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## BOARD OF COMMISSIONERS JOHNSON COUNTY

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### RESOLUTION NO. 2024-R-14

#### **RESOLUTION APPROVING THE ACCEPTANCE OF OPIOID SETTLEMENT FUNDS FROM THE TOWN OF NEW WHITELAND, 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 Town of New Whiteland, Indiana, by and through its Town Council (herein after referred to as “Town”), is a government organization providing services to the citizens of New Whiteland 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 Town is set to receive over forty-five thousand dollars (\$45,000) 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 Town 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 Town desires that their share of the restricted settlement funds, approximately Eleven Thousand Eight Hundred Forty-Seven Dollars and Thirty-Four Cents (\$11,847.34) through 2024, remain with the County in support of their collaborative grant fund program in an effort to serve as many County and Town residents as possible; and

**WHEREAS**, Johnson County desires to receive the Towns’s portion of their restricted settlement funds through 2024 to assist in providing services to New Whiteland 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 Town have agreed that the County shall receive the Town’s portion of their restricted settlement funds through 2024 exclusively for the Johnson County Opioid Remediation Grant Program; and

**WHEREAS**, upon the Town’s adoption of a substantially identical resolution hereto, the County shall receive the Towns’s portion of their restricted settlement funds through 2024 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 Town of New Whiteland, Indiana, the Commissioners are hereby authorized and directed to take any and all actions necessary to accept Town’s portion of their restricted settlement funds through 2024 to Johnson County.

**BE IT FURTHER RESOLVED** that the payment of Town's portion of their restricted settlement funds through 2024 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  
12<sup>th</sup> day of August, 2024.

**FOR**



Brian P. Baird, Chair

**AGAINST**



Brian P. Baird, Chair

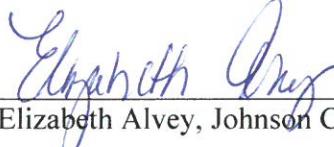


Kevin M. Walls, Member



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