



**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

**DJ Wasson**  
DEPUTY SECRETARY

**John Hardesty**  
EXECUTIVE DIRECTOR

### March 26, 2024 Meeting

### MINUTES

The meeting, conducted via Zoom, was called to order at approximately 10:06 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 Attorneys Shelby Bevins-Sullivan and Linda Horsman, Clerk Katie Dean, Hearing Officer Charles Miller, Attorney Evan Jones for Respondent Department of Parks, Attorneys Allison Brown and Nathan Goens for Respondent Department of Corrections, Attorney Whitney Stepp-Gay for Respondent University of Kentucky, Attorney Zachary Johnson for Respondent Department of Insurance, Attorney Ryan Mosley for Claimant Carolyn Mahan, and Claimants Jerry Marstall, Frances Martin (and Allen Collins), and Thomas Beard.

After Director Hardesty delivered the monthly report for the Board of Claims for February 2024, the February 2024 Minutes were approved. Member Kathryn Thomas moved to approve the February 2024 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-22-0918:** Jerry Marstall v. Tourism, Arts & Heritage Cabinet, Dept. of Parks (DOP)

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

- The Board affirmed its prior decision, awarding the Claimant \$500.00 for his deductible.

**BC-23-0429:** Michael Schmidt v. Transportation Cabinet, Dept. of Highways (KYTC)

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

- The Board affirmed its prior decision, dismissing the claim.

**BC-23-0677:** Timothy (Jada) Rouse v. Justice & Public Safety Cabinet, Dept. of Corrections (DOC)

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

- The Board vacated its prior decision, awarding the Claimant \$72.34 in damages.

**BC-23-0785: Frances Martin v. University of Kentucky (UK)**

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

- The Board vacated its prior decision, awarding the Claimant \$1,260.34 in damages.

**BC-24-0098: Daniel Eschenbach v. KYTC**

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

- The Board affirmed its prior decision, dismissing the claim, but granted the Claimant leave to refile.

**BC-23-0996: Jacob Brannon v. DOC**

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-24-0009: Thomas Beard v. Public Protection Cabinet, Dept. of Insurance**

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-23-0183: Angie Harris v. KYTC**

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

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

**BC-23-0376: Johnny Horton 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. UK**

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

- The Board entered the Agreed Order of Dismissal.

**BC-23-0619: Carolyn Mahan v. King's Daughters Medical Center (UK)**

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

- The Board entered an Order holding this claim in abeyance until the circuit court proceeding has resolved. The parties were instructed to provide a status update once court proceedings have concluded.

**BC-23-1010: Josh Hatfield v. Justice & Public Safety Cabinet, Kentucky State Police (KSP)**

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

- The Board entered the Agreed Order of Dismissal.

**BC-24-0066: Joseph Humes v. Tourism, Arts & Heritage Cabinet, State Fair Board**

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

- The Board entered a Final Order awarding the Claimant \$3,161.70 in damages based on the Respondent's Answer in which it admitted negligence.

**BC-24-0380: Sarah Sims as Next Friend and Guardian of J.S., a Minor v. UK**

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

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

Chairman Wright motioned to scheduled the Board's April meeting for April 30, 2024 at 10:00 am EST. Member Thomas seconded the motion. Having all in favor, the Motion carried. The Board scheduled its April meeting for April 30, 2024 at 10:00 am EST.

Chairman Wright moved to adjourn the meeting at approximately 12:12 pm with Member Sights seconding. Having all in favor, the Motion carried, and the meeting adjourned.