

COMMONWEALTH OF KENTUCKY

Board of Claims

Minutes

February 19, 2009

The Board adopted the minutes of the December, 2008 meeting as submitted by the Clerk of the Board.

Executive Director's Report:

The Board of Claims received 61 new claims during the month of December, 2008. A total of 78 new claims were set up, according to Assistant Clerk Paula Woolums. Paula also dismissed three (3) claims for being under the \$100.00 threshold.

Investigators Jackie Lynch and Wanda Luttrell decided 55 claims (under \$1000.00) in December, 2008. They dismissed 34 claims and awarded 21 claims for a total amount of \$8,572.94. Together with the claims investigated in-house, the Board dismissed a total of 45 claims and awarded 28 claims for a total amount awarded of \$26,987.16 in December, 2008.

The Board of Claims received 82 new claims during the month of January, 2009. A total of 59 new claims were set up, according to Assistant Clerk Paula Woolums. Paula also dismissed one (1) claim for being under the \$100.00 threshold.

Investigators Jackie Lynch and Wanda Luttrell decided 70 claims (under \$1000.00) in January, 2009. They dismissed 47 claims and awarded 23 claims for a total amount of \$8,659.52. No Board meeting was held in January, 2009.

Members Present: James F. Sullivan, Chair
Jo Ann Phillips, Board Member
Larry E. Forgy, Board Member
Michael Plummer, Board Member
G. Mitchell Mattingly, Acting Executive Director/Board Attorney
Jackie Lynch, Investigator
Wanda Luttrell, Investigator
Paula Woolums, Assistant Clerk
Lisa G. Robinson, Clerk

Addendum

BC-2007-00203

William Hollon vs. Transportation Cabinet

Grant Award - \$1,000.00 [Board awarded]

BC-2007-00614

Elizabeth Fisher vs. Transportation Cabinet

Grant Award - \$0.00 [Board ordered dismissed]

BC-2007-00615

Thomas Fisher vs. Transportation Cabinet

Grant Award - [Board ordered dismissed]

BC-2008-00663

Dan Ziegler vs. Transportation Cabinet

Grant Award - \$925.00 [Board awarded]

For Instructions From the Board

BC-2008-00198

Terry McGuire vs. Justice and Public Safety Cabinet / Justice and Public Safety Cabinet

Grant Award - [Board ordered dismissed]

BC-2008-00200

Carroll Alexander vs. Justice and Public Safety Cabinet / Justice and Public Safety Cabinet

Grant Award - [Board ordered dismissed]

BC-2008-00302

Tiffany Newton vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00321

Keith Dixon vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00369

Rick Wilson vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00384

Patrishia Durbin vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00412

Charles Skirvin vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00441

Brenda Rhodes vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00442

Gladys Curtsi vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00478

Willie Ray vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00490

Dorothy Cook vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00499

Kelly Starks vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00516

James Fields vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00517

Amanda Allen vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00538

Scott Smith vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00616

Wilma Rogerson vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00627

Ronald Gentry vs. Justice and Public Safety Cabinet / Justice and Public Safety Cabinet

Grant Award - [Board ordered dismissed]

BC-2008-00668

Michael Kurk vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00669

Theresa Smith vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

BC-2008-00713

Maurice Todd, #195347 vs. Jefferson County Metro Jail

Grant Award - [Board ordered dismissed]

BC-2008-01040

Steven Evans vs. Pike County Fiscal Court

Grant Award - [Board ordered dismissed]

BC-2008-01099

Rebecca Hamlin vs. City of Somerset

Grant Award - [Board ordered dismissed]

BC-2008-01131

Troy Gavin vs. City of Louisville Water Company

Grant Award - \$0.00 [Board ordered dismissed]

Full Board Review

BC-2008-00532

Virgie Dixon vs. Department of Highways / Transportation

Grant Award - \$351.00 [Reversed previous dismissal and awarded]

BC-2008-00806

Brandy Kidd vs. Department of Highways / Transportation

Grant Award - \$500.00 [Reversed previous dismissal and awarded]

BC-2008-00814

Carol Nugent vs. Department of Highways / Transportation

Grant Award - [Upheld previous dismissal]

Motions

BC-2006-00547

Stones River Electric, Inc. vs. Murray State University, et al.

