



PUBLIC PROTECTION CABINET
Kentucky Office of Claims and Appeals

Andy Beshear
GOVERNOR

Jacqueline Coleman
LIEUTENANT GOVERNOR

Board of Claims
500 Mero Street, 2SC1
Frankfort, KY 40601
Phone: (502) 782-8255
Fax: (502) 573-4817

Ray A. Perry
SECRETARY

DJ Wasson
DEPUTY SECRETARY

John Hardesty
EXECUTIVE DIRECTOR

NOTICE OF REGULAR MEETING

Date: March 26, 2024

Time: 10:00 AM Eastern Standard Time (EST)

Location: Microsoft Teams

- Call to Order and Roll Call
- Executive Director's Report
- Approval of February 2024 Minutes
- Full Board Review
- Motions
- Recommended Orders
- Agreed Orders or For Instructions
- Scheduling of April 2024 Meeting
- Adjournment

Microsoft Teams Link: [https://teams.microsoft.com/l/meetup-](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NTc0YzgxMWUtZGVmZS00MWVvLTk0NjctMmQ5NjJlNWU4Mzg2%40thread.v2/0?content=%7b%22id%22%3a%22d77c7f4d-d767-461f-b625-0628792e9e2a%22%2c%22oid%22%3a%22636ef07a-f33f-4378-b8ae-79c6f05a1438%22%7d)

[join/19%3ameeting_NTc0YzgxMWUtZGVmZS00MWVvLTk0NjctMmQ5NjJlNWU4Mzg2%40thread.v2/0?content=%7b%22id%22%3a%22d77c7f4d-d767-461f-b625-](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NTc0YzgxMWUtZGVmZS00MWVvLTk0NjctMmQ5NjJlNWU4Mzg2%40thread.v2/0?content=%7b%22id%22%3a%22d77c7f4d-d767-461f-b625-0628792e9e2a%22%2c%22oid%22%3a%22636ef07a-f33f-4378-b8ae-79c6f05a1438%22%7d)

[0628792e9e2a%22%2c%22oid%22%3a%22636ef07a-f33f-4378-b8ae-79c6f05a1438%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NTc0YzgxMWUtZGVmZS00MWVvLTk0NjctMmQ5NjJlNWU4Mzg2%40thread.v2/0?content=%7b%22id%22%3a%22d77c7f4d-d767-461f-b625-0628792e9e2a%22%2c%22oid%22%3a%22636ef07a-f33f-4378-b8ae-79c6f05a1438%22%7d)



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Meeting Agenda

Date: March 26, 2024

When moving into Executive Session, use the following language: [Move for the Board to enter executive session, pursuant to KRS 61.815 and KRS 61.810 (1) (c) and (j) to discuss proposed or pending litigation and deliberate on individual adjudications in “*please state the relevant case number of all cases to be discussed in closed session.*” Motion must be seconded.]

I. FEBRUARY MONTHLY REPORT

During the month of February 2024, the Board of Claims received **192** negligence claims filed against the Commonwealth.

The Board rendered **66** decisions in claims *under \$2,500.00* in February 2024. Of those, **37** were dismissed and **28** were awarded for a total amount awarded of **\$17,831.29**.

At its February meeting, the Board vacated **1** claim additional damages upon Full Board Review, dismissed **7** claims upon Motions, Recommended Orders, and *sua sponte* dismissals, and granted **5** Agreed Orders of Dismissal, awarding an additional amount of **\$113,849.67**. With the claims under \$2,500.00, and those decided at the February Meeting, the Board decided **79** claims, dismissing a total of **44** claims, and awarding a total of **35** claims for a total amount awarded of **\$131,680.96**.

II. APPROVAL OF FEBRUARY MINUTES

1st: 2nd:

III. FULL BOARD REVIEW

BC-22-0918

JERRY MARSTALL

v.

TOURISM, ARTS & HERITAGE CABINET

DEPARTMENT OF PARKS

-Findings of Fact, Order, Opinion Awarding (\$500.00)

-Respondent’s Request for Full Board Review

BC-23-0429

MICHAEL SCHMIDT

v.

TRANSPORTATION CABINET

DEPARTMENT OF HIGHWAYS (KYTC)

- Findings of Fact, Order, and Opinion Dismissing
- Claimant's Request for Full Board Review

BC-23-0677

TIMOTHY (JADA) ROUSE

v.

JUSTICE & PUBLIC SAFETY CABINET

DEPARTMENT OF CORRECTIONS (DOC)

- Findings of Fact, Order, and Opinion Denying
- Claimant's Request for Full Board Review
- Order Requiring Parties to Produce Inventory Sheets

BC-23-0785

FRANCES MARTIN

v.

UNIVERSITY OF KENTUCKY (UK)

- Findings of Fact, Order, and Opinion Dismissing
- Claimant's Request for Full Board Review

BC-24-0098

DANIEL ESCHENBACH

v.

TRANSPORTATION CABINET

DEPARTMENT OF HIGHWAYS (KYTC)

- Order Dismissing due to Contractor
- Claimant's Request for Full Board Review

IV. MOTIONS

BC-23-0996

JACOB BRANNON

v.

DOC

- Respondent's Motion to Dismiss

BC-24-0009

THOMAS BEARD

v.

PUBLIC PROTECTION CABINET

DEPARTMENT OF INSURANCE

-Respondent's Motion to Dismiss

-Claimant's Response

V. RECOMMENDED ORDERS

BC-23-0183

ANGIE HARRIS

v.

KYTC

-Recommended Default Order

VI. AGREED ORDER OR FOR INSTRUCTIONS

BC-23-0376

JOHNNY HORTON

v.

KYTC

-Agreed Order of Dismissal

BC-23-0570

JACQUELINE MILEY

v.

UK

-Agreed Order of Dismissal

BC-23-0619

CAROLYN MAHAN

v.

KING'S DAUGHTERS MEDICAL CENTER (UK)

-Respondent's Answer Requesting Extension

-Order Granting Extension

-Status Update

BC-23-1010

JOSH HATFIELD

v.

JUSTICE & PUBLIC SAFETY CABINET
KENTUCKY STATE POLICE

-Agreed Order of Dismissal

BC-24-0066

JOSEPH HUMES

v.

TOURISM, ARTS & HERITAGE CABINET
STATE FAIR BOARD

-Respondent's Answer Admitting Negligence
-Entry of Final Order Awarding Damages

BC-24-0380

SARAH SIMS,
NEXT FRIEND AND GUARDIAN
OF J.S., A MINOR

v.

UK

-Joint Motion to Dismiss
-Agreed Order of Dismissal

VII. SCHEDULING OF APRIL MEETING

VIII. ADJOURNMENT

1st: 2nd:

