

COMMONWEALTH OF KENTUCKY
Claims Commission
Minutes
January 22, 2019

The Kentucky Claims Commission received 47 negligence claims filed against the Commonwealth during the month of **November, 2018** and **28** negligence claims in **December, 2018**.

Pursuant to KRS 49.090(2), the Executive Director and the Staff Attorney decided approximately **63** claims under \$2,500.00 in **November, 2018**. Approximately **41** of these claims were dismissed and approximately **22** were awarded, for an estimated total amount awarded of **\$13,300.96**. The Claims Commission did not meet in November, 2018.

The Executive Director and the Staff Attorney decided approximately **37** claims under \$2,500.00 in **December, 2018**. Approximately **20** of these claims were dismissed and approximately **17** were awarded, for an estimated total amount awarded of **\$12,293.68**.

At its meeting on December 18, 2018, the Claims Commission dismissed eight (8) negligence claims and awarded six (6) negligence claims totaling **\$44,289.96**. Together with the claims investigated pursuant to KRS 49.090(2), the Claims Commission dismissed approximately **28** negligence claims and awarded approximately **25** negligence claims for an estimated total amount awarded of **\$56,583.64** in **December, 2018**.

Members present: Marcus Carey, Esq., Commission Chairperson
 Carlo R. Wessels, Esq., Commission Member
 Delana Sanders, Esq., Commission Member
 Tim Cocanougher, Esq., Executive Director
 G. Mitchell Mattingly, Esq., Staff Attorney
 James Howard, Esq., Office of Administrative Hearings
 Raymond Shields, CVC Clerk

FOR INSTRUCTIONS FROM THE COMMISSION:

CC-2018-345

Robbie Hall v. Transportation Cabinet, Dept. of Highways
*Commission entered the Agreed Order of Settlement for **\$3,393.00** signed by the parties and filed by Hearing Officer Patrick Flannery.*

CC-2018-378

South Lime Studios v. University of Kentucky
Commission entered the Agreed Order of Dismissal signed by the parties and filed by Hearing Officer Patrick Flannery.

CC-2018-424

Sarah H. Brown v. Transportation Cabinet, Dept. of Highways
*Commission entered the Agreed Order of Dismissal for **\$2,500.00** filed by the parties.*

FULL COMMISSION REVIEWS

CC-2018-702

Michael Dilts v. Transportation Cabinet, Dept. of Highways
Commission upheld its original decision denying payment of the claim.

CC-2018-757

Joseph Brown v. Transportation Cabinet, Dept. of Highways
Commission upheld its original decision awarding \$399.22 to the Claimant.

MOTIONS

CC-2018-681

Brent Hudson v. Tourism, Arts & Heritage Cabinet, Dept. of Parks
Commission granted the Respondent's unopposed Motion to Dismiss for failure to state a claim upon which relief can be granted.

CC-2018-769

Charles Smith v. Justice & Public Safety Cabinet, Dept. of Corrections
Commission granted the Respondent's unopposed Motion to Dismiss for failure to state a claim upon which relief can be granted.

RECOMMENDED ORDERS

BC-2017-0021

Camille Frey v. Tourism, Arts & Heritage Cabinet, Dept. of Parks
Commission adopted Hearing Officer Tim Cocanougher's Recommended Order of Dismissal for the Claimant's failure to prosecute his claim.

CC-2018-273

Mike Smith v. Transportation Cabinet, Dept. of Highways
Commission adopted Hearing Officer James Howard's Findings of Fact, Conclusions of Law and Recommended Order denying payment of the claim and the Respondent's exceptions filed thereto.

Total number of claims: 9

**COMMONWEALTH OF KENTUCKY
CLAIMS COMMISSION
*Addendum Minutes***

January 22, 2019

CC-2018-642

Bradley Saunders v. Justice & Public Safety Cabinet, Dept. of State
Police

*Commission entered the Mediation Agreement between the parties
awarding the Claimant \$1,000.00 in settlement of this claim.*

CC-2018-736

James Howard v. University of Kentucky

*Commission entered the Agreed Order of Settlement awarding the
Claimant \$1,500.00 in settlement of this claim.*
