



**PUBLIC PROTECTION CABINET**  
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BOARD OF CLAIMS  
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**Andy Beshear**  
Governor

**Ray Perry**  
Secretary

**John Hardesty**  
Executive Director

Commonwealth of Kentucky  
Board of Claims  
**February 28, 2022 Meeting**

**MINUTES**

The meeting, conducted via Zoom, was called to order at 11:04 am., and the following business was conducted in Board of Claims matters.

In attendance were Board members Joe Childers, Michael Plummer, and Dale Sights. 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 Jonathan Olsen for Claimant Jimmie Terrell, Attorney Taylor Brown for Kentucky Board of Elections, Attorney Sarah Noble for Tourism, Arts & Heritage Cabinet, Attorney Tonya Rager for University of Kentucky, and Claimant Mike Hurst.

After Executive Director Hardesty delivered the monthly report for the Board of Claims for January 2022, the January 2022 minutes were approved. Member Michael Plummer moved to approve the January 2022 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-21-0115:** Muharem Zukic v. Kentucky Transportation Cabinet, Dept. of Highways (KYTC)

Motion: 1st Michael Plummer, 2nd Dale Sights. Having all in favor, the motion carried.

- The Board agreed to enter the Agreed Order of Dismissal.

**BC-21-0263:** Ashley Sizemore v. KYTC

Motion: 1st Michael Plummer, 2nd Dale Sights. Having all in favor, the motion carried.

- The Board agreed to enter the Agreed Order of Settlement.



**BC-21-0264:** Kelsey Stamper, a minor v. KYTC

Motion: 1st Michael Plummer, 2nd Dale Sights. Having all in favor, the motion carried.

- The Board agreed to enter the Agreed Order of Settlement, as approved by the appointed Guardian Ad Litem.

**BC-21-0425:** Judy Harr v. KYTC

Motion: 1st Michael Plummer, 2nd Dale Sights. Having all in favor, the motion carried.

- The Board agreed to enter the Agreed Order of Dismissal.

**BC-21-0664:** Kentucky Pork Producers v. Tourism, Arts & Heritage Cabinet, Kentucky State Fair Board

Motion: 1st Michael Plummer, 2nd Dale Sights. Having all in favor, the motion carried.

- The Board agreed to enter the Agreed Order of Settlement.

**BC-21-0725:** Industrial Nut Corporation v. TAHC, Kentucky State Fair Board

Motion: 1st Michael Plummer, 2nd Dale Sights. Having all in favor, the motion carried.

- The Board agreed to enter an Order awarding the Claimant \$3,201.66 in full satisfaction of the claim, as reflected in the Respondent's Answer.

**The Board moved into Executive Session at approximately 11:25 am, pursuant to KRS 61.815 and KRS 61.810(1)(c) and (j) to discuss and deliberate on BC-21-0659: Jimmie Terrell v. Kentucky State Board of Elections, et al.**

Motion: 1st Joe Childers, 2nd Dale Sights. Having all in favor, the motion carried.

**The Board moved to end the Executive Session at approximately 11:30 am.**

Motion: 1st Joe Childers, 2nd Michael Plummer. Having all in favor, the Motion carried.

**BC-21-0659:** Jimmie Terrell v. Kentucky State Board of Elections, et al.

Motion: 1st Michael Plummer, 2nd Dale Sights. Having all in favor, the motion carried.

- Having no objection by the parties, the Board agreed to place this claim in abeyance pending the outcome of the civil action arising from the same incident in McCracken Circuit Court.

**BC-21-0691:** Pacific Intermountain Express v. KYTC

Motion: 1st Michael Plummer, 2nd Dale Sights. Having all in favor, the motion carried.

- The Board agreed to grant KYTC's Partial Motion to Dismiss and assigned this claim to a hearing officer.

**BC-21-0715:** Melissa Johnson v. TAHC, Department of Parks

Motion: 1st Dale Sights, 2nd Michael Plummer. Having all in favor, the motion carried.

- The Board overruled the Department of Parks's Motion for Summary Disposition and assigned this claim to a hearing officer.

**BC-17-0064:** Dan Bondick v. TAHC, Dept. of Parks

Motion: 1st Michael Plummer, 2nd Dale Sights. Having all in favor, the motion carried.

- The Board accepted but modified the Recommended Order to reflect the Dept. of Parks's Exceptions.

**CC-19-0268:** Connie Wright v. TAHC, Dept. of Parks

Motion: 1st Michael Plummer, 2nd Dale Sights. Having all in favor, the motion carried.

- The Board accepted but modified the Recommended Order to reflect the Dept. of Parks's Exceptions.

**CC-19-0780:** Patrick Coleman v. University of Kentucky (UK) and Jeffrey Selby, MD

Motion: 1st Dale Sights, 2nd Michael Plummer. Chairman Joe Childers recused in this matter.

Having a majority of the Board in favor, the motion carried.

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

**BC-21-0241:** Lily Slaughter v. UK

Motion: 1st Dale Sights, 2nd Michael Plummer. Chairman Joe Childers recused in this matter.

Having a majority of the Board in favor, the motion carried.

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

**BC-21-0330:** Alexis DeVoe v. KYTC

Motion: 1st Michael Plummer, 2nd Dale Sights. Having all in favor, the motion carried.

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

After the cases were called, Board Member Michael Plummer moved to adjourn the meeting with Member Dale Sights seconding the motion. Having all in favor, the meeting adjourned at approximately 11:48 am.