

MARLBORO COUNTY COUNCIL
MARLBORO COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP BUILDING
COUNCIL CHAMBERS

TUESDAY, JANUARY 25, 2022

10:30 AM

CHAIRMAN CHARLES P. MIDGLEY, JR.

VICE CHAIRMAN JASON STEEN
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: Mr. Doug Carabo, Public Services Director; Mr. Steve Pollard, IT 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).

Mr. Charles P. Midgley, Jr., Chairman, called the meeting to order at 10:32 am.

INVOCATION – Mr. Anthony Woods

APPROVAL OF AGENDA ITEMS

Motion made by Mr. Jason Steen, seconded by Mr. Steve Blackmon, to approve the agenda as presented. Vote in favor. Unanimous. Motion carried.

NEW BUSINESS

CONSIDERATION OF APPROVAL OF OPIOID SETTLEMENT ALLOCATION AGREEMENT

Mr. Charles P. Midgley, Jr., Chairman, stated that Resolution # 01-22-02 “A Resolution approving the South Carolina Opioid Settlement Allocation Agreement in the South Carolina Opioid Litigation” was prepared for Council’s consideration regarding this item. Chairman Midgley read the Resolution aloud and asked Mr. Ron Munnerlyn, County Administrator, to make comments on the proposed settlement allocation agreement.

Mr. Munnerlyn stated the county’s lead counsel on the opioid lawsuit continue to request that Council approve the settlement process and documents. He stated council has no control over the amount of funds that the county will receive. He stated Attorney Andrew McLeod was present to provide more information on the settlement allocation agreement which Council is being asked to approve.

Attorney McLeod stated there is a deadline for the collective approval of the national settlement. He stated Council has already approved that they would like to be a part of the litigation. He stated the litigation counsel out of Spartanburg that was recommended to the county by Senator Gerald Malloy has received Council’s approval of the national settlement, but they have been held in trust until the Attorney General could negotiate how the monies coming into the state would be distributed. He stated the national settlement had previously stated that only 15% would go to governmental entities and the state would receive 85%. He stated there has now been an allocation agreement where the money received will be paid out over a 19-year period with the 85% being paid to individual governmental entities and 15% being paid to state-controlled sources.

Attorney McLeod stated if 100% participation of all parties that have joined the litigation is not received, the amount of funds received would most likely be adjusted.

Chairman Midgley asked how much money the county should expect to receive according to the settlement allocation agreement. Attorney McLeod stated if 100% of participants agree and approve the allocation settlement agreement and things go as planned, Marlboro County should expect to receive \$42,674.21 the first year of the settlement which is 2021. He stated the second year the funds would be paid in bulk amounts, and it appears that the county’s payment is estimated to be \$216,458.09. He stated thereafter over a nine-year period, the county should expect to receive an additional \$40-50,000 until year 2038. He stated this is all conditioned upon 100% participation of all parties that joined the litigation.

Dr. Damien Johnson stated he understood that the county would need to apply for their funds. Attorney McLeod stated the money will be paid to the county, but it must be used for specific purposes. He stated the county could be eligible to receive additional grant funds from the state from the funds that will be allocated to them.

Mr. Anthony woods asked if the funds would go into the county’s general fund or would they need to go into a special fund. Mr. Munnerlyn stated the funds would go into a special account and would only be allowed to use them for specific things or purposes. He stated there would be a lot of work to determine what the funds could be used.

Chairman Midgley asked if there were any other questions. There were none.

Motion made by Mr. Verd Odom, seconded by Ms. Corrie Plato, to approve Resolution # 01-22-02 – a Resolution Approving the South Carolina Opioid Settlement Allocation Agreement in the South Carolina Opioid Litigation. Vote in favor. Unanimous. Motion carried.

Mr. Charles P. Midgley, Jr., Chairman, stated the next item on the agenda was an executive session to discuss an economic development project. He asked if there was a motion to enter executive session.

Motion made at 10:42 am by Mr. Jason Steen, seconded by Mr. Steve Blackmon, to enter executive session to discuss an economic development project pursuant to SC Code Section 30-4-70(5). Vote in favor. Unanimous. Vote in favor.

Motion made at 11:21 am by Mr. Verd Odom, seconded by Mr. Steve Blackmon, to leave executive session and return to open session. Vote in favor. Unanimous. Motion carried.

Mr. Charles P. Midgley, Jr., Chairman, advised that no votes had been taken and no decisions were made during the executive session.


ADJOURN

Motion made by Ms. Corrie Plato, seconded by Mr. Kenneth Stroman, to adjourn the meeting. Vote in favor. Unanimous. Motion carried.

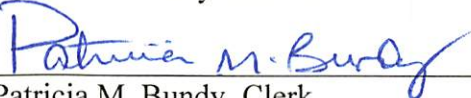
The meeting adjourned at 11:22 am.

(SEAL)

ATTEST:



Charles P. Midgley, Jr., Chairman
Marlboro County Council



Patricia M. Bundy, Clerk
Marlboro County Council

Adopted: February 8, 2022