

COMMONWEALTH OF KENTUCKY
Board of Claims
Agenda
July 18, 2013

The Board of Claims received 53 new claims during the month of June, 2013. A total of 63 claims were set up, according to Assistant Clerk Paula Woolums. Paula also returned two (2) claims for lack of jurisdiction.

Investigator Jackie Lynch decided 26 claims under \$1,000.00 in June, 2013. Jackie reports that 12 of these claims were denied and 14 were awarded, for a total amount awarded of \$6,098.24.

At its Board meeting on June 20, 2013, the Board dismissed 13 claims and awarded eight (8) claims totaling \$11,542.16. Together with the claims investigated in-house, the Board dismissed a total of 25 claims and awarded a total of 22 claims for a total amount awarded of \$17,640.40 in June, 2013.

Sullivan } Absent
O'Bryan }

For Instructions From the Board

BC-2011-00049

Carey Brabson vs. Floyd County Board of Education

Notes: Agreed Order of Dismissal filed by the parties with the former hearing officer.

Counsel's Recommendation: Enter an Order dismissing the claim with prejudice as agreed by the parties. ✓

BC-2011-01126

Alexis Dassell, by and through her Mother and Next Friend, Lisa Dassell vs. University of Louisville

Notes: Agreed Order of Dismissal filed by the Claimant.

Counsel's Recommendation: Enter the Agreed Order dismissing the claim with prejudice. ✓

BC-2012-00035

Robert Peters vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order of Dismissal filed.

Counsel's Recommendation: Enter the Agreed Order of Dismissal dismissing the claim with prejudice as agreed by the parties. ✓

BC-2012-00412

Alvena Ross vs. University of Kentucky

Notes: Agreed Order of Settlement filed.

Counsel's Recommendation: Enter the Agreed Order of Settlement awarding the Claimant \$500.00 in settlement of this matter. ✓

BC-2013-00102

John Woodruff vs. Justice and Public Safety Cabinet

Notes: July 18, 2013- Default Order

Counsel's Recommendation: Rule the Claimant in Default and Dismiss. ✓

BC-2013-00109

Janis Kearns vs. University of Kentucky

Notes: July 18, 2013- Default Order
Counsel's Recommendation: Rule the Claimant in Default and Dismiss. ✓

BC-2013-00115

Oliva Morehead; Tom Morehead vs. Tourism, Arts and Heritage Cabinet / Ky. State Fair Board

Notes: July 18, 2013- Default Order
Counsel's Recommendation: Rule the Claimant in Default and Dismiss. ✓

BC-2013-00116

David McMullan vs. Transportation Cabinet / Dept. of Highways

Notes: July 18, 2013- Default Order
Counsel's Recommendation: Rule the Claimant in Default and Dismiss. ✓

BC-2013-00123

Jeremy Scott vs. Justice and Public Safety Cabinet

Notes: July 18, 2013- Default Order
Counsel's Recommendation: Rule the Claimant in Default and Dismiss. ✓

Motions

BC-2013-00103

Pamalene Trimble vs. University of Kentucky

Notes: Respondent's Motion to Dismiss; no response filed by the Claimant.

Counsel's Recommendation: Sustain the Motion to Dismiss pursuant to KRS 44.110. ✓

BC-2013-00239

Charon Anderson vs. Justice and Public Safety Cabinet / Dept. of Corrections

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

Counsel's Recommendation: Sustain the Motion to Dismiss for failure to state a claim upon which relief can be granted. ✓

Recommended Order

BC-2007-00579

Karen Dean and Kenneth Dean vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Braxton Crenshaw's Recommended Order holding the consolidated claims of BC-07-579 and BC-07-580 in abeyance pending the completion of a civil suit.

Counsel's Recommendation: Enter an Order holding the claims in abeyance pending the Supreme Court's decision on discretionary review of the civil matter. ✓

BC-2011-00909

Gwendolyn Bryant vs. University of Kentucky

Notes: Hearing Officer Braxton Crenshaw'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 denying payment of this claim. ✓

COMMONWEALTH OF KENTUCKY
BOARD OF CLAIMS
Addendum

July 18, 2013

BC-2013-00042

Beverly Chesser v. Transportation Cabinet, Dept. of Highways

Agreed Order filed awarding the Claimant \$2,553.49 in settlement of this matter.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$2,553.49 as agreed by the parties. ✓

BC-2013-00145

Roy Glidewell v. Transportation Cabinet, Dept. of Highways

Agreed Order of Dismissal filed.

Counsel's Recommendation: Enter the Agreed Order dismissing the claim with prejudice as agreed to by the parties. ✓

BC-2013-00250

Roger Parsley v. Tourism, Arts & Heritage Cabinet, Dept. of Parks

Respondent's Answer admitting liability and recommending payment of the full amount claimed.

Counsel's Recommendation: Enter a Final Order awarding the Claimant \$2,192.20 in settlement of this matter. ✓

BC-2013-00254

Gregory V. Vanover v. Transportation Cabinet, Dept. of Highways

Agreed Order filed awarding the Claimant \$1,000.00 in settlement of this matter.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$1,000.00 as agreed to by the parties. ✓

BC-2013-00258

James H. Gibson v. Labor Cabinet

Claimant's Motion to Dismiss.

Counsel's Recommendation: Enter an Order dismissing the claim with prejudice at the Claimant's request. ✓

BC-2013-00312

Robert Still v. Transportation Cabinet, Dept. of Highways

Claimant's Motion for Ruling Concerning Jurisdiction Over Louisville Metro Government.

Counsel's Recommendation: Enter an Order dismissing Louisville Metro Government from this claim pursuant to *Board of Claims v. Harris*, 59 S.W.3d 896 (2001). ✓
