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KENDAL A. TRACY
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MIAMI TOWNSHIP

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PARKS / RECREATION
248-3727

RESOLUTION 2021-30

The Board of Trustees of Miami Township, Clermont County, Ohio met in special session at the Miami Township Civic Center on August 5, 2021 with the following members present: Mary Makley Wolff and Karl Schultz.

A motion was made to adopt the following Resolution:

A RESOLUTION AUTHORIZING THE TOWNSHIP LAW DIRECTOR TO EXECUTE THE PARTICIPATION AGREEMENT FOR THE ONEOHIO SUBDIVISION SETTLEMENT WITH MCKESSON CORPORATION, CARDINAL HEALTH, INC., AND AMERISOURCEBERGEN CORPORATION PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING REGARDING THE PURSUIT AND USE OF POTENTIAL OPIOID LITIGATION SETTLEMENT FUNDS CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID DISTRIBUTOR SETTLEMENT AGREEMENT AND DISPENSING WITH A SECOND READING.

WHEREAS, Miami Township, Clermont County, Ohio (the “Township”) is an Ohio township formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and the Township has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding (“MOU”) relating to the allocation and the use of the proceeds of any potential settlements described the terms of which are also detailed at <https://nationalopioidsettlement.com/>; and

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, the Board of Trustees of Miami Township, Clermont County, Ohio (the “Board”) understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS, a settlement proposal is being presented to the State of Ohio and Local Governments by distributors AmerisourceBergen, Cardinal, and McKesson (collectively the “Settling Distributors”) to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement; and

WHEREAS, the Board wishes to agree to the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors (the “Proposed Settlement”):

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Miami Township, Clermont County, Ohio, as follows:

SECTION 1. The Board hereby accepts the terms of the Proposed Settlement on behalf of the Township and authorizes the Township Law Director to execute the Participation Agreement for the OneOhio Subdivision Settlement with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation pursuant to the terms of the OneOhio MOU.

SECTION 2. The Board hereby finds and determines that all formal actions relative to the passage of this legislation were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, are taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. The Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

SECTION 4. That this Resolution shall take effect from and after the earliest time allowed by law.

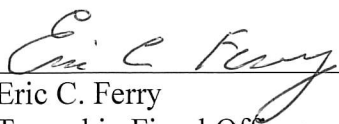
First Reading: August 5, 2021
Second Reading: Dispensing With
Adopted: August 5, 2021

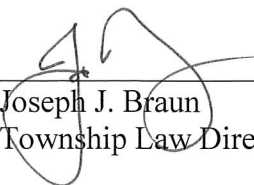
The motion was seconded, and the resolution was adopted.

Resolution 2021-30 adopted August 5, 2021

ATTEST:

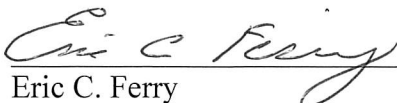
APPROVED AS TO FORM:


Eric C. Ferry
Township Fiscal Officer


Joseph J. Braun
Township Law Director

CERTIFICATION

I, Eric C. Ferry, Fiscal Officer of Miami Township, do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Miami Township; that the same has been compared by me with the Resolution of said Record and that it is a true and correct copy thereof.


Eric C. Ferry
Fiscal Officer, Miami Township