



PUBLIC PROTECTION CABINET

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John Hardesty
EXECUTIVE DIRECTOR

Frederick Higdon
BOARD CHAIRPERSON

BUSINESS

The Board meeting was called to order on August 28, 2024 at approximately 8:38 am, via video conference, having been duly posted on the website.

Voting Board members present: Chair, Frederick Higdon and Board members Tony Colyer and Lindy Karns. Staff members present: Executive Director John Hardesty, Staff Attorneys Linda Horsman and Shelby Bevins-Sullivan, and Clerk Anne Duvall. Hearing Officers Charles Miller and Barry Sullivan were also present.

The minutes from the July 24, 2024 meeting were approved and adopted. Motion to approve made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried. Executive Director John Hardesty presented the Director's Report at the meeting.

1. The Board approved agreed orders, recommended orders to dismiss, and voluntary withdrawals on the following cases. Motion to dispense orders as set forth in agenda items 4. a.-c. made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - a. K23-S-161 Kentucky Convention Hotel Partners, LLC v. Jefferson Co. PVA
 - b. K24-S-040 The Solomon Foundation v. Fayette Co. PVA
 - c. K24-S-046 Logan's Trace Apartments, LLC v. Lincoln Co. PVA
2. Motion made by Mr. Colyer and seconded by Ms. Karns at 9:01 am to move into 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 K23-S-036 Matt Ziegler v. Kenton Co. PVA; K23-S-056 Teri Marcum v. Pulaski Co. PVA; K24-S-002-004 Paula Layne v. Floyd Co. PVA; K24-R-007 W.H. Shelley Trucking v. Transportation; K24-R-008 Ontario Ltd. d/b/a Remex Express v. Transportation; K24-S-034 Phillip Wells v. Jefferson Co. PVA; K24-S-039 Shannon Rice v. Whitley Co. PVA; K24-S-041 ARC PSFKFKY001, LLC v. Franklin Co. PVA; K24-S-043 Michael Lyon v. Jefferson Co. PVA; K24-S-053 The Michael & Eva Geremia Revocable Trust v. Jefferson Co. PVA; K24-S-054 Chris Maloney v. Campbell Co. PVA; and K24-S-055 Holden & Kayla Moyers v. Whitley Co. PVA. Having all in favor, the motion carried. Motion made by Mr. Colyer and seconded by Ms. Karns to move out of Executive Session and back into open session at 9:48 am. Having all in favor, the motion carried.

3. After coming out of Executive Session, the matters considered and heard at the meeting were:
 - a. K23-S-036 Matt Ziegler v. Kenton Co. PVA – Motion for approval and entry of Recommended Order as amended as discussed during Executive Session made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - b. K23-S-056 Teri Marcum v. Pulaski Co. PVA – Motion for approval and entry of Recommended Order by Hearing Officer made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - c. K24-S-002-004 Paula Layne v. Floyd Co. PVA – Motion to remand Deficiency Notice and assign to Hearing Officer made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - d. K24-R-007 W.H. Shelley Trucking v. Transportation – Motion to issue Show Cause Order made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - e. K24-R-008 Ontario Ltd. d/b/a Remex Express v. Transportation - Motion to issue Show Cause Order made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - f. K24-S-034 Phillip Wells v. Jefferson Co. PVA - Motion to issue Show Cause Order made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - g. K24-S-039 Shannon Rice v. Whitley Co. PVA – Motion to issue Dismissal Order as untimely filing made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - h. K24-S-041 ARC PSFKFKY001, LLC v. Franklin Co. PVA – No action taken by the Board.
 - i. K24-S-043 Michael Lyon v. Jefferson Co. PVA – Motion to remand Deficiency Notice and assign to Hearing Officer made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - j. K24-S-053 The Michael & Eva Geremia Revocable Trust v. Jefferson Co. PVA – Motion to grant request for extension of time made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - k. K24-S-054 Chris Maloney v. Campbell Co. PVA – Motion to pass to the September agenda made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - l. K24-S-055 Holden & Kayla Moyers v. Whitley Co. PVA – Motion to issue Dismissal Order due to untimely filing made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
4. The Board confirmed that the September meeting will be held at 8:30 am on Wednesday, September 18, 2024.

5. Motion to adjourn at 10:02 am made by Ms. Karns and seconded by Mr. Colyer. Having all in favor, the motion carried.