



## PUBLIC PROTECTION CABINET

**Andy Beshear**  
GOVERNOR

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR

**Kentucky Office of Claims and  
Appeals**

**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

### **April 30, 2024 Meeting**

### **MINUTES**

The meeting, conducted via Zoom, was called to order at approximately 10:12 am., and the following business was conducted in Board of Claims matters.

In attendance were Board members Samuel Wright, Kathryn Thomas, and Dale Sights. Chairman Wright called the meeting to order.

A quorum existed and business was conducted. Also in attendance were: Executive Director John Hardesty, Staff Attorneys Shelby Bevins-Sullivan and Linda Horsman, Clerk Katie Dean, Hearing Officer Charles Miller, Attorney Evan Jones for Respondent Department of Parks, Attorneys Allison Brown and Kristin Wehking for Respondent Department of Corrections, Attorney Ashlea Shepherd as Guardian Ad Litem for Claimant Jessica Robinson, Attorney Peyton Sands for Respondent Cabinet for Health and Family Services, and Claimants Michelle Caudill, Denise Akins, Jessica Robinson, and Robert Johnson.

After Director Hardesty delivered the monthly report for the Board of Claims for March 2024, the March 2024 Minutes were approved. Member Kathryn Thomas moved to approve the March 2024 Minutes with Member Dale Sights 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-23-0753: Michelle Caudill v. Transportation Cabinet, Dept. of Highways (KYTC)**

1st: Kathryn Thomas 2nd: Dale Sights. Chair Samuel T. Wright, III recused. Having majority in favor, the Motion carried.

- The Board vacated its prior decision, apportioning twenty-five percent (25%) fault to KYTC and awarding the Claimant \$1,098.15 in damages.

**BC-24-0068: Kelvin Bell v. Justice & Public Safety Cabinet, Dept. of Corrections (DOC)**

1st: Samuel Wright 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board affirmed its prior decision, dismissing the claim.

**BC-24-0183: Denise Akins v. KYTC**

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

- The Board ordered the Claimant to produce documentation from her insurance company regarding whether her policy will cover any of her damages within thirty (30) days from the date the order is served. The Board will revisit the claim at the next available meeting.

At approximately 10:56 am, Member Thomas 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-23-0753 and BC-24-0183. Member Sights seconded. Having all in favor, the Board went into Executive Session.

At approximately 11:29 am, Member Sights moved to exit the Executive Session and return to Open Session. Member Thomas seconded. Having all in favor, the motion carried, and no official action was taken during the Executive Session.

**BC-23-0755: Jessica Robinson v. Cabinet for Health and Family Services, Western State Hospital**

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

- The Board passed this claim to the May meeting at the Claimant's request.

**BC-24-0018: Seantel Watson v. DOC**

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

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

**BC-22-0617: Kenneth Holbrook v. KYTC**

1st: Samuel Wright 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

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

**BC-23-0840: Jed Johnston v. KYTC**

1st: Samuel Wright 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board entered the Agreed Order of Dismissal.

**BC-24-0238: David Jensen v. Western Kentucky University**

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

- The Board entered the Agreed Order of Dismissal.

**BC-24-0249: Christopher Johnson v. Henderson County Detention Center and Lori Quarles**

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 county entities.

**BC-24-0478: Robert Johnson v. Ohio Industrial Commission and Michael Pikosz**

1st: Dale Sights 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board dismissed this claim, *sua sponte*, for lack of jurisdiction over a non-Kentucky state agency.

**BC-24-0479: Robert Johnson v. Commonwealth Hospitality, LLC and Michael Pikosz**

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 a private entity.

Chairman Wright motioned to scheduled the Board's May meeting for May 20, 2024 at 2:00 pm EST. Member Sights seconded the motion. Having all in favor, the Motion carried. The Board scheduled its May meeting for May 20, 2024 at 2:00 pm EST.

Member Sights moved to adjourn the meeting at approximately 11:40 am with Member Thomas seconding. Having all in favor, the Motion carried, and the meeting adjourned.