

NEW BUSINESS

Claiborne County Department of Education

Director of Schools
Dr. Linda Keck, Director

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Tazewell, TN 37879
Phone 423-626-3543
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On November 2nd 2021 the county maintenance department was contacted by Tazewell New Tazewell primary school concerning a major water leak in room number 36. Upon arrival we found that the water leak was actually cause by a geo thermal (hvac) unit in the ceiling of the classroom. The unit had failed releasing all the water in the system. Due to the availability of parts, cold temperatures and lack of room inside the school, the CCBOE considers this an emergency situation.


WADE BREEDING
BOARD CHAIRMAN

Board Members: Chair – Wade Breeding, Vice Chair – Shannon England, Shane Bunch, Linda Fultz, Terry Keck, Neta Munsey, Mark Reece

Claiborne County Schools do not discriminate on the basis of race, sex, color, religion, age, veteran status or disability in provision of education programs and services or employment opportunities and benefits in pursuant to the requirements of Title Vi of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and other state and federal laws.

RESOLUTION
RESOLUTION NO. 2021-114

WHEREAS, Claiborne County, Tennessee received American Rescue Plan funds as a result of the COVID-19 Pandemic, and;

WHEREAS, the Coronavirus Projects Fund provides assistance to Rural America and low and moderate income communities, helping to ensure all have access to the high-quality modern infrastructure needed to thrive, including internet access, and;

WHEREAS, the remaining funds after payments to essential workers should be divided among the nine (9) Districts of Claiborne County, Tennessee, and;

WHEREAS, the funds should be used for waterline, sewer line and broadband internet access, and;

WHEREAS, the funds should be used according to the federal guidelines set forth in the American Rescue Plan, and;

WHEREAS, the funds shall be used for projects as determined by each of the Commissioners in each of the nine (9) districts of Claiborne County, Tennessee and the funds are to be used in the discretion of each Commissioner in each of the nine (9) districts for waterline, sewer line and broadband internet.

NOW THEREFORE, BE IT RESOLVED, the Claiborne County Commission, meeting in regular session on the 20th day of December, 2021, hereby directs the funds received under the American Rescue Plan and remaining after the bonuses paid to essential workers shall be divided equally among all nine (9) districts of Claiborne County, Tennessee, used in the discretion of the Commissioners in each district for waterline, sewer line and broadband internet infrastructure including, internet access pursuant to the federal guidelines directing and providing for the use of the American Rescue Plan funds.

BE IT FURTHERED RESOLVED, this resolution will take effect upon its passage, the public welfare requiring it.

Duly passed and approved this _____ day of _____, 2021.

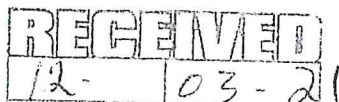
Joe Brooks, Claiborne County Mayor

ATTEST:

Karen Hurst, County Clerk

SPONSOR:

David Mundy
David Mundy, County Commissioner



RESOLUTION NO. 2021 – 115
RESOLUTION AMENDING THE SENIOR CITIZENS CENTERS 56300 BUDGET
FOR IT EQUIPMENT

WHEREAS, Claiborne County is now operating its Senior Citizen Centers; and,

WEHREAS, the computers in those centers are out of date and new systems need to be purchased; and,

WHEREAS, money needs to be transferred from the director's line to the office equipment line to cover the costs.

NOW THEREFORE, the following line items are to be adjusted as follows:

	Decrease	Increase
101-56300-101	\$6,089.20	
101-56300-719		\$6,089.20

IT IS FURTHER RESOLVED, this resolution shall take effect upon its passage, the public welfare requiring it.

PASS AND APPROVED this 20th day of December, 2021.

Joe Brooks, Claiborne County Mayor

Juanita Honeycutt, County Commissioner

ATTEST:

Karen Hurst, County Clerk

RESOLUTION NO. 2021 – 116

A RESOLUTION AUTHORIZING CLAIBORNE COUNTY TO
JOIN THE STATE OF TENNESSEE AND OTHER LOCAL
GOVERNMENTS AS PARTICIPANTS IN THE TENNESSEE
STATE-SUBDIVISION OPIOID ABATEMENT AGREEMENT
AND APPROVING THE RELATED SETTLEMENT
AGREEMENTS

WHEREAS, the opioid epidemic continues to impact communities in the United States, the State of Tennessee, and Claiborne County, Tennessee.

WHEREAS, Claiborne County has suffered harm and will continue to suffer harm as a result of the opioid epidemic; and

WHEREAS, the State of Tennessee and some Tennessee local governments have filed lawsuits against opioid manufacturers, distributors, and retailers, including many federal lawsuits by Tennessee counties and cities that are pending in the litigation captioned In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the MDL case is referred to as the “Opioid Litigation”); and

WHEREAS, certain pharmaceutical distributors and a manufacturer have proposed settlements that Claiborne County find acceptable and in the best interest of the community; and

WHEREAS, the Tennessee legislature enacted Public Chapter No. 491 during the 2021 Regular Session of the 112th Tennessee General Assembly and was signed into law by Governor Bill Lee on May 24, 2021, which addresses the allocation of funds from certain proposed opioid litigation settlements; and

WHEREAS, the State of Tennessee, non-litigating counties, and representatives of various local governments involved in the Opioid Litigation have proposed a unified plan for the allocation and use of certain prospective settlement and bankruptcy funds from opioid related litigation (“Settlement Funds”); and

WHEREAS, the Tennessee State-Subdivision Opioid Abatement Agreement (the “Tennessee Plan”), attached hereto as “Exhibit A,” sets forth a framework of a unified plan for the proposed allocation and use of the Settlement Funds; and

WHEREAS, participation in the settlements and Tennessee Plan by a large majority of Tennessee cities and counties will materially increase the amount of settlement funds that Tennessee will receive from pending proposed opioid settlements; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF CLAIBORNE COUNTY, TENNESSEE,

Section 1. That Claiborne County finds that participation in the Tennessee Plan is in the best interest of Claiborne County and its citizens because such a plan would ensure an effective structure for the commitment of Settlement Funds to abate and seek to resolve the opioid epidemic.

Section 2. That Claiborne County hereby expresses its support for a unified plan for the allocation and use of Settlement Funds as generally described in the Tennessee Plan.

Section 3. That the Claiborne County Mayor is hereby expressly authorized to execute the Tennessee Plan in substantially the form attached as Exhibit “A” and the County Mayor is hereby authorized to execute any formal agreements necessary to implement a unified plan for the allocation and use of Settlement Funds that is substantially consistent with the Tennessee Plan and this Resolution.

Section 4. That the Claiborne County Mayor is hereby expressly authorized to execute any formal agreement and related documents evidencing Claiborne County’s agreement to the settlement of claims [and litigation] specifically related to AmerisourceBergen

Corporation, Cardinal Health, Inc, McKesson Corporation, Janssen Pharmaceuticals, Inc, and Johnson & Johnson.

[Section 5. That the Claiborne County Mayor is authorized to take such other action as necessary and appropriate to effectuate Claiborne County's participation in the Tennessee Plan and these settlements.]

Section 6. This Resolution is effective upon adoption, the welfare of Claiborne County, Tennessee requiring it.

ADOPTED this the 20th day of December, 2021.

Joe Brooks, Claiborne County Mayor

Mitchell Cosby, County Commissioner

ATTEST:

Karen Hurst, County Clerk

Tennessee State-Subdivision Opioid Abatement Agreement

I. Definitions

For all sections of this Agreement, the definitions for terms set out in this Section I apply. The Agreement also uses additional terms that are defined in the Distributor/J&J Settlements and other agreements. In such instances, which are clearly stated, those terms are defined by those agreements.

A. “2021 Legislation.” Public Chapter No. 491 passed during the 2021 Regular Session of the 112th Tennessee General Assembly and signed into law by Governor Bill Lee on May 24, 2021. For ease of reference purposes only, a copy of Public Chapter No. 491 is attached.

B. “Agreement.” This document, the Tennessee State-Subdivision Opioid Abatement Agreement, a “state-subdivision opioid abatement agreement” as defined in the 2021 Legislation, Section 5(7) and Section 13(6). This Agreement is also a “State-Subdivision Agreement” as defined in the Distributor/J&J Settlement Agreements and a “Statewide Abatement Agreement” as defined in the Purdue Pharma L.P. and Mallinckrodt PLC bankruptcy plans.

C. “Distributor/J&J Settlements.” The settlements consisting of the joint settlement agreement with distributors McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation and their subsidiaries and other related entities and the settlement agreement with manufacturer Johnson & Johnson, its Janssen subsidiaries and other subsidiaries and related entities. Both settlements qualify as Statewide Opioid Settlement Agreements.

D. “Joint Abatement Bankruptcy Plan.” A plan confirmed in federal bankruptcy court under Title 11 of the United States Code that resolves state and subdivision claims related to the manufacture, marketing, distribution, dispensing, or sale of opioids in a manner that allocates funds for abatement jointly to the state and its subdivisions. The plans in the Purdue Pharma L.P. and Mallinckrodt PLC bankruptcy cases are examples of Joint Abatement Bankruptcy Plans.

E. “Opioid Abatement Council.” The council created by the 2021 Legislation, Sections 3-9.

F. “Relevant Funds.” Funds that, pursuant to a Joint Abatement Bankruptcy Plan, are allocated to the State for the claims of the State and its Subdivisions and that must be dedicated to opioid abatement programs.

G. “State.” The State of Tennessee.

H. “State-Only Opioid Settlement Agreement.” A settlement agreement entered into by the State and one or more entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids in which there are not provisions for Subdivision joinder.

I. “State Opioid Judgment.” A judgment obtained by the State against one or more entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids.

J. “Statewide Opioid Settlement Agreement.” A settlement agreement entered into by the State and one or more entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids in which subdivision claims are addressed.

K. “Statutory Bar.” A law barring all subdivisions (not limited to counties and municipalities) in the state from maintaining released claims against released entities, either through a direct bar or through a grant of authority to release claims. The 2021 Legislation, Sections 10-19 establishes a grant of authority process for a statutory bar to be enacted for the entities addressed in the Distributor/J&J Settlements.

L. “Subdivision.” A Tennessee county or municipality.

M. “Subdivision-Only Opioid Settlement Agreement” A settlement agreement between one or more Subdivisions and one or more entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids that does not include the State as a party.

N. “Subdivision Opioid Judgment.” A judgment obtained by one or more Subdivisions against one or more entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids.

O. “Tennessee Opioid Abatement Fund.” The opioid abatement trust fund established by the 2021 Legislation, Sections 1-2.

II. Interaction of this Agreement with Settlements, Bankruptcy Plans and Legislation

This Agreement replaces certain default provisions in specified State Opioid Settlement Agreements and Joint Abatement Bankruptcy Plans. Certain default provisions are also replaced by the 2021 Legislation and consent judgments will be filed for State Opioid Settlement Agreements. Thus, there will be multiple sources of authority for the application of each settlement agreement or bankruptcy plan. While parts of the 2021 Legislation are described in this Agreement, such descriptions do not supersede the statutory language, which is controlling.

III. Allocation of Funds in the Distributor/J&J Settlements

The Distributor/J&J Settlements allow for payment and allocation default provisions to be replaced by state-subdivision agreements, by statute, and other means. As referenced below, the 2021 Legislation addressed some of the default provisions in these settlements. This Agreement makes a few additional changes to the default provisions. As described below, some default provisions remain in place.

A. Allocation among three sub-funds. The Distributor/J&J Settlements initially allocate the vast majority of settlement funds among three sub-funds for each state: the “State Fund,” the “Abatement Accounts Fund,” and the “Subdivision Fund.”¹ Subject to the terms of the specific settlement agreements and assuming full subdivision participation and maximum payments, allocation among the three Tennessee sub-funds shall remain the same as with the default provision: 15% to the State Fund, 70% to the Abatement Accounts Fund, and 15% to the Subdivision Fund.

B. Use of funds. The Distributor/J&J Settlements have provisions concerning the use of funds and those are controlling.² Generally they require that money from all three sub-funds be used for “Opioid Remediation” as that term is defined in those agreements. Such definitions include restitution for past abatement within the definition of remediation.

