

At the regular meeting of the Shiawassee County Board of Commissioners held on Thursday, December 16, 2021 in the Commissioner Chambers, Surbeck Building, Corunna, Michigan:

The meeting was called to order by Chairman Brodeur at 5:00 p.m.

Pledge of Allegiance was recited.

Invocation was offered by Commissioner Webster

Roll call found Commissioners Webster, Holzhausen, Garber, Marks, Plowman and Chairman Brodeur present. Commissioner Root absent.

County Coordinator Dr. Boggs introduced Mary Stone from Durand Rotary Club. She presented a donation of \$9,000.00 for the Shiatown Park restrooms to the County.

It was moved by Commissioner Plowman, seconded by Commissioner Webster to approve the agenda with the removal of Item B under Public Safety & Courts. Motion carried.

It was moved by Commissioner Garber, seconded by Commissioner Holzhausen to approve all minutes of the November 18, 2021 Board of Commissioners meeting. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to approve the bills listed on the Invoice Edit Reports dated November 17, 2021, Invoice Edit Report dated November 18, 2021, Invoice Edit Report dated November 22, 2021, Invoice Edit Report dated November 24, 2021, Invoice Edit Report dated December 1, 2021, Invoice Edit Report dated December 2, 2021, Invoice Edit Report dated December 6, 2021 and December 9, 2021 and to include Wire Transfers, ACH and EFT's for a grand total of \$4,531,415.72 and authorize warrants be drawn from the Treasury for the same. Motion carried with the following roll call vote of 6 yeas: Commissioners Holzhausen, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nays.

Tom Manke, Owosso – Veterans Affair move / Work Release Program

Thomas Foster, Owosso - MERS

It was moved by Commissioner Marks, seconded by Commissioner Plowman to approve the grant extension (Resolution # 21-12-21) with the Michigan Department of Natural Resources for the Henderson Park Renovation Project from 12-30-2021 to 6-30-2022, and authorize the board chair to sign the necessary documents. Motion carried with the following roll call vote of 6 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

It was moved by Commissioner Marks, seconded by Commissioner Holzhausen to approve the waiver of a building permit for Sciota Township to build their new ramp for their township building. Motion carried with the following roll call vote of 6 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

It was moved by Commissioner Marks, seconded by Commissioner Holzhausen to approve the minutes of the December 13, 2021, Economic and Physical Development Committee meeting. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to approve the Resolution # 21-12-20 approving comprehensive financial plan and publish the notice of intent to issue bonds. Motion carried with the following roll call vote of 6 yeas: Commissioners Marks, Plowman, Webster, Holzhausen, Garber and Chairman Brodeur. 0 nays.

Andy Campbell from Bakertilly presented information on moving forward on the issuance of bonds.

BOARD OF COMMISSIONERS
COUNTY OF SHIAWASSEE

RESOLUTION NO. 21-12-20

RESOLUTION APPROVING COMPREHENSIVE FINANCIAL PLAN AND TO PUBLISH NOTICE OF
INTENT TO ISSUE BONDS

Minutes of a regular meeting of the Board of Commissioners of the County of Shiawassee, Michigan, held on December 16, 2021.

PRESENT: _____

ABSENT: _____

The following resolution was offered by Member _____ and supported by Member _____:

WHEREAS, the County of Shiawassee (the "County") proposes to issue its limited tax general obligation bonds (the "Bonds") to finance a part of the cost of the County's unfunded pension liability for the defined benefit plan retirement program of the County (the "County DB Plan") as authorized by Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"); and

WHEREAS, a comprehensive financial plan relating to the County DB Plan has been prepared pursuant to Section 518(5) of Act 34 (the "County Comprehensive Financial Plan") and presented to the County Board of Commissioners for approval; and

WHEREAS, it is necessary to publish a Notice of Intent to Issue Bonds pursuant to Sections 517(2) and 518(4) of Act 34.

