

**KENTUCKY PERSONNEL BOARD
MINUTES OF AUGUST 14, 2026**

1. The regular monthly meeting of the Kentucky Personnel Board was called to order by Chair Denham on August 14, 2026, at approximately 9:30 a.m., ET, at 1025 Capital Center Drive, Suite 105, Frankfort, Kentucky.

Board Personnel Present:

Mitchel Denham, Chair
Michelle Snodgrass-Deimling, Vice Chair
Lisa Haydon, Member
Gordon Slone, Member
Demetrius Holloway, Member
David Bradley, Member
Thomas J. Gilpin, Member

Gordon A. Rowe, Jr., Executive Director and Secretary
Erritt H. Griggs, General Counsel
Gwen McDonald, Administrative Supervisor

2. **READING OF THE MINUTES OF THE REGULAR MEETING HELD JUNE 12, 2026.**

The minutes of the last Board meeting were previously circulated among the members. Chair Denham asked for any additions or corrections. Mr. Slone moved to approve the minutes as submitted. Mr. Gilpin seconded, and the motion carried 7-0.

3. **EXECUTIVE DIRECTOR AND SECRETARY'S REPORT**

Mr. Rowe updated the Board on the transition from the ProLaw case management system to the Clio case management system. The transition of data into Clio has been slower than expected; not all of the data was able to be migrated and staff are having to enter some of the information manually. Clio has also allowed staff to customize some of its data for reporting and ease of access. About one-third of the data has been migrated into Clio. Following full migration, the Board will have better reporting on cases.

The Board received a favorable opinion from the Kentucky Court of Appeals regarding the Billy Caudill, et al., v. Public Protection Cabinet case. In these matters, the four Appellants (incumbents) requested salary adjustments up to the same amount as a new hire making more. However, not all of the requirements justifying a raise for incumbents in 101 KAR 2:034, Section 1 were met. In particular, the "work county" into which the new employee was hired was

different than that of any of the incumbent Appellants' work counties. Therefore, the Board's Final Order dismissed the Appellants' Personnel Board Appeals. The Appellants then filed a petition for judicial review with the Whitley County Circuit Court, which overturned the Board's decision. The Board and the Public Protection Cabinet then jointly appealed to the Court of Appeals. The Whitley Circuit Court decision was ultimately overturned by the Court of Appeals and the Board's Final Order was affirmed. Mr. Griggs worked with counsel from the Public Protection Cabinet and the Personnel Cabinet during the appellate process. The time for the Appellants to seek discretionary review of the decision by the Kentucky Supreme Court in this matter had not fully run on the date of the August Board meeting.

Mr. Rowe reported to the Board that Mark Haines, a former member of the Board and Board Chair, had passed away. Mr. Haines began his service on the Board in 2016 and was Board Chair from 2019 through 2021. Mr. Rowe noted his appreciation for Mr. Haines's dedicated service to the Board and extended condolences to his family.

4. REPORT OF THE PERSONNEL CABINET

The Hon. Robert Long, Deputy Secretary of the Personnel Cabinet, and Jamie Caldwell, Acting Commissioner of the Department of Human Resources Administration, presented for the Cabinet.

Mr. Long began his report by stating that the Personnel Cabinet was also very pleased with the decision of the Kentucky Court of Appeals in the Caudill matter. This decision affirmed the Cabinet's long-standing interpretation what is meant by "same work county." From a larger perspective, Mr. Long noted that the decision provided a published Kentucky opinion applying the U.S. Supreme Court's decision in the Enquist case, which defines the standard for how equal protection claims will be judged when the state is operating as an employer and not a sovereign. Mr. Long stated that the Caudill case was a very good case for the Cabinet and for Commonwealth as an employer. Mr. Long also remarked that the time for requesting discretionary review by the Kentucky Supreme Court in this matter will run out on August 17, 2026.

The Personnel Cabinet has sent an email to all Cabinets and Agencies, asking them if they wish to alter any of the probation periods for their job classifications. If any agencies respond affirmatively, the Cabinet will report that information to the Board during the October 2026 Board meeting because it will require a change to the Board's regulations to effectuate agency requests for different probationary periods.

Mr. Long reported that an Executive Order was recently issued to adjust the salary schedule to match the two percent (2%) annual increment for state employees. Mr. Long stated such an order was routine after this type of salary adjustment. The adjustment to the salary schedule adjusts the minimum and midpoint for each grade to keep pace with the annual increments that were awarded to state employees.

The Governor's Ambassador's Awards Ceremony was held August 3, 2026. It went very well and recognized the achievements, bravery, and efficiency of state employees.

The Kentucky Employees Charitable Campaign (KECC) kicks off on September 8, 2026. Following the kickoff, agencies will begin to host activities to raise money for KECC.

The Personnel Cabinet received funding in the Fiscal Year 2026-2028 Budget to pursue a new benefit and human resource (HR) system. This will be a two-phase approach. The Request for Purchase (RFP) has been released, and a vendors' conference was held, with more than twenty (20) vendors attending and asking questions. More than two hundred forty-five (245) questions were submitted to the Personnel Cabinet regarding the RFP, with answers being tendered to the Finance Cabinet over the next couple of days. The RFP for the HR system will be released in the spring of 2027.

Mr. Long noted that Open Enrollment for health plans will begin on October 5, 2026, and end on October 23, 2026. This year the Cabinet is pursuing an active enrollment. There have been some plan changes that require employees to actively review the different plans available and make specific choices about their health coverage. Mr. Long will have further information to share about this matter during the September Board meeting.

Ms. Haydon inquired about the Frankfort childcare initiative sponsored by the Personnel Cabinet and discussed in several recent meetings. Mr. Long confirmed that the childcare program had conducted its first open house. He stated that the facility looks tremendous; the vendor has done an excellent job in refreshing and updating the building. The facility will open on August 31, with the official ribbon-cutting to be held on August 28, 2026.

Chair Denham recognized former Board members Rick Reeves and Larry Gillis, who were present during the Board meeting. He thanked them for their service to the Board.

5. CLOSED SESSION/RETURN TO OPEN SESSION

Vice Chair Snodgrass-Deimling moved that the Board go into Executive Session for the purposes of discussions and deliberations regarding individual adjudications. Mr. Holloway seconded. Chair Denham stated that a motion had been made and seconded for the Personnel Board to retire into closed Executive Session, passed by a majority vote of the members present, with enough members present to form a quorum.

[Pursuant to KRS 61.810(1)(j), the Kentucky Open Meetings Act, the Board retired into closed Executive Session and the attendees were required to leave the video conference, pursuant to KRS 61.826. Specific justification under the Kentucky Open Meetings Act for this action were

as follows, because there were deliberations regarding individual adjudications as listed on the Board's Agenda for the August 14, 2026 meeting.](10:01 a.m.)

Chair Denham moved that the Board return to open session. Vice Chair Snodgrass-Deimling seconded, and the motion carried 7-0. (10:42 a.m.)

Chair Denham recognized former Board member and immediate past Board Chair, Michael Eaves. He thanked him for his service to the Board.

6. CASES TO BE DECIDED

A. *Henry, LeMar v. Justice and Public Safety Cabinet, Department of Corrections* (2024-057)

Ms. Haydon, having considered the record, including the Hearing Officer's Findings of Fact, Conclusions of Law and Recommended Order, moved to accept the recommended order dismissing the appeal. Vice Chair Snodgrass-Deimling seconded, and the motion carried 7-0.

B. *Lewis, Shelley v. Cabinet for Health and Family Services* (2025-075)

Mr. Slone, having considered the record, including the Hearing Officer's Findings of Fact, Conclusions of Law and Recommended Order, and Appellant's request for oral argument, moved to deny the request for oral argument. Mr. Holloway seconded, and the motion carried 6-0, with Chair Denham abstaining.

Mr. Slone, having considered the record, including the Hearing Officer's Findings of Fact, Conclusions of Law and Recommended Order, and Appellant's exceptions, moved to accept the Final Order altering the recommended order, as attached to the minutes, dismissing the appeal. Mr. Holloway seconded, and the motion carried 6-0, with Chair Denham abstaining.

C. *Rowland, Dustin v. Transportation Cabinet and Personnel Cabinet* (2026-023)

Mr. Slone, having considered the record, including the Hearing Officer's Findings of Fact, Conclusions of Law and Recommended Order, and Appellant's exceptions, moved to accept the Final Order altering the recommended order, as attached to the minutes, dismissing the appeal. Vice Chair Snodgrass-Deimling seconded, and the motion carried 6-0, with Mr. Gilpin abstaining.

D. *Wade, Kyle v. Justice and Public Safety Cabinet* (2023-165)

Mr. Slone, having considered the record, including the Hearing Officer's Findings of Fact, Conclusions of Law and Recommended Order, and Appellant's exceptions, moved to accept the Final Order altering the recommended order, as attached to the minutes, dismissing the appeal. Ms. Haydon seconded, and the motion carried 6-0, with Chair Denham abstaining.

Show Cause Orders – No Response Filed – Appeals Dismissed

- E.** *Bowlin, Tommy v. Transportation Cabinet* (2026-044)
- F.** *Greene, Mitchell v. Justice and Public Safety Cabinet, Department of Corrections* (2026-043)
- G.** *Hargrove, Bryan v. Justice and Public Safety Cabinet, Department of Juvenile Justice* (2024-170)
- H.** *Moses, Christie v. Cabinet for Health and Family Services* (2026-056)

In the cases listed above, Mr. Holloway moved to find that the Appellants had not responded to the show cause orders and that the recommended orders be accepted dismissing the appeals for failure to timely prosecute the appeals. Vice Chair Snodgrass-Deimling seconded, and the motion carried 7-0 on Items “E”, “F” and “G”, and the motion carried 6-0 on Item “H”, with Chair Denham abstaining.

7. WITHDRAWALS

Vice Chair Snodgrass-Deimling moved to accept the following withdrawals and to dismiss the appeals. Mr. Bradley seconded, and the motion carried 7-0 on Items “A”, “B”, “D” and “E”, and the motion carried 6-0 on Item “C”, with Chair Denham abstaining.

- A.** *Bailey, James v. Justice and Public Safety Cabinet, Department of Juvenile Justice* (2026-051)
- B.** *Marshall, Clark v. Transportation Cabinet* (2025-122)
- C.** *Nadile, Kellye v. Cabinet for Health and Family Services* (2026-038)
- D.** *Owens, Joseph v. Justice and Public Safety Cabinet, Department of Corrections* (2025-139)
- E.** *Scott, John Evan v. Justice and Public Safety Cabinet, Department of Corrections* (2025-0125)

8. SETTLEMENT

Ms. Haydon moved to issue a settlement order and to sustain the appeal in the matter designated below to the extent set forth in the settlement agreement submitted by the parties. Mr. Gilpin seconded, and the motion carried 7-0.

- A.** *Luttrell, Carroll v. Public Protection Cabinet* (2026-057)

9. **OTHER**

A. Case Load Reduction

1. Backlog, status of appeals, plan of action update

Mr. Rowe referred to the Board's monthly reports and stated that there continued to be a net reduction in the Board's caseload. In July, the Board entered twenty (20) Final Orders while only fourteen (14) new appeals were filed.

In terms of conducting evidentiary hearings, seven cases were scheduled: three (3) were rescheduled due to extraordinary issues, three (3) were conducted, and one (1) appeal was withdrawn.

Chair Denham requested a disclaimer be put on the Board's home page of its website that since the passage of Senate Bill 153, salary disputes, unless there is discriminatory claim associated with it, are outside of the Board's jurisdiction.

Ms. Haydon questioned whether the Board had enough contract Hearing Officers now. Mr. Rowe stated that the Board would always welcome applicants for Hearing Officers.

B. Recognition of Prior Board Members' Service

Mr. Rowe recognized Michael Eaves, Morgan Ward, Rick Reeves and Larry Gillis. He presented each of them with a plaque commemorating their tenure on the Board and thanked them for their service. He further stated that they were an asset to the Board. Mr. Eaves, Mr. Ward, Mr. Reeves and Mr. Gillis thanked the Board Members and staff and said it was an honor to serve on the Board.

C. Next Board Meeting: **September 11, 2026.**

D. Board Photograph

The Board members and past members posed for the Board photographs.

Vice Chair Snodgrass-Deimling made a motion for the Board to adjourn. Chair Denham seconded, and the motion carried 7-0. (10:54 a.m.)

Mitchel Denham, Chair

Michelle Snodgrass-Deimling, Vice Chair



Lisa Haydon, Member



Gordon Slone, Member



Demetrius Holloway, Member



David Bradley, Member



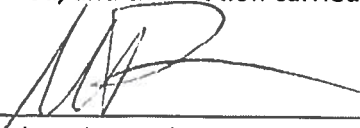
Thomas J. Gilpin

RECEIVED

SEP 16 2028

Personnel Board

Vice Chair Snodgrass-Deimling made a motion for the Board to adjourn. Chair Denham seconded, and the motion carried 7-0. (10:54 a.m.)



Mitchel Denham, Chair

Michelle Snodgrass-Deimling, Vice Chair

Lisa Haydon, Member

Gordon Slone, Member

Demetrius Holloway, Member

David Bradley, Member

Thomas J. Gilpin