C. State Fund. The 15% State Fund shall be directed to the State’s general fund unless directed to the Tennessee Opioid Abatement Fund by future legislation.

D. Abatement Accounts Fund.

1. The 70% Abatement Accounts Fund shall be directed to the Tennessee Opioid Abatement Fund.

2. The 2021 Legislation fully replaces the default provisions for the Abatement Accounts Fund.³ Among the legislative provisions is the requirement that for the Distributor/J&J Settlements funds deposited into the Tennessee Opioid Abatement Fund, the Opioid Abatement Council shall disburse 35% of these proceeds to counties that join the settlements to be spent on opioid abatement and remediation pursuant to Subsections 6(q)-(s). 2021 Legislation Section 6(p).

3. The 2021 Legislation allows for a state-subdivision agreement to determine the metrics used in allocating certain funds among participating counties. 2021 Legislation, Section (6)(q). It is agreed that the allocation formula shall use data for fatal and non-fatal opioid overdoses, opioid sales measured by morphine milligram equivalents, and population. Details and agreed terms regarding the metrics, the updating of allocation percentages, and the initial allocation percentages for each county is set out in Exhibit A.

E. Subdivision Fund.

1. The 15% Subdivision Fund shall generally be directed to the Subdivisions participating in the Distributor/J&J Settlements pursuant to the default provisions of those agreements, including the allocation of funds for non-litigating municipalities with populations under 10,000 to their respective counties.

¹ “State Fund,” Abatement Accounts Fund,” and “Subdivision Fund” are all defined terms in the Distributor/J&J Settlement agreements. They are sub-funds of the settlements’ “Settlement Fund” into which the companies make base and incentive payments pursuant to the settlement agreements.

² Some examples are distributor agreement Subsections V.B.1-2 and J&J agreement Subsections VI.B. 1-2.

³ These are mainly found in distributor agreement Section V.E and J&J agreement Section VI.E.

2. The default provisions are adjusted for non-litigating municipalities in participating counties that both (1) have populations of 10,000 to 30,000 per the 2019 U.S. Census estimate and (2) have a Subdivision Fund allocation percentage less than 0.5%.⁴ The allocations for such municipalities shall be directed to their respective counties if the county is a participating subdivision. (If the county is not a participating subdivision, the funds are not redirected to the county.) The reallocation for such municipalities located in multiple counties will be divided among those counties pursuant to the data used in Exhibit G of the Distributor/J&J Settlements. These redirected funds to certain counties shall be spent on future opioid abatement and shall be subject to the same statutory requirements as the Abatement Accounts Fund money the county receives from the Tennessee Opioid Abatement Fund. These redirected funds to certain counties are in addition to the funds allocated to participating counties pursuant to 2021 Legislation Section 6(p) and should not be included in calculating or disbursing the 35% amount allocated to participating counties. Such redirected funds should also not be viewed as an additional recovery by the county for purposes of calculating any contingency fees agreements.

F. Attorneys' fees and costs. The Distributor/J&J Settlements have provisions for funds dedicated to or related to attorneys' fees, costs, and/or expenses. There are also funds for states without outside counsel, identified as "Additional Restitution Funds." Such funds shall be allocated pursuant to such agreements and are not addressed by this Agreement.

IV. Allocation of Funds for other Statewide Opioid Settlement Agreements

A. Application to future settlements. To the extent allowed by such agreement and subject to IV.B.2 of this Agreement, the provisions in Section III above shall replace default provisions in, and apply to, any future Statewide Opioid Settlement Agreement in which Tennessee counties and municipalities are able to join and receive benefits, either directly or indirectly, in exchange for a release of claims.⁵ Not all municipalities need to be eligible to join such a settlement for the provisions of this Section IV to apply. Indirect benefits include funds being allocated to counties and/or the Tennessee Opioid Abatement Fund.

B. Exceptions. The application of Section IV.A. is limited, as follows:

1. The directing of 35% of Abatement Funds to the counties pursuant to the 2021 Legislation Section 6(p) shall not apply to any Statewide Opioid Settlement Agreement that includes an incentive or other benefit for a Statutory Bar unless (a) Section 19 of the 2021 Legislation is amended to specifically allow a Statewide Opioid Settlement Agreement release for the settling entity or entities or (b) another statute that qualifies as a Statutory Bar for such settlement is enacted. Should such settlement become effective prior

⁴ For the avoidance of doubt, a non-litigating municipality with a population between 10,000 and 30,000 that has a Subdivision Fund allocation percentage of 0.5% or greater is not affected by this subsection and receives its direct allocation from the Subdivision Fund.

⁵ For the avoidance of doubt, the Section III provisions include the 15%/70%/15% allocation of settlement funds among the three sub-funds.

to the enactment of a Statutory Bar addressing claims against the settling entity or entities, 35% of the funds directed to the Tennessee Opioid Abatement Fund shall be withheld and not allocated until the earlier of (1) the enactment of such a Statutory Bar or (2) a full regular session of the Tennessee General Assembly has occurred.

2. Section IV.A shall not apply to any Statewide Opioid Settlement Agreement unless the application of this Agreement to such settlement is approved by a majority of (a) counties and (b) municipalities having a population over 30,000 after such settlement is negotiated and provided to such subdivisions. Whether there is majority approval shall be measured by population of the relevant subdivisions. Population figures shall be from the most recently published U.S. Census population figures (actual count or estimate) for a year for which data is available for both counties and municipalities.

3. Section IV.A shall not apply to any Statewide Opioid Settlement Agreement with Endo International plc. or its subsidiaries.

C. Statutory provisions. The language in this section does not address or control whether any default provisions in a Statewide Opioid Settlement Agreement are replaced by the 2021 Legislation or any other statutory provision if Section IV.A does not apply to such settlement.

