

COMMONWEALTH OF KENTUCKY
Claims Commission
Minutes
July 25, 2017

The Kentucky Claims Commission received 59 negligence claims filed against the Commonwealth during the month of June, 2017. Paula reports that 59 claims were set up and two (2) claims were returned for lack of jurisdiction.

Investigator Angela Robertson decided 19 claims under \$1,000.00 in June, 2017. Angela reports that 11 of these claims were denied and eight (8) were awarded, for a total amount awarded of \$2,973.95.

At its meeting on June 20, 2017, the Kentucky Claims Commission dismissed two (2) negligence claims and awarded nine (9) negligence claims totaling \$54,017.00. Together with the claims investigated in-house, the Claims Commission dismissed a total of 13 negligence claims and awarded a total of 17 negligence claims for a total amount awarded of \$56,990.95 in June, 2017.

Members Present:

Marcus Carey, Commission Chair
Jessica Burke, Commission Member
Brian Richmond, Executive Director
Patrick Flannery, Assistant Executive Director
Paula Woolums, Assistant Claims Clerk
Lisa G. Robinson, Claims Clerk

The Commission Chair recognized Paula Woolums, who retired after 32 ½ years of service with state government, most of them in the office of the Board of Claims and Crime Victims Compensation Board (now known as the Kentucky Claims Commission). Commissioner Carey expressed appreciation for Ms. Woolums' service to the staff, to the Commissioners and Board members, and especially to the claimants that she has worked with throughout the years. A reception for Ms. Woolums was held by the Claims Commission staff on July 27, 2017, with several past staff members in attendance, at which time she was given a 2017 Kentucky Derby poster signed by Governor Matt Bevin in recognition of her retirement.

FOR INSTRUCTIONS FROM THE COMMISSION:

BC-2015-337

Patricia Tate vs. Transportation Cabinet / Dept. of Highways
Commission dismissed the claim with prejudice as requested by the Claimant.

BC-2015-1023

Estate of Ernest Erwin v. Justice & Public Safety Cabinet / Dept. of State Police
Commission entered the Agreed Order of Dismissal as recommended by Hearing Officer Patrick Flannery.

BC-2016-242

Estate of Odis R. Burroughs v. Transportation Cabinet / Dept. of Highways
Commission dismissed for the Claimant's failure to abide by the orders of this tribunal.

BC-2016-326

Dolly Lipperd v. Transportation Cabinet / Dept. of Highways
Commission dismissed for the Claimant's failure to abide by the orders of this tribunal.

BC-2016-353

Timothy and April Mahan v. Transportation Cabinet / Dept. of Highways
Commission awarded the Claimants \$1,500.00 in settlement of this claim.

BC-2016-449

Hattie Carter v. Transportation Cabinet / Dept. of Highways
Commission awarded the Claimant \$1,250.00 in settlement of this claim.

BC-2017-116

Ashley Murley v. Tourism, Arts & Heritage Cabinet / Dept. of Parks
Commission awarded the Claimant \$3,154.55 in settlement of this claim.

BC-2017-00193

PLR LLC, d/b/a Performance Lexus Rivercenter v. Transportation Cabinet / Dept. of Highways
Commission held over to the August meeting to discuss with staff attorney Mitchell Mattingly.

BC-2017-208

Kasey Miracle v. Western Kentucky University
Commission awarded the Claimant \$1,025.46 in settlement of this claim.

REQUESTS FOR COMMISSION REVIEW (f/k/a Full Board Review):

BC-2016-602

James Richard v. Justice & Public Safety Cabinet / Dept. of Corrections
Commission upheld its previous dismissal.

BC-2016-645

Jason Cline v. Justice & Public Safety Cabinet / Dept. of Corrections
Commission upheld its previous dismissal.

MOTIONS:

BC-2009-005

Melonie Pursifull, Individually and as Administratrix of the Estate of Anthony S. Pursifull, et. al. v. Justice & Public Safety Cabinet / Dept. of State Police
Commission granted the Respondent's Motion for Summary Judgment dismissing the claim with prejudice.

BC-2015-880

Nelson DeTalente, Jr. v. Transportation Cabinet / Dept. of Highways
Commission granted the Joint Motion to Dismiss.

RECOMMENDED ORDERS:

BC-2015-1013

Anthony M. Russell vs. Transportation Cabinet / Dept. of Highways

Commission adopted the recommendation of the hearing officer dismissing the claim for the Claimant's failure to prosecute.

BC-2016-312

Russell Parsons v. Transportation Cabinet / Dept. of Highways

Commission adopted the recommendation of the hearing officer dismissing the claim for the Claimant's failure to prosecute.

BC-2015-336

Holly Tatum v. Transportation Cabinet / Dept. of Highways

Commission adopted the recommendation of the hearing officer dismissing the claim for the Claimant's failure to prosecute.

BC-2016-348

Kimberly Bellfield v. University of Kentucky

Commission adopted the recommendation of the hearing officer dismissing the claim for the Claimant's failure to prosecute.

BC-2017-024

Joseph Hinkle v. Transportation Cabinet / Dept. of Highways

Commission adopted the recommendation of the hearing officer dismissing the claim at the Claimant's request.

BC-2017-072

Cesar Giron v. Transportation Cabinet / Dept. of Highways

Commission adopted the recommendation of the hearing officer dismissing the claim at the Claimant's request.

BC-2017-096

Myrtle R. Maloney, by Susan Humphrey, POA v. University of Kentucky

Commission adopted the recommendation of the hearing officer dismissing the claim at the Claimant's request.

Total number of Claims: 20