



Andy Beshear
GOVERNOR
Jacqueline Coleman
LIEUTENANT GOVERNOR

PUBLIC PROTECTION CABINET
Kentucky Office of Claims and Appeals
Board of Claims

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Ray A. Perry
SECRETARY

John Hardesty
EXECUTIVE DIRECTOR

Samuel T. Wright, III
BOARD CHAIRPERSON

Dale Sights
MEMBER

Kathryn M. Thomas
MEMBER

April 25, 2023 Meeting

MINUTES

The meeting, conducted via Zoom, was called to order at approximately 10:00 am., and the following business was conducted in Board of Claims matters.

In attendance were Board members Samuel Wright and Dale Sights. Member Sights moved to appoint Member Wright to Interim Chair, with Member Wright seconding. Having all in favor, the motion carried. Interim Chair Wright called the meeting to order.

Member Sights motioned to accept the March 2023 meeting minutes. Interim Chair Wright seconded the motion. Having all in favor, the motion carried.

A quorum existed and business was conducted. Also in attendance were Executive Director John Hardesty, Staff Attorneys Shelby Bevins-Sullivan and Natalie Lile, Clerk Katie Dean, Hearing Officers Eden Davis Stephens and Shawn D. Chapman, Attorney Evan Jones for Tourism, Arts & Heritage Cabinet, Attorney Kevin Imhof for Claimant Tradewater Organics, LLC, Attorney Robert Chaney for Justice & Public Safety Cabinet, Department of Corrections, Attorney Sandra Reeves for Claimant Vicky Bryant, Attorney Robert Kellerman for Claimant Harrod Concrete & Stone Company, Attorney Jordan Hall for Claimant Robert Stewart, Attorney Johann Herklotz for University of Kentucky, and Claimants Joseph Luckett, Raymond Reid, Randy Turner, Jerry Marstall, and James Lawson.

After Executive Director Hardesty delivered the monthly report for the Board of Claims for February 2023, the January minutes were approved. Member Dale Sights moved to approve the February 2023 Minutes with Interim Chair Wright seconding. Having all in favor, the Motion carried.

After approval of the prior meeting's Minutes, the following cases were taken up for consideration:

BC-22-0247: Joseph Luckett v. Transportation Cabinet, Dept. of Highways (KYTC)

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.



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- The Board vacated its prior decision, awarding the Claimant \$500.00 for his deductible.

BC-22-0538: Raymond Reid v. KYTC

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board vacated its prior decision, awarding the Claimant \$500.00 for his deductible.

BC-23-0090: Randy Turner v. Justice & Public Safety Cabinet, Dept. of Corrections (DOC)

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board vacated its prior decision, allowing the Claimant to have forty-five (45) days from the date of service of the order vacating to provide Board staff with a receipt for his glasses, and once provided, the claim will be served and decided on the merits.

BC-22-0918: Jerry Marstall v. Tourism, Arts & Heritage Cabinet, Dept. of Parks (DOP)

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board passed this claim to the May meeting.

BC-23-0110: Aaron Ruffin v. DOC

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board sustained the Respondent's Motion to Dismiss.

At approximately 11:08 am, Member Sights moved to enter an Executive Session pursuant to KRS 61.815 and KRS 61.810(1)(c) and (j) to deliberate on the following cases: BC-22-0247, BC-22-0538, BC-23-0090, BC-22-0918, BC-23-0110, BC-21-0051, BC-21-0518, BC-22-0028, and BC-20-0469. Interim Chair Wright seconded. Having all in favor, the Board went into Executive Session.

At approximately 12:39 pm, Member Sights moved to exit the Executive Session and return to Open Session. Interim Chair Wright seconded. Having all in favor, the motion carried, and no official action was taken during the Executive Session.

BC-21-0051: Vicky Bryant v. KYTC

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board accepted and adopted the Recommended Order, dismissing the claim.



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BC-21-0518: Harrod Concrete & Stone Co. v. KYTC

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board passed this claim to the May meeting.

BC-22-0028: James Lawson v. KYTC

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board passed this claim to the May meeting.

BC-22-0939: Lee Ann Sampson v. KYTC

1st: Dale Sights 2nd: Samuel Wright. Having all in favor, the motion carried.

- The Board accepted and adopted the Recommended Order, dismissing the claim.

BC-20-0469: Tradewater Organics, LLC v. Justice & Public Safety Cabinet, Kentucky State Police (KSP)

1st: Dale Sights 2nd: Samuel Wright. Having all in favor, the motion carried.

- The Board ordered staff to generate a final order consistent with discussions held in Executive Session.

BC-23-0283: Stephanie Mullins v. Grayson County Detention Center

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board dismissed this claim, *sua sponte*, for lack of jurisdiction over the Respondent.

BC-22-0552: Victoria Jones v. KYTC

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board entered the Agreed Order of Dismissal.

BC-22-0907: Tim Wells v. KYTC

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board entered the Agreed Order of Dismissal.

BC-23-0021: Michelle Marshall v. KYTC



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1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board entered the Agreed Order of Dismissal.

BC-23-0058: Tabitha Royer v. KSP

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board entered the Agreed Order of Dismissal.

BC-23-0061: Robert Stewart v. University of Kentucky

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the motion carried.

- The Board entered the Agreed Order of Dismissal and sustained the parties' Joint Motion to Dismiss.

Interim Chair Wright moved to hold the May meeting on May 16, 2023 at 10:00 am, with Member Sights seconding. Having all in favor, the motion carried.

Member Sights moved to adjourn the meeting at approximately 12:51 pm, with Interim Chair Wright seconding. Having all in favor, the motion carried, and the meeting adjourned.