

**COMMONWEALTH OF KENTUCKY**  
**Claims Commission**  
**Minutes**  
**November 28, 2017**

The Kentucky Claims Commission received 57 negligence claims filed against the Commonwealth during the month of October, 2017. Sasha Petrey reports that 30 claims were set up and 19 claims were returned for lack of jurisdiction.

Investigator Angela Robertson decided 19 claims under \$2,500.00 in October, 2017. Angela reports that 12 of these claims were denied and seven (7) were awarded, for a total amount awarded of \$4,548.72.

At its meeting on October 24, 2017, the Kentucky Claims Commission dismissed ten (10) negligence claims and awarded three (3) consolidated negligence claims totaling \$150,000.00. Together with the claims investigated in-house, the Claims Commission dismissed a total of 22 negligence claims and awarded a total of eight (8) negligence claims for a total amount awarded of **\$154,548.72** in October, 2017.

**Members Present:**

Marcus Carey, Commission Chair  
Carlo Wessels, Commission Member  
Delana S. Sanders, Commission Member  
Patrick Flannery, Acting Executive Director  
G. Mitchell Mattingly, Staff Attorney  
Raymond Shields, CVCB Clerk  
Lisa Robinson, Claims Clerk

**FOR INSTRUCTIONS FROM THE COMMISSION:**

**BC-2014-740**

Gary Larue v. Transportation Cabinet, Dept. of Highways  
*Commission entered the Agreed Order of Dismissal as settled in the Warren Circuit Court action.*

**BC-2017-120**

Janet Price v. Transportation Cabinet, Dept. of Highways  
*Commission entered the Agreed Order awarding the Claimant \$3,100.00.*

**BC-2017-187**

Susan Hoffman v. Northern Kentucky University  
*Commission entered an Order awarding the Claimant \$2,400.00.*

**BC-2017-236**

Danielle Webster v. Transportation Cabinet, Dept. of Highways  
*Commission entered the Agreed Order awarding the Claimant \$500.00.*

**BC-2017-334**

David and Patricia Thompson v. Transportation Cabinet, Dept. of Highways  
*Commission entered an Order of Dismissal as settled by KSAP.*

**BC-2017-357**

Billie Walker v. University of Kentucky  
*Commission entered an Order awarding the Claimant \$1,000.00 as agreed by the parties.*

FULL COMMISSION REVIEW:

**BC-2017-005**

Chelsea Davis v. Transportation Cabinet, Department of Highways  
*Commission reversed its previous dismissal and awarded \$430.70 to the Claimant.*

**BC-2017-059**

Roger Rafferty v. Justice & Public Safety Cabinet, Dept. of Corrections  
*Commission upheld its previous dismissal.*

MOTIONS:

**BC-2017-402**

Rick Lynn v. University of Kentucky  
*Commission overruled the Motion to Dismiss pursuant to KRS 49.120(3) and assigned the claim to Hearing Officer Tim Cocanougher for further proceedings.*

RECOMMENDED ORDERS:

**BC-2014-104**

Dana Davis v. Kenton Co. Commonwealth Attorney's Office  
*Commission adopted the recommendation of the hearing officer denying payment of the claim.*

**BC-2015-627**

Nan Ternes v. Transportation Cabinet, Dept. of Highways  
*Commission adopted the recommendation of the hearing officer denying payment of the claim.*

**BC-2016-019**

Alston Hammond v. Transportation Cabinet, Dept. of Highways  
*Commission adopted the recommendation of the hearing officer denying payment of the claim.*

**BC-2016-632**

Marva Huff v. Tourism, Arts & Heritage Cabinet, Dept. of Parks  
*Commission adopted the recommendation of the hearing officer denying payment of the claim.*

**BC-2016-659**

Bonnie Qualls and Bill Moxley v. Transportation Cabinet, Dept. of Highways  
*Commission adopted the recommendation of the hearing officer awarding \$2,912.25 to the Claimants.*

**BC-2017-092**

Thomas G. Bickal v. University of Kentucky

*Commission adopted the recommendation of the hearing officer denying payment of the claim.*

**BC-2017-112**

Page Watson v. Transportation Cabinet, Dept. of Highways

*Commission adopted the recommendation of the hearing officer denying payment of the claim.*

**BC-2017-129**

Joshua Gilvin v. Transportation Cabinet, Dept. of Highways

*Commission adopted the recommendation of the hearing officer awarding \$500.00 to the Claimant.*

**BC-2017-235**

Ashleigh P. P'Simer v. Tourism, Arts & Heritage Cabinet, Dept. of Parks

*Commission adopted the recommendation of the hearing officer denying payment of the claim.*

**Total number of Claims: 18**