

Commonwealth of Kentucky
Board of Claims
June 24, 2022 Meeting

MINUTES

The meeting, conducted via Zoom, was called to order at approximately 10:13 am., and the following business was conducted in Board of Claims matters.

In attendance were Board members Joshua Hicks and Dale Sights. Interim Chair Hicks called the meeting to order.

A quorum existed and business was conducted. Also in attendance were Executive Director John Hardesty, Staff Attorneys Shelby Bevins-Sullivan and Natalie Lile, Clerk Katie Dean, Hearing Officers Eden Davis Stephens and Shawn D. Chapman, Attorney Bethany Adkins Rice for the Department of Revenue, Attorneys Evan Jones and Sarah Noble for Department of Parks, and Claimants Noah Haug, Larry Haug, and Joan Gammell.

After Executive Director Hardesty delivered the monthly report for the Board of Claims for June 2022, the May 2022 minutes were approved. Member Dale Sights moved to approve the May 2022 Minutes with Interim Chair Hicks 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-17-0376: Rhonda Adams v. Murray State University (MSU)

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board approved the Joint Motion for Approval of Settlement, Release, and Agreed Order of Dismissal.

BC-17-0378: Richard Harp v. MSU

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board approved the Joint Motion for Approval of Settlement, Release, and Agreed Order of Dismissal.

BC-17-0412: Emily Smith v. MSU

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board approved the Joint Motion for Approval of Settlement, Release, and Agreed Order of Dismissal.

BC-21-0042: Toni Fessenbecker v. University of Kentucky (UK)

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board approved the Agreed Order of Dismissal.

BC-21-0475: Ashley and Grant Sorrell v. Transportation Cabinet, Department of Highways (KYTC)

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board approved the Agreed Order of Dismissal.

BC-21-0546: Noah Haug v. KYTC

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board agreed to enter a Final Order against KYTC for failure to respond and comply with a Show Cause order.

BC-21-0632: Bryan Pryor v. Tourism, Arts & Heritage Cabinet, Department of Parks (DOP)

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board approved Agreed Order of Dismissal.

BC-21-0718: James Dunn, Jr. v. UK

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board approved the Settlement Agreement and Release.

At approximately 10:36 am, Interim Chair Hicks moved to enter an Executive Session pursuant to KRS 61.815 and KRS 61.810(1)(c) and (j) to deliberate on the following cases: BC-21-0546, BC-22-0398, BC-22-0205, BC-22-0293, BC-22-0358, CC-19-0865, BC-21-0045, BC-21-0569, and BC-21-0751. Member Sights seconded. Having all in favor, the Board went into Executive Session.

At approximately 10:45 am, Member Sights moved to exit the Executive Session and return to Open Session. Interim Chair Hicks seconded. Having all in favor, the motion carried, and no official action was taken during the Executive Session.

BC-22-0398: Greg Stokes v. Henderson County Detention Center

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board dismissed this claim, *sua sponte*, for lack of jurisdiction as the Claimant, Greg Stokes, asserted a negligence action against a county entity.

BC-22-0205: Joan Gammell v. KYTC

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- After the Claimant, Joan Gammell, addressed the Board, the Board affirmed its prior decision the Claimant's request for Full Board Review, awarding Ms. Gammell \$250.00.

BC-22-0293: Saisanthosh Chilamkurthi v. KYTC

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- Upon review of the Claimant's request for Full Board review, the Board agreed to award damages for the Claimant, Saisanthosh Chilamkurthi, in the amount of \$1,762.00.

BC-22-0358: Ronald Anthony, Sr. v. KYTC

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board affirmed its prior decision, awarding the Claimant, Ronald Anthony, Sr., damages in the amount of \$500.00.

CC-19-0865: Theresa and David Padgett d/b/a Super Clean Auto Spa, Southern Grace B&B, and The Barn v. Finance and Administration Cabinet, Department of Revenue, and Rebecca Richardson, in her Official Capacity as Meade County Property Valuation Administrator

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board accepted and adopted the Recommended Order of Dismissal without modification.

BC-21-0045: Michael Penman v. Justice & Public Safety Cabinet, Department of Corrections (DOC)

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board accepted and adopted the Recommended Order of Dismissal without modification.

BC-21-0569: Roberta Newsome v. KYTC

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board accepted and adopted the Recommended Order of Dismissal without modification.

BC-21-0751: Margaret Tillman v. KYTC

Motion: 1st Dale Sights, 2nd Joshua Hicks. Having all in favor, the motion carried.

- The Board accepted and adopted the Recommended Order of Dismissal without modification.

Having no further business, Member Sights moved to adjourn the meeting with Interim Chair Hicks seconding the motion. Having all in favor, the motion carried, and the meeting adjourned at approximately 11:02 am.