

COMMONWEALTH OF KENTUCKY

Board of Claims

Agenda

May 19, 2016

Minutes Accepted

The Board of Claims received 54 new claims during the month of April, 2016. Paula reports that a total of 71 claims were set up.

Investigator Jackie Lynch decided 28 claims under \$1,000.00 in April, 2016. Jackie reports that 15 of these claims were denied and 13 were awarded, for a total amount awarded of \$4,378.51.

At its Board meeting on April 21, 2016, the Board dismissed 21 claims and awarded nine (9) claims totaling \$47,951.35. Together with the claims investigated in-house, the Board dismissed a total of 36 claims and awarded a total of 22 claims for a total amount awarded of \$53,329.86 in April, 2016.

For Instructions From the Board

BC-2015-00712

Stephanie Sardkatsannis vs. Commonwealth of Kentucky

Notes: May 19, 2016-Default Order
Counsel's Recommendation-Rule the Claimant in Default and Dismiss ✓

BC-2015-00714

John McGinnis vs. Transportation Cabinet

Notes: May 19, 2016-Default Order
Counsel's Recommendation-Rule the Claimant in Default and Dismiss ✓

BC-2015-00750

Christine Anderson vs. Commonwealth of Kentucky

Notes: May 19, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss ✓

BC-2015-00754

Gary Taylor vs. Commonwealth of Kentucky

Notes: May 19, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss ✓

BC-2015-00770

Dan Bellisemo vs. Tourism, Arts and Hertiage Cabinet

Notes: May 19, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss ✓

BC-2015-00779

Robert Gevedon vs. Commonwealth of Kentucky

Notes: May 19, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss ✓

BC-2015-00780

Randall Williams vs. Commonwealth of Kentucky

Notes: May 19, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss ✓

BC-2015-00795

Dinah Moorman vs. Commonwealth of Kentucky

Notes: May 19, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss ✓

BC-2015-00800

Lowell Stinnett vs. Commonwealth of Kentucky

Notes: May 19, 2016-Default Order
Counsel's Recommendation- Rule the Claimant in Default and Dismiss ✓

BC-2015-00802

Carolyn Jeffrey vs. Commonwealth of Kentucky

Notes: May 19, 2016- Default Order
Counsel's Recommendation-Rule the Claimant in Default and Dismiss ✓

Full Board Review

BC-2015-00688

Arthur Ace vs. Department of Highways / Transportation

Notes: 12/17/15 Board awarded \$500
01/15/16 Claimant requests FBR on the amount of Award
01/20/16 Check
04/08/12 FBR Memo to Claimant and Respondent
On Agenda for 4/21/16

*Hold in
abeyance
(see GMM)*

BC-2015-00906

Stephon Tramber vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: 3/24/16 Board ordered dismissed
4/4/16 Claimant requests FBR (\$286).
4/6/16 FBR Memo to Cl. and Resp. On agenda for 5/19/16.

*Upheld
Dismissal*

BC-2015-01014

Steven Cammack vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: 3/18/16 Board ordered dismissed
3/30/16 Claimant requests FBR. Copy to Resp.

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BC-2015-01040

Teddy Honaker vs. Transportation Cabinet / Dept. of Highways

Notes: 2/22/16 Board ordered dismissed
3/10/16 Claimant requests FBR. Copy to Resp.
3/11/16 FBR Memo to CL and Resp. On agenda for 4/21/16.

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BC-2016-00012

Harlan McIntosh vs. Justice and Public Safety Cabinet / Dept. of Corrections

*Upheld
Dismissal*

Notes: 3/23/16 Board ordered dismissed
4/6/16 Claimant requests FBR (\$190)
4/7/16 FBR Memo to Cl. and Resp.

BC-2016-00025

Yovany Pino vs. Transportation Cabinet / Dept. of Highways

*Reverse +
Award
\$ 823.82*

Notes: 3/30/16 Board ordered dismissed
4/8/16 Claimant requests FBR (\$823.82)
4/11/16 FBR memo to Claimant and Respondent

BC-2016-00036

Charlie Dorris vs. Justice and Public Safety Cabinet / Dept. of Corrections

*Upheld
Dismissal*

Notes: 4/13/16 Board ordered dismissed
4/28/16 Claimant requests FBR (\$160). Copy to Respondent
5/6/16 FBR Memo to Claimant and Respondent

BC-2016-00041

H. Peach vs. Transportation Cabinet / Dept. of Highways

4

Notes: 3/18/16 Board ordered dismissed
3/30/16 Claimant requests FBR (\$287.98)
3/30/16 FBR Memo to Cl. and Resp. On agenda for 4/21/16

Motions

BC-2015-00996

Damon Wilgus vs. Transportation Cabinet / Dept. of Highways

Notes: Claimant's Motion to Alter, Amend or Vacate the Board's Order of Dismissal of February 18, 2016 and Motion to Hold in Abeyance and the Respondent's response filed thereto.

