



RESOLUTION TITLE: TO ACCEPT, APPROVE, AND AUTHORIZE THE EXECUTION OF THE KROGER OPIOID SETTLEMENT AND THE NORTH CAROLINA SECOND SUPPLEMENTAL AGREEMENT FOR ADDITIONAL FUNDS (SAAF-2)

- WHEREAS, the opioid overdose epidemic has taken the lives of more than 37,000 North Carolinians since 2000; and,
- WHEREAS, the COVID-19 pandemic has compounded the opioid overdose crisis, increasing levels of drug misuse, addiction, and overdose death; and,
- WHEREAS, the Centers for Disease Control and Prevention estimates the total economic burden of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and,
- WHEREAS, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuits against opioid manufacturers, pharmaceutical distribution companies, and chain drug stores to hold those companies accountable for their misconduct; and,
- WHEREAS, a settlement has been reached in litigation against the Kroger Co. ("Kroger") as well as its subsidiaries, affiliates, officers, and directors named in the Kroger Settlement; and,
- WHEREAS, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Second Supplemental Agreement for Additional Funds (SAAF-2) to provide for the equitable distribution of the proceeds of these settlements; and,
- WHEREAS, by joining the settlements and approving the SAAF-2, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, as quickly, effectively, and directly as possible; and,
- WHEREAS, it is advantageous to all North Carolinians for local governments, including Gaston County and its residents, to sign onto the settlements and SAAF-2 and demonstrate solidarity in response to the opioid overdose crisis, and to maximize the share of opioid settlement funds received both in the state and this County to help abate the harm; and,

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	CCloninger	AFraley	BHovis	KJohnson	TKeigher	RWorley	Vote
2024-243	07/23/2024	BH	TK	A	AB	A	A	A	A	A	U

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WHEREAS, the SAAF-2 directs substantial resources over multiple years to local governments on the front lines of the opioid overdose epidemic while ensuring that these resources are used in an effective way to address the crisis.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby authorizes the County Manager or County Attorney to execute all documents necessary to enter into opioid settlement agreements with Kroger, to execute the SAAF-2, and to provide such documents to Rubris, the Implementation Administrator.



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

County Attorney

Board Action

File #: 24-335

Commissioner Brown - County Attorney - Opioid Settlement - To Approve a Resolution that Accepts, Approves, and Authorizes the Execution of the Kroger Opioid Settlement and the North Carolina Second Supplemental Agreement for Additional Funds (SAAF-2)

STAFF CONTACT

John D. Joye - County Attorney - 704-866-3400

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

Gaston County, along with other counties and municipalities in North Carolina, joined with thousands of local governments across the country to file lawsuits against opioid manufacturers, pharmaceutical distribution companies, and chain drug stores to hold those companies accountable for their misconduct.

A new Proposed Settlement has been reached in litigation against Kroger Co. (Kroger), as well as their subsidiaries, affiliates, officers, and directors named in the Proposed Settlement.

Representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Second Supplemental Agreement for Additional Funds (SAAF-2) to provide for the equitable distribution of the proceeds of this Proposed Settlement.

Approval of this Resolution authorizes the County Manager (or County Attorney) to execute all documents necessary to enter into the Proposed Settlement with Kroger, to execute the SAAF-2, and to provide such documents to Rubris, the Implementation Administrator.

POLICY IMPACT

N/A

ATTACHMENTS

Resolution

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2024-243	07/23/2024	BH	TK	A	AB	A	A	A	A	A	U

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A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS