



PUBLIC PROTECTION CABINET

Andy Beshear
GOVERNOR

Jacqueline Coleman
LIEUTENANT GOVERNOR

**Kentucky Office of Claims and
Appeals**

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EXECUTIVE DIRECTOR

Frederick Higdon
BOARD CHAIRPERSON

MINUTES

BUSINESS

The Board meeting was called to order on June 26, 2024 at approximately 8:46 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: 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 May 22, 2024 meeting were approved and adopted. Motion to approve made by Ms. Karns and seconded by Mr. Colyer. Having all in favor, the motion carried. Staff Attorney Linda Horsman presented the Director's Report at the meeting. The Board discussed whether the full Board should hear all cases against the Department of Revenue.

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 5. a.-b. made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - a. K23-S-003 Lowe's Home Centers, LLC v. Bullitt Co. PVA
 - b. K23-S-096-101 ABCD Real Estate LLC v. Jefferson Co. PVA
2. Motion made by Ms. Karns and seconded by Mr. Colyer at 9:07 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 K19-R-06 Heather McKeever v. Revenue; K22-R-003 Cincinnati Bell, Inc. v. Revenue; K23-S-038 Richard Abel v. Kenton Co. PVA; K23-S-062 Betsy Stewart TTE & Lyle McQuinn v. Fayette Co. PVA; and K23-S-161 Kentucky Hotel Convention Partners, LLC v. Jefferson 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 9:24 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. K19-R-06 Heather McKeever v. Revenue – Motion to issue Dismissal Order made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - b. K22-R-003 Cincinnati Bell, Inc. v. Revenue – No action taken by the Board.
 - c. K23-S-038 Richard Abel v. Kenton Co. PVA – Motion to approve and adopt Recommended Order by hearing officer made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - d. K23-S-062 Betsy Stewart TTE & Lyle McQuinn v. Fayette Co. PVA – Motion to issue Show Cause Order requiring personal appearance at the July Board meeting made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.
 - e. K23-S-161 Kentucky Hotel Convention Partners, LLC v. Jefferson Co. PVA – No action taken by the Board.
4. The Board confirmed that the July meeting will be held at 8:30 am on Wednesday, July 24, 2024.
5. Motion to adjourn at 9:32 am made by Mr. Colyer and seconded by Ms. Karns. Having all in favor, the motion carried.