V. Allocation of Funds for Opioid-Related Claims in Joint Abatement Bankruptcy Plans

A. Relevant Funds. Multiple opioid manufacturers have filed for bankruptcy in actions for which the State and many Subdivisions are creditors for opioid-related claims. These companies include Purdue and Mallinckrodt. It is anticipated that other entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids may also file for bankruptcy and that the State and one or more Subdivisions will pursue opioid-related claims in those actions. Funds allocated to the State and Subdivisions for such claims shall be disbursed pursuant to the confirmed bankruptcy plan for the relevant entity, including requirements for funds to be used for future abatement. It is anticipated that one or more of such plans shall include the allocation of Relevant Funds that must be dedicated to opioid abatement programs. All Relevant Funds shall be placed in the Tennessee Opioid Abatement Fund and allocated pursuant to Sections V.B. Relevant Funds do not include funds disbursed through bankruptcy plans that are not restricted to abatement or that are disbursed for claims that are unrelated to the opioid crisis.

B. Allocation of Relevant Funds. To the extent permissible under the subject bankruptcy plan, Relevant Funds from Joint Abatement Bankruptcy Plans shall be allocated in the same manner as the Abatement Account Funds from the Distributor/J&J Settlements are disbursed under Section III.D and the 2021 Legislation. Thus, the Opioid Abatement Council shall disburse 35% of the proceeds from such bankruptcy plans to the counties subject to 2021 Legislation

Subsections 6(q)-(s). All default provisions related to Relevant Funds in such bankruptcy plans are replaced by this Agreement.⁶

C. Exception. Section V shall not apply to any bankruptcy plan for Endo International plc. or its subsidiaries.

D. Statutory provisions. The language in this section does not address or control whether any default provisions in a Joint Abatement Bankruptcy Plan are replaced by the 2021 Legislation or any other statutory provision if Sections V.A-B do not apply to such bankruptcy plans.

VI. No Application to Other Funds

A. State-Only Opioid Settlement Agreements and State Opioid Judgments. The Attorney General may direct funds from a State-Only Opioid Settlement Agreement or a State Opioid Judgment to the Tennessee Opioid Abatement Fund. Subject to the terms of specific agreements and any conditions placed on the funds prior to their being placed in the Tennessee Opioid Abatement Fund, the funds shall be allocated by the Opioid Abatement Council pursuant to the 2021 Legislation. The allocation and other provisions in this Agreement that apply to certain Statewide Opioid Settlement Agreements and to certain funds from Joint Abatement Bankruptcy Plans do not apply to funds from State-Only Opioid Settlement Agreements or State Opioid Judgments.

B. Subdivision-Only Settlement Agreements and Subdivision Judgments. The allocation and other provisions in this Agreement that apply to certain Statewide Opioid Settlement Agreements and to certain funds from Joint Abatement Bankruptcy Plans do not apply to funds from Subdivision-Only Opioid Settlement Agreements or Subdivision Opioid Judgments.

VII. Adoption and Amendment of Agreement

A. Controlling Authority. For this Agreement to replace default provisions in the Distributor/J&J Settlements, it must be adopted by statute or approved by the State and a sufficient number of Subdivisions as set forth in Exhibit O of those settlements. For this Agreement to replace default provisions in the Purdue and other bankruptcy plans, it is anticipated that it will need to be approved by the State and a sufficient number of Subdivisions as set forth in the specific bankruptcy plans. There are similar requirements for amending state-subdivision agreements such as this Agreement. It is understood that the approval process and participation requirements set out in this Section VII meet the requirements of these settlement agreements and anticipated bankruptcy plans. For any settlement agreement or bankruptcy plan that allows for a state-subdivision agreement to determine the requirements for amendment of a state-subdivision

⁶ For example, the provisions related to the default “Government Participation Mechanism” in the Purdue bankruptcy plan are not applicable with the adoption of this Agreement (which incorporates the Opioid Abatement Council).

agreement, the approval process and participation requirements set out in this Section VII for an amended agreement shall control. Similarly, if this Agreement is adopted by statute, the approval process and participation requirements set out in this Section VII for an amended agreement shall control.

B. Adoption of Agreement. This Agreement is adopted if it is approved by the Attorney General, on behalf of the State, and either (1) Subdivisions whose aggregate “Population Percentages,” determined as set forth below, total more than 60%, or (2) Subdivisions whose aggregate Population Percentages total more than 50%, provided that these Subdivisions also represent 15% or more of the counties, by number.

C. Population Percentage Calculation. Population Percentages shall be determined as follows: The Population Percentage of each county shall be deemed to be equal to (1) (a) 200% of the population of such county minus (b) the aggregate population of all Primary Municipalities located in such county, divided by (2) 200% of the state’s population. A Primary Municipality means a municipality with a population of at least 25,000. The Population Percentage of each Primary Municipality shall be equal to its population divided by 200% of the state’s population. (The result of these calculations is that every person is counted twice: everyone in a Primary Municipality is counted once for that municipality; everyone is counted at least once for their county; and those not in a Primary Municipality are counted a second time for their county.) Except as required by a specific settlement agreement or bankruptcy plan, the population figures for these calculations shall be the 2020 U.S. Census counts for the initial adoption of the Agreement and, for adoption of an amended agreement, the most recently published U.S. Census population figures (actual count or estimate) for a year for which data is available for both counties and municipalities.

D. Amendment of Agreement. This Agreement may be amended if that amended agreement is approved by the Attorney General, on behalf of the State, and either (1) Subdivisions whose aggregate Population Percentages, determined as set forth above, total more than 60%, or (2) Subdivisions whose aggregate Population Percentages total more than 50% provided that these Subdivisions also represent 15% or more of the counties, by number.

VIII. Effect of Agreement

Nothing in this Agreement is intended to abridge or enlarge the authority of the Attorney General, the State, or the subdivisions, except as expressly stated herein.

Exhibit A: County Allocation for Opioid Abatement Fund

Certain abatement funds are allocated by county pursuant to the 2021 Legislation and/or the provisions of this Agreement. The allocations shall be set consistent with the 2021 Legislation and as set forth below.

A. County Allocation Data. The following data shall be used in the county allocation calculations:

1. Fatal opioid overdose data collected by the Tennessee Department of Health. The aggregate figures for the most recent three years of available data shall be used when allocation calculations are performed.

2. Non-fatal opioid overdose data collected by the Tennessee Department of Health. The aggregate figures for the most recent three years of available data shall be used when allocation calculations are performed.

3. Opioid sales as measured by morphine milligram equivalents (“MME”). The aggregate figures for the most recent three years of available data shall be used when allocation calculations are performed.

4. County population. The 2020 U.S. Census counts will be used for the initial allocations. For future allocation calculations, the most recent population estimate or actual count data published by the U.S. Census shall be used.

B. Weighting of Data. In calculating the county allocation percentages, the data shall be weighted as follows:

1. Fatal opioid overdose data shall be weighted at 12.5%.
2. Non-fatal opioid overdose data shall be weighted at 12.5%.
3. Opioid sales as measured by MME shall be weighted at 25%.
4. Population shall be weighted at 50%.

C. Updating of Allocations. The county allocations shall be updated pursuant to statute. The 2021 Legislation requires updating every four years and addresses what happens if a data set used in the initial allocations is unavailable.

D. Allocation Process. The State shall make the initial data and allocable share calculations available to the counties to review for 30 days in order to identify and correct any mathematical or data entry errors. The Opioid Abatement Council will allow for similar review for future reallocations.

E. Holdback Share. It is recognized that, particularly for some very small counties, there could be limits on the ability of the data to capture the scope of the opioid crisis in the county. For example, a large segment of a county’s population may fill prescriptions in a neighboring county, resulting in MME data that dramatically underrepresents the level of opioids prescribed to the residents of the county. To address limited situations such as this, 2% of the abatement funds

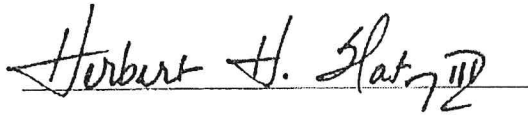
allocated to counties shall be initially held back until the Opioid Abatement Council can consider county requests for adjustments to their allocation percentages due to such data issues. However, such requests will only be granted when there is a finding that the data limitations substantially affected the county's overall allocation. The Council may only adjust allocation percentages upwards through the use of the 2% holdback fund and may find that no adjustments are needed. Any portion of the 2% holdback fund not used to adjust county allocations pursuant to this process will be released to the counties pursuant to their allocations, including any adjusted allocation percentages.

F. Initial County Allocation Percentages.

[TABLE TO BE INSERTED ONCE UPDATED DATA AVAILABLE]

**State of Tennessee Approval
of the Tennessee State-Subdivision Opioid Abatement Agreement**

This Tennessee State-Subdivision Opioid Abatement Agreement is approved and signed
this 22^a day of November, 2021 by:

A handwritten signature in cursive script, reading "Herbert H. Slatery III", written over a horizontal line.

Herbert H. Slatery III
Tennessee Attorney General & Reporter

Tennessee Opioid Abatement Fund
Initial County Allocation Percentages

Posted 11/5/21

County	Allocation without 2% holdback	Allocation with 2% holdback
Anderson	1.35%	1.33%
Bedford	0.71%	0.70%
Benton	0.26%	0.25%
Bledsoe	0.22%	0.22%
Blount	2.05%	2.01%
Bradley	1.46%	1.44%
Campbell	0.75%	0.73%
Cannon	0.28%	0.28%
Carroll	0.38%	0.38%
Carter	0.81%	0.80%
Cheatham	0.92%	0.91%
Chester	0.22%	0.21%
Claiborne	0.54%	0.53%
Clay	0.14%	0.14%
Cocke	0.65%	0.63%
Coffee	0.93%	0.91%
Crockett	0.17%	0.16%
Cumberland	0.94%	0.92%
Davidson	10.90%	10.68%
Decatur	0.18%	0.17%
DeKalb	0.38%	0.37%
Dickson	0.97%	0.95%
Dyer	0.48%	0.47%
Fayette	0.52%	0.51%
Fentress	0.37%	0.36%
Franklin	0.62%	0.60%
Gibson	0.64%	0.63%
Giles	0.45%	0.44%
Grainger	0.36%	0.35%
Greene	1.06%	1.04%
Grundy	0.27%	0.26%
Hamblen	0.93%	0.91%
Hamilton	4.79%	4.69%
Hancock	0.11%	0.11%
Hardeman	0.33%	0.33%
Hardin	0.43%	0.42%
Hawkins	0.92%	0.90%
Haywood	0.20%	0.19%

Tennessee Opioid Abatement Fund
Initial County Allocation Percentages

Posted 11/5/21

Henderson	0.39%	0.38%
Henry	0.47%	0.46%
Hickman	0.48%	0.47%
Houston	0.16%	0.15%
Humphreys	0.29%	0.28%
Jackson	0.22%	0.22%
Jefferson	0.77%	0.76%
Johnson	0.22%	0.22%
Knox	8.00%	7.84%
Lake	0.11%	0.11%
Lauderdale	0.32%	0.32%
Lawrence	0.67%	0.66%
Lewis	0.21%	0.21%
Lincoln	0.48%	0.47%
Loudon	0.78%	0.76%
Macon	0.37%	0.37%
Madison	1.17%	1.15%
Marion	0.46%	0.45%
Marshall	0.54%	0.52%
Maury	1.38%	1.35%
McMinn	0.82%	0.80%
McNairy	0.35%	0.34%
Meigs	0.19%	0.19%
Monroe	0.68%	0.66%
Montgomery	3.12%	3.06%
Moore	0.10%	0.09%
Morgan	0.39%	0.38%
Obion	0.43%	0.42%
Overton	0.38%	0.37%
Perry	0.14%	0.14%
Pickett	0.08%	0.08%
Polk	0.25%	0.24%
Putnam	1.12%	1.09%
Rhea	0.51%	0.50%
Roane	0.97%	0.95%
Robertson	1.21%	1.19%
Rutherford	4.82%	4.72%
Scott	0.34%	0.33%
Sequatchie	0.25%	0.24%
Sevier	1.58%	1.55%
Shelby	11.39%	11.16%
Smith	0.35%	0.34%
Stewart	0.26%	0.25%

Tennessee Opioid Abatement Fund
Initial County Allocation Percentages

Posted 11/5/21

Sullivan	2.34%	2.30%
Sumner	2.87%	2.81%
Tipton	0.85%	0.83%
Trousdale	0.20%	0.20%
Unicoi	0.29%	0.29%
Union	0.33%	0.33%
Van Buren	0.09%	0.09%
Warren	0.65%	0.63%
Washington	1.69%	1.65%
Wayne	0.25%	0.25%
Weakley	0.47%	0.46%
White	0.44%	0.43%
Williamson	2.48%	2.43%
Wilson	2.17%	2.13%
2% Hold Back	0.00%	2.00%
Total Tennessee	100.00%	100.00%

RESOLUTION NO. 2021- 117

Claiborne County Sheriff's Department

Grant - Budget Amendment

WHEREAS, there is an existing grant for the Claiborne County Sheriff's Department (Marshall Grant). The amount of this grant is \$36,000 (maximum) and is exclusively for overtime and we collect the revenue through the reimbursement process. There is NO matching money involved from the county.

THEREFORE, the following transaction must be approved by the Claiborne County Commission for this money to be placed in the budget and expensed.

	<u>Revenue</u>	<u>Expense</u>
101-46980-MARSH	\$36,000	
101-54110-187-MARSH		\$36,000
TOTAL	\$36,000	\$36,000

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 20th day of December that such resolution be passed.

BE IT FURTHER RESOLVED that this resolution shall take place from and after its passage, the public welfare requiring it.

PASSED AND APPROVED this 20th day of December, 2021.

COUNTY MAYOR

Stacey Crawford
SPONSOR

ATTEST:

KAREN HURST

RESOLUTION NO. 2021- 118

REALIGNMENT OF REVENUE

BUDGET AMENDMENT

WHEREAS, during the approving of the current budget the following grant monies were placed in revenue code 46980 which is a state revenue code. These monies are federal grants running through the State of Tennessee.

WHEREAS, we need to change these to the federal revenue code 47590. There is NO new money involved in this, just moving from one revenue code to another (changing line item).

THEREFORE, the following transaction must be approved by Claiborne County Commission:

<u>STATE REVENUE CODE</u>	<u>FEDERAL REVENUE CODE</u>	<u>AMOUNT</u>
46980-FJCP (Family Justice Center Project)	47590-FJCP	\$50,500
46980-GRJAG (Grant-Family Justice Center)	47590-GRJAG	\$92,000
46980-GRVW (Grant VOCA VW Coordinator)	47590-GRVW	\$49,985
46980-SC (Grant-Safe Courts Grant)	47590-SC	\$10,000
46980-VOCA (VOCA Grant)	47590-VOCA	\$110,752

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 20th day of December that such resolution be passed.

BE IT FURTHER RESOLVED that this resolution shall take place from and after its passage, the public welfare requiring it.

PASSED AND APPROVED this 20th day of December, 2021.

COUNTY MAYOR

SHERRY MCCREARY
SPONSOR

ATTEST:

KAREN HURST

RESOLUTION NO. 2021- 119

Claiborne County Public Library
State Grant
(Library American Rescue Plan (LARP) thru the State of Tennessee)
Budget Amendment

WHEREAS, there is a grant for the Claiborne County Public Library (LARP). The total amount of this grant is \$18,794 with \$16,915 coming from the state and a 10 percent match from the county (\$1,879).

The following purchases will be made with this grant, please note that these purchases must be approved by the state before the money is spent:

- 6 Computer Monitors Children's Computer (1)
- 1 Scanner Digital Material (On-line books and periodicals)
- 3 Bar Code Scanners Computer Desks (Furniture)
- Licensing for Software

THEREFORE, the following transaction must be approved by the Claiborne County Commission for this money to be placed in the budget and expensed.

	<u>Revenue</u>	<u>Expense</u>
101-46980-LARP State Grants	\$16,915	
101-39000 Undesignated Fund Balance	1,879	
101-56500-719-LARP Office Equipment		\$10,594
101-56500-711-LARP Office Furniture		\$ 4,200
101-56500-437-LARP Books & Periodicals		\$ 4,000
TOTAL	\$18,794	\$18,794

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 20th day of December that such resolution be passed.

BE IT FURTHER RESOLVED that this resolution shall take place from and after its passage, the public welfare requiring it.

PASSED AND APPROVED this 20th day of December, 2021.

COUNTY MAYOR

Mitchell Cosby
SPONSOR

ATTEST:

KAREN HURST

RESOLUTION NO. 2021- 120

Claiborne County Public Library

Grant (Top Grant-State)

Budget Amendment

WHEREAS, there is a grant for the Claiborne County Public Library (Top Grant). The total amount of this grant is \$3,600 with \$3,000 coming from the state (hot spots) and a 20 percent match (\$600.00) which will be training expense.

THEREFORE, the following transaction must be approved by the Claiborne County Commission for this money to be placed in the budget and expensed.

	<u>Revenue</u>	<u>Expense</u>
101-46980-LTOP State Grants	\$3,000.00	
101-39000 Undesignated Fund Balance	600.00	
101-56500-307-LTOP Communication		\$3,000.00
101-56500-399-LTOP Contracted Services		600.00
TOTAL	\$3,600.00	\$3,600.00

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 20th day of December that such resolution be passed.

BE IT FURTHER RESOLVED that this resolution shall take place from and after its passage, the public welfare requiring it.

PASSED AND APPROVED this 20th day of December, 2021.

COUNTY MAYOR

Mitchell Cosby
SPONSOR

ATTEST:

KAREN HURST

RESOLUTION NO. 2021- 121

Claiborne County Public Library

Grant (LECF-GRANT)

Budget Amendment

WHEREAS, there is a grant for the Claiborne County Public Library (LECF GRANT) that was available from Universal Service Administrative Company in the amount of \$6,169.69. This is a one-time grant with no matching required. This grant will be used to purchase computer equipment and hot spots for the Claiborne County Library.

THEREFORE, the following transaction must be approved by the Claiborne County Commission for this money to be placed in the budget and expensed.

	<u>Revenue</u>	<u>Expense</u>
101-44570-LECF Contributions & Gifts	\$6,169.69	
101-56300-719-LECF Office Equipment		\$2,859.85
101-56300-307-LECF Communications		\$3,309.84
TOTAL	\$6,169.69	\$6,169.69

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 20th day of December that such resolution be passed.

