

MARLBORO COUNTY COUNCIL
MARLBORO COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP BUILDING
COUNCIL CHAMBERS

TUESDAY, DECEMBER 28, 2021

3:00 PM

CHAIRMAN	JASON STEEN
VICE CHAIR	CORRIE PLATO
ADMINISTRATOR	RON MUNNERLYN
CLERK TO COUNCIL	PATRICIA BUNDY
COUNTY ATTORNEY	ANDREW MCLEOD
COUNCIL:	
JASON STEEN	DR. DAMIEN JOHNSON
CHARLES P. MIDGLEY, JR. *	CORRIE H. PLATO
KENNETH STROMAN	VERD ODOM
STEVE BLACKMON, AND	ANTHONY WOODS

- Absent

Others Present: Ms. Doris Sumpter, Administrative Services Director, and Ms. Jaqueline Hough of the Herald-Advocate

A copy of the agenda was emailed to Ms. Jacqueline Hough of the Herald Advocate and posted on the front door of the William P. Wallace, Sr. Administration Building and on the county's website (www.marlbocounty.sc.gov).

INVOCATION – Mr. Anthony Woods

APPROVAL OF AGENDA ITEMS

Motion made by Mr. Anthony Woods, seconded by Ms. Corrie Plato, to approve the agenda as presented. Vote in favor. Unanimous. Motion carried.

NEW BUSINESS

AUTHORIZATION TO EXECUTE SETTLEMENT DOCUMENTS IN THE NATIONAL PRESCRIPTION OPIATE LITIGATION

Mr. Jason Steen, Chairman, recognized Attorney Andrew McLeod, to make comments on this item.

Attorney McLeod stated this item relates to the National Opioid litigation. He stated a while back the county elected to have Senator Gerald Malloy assist us with joining the global national opioid litigation and then he elected Attorney John White to represent the County in this matter. He stated the litigation is against Janssen which is Johnson and Johnson, as well as three other different distributors. He stated for the County to join in on this they need the County to authorize the settlement and designate folks to be the authorized signors of the Settlement Agreement, Distributor Agreement and any release which may be required. He suggested the County Administrator and Marlboro County Council Chairperson be the authorized signors.

Attorney McLeod stated the request was received after the December Council meeting and had a deadline of January 2, 2022. He stated is the reason for the called meeting with short notice, to allow staff to meet the deadline provided.

Attorney McLeod stated the lead counsel which is associated with Senator Malloy has recommended that we agree to the national global settlement by allowing the designated authorized individuals sign the Settlement Participation forms and return the settlement documents to him to be held in trust. He stated the lead counsel will continue to negotiate a settlement with the Attorney General's office and will hold the settlement forms in trust until settlement is finalized.

Attorney McLeod stated once the lawsuit is finalized and the distribution amount has been decided, the matter will be again presented to Council for final approval.

Chairman Steen asked if we knew the amount that was being considered.

Attorney McLeod stated he understood the total figure flowing into South Carolina to be somewhere around \$4.3 billion which will be distributed in different formulas to state and local governmental entities. He stated some payments may be made over a period.

Mr. Munnerlyn stated he had talked with other County Administrators and most of them are being represented by the same counsel. He stated you must use this going forward for opioid. We do not know how much we will get at this time.

Mr. Anthony Woods stated whatever the County receives is better than nothing.

Chairman Steen stated a motion was needed approving the opioid litigation and authorizing individuals to sign on behalf of the County.

Motion made by Mr. Kenneth Stroman, seconded by Mr. Anthony Woods, approving, and accepting the terms of the global settlement in the opioid litigation known as the Janssen Settlement and the Distributors Settlement. This approval is subject to an allocation

December ²⁸ 6, 2021, County Council Meeting

agreement to be negotiated by the attorney representing Marlboro County in this litigation, John White, and the S.C. Attorney General's office; and Marlboro County hereby authorizes the County Administrator and the Marlboro County Council Chairperson to execute all documents necessary to concluding the said settlements. Vote in favor. Unanimous. Motion carried.

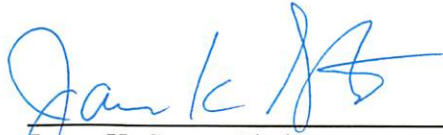
ADJOURN

Mr. Jason Steen, Chairman, declared the meeting adjourned since there was no further business.

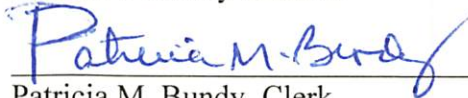
The meeting adjourned at 3:12 pm.

(SEAL)

ATTEST:



Jason K. Steen, Chairman
Marlboro County Council



Patricia M. Bundy, Clerk
Marlboro County Council

Adopted: January 11, 2022