

COMMONWEALTH OF KENTUCKY
Claims Commission
Minutes
March 27, 2018

The Kentucky Claims Commission received 86 negligence claims filed against the Commonwealth during the month of February, 2018. Angela reports that 37 of these claims were set up for under \$2,500.00.

Investigators Angela Robertson and Raymond Shields decided 31 claims under \$2,500.00 in February, 2018. Angela reports that 22 of these claims were dismissed and nine (9) were awarded, for a total amount awarded of **\$3,976.03**.

At its meeting on February 27, 2018, the Kentucky Claims Commission dismissed 11 negligence claims and awarded none. Together with the claims investigated in-house, the Claims Commission dismissed a total of 33 negligence claims and awarded a total of nine (9) negligence claims for a total amount awarded of **\$3,976.03** in February, 2018.

Members Present: Marcus Carey, Commission Chair
 Delana S. Sanders, Commission Member
 Patrick Flannery, Interim Executive Director
 Mitchell Mattingly, Staff Attorney
 James Howard, Office of Administrative Hearings
 Raymond Shields, Crime Victims Compensation Clerk
 Lisa Robinson, Claims Clerk

Interim Executive Director Patrick Flannery reported that no public hearing was necessary for the new Kentucky Claims Commission regulation as no comments to the proposed new regulation were filed.

FOR INSTRUCTIONS FROM THE COMMISSION:

BC-2014-745 and BC-2014-746 (Consolidated)

Wendy Poe and William Poe v. University of Kentucky
Commission entered an Agreed Order of Dismissal as agreed by the parties.

BC-2016-500

Debra Fugate v. Transportation Cabinet, Dept. of Highways
*Commission entered an Agreed Order of Dismissal **awarding** the Claimant **\$3,500.00** as agreed by the parties.*

BC-2017-273

Michal Korzeniowski v. Transportation Cabinet, Dept. of Highways
*Commission entered an Agreed Order of Dismissal **awarding** the Claimant **\$2,500.00** as agreed by the parties.*

BC-2017-523

Elizabeth McMillan-McCartney v. Northern Kentucky University
*Commission entered an Order **awarding** the Claimant **\$3,100.00** as agreed by the parties.*

FULL COMMISSION REVIEWS:

BC-2017-231

Uriah M. Pasha #092028 v. Justice & Public Safety Cabinet, Dept. of Corrections
Commission upheld its previous denial of this claim.

BC-2017-285

Leslie Haun #205731 v. Justice & Public Safety Cabinet, Dept. of Corrections
Commission upheld its previous denial of this claim.

BC-2017-306

Lisa Byrd v. Transportation Cabinet, Dept. of Highways
Commission upheld its previous denial of this claim.

BC-2017-326

Richard M. Preece v. Transportation Cabinet, Dept. of Highways
*Commission reversed its previous denial of this claim and **awarded** the Claimant **\$450.92**.*

MOTIONS:

BC-2015-794

Clyde Smith, Jr. v. Transportation Cabinet, Dept. of Highways
Commission entered an Order of Dismissal dismissing this claim without prejudice at the request of the Claimant.

BC-2017-549

Weslee D. Farley v. Cabinet for Health & Family Services
Commission entered an Order of Dismissal dismissing this claim with prejudice at the request of the Claimant.

RECOMMENDED ORDERS:

BC-2015-317

Roberta L. Curtis v. Morehead State University
Commission granted the parties' Joint Motion to Dismiss as recommended by the hearing officer.

BC-2016-419

Estate of David Gibbs v. Transportation Cabinet, Dept. of Highways
Commission denied payment of this claim as recommended by the hearing officer.

BC-2016-483

Dorothy Coleman v. University of Kentucky

Commission dismissed this claim at the request of the Claimant.

BC-2017-221

Danny Bridwell v. Transportation Cabinet, Dept. of Highways

Commission denied payment of this claim as recommended by the hearing officer.

BC-2017-253

Darius Hoskinson v. Tourism, Arts & Heritage Cabinet, Dept. of Parks

Commission denied payment of this claim as recommended by the hearing officer.

BC-2017-256

Anthony Guinyard, Jr. v. Transportation Cabinet, Dept. of Highways

Commission granted the Respondent's Motion to Dismiss as recommended by the hearing officer.

BC-2017-274

Mechelle Fair v. Transportation Cabinet, Dept. of Highways

*Commission **awarded** the Claimant the sum of **\$5,279.76** in damages as recommended by the hearing officer.*

Total number of Claims: 17