

RESOLUTION NO. 21-18

A RESOLUTION OF THE COUNTY OF KENTON, KENTUCKY (“COUNTY”) AUTHORIZING, APPROVING AND DIRECTING THE EXECUTION OF ONE KENTUCKY OPIOID SETTLEMENT AGREEMENT IN THE PENDING LITIGATION AGAINST CONTRIBUTORS OF OPIOID ADDICTION CRISIS.

WHEREAS, the County is plaintiff in litigation against certain defendants who are contributors of opioids within the County resulting in the availability of the drug and its abuse; and,

WHEREAS, the County has been advised by the attorneys retained to represent the County of possible settlement of claims; and

WHEREAS, the County has been presented with “One Kentucky Opioid Settlement Memorandum of Understanding” with the Attorney General of the Commonwealth of Kentucky (“MOU”), attached hereof and made a part hereof as **“Exhibit “A”**; and

WHEREAS, upon advice of the attorneys representing the County in the litigation, the County desires to enter into the MOU and authorize its attorneys to proceed with finalization of settlement negotiations with defendants, in accordance with the MOU.

NOW, THEREFORE, BE IT RESOLVED BY THE FISCAL COURT OF THE COUNTY OF KENTON KENTUCKY, AS FOLLOWS:

Section 1. The Fiscal Court, as the governing body of the County, hereby authorizes and approves the execution of the “One Kentucky Opioid Settlement Memorandum of Understanding” with the Attorney General of the Commonwealth of Kentucky (“MOU”), attached hereof and made a part hereof as **“Exhibit “A”** and further authorizes its attorneys in the litigation to negotiate further settlement agreements with the County in accordance with the MOU.

Section 2. The Fiscal Court hereby authorizes and approves, or confirms authorization and approval of, the MOU, substantially in the form attached hereto and incorporated herein by reference thereto as **Exhibit “A”** and directs the Judge/Executive to execute and enter into the MOU on behalf of the County. The MOU may be amended, after approval of this Resolution without further action of the Fiscal Court, upon the approval of the Judge/Executive, provided that such amendment does not conflict with this Resolution and the County/Judge/Executive is acting on the advice of its attorneys in the litigation. Further, the County Judge/Executive is authorized and directed to enter into such other settlement agreements presented to the Judge/Executive in settlement of the litigation, or parts thereof, with the defendants, upon advice of its attorneys, without further action of the Fiscal Court, provided such settlement is in accordance with the MOU.

Section 3. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 4. This Resolution shall be in full force and effect from and after its adoption as provided by law.

This Resolution was introduced, seconded and adopted at a duly convened meeting of the Fiscal Court of the County of Kenton, Kentucky, held on July 13, 2021.

Kris A. Knochelmann, County
Judge/Executive

ATTEST:

Sue Kaiser, Fiscal Court Clerk

CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting Fiscal Court Clerk of the County of Kenton Kentucky; that the foregoing is a true and complete copy of a certain Resolution duly adopted by the Fiscal Court of the County of Kenton Kentucky, at a duly convened meeting properly held on July 13, 2021; that said Resolution appears as a matter of public record in the official records of the Fiscal Court; that said meeting was duly held in accordance with all applicable requirements of Kentucky law, including KRS 61.805 to 61.850; that a quorum was present at said meeting; that said Resolution has not been amended, modified, revoked or repealed; and that same is now in full force and effect.

IN TESTIMONY WHEREOF, witness my signature this 13th day of July, 2021.

Sue Kaiser, Fiscal Court Clerk

EXHIBIT "A"

ONE KENTUCKY OPIOID SETTLEMENT MEMORANDUM OF UNDERSTANDING