

COMMONWEALTH OF KENTUCKY

Board of Claims

Minutes

October 20, 2011

The Board of Claims received 72 new claims during the month of September, 2011. A total of 58 claims were set up, according to Assistant Clerk Paula Woolums. Paula also returned three (3) claims for lack of jurisdiction.

Investigators Jackie Lynch and Wanda Luttrell decided 81 claims (under \$1,000.00) in September, 2011. Jackie reports that 44 claims were dismissed and 37 claims were awarded, for a total amount awarded of \$13,676.72.

At its Board meeting on September 15, 2011, the Board dismissed 32 claims and awarded nine (9) claims totaling \$172,191.98. Together with the claims investigated in-house, the Board dismissed a total of 76 claims and awarded a total of 46 claims for a total amount awarded of \$185,868.70 in September, 2011.

Members Present: James F. Sullivan, Chair
Jo Ann Phillips, Board Member
Larry O'Bryan, Board Member
Suzanne Cassidy, Board Member
Michael Plummer, Board Member
Virginia Woodward, Executive Director
G. Mitchell Mattingly, Board Attorney
Jackie Lynch, Investigator
Wanda Luttrell, Investigator
Paula Woolums, Assistant Clerk
Lindsay Crawford, Policy Analyst
Lisa G. Robinson, Clerk
Rev. Troy Cupp, Claimant in BC-10-571, was present and addressed the Board regarding re-opening the record in his claim.

Addendum

BC-2009-00108

Clara Furlong vs. Tourism, Arts & Heritage Cabinet / Kentucky State Fair Board

Grant Award - \$0.00 [Board ordered dismissed]

BC-2010-00610

BellSouth Telecommunications, Inc., d/b/a/ AT and T Kentucky vs. Transportation Cabinet / Dept. of Highways

Grant Award - \$0.00 [Board ordered dismissed]

BC-2011-00883

James Browning vs. Tourism, Arts and Heritage Cabinet / Dept. of Parks

Grant Award - \$1,100.00 [Board awarded]

For Instructions From the Board

BC-2009-00975

Estate of Aliyssa Lambert, et al. vs. Transportation Cabinet / Dept. of Highways

Grant Award - \$50,000.00 [Board awarded]

BC-2010-00086

Christopher Scherzer vs. University of Louisville

Grant Award - \$0.00 [Board ordered dismissed]

BC-2011-00033

Warren Johnson vs. Transportation Cabinet / Dept. of Corrections

Grant Award - \$500.00 [Board awarded]

BC-2011-00086

Patricia Holley vs. Transportation Cabinet / Dept. of Highways

Grant Award - \$1,000.00 [Board awarded]

BC-2011-00241

John Hamm vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Board ordered dismissed]

BC-2011-00260

Sandra Hatchett vs. Commonwealth of Kentucky

Grant Award - [Board ordered dismissed]

BC-2011-00270

Jeffrey Neagle vs. Commonwealth of Kentucky

Grant Award - [Board ordered dismissed]

BC-2011-00282

Marlene Locke vs. Commonwealth of Kentucky

Grant Award - [Board ordered dismissed]

BC-2011-00284

Robert Duncan vs. Commonwealth of Kentucky

Grant Award - [Board ordered dismissed]

BC-2011-00328

Ryan Barr vs. University of Kentucky

Grant Award - [Board ordered dismissed]

BC-2011-00338

Patricia Diniz vs. Commonwealth of Kentucky

Grant Award - [Board ordered dismissed]

BC-2011-00348

Robert Brown vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Board ordered dismissed]

BC-2011-00351

Bengie Marks vs. Commonwealth of Kentucky

Grant Award - [Board ordered dismissed]

BC-2011-00376

Jack Gillespie vs. Commonwealth of Kentucky

Grant Award - [Board ordered dismissed]

BC-2011-00379

Tirza Howard vs. Commonwealth of Kentucky

Grant Award - [Board ordered dismissed]

BC-2011-00383

Danny Scott vs. Commonwealth of Kentucky

Grant Award - [Board ordered dismissed]

BC-2011-00404

Irina Stockton vs. University of Kentucky

Grant Award - [Board ordered dismissed]

BC-2011-00430

Jeremy Gilbert vs. Commonwealth of Kentucky

Grant Award - [Board ordered dismissed]

BC-2011-00453

J.C. Mallory vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Board ordered dismissed]

BC-2011-00835

Mattie Blankenship; Clay Stull vs. University of Kentucky

Grant Award - \$75,000.00 [Board awarded]

BC-2011-00884

Karen Duckworth vs. Transportation Cabinet / Dept. of Highways

Grant Award - \$800.00 [Board awarded]

BC-2011-00885

Stephen Haviland vs. Transportation Cabinet / Dept. of Highways

Grant Award - \$0.00 [Board ordered dismissed]

BC-2011-00895

Charity Paddock vs. Tourism, Arts and Heritage Cabinet / Dept. of Parks

Grant Award - \$2,203.99 [Board awarded]

Full Board Review

BC-2011-00535

Bryan Todd vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Upheld previous award]

BC-2011-00558

Britney Miller vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Upheld previous dismissal]

BC-2011-00602

Ernest Abner vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Upheld previous dismissal]

BC-2011-00657

Katy Smith vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Upheld previous dismissal]

BC-2011-00803

Dorothy Schwieterman vs. Transportation Cabinet / Dept. of Highways

Grant Award - \$427.84 [Reversed previous dismissal and awarded]

BC-2011-00813

Tackett Newsome vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - [Upheld previous dismissal]

Motions

BC-2011-00150

James Jointer vs. University of Kentucky

Grant Award - \$0.00 [Board ordered dismissed]

BC-2011-00540

Chris Wilson; Rita Douglas vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - [Board ordered dismissed]

BC-2011-00689

Rita Compton vs. Eastern Kentucky University

Grant Award - [Assigned to Hearing Officer]

BC-2011-00711

Mary Stanfield vs. Administrative Office of The Courts

Grant Award - [Requested additional information from claimant or respondent]

BC-2011-00783

Christian Gooch vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - \$0.00 [Board ordered dismissed]

BC-2011-00820

Eric Hermansen vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - \$0.00 [Board ordered dismissed]

BC-2011-00831

Estate of Maggie Cornett, by and through Chris Cornett, Administrator vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Assigned to Hearing Officer]

BC-2011-00832

Alex Ryan, a Minor vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Assigned to Hearing Officer]

Recommended Order

BC-2007-00809

Minnie Penix vs. Tourism, Arts & Heritage Cabinet / Kentucky State Fair Board

Grant Award - [Board ordered dismissed]

BC-2008-01242

James Bunch vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Held over until next board meeting]

BC-2009-00683

Terry Keith vs. Justice and Public Safety Cabinet / Dept. of Corrections

Grant Award - [Board ordered dismissed]

BC-2009-00923

Jennifer Wilson vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Board ordered dismissed]

BC-2010-00193

Rita Barrett; Larry Barrett vs. Transportation Cabinet / Dept. of Highways

Grant Award - \$0.00 [Board ordered dismissed]

BC-2010-00476

Samuel Thacker vs. Tourism, Arts and Heritage Cabinet / Dept. of Fish & Wildlife

Grant Award - \$0.00 [Board ordered dismissed]

BC-2010-00571

Troy Cupp; Christopher Cupp vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Remanded back to Hearing Officer]

BC-2010-00617

Marty Moore vs. Transportation Cabinet / Dept. of Highways

Grant Award - \$148,914.30 [Board awarded]

BC-2010-00640

C. William Helm vs. University of Louisville

Grant Award - \$0.00 [Board ordered dismissed]

BC-2010-00658

Tonya Norton vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Remanded back to Hearing Officer]

BC-2010-00701

Jacob Barker, by and through his mother Amanda Barker vs. Elliott County School Board and Kentucky Department of Education

Grant Award - [Held In Abeyance]

BC-2010-00727

Julius Mullins vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Board ordered dismissed]

BC-2011-00106

Johnette Duncan vs. Cabinet for Health and Family Services

Grant Award - \$0.00 [Board ordered dismissed]

BC-2011-00141

Judy Kahl; Mark Abdallah vs. Transportation Cabinet / Dept. of Highways, et al.

Grant Award - [Remanded back to Hearing Officer]

BC-2011-00152

David Adkins vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Board ordered dismissed]

BC-2011-00308

Chris Thomas vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Board ordered dismissed]

BC-2011-00503

Edwards Auto Mart vs. Transportation Cabinet / Dept. of Highways

Grant Award - [Board ordered dismissed]

BC-2011-00652

Terry Perkins vs. Transportation Cabinet / Dept. of Highways

Grant Award - \$0.00 [Board ordered dismissed]

Total number of Claims: 58