

COMMONWEALTH OF KENTUCKY
Board of Claims
Agenda
October 16, 2014

*Ass of
minutes until
11/30/14
Minutes Approved*

The Board of Claims received 52 new claims during the month of September, 2014. Intake reports that a total of 42 claims were set up and five (5) claims were returned for lack of jurisdiction.

Investigator Jackie Lynch decided 35 claims under \$1,000.00 in September, 2014. Jackie reports that 20 of these claims were denied and 15 were awarded, for a total amount awarded of \$6,374.91.

At its Board meeting on September 19, 2014, the Board dismissed 15 claims and awarded ten (10) claims totaling \$66,750.00. Together with the claims investigated in-house, the Board dismissed a total of 35 claims and awarded a total of 25 claims for a total amount awarded of \$73,124.91 in September, 2014.

For Instructions From the Board

BC-2011-00580

Roger Bishop, Administrator of the Estate of Vanessa Bishop vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order for \$150,000.00 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant Estate \$150,000.00 in settlement of this matter. ✓

BC-2014-00044

Nathaniel Arnold vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order awarding the Claimant \$1,000.00.

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

BC-2014-00366

Phree Shaw vs. Commonwealth of Kentucky

Notes: October 16, 2014- Default Order

Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00367

Keith Silvers vs. Commonwealth of Kentucky

Notes: October 16, 2014- Default Order

Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00383

Ernest Beatty vs. Commonwealth of Kentucky

Notes: October 16, 2014- Default Order

Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00385

Emma Goble vs. Commonwealth of Kentucky

Notes: October 16, 2014- Default Order

Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00386

Patricia Brummett vs. Commonwealth of Kentucky

Notes: October 6, 2014- Default Order
Counsel's Recommendation Rule the Claimant and Dismiss. ✓

BC-2014-00387

Meltonious Shorter vs. Commonwealth of Kentucky

Notes: October 16, 2014- Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00394

Shelby Vester vs. Commonwealth of Kentucky

Notes: October 16, 2014- Default Order
Counsel's Recommendation- Rule the Claimant in Default. ✓

BC-2014-00417

Derrick Brown vs. Commonwealth of Kentucky

Notes: October 16, 2014-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00424

Amy Thompson vs. Commonwealth of Kentucky

Notes: October 16, 2014- Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00433

Ben Hoskins vs. University of Kentucky

Notes: October 16, 2014- Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00461

Vanessa Richardson vs. Commonwealth of Kentucky

Notes: October 16, 2019- Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00476

Fred Neafus vs. Commonwealth of Kentucky

Notes: October 16, 2014-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00481

Beverly Young vs. Commonwealth of Kentucky

Notes: October 16, 2014-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00483

Aaron McMonigle; Gwendolyn Fort vs. Department of Education

Notes: October 16, 2014- Default Order
Counsel's Recommendation- Rule The Claimant in Default and Dismiss. ✓

BC-2014-00486

Kurt Finley vs. Commonwealth of Kentucky

Notes: October 16, 2014- Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00527

Donald Brown vs. Commonwealth of Kentucky

Notes: October 16, 2014- Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

BC-2014-00528

Seth Crawford vs. Commonwealth of Kentucky

Notes: October 16, 2014- Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss. ✓

Full Board Review

BC-2014-00536

Jason Chancellor vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: 8/25/14 Board ordered dismissed
8/28/14 Claimant's add. info. Taken as FBR request. (\$211.74)

3-1
~~Upheld dismissed~~
Reverse + Award

BC-2014-00547

Uriah Pasha vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: 8/8/14 Board ordered dismissed
8/14/14 Claimant requests FBR (391.98).

Reverse + award
\$1300 for Jan

BC-2014-00601

Brenda Yount vs. Transportation Cabinet / Dept. of Highways

Notes: 8/15/14 Board ordered it dismissed, due to a contracted area, Claimant given Contractor's information.
9/8/14 Claimant requests FBR (\$757.61).

Upheld + refer to
Small Claims
ct.

Motions

BC-2012-00466

Ronna Carmicle, Parent and Next Friend of Bradley Carmicle vs. Ky. Department of Education and Board of Education of Casey County

Notes: Motion to Withdraw as counsel for Claimant.

Counsel's Recommendation: Enter an Order granting the Motion to Withdraw and granting sixty (60) days for new counsel to enter an appearance herein. ✓

Recommended Order

BC-2009-00603

Estate of Kevin Jewell, by and through Tina Jewell, Administratrix vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Braxton Crenshaw's Findings of Fact, Conclusions of Law and Recommended Order denying payment of the claim and the Claimant's exceptions filed thereto.

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

BC-2009-00920

Estate of Benny Blanton, by and through Angela Blanton, Administratrix vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Braxton Crenshaw's Findings of Fact, Conclusions of Law and Recommended Order denying payment of the claim and the Claimant's exceptions filed thereto.

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

BC-2013-00106

Abigail Marsh vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Jan West's Opinion and Recommended Order denying payment of the claim.

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

BC-2013-00532

Beatrice Smith vs. Tourism, Arts and Heritage Cabinet / Ky. State Fair Board

Notes: Hearing Officer Jan West'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-2014-00160

Methodist Hospital vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Jan West's Opinion and Recommended Order dismissing the claim.

Counsel's Recommendation: Adopt the recommendation of the hearing officer dismissing the claim pursuant to KRS 44.110. ✓

Total number of Claims: 28

COMMONWEALTH OF KENTUCKY
BOARD OF CLAIMS
Addendum

October 16, 2014

BC-2012-00586

Estate of Stanley Rosenbaum v. Transportation Cabinet, Dept. of Highways

Agreed Order for \$175,000.00 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant Estate \$175,000.00 in settlement of this matter. ✓

BC-2014-00283

Yvette Yeary, et. ux. v. Transportation Cabinet, Dept. of Highways

Agreed Order for \$2,112.00 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$2,112.00 in settlement of this matter. ✓

BC-2014-00407

Solomon Whiting v. Transportation Cabinet, Dept. of Highways

Agreed Order for \$1,875.00 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$1,875.00 in settlement of this matter. ✓

BC-2014-00506

Virginia Miller v. University of Kentucky

Agreed Order for \$200,000.00 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$200,000.00 in settlement of this matter. ✓

BC-2014-00729

Elizabeth Lewis v. Kentucky Community & Technical College System

Notice of Voluntary Dismissal filed.

Counsel's Recommendation: Enter an Order dismissing the claim with prejudice at the Claimant's request. ✓
