



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
Fax: (502) 573-4817

Ray A. Perry
SECRETARY

John Hardesty
EXECUTIVE DIRECTOR

Samuel T. Wright, III
MEMBER

Joshua Hicks
MEMBER

Dale Sights
MEMBER

NOTICE OF REGULAR MEETING

Date: February 28, 2023

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

Location: Zoom

- Call to order and roll call
- Approve minutes of January 24, 2023 meeting
- Executive Director's Report
- Full Board Review
- Motions
- Recommended Orders
- Agreed Orders or For Instructions
- Review of calendar and setting of next meeting
- Adjournment

Zoom Link:

[https://us06web.zoom.us/meeting/tZYocuqqjwsHtQRNb0RDFBdl4XI5taByYRC/ics?icsToken=98tyKuGqqz4pEtCStH2HRpwQGY_4b_zwiGZdgrdsrjHnUxJ3RCHyOrZ6G-drEfrJ](https://us06web.zoom.us/join/https://us06web.zoom.us/meeting/tZYocuqqjwsHtQRNb0RDFBdl4XI5taByYRC/ics?icsToken=98tyKuGqqz4pEtCStH2HRpwQGY_4b_zwiGZdgrdsrjHnUxJ3RCHyOrZ6G-drEfrJ)



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Amended Meeting Agenda

Date: February 28, 2023

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. January 2023 Monthly Report:

During the month of January 2023, the Board of Claims received 74 negligence claims filed against the Commonwealth.

The Board rendered 85 decisions in claims under \$2,500.00 in January 2023. Of those, 29 were dismissed and 56 were awarded for a total amount awarded of \$37,473.35.

At its January 2023 meeting, the Board approved 2 Agreed Orders of Dismissal and awarding an additional amount of \$1,500.00. With the claims under \$2,500.00, and those decided at the January 2023 Meeting, the Board decided 100 claims, dismissing a total of 44 claims, awarding a total of 57 claims, assigning 1 claim to a hearing officer, and passing 1 claim to the February Meeting, for a total amount awarded of \$38,973.35.

II. APPROVAL OF JANUARY MINUTES:

1st: 2nd:



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III. FULL BOARD REVIEW

BC-22-0669
SCOTT HALBLIEB
v.
TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS (KYTC)
-Claimant's Request for Full Board Review
-Order Dismissing

BC-22-0891
KAREN FARMER
v.
KYTC
-Claimant's Request for Full Board Review
-Order Awarding Deductible Amount (\$500.00)

IV. MOTIONS

BC-22-0824
JEFFERY JOHNSON
v.
JUSTICE & PUBLIC SAFETY CABINET
DEPARTMENT OF CORRECTIONS (DOC)
-Respondent's Motion to Dismiss

BC-22-0885
JEFFERY JOHNSON
v.
DOC
-Respondent's Motion to Dismiss



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BC-22-0867

MARCUS LAWRENCE, SR.

v.

DOC

-Respondent's Motion for Summary Disposition

BC-22-0888

MARCUS LAWRENCE, SR.

v.

OFFICE OF THE GOVERNOR

GOVERNOR ANDY BESHEAR

-Respondent's Motion for Summary Disposition

V. RECOMMENDED ORDERS

CC-20-0331

ROBERT WARE

v.

CABINET FOR HEALTH AND FAMILY SERVICES

-Recommended Order of Dismissal

BC-20-0469

TRADEWATER ORGANICS, LLC

v.

JUSTICE & PUBLIC SAFETY CABINET

KENTUCKY STATE POLICE

-Recommended Order of Dismissal

-Claimant's Exceptions



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VI. AGREED ORDERS or FOR INSTRUCTIONS

BC-14-0507

LISA BAKER PHELPS,
ADMINISTRATOR FOR THE ESTATE OF SARA HELTON
v.
UNIVERSITY OF KENTUCKY
-Agreed Order of Dismissal

BC-21-0044

SHARI GEARDING
v.
NORTHERN KENTUCKY UNIVERSITY
-Agreed Order of Dismissal
-Release

BC-22-0017

WILLIAM CUMMINGS, JR.
v.
KYTC
-Agreed Order of Dismissal

BC-21-0444

ANTHONY FERGUSON
v.
KYTC
-Claimant's Request to Reopen Claim

BC-22-0789

PRESTONSBURG DAIRY CHEER
v.
KENTUCKY NATIONAL GUARD (holdover from January 2023 meeting)
-Status update regarding settlement negotiations



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BC-23-0091

MICHAEL HALL

v.

CAVE CITY POLICE DEPARTMENT

-Dismissal for lack of jurisdiction over municipal agency

BC-23-0103

MICHAEL HALL

v.

CITY OF GLASGOW POLICE DEPARTMENT

-Dismissal for lack of jurisdiction over municipal agency

VII. ADJOURNMENT

1st: 2nd