

COMMONWEALTH OF KENTUCKY

Board of Claims

Agenda

March 17, 2016

Minutes Approved

The Board of Claims received 70 new claims during the month of February, 2016. Paula reports that a total of 47 claims were set up and four (4) claims were returned for lack of jurisdiction.

Investigator Jackie Lynch decided 30 claims under \$1,000.00 in February, 2016. Jackie reports that 25 of these claims were denied and five (5) were awarded, for a total amount awarded of \$2,334.55.

At its Board meeting on February 18, 2016, the Board dismissed 27 claims and awarded four (4) claims totaling \$184,246.21. Together with the claims investigated in-house, the Board dismissed a total of 52 claims and awarded a total of nine (9) claims for a total amount awarded of \$186,580.76 in February, 2016.

EA: Ethics Training is mandatory by 4/15/16.

For Instructions From the Board

BC-2015-00378

Christian Cavanaugh vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order awarding the Claimant \$20,000.00 filed.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$20,000.00 in settlement of this matter. ✓

BC-2015-00590

Francis Morris vs. Commonwealth of Kentucky

Notes: March 17, 2016-Default Order

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

BC-2015-00599

Karen Duvall vs. Commonwealth of Kentucky

Notes: March 17, 2016-Default Order

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

BC-2015-00606

Stevie Collins vs. Commonwealth of Kentucky

Notes: March 17, 2016-Default Order

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

BC-2015-00626

Jeffrey Sutton vs. Commonwealth of Kentucky

Notes: March 17, 2016-Default Order

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

BC-2015-00630

Jordan Frantsrog vs. Murray State University

Notes: March 17, 2016-Default Order

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

BC-2015-00640

Maurice Powell vs. Justice and Public Safety Cabinet

Notes: March 17, 2016-Default Order
Counsel's Recommendation-Rule the Claimant in Default and Dismiss ✓

BC-2015-00646

Daniel Gordon vs. Commonwealth of Kentucky

Notes: March 17, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss ✓

BC-2015-00649

Kenisha Smoot vs. Commonwealth of Kentucky

Notes: March 17, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss ✓

BC-2015-00665

Albert Miller vs. Commonwealth of Kentucky

Notes: March 17, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss ✓

BC-2015-00667

Ethel Hubbard vs. Commonwealth of Kentucky

Notes: March 17, 2016-Default Order
Counsel's Recommendation-Rule the Claimant in Default and Dismiss ✓

BC-2016-00028

Throughbred Transportation vs. Tourism, Arts and Heritage Cabinet / Ky. State Fair Board

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

Counsel's Recommendation: Enter an Order awarding the Claimant \$1,963.38 in settlement of this matter. ✓

Motions

BC-2015-01004

Elmer Maggard vs. Office of the Attorney General and Board of Examiners for Psychology

Notes: Respondent's unopposed Motion to Dismiss and unopposed Motion to Disqualify J. Fox DeMoisey as Counsel for the Claimant.

Counsel's Recommendation: Enter an Order of Dismissal for failure to state a claim upon which relief can be granted and deny the Motion to Disqualify Claimant's attorney as moot. ✓

Recommended Order

BC-2008-00048

Sandy Worley vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Jan West's [Recommended] Order dismissing the claim as settled in a related Meade Circuit Court action.

Counsel's Recommendation: Enter a Final Order dismissing the claim as settled. ✓

BC-2012-00071

April Mills-Sylva vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Jan West's [Recommended] Order dismissing the claim as settled.

Counsel's Recommendation: Enter a Final Order dismissing the claim as settled.

BC-2014-00178

Joan Ferrell vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Mike Wilson'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 the claim.

BC-2014-00679

Marcus Franklin vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Mike Wilson's Recommended Findings of Fact, Conclusions of Law and Order denying payment of the claim and the Claimant's exceptions filed thereto..

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

BC-2014-00708

Sid and Lou Ann Raby, Parents of Garrett Raby, a Minor vs. Franklin Simpson Board of Education

Notes: Hearing Officer Jan West's [Recommended] Opinion and Order denying the Respondent's Motion to Dismiss.

Counsel's Recommendation: Adopt the recommendation of the hearing officer denying the Respondent's Motion to Dismiss.

BC-2015-00105

Keith and Karen Roark vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Mike Wilson's Recommended Findings of Fact, Conclusions of Law and Order denying payment of the claim.

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

BC-2015-00306

Christopher Richardson vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Jan West'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 the claim.

BC-2015-00424

Samuel Mandina vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Jan West'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 the claim.

BC-2015-00462

Bill Dunn vs. Transportation Cabinet / Dept. of Highways; and Energy and Environment Cabinet / Division of Water

Notes: Hearing Officer Jan West's Recommended Order dismissing the claim at the Claimant's request.

Counsel's Recommendation: Adopt the recommendation of the hearing officer dismissing the claim at the request of the Claimant.

COMMONWEALTH OF KENTUCKY
BOARD OF CLAIMS
Addendum

March 17, 2016

BC-2014-00613

Cheri J. Hager v. Transportation Cabinet / Dept. of Highways

Agreed Order of Dismissal for \$85,000.00 filed by the parties.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$85,000.00 in settlement of this matter. ✓

BC-2015-00775

Linda Weick v. Finance and Administration Cabinet

Settlement Agreement for \$500.00 filed by the parties.

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

BC-2015-00926

Keith Manufacturing Co. v. Tourism, Arts & Heritage Cabinet, Ky. State Fair Board

Agreed Order of Dismissal for \$5,165.00 filed by the parties.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$5,165.00 in settlement of this matter. ✓

BC-2015-1012

Princeton Technology Group v. Tourism, Arts & Heritage Cabinet, Ky. State Fair Board

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

Counsel's Recommendation: Enter an Order awarding the Claimant \$1,200.00 in settlement of this matter. ✓

BC-2016-00044

Michael W. Inman v. Murray State University

Agreed Order of Dismissal for \$1,721.49 filed by the parties.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$1,721.49 in settlement of this matter. ✓
