

**REQUEST FOR BOARD ACTION**

**HENDERSON COUNTY  
BOARD OF COMMISSIONERS**

**MEETING DATE:** October 18, 2023

**SUBJECT:** Resolution – Opioid Settlement Fund Expenditure Authorization

**PRESENTER:** Russ Burrell, County Attorney  
Jodi Grabowski, Behavioral Health Systems Director

**ATTACHMENT(S):** Yes

1. Budget Amendment
2. Resolution

**SUMMARY OF REQUEST:**

At the Board’s August 16, 2023, meeting, the Board was presented with the Henderson County Strategic Plan for the Opioid Settlement Funds. The presenters explained that the county may proceed with strategies from the MOA’s Option A. Among the Strategic Plan’s recommendations is a management position for the Opioid Settlement and related efforts. Additional expenditures are necessary for this position. These include, but are not limited to, office supplies, training and travel expenses, and computer software and licenses. This request includes the salary and benefits for the remainder of the fiscal year in addition to estimated costs for the additional expenses needed to fund this position.

In addition to the Budget Amendment, the Board must also adopt a Resolution per the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation which dictates the process for drawing from the Special Revenue Fund.

**BOARD ACTION REQUESTED:**

The Board is requested to adopt the Resolution authorizing the expenditure of opioid settlement funds for the salary for the Behavioral Health Systems Director, and related programmatic expenses as presented.

**SUGGESTED MOTION:**

*I move the Board adopt the Resolution authorizing the expenditure of opioid settlement funds as presented, and the associated Budget Amendment for the Behavioral Health Systems Director position.*

HENDERSON COUNTY



Department: Opioid Settlement Fund/Department of Strategic Behavioral Health

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115517-512100-2072</u>	<u>S&amp;W - REGULAR</u>	<u>\$70,000</u>
<u>115517-512700-2072</u>	<u>S&amp;W - CELLPHONE ALLOWANCE</u>	<u>\$1,000</u>
<u>115517-513500-2072</u>	<u>401(K) SUPP DEFERRED COMP</u>	<u>\$1,425</u>
<u>115517-518000-2072</u>	<u>FICA</u>	<u>\$5,721</u>
<u>115517-518100-2072</u>	<u>RETIREMENT - LGERS</u>	<u>\$9,156</u>
<u>115517-518300-2072</u>	<u>MEDICAL INSURANCE</u>	<u>\$9,618</u>
<u>115517-518400-2072</u>	<u>DENTAL INSURANCE</u>	<u>\$520</u>
<u>515500-526000-2072</u>	<u>DEPT SUPPLIES AND MATERIALS</u>	<u>\$2,400</u>
<u>515500-537100-2072</u>	<u>TRAVEL AND STAFF DEV.</u>	<u>\$725</u>
<u>515500-526201-2072</u>	<u>NONCAPITAL TECHNOLOGY</u>	<u>\$600</u>
<u>515500-526020-2072</u>	<u>DEPT SUPP &amp; EXP - NONEXP.</u>	<u>\$3,500</u>
<u>515500-598011</u>	<u>TRANSFER TO GENERAL FUND</u>	<u>\$97,440</u>

What expense line-item is to be decreased? Or what additional revenue is now expected?

Account	Line-Item Description	Amount
<u>114517-405100</u>	<u>TRANSFER FROM OPIOID FUND</u>	<u>\$97,440</u>
<u>514500-401000-2070</u>	<u>OPIOID FUND BALANCE APP</u>	<u>\$104,665</u>

**Justification** Please provide a brief justification for this line-item transfer request.

TO BUDGET FOR SALARY, BENEFITS AND RELATED EXPENSES FOR CREATION OF THE STRATEGIC BEHAVIORAL HEALTH SYSTEMS DIRECTOR POSITION. BOC APPROVED 10.18.2023.

\_\_\_\_\_  
Authorized by Department Head

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized by Budget Office

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized by County Manager

\_\_\_\_\_  
Date

*For Budget Use Only*

Batch # \_\_\_\_\_

BA # \_\_\_\_\_

Batch Date \_\_\_\_\_

# Henderson County Board of Commissioners

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Chairman  
J. Michael Edney  
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Daniel J. Andreotta  
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## HENDERSON COUNTY NORTH CAROLINA

### Before the Board of Commissioners

#### A RESOLUTION BY THE COUNTY OF HENDERSON TO DIRECT THE EXPENDITURE OF OPIOID SETTLEMENT FUNDS

##### BOARD OF COMMISSIONERS ENACTMENT \_\_\_\_\_

WHEREAS Henderson County previously joined national settlement agreements with companies engaged in the manufacturing, distribution, and dispensing of opioids, including settlements with drug distributors Cardinal, McKesson, and AmerisourceBergen, and the drug maker Johnson & Johnson and its subsidiary Janssen Pharmaceuticals; and,

WHEREAS the allocation, use, and reporting of funds stemming from these national settlement agreements and certain bankruptcy resolutions (“Opioid Settlement Funds”) are governed by the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation (“MOA”); and

WHEREAS Henderson County has received Opioid Settlement Funds pursuant to these national settlement agreements and deposited the Opioid Settlement Funds in a separate special revenue fund as required by section D of the MOA; and

WHEREAS section E.6 of the MOA states:

E.6. Process for drawing from special revenue funds.

- a. Budget item or resolution required. Opioid Settlement Funds can be used for a purpose when the Governing Body includes in its budget or passes a separate resolution authorizing the expenditure of a stated amount of Opioid Settlement Funds for that purpose or those purposes during a specified period of time.
- b. Budget item or resolution details. The budget or resolution should (i) indicate that it is an authorization for expenditure of opioid settlement funds; (ii) state the specific strategy or strategies the county or municipality intends to fund pursuant to Option A or Option B, using the item letter and/or number in Exhibit A or Exhibit B to identify each funded strategy, and (iii) state the amount dedicated to each strategy for a stated period of time.

NOW, THEREFORE BE IT RESOLVED, in alignment with the MOA, Henderson County authorizes the expenditure of opioid settlement funds as follows:

1. First strategy authorized
  - a. Name of strategy: Collaborative Strategic Planning
  - b. Strategy is included in Exhibit A (Exhibit A, Exhibit B)
  - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: 1
  - d. Amount authorized for this strategy: not to exceed \$104,665
  - e. Period of time during which expenditure may take place: November 1, 2023, through June 30, 2024.
  - f. Description of the program, project, or activity: Salary, benefits, expenses and equipment to support a new management position. The Behavioral Health Systems Director will plan, organize, and manage Henderson County's network of behavioral health/substance use services, programs, and treatment providers. This position oversees the county's Opioid Settlement Fund planning and management. The Behavioral Health Systems Director will provide oversight of county programs, contracts and grants related to behavioral health. Establishment of this department and support of the position requires expenses that include but are not limited to office equipment, software, training, and travel.
  - g. Provider: Henderson County

The total dollar amount of Opioid Settlement Funds at this time appropriated is not to exceed \$104,665.

Adopted this the 18th day of October 2023.

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REBECCA K. MCCALL, CHAIRMAN  
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

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DENISSA LAUFFER, CLERK TO THE BOARD

COUNTY SEAL