



**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

**John Hardesty**  
EXECUTIVE DIRECTOR

**Samuel T. Wright, III**  
BOARD CHAIRPERSON

**Dale Sights**  
MEMBER

**Kathryn M. Thomas**  
MEMBER

## NOTICE OF REGULAR MEETING

Date: October 24, 2023

Time: 10:00 AM Eastern Standard Time (EST)

Location: Zoom

- Call to order and roll call
- Executive Director's Report
- Approval of September minutes
- Full Board Review
- Motions
- Recommended Orders
- Agreed Orders or For Instructions
- Scheduling of November and December meetings
- Adjournment

Zoom link: <https://us06web.zoom.us/j/82553847640>



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## Meeting Agenda

**Date: October 24, 2023**

When moving into Executive Session, use the following language: [Move for the Board to enter executive session, pursuant to KRS 61.815 and KRS 61.810 (1) (c) and (j) to discuss proposed or pending litigation and deliberate on individual adjudications in “*please state the relevant case number of all cases to be discussed in closed session.*” Motion must be seconded.]

### **I. SEPTEMBER 2023 MONTHLY REPORT**

During the month of September 2023, the Board of Claims received **73** negligence claims filed against the Commonwealth.

The Board rendered **90** decisions in claims *under \$2,500.00* in September 2023. Of those, **63** were dismissed and **27** were awarded for a total amount awarded of **\$16,565.35**.

At its September 2023 meeting, the Board dismissed **2** claims upon *sua sponte* dismissals or Recommended Orders; vacated **1** claim and affirmed **3** claims upon Full Board Review; and approved **5** Agreed Orders of Dismissal, awarding an additional amount of **\$18,800.00**. With the claims under \$2,500.00, and those decided at the September 2023 Meeting, the Board decided **100** claims, dismissing a total of **68** claims, and awarding a total of **32** claims for a total amount awarded of **\$35,365.35**.

### **II. APPROVAL OF SEPTEMBER MINUTES**

1st:            2nd:

### **III. FULL BOARD REVIEW**

**BC-22-0725**

MARCUS LAWRENCE, SR.

v.

JUSTICE & PUBLIC SAFETY CABINET

DEPARTMENT OF CORRECTIONS (DOC)

-Findings of Fact, Order, and Opinion Dismissing

-Claimant’s Request for Full Board Review



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**BC-23-0049**

RUSTY WEDDLE

v.

DOC

- Findings of Fact, Order, and Opinion Dismissing
- Claimant's Request for Full Board Review

**IV. MOTIONS**

**BC-23-0588**

BRADLEY JONES

v.

DOC

- Respondent's Motion to Dismiss

**V. RECOMMENDED ORDERS**

**BC-23-0038**

ANTOINE JAMES

v.

UNIVERSITY OF KENTUCKY (UK)

- Recommended Order of Dismissal

**VI. AGREED ORDERS OR FOR INSTRUCTIONS**

**CC-19-0656**

BELLSOUTH TELECOMMUNICATIONS, LLC

D/B/A AT&T KENTUCKY

v.

KYTC

- Dismissal for lack of jurisdiction over contractor



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**BC-22-0161**

BALLARD ENTERPRISES, INC.

v.

TRANSPORTATION CABINET  
DEPARTMENT OF HIGHWAYS (KYTC)

-Agreed Order of Settlement

**BC-22-0766**

BROOKE MASICK

v.

OFFICE OF THE JEFFERSON CIRCUIT CLERK

-Agreed Order of Dismissal

-Settlement Agreement

**BC-23-0415**

DONNA MILLS

v.

UK

-Joint Motion to Dismiss

-Agreed Order of Dismissal

**BC-23-0417**

OTIS BROCK

v.

KYTC

-Agreed Order of Dismissal

**BC-23-0570**

JACQUELINE MILEY

v.

UK

-Answer Admitting Negligence (holdover from Sept. Meeting)



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**V. SCHEDULING OF NOVEMBER & DECEMBER MEETINGS**

**VI. ADJOURNMENT**

1st:      2nd: