

**COMMONWEALTH OF KENTUCKY**

**Board of Claims**

**Minutes**

**May 21, 2009**

---

Board Attorney G. Mitchell Mattingly welcomed new Executive Director Virginia Woodward on behalf of the Board. The Board accepted the minutes of the April, 2009 meeting. Discussion followed regarding funding for Crime Victims' Compensation claims; the minutes of this discussion are included in the minutes of today's Crime Victims' Compensation Board meeting.

**Executive Director's Report:**

The Board of Claims received 71 new claims during the month of April, 2009. A total of 76 new claims were set up, according to Assistant Clerk Paula Woolums. Paula also dismissed 2 claims for being under the \$100.00 threshold. Investigators Jackie Lynch and Wanda Luttrell decided 81 claims (under \$1000.00) in April, 2009. Thirty four (34) claims were dismissed and 47 claims were awarded, for a total amount awarded of \$17,887.11.

At its Board meeting on April 16, 2009, the Board dismissed 18 claims and awarded seven (7) claims totaling \$208,816.86. Together with the claims investigated in-house, the Board dismissed a total of 52 claims and awarded a total of 54 claims for a total amount awarded of \$226,703.97 in April, 2009.

---

Members Present: Jo Ann Phillips, Board Member and Acting Chair  
Michael Plummer, Board Member  
Tom Handy, Board Member  
L. E. Forgy, Board Member  
Virginia Woodward, Executive Director  
Lindsey Crawford, Policy Analyst  
G. Mitchell Mattingly, Board Attorney  
Paula Woolums, Assistant Clerk  
Wanda Luttrell, Investigator  
Lisa G. Robinson, Clerk

**For Instructions From the Board**

BC-2008-00588

David Williams vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00675

Jay Dierig vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00694

Kelly Settles vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00700

Michael Smith vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00709

Norman Morgan vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

---

BC-2008-00710  
Judith Williams vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00733  
Sarah Bramlage vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00757  
Joyce Templeton vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

---

BC-2008-00758  
LaDonna Burkhart vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00774  
Tracie Meyer vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00802  
Elizabeth Nash vs. Department of Parks / Tourism, Arts and Heritage

Grant Award - [Board ordered dismissed]

---

BC-2008-00816  
Nancy Hunter vs. UK Medical Center / University of Kentucky

Grant Award - [Board ordered dismissed]

---

BC-2008-00827  
Ben Stagge vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00837  
Joshua Jones vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00860  
Marlene Flagel vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

---

BC-2008-00862  
Kyle Auxier vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

---

BC-2008-00879

Gary Sanders; Joyce Gipson vs. UK Medical Center / University of Kentucky

Grant Award - [Board ordered dismissed]

---

BC-2008-00880

Shawn Brown vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00897

Rose Lewis vs. UK Medical Center / University of Kentucky

Grant Award - [Board ordered dismissed]

---

BC-2008-00914

Pickard Chrysler Inc. vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

---

BC-2008-00954

Anthony Lewis vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00962

Melinda Wilson vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-00968

Mary Howard vs. Department of Highways / Transportation

Grant Award - [Board ordered dismissed]

---

BC-2008-00971

Jimmy Gillum vs. Justice and Public Safety Cabinet / Justice and Public Safety Cabinet

Grant Award - [Board ordered dismissed]

---

BC-2008-00972

Terry Roach vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-01006

Sherman Brandle vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Board ordered dismissed]

---

BC-2008-01027

Marian Mueller vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Board ordered dismissed]

---

BC-2008-01071

Kwane Green vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-01072

Jason Woodward vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-01078

William Stewart vs. UK Medical Center / University of Kentucky

Grant Award - [Board ordered dismissed]

---

BC-2008-01098

Aprile Conley vs.

Grant Award - [Board ordered dismissed]

---

BC-2008-01119

Tedrick Little vs. Justice and Public Safety Cabinet / Justice and Public Safety Cabinet

Grant Award - [Board ordered dismissed]

---

BC-2008-01120

Garland Sexton vs. Department of Parks / Tourism, Arts and Heritage

Grant Award - [Board ordered dismissed]

---

BC-2008-01122

Martha Allison vs. UK Medical Center / University of Kentucky

Grant Award - [Board ordered dismissed]

---

BC-2008-01193

Tammy Wells vs. Tourism, Arts and Heritage Cabinet / Dept. of Parks

Grant Award - \$560.58 [Board awarded]

---

BC-2009-00105

Reggie McKenzie vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Upheld previous dismissal]

---

BC-2009-00213

Chad Centers vs. Eastern Kentucky University

Grant Award - \$3,000.00 [Board awarded]

---

### **Full Board Review**

BC-2008-01115

Carolyn Williams; Walter Williams vs. Transportation Cabinet / Dept. of Highways

Grant Award - \$300.00 [Reversed previous dismissal and awarded]

---

BC-2009-00159

Darrell Miracle vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Upheld previous dismissal]

---

**Motions**

BC-2005-00672

Jeffrey Marsh vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - [Motion Granted]

---

BC-2005-00893

Shamel Whitt vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Motion Granted]

---

BC-2006-00680

David Carlton vs. Tourism, Arts & Heritage Cabinet / Dept. of Parks

Grant Award - [Motion Granted]

---

BC-2007-00516

Eugene Woodard vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - [Motion Granted]

---

BC-2007-00629

Timothy Rollin vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - [Motion Granted]

---

BC-2007-00745

Richard Stinnett vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - [Motion Granted]

---

BC-2007-00834

Deyon Hayden vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - [Motion Granted]

---

BC-2008-00146

Celina Wilson vs. Transportation Cabinet

Grant Award - \$0.00 [Board ordered dismissed]

---

BC-2008-00904

Keith Means vs. University of Kentucky Medical Center

Grant Award - [Motion Granted]

---

BC-2008-00990

Timothy Rouse vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - [Motion Granted]

---

BC-2008-01144

Mar'riel Lucas vs. Cabinet for Health and Family Services

Grant Award - [Overruled Motion]

---

BC-2009-00012

Kenneth Neeley vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - [Board ordered dismissed]

---

BC-2009-00016

Kelvin Thomas vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - [Motion Granted]

---

BC-2009-00041

Angela Crable vs. University of Louisville

Grant Award - [Held In Abeyance]

---

BC-2009-00068

Erwin Sherman vs. Tourism, Arts and Heritage Cabinet / Ky. State Fair Board

Grant Award - [Board ordered dismissed]

---

BC-2009-00098

Paul Rose; Bobbey Rose vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Held In Abeyance]

---

BC-2009-00111

Brandi Hammons vs. Eastern Kentucky University

Grant Award - [Assigned to Hearing Officer]

---

BC-2009-00116

Kelvin Thomas vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - [Motion Granted]

---

BC-2009-00149

Teddy Marcum vs. Eastern Kentucky University

Grant Award - [Assigned to Hearing Officer]

---

BC-2009-00222

Daily Underwriters of America; Stuart Wright vs. Transportation Cabinet

Grant Award - [Board ordered dismissed]

---

**Recommended Order**

BC-2004-00375

Wyatt Swartz vs. Transportation Cabinet / Dept. of Highways

Grant Award - \$0.00 [Board ordered dismissed]

---

BC-2004-00376

Waylon Swartz vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Board ordered dismissed]

---

BC-2007-00778

Marletta West vs. Knox County Board of Education

Grant Award - [Board ordered dismissed]

---

BC-2008-00452

David Smoot vs. Tourism, Arts & Heritage Cabinet / Dept. of Parks

Grant Award - \$1,800.00 [Board awarded]

---

BC-2008-00697

Samuel Dobson vs. Western Kentucky University

Grant Award - [Board awarded]

---

BC-2008-01057

James Letourneau vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Board ordered dismissed]

---

BC-2008-01145

Carolyn Cundiff vs. Transportation Cabinet / Dept. of Highways

Grant Award - \$0.00 [Board ordered dismissed]

---

BC-2009-00055

Robert Kinzer vs. University of Kentucky Medical Center

Grant Award - \$3,616.87 [Board awarded]

---

BC-2009-00293

Gregory Nunn vs. Military Affairs

Grant Award - \$500.00 [Board awarded]

---

BC-2009-00313

Eric Burgess vs. Department of Military Affairs

Grant Award - \$2,692.90 [Board awarded]

---

Total number of Claims: 69