

COMMISSIONERS

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BOARD OF COMMISSIONERS JOHNSON COUNTY

RESOLUTION NO. 2024-R-9

RESOLUTION APPROVING THE ACCEPTANCE OF OPIOID SETTLEMENT FUNDS FROM THE CITY OF FRANKLIN, INDIANA

WHEREAS, Johnson County, Indiana, by and through its Board of Commissioners (“County”) is a government organization providing services to the citizens of Johnson County, Indiana;

WHEREAS, the state of Indiana is set to receive approximately nine hundred twenty five million dollars (\$925,000,000) over 18 years as part of several settlements against drug manufacturer Johnson & Johnson and national distributors Cardinal Health, McKesson and AmerisourceBergen, in addition to distributors Allergan, Teva, Walgreens, CVS, and Walmart, for their roles in the opioid crisis;

WHEREAS, the settlement funds are governed by Ind. Code §§ 4-6-15 whereby funds in both the Local Unrestricted Opioid Settlement Account and Local Abatement Opioid Settlement Account are continuously appropriated to the state Attorney General's office for distribution to participating cities, counties, and towns by formula; and

WHEREAS, under the terms of Ind. Code § 4-6-15-4, the funds are distributed to each political subdivision whereby those cities and towns receiving less than \$5,000 annually in abatement funding will have their distribution sent to the County directly; and

WHEREAS, based on the information provided to the County by the Office of the Attorney General, the County is set to receive over five million dollars (\$5,000,000) over the course of the settlement disbursement to promote innovative, collaborative, community-driven, cross-sector responses to substance opioid use disorder issues as allowed under **Exhibit E** of the National Opioid Settlement document outlining the approved abatement uses to serve the citizens of the County; and

WHEREAS, the Johnson County Board of Commissioners, in collaboration with other local municipalities, is making available funding opportunities across Johnson County through a grant program, specifically the Johnson County Opioid Remediation Grant Program, to support evidence-based prevention, treatment, recovery, harm reduction, behavioral health workforce, enforcement, jail treatment, recovery residences, and other services and initiatives as allowed under **Exhibit E** of the National Opioid Settlement document; and

WHEREAS, the City of Franklin, Indiana, by and through Common Council (herein after referred to as “City”), is a government organization providing services to the citizens of Franklin and is a disposing agent as that term is contemplated pursuant to Ind. Code § 36-1-11-2; and

WHEREAS, based on the information provided to the County by the Office of the Attorney General, the City is set to receive over three hundred thousand dollars (\$300,000) over the course of the settlement disbursement in both restricted and unrestricted funds; and

WHEREAS, Johnson County is a disposing agent as that term is contemplated pursuant to I.C. 36-1-11-2; and

WHEREAS, the City and Johnson County have authority by law to dispose of and transfer property including cash, under Ind. Code § 36-1-11-8 to each other; and

WHEREAS, the City desires that their share of the restricted settlement funds, approximately Eighty Three Thousand Nine Hundred Sixty Seven Dollars and Fifty Two Cents (\$83,967.52) already received through June 2024 and the additional sum of approximately Twenty Four Thousand One Hundred Seventy One Dollars and Fifty Three Cents (\$24,171.53) to be received through 2026, be transferred to the County in support of their collaborative grant fund program in an effort to serve as many County and City residents as possible; and

WHEREAS, Johnson County desires to receive the City’s portion of their restricted settlement funds through 2026 to assist in providing services to Franklin residents pursuant to the approved uses for the funds allowed under **Exhibit E** of the National Opioid Settlement document; and

WHEREAS, Ind. Code § 36-1-11-8 authorizes the transfer of payment of cash between governmental entities upon terms and conditions agreed upon by the entities as evidenced by the adoption of substantially identical resolutions by the governing body of each entity; and

WHEREAS, Johnson County and the City have agreed that the County shall receive the City’s portion of their restricted settlement funds exclusively for the Johnson County Opioid Remediation Grant Program; and

WHEREAS, upon the City’s adoption of a substantially identical resolution hereto, the County shall receive the City’s portion of their restricted settlement funds exclusively for the Johnson County Opioid Remediation Grant Program.

NOW THEREFORE BE IT RESOLVED, by Johnson County, Indiana, by and through its Board of Commissioners, that Johnson County does hereby adopt the above recital as findings of fact; and

BE IT FURTHER RESOLVED that upon the adoption of a substantially identical resolution by the City of Franklin, the Commissioners are hereby authorized and directed to take

any and all actions necessary to accept the City's portion of their restricted settlement funds through 2026 to Johnson County.

BE IT FURTHER RESOLVED that the payment of the City's portion of their restricted settlement funds is approved for receipt by Johnson County on the terms and conditions set forth herein.

PASSED AND ADOPTED by Johnson County Board of Commissioners on this 24th day of June, 2024.

FOR



Brian P. Baird, Chair

AGAINST

Brian P. Baird, Chair



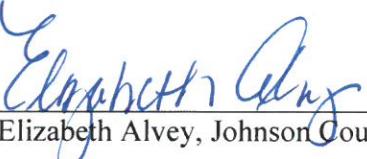
Kevin M. Walls, Member

Kevin M. Walls, Member



Ronald H. West, Member

Ronald H. West, Member

Attest: 

Elizabeth Alvey, Johnson County Auditor

Approved as to form:



Adam P. Gadberry, County Attorney