NOW, THEREFORE, BE IT RESOLVED that:

1. The County Board of Commissioners hereby approves the County Comprehensive Financial Plan in the form presented and on file with the County Clerk.
2. The County Comprehensive Financial Plan shall be posted in a prominent and conspicuous location on the County's website and be made available to the public in the office of the County Clerk no later than the date the notice described in Section 4 is published.
3. The Board of County Commissioners hereby determines to issue one or more series of bonds, which bonds pledge the County's limited tax full faith and credit, pursuant to Section 518 of Act 34, in an amount of not to exceed \$50,000,000 (the "Bonds") to finance a part of the cost of the County's unfunded pension liability for the County DB Plan.
4. A Notice of Intent to Issue Bonds shall be published in accordance with Sections 517(2) and 518(4) of Act 34, and the County Clerk is authorized and directed to publish the Notice of Intent to Issue Bonds in a newspaper of general circulation in the County, which Notice shall be substantially in the form as set forth on Exhibit A attached hereto with such changes as are approved by the County Administrator, and shall be at least one-quarter (1/4) page in size in the newspaper.

5. The firm of Dickinson Wright PLLC is hereby employed as bond counsel to the County to prepare the documents for the issuance of the Bonds. The Authorized Officer is authorized to enter into an engagement letter with bond counsel in accordance with the fees shown in the financial reports of the County's municipal advisor.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

YEAS: _____

NAYS: _____

ABSTAIN: _____

RESOLUTION DECLARED ADOPTED.

Caroline Wilson, Clerk
County of Shiawassee

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Board of Commissioners of the County of Shiawassee, Michigan, at a regular meeting held on December 16, 2021, and that public notice of the meeting was given pursuant to Act 267, Public Acts of Michigan, 1976, as amended.

Caroline Wilson, Clerk
County of Shiawassee

Dated: December 16, 2021

**NOTICE OF INTENT TO ISSUE BONDS
TO THE ELECTORS OF THE COUNTY OF SHIAWASSEE**

NOTICE IS HEREBY GIVEN that the County of Shiawassee, Michigan (the "County"), intends to issue limited tax general obligation bonds in one or more series in the aggregate principal amount of not to exceed \$50,000,000 for the purpose of financing a part of the County's unfunded pension liability for its defined benefit plan retirement program for the County. The bonds will bear interest from their date at a rate or rates to be determined but in no event to exceed the maximum rate permitted by law.

The bonds will be issued under and pursuant to the provisions of Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), and the full faith and credit of the County will be pledged to pay the principal of and interest on the bonds as the same shall become due. The County will be obligated, as a first budget obligation, to advance moneys from its general funds or to levy ad valorem taxes on all taxable property within its corporate boundaries to pay the principal of and interest on the bonds as the same shall become due; provided, however, that the amount of taxes levied to pay the principal of and interest on the bonds, together with the taxes levied for the same year, shall not exceed the limit authorized by law.

RIGHT TO PETITION FOR REFERENDUM

This notice is given, by order of the Board of Commissioners of the County, to and for the benefit of the electors of the County in order to inform them of their right to petition for a referendum upon the question of the issuance of the aforesaid bonds. The bonds will be issued, without submitting such a question to a vote of the electors, unless within 45 days after the date of publication of this notice a petition requesting a referendum upon such question, signed by not less than 10% or 15,000 of the registered electors residing within the County, whichever is less, shall have been filed with the undersigned County Clerk. In the event that such a petition is filed, the bonds will not be issued unless and until the issuance thereof shall have been approved by the vote of a majority of the electors of the County qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

The County has prepared, and the Board of Commissioners has approved, a comprehensive financial plan that contains the information required by Section 518(5) of Act 34, including, without limitation, an analysis of the County's current and future obligations with respect to each of its retirement and postemployment health care benefit programs.

The Comprehensive Financial Plan is available to the public on the County's website, www.shiawassee.net and at the office of the County Clerk, 208 North Shiawassee Street, 2nd Floor, Corunna, MI 48817.

This Notice is published pursuant to the provisions of Act 34.

Caroline Wilson, Clerk
County of Shiawassee

It was moved by Commissioner Plowman, seconded by Commissioner Holzhausen to authorize the 2021 End of Year Budget Adjustments as presented and authorize the County Administrator to make any needed additional end of year budget adjustments to close out the 2021 budget. Motion carried with the following roll call vote of 6 yeas: Commissioners Plowman, Webster, Holzhausen, Garber, Marks and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to approve the 2022 Budget Resolution # 21-12-19 and adopt the 2022 budget as presented. Motion carried with the following roll call vote of 6 yeas: Commissioners Webster, Holzhausen, Garber, Marks, Plowman and Chairman Brodeur. 0 nays.

SHIAWASSEE COUNTY BOARD OF COMMISSIONERS

RESOLUTION No. 21-12-19

FISCAL YEAR 2022 ANNUAL BUDGET

WHEREAS the Uniform Budgeting and Accounting Act, Public Act 2 of 1968, as amended, requires each local unit of government to adopt a balanced budget for all required funds;

WHEREAS the Finance and Administration Committee of the Board of Commissioners has reviewed requests for funding and recommendations on anticipated revenues from the county's elected officials, department heads, agency directors, and other staff; and

WHEREAS the Shiawassee County Board of Commissioners will duly advertise and conduct a public hearing on December 16, the 2022 proposed budget in accordance with the Uniform Budgeting and Accounting Act:

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of Shiawassee County, Michigan, does hereby approve and adopt the FY 2022 general fund budget, projecting revenues totaling **\$19,839,477** and expenditures totaling **\$19,839,477** based on an approved millage of **5.4647 mills** (after Headlee reduction);

BE IT FURTHER RESOLVED that pursuant to MCL 46.71, all claims (bills) against Shiawassee County shall be approved by the Board of Commissioners prior to being paid, except that the Coordinator's office may, in the ordinary course of business, pay pending budgeted payroll and certain other claims prior to approval by the Board if necessary to avoid late penalties, service charges, interest, or adverse legal consequence. The Board shall receive a list of claims paid prior to Board authorization for approval at the next Board meeting;

BE IT FURTHER RESOLVED that the Board of Commissioners hereby approves and adopts the FY 2022 budget for Special Revenue Funds;

BE IT FURTHER RESOLVED that the Coordinator shall serve as chief fiscal officer and chief administrative officer for the purposes of the Uniform Budget and Accounting Act, PA 1968, as amended (MCL 141.421 et seq.);

BE IT FURTHER RESOLVED that the Coordinator's office shall be authorized to make budget amendments transferring up to \$5,000 between accounts, departments, or funds without prior approval from the Board; and

BE IT FURTHER RESOLVED that whenever it appears to the Coordinator's office that the actual and probable revenues will be less than the estimated revenues upon which appropriations were based, or when it appears that expenditures will exceed an appropriation, the Coordinator's office shall present to the Board recommendations to prevent expenditures from exceeding available revenues or appropriations for the fiscal year. Such recommendations shall include proposals for reducing appropriations, increasing revenues, or both.

APPROVED AND ADOPTED BY THE SHIAWASSEE COUNTY BOARD OF COMMISSIONERS FOR FIRST READING NOVEMBER 18, 2021 AND APPROVED AT SECOND READING ON DECEMBER 16, 2021.

Greg Brodeur,
Chairman

Caroline Wilson,
County Clerk

Public comment offered. No one responded.

County Coordinator Dr. Boggs gave overview of 2022 budget.

Commissioner Plowman commented on the collaborative effort by all county staff to complete the budget.

Public comment offered – Matthew Shepard, Perry – Economic & Development Department.

County Clerk Wilson commented on the implementation of BS&A and the improvement for the budget process.

It was moved by Commissioner Plowman, seconded by Commissioner Holzhausen to accept the County Clerk's Year-End Report and place it on file. Motion carried with the following roll call vote of 6 yeas: Commissioners Holzhausen, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to approve the annual renewal with ZixArchive in an amount not to exceed \$8,910.50. Motion carried with the following roll call vote of 6 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Holzhausen to approve the proposal from Branro Enterprise in an amount not to exceed \$41,750 for Site Survey of the Historical Court House. Motion carried with the following roll call vote of 6 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

It was moved by Commissioner Plowman, seconded by Commissioner Garber to approve the Resolution # 21-12-22 asking the State Land Bank for a parcel 011-11-500-039-01 in Shiatown Park. Motion carried with the following roll call vote of 6 yeas: Commissioners Marks, Plowman, Webster, Holzhausen, Garber and Chairman Brodeur. 0 nays.

RESOLUTION # 21-12-22 FOR SHIATOWN LAND BANK AUTHORITY PROPERTY TRANSFER

WHEREAS, a parcel of land, with Tax ID# 011-11-500-039-01, and within Shiatown County Park has become available for transfer to the County from the current owner, the Michigan State Land Bank Authority, and

WHEREAS, a County application and letter of interest for the parcel initiates the property transfer process with said Authority, together with representations required from the County Board of Commissioners in the form of an authorizing resolution, and

WHEREAS, the property lies entirely within Shiatown County Park and will result in an orderly assimilation into the public park currently maintained and operated for the enjoyment of the general public, NOW THEREFORE BE IT RESOLVED,

THAT the Shiawassee County Board of Commissioners confirms its interest in the acquisition of the above referenced property from the Michigan State Land Bank Authority in its 'as is' condition with a property deed to the land for a \$1.00 acquisition cost and the associated costs incurred for a property transfer, and FURTHERMORE,

THAT, this resolution directs Dr. Brian Boggs, to sign the letter of interest, the representations within the Authority's application documents and the application document.

