

COMMONWEALTH OF KENTUCKY
Board of Claims
Agenda
May 23, 2017

Clerk's
Copy
- Minutes Accepted -

The Kentucky Claims Commission received 42 negligence claims filed against the Commonwealth during the month of April, 2017. Paula reports that 20 claims were set up and one (1) claim was returned for lack of jurisdiction.

Investigator Angela Robertson decided 23 claims under \$1,000.00 in April, 2017. Angela reports that seven (7) of these claims were dismissed and 16 were awarded, for a total amount awarded of \$6,689.68.

At its meeting on April 25, 2017, the Kentucky Claims Commission dismissed five (5) negligence claims and awarded 12 negligence claims totaling \$36,151.98. Together with the claims investigated in-house, the Claims Commission dismissed a total of 12 negligence claims and awarded a total of 28 negligence claims for a total amount awarded of \$42,841.66 in April, 2017.

For Instructions From the Board

All approved:

BC-2012-00508

Estate of Lloyd Ridner, Jr. vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order of Dismissal for \$75,000.00 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant Estate \$75,000.00 in settlement of this claim.

BC-2015-00270

Patrick Smith; Courtney Smith vs. Rowan County Board of Education

Notes: Hearing Officer Patrick Flannery's Recommended Agreed Order of Dismissal.

Counsel's Recommendation: Enter an Order of Dismissal with prejudice as recommended by the hearing officer and agreed to by the parties.

BC-2015-00666

Naomi Gay vs. Tourism, Arts and Heritage Cabinet / Dept. of Parks

Notes: Agreed Order of Settlement for \$1,459.64 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$1,459.64 in settlement of this matter.

BC-2016-00046

Darlene Howard vs. Tourism, Arts and Heritage Cabinet / Dept. of Parks

Notes: Agreed Order of Dismissal for \$800.21 filed.

Counsel's Recommendation: Enter the Agreed Order of Dismissal awarding the Claimant \$880.21 in settlement of this claim.

BC-2016-00238

William Martin vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order of Dismissal for \$1,000.00 filed by the parties.

Counsel's Recommendation: Enter the Agreed Order of Dismissal awarding the Claimant \$1,000.00 in settlement of this claim.

BC-2016-00294

Larry Sepulvado vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order of Dismissal for \$1,000.00 filed by the parties.

Counsel's Recommendation: Enter the Agreed Order of Dismissal awarding the Claimant \$1,000.00 in settlement of this claim.

BC-2016-00307

Joshua Slone vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order of Dismissal for \$850.00 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$850.00 in settlement of this claim.

BC-2016-00468

Carl Breckenridge vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order of Dismissal for \$1,500.00 filed.

Counsel's Recommendation: Enter the Agreed Order of Dismissal awarding the Claimant \$1,500.00 in settlement of this claim.

BC-2016-00479

Braden Davis vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order of Dismissal for \$1,000.00 filed.

Counsel's Recommendation: Enter the Agreed Order of Dismissal awarding the Claimant \$1,000.00 in settlement of this claim.

BC-2016-00540

Ivan Zavala vs. Tourism, Arts and Heritage Cabinet / Ky. State Fair Board

Notes: Agreed Order for \$2,183.00 filed and recommended by Hearing Officer Tim Cocanougher.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$2,183.00 in settlement of this claim.

BC-2016-00635

Keith Brown vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order of Dismissal for \$1,500.00 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$1,500.00 in settlement of this claim.

BC-2016-00636

Howard Harpool vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order for \$1,250.00 filed by the parties.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$1,250.00 in settlement of this matter.

BC-2017-00107

Brenda Fox vs. University of Kentucky

Notes: Respondent's Answer recommending payment of the claim.

Counsel's Recommendation: Enter an Order awarding the Claimant \$1,270.00 in settlement of this claim.

Motions

BC-2016-00366

Naomi Ramey vs. Energy and Environment Cabinet / Department of Natural Resources

Notes: Claimant's Motion for Voluntary Dismissal.

Counsel's Recommendation: Enter an Order granting the Claimant's Motion for Voluntary Dismissal. ✓

BC-2016-00375

Wayne Hall; Pauline Hall vs. Energy and Environment Cabinet / Department of Natural Resources

Notes: Claimants' Motion for Voluntary Dismissal.

Counsel's Recommendation: Enter an Order granting the Claimants' Motion for Voluntary Dismissal. ✓

Recommended Order

BC-2015-00655

Daniel Forman vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Patrick Flannery's Findings of Fact, Conclusions of Law and Recommended Order denying payment of the claim.

Counsel's Recommendation: Adopt the recommendation of the hearing officer denying payment of the claim. ✓

BC-2016-00300

Morgan Cole vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Tim Cocanougher's Recommended Order of Dismissal.

Counsel's Recommendation: Adopt the recommendation of the hearing officer dismissing the claim for failure to prosecute. ✓

BC-2016-00381

Tammy Kiskaden vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Tim Cocanougher's Recommended Order of Dismissal.

Counsel's Recommendation: Adopt the recommendation of the hearing officer dismissing the claim with prejudice. ✓

Total number of Claims: 18