



**Andy Beshear**  
GOVERNOR

**Jacqueline Coleman**  
LIEUTENANT GOVERNOR

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

**Board of Claims**  
500 Mero Street, 2SC1  
Frankfort, KY 40601  
Phone: (502) 782-8255  
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**Ray A. Perry**  
SECRETARY

**DJ Wasson**  
DEPUTY SECRETARY

**John Hardesty**  
EXECUTIVE DIRECTOR

## NOTICE OF REGULAR MEETING

Date: August 27, 2024

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

Location: Microsoft Teams

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

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## PUBLIC PROTECTION CABINET

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### Meeting Agenda

**Date: August 27, 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. JULY MONTHLY REPORT**

During the month of July 2024, the Board of Claims received **79** negligence claims filed against the Commonwealth.

The Board rendered **147** decisions in claims *under \$2,500.00* in July 2024. Of those, **127** were dismissed and **20** were awarded for a total amount awarded of **\$12,864.22**.

At its July meeting, the Board affirmed **3** claims upon Full Board Review, passed **1** claim, dismissed **2** claims upon *sua sponte* dismissals, and entered **1** Final Order, awarding an additional **\$62,627.00**. With the claims under \$2,500.00, and those decided at the July Meeting, the Board decided **151** claims, dismissing a total of **129** claims, and awarding a total of **22** claims for a total amount awarded of **\$75,991.22**.

#### **II. APPROVAL OF JULY MINUTES**

1st:            2nd:

#### **III. FULL BOARD REVIEW**

**BC-23-1019**

GREGORY CRAWFORD

v.

TRANSPORTATION CABINET

DEPARTMENT OF HIGHWAYS (KYTC)

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

**BC-24-0305**

LATICIA GATES

v.

TRANSPORTATION CABINET

DEPARTMENT OF HIGHWAYS (KYTC)

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

**BC-24-0312**

ROBERT MADISON

v.

KYTC

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

**BC-24-0494**

IXCHETL SMITH

v.

KYTC

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

**BC-24-0513**

KENDAL BACH

v.

KYTC

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

**IV. MOTIONS**

**BC-23-0832**

SHANNON-DALE BAIRD

v.

JUSTICE AND PUBLIC SAFETY CABINET

DEPARTMENT OF CORRECTIONS (DOC) and

KENTUCKY STATE POLICE (KSP)

- Respondent DOC's Motion to Dismiss
- Tendered Order
- Respondent KSP's Motion to Dismiss
- Tendered Order

**BC-24-0438**

CREATIVE MINDS DEVELOPMENT CENTER, LLC

v.

CABINET OF HEALTH AND FAMILY SERVICES (CHFS)

(holdover from July meeting)

-Respondent's Motion to Dismiss

**V. RECOMMENDED ORDERS**

**BC-22-0015**

ASHLEY HART

v.

TOURISM, ARTS & HERITAGE CABINET

DEPARTMENT OF PARKS (DOP)

-Recommended Agreed Order of Partial Dismissal

**BC-22-0625**

BRUCE JUNG

v.

KYTC

-Recommended Order of Dismissal

**BC-23-0250**

RAYMOND HUNTER

v.

KYTC

-Recommended Agreed Order of Dismissal

**VI. AGREED ORDERS or FOR INSTRUCTIONS**

**BC-23-0477**

ESTATE OF MIKE ROBERTSON

v.

UNIVERSITY OF KENTUCKY (UK)

-Agreed Order of Dismissal

**BC-23-0736**

MARY CLAPP

v.

TOURISM, ARTS & HERITAGE CABINET

DOP

-Agreed Order of Dismissal

**BC-24-0371**

ZOE GERSTLE

v.

LABOR CABINET

OFFICE OF UNEMPLOYMENT INSURANCE

-Agreed Order of Dismissal

**BC-23-0596**

ALEX ALASTARY SANDERS

v.

FRANKLIN COUNTY ATTORNEY'S OFFICE and

FRANKFORT POLICE DEPARTMENT

-Dismiss, *sua sponte*, for failure to file within one-year statute of limitations and for lack of jurisdiction over county and municipal entities

**BC-23-0882**

LETA BROWN

v.

UNIVERSITY OF LOUISVILLE

-Dismiss for failure to respond to Show Cause Order

**BC-23-0931**

PLEUN TROOST

v.

WESTERN KENTUCKY UNIVERSITY

-Dismiss, *sua sponte*, as moot

**BC-23-0932**

NT TRADING INC.

c/o ESRA BICIOGLU

v.

UNKNOWN

-Dismiss for failure to respond to Show Cause Order

**BC-23-0936**

ASHLEY KEITH

v.

CHFS

-Dismiss for failure to respond to Show Cause Order

**BC-23-0959**

DAVID DRAPER

v.

KYTC

-Dismiss for failure to respond to Show Cause Order

**BC-24-0027**

LUKE KOENIG

v.

UNKNOWN

-Dismiss for failure to respond to Show Cause Order

**BC-24-0054**

BELLARMINE UNIVERSITY

v.

TOURISM, ARTS & HERITAGE CABINET

STATE FAIR BOARD

-Dismiss for failure to respond to Show Cause Order

**BC-24-0101**

GONZALO LOPEZ

v.

KYTC

-Dismiss for failure to respond to Show Cause Order

**BC-24-0204**

PHIL LOVE IV

v.

TATES CREEK CROSSING APARTMENTS

-Dismiss, *sua sponte*, for lack of jurisdiction over private entity

**BC-24-0316**

VICKY CRAFT

v.

UK

-Enter Order Placing Claim in Abeyance due to pending parallel circuit court suit

**VII. SCHEDULING OF SEPTEMBER MEETING**

1st:            2nd:

**VIII. ADJOURNMENT**

1st:            2nd: