

COMMONWEALTH OF KENTUCKY
Claims Commission
Agenda
August 28, 2018

Minutes
Approved

Jim would
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The Kentucky Claims Commission received 59 negligence claims filed against the Commonwealth during the month of July, 2018. As many claims as possible were perfected and served on state agencies.

The Claims Commission staff, including the Executive Director and the Staff Attorney, processed and/or decided **81** claims under \$2,500.00 in July, 2018. Eighteen (18) of these claims were dismissed and 63 were awarded, for a total amount awarded of **\$37,205.15**.

At its meeting on July 24, 2018, the Kentucky Claims Commission dismissed five (5) negligence claims and awarded one (1) negligence claim totaling **\$1,894.00**. Together with the claims investigated in-house, the Claims Commission dismissed a total of 23 negligence claims and awarded a total of 64 negligence claims for a total amount awarded of **\$39,099.15** in July, 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-2015-981

Pennie Akin, Individually and as Administratrix of the Estate of Colby Thompson v. Transportation Cabinet, Dept. of Highways

Notes: Agreed Order of Settlement for \$120,000.00 filed.

Counsel's Recommendation: Enter the Agreed Order of Settlement awarding the Claimants \$120,000.00 in settlement of this claim.

BC-2017-081

Janna Chandler v. Transportation Cabinet, Dept. of Highways

Notes: Agreed Order of Settlement for \$12,000.00 filed.

Counsel's Recommendation: Enter the Agreed Order of Settlement awarding the Claimant \$12,000.00 in settlement of this claim.

BC-2017-211

Ariel Hardin, a Minor, by and through her Mother, Tonya Shobe-Hardin v. Jefferson County Public Schools

Notes: Agreed Order of Dismissal filed.

Counsel's Recommendation: Enter an Order of Dismissal as agreed by the parties.

BC-2017-502

Carrier Transicold v. Tourism, Arts & Heritage Cabinet, Ky. State Fair Board

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

Counsel's Recommendation: Enter an Order awarding the Claimant \$6,872.17 in settlement of this claim.

CC-2018-232

Carol Morgan v. University of Kentucky

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

Counsel's Recommendation: Enter an Order awarding the Claimant \$1,610.01 in settlement of this matter.

CC-2018-327

Breanna Ingram v. Murray State University

Notes: Joint Motion for Approval of Settlement and Agreed Order of Dismissal filed.

Counsel's Recommendation: Enter the Agreed Order of Dismissal awarding the Claimant \$3,895.56 in settlement of this claim.

FULL COMMISSION REVIEWS

CC-2018-007

Christopher Hawkins #103061 v. Justice & Public Safety Cabinet, Dept. of Corrections

Notes: This claim was originally dismissed.

CC-2018-207

Greg Goetz #101581 v. Justice & Public Safety Cabinet, Dept. of Corrections

Notes: This claim was originally dismissed.

*Upheld
all 3*

CC-2018-475

Todd Stoudemire #199824 v. Justice & Public Safety Cabinet, Dept. of Corrections

Notes: This claim was originally dismissed.

MOTIONS

CC-2018-134

Sheila Jean Hollars v. Finance and Administration Cabinet

Notes: Respondent's unopposed Motion to Dismiss.

Counsel's Recommendation: Overrule the Motion to Dismiss and assign to Hearing Officer James Howard for further proceedings. ✓

CC-2018-135

Kevin Ray Conrad #204798 v. Justice & Public Safety Cabinet, Dept. of Corrections

Notes: Claimant's response to the Commission's Order dated June 26, 2018 regarding an itemization of his medical bills incurred.

Counsel's Recommendation: For discussion.

CC-2018-378

South Lime Studios, LLC v. University of Kentucky

Notes: Respondent's Answer and unopposed Motion to Dismiss.

Counsel's Recommendation: Overrule the Motion to Dismiss and assign to Hearing Officer Patrick Flannery for further proceedings. ✓

CC-2018-470

Ruth Brown v. University of Kentucky

Notes: Respondent's unopposed Motion to Dismiss.

Counsel's Recommendation: Overrule the Motion to Dismiss and assign to Hearing Officer Tim Cocanougher for further proceedings. ✓

RECOMMENDED ORDERS

BC-2017-165

Chris Buckmon v. Transportation Cabinet, Dept. of Highways

Notes: Hearing Officer Tim Cocanougher's Findings of Fact, Conclusions of Law and Recommended Order awarding the Claimant \$1,000.00.

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

BC-2017-432 and BC-2017-455

Lucretia Joyce and Ronnie Joyce v. Transportation Cabinet, Dept. of Highways

Notes: Hearing Officer James Howard'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.

BC-2017-545

Shirley Sage v. Transportation Cabinet, Dept. of Highways

Notes: Hearing Officer James Howard'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.

Total number of claims: 17

\$145,377.74
awarded

Tax Appeals
8/28/18