



PUBLIC PROTECTION CABINET
OFFICE OF CLAIMS AND APPEALS
BOARD OF CLAIMS
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Andy Beshear
Governor

Ray Perry
Secretary

John Hardesty
Executive Director

NOTICE OF REGULAR MEETING

Date: July 26, 2022

Time: 10:00 AM Eastern Standard Time (EST)

Location: Zoom

- Call to order and roll call
- Approve minutes of June 28, 2022 meeting
- Executive Director's Report
- Agreed Orders or For Instructions
- Full Board Review
- Motions
- Recommended Orders
- Review of Calendar and next meeting
- Adjournment

Please consult the Board's website calendar for meeting materials and the Zoom link

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
OFFICE OF CLAIMS AND APPEALS
BOARD OF CLAIMS

Meeting Agenda

Date: July 26, 2022

When moving into Executive Session, use the following language: [Move for the Board to enter executive session, pursuant to KRS 61.815 and KRS 61.810 (1) (c) and (j) to discuss proposed or pending litigation and deliberate on individual adjudications in “*please state the relevant case number of all cases to be discussed in closed session.*” Motion must be seconded.]

I. June 2022 Monthly Report:

During the month of June 2022, the Board of Claims received **76** negligence claims filed against the Commonwealth.

The Board rendered **140** decisions in claims *under \$2,500.00* in June 2022. Of those, **41** were dismissed and **99** were awarded for a total amount awarded of **\$58,924.73**.

At its June 2022 meeting, the Board approved **7** Agreed Orders of Dismissal, granted **1** additional award upon Full Board Review, and awarded **1** additional award in a Final Order, awarding an additional **\$8,948.64**. With the claims under \$2,500.00, and those decided at the June 2022 Meeting, the Board decided **156** claims, awarding a total of **108** claims, and dismissing a total of **48** claims, the total amount awarded being **\$67,873.37**.

II. APPROVAL OF JUNE 2022 MINUTES:

1st: 2nd:

III. AGREED ORDERS OR FOR INSTRUCTIONS:

BC-17-0312

WILLIAM S. RANDALL

v.

MURRAY STATE UNIVERSITY

- Joint Motion for Approval of Settlement
- Release
- Agreed Order of Dismissal

CC-20-0209

PHILLIP AND MARY THAMAN

v.

TRANSPORTATION CABINET

DEPARTMENT OF HIGHWAYS (KYTC)

- Release
- Agreed Order of Dismissal

BC-21-0417

JOANNA HITE SHELTON

v.

KYTC

-Agreed Order of Dismissal

BC-21-0625

RICARDO RIVERA, JR.

v.

KYTC

-Release

-Agreed Order of Dismissal

IV. FULL BOARD REVIEW

BC-21-0685

FRANK GALATI

v.

KYTC

-Findings of Fact, Order, and Opinion Dismissing

BC-22-0163

JANIE FREIBERT

v.

KYTC

-Order Awarding Deductible Amount (\$500.00)

BC-22-0215

TEONA RAYBURN

v.

KYTC

-Order Dismissing due to Contractor

BC-22-0221

TODD CROWELL

v.

KYTC

-Findings of Fact, Opinion, and Order Dismissing

BC-22-0401

EMILY JOHNSTON

v.

KYTC

-Request to Reopen Claim for Additional Damages

BC-22-0438
RICH PASSAFIUME

v.
KYTC

-Order Dismissing due to Contractor

BC-22-0440
SHEENA BOWENS

v.
KYTC

-Order Dismissing due to Contractor

BC-22-0433 & 0434
PATRICIA HARTRY

v.
KYTC

-Findings of Fact, Opinion, and Order Dismissing

BC-22-0493
MARK O. WILLIAMS

v.
KYTC

-Order Dismissing due to Contractor
-KYTC's Amended Answer

V. MOTIONS

BC-22-0159
THERESA COLEMAN

v.
ENERGY AND ENVIRONMENT CABINET (EEC)
DIVISION OF MINES

-Respondent's Motion to Dismiss
-Claimant's Response
-Respondent's Reply

BC-22-0240
WINFORD CORNETT

v.
JUSTICE & PUBLIC SAFETY CABINET
KENTUCKY STATE POLICE

-Respondent's Motion to Dismiss

VI. RECOMMENDED ORDERS

BC-21-0097

JOSEPH BYRDWELL

v.

CABINET OF HEALTH AND FAMILY SERVICES
OFFICE OF CHILD SUPPORT ENFORCEMENT

-Recommended Order of Dismissal

BC-21-0158

KEVIN GUNNING

v.

JUSTICE & PUBLIC SAFETY CABINET
DEPARTMENT OF CORRECTIONS

-Recommended Order of Dismissal

BC-21-0250

CHARLES BANKS

v.

KYTC

-Recommended Order of Dismissal

BC-21-0252

CHRISTOPHER WORKMAN

v.

LABOR CABINET
DEPARTMENT OF UNEMPLOYMENT INSURANCE

-Recommended Order of Dismissal

BC-21-0415

CHELSEA MCCLURE

v.

KYTC

-Recommended Order of Dismissal

BC-21-0444

ANTHONY FERGUSON

v.

KYTC

-Recommended Order of Dismissal

BC-21-0474

SHIRLEY STEIER

v.

KYTC

-Recommended Order of Dismissal

-Claimant's Exceptions

BC-21-0549

TERRA GRUBB

v.

TOURISM, ARTS & HERITAGE CABINET

DEPARTMENT OF PARKS

-Recommended Order of Dismissal