

COMMONWEALTH OF KENTUCKY
Board of Claims
Agenda
September 27, 2016

5/10/26/16 next mtg.
- Minutes Approved -

The Board of Claims received 60 new claims during the month of August, 2016. Paula reports that a total of 65 claims were set up and four (4) were returned for lack of jurisdiction.

Investigator Angela Robertson decided 15 claims under \$1,000.00 in August, 2016. Angela reports that seven (7) of these claims were dismissed and eight (8) were awarded, for a total amount awarded of \$3,589.26.

At its Board meeting on August 23, 2016, the Board dismissed four (4) claims and awarded six (6) claims totaling \$12,210.08. Together with the claims investigated in-house, the Board dismissed a total of 12 claims and awarded a total of 14 claims for a total amount awarded of \$15,799.34 in August, 2016.

For Instructions From the Board

BC-2015-00588

Luther Bean; Pamela Bean vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order of Dismissal with prejudice filed. ✓

BC-2016-00096

Fannie Silverburg vs. Kentucky State University

Notes: Claimant's Notice of Voluntary Dismissal. ✓

BC-2016-00137

Gregory Moody vs. Tourism, Arts and Heritage Cabinet / Dept. of Parks

Notes: September 27, 2106-Default Order ✓

BC-2016-00304

Thornton's Inc. vs. Department of Agriculture ✓

Assign to HO

Notes: Respondent's Answer referencing contractor involvement per KRS 44.073(15).

BC-2016-00349

William McGinnis vs. University of Kentucky ✓

Dismiss - Failure to state a Claim

Notes: Respondent's Answer and Motion to Dismiss and Claimant's response filed thereto.

BC-2016-00383

Michael Caudill vs. Transportation Cabinet / Dept. of Highways

Dismiss

Notes: Respondent's Motion to Hold in Abeyance and notification from State Risk & Insurance Services that this claim was paid in full by the Ky. Self-Insured Auto Program (KSAP). ✓

BC-2016-00396

Jerry Fugate vs. Tourism, Arts and Heritage Cabinet / Dept. of Parks

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

BC-2016-00397
Clara Randolph vs. Transportation Cabinet / Dept. of Highways

Notes: Notification from State Risk & Insurance Services that claim was paid in full by the Ky. Self-Insured Auto Program (KSAP).

Dismiss ✓

BC-2016-00415
Brooke Wadsworth vs. Transportation Cabinet / Dept. of Highways

Notes: Respondent's Answer referencing contractor involvement pursuant to KRS 44.073(15).

Motion to hold to next mtg.

BC-2016-00418
Christina Delson vs. Transportation Cabinet / Dept. of Highways

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

Full Board Review

BC-2016-00296
Robert O'Brien vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: 6/16/16 Board awarded \$250 (Damages were \$3299)
7/1/16 Claimant wants FBR on Amount of Award
7/7/16 FBR Memo to Claimant and Respondent.
7/21/16 FBR Memo to Claimant and Respondent to place claim on September 15, 2016 Agenda

upheld \$150 award

BC-2016-00322
Paul Lykins vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: FBR request received due 8/17/2016 but was not received until 8/23/2016 (postmarked 8/22/2016).

FBR filed untimely.

BC-2016-00355
Vincent Noble vs. Tourism, Arts and Heritage Cabinet / Ky. State Fair Board

Notes: Would like consideration for additional payment. Quote was for the wrong price once he took the car to be repaired. Sending new quote.

Prep. Award \$101.69

No additional award.

Motions

BC-2016-00195
Mitchell Pritchard vs. Transportation Cabinet / Dept. of Highways

Notes: Respondent's Motion to Dismiss as settled for \$750.00. ✓

BC-2016-00323
James Mallory vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: Respondent's Motion to Dismiss and Claimant's response filed thereto.

Counsel's Recommendation:

Over-rule + assign

BC-2016-00325
James Whittemore vs. Justice and Public Safety Cabinet / Dept. of State Police

Notes: Respondent's unopposed Motion to Dismiss.

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BC-2016-00364
Joseph Moore; Linda Moore vs. Transportation Cabinet / Dept. of Highways

Notes: Respondent's unopposed Motion to Dismiss pursuant to KRS 44.073(15).

Additional 60 days to file response

BC-2016-00422

William Hesskamp vs. Murray State University



Notes: Joint Motion for Approval of Settlement of full amount claimed.

Recommended Order

BC-2009-00417

Larry Dennison vs. Justice and Public Safety Cabinet / Dept. of Corrections

A handwritten signature in blue ink that reads "RO adopted" is written over the case information.

Notes: Former Hearing Officer Natalie Liile's Findings of Fact, Conclusions of Law and Recommended Order denying payment of the claim and the Claimant's Exceptions filed thereto.

Total number of Claims: 19