

Prepaid bills from 01/12/2023 – 02/15/2023 (101) General Fund \$84,021.84 (251) Land Bank Fund \$0.00, (253) 911 Equipment Fund \$30,000.00, (257) Veteran’s Van Fund \$0.00 (260) MIDC Fund \$5,565.97, (261) 911 Service Fund \$642.28, (263) CPL Fund \$0.00, (264) Corrections Officer Training Fund \$0.00, (269) Law Library Fund \$0.00 (271) Library Board Fund \$0.00 (288) Transit Fund \$22,569.24 (292) PCCF \$600.94, (296) VSO Fund \$0.00, (525) Foreclosure Fund \$11,695.44. Total prepaids \$155,095.71.

Payroll periods ending 01/20/2023 & 02/09/2023 (101) General Fund \$144,281.02, (260) MIDC Fund \$367.74, (261) 911 Service Fund \$1,997.72, (288) Transit Fund \$23,602.77, (292) PCCF \$558.40. Total payroll \$170,807.65.

Committee reports  
Department Head reports  
Other business: None  
Agenda requests: None  
Public comment: John Kaat stated that he supported the updated proposed health codes.

By motion of Bourdeau supported by Cane and carried to adjourn to the call of the Chair at 4:51 p.m.

  
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Carl Nykanen, Chair

  
\_\_\_\_\_  
Stacy C. Preiss, County Clerk

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Proceedings  
Ontonagon County Board of Commissioners  
Regular Meeting  
March 21, 2023

The Ontonagon County Board of Commissioners met in regular session on Tuesday, March 21, 2023 at 4:00 p.m. in the Circuit courtroom. At the call to order the Pledge of Allegiance was recited. Roll call showed all Commissioners present.

By motion of Bourdeau supported by Store and carried to approve the minutes of the 02/21/2023 regular meeting minutes.

Public comment: Richard Jones spoke on the need for a 2<sup>nd</sup> Amendment Sanctuary County.  
Dean Juntunen, Rick Saari and Mike Laakko spoke in support the new health department codes.

By motion of Bourdeau supported by Nousiainen and carried to approve the agenda as presented.

By motion of Nousiainen supported by Cane and carried on a 5-0 roll call vote to adopt the following resolution:

**RESOLUTION NO. 2023-06  
UPPER PENINSULA ENVIRONMENTAL HEALTH CODE**

At a regular meeting of the Board of Commissioners for the County of Ontonagon, Michigan, on the 21st day of March, 2023.

WHEREAS, Michigan law, being 1978 PA 368, Sec. 244(1), requires that a regulation of a district health department be approved by the governing entity of each of its members;

WHEREAS, this county is a member of the Western Upper Peninsula Health Department which is a district health department and the Board of Commissioners is the governing entity of this county;

WHEREAS, this county has the right to determine whether the proposed regulation will apply to this county; and

WHEREAS, this county does not wish to deprive other members of the district health department from deciding whether the proposed regulation should apply in their own counties.

BE IT RESOLVED that the attached regulation adopted by the Board of Health of the Western Upper Peninsula Health Department known as the Upper Peninsula Environmental Health Code is approved and further

the Superior Environmental Health Code shall apply to this county

the Superior Environmental Health Code shall not apply to this county

Motion offered at a regular meeting of the Ontonagon County Board of Commissioners, Tuesday, March 21, 2023 by Commissioner Nousiainen supported by Commissioner Cane.

AYES: Nousiainen, Cane, Bourdeau, Store & Nykanen

NAYS: None

ABSTENTIONS: None

ABSENT: None



Carl R. Nykanen, Board Chair

By motion of Bourdeau supported by Store and carried on a 5-0 roll call vote to allow the Sheriff to send Matt Ferrard to the Police Academy.

By motion of Cane supported by Bourdeau and carried on a 5-0 roll call vote to approve the revised Transit Project Authority and authorize the Chair to sign.

By motion of Nousiainen supported by Cane and carried on a 5-0 roll call vote to adopt the following resolution:

**ONTONAGON COUNTY RESOLUTION NO: 2023-07  
BLANKET SIGNATURE RESOLUTION FOR  
MDOT MASTER AGREEMENT NO. 2022-0118**

WHEREAS, the Ontonagon County Board of Commissioners has the authority to contract with the Michigan Department of Transportation for State and/or Federal funds for passenger transportation related services; and,

WHEREAS, the Ontonagon County Board of Commissioners does hereby approve Master Agreement No. 2022-0118,

NOW THEREFORE, be it resolved that the Director of the Ontonagon County Transit on of the Ontonagon County Board of Commissioners, be authorized and directed to execute said agreement for and on behalf of the Ontonagon County Board of Commissioners.

**PROJECT AUTHORIZATION RESOLUTION**

WHEREAS, this resolution shall also approve the execution of Project Authorizations for any programs designated by the Ontonagon County Board of Commissioners and/or Project Authorizations for any amount determined by the Ontonagon County Board of Commissioners with the Michigan Department of Transportation which are issued under Master Agreement Number 2022-0118,

NOW THEREFORE, be it resolved that the Ontonagon County Transit Director, Melissa Walters is authorized to enter into and execute on behalf of the Ontonagon County Board of Commissioners all such project Authorizations with the Michigan Department of Transportation for passenger transportation related services for the Agreement period.

**CERTIFICATE**

The undersigned duly qualified Board Secretary of the Ontonagon County Board of Commissioners certifies the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Ontonagon County Board of Commissioners held on March 21, 2023.

  
Signature

Stacy C. Preiss  
Printed Name

Ontonagon County Clerk  
Title

03/21/2023  
Date

By motion of Bourdeau supported by Cane and carried on a 5-0 roll call vote to purchase a zero turn Husqvarna lawn mower for the courthouse from 906 Sales & Service for the amount of \$3,699.

By motion of Cane supported by Bourdeau and carried on a 5-0 roll call vote to adopt a credit card policy.

By motion of Nousiainen supported Bourdeau and carried on a 5-0 roll call vote to approve the purchase of 2 printers for the EQ Dept for a total cost of \$2,696.00.

By motion of Bourdeau supported by Cane and carried on a 5-0 roll call vote to approve the EQ MISAIL buyup agreement for 6-inch aerial imagery for a cost of \$54,744.03 and authorize the Director to sign.

By motion of Cane supported by Store and carried on a 5-0 roll call vote to approve the Land Bank Blight Elimination grant agreement in the amount of \$200,000.00 for the Village to replace the roof on the Greenland Road School building.

By motion of Cane supported by Store and carried on a 5-0 roll call vote approve the Sheriff's Department IT agreement with REMC1 and authorize the Sheriff to sign. 911 will pay half of the cost.

By motion of Nousiainen supported by Bourdeau and carried on a 5-0 roll call vote to adopt the following resolution:

**RESOLUTION 2023-08**

**AUTHORIZING ENTRY OF PARTICIPATION AGREEMENTS IN PARTIAL SETTLEMENT OF THE NATIONAL PRESCRIPTION OPIATE LITIGATION AND ENTRY OF STATE LOCAL GOVERNMENT INTRASTATE AGREEMENT CONCERNING ALLOCATION OF SETTLEMENT PROCEEDS**

WHEREAS, the ONTONAGON COUNTY filed a lawsuit to address the public nuisance that is the Opioid Epidemic, which named, among other companies, the following four Defendants ("Settling Defendants"):

1. Teva Pharmaceuticals Industries Ltd. (a prescription opioids manufacturer);
2. Allergan Finance, LLC (a prescription opioids manufacturer);
3. CVS Health Corp. and CVS Pharmacy, Inc. (a prescription opioids distributor); and
4. Walmart, Inc. (a prescription opioids distributor);

AND WHEREAS the Settling Defendants have negotiated proposed national settlement agreements ("Proposed Settlements") with the State Attorneys General, and a Plaintiff Executive Committee-designated negotiating committee that represents approximately 4,000 local governments that have brought lawsuits similar to ONTONAGON COUNTY's lawsuit;

AND WHEREAS the Proposed Settlements contain significant equitable and monetary relief, including:

1. An agreement to pay (a) up to \$3.34 billion over the next 13 years by Teva; (b) up to \$2.02 billion over 7 years by Allergan; (c) \$4.9 billion over the next ten years by CVS; and (d) \$2.74 billion within six years by Walmart. The bulk of each of these payments will be dedicated to funding abatement and prevention strategies associated with the opioids public nuisance;
2. An agreement by Teva and Allergan to abide by strict limitations on their marketing, promotion, sale, and distribution of opioids, including a ban on (a) promotion and lobbying; (b) rewarding or disciplining employees based on volume of opioid sales; and (c) funding or grants to third parties; and
3. An agreement by CVS and Walmart to implement changes in how they handle opioids, including requirements addressing: their compliance structures; pharmacist judgment; diversion prevention; suspicious order monitoring; and reporting on red-flag processes, as well as blocked and potentially problematic prescribers.

AND WHEREAS ONTONAGON COUNTY previously executed Participation Agreements for the Distributor and Janssen Settlements, which have conferred and continue to confer valuable benefits;

AND WHEREAS the Proposed Settlements each contain a "default" allocation method where settlement funds that are allocated to a particular state to resolve the claims asserted by state and local governments within that state are allocated as follows:

- 15% of settlement proceeds paid under the Proposed Settlements are allocable to the State;
- 15% of the settlement proceeds are allocable to local governments; and
- 70% of the settlement proceeds are allocable to an opioid abatement fund;

AND WHEREAS the Proposed Settlements enable the state and local governments within a State to negotiate alternative allocation methods to the "default" allocation method referenced above;

AND WHEREAS ONTONAGON COUNTY desires to enter into an alternative allocation method which allocates settlement funds on a 50/50 basis to:

1. Participating Local Governments who have elected to participate in the Proposed Settlements; and
2. the State of Michigan.

AND WHEREAS ONTONAGON COUNTY previously executed the Michigan State-Subdivision Agreement for Allocation of Distributor Settlement Agreement and Janssen Settlement Agreement, which allocated funds attributed to the State of Michigan in a streamlined and equitable manner;

NOW THEREFORE, ONTONAGON COUNTY authorizes the execution of Participation Agreements for: (1) the Master Settlement Agreement with Teva Pharmaceuticals Industries Ltd.; (2) the Master Settlement Agreement with Allergan Finance, LLC; (3) the Master Settlement Agreement with CVS Health Corp. and CVS Pharmacy, Inc.; and (4) the Master Settlement Agreement with Walmart, Inc., each of which are listed and available to the public at



<https://nationalopioidsettlement.com/>. Specimen copies of the material terms of the participation agreements are attached as Exhibit A to this resolution.

ONTONAGON COUNTY also authorizes the execution of a new Michigan State-Subdivision Agreement For Allocation of Allergan, Teva, CVS, and Walmart Settlement Agreements substantially similar to the proposed agreement attached as Exhibit B to this resolution. ONTONAGON COUNTY also authorizes execution of a similar state-subdivision agreement to the extent that it provides a substantially similar allocation of settlement or bankruptcy proceeds obtained from opioids litigation with any other entity.

For the avoidance of doubt, ONTONAGON COUNTY also authorizes its continued participation in the Distributor Settlement Agreement, the Janssen Settlement Agreement, and the Michigan State-Subdivision Agreement for the Allocation of Distributor Settlement Agreement and Janssen Settlement Agreement, all previously executed.

Motion offered at a regular meeting of the Ontonagon County Board of Commissioners, Tuesday, March 21, 2023 by Commissioner Nousiainen supported by Commissioner Bourdeau

AYES: Nousiainen, Bourdeau, Cane, Store & Nykanen  
 NAYS: None  
 ABSTENTIONS: None  
 ABSENT: None

  
 Carl R. Nykanen, Board Chair

By motion of Nousiainen supported by Cane and carried on a 5-0 roll call vote to approve the payment of the bills and PR as presented:

(101) General Fund \$51,875.14, (210) SONCO \$0.00, (211) OCAP Fund \$0.00, (215) FOC Fund \$0.00, (253) 911 Equipment Fund \$0.00, (256) ROD Automation Fund \$505.00, (257) Veteran's Van Fund \$0.00, (259) CAA Fund \$0.00, (260) Indigent Defense Fund \$0.00, (261) 911 Service Fund \$41,095.74, (263) CPL Fund \$74.89, (269) Law Library Fund \$0.00, (280) Senior Citizens Fund \$0.00, (288) Public Transit Fund \$4,565.85, (296) VSO Fund \$0.00 (292) PCCF \$0.00 & (525) Foreclosure Fund \$0.00. Bearing claim #36046- 36133.

Prepaid bills from 02/16/2023 – 03/15/2023 (101) General Fund \$78,568.77 (251) Land Bank Fund \$125.00, (253) 911 Equipment Fund \$0.00, (257) Veteran's Van Fund \$0.00 (260) MIDC Fund \$8,854.05, (261) 911 Service Fund \$662.44, (263) CPL Fund \$0.00, (264) Corrections Officer Training Fund \$0.00, (269) Law Library Fund \$0.00 (271) Library Board Fund \$0.00 (288) Transit Fund \$16,139.00 (292) PCCF \$618.54, (296) VSO Fund \$0.00, (525) Foreclosure Fund \$5,802.17. Total prepaids \$110,769.97.

Payroll periods ending 02/17/2023 & 03/03/2023 (101) General Fund \$147,173.13, (260) MIDC Fund \$367.74, (261) 911 Service Fund \$1,997.72, (288) Transit Fund \$24,003.61, (292) PCCF \$558.40. Total payroll \$174,100.60.

Committee reports  
 Department Head reports  
 Other business:

By motion of Cane supported by Bourdeau and carried on a 5-0 roll call vote to authorize overnight travel for the Clerk to attend the UCOA conference in Lansing for a registration cost of \$310.

Agenda requests: None  
 Public comment: None.

By motion of Bourdeau supported by Cane and carried to adjourn to the call of the Chair at 4:49 p.m.

  
 Carl Nykanen, Chair

  
 Stacy C. Preiss, County Clerk

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