Caroline Wilson,
County Clerk

Greg Brodeur,
Chairman

It was moved by Commissioner Plowman, seconded by Commissioner Garber to approve the minutes of the December 14, 2021, Finance and Administration Committee meeting. Motion carried.

It was moved by Commissioner Webster, seconded by Commissioner Marks to approve purchase of a new K-9 for the Sheriff's Department and associated equipment and training from the Homeland Security Grant in an amount not to exceed \$16,124. Motion carried with the following roll call vote of 6 yeas: Commissioners Plowman, Webster, Holzhausen, Garber, Marks and Chairman Brodeur. 0 nays.

It was moved by Commissioner Webster, seconded by Commissioner Marks to approve the minutes of the December 14, 2021, Public Safety and Courts Committee meeting. Motion carried.

It was moved by Commissioner Garber, seconded by Commissioner Webster to approve the MSU Extension Services for 2022 and authorize the Board Chairman to sign the agreement. Motion carried with the following roll call vote of 6 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

It was moved by Commissioner Garber, seconded by Commissioner Webster to approve the grant agreement between the Shiawassee County Health Department and the Michigan Department of Environment, Great Lakes, and Energy (EGLE) for Environmental Health Services in the amount of \$35,230 for period of 10-1-2021 through 9-30-2022. Motion carried with the following roll call vote of 6 yeas: Commissioners Holzhausen, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nays.

It was moved by Commissioner Garber, seconded by Commissioner Plowman to approve the contract between the Shiawassee County Health Department and ALZY Environmental Service, LLC for registered sanitarian services in the amount \$37 per hour for an average of 24 hours per week for a period of January 1, 2022 to December 31, 2022. Motion carried with the following roll call vote of 6 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

It was moved by Commissioner Garber, seconded by Commissioner Webster to approve the contract between the Shiawassee County Health Department and Dr. Dennis Chernin for Medical Director Services in the amount of \$38,500 for period of 1-1-2022 through 12-31-2022. Motion carried with the following roll call vote of 6 yeas: Commissioners Garber, Marks, Plowman, Webster, Holzhausen and Chairman Brodeur. 0 nays.

It was moved by Commissioner Garber, seconded by Commissioner Webster to approve the minutes of the December 13, 2021, Health and Human Services Committee meeting. Motion carried.

It was moved by Commissioner Marks, seconded by Commissioner Plowman to approve the Resolution # 21-12-23 of appointments to county advisory committees as recommended by the Board Chair. Motion carried with the following roll call vote of 6 yeas: Commissioners Marks, Plowman, Webster, Holzhausen, Garber and Chairman Brodeur. 0 nays.

SHIAWASSEE COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO APPROVE ADVISORY COMMITTEE APPOINTMENTS

RESOLUTION #21-12-23

Whereas, every year advisory boards to the County Board of Commissioners come up for reappointment.

Whereas, these are governmental boards that provide public representation and engagement with County funded activities.

Whereas, a call for public participation is made annually and residents of Shiawassee County submit letters of interest to serve on these boards.

Whereas, the County Board Chairman reviews each letter and selects applicants for

confirmation by the County Board of Commissioners.

Therefore, now let it be resolved the County Board of Commissioners hereby affirms the Chairman's appointment recommendations for the following people, boards, and set terms:

