

Commonwealth of Kentucky  
**Board of Claims**  
**August 24, 2021 Meeting**

**AMENDED MINUTES**

The meeting, conducted via Zoom, was called to order at 10:00 am., and the following business was conducted in Board of Claims matters.

In attendance were Board members Joe Childers, Michael Plummer, and Dale Sights. A quorum existed and business was conducted. Also in attendance were Staff Attorney Shelby Bevins-Sullivan, Staff Attorney G. Mitchell Mattingly, Clerk Katie Dean, Hearing Officer Eden Davis Stephens, and Administrative Assistant to Hearing Officer Davis Stephens, Megan LaShelle.

After Staff Attorney Bevins-Sullivan delivered the monthly report of Board of Claims activity on Executive Director Michael Wright's behalf, the June 2021 minutes were approved, and the following claims were taken up for consideration:

**CC-19-0748:** Lackey v. KYTC, DOH, and Dept. of Parks  
Motion: 1st Michael Plummer, 2nd Dale Sights

- The Board agreed to enter the recommended order for dismissal, dismissing Dept. of Parks from the case. The DOH is still a party, however.

**BC-20-0485:** Morgan v. KYTC  
Motion: 1st Michael Plummer, 2nd Dale Sights

- The Board agreed to enter the Recommended Order of Dismissal.

**BC-21-0009:** Crouch v. UK  
Motion: 1st Michael Plummer, 2nd Dale Sights

- The Board agreed to enter the Agreed Order of Dismissal, dismissing the claim.

**BC-21-0401:** Ellis v. PPC Gen. Counsel Benjamin Long  
Motion: 1st Michael Plummer, 2nd Dale Sights

- The Board agreed to dismiss this claim for failure to state a claim upon which relief may be granted (FRCP 12(b)(6) or CR 12.02).

**BC-21-0252:** Workman v. Office of Unemployment Insurance (OUI)  
Motion: 1st Michael Plummer, 2nd Dale Sights

- After discussion, the Board overruled the Motion to Dismiss submitted by OUI and the matter is to be assigned to a hearing officer.

**BC-21-0233:** Garner v. Kentucky State Police (KSP)

Motion: 1st Michael Plummer, 2nd Dale Sights

- The Board overruled KSP's Motion to Dismiss and the case is to be assigned to a hearing officer.

**CC-18-0703:** Findlay v. Western Kentucky University (WKU)

Motion: 1st Michael Plummer, 2nd Dale Sights

- After discussion, the Board rejected the Amended Recommended Order issued by the second hearing officer in the case, Doug Hardin, and determined remanding the case would not resolve the matter. Chairman Joe Childers is to write a Final Order rejecting Hearing Officer Hardin's findings to be placed on the September agenda.

June 2021 Minutes were approved. Motion: 1st Dale Sights, 2nd Michael Plummer.