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May 28, 2025 Meeting

MINUTES

The meeting, conducted via Microsoft Teams, 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 and Dale Sights. Vice Chair Kathryn Thomas did not attend. Chairman Wright called the meeting to order. A quorum existed and business was conducted.

Also in attendance were: Staff Attorneys Shelby Bevins-Sullivan and Linda Horsman, Clerk Katie Dean, Attorney Christopher Keller for Claimant Nicole Smith, Attorney Larisa Plecha for Respondent Office of the Attorney General, Attorney Whitney Stepp-Gay for Respondent University of Kentucky, and Claimant Christine Qualls.

After Staff Attorney Bevins-Sullivan delivered the monthly report for the Board of Claims for April 2025, the April Minutes were approved. Chairman Wright moved to approve the April Minutes with Member Sights seconding. Having majority in favor, the Motion carried.

After the Board approved the April Minutes, the following claims were taken up for consideration:

BC-24-0856: Michael White v. Transportation Cabinet, Dept. of Highways (KYTC)

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

- The Board vacated its prior decision, allowing the claim to be served and proceed.

BC-25-0067: Christine Qualls v. KYTC

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

- The Board vacated its prior decision, assigning the claim to a hearing officer as the amount of damages now exceeds \$2,500.00.

BC-24-0987: Nicole Smith v. Tourism, Arts & Heritage Cabinet, State Fair Board

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

- The Board overruled the Claimant's Motion to Set Aside Dismissal and Reinstate Claim.

BC-24-1160: Hywel Bowman v. Office of the Attorney General

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

- The Board sustained the Respondent's Motion for Summary Disposition, dismissing the claim.

BC-24-0710: Laurie Risch v. KYTC

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

- The Board entered the Agreed Order of Dismissal.

At approximately 10:22 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-24-0856, BC-25-0067, and BC-24-0987. Member Sights seconded. Having majority in favor, the Board went into Executive Session.

At approximately 10:44 am, Chairman Wright moved to exit the Executive Session and return to Open Session. Member Sights seconded. Having majority in favor, the motion carried, and no official action was taken during the Executive Session.

BC-24-0852: April Mills v. University of Kentucky (UK)

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

- The Board entered the Agreed Order of Dismissal.

BC-24-0889: State Farm, as Subrogee of Catharine Musho v. Unknown

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

- The Board dismissed the claim, *sua sponte*, for lack of jurisdiction over subrogation claims.

BC-24-1029: Greg Schumacher v. KYTC

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

- The Board passed this to the June Meeting.

BC-24-1130: Elizabeth Adkins v. UK

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

- The Board passed this to the June Meeting.

BC-24-1163: James Emmons v. UK

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

- The Board entered a Final Order awarding the Claimant damages, pursuant to the Respondent's Answer.

Chairman Wright motioned to schedule the Board's June meeting for Tuesday, June 24, 2025 at 10:00 am EST. Member Sights seconded the motion. Having majority in favor, the Motion carried. The Board scheduled its June meeting for June 24, 2025 at 10:00 am EST.

Chairman Wright moved to adjourn the meeting at approximately 10:52 am with Member Sights seconding. Having majority in favor, the Motion carried, and the meeting adjourned.