WEST VIRGINIA:

At a special session of the County Commission, held for the County of Mercer, at the Courthouse thereof, on Wednesday, April 13, 2022.

Present:	Gene Buckner,	Commissioner
Present:	Greg Puckett,	Commissioner
Present:	Bill Archer,	Commissioner

NOTICE OF SPECIAL MEETING

THE MERCER COUNTY COMMISSION WILL MEET IN SPECIAL SESSION ON WEDNESDAY, APRIL 13, 2022 AT 1:00 P.M. IN THE COMMISSION COURTROOM LOCATED ON THE SECOND FLOOR OF THE MERCER COUNTY COURTHOUSE. THE PURPOSE OF THE MEETING IS TO RECEIVE AN UPDATE ON THE OPIOID LAWSUIT.

GENE BUCKNER, PRESIDENT
MERCER COUNTY COMMISSION

RE: OPIOID LAWSUIT – MEMORANDUM OF UNDERSTANDING AND

This day on motion of Greg Puckett, Commissioner, seconded by Bill Archer, Commissioner, the Commission voted unanimously to approve a Memorandum of Understanding and Resolution Regarding the Potential Settlements and Intra-County Allocations.

BEFORE THE COUNTY COMMISSION OF MERCER COUNTY, WEST VIRGINIA

RE: Mercer County Resolution on the Memorandum of Understanding Regarding Potential Settlements and Intra-County Allocations

The County Commission of Mercer County, West Virginia hereby adopts this resolution regarding the Memorandum of Understanding it has entered into regarding potential settlements in the West Virginia Opioid Litigation.

WHEREAS the Memorandum of Understanding contains the following language:

"24.5% of the Net Opioid Funds shall be allocated as LG Shares. These LG Shares shall be allocated amongst the Local Governments using the default percentages set forth in Exhibit C. Each county and its inclusive municipalities must either: (a) ratify the default allocation; (b) reach an agreement altering the default allocation; or (c) submit to binding arbitration before Judge Christopher Wilkes (WVMLP Special Master) whose decision will be final and non-appealable."

Whereas, the Commission has not yet reached a resolution regarding the intra-county allocations in Mercer County,

Whereas the Commission wants to make it clear that in agreeing to the Memorandum of Understanding that it wishes to enter into binding arbitration to resolve intra-county disputes and that it does not ratify the default allocation,

THEREFORE, BE IT RESOLVED, that the Mercer County Commission enters into the Memorandum of Understanding on the condition that the intra-county distribution be submitted to binding arbitration.

Upon due consideration of the Resolution set forth above at a duly called meeting of the Commission, and a vote of the membership of the Commission, the Resolution was adopted on this 13 day of April 2022.

Approved By:

Mercer County Commission: President

Authorized Representative Name:(Print) Gene Buckner

Signature: _____ **Date Approved:** April 13, 2022

It is ordered that this Commission be and is hereby adjourned until Tuesday, May 11, 2022.

_____PRESIDENT