



**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  
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**Ray A. Perry**  
SECRETARY

**John Hardesty**  
EXECUTIVE DIRECTOR

**Samuel T. Wright, III**  
BOARD CHAIRPERSON

**Dale Sights**  
MEMBER

**Kathryn M. Thomas**  
MEMBER

June 19, 2023 Meeting

MINUTES

The meeting, conducted via Zoom, was called to order at approximately 10:00 am., and the following business was conducted in Board of Claims matters.

In attendance were Board members Samuel Wright, Dale Sights, and Kathryn Thomas. 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 Officers Eden Davis Stephens and Shawn D. Chapman, Attorney Chadler Hardin for Claimant Tradewater Organics, LLC, Attorneys Nathan Goens and Robert Chaney for Respondent Department of Corrections, and Attorney Johann Herkots for Respondent University of Kentucky.

After Executive Director Hardesty delivered the monthly report for the Board of Claims for May 2023, the May Minutes were approved. Member Dale Sights moved to approve the May 2023 Minutes with Chairman Wright 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-22-0794: Marcus Lawrence, Sr. v. Justice & Public Safety Cabinet, Dept. of Corrections (DOC)

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

· The Board sustained the DOC's Motion to Dismiss.

BC-22-0976: Marcus Lawrence, Sr. v. DOC

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

· The Board sustained the DOC's Motion to Dismiss.

BC-22-0993: Marcus Lawrence, Sr. v. DOC



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

· The Board sustained the DOC's Motion to Dismiss.

BC-23-0290: William Walker v. DOC

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

· The Board sustained the DOC's Motion to Dismiss.

BC-20-0407: Jennifer Peyton v. Transportation Cabinet, Dept. of Highways (KYTC)

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

· The Board accepted and adopted the Recommended Order issued by Hearing Officer Chapman.

At approximately 10:33 am, Chairman Wright moved to enter an Executive Session pursuant to KRS 61.815 and KRS 61.810(1)(c) and (j) to deliberate on the following cases: BC-22-0954 and BC-20-0469. Member Sights seconded. Having all in favor, the Board went into Executive Session.

At approximately 11:00 am, Member Thomas moved to exit the Executive Session and return to Open Session. Member Sights seconded. Having all in favor, the motion carried, and no official action was taken during the Executive Session.

BC-22-0954: Albert Sexton v. KYTC

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

· A majority of the Board accepted and adopted the Recommended Order, dismissing the claim. Chairman Wright recused himself.

BC-20-0469: Tradewater Organics, LLC v. Justice & Public Safety Cabinet, Kentucky State Police (KSP)

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



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· The Board rejected the Recommended Order and remanded the claim to Hearing Officer Davis Stephens for a hearing on damages only.

BC-22-0906: Lisa Varner, as Next Friend of Abigail Varner v. Clark County Board of Education and Clark County Schools

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

· The Board entered the Agreed Order of Dismissal.

BC-22-0956: Nye'sha Ancrum v. KYTC

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

· The Board entered the Agreed Order of Dismissal.

BC-23-0023: Brenda Gilbert, Administrator of the Estate of Jack Gilbert v. University of Kentucky (UK)

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

· The Board entered the Agreed Order of Dismissal and sustained the parties' Joint Motion to Dismiss.

BC-23-0037: Whitney Coots v. UK

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

· The Board entered the Agreed Order of Dismissal.

BC-23-0274: Michael Burgess v. KYTC

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

· The Board granted the Claimant's request to reopen his claim, vacating the prior dismissal.



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The Board scheduled its July meeting for Tuesday, July 25, 2023 at 10:00 am EST.

Member Sights moved to adjourn the meeting at approximately 11:05 am, with Member Thomas seconding. Having all in favor, the motion carried, and the meeting adjourned.