

The Board of Clark County Commissioners met in special session pursuant to adjournment in accordance with Section 121.22 O.R.C. (Sunshine Law) at the Commission Office, 50 East Columbia Street, Springfield, Ohio.

The following members and guests were present: Commissioner Melanie F. Wilt; Commissioner Lowell McGlothlin; Commissioner Richard L. Lohnes; Jennifer Hutchinson, County Administrator; Michelle Noble, Assistant County Administrator/HR Director; Emily Carter, Acting Commission Clerk; Michael Cooper, Public Information Officer; Daniel Driscoll, County Prosecutor; Andrew Pickering, Assistant County Prosecutor.

Call to Order, Commissioner President Wilt

Resolution 2020-0172

Commissioner Wilt called the meeting to order and introductions were made.

Commissioner Lohnes moved to go into executive session to discuss pending or imminent court action. Commissioner McGlothlin seconded the motion. The roll being called for passage resulted as follows:

Commissioner McGlothlin, Yes; Commissioner Lohnes, Yes; Commissioner Wilt, Yes

The motion carried.

Commissioner McGlothlin moved to approve Resolutions 2020-0173. Commissioner Wilt seconded the motion. The roll being called for passage resulted as follows:

Commissioner Lohnes, No; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

The motion carried.

Commissioner McGlothlin moved to approve Resolutions 2020-0174. Commissioner Wilt seconded the motion. The roll being called for passage resulted as follows:

Commissioner McGlothlin, Yes; Commissioner Lohnes, Yes; Commissioner Wilt, Yes

The motion carried.

Commissioner McGlothlin moved to approve Resolutions 2020-0175. Commissioner Wilt seconded the motion. The roll being called for passage resulted as follows:

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

The motion carried.

**Resolution 2020-0173**  
**LITO file**

**Approving Acceptance of the One Ohio Memorandum of Understanding Regarding Litigation Against the Opioid Pharmaceutical Supply Chain**

Commissioner McGlothlin moved to approve the following:

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Clark County, Ohio, that:

Section 1. The Board of County Commissioners hereby accepts the One Ohio Memorandum of Understanding the purposes of continued efforts to explore potential options to resolve litigation against the Opioid Pharmaceutical Supply Chain to abate or cause to be abated the public nuisance of opioid abuse, addiction, morbidity and mortality caused by the Opioid Pharmaceutical Supply Chain. County Administrator is hereby authorized to sign Memorandum of Understanding on behalf of the Board.

Section 2. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law.

Section 3. This resolution shall be in full force and effect from and immediately upon its adoption.

Commissioner Wilt seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Lohnes, No; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

**Resolution 2020-0174**  
**LITO file**

**Approve the Retention of Outside Legal Counsel to Investigate and, if Deemed Appropriate, to Pursue a Settlement and/or File a Civil Complaint Against the Manufacturers and Distributors of Prescription Opiates**

Commissioner McGlothlin moved to approve the following:

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Clark County, Ohio, that:

Section 1. The Board of County Commissioners hereby joins with the Prosecuting Attorney in filing an application with the Court of Common Pleas for the authorization, pursuant to Ohio Revised Code Section 305.14(A), to employ ZOLL & KRANