

**COMMONWEALTH OF KENTUCKY**  
**Claims Commission**  
**Minutes**  
**September 26, 2017**

The Kentucky Claims Commission received 64 negligence claims filed against the Commonwealth during the month of ~~July~~<sup>July</sup>, 2017. Sasha Petrey reports that 37 claims were set up, 15 claims were returned for lack of jurisdiction, and 16 claims were dismissed for failure to perfect.

Investigator Angela Robertson decided 45 claims under \$2,500.00 in August, 2017. Angela reports that 19 of these claims were denied and 26 were awarded, for a total amount awarded of \$11,149.71.

At its meeting on August 29, 2017, the Kentucky Claims Commission dismissed eight (8) negligence claims and awarded three (3) negligence claims totaling \$33,260.77. Together with the claims investigated in-house, the Claims Commission dismissed a total of 43 negligence claims and awarded a total of 29 negligence claims for a total amount awarded of **\$44,410.48** in August, 2017.

Members present:

Marcus Carey, Commission Chair  
Carlo Wessels, Commission Member  
Delana S. Sanders, Commission Member  
Brian Richmond, Executive Director  
Patrick Flannery, Assistant Executive Director  
Mitchell Mattingly, Staff Attorney  
Lisa G. Robinson, Claims Clerk

FOR INSTRUCTIONS FROM THE COMMISSION:

**BC-2015-1057**

Patricia Gilbert v. Transportation Cabinet, Dept. of Highways  
*Commission awarded the Claimant \$1,000.00 in settlement of this matter.*

**BC-2016-604**

Jacob Eschmeyer v. Transportation Cabinet, Dept. of Highways  
*Commission awarded the Claimant \$1,000.00 in settlement of this matter.*

**BC-2016-671**

Michelle E. Fewell v. Tourism, Arts & Heritage Cabinet, Ky. State Fair Board  
*Commission awarded the Claimant \$6,500.00 in settlement of this matter.*

**BC-2017-004**

Melissa Feltner v. Transportation Cabinet, Dept. of Highways  
*Commission awarded the Claimant \$2,273.11 in settlement of this matter.*

**BC-2017-017**

Brindell Smith v. University of Louisville  
*Commission dismissed the claim with prejudice.*

**BC-2017-061**

Loretta Moss v. Justice & Public Safety Cabinet, Dept. of State Police  
*Commission awarded the Claimant \$3,450.00 in settlement of this matter.*

**BC-2017-121**

Gary Marcum v. Transportation Cabinet, Dept. of Highways  
*Commission awarded the Claimant \$1,500.00 in settlement of this matter.*

**BC-2017-276**

La'Don Arnold v. Tourism, Arts & Heritage Cabinet, Ky. State Fair Board  
*Commission awarded the Claimant \$2,466.00 in settlement of this claim.*

MOTIONS:

**BC-2017-064**

Dan Bondick v. Tourism, Arts & Heritage Cabinet, Dept. of Parks  
*Commission overruled the "motion" to dismiss and assigned the claim to Hearing Officer Mitch Mattingly for further proceedings.*

**BC-2017-176**

Martha Hall v. Transportation Cabinet, Dept. of Highways  
*Commission overruled the Motion to Dismiss and assigned the claim to Hearing Officer Tim Cocanougher for further proceedings.*

**BC-2017-258**

Mallie Harmon v. Transportation Cabinet, Dept. of Highways  
*Commission granted the Motion to Dismiss pursuant to KRS 49.120.*

FULL COMMISSION REVIEWS:

**BC-2017-012**

Christopher Hawkins v. Justice & Public Safety Cabinet, Dept. of Corrections  
*Commission upheld the original dismissal.*

**BC-2017-049**

Richard Turpin v. Justice & Public Safety Cabinet, Dept. of Corrections  
*Commission upheld the original award of \$174.73.*

**Total number of Claims: 13**

**Robinson, Lisa (PPC)**

**From:** Petrey, Sasha (PPC)  
**Sent:** Monday, October 02, 2017 7:49 AM  
**To:** Robinson, Lisa (PPC)  
**Cc:** Mattingly, Mitchell (PPC); Richmond, Brian (PPC)  
**Subject:** September numbers

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Claims under \$250.00- 7 ✓  
Claims under \$2500.00- 32  
Claims over \$2500.00- 7  
Defaults- 7  
Subrogation- 2 ✓  
Order #1- 36  
Show Cause- 11  
Non Agency- 1 ✓

*Sasha Petrey*  
**KY Claims Commission**  
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61 heard  
5 awarded  
5 dismissed  
\$3418.57

18189.11  
3418.57  
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21,607.68