



PUBLIC PROTECTION CABINET

Kentucky Office of Claims and Appeals

Board of Claims

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Jacqueline Coleman
LIEUTENANT GOVERNOR

Ray A. Perry
SECRETARY

DJ Wasson
DEPUTY SECRETARY

John Hardesty
EXECUTIVE DIRECTOR

February 27, 2024 Meeting

MINUTES

The meeting, conducted via Zoom, was called to order at approximately 10:10 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 Attorney Shelby Bevins-Sullivan, Clerk Katie Dean, Hearing Officer Shawn D. Chapman, Attorney Jan West for Respondent Kentucky Lottery Corporation, Attorneys Bridget Dunaway and Jillian Pierce for Respondent Transportation Cabinet, Attorney Whitney Crowe for Respondent Eastern Kentucky University, Attorney Kent Carter for Claimant Tammy Madden, Attorney Johann Herklotz for Respondent University of Kentucky, and Claimants Randall Schultz, Michael Sliger, and Kimberly Patten.

After Director Hardesty delivered the monthly report for the Board of Claims for January 2024, the January 2024 Minutes were approved. Member Dale Sights moved to approve the January 2024 Minutes with Member Kathryn Thomas 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-23-0731: Randall Schultz v. Transportation Cabinet, Dept. of Highways (KYTC)

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

- The Board awarded the Claimant an additional \$243.00 for his damages.

BC-23-0847: Pauline Howard v. Kentucky Lottery Corporation

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

- The Board granted the Respondent's Motion to Dismiss, dismissing the claim.

BC-23-0934: Michael Sliger v. KYTC

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

- The Board granted the Respondent's Motion to Dismiss, dismissing the claim.

BC-23-0954: Patricia Davis v. KYTC

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

- The Board granted the Respondent's Motion to Dismiss, but specified that it was without prejudice.

BC-22-0966: Leontae Presley v. KYTC

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

- The Board accepted and adopted the Recommended Order as the agency's Final Order, denying and dismissing the claim.

BC-23-0634: Andrea Scales v. Eastern Kentucky University

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

- The Board accepted and adopted the Recommended Order as the agency's Final Order, withdrawing the claim.

BC-23-0270: Barry Vogelpohl v. KYTC

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

- The Board entered the Agreed Order of Dismissal.

BC-23-0337: Logan Cole Cheatham v. KYTC

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

- The Board entered the Agreed Order of Dismissal.

BC-23-0570: Jacqueline Miley v. University of Kentucky (UK)

No motion necessary.

- The Board passed this claim to the March meeting and requested Staff Attorney Bevins-Sullivan to ask the parties if they would execute an Agreed Order of Dismissal based on information provided by the parties.

BC-23-0618: Trinity Naylor v. KYTC

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

- The Board entered the Agreed Order of Dismissal.

BC-23-1021: Kimberly Patten v. Madison County Humane Society

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-24-0026: Levi Watkins v. Todd County Board of Education

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

- The Board entered a Final Order withdrawing the claim upon the Claimant's request and failure to appear at the meeting.

BC-24-0036: Tammy Madden, Administrator of the Estate of Gary Madden v. UK

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

- The Board granted the Joint Motion to Dismiss and entered the Agreed Order of Dismissal.

Chairman Wright motioned to scheduled the Board's March meeting for March 26, 2024 at 10:00 am EST. Member Sights seconded the motion. Having all in favor, the Motion carried. The Board scheduled its March meeting for March 26, 2024 at 10:00 am EST.

Member Thomas moved to adjourn the meeting at approximately 10:46 am with Member Sights seconding. Having all in favor, the Motion carried, and the meeting adjourned.