BE IT FURTHER RESOLVED that this resolution shall take place from and after its passage, the public welfare requiring it.

PASSED AND APPROVED this 20th day of December, 2021.

COUNTY MAYOR

Mitchell Cosby

SPONSOR

RESOLUTION 2021- 122

VOCA GRANT – BUDGET AMENDMENT

WHEREAS, there is an existing VOCA grant that provides an employee for the Victim Witness program that is located at the District Attorney’s Office.

WHEREAS, as of November 15, 2021, the salary and benefit line of this grant has been increased, listed below are the amounts of the increases.

THEREFORE, the following transaction must be approved by the County Commission in order to add this to the budget for revenue and expense.

		<u>REVENUE</u>	<u>EXPENSE</u>
101-47590-GRVW	Federal Revenue	\$6,064.01	
101-53600-162-GRVW	District Attorney-Clerical		\$5,548.00
101-53600-201-GRVW	District Attorney-Soc Sec		\$ 267.98
101-53600-204-GRVW	District Attorney-Retirement		\$ 180.08
101-53600-212-GRVW	District Attorney-Medicare		\$ 67.95
	TOTALS	\$6,064.01	\$6,064.01

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 20th day of December that such resolution be passed.

BE IT FURTHER RESOLVED that this resolution shall take place from and after its passage, the public welfare requiring it.

PASSED AND APPROVED this 20th day of December, 2021.

COUNTY MAYOR

KIMBERLY LARGE
SPONSOR

ATTEST:

KAREN HURST

RESOLUTION 2021- 123

HIGHWAY DEPARTMENT

WHEREAS, five (5) pieces of equipment were sold (approved by Resolution #2021-87 in September 2021) the sale of this equipment resulted in \$15,100 in additional funds. These funds must be approved by the commission in order to disburse the money. Following is the disbursement of funds:

	Expenses	Revenue
131-44530 Sale of Equipment		\$15,100.00
131-63100-412 Diesel Fuel	\$13,215.00	
131-68000-711 Furniture and Fixtures	\$ 1,885.00	
TOTAL	\$15,100.00	\$15,100.00

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 20th day of December that such resolution be passed.

BE IT FURTHER RESOLVED that this resolution shall take place from and after its passage, the public welfare requiring it.

PASSED AND APPROVED this 20th day of December, 2021.

COUNTY MAYOR

DAVID MUNDY
SPONSOR

ATTEST:

KAREN HURST

RESOLUTION 2021- 124

HIGHWAY DEPARTMENT

FEMA-DISASTER RELIEF

WHEREAS, money has been received from Federal Emergency Management Agency (FEMA) for a disaster that occurred in February 2020. These funds must be approved by the commission in order to disbursement the money. Following is the disbursement of funds:

	Expenses	Revenue
131-47230 Disaster Relief		\$132,812.00
131-62000-404 Asphalt	\$100,000.00	
131-62000-455 Pipe	\$ 10,000.00	
131-63100-418 Parts	\$ 22,812.00	
TOTAL	\$132,812.00	\$132,812.00

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 20th day of December that such resolution be passed.

BE IT FURTHER RESOLVED that this resolution shall take place from and after its passage, the public welfare requiring it.

PASSED AND APPROVED this 20th day of December, 2021.

COUNTY MAYOR

DAVID MUNDY _____

SPONSOR

ATTEST:

KAREN HURST

RESOLUTION 2021- 125
AMERICAN RESCUE PLAN ACT
ESSENTIAL PAY-FUND 127

WHEREAS, during the November 2021 meeting of county commission it was voted upon to pay employees "essential pay" and that during the December 2021 meeting the appropriate line items would be approved.

THEREFORE, the following transaction needs to be approved by Claiborne County Commission (please see attachment for breakdown of pay per fund):

		EXPENSE	REVENUE
127-99100-590-ARP	Transfer Out	\$ 469,775.25	
127-47406	Federal Revenue		\$3,103,830.50
127-34512	Undesignated Funds	\$2,634,055.25	
TOTALS-FUND 127		\$3,103,830.50	\$3,103,830.50

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 20th day of December that such resolution be passed.

BE IT FURTHER RESOLVED that this resolution shall take place from and after its passage, the public welfare requiring it.

PASSED AND APPROVED this 20th day of December, 2021.

COUNTY MAYOR

Juanita Honeycutt
SPONSOR

ATTEST:

KAREN HURST

GRAND TOTALS
ESSENTIAL PAY

101-51300-188-ARP	\$ 303,000.00
101-51300-201-ARP	\$ 18,786.00
101-51300-204-ARP	\$ 10,712.75
101-51300-210-ARP	\$ 25.50
101-51300-212-ARP	\$ 4,393.50

TOTAL \$ 336,917.75

116-55731-188-ARP	\$ 59,500.00
116-55731-201-ARP	\$ 3,689.00
116-55731-204-ARP	\$ 2,080.50
116-55731-210-ARP	\$ -
116-55731-212-ARP	\$ 862.75

TOTAL \$ 66,132.25

131-61000-188-ARP	\$ 60,000.00
131-61000-201-ARP	\$ 3,720.00
131-61000-204-ARP	\$ 2,135.25
131-61000-210-ARP	\$ -
131-61000-212-ARP	\$ 870.00

TOTAL \$ 66,725.25

101	\$ 336,917.75
116	\$ 66,132.25
131	\$ 66,725.25

GRAND TOTAL \$ 469,775.25

RESOLUTION 2021- 126

ESSENTIAL PAY

WHEREAS, essential pay (bonus) was paid to employees, as per the approval and instruction of the Claiborne County Commission during the November 2021 meeting (see attached resolution).

WHEREAS, the following transactions need approved for budgeting purposes.