Counsel's Recommendation: Enter an Order granting the Claimant's Motion to Hold in Abeyance and reserving the Motion to Alter, Amend or Vacate. ✓

BC-2015-00997

Debra Wilgus vs. Transportation Cabinet / Dept. of Highways

Notes: Claimant's Motion to Alter, Amend or Vacate the Board's Order of Dismissal of February 18, 2016 and Motion to Hold in Abeyance and the Respondent's response filed thereto.

Counsel's Recommendation: Enter an Order granting the Claimant's Motion to Hold in Abeyance and reserving the Motion to Alter, Amend or Vacate. ✓

BC-2016-00074

Artis Anderson vs. Administrative Office of The Courts

Notes: Respondent's unopposed Motion to Dismiss.

Counsel's Recommendation: Enter an Order dismissing for failure to state a claim upon which relief can be granted. ✓

BC-2016-00118

Deng Shiyuan; Muxi Shiyuan vs. University of Kentucky

Notes: Respondent's unopposed Motion to Dismiss.

Counsel's Recommendation: Enter an Order of Dismissal for failure to state a claim upon which relief can be granted. ✓

Recommended Order

BC-2014-00010

Jetta Weddington vs. University of Kentucky

Notes: Hearing Officer Mike Wilson's Recommendation to Dismiss.

Counsel's Recommendation: Adopt the recommendation of the hearing officer dismissing the claim. ✓

BC-2014-00830

Gary McCord vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Mike Wilson's Recommendation to Dismiss.

Counsel's Recommendation: Adopt the recommendation of the hearing officer dismissing the claim. ✓

BC-2015-00430

Terry Sloan vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Natalie Lile'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-2015-00703

John Kinley vs. University of Kentucky

Notes: Hearing Officer Mike Wilson's Findings of Fact, Conclusions of Law and Recommended Order sustaining the Respondent's Motion for Summary Judgment.

Counsel's Recommendation: Adopt the recommendation of the hearing officer sustaining the Motion for Summary Judgment and denying payment of the claim. ✓

BC-2015-00743

Rodney Epps vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Natalie Lile'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-2015-00817

Lewis Williamson vs. Morehead State University

Notes: Hearing Officer Mike Wilson's Recommendation to Dismiss and the Claimant's exceptions filed thereto.

Counsel's Recommendation: Adopt the recommendation of the hearing officer dismissing the claim. ✓

BC-2015-00858

William Huff vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Jan West's Recommended Order dismissing for Claimant's failure to respond to this tribunal.

Counsel's Recommendation: Adopt the recommendation of the hearing officer dismissing the claim. ✓

BC-2015-01043

Francis Collins-Camargo vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Natalie Lile's Recommended Order of Dismissal.

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

BC-2015-01049

Johnny Townsend vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Natalie Lile's Recommended Order of Dismissal.

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

Total number of Claims: 31

COMMONWEALTH OF KENTUCKY
BOARD OF CLAIMS
Addendum

May 19, 2016

BC-2015-446

William Gardner, IV v. Transportation Cabinet, Dept. of Highways

Claimant's Notice of Voluntary Dismissal filed.

Counsel's Recommendation: Enter an Order dismissing the claim with prejudice as requested by the Claimant. ✓

Change
COS

BC-2015-810

Chad E. Campbell v. Tourism, Arts & Heritage Cabinet, Dept. of Parks

Respondent's Answer recommending payment of \$5,000.00.

Counsel's Recommendation: Enter an Order awarding the Claimant \$5,000.00 in settlement of this matter. ✓

BC-2015-969

James R. Henley v. Transportation Cabinet, Dept. of Highways

Agreed Order for \$750.00 filed by the parties.

Counsel's Recommendation: Enter the Agreed Order awarding the Claimant \$750.00 in settlement of this matter. ✓

BC-2016-160

Derrick Farmer v. Tourism, Arts & Heritage Cabinet, Ky. State Fair Board

Respondent's Answer recommending payment of \$2,500.00.

Counsel's Recommendation: Enter an Order awarding the Claimant \$2,500.00 in settlement of this matter. ✓
