

LOWNDES COUNTY BOARD OF COMMISSIONERS
MINUTES
SPECIAL CALLED MEETING
MONDAY, AUGUST 12, 2024 - 9:00 AM

CALL TO ORDER

COMMISSIONERS PRESENT:

Chairman Bill Slaughter
Vice Chairman Demarcus Marshall
Commissioner Joyce Evans
Commissioner Scott Orenstein
Commissioner Mark Wisenbaker
Commissioner Clay Griner

Chairman Slaughter called the meeting to order at 9:00 a.m.

FOR CONSIDERATION

Opioid Claims - Kroger

Assistant Finance Director, Rachel Bowen, presented the item. Mrs. Bowen stated Lowndes County has been participating in the National Opioid Settlements started by the State of Georgia over the last several years. Kroger has entered into a national settlement agreement and like the others will result in some amounts of money being paid to Lowndes County over time to assist in abating the opioid crisis. Mrs. Bowen stated to participate in the Kroger settlement, the Board needs to approve and to submit the attached Acknowledgment and Agreement to be Bound by MOU and the attached Subdivision Participation and Release Form by August 12, 2024. Staff and Counsel have discussed the settlement and recommends the board approves this item. County Attorney, Walter Elliott, stated Lowndes County had approved and submitted the same documents in respect to other distributors of opioids. This is repeating for Kroger what has been done for others. Commissioner Wisenbaker asked if there were one or two suits? Mr. Elliott responded this is a settlement with Kroger, not a suit. Commissioner Orenstein asked what are the drawbacks of not joining this settlement? Mr. Elliott responded there is no reason not to join, unless Lowndes County wanted to bring a lawsuit against Kroger. Vice Chairman Marshall asked how much money or resources is involved with this settlement? Mr. Elliott answered there will be no cost to Lowndes County as this falls under the umbrella with the engagement agreement with Mrs. Haynes Studstill and her firm and Mr. Cale Conley and his firm, all expenses, costs and attorney time are covered by contingency. Vice Chairman Marshall asked what is the expected amount to receive? Mrs. Bowen answered that as of now, from other settlements Lowndes County has joined, that amount is \$462,136.61, with projections to receive additional funds. Chairman Slaughter stated ACCG and GMA are administering this funding. Commissioner Orenstein asked if this funding is tracked separately? Chairman Slaughter answered yes, it does not go into the general fund. Vice Chairman Marshall made a motion to approve and authorize the Chairman to sign and to submit the attached Acknowledgment and Agreement to be bound by MOU and the attached Subdivision Participation and Release Form, Commissioner Wisenbaker seconded. All voted in favor, no one opposed. Motion carried.

Opioid Claims: Perdue Pharma and Sackler Family

Assistant Finance Director, Rachel Bowen, presented the item. Mrs. Bowen stated the United States Supreme Court has recently vacated a proposed bankruptcy court settlement of opioid claims against Perdue Pharma and the Sackler family. Special Counsel for the County advises this creates a limited time opportunity to attempt to reach a new settlement against Perdue Pharma and the Sackler family like prior settlements with parties to the federal court multidistrict litigation. Special Counsel for the County recommends Lowndes County join hundreds of other local governments in the submission of a joint, nonbinding statement of interest in reaching a settlement with Purdue Pharma and the Sackler family that would comport with the Supreme Court directives. Vice Chairman Marshall made a motion to authorize special counsel for the County to join Lowndes County in the proposed joint, non-binding statement of interest, Commissioner Griner seconded. All voted in favor, no one opposed. Motion carried.

ADJOURNMENT

Commissioner Griner made a motion to adjourn the special called meeting, Commissioner Orenstein seconded. Chairman Slaughter adjourned the meeting at 9:08 a.m.