Grant Award - \$0.00 [Board ordered dismissed]

BC-2008-00523

Pam Owens vs. Transportation Cabinet

Grant Award - \$0.00 [Board ordered dismissed]

BC-2008-00847

Crystal Williams vs. Cabinet for Health and Family Services

Grant Award - [Held over until next board meeting]

BC-2008-00924

Pam Elkins; Thomas Parker vs. Hickman County Board of Education

Grant Award - [Overruled Motion]

BC-2008-00990

Timothy Rouse vs. Justice and Public Safety Cabinet / Ky. State Penitentiary

Grant Award - [Motion Sustained]

BC-2008-01000

Sean Bardes vs. Eastern Kentucky University

Grant Award - [Overruled Motion]

BC-2008-01016

Trent Fry; Tracey Fry vs. Scott County Board of Education

Grant Award - [Held In Abeyance]

BC-2008-01073

Michael Paisley vs. Transportation Cabinet / Department of Highways

Grant Award - [Motion Sustained]

BC-2008-01108

Katy Trout vs. University of Kentucky Medical Center

Grant Award - [Held In Abeyance]

BC-2008-01111

Holly Rosser vs. Cabinet for Health and Family Services / Western State Hospital

Grant Award - [Held In Abeyance]

BC-2008-01160

David Qualls; Paula Qualls vs. Transportation Cabinet

Grant Award - \$0.00 [Board ordered dismissed]

BC-2008-01185

George Green vs. Department of Parks / Tourism, Arts and Heritage Cabinet

Grant Award - \$0.00 [Board ordered dismissed]

BC-2008-01188

Paul Brewer vs. University of Kentucky Medical Center

Grant Award - [Overruled Motion]

Recommended Order

BC-2002-00334

Ira Southwood; Leatha Southwood vs. Transportation Cabinet

Grant Award - \$3,500.00 [Board awarded]

BC-2006-00175

Michael Eades vs. Tourism, Arts & Heritage Cabinet / Ky. State Fair Board

Grant Award - \$0.00 [Board ordered dismissed]

BC-2006-00362

Michael Stone vs. Transportation Cabinet

Grant Award - \$0.00 [Board ordered dismissed]

BC-2007-00112

Rhonda Kircher vs. Transportation / Transportation Cabinet

Grant Award - \$30,000.00 [Board awarded]

BC-2007-00158

Melisa Kessinger vs. Department of Military Affairs

Grant Award - \$0.00 [Board ordered dismissed]

BC-2007-00450

Dwain Brockman vs. Justice and Public Safety Cabinet / Department of State Police

Grant Award - [Board ordered dismissed]

BC-2007-00637

Tuesday Helton; Marsha Helton vs. Office of Housing, Buildings and Construction / Office of Housing, Buildings and Construction; Environmental and Public Protection Cabinet / Bath Co.

Grant Award - [Motion Granted]

BC-2007-00721

Bertha Pentecost vs. Tourism, Arts & Heritage Cabinet / Ky. State Fair Board

Grant Award - \$201.39 [Board awarded]

BC-2007-00749

James Mallory vs. Justice and Public Safety Cabinet / Department of Corrections

Grant Award - \$0.00 [Motion Sustained]

BC-2007-00762

Quinton Glendening; LeQuita Chittenden vs. Transportation Cabinet

Grant Award - [Board ordered dismissed]

BC-2008-00081

James Landrum vs. Tourism, Arts & Heritage Cabinet / Dept. of Parks

Grant Award - \$800.00 [Board awarded]

BC-2008-00248

Cleo Miller vs. Transportation Cabinet

Grant Award - \$1,000.00 [Board awarded]

BC-2008-00497

James Deardorff vs. Transportation Cabinet

Grant Award - [Board ordered dismissed]

BC-2008-00541

James May vs. University of Kentucky

Grant Award - [Board ordered dismissed]

BC-2008-00629

Haldex Brake Props. Corp vs. Tourism, Arts & Heritage Cabinet / Ky. State Fair Board

Grant Award - \$8,500.00 [Board awarded]

BC-2008-00697

Samuel Dobson vs. Western Kentucky University

Grant Award - [Overruled Motion]

BC-2008-01047

Lamar Outdoor Advertising vs. Transportation Cabinet

Grant Award - \$0.00 [Board ordered dismissed]

BC-2008-01194

Alice Wilson vs. Transportation Cabinet

Grant Award - \$0.00 [Board ordered dismissed]

BC-2009-00061

Jason Borden vs. Warren Circuit Court, Division I

Grant Award - \$0.00 [Board ordered dismissed]

Total number of Claims: 62