



Lincoln Electric System

LES RESOLUTION 2025-01

WHEREAS, on September 24, 2024, M.I. Industries, Inc. (“M.I.”) filed a tort claim in the amount of \$46,716.27 with the Lincoln City Clerk alleging that Central States Contractors, Inc. (“Central States”), a contractor employed by LES, damaged the private sewer line at its facility at 235 Southwest 32nd Street in Lincoln, NE while Central States was performing horizontal boring for an LES construction project;

WHEREAS, after investigating the circumstances of the tort claim, LES determined that Central States was at fault for the damage to the private sewer line and requested Central States compensate M.I. for its damage;

WHEREAS, in order to expedite M.I. receiving payment for its damages, LES issued payment to M.I. and then withheld an amount equal to the amount LES paid to M.I. from payments to Central States for invoices issued by Central States to LES;

WHEREAS, to date, LES has fully recouped from Central States the amount LES paid to M.I.;

WHEREAS, LES Policy 511 – Claims Processing requires the LES Administrative Board to ratify the payment of any tort claim exceeding \$25,000; and

WHEREAS, the LES Administrative Board believes the payment made to M.I. for the damages alleged in its tort claim filed on September 24, 2024 should be ratified.

NOW, THEREFORE, BE IT RESOLVED that the LES Administrative Board ratifies the payment made to M.I. for its tort claim against LES that was filed with the Lincoln City Clerk on September 24, 2024.

Chair

Adopted: _____