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September 24, 2024 Meeting

MINUTES

The meeting, conducted via Microsoft Teams, was called to order at approximately 10:10 am., and the following business was conducted in Board of Claims matters.

In attendance were Board members Samuel Wright, Kathryn Thomas, and Dale Sights. Chairman Wright called the meeting to order.

A quorum existed and business was conducted. Also in attendance were: Staff Attorneys Shelby Bevins-Sullivan and Linda Horsman, Clerk Katie Dean, Hearing Officer Charles Miller, Attorneys Robert Chaney and Seth Fawns for Respondent Department of Corrections, Attorney Andrew DeSimone for Respondent University of Kentucky, Attorney Meredith Fannin for Respondent CoreCivic, Inc., Attorney Jeremy Sylvester for Respondent Office of the Attorney General, and Claimant Jackie Stone.

After Staff Attorney Bevins-Sullivan delivered the monthly report for the Board of Claims for August 2024, the August 2024 Minutes were approved. Member Sights moved to approve the July 2024 Minutes with Member Thomas seconding. Having all in favor, the Motion carried.

After approval of the prior meeting's Minutes, the following cases were taken up for consideration:

BC-24-0379: International Covers, Inc., c/o Greg Botkin v. Transportation Cabinet, Dept. of Highways (KYTC)

1st: Dale Sights 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board affirmed its prior decision, dismissing the claim.

BC-24-0244: Jackie Stone v. Justice & Public Safety Cabinet, Department of Corrections, Roederer Correctional Complex, Mailroom Supervisor

1st: Kathryn Thomas 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board sustained the Respondent's Motion to Dismiss.

BC-24-0535: Damien Sublett v. Justice & Public Safety Cabinet, Department of Corrections, Parole Board

1st: Kathryn Thomas 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board sustained the Respondent's Motion to Dismiss.

BC-24-0564: Damien Sublett v. Justice & Public Safety Cabinet, Department of Corrections, Probation & Parole

1st: Kathryn Thomas 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board sustained the Respondent's Motion to Dismiss.

BC-24-0659: Jason Anderson v. University of Kentucky (UK)

1st: Kathryn Thomas 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board sustained the Respondent's Motion to Hold Claim in Abeyance and also instructed the parties to provide status updates every 120 days.

BC-24-0677: Jackie Stone v. CoreCivic, Inc. and Lee Adjustment Center

1st: Dale Sights 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board sustained the Respondents' Motion to Dismiss.

BC-22-0731: Michael DiMera v. KYTC

1st: Kathryn Thomas 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board accepted and adopted the Recommended Order of Dismissal as Settled.

BC-22-0834: Cindy Chaffin v. UK

1st: Kathryn Thomas 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board accepted and adopted the Recommended Order of Dismissal.

BC-23-0906: Paula Morris v. Cabinet of Health and Family Services (CHFS)

1st: Dale Sights 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board accepted and adopted the Recommended Order Adopting Joint Motion to Dismiss.

BC-24-0459: Frankie Cambron v. KYTC

1st: Kathryn Thomas 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board accepted and adopted the Recommended Order of Dismissal.

BC-23-0584: Anthony Greenwell v. KYTC

1st: Dale Sights 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board entered the Agreed Order of Dismissal.

BC-23-0642: Kentucky Utilities v. Kentucky National Guard

1st: Dale Sights 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board entered the Agreed Order of Dismissal.

BC-23-0940: Savannah Jackson, et al. v. CHFS, et al.

1st: Kathryn Thomas 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board entered the Agreed Order of Partial Dismissal.

BC-23-0946: Randall Tomlinson v. UK

1st: Dale Sights 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board entered the Agreed Order of Dismissal.

BC-22-0924: Sarah McCann v. UK

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board dismissed this claim, *sua sponte*, for failure to revive the claim within one (1) year of the Claimant's death.

BC-23-0962: James Potter v. CHFS

1st: Dale Sights 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board dismissed this claim for failure to respond to the Show Cause Order.

BC-23-1005: Jimmie Robinson v. Board of Nursing

1st: Dale Sights 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board dismissed this claim for failure to respond to the Show Cause Order.

BC-23-1017: Dennis Midkiff v. UK

1st: Dale Sights 2nd: Kathryn Thomas. Having all in favor, the Motion carried.

- The Board dismissed this claim for failure to respond to the Show Cause Order.

BC-24-0210: Tieria Craig v. Unknown

1st: Kathryn Thomas 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board dismissed this claim for failure to respond to the Show Cause Order.

BC-24-0664: Freida Johnson v. Owensboro Police Department and Mayor Tom Watson

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board dismissed this claim, *sua sponte*, for lack of jurisdiction over municipal entities.

BC-24-0685: Progressive Southern Insurance Company, as subrogee of Monica Waters v. Metrosafe

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board dismissed this claim, *sua sponte*, for lack of jurisdiction over subrogation claims.

BC-24-0705: Valencia Cox v. Bullitt County Sheriff's Office

1st: Samuel Wright 2nd: Dale Sights. Having all in favor, the Motion carried.

- The Board dismissed this claim, *sua sponte*, for lack of jurisdiction over county entities.

Member Thomas motioned to schedule the Board's October meeting for October 16, 2024 at 9:00 am EST. Member Sights seconded the motion. Having all in favor, the Motion carried. The Board scheduled its October meeting for October 16, 2024 at 9:00 am EST.

Member Sights moved to adjourn the meeting at approximately 10:49 am with Member Thomas seconding. Having all in favor, the Motion carried, and the meeting adjourned.