

**REQUEST FOR BOARD ACTION**

**HENDERSON COUNTY  
BOARD OF COMMISSIONERS**

**MEETING DATE:** January 17, 2024

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

**PRESENTER:** Jodi Grabowski, Behavioral Health System Coordinator

**ATTACHMENT(S):** Yes

1. Budget Amendment
2. Resolution

**SUMMARY OF REQUEST:**

At the Board’s August 16, 2023 meeting, the Board approved a Budget Amendment which included supplies associated with the Adult Recovery Court Coordinator. This request includes an additional appropriation for the remainder of the fiscal year to purchase necessary testing supplies.

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 Budget Amendment and Resolution authorizing the expenditure of opioid settlement funds for drug testing supplies 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 drug testing supplies.*



# Henderson County Board of Commissioners

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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: Criminal Justice Diversion Programs
  - 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: 10
  - d. Amount authorized for this strategy: not to exceed \$10,000
  - e. Period of time during which expenditure may take place: Start date January 17, 2024 through End date June 30, 2024
  - f. Description of the program, project, or activity: Drug testing supplies associated with Adult Recovery Court activities
  - g. Provider: Henderson County

The total dollar amount of Opioid Settlement Funds at this time appropriated is not to exceed \$10,000.

Adopted this the 17<sup>th</sup> day of January, 2024.

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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