Name of Board	Appointee	Representing Unit	Term
Airport Board	Julie MacKay	N/A	1/1/22-12/31/23
Central Dispatch	Gary Shultz	County Elected at Large	1/1/22-12/31/24
Central Dispatch	Chris Eveleth	City Elected Official	1/1/22-12/31/24
Central Dispatch	Kyle Bawks	Law Enforcement	1/1/22-12/31/24
Central Dispatch	Kay Nickols	Citizens at Large	1/1/22-12/31/24
Parks and Recreation	Cody Baker	General Public	1/1/22-12/31/24
Planning Commission	Shawn Scepka	Government	1/1/22-12/31/23
Planning Commission	Thomas Svrcek	Social	1/1/22-12/31/23
Solid Waste	Cody Baker	Solid Waste Industry	1/1/22-12/31/23
Solid Waste	Dennis Braid	General Public	1/1/22-12/31/23
Solid Waste	Melissa Higbee	Environmental Interest	1/1/22-12/31/23
Solid Waste	Chris Klawuhn	General Public	1/1/22-12/31/23
Solid Waste	Theodore Nanko	Solid Waste Regional	1/1/22-12/31/23
Valley Area Agency on Aging	Sandra Michalek	Board of Director Senior Rep	1/1/22-12/31/23
Valley Area Agency on Aging	Gloria McCracken	Advisory Council Senior Rep	1/1/22-12/31/23
Zoning Board of Appeals	Theodore Nanko	Hazelton Township	1/1/22-12/31/24
Zoning Board of Appeals	Carolyn Stevens	Middlebury Township	1/1/22-12/31/24

Greg Brodeur,
Board Chairman

Caroline Wilson,
County Clerk

It was moved by Commissioner Marks, seconded by Commissioner Webster to approve the holiday schedule as presented. Motion carried with the following roll call vote of 5 yeas: Commissioners Plowman, Webster, Holzhausen, Marks, and Chairman Brodeur. 1 nay: Commissioner Garber.

It was moved by Commissioner Marks, seconded by Commissioner Plowman to approve the Resolution # 21-12-24 authorizing entry of state local government intrastate agreement concerning allocation of settlement proceeds in the national opioids litigation. Motion carried with the following roll call vote of 6 yeas: Commissioners Webster, Holzhausen, Garber, Marks, Plowman and Chairman Brodeur. 0 nays.

RESOLUTION AUTHORIZING ENTRY OF STATE LOCAL GOVERNMENT INTRASTATE AGREEMENT CONCERNING ALLOCATION OF SETTLEMENT PROCEEDS IN THE NATIONAL OPIOIDS LITIGATION

RESOLUTION NUMBER #21-12-24

At a regular meeting of the Board of Commissioners of the County of Shiawassee held on the 16th day of December, 2021.

PRESENT: _____

ABSENT: _____

The following Resolution was offered by Commissioner _____ and seconded by Commissioner _____.

RESOLUTION

WHEREAS, the County of Shiawassee filed a lawsuit in the United States District Court to address the public nuisance that is the Opioid Epidemic, which named, among other companies, the following four Defendants (“Settling Defendants”):

1. Janssen Pharmaceuticals, Inc. (a prescription opioids manufacturer);
2. Amerisource Bergen Corp. (a prescription opioids wholesaler distributor);
3. Cardinal Health, Inc. (a prescription opioids wholesaler distributor); and
4. McKesson Corporation (a prescription opioids wholesaler distributor)

AND WHEREAS the lawsuit was subsequently transferred to the United States District Court in the Northern District of Ohio and centralized as part of *In re National Prescription Opiate Litigation*, MDL 2804; Case No. 1:17-md-2804, which is presided over by the Honorable Dan Aaron Polster, United State Federal District Court Judge;

AND WHEREAS the Settling Defendants have negotiated proposed national settlement agreements (“Proposed Settlements”) with the State Attorneys General, and a Plaintiff Executive Committee-designated negotiating committee that represents approximately 4,000 local governments that have brought lawsuits similar to Shiawassee County’s lawsuit;

AND WHEREAS the Proposed Settlements contain a “default” allocation method where settlement funds that are allocated to a particular state to resolve the claims asserted by state and local governments within that state are allocated as follows:

- 15% of settlement proceeds paid under the Proposed Settlements are allocable to the State;
- 15% of the settlement proceeds are allocable to local governments; and
- 70% of the settlement proceeds are allocable to an opioid abatement fund;

AND WHEREAS the Proposed Settlements enable the state and local governments within a State to negotiate alternative allocation methods to the “default” allocation method referenced above;

AND WHEREAS Shiawassee County desires to enter into an alternative allocation method which allocates settlement funds solely to:

1. Participating Local Governments who have elected to participate in the Proposed Settlements; and
2. the State of Michigan.

