

COMMONWEALTH OF KENTUCKY  
PUBLIC PROTECTION CABINET  
OFFICE OF CLAIMS AND APPEALS  
BOARD OF CLAIMS

**Amended Meeting Agenda**

**Date: May 24, 2022**

When moving into Executive Session, use the following language: [Move for the Board to enter executive session, pursuant to KRS 61.815 and KRS 61.810 (1) (c) and (j) to discuss proposed or pending litigation and deliberate on individual adjudications in “*please state the relevant case number of all cases to be discussed in closed session.*” Motion must be seconded.]

**I. SWEARING IN OF NEW MEMBER JOSHUA HICKS**

**II. ELECTION OF ACTING CHAIR**

**III. April 2022 Monthly Report:**

During the month of April 2022, the Board of Claims received **106** negligence claims filed against the Commonwealth.

The Board rendered **79** decisions in claims *under \$2,500.00* in April 2022. Of those, **48** were dismissed and **31** were awarded for a total amount awarded of **\$17,244.27**.

However, no claims over \$2,500 were reviewed by the Board during the month of April 2022 as the April Meeting was cancelled due to not having a full Board.

**IV. APPROVAL OF MARCH 2022 MINUTES:**

1st:                    2nd:

**V. AGREED ORDERS OR FOR INSTRUCTIONS:**

**CC-19-0341:**

JAMES AND CONNIE SUE BAKER

v.

TRANSPORTATION CABINET  
DEPT. OF HIGHWAYS (KYTC)

-Agreed Order of Dismissal

**BC-20-0479:**

WILLIAM AND MARSHA LOWE

v.

KYTC

-Agreed Order of Dismissal

**BC-21-0233:**

YVES GARNER

v.

JUSTICE & SAFETY CABINET  
KENTUCKY STATE POLICE (KSP)

-Agreed Order of Dismissal

**BC-21-0405:**

KATHERINE BROWN

v.

UNIVERSITY OF KENTUCKY (UK)

-Agreed Order of Dismissal

**BC-21-0577:**

TRENA WADDLES

v.

KYTC

-Agreed Order of Dismissal

**BC-21-0658:**

DARLENE ETTER

v.

KYTC

-Agreed Order of Dismissal

**BC-22-0021:**

HARSHIT VARIA

v.

KYTC

-Agreed Order of Dismissal

**BC-22-0351:**

HERBERT STEELE

v.

UK

-Joint Motion to Dismiss

-Agreed Order of Dismissal

**CC-18-0648:**

VICKIE BUTLER

v.

TOURISM, ARTS & HERITAGE CABINET (TAHC)  
STATE FAIR BOARD

-Failure to respond to Show Cause order issued in January, 2022

**BC-21-0338, 0339, 0341, and 0401:**

LARRY ELLIS

v.

OFFICE OF THE GOVERNOR

GOV. ANDY BESHEAR, ET AL.

-Claimant's Request to Reassert Past Claims

**VI. FULL BOARD REVIEW**

**BC-21-0098:**

ESAU MILLINER

v.

JUSTICE & SAFETY CABINET

DEPT. OF CORRECTIONS (DOC)

-Findings of Fact, Order and Opinion dismissing claim

**BC-21-0572:**

STEPHEN HARTZ

v.

TAHC

DEPT. OF FISH AND WILDLIFE RESOURCES (DFWR)

-Findings of Fact, Order and Opinion granting award

-Respondent's Exceptions

**BC-22-0023:**

JAMES ABNEY

v.

UK

-Order Awarding \$1,000 (Deductible Amount)

**VII. MOTIONS**

**BC-20-0417:**

RHONDA PAGE

v.

LABOR CABINET

OFFICE OF UNEMPLOYMENT INSURANCE

-Respondent's Motion to Dismiss

**BC-20-0439:**

WILLIAM WALKER

v.

JUSTICE & SAFETY CABINET

DEPT. OF CORRECTIONS (DOC)

-Respondent's Answer and Motion to Dismiss

-Claimant's Response

-Respondent's Reply

**BC-22-0015:**

ASHLEY HART

v.

TAHC

DEPT. OF PARKS

-Respondent's Motion for Summary Disposition (Holdover from March 2022 Meeting)

**BC-22-0157:**

NANCY TILLMAN

v.

FINANCE AND ADMINISTRATION CABINET

DEPT. OF REVENUE

-Respondent's Motion to Dismiss

**VIII. RECOMMENDED ORDERS**

**CC-18-0486:**

DONNA HOUSE

v.

FINANCE AND ADMINISTRATION CABINET

-Recommended Order of Dismissal

**BC-20-0469:**

TRADEWATER ORGANICS, LLC

v.

JUSTICE & SAFETY CABINET

KSP and

TAHC, DFWR

-Recommended Order of Partial Dismissal

**BC-21-0189:**

ESTATE OF JARED PRITCHETT

v.

TAHC

DEPT. OF PARKS

-Recommended Order of Dismissal

**BC-21-0455:**

BRIAN DOWELL

v.

KYTC

-Recommended Order of Dismissal

**BC-21-0557:**

JONATHAN MCCLAIN

v.

TAHC

STATE FAIR BOARD

-Recommended Order of Dismissal