

COMMONWEALTH OF KENTUCKY
Claims Commission
Agenda
September 25, 2018

The Kentucky Claims Commission received 64 negligence claims filed against the Commonwealth during the month of August, 2018. As many claims as possible were perfected and served on state agencies by several members of the Claims Commission staff.

These staff members, including the Executive Director and the Staff Attorney, processed and/or decided *approximately 130* claims under \$2,500.00 in August, 2018. Approximately 79 of these claims were dismissed and approximately 54 were awarded, for an *estimated* total amount awarded of **\$26,723.59**.

At its meeting on August 28, 2018, the Kentucky Claims Commission dismissed four (4) negligence claims and awarded six (6) negligence claim totaling **\$145,377.74**. Together with the claims investigated in-house, the Claims Commission dismissed *approximately 81* negligence claims and awarded *approximately 59* negligence claims for an *estimated* total amount awarded of **\$172,101.33** in August, 2018.

CLERK'S NOTE: All claims from 2018 and forward will be numbered as CC (for Claims Commission) rather than BC.

FOR INSTRUCTIONS FROM THE COMMISSION:

BC-2017-214

Monica Manning v. Transportation Cabinet, Dept. of Highways

Notes: Mediation Settlement Statement signed by the parties for \$1,500.00. ✓

Counsel's Recommendation: Enter an Order awarding the Claimant \$1,500.00 in settlement of this claim.

CC-2018-152

Mary Schaftlein v. Tourism, Arts & Heritage Cabinet, Ky. State Fair Board

Notes: Agreed Order Dismissing as Settled signed by the parties for \$3,339.33. ✓

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$3,339.33 in settlement of this claim.

FULL COMMISSION REVIEWS

BC-2017-289

Vicki Brashear v. Tourism, Arts & Heritage Cabinet, Dept. of Parks

Notes: Findings of Fact, Opinion and Order rendered 8/31/18 awarded the Claimant \$103.20. The Claimant filed exceptions to this amount by email. *Upheld*

CC-2018-299

Sandra Lisa Simon v. Transportation Cabinet, Dept. of Highways

Notes: Findings of Fact, Opinion and Order rendered 8/14/18 denied payment of the claim.

Upheld

CC-2018-305

Becky Gift v. University of Kentucky

Notes: Findings of Fact, Opinion and Order rendered 7/31/18 denied payment of the claim.

U

CC-2018-358

Joyce McNeal v. Transportation Cabinet, Dept. of Highways

Notes: Findings of Fact, Opinion and Order rendered 8/22/18 denied payment of the claim.

U

CC-2018-434

Leontae Presley v. Transportation Cabinet, Dept. of Highways

Notes: Findings of Fact, Opinion and Order rendered 9/4/18 awarding the Claimant \$590.05. The Claimant filed exceptions to this amount.

U

CC-2018-501

Daniel Roberts v. Transportation Cabinet, Dept. of Highways

Notes: Findings of Fact, Opinion and Order rendered 8/20/18 denied payment of the claim.

U

CC-2018-559

Tiara Grough v. Transportation Cabinet, Dept. of Highways

Notes: Findings of Fact, Opinion and Order rendered 9/4/18 denied payment of the claim.

U

MOTIONS

CC-2018-365

Bizsoft, Inc. v. University of Kentucky

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

Counsel's Recommendation: ~~For discussion.~~

Sustain

CC-2018-468

Donna House v. Finance and Administration Cabinet

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

Counsel's Recommendation: For discussion.

Overrule + Assign

RECOMMENDED ORDERS

BC-2015-628 & BC-2015-629

David Taylor, the Estate of Brianna Taylor, and Mickayla Harig v. Transportation Cabinet,
Dept. of Highways

Notes: Hearing Officer Doug Hardin's Findings of Fact, Conclusions of Law and
Recommended Order denying payment of the claim and the Claimants' exceptions filed
thereto.

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

Total number of claims: 12

\$ 8839.33

**COMMONWEALTH OF KENTUCKY
CLAIMS COMMISSION
Addendum**

September 25, 2018

BC-2018-213

Ashley Scamahorn v. Transportation Cabinet, Dept. of Highways

Agreed Order of Dismissal awarding the Claimant \$4,000.00 filed. ✓

Counsel's Recommendation: Enter an Order awarding the Claimant \$4,000.00 in settlement of this claim.

Tax Appeals Minutes

Kroger Order signed.

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