NOW THEREFORE, Shiawassee County authorizes the County Coordinator to execute a Michigan State-Subdivision Agreement For Allocation of Distributor Settlement Agreement and Janssen Settlement Agreement substantially similar to the proposed agreement attached to this resolution. Shiawassee County also authorizes the County Coordinator to execute a similar state-subdivision agreement to the extent that it provides a substantially similar allocation of settlement or bankruptcy proceeds obtained from opioids litigation with any other entity. All other resolutions or parts of resolutions insofar as they conflict with this resolution are rescinded.

Ayes: _____

Nays: _____

Absent: _____

Resolution declared approved dated this 16th day of December, 2021.

Date: _____

Gregory Brodeur, Chairperson
Shiawassee County Board of Commissioners

CERTIFICATE

STATE OF MICHIGAN)
) ss
COUNTY OF SHIAWASSEE)

I, the undersigned, the duly qualified County Clerk of the County of Shiawassee, Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the Board of Commissioners of the County of Shiawassee held on the 16th day of December, 2021, insofar as the same relate to the Resolution of the Board of Commissioners of the County of Shiawassee authorizing the execution of a state participation agreement and other documents related to the opioid litigation referenced in the Resolution, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in full compliance with Act 267, Public Acts of 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ___ day of _____, 2021.

County Clerk

It was moved by Commissioner Marks, seconded by Commissioner Webster to approve the Resolution # 21-12-25 authorizing entry of participation agreements in partial settlement of the national prescription opiate litigation. Motion carried with the following roll call vote of 6 yeas: Commissioners Holzhausen, Garber, Marks, Plowman, Webster and Chairman Brodeur. 0 nays.

RESOLUTION AUTHORIZING ENTRY OF PARTICIPATION AGREEMENTS IN PARTIAL
SETTLEMENT OF THE NATIONAL PRESCRIPTION OPIATE LITIGATION

RESOLUTION NUMBER #21-12-25

At a regular meeting of the Board of Commissioners of the County of Shiawassee held on the 16th day of December, 2021.

PRESENT: _____

ABSENT: _____

The following Resolution was offered by Commissioner _____ and seconded by Commissioner _____.

RESOLUTION

WHEREAS, the County of Shiawassee filed a lawsuit in the United States District Court to address the public nuisance that is the Opioid Epidemic, which named, among other companies, the following four Defendants (“Settling Defendants”):

5. Janssen Pharmaceuticals, Inc. (a prescription opioids manufacturer);
6. Amerisource Bergen Corp. (a prescription opioids wholesaler distributor);
7. Cardinal Health, Inc. (a prescription opioids wholesaler distributor); and
8. McKesson Corporation (a prescription opioids wholesaler distributor)

AND WHEREAS the lawsuit was subsequently transferred to the United States District Court in the Northern District of Ohio and centralized as part of *In re National Prescription Opiate Litigation*, MDL 2804; Case No. 1:17-md-2804, which is presided over by the Honorable Dan Aaron Polster, United State Federal District Court Judge;

AND WHEREAS the Settling Defendants have negotiated proposed national settlement agreements (“Proposed Settlements”) with the State Attorneys General, and a Plaintiff Executive Committee-designated negotiating committee that represents approximately 4,000 local governments that have brought lawsuits similar to Shiawassee County’s lawsuit;

AND WHEREAS the Proposed Settlements contain significant equitable and monetary relief, including:

1. An agreement by Janssen that it will discontinue the manufacture and distribution of prescription opioids products for at least the next ten years;
2. An agreement by Janssen that it will suspend any lobbying efforts that concern prescription opioids products;
3. The creation of a National Clearinghouse for wholesale distributors that will assist in the detection, suspension and reporting of suspicious orders of prescription opioids products; and
4. The payment of up to \$26 billion (depending upon the level of participation of state and local governments in the Proposed Settlements) in funding installments over the next 18 years, the bulk of which will be dedicated to funding abatement and prevention strategies associated with the opioids public nuisance.

NOW THEREFORE, Shiawassee County authorizes the County Coordinator to execute Participation Agreements for: 1. the Master Settlement Agreement with Janssen Pharmaceuticals, Inc.; and 2. the Master Settlement Agreement with the three wholesale distributor defendants (Cardinal, Amerisource Bergen and McKesson), both of which are listed and available to the public at <https://nationalopioidsettlement.com/>. Specimen copies of the material terms of the participation agreements are attached as an exhibit to this resolution.

All other resolutions or parts of resolutions insofar as they conflict with this resolution are rescinded.