<u>Fund 101</u>		<u>Expense</u>	<u>Revenue</u>
101-51300-188-ARP	Bonus	\$303,000.00	
101-51300-201-ARP	Social Security	\$ 18,786.00	
101-51300-204-ARP	Retirement	\$ 10,712.75	
101-51300-210-ARP	Unemployment	\$ 25.50	
101-51300-212-ARP	Medicare	\$ 4,393.50	
101-49800-ARP	Transfer-In		\$336,917.75
TOTAL-FUND 101		\$336,917.75	\$336,917.75

FUND 116

116-55731-188-ARP	Bonus	\$59,500.00	
116-55731-201-ARP	Social Security	\$ 3,689.00	
116-55731-204-ARP	Retirement	\$ 2,080.50	
116-55731-212-ARP	Medicare	\$ 862.75	
116-49800-ARP	Transfer-In		\$66,132.25
TOTAL-FUND 116		\$66,132.25	\$66,132.25

<u>FUND 131</u>		<u>Expense</u>	<u>Revenue</u>
131-61000-188	Bonus	\$60,000.00	
131-61000-201-ARP	Social Security	\$ 3,720.00	
131-61000-204-ARP	Retirement	\$ 2,135.25	
131-61000-212-ARP	Medicare	\$ 870.00	
131-49800-ARP	Transfer-In		\$66,725.25
TOTAL-FUND 131		\$66,725.25	\$66,725.25

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 20th day of December that such resolution be passed.

BE IT FURTHER RESOLVED that this resolution shall take place from and after its passage, the public welfare requiring it.

PASSED AND APPROVED this 20th day of December, 2021.

COUNTY MAYOR

JUANITA HONEYCUTT

SPONSOR

ATTEST:

KAREN HURST

ITEM #8C – RES. 2021-110 – APPROPRIATION OF AMERICAN RESCUE PLAN ACT MONEY FOR PUBLIC SECTOR EMPLOYEES

MOTION: Commissioner Vass – to approve

SECOND: Commissioner Shuford

(Discussion followed)

MOTION TO AMEND: Commissioner Nathan Epperson – to approve the amount of up to \$2500.00 as essential pay for each employee and shall include all sectors listed in the resolution. The amount of essential pay would be based on each employee's tenure of employment and their continued employment. This is based on Option #1 as outlined by the Finance Department with the total allocation not to exceed \$506,720.60. Further the county budget shall be amended to include these changes.

SECOND: Commissioner Honeycutt

ROLL CALL VOTE (on Motion to Amend): 18 for; 2 pass (due to conflict) / Motion carried

FOR: Commissioners Clark, Shuford, Vass, Nathan Epperson, Honeycutt, Large, Campbell, Nicholas Epperson, Mullins, Rowe, Cosby, Barnett, Brooks, Mason, McCreary, Peters, Mundy, Hatmaker

PASSED: Commissioners Brogan, Murphy

ROLL CALL VOTE (on Original Motion as amended): 18 for; 2 pass (due to conflict) / Motion carried

FOR: Commissioners Clark, Shuford, Vass, Nathan Epperson, Honeycutt, Large, Campbell, Nicholas Epperson, Mullins, Rowe, Cosby, Barnett, Brooks, Mason, McCreary, Peters, Mundy, Hatmaker

PASSED: Commissioners Brogan, Murphy

(Resolution as follows)

reference

Resolution 2021-110
Appropriation of American Rescue Plan Act Money for Public Sector Employees

WHEREAS, the American Rescue Plan Act allows funds may be used “to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the state, territory, or tribal government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work”; and,

WHEREAS, eligible workers are those “needed to maintain continuity of operations essential critical infrastructure sectors and additional sectors as each chief executive officer of a metropolitan city, non-entitlement unit of local government, or county may designate as critical to protect the health and well-being of the residents of their metropolitan city, non-entitlement unit of local government, or county”: and,

WHEREAS, Treasury has defined Critical Infrastructures to include healthcare, public health and safety, childcare, education, sanitation, transportation, and food production and services; and,

WHEREAS, Claiborne County Government has identified its eligible workers to be those individuals employed by the Claiborne County Sheriff’s Department and the Claiborne County Solid Waste Department; and,

WHEREAS, the Claiborne County Sheriff’s Department employs 95 full-time employees and the Claiborne County Solid Waste Department employs 26 full-time employees, and those individuals shall be eligible to receive premium pay up to the amount of \$2500.00 each; and,

WHEREAS, governments have the authority to designate additional sectors as critical but governments must be able to show that the sector is critical to protect health and well-being; and,

WHEREAS, premium pay may be granted to essential workers in critical sectors. Essential workers include workers who: regularly perform in person work, interact with others at work, or physically handle items handled by others; and,

WHEREAS, Claiborne County believes that all departments should be included as additional sectors as those employees have performed critical work as outlined above; and so,

Reference

BE IT RESOLVED, Claiborne County identifies the following additional sectors to be identified as essential workers to include the County Clerk's office, Trustee's office, Register of Deeds office, Assessor of Property office, Circuit Court Clerk's office, General Session's office, Clerk and Master's office, County Mayor's office, Election Commission office; Library; Emergency Management; Finance Department and Highway Department; and,

BE IT FURTHER RESOLVED, the aforementioned county offices employs 63 employees and those employees shall be eligible to receive premium pay; and,

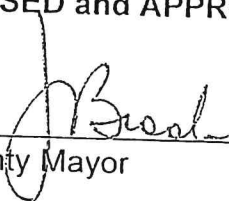
BE IT FURTHER RESOLVED, that the amount of up to \$2500.00 as essential pay for each employee is hereby approved and shall include all sectors aforementioned in this resolution including the Claiborne County Sheriff's Department and the Claiborne County Solid Waste Department. The amount of essential pay for each employee would be based on each employee's tenure of employment and their continued employment. This is based on Option #1 as outlined by the Finance Department; and,

BE IT FURTHER RESOLVED, the total amount of Premium Pay Claiborne County is allocating from this segment shall not exceed \$506,720.60 from Expenditure Category 4.1 Public Sector Employees; and,

BE IT FURTHER RESOLVED, that the county budget shall be amended to include these changes; and,

BE IT ALSO RESOLVED, this resolution shall take effect from and after it's passage, the public welfare requiring it.

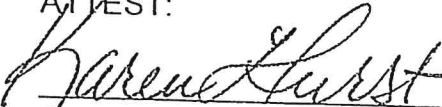
PASSED and APPROVED this 15th day of November, 2021.



County Mayor

Charlton Vass, Commissioner Sponsor

ATTEST:



County Clerk