

COMMONWEALTH OF KENTUCKY
Kentucky Claims Commission
December 17, 2019

NEGLIGENCE CLAIMS and Tax Appeals
MINUTES

All Commission Members, Marcus Carey, Delana Sanders, Carlo Wessels were present.

Exec. Dir. G. Mitchell Mattingly, Clerk Raymond Shields, and Executive Secretary Thorne Huguelet were also present.

NEGLIGENCE CLAIMS

FULL COMMISSION REVIEWS

CC 19-0744

TYRONE SYKES V. JUSTICE CABINET

The full Commission Ordered the initial decision awarding \$85.32 be UPHELD.

CC 19-0674

VAUGHN WAGNER V TOURISM CABINET

Notes: Findings in favor of Respondent. Claimant requested FCR.

The full Commission Ordered the initial decision finding no proof of any compensable damages based on his insurance coverage be UPHELD

RECOMMENDED ORDERS

CC 19-0005

SUSAN PASCUAL V KYTC

The Commission adopted the hearing officer's Recommended Order and dismissed

MOTIONS

CC 19-0843

CHELSEA SPURLOCK V UNIVERSITY OF KENTUCKY

The Commission reviewed the Respondent's Motion to Dismiss and Ordered the claim assigned to be assigned to a hearing officer to determine the facts surrounding the statute of limitations and whether the claim should survive as a claim for medical malpractice and patient abandonment.

CC 19-0817

FATIMA ELKABTI V KYTC

The Motion to Dismiss was overruled and assigned to Staff Attorney Mitchell Mattingly as a claim under \$2500.00.

CC 17-0404

CHRISTOPHER LYNN V MURRAY STATE UNIVERSITY

The Respondent's Motion to Dismiss was overruled and the4 Commission Ordered that the claim be assigned to a hearing officer.

TAX APPEALS

K19-R-08

TIM CLARK v. TRANSPORTATION CABINET

The Commission rejected the Recommended Order of the hearing officer and Remanded the appeal back to Hearing Officer Flannery to conduct an evidentiary hearing to receive proof relative to the grounds cited in the Appellant's exceptions.

K19-R-09

B AND C V. TRANSPORTATION CABINET

The Commission rejected the Recommended Order of the hearing officer and Remanded the appeal back to Hearing Officer Flannery to conduct an evidentiary hearing to receive proof relative to the grounds cited in the Appellant's exceptions.

Executive Director Resignation and new Executive Director Appointed on an Interim basis.

At the end of regular business, Staff Attorney Mitchell Mattingly made the Commission members aware that Tim Cocanougher had resigned as the Commission's Executive Director and had accepted a position with the Office of Attorney General, starting on this date. Commission chair Marcus Carey made a motion to appoint Staff Attorney Mattingly on an interim basis, which carried.