needed re: budget year, taxes collected, and taxes distributed	<ul style="list-style-type: none"> We discussed that there continues to be confusion regarding the current budget year, when those taxes are collected, and when those taxes are distributed to DDLD. We know that our property taxes are collected one year in arrears. We questioned whether DDLD should change their fiscal year (October 1-Spt 30) to a calendar year to match Dunkirk's. 	Laura & Nick will pursue clarification of this. Becky will contact Eric Olson at Extension Lakes to ask for advice. Becky will review Chapter 33 and bylaws re annual meeting requirements for budget approval. Let Laura know.
Adjourn	<ul style="list-style-type: none"> Laura adjourned the meeting at 11:00pm 	

Our next DDLD Quarterly meeting is January 15. Becky, send out meeting preparation timeline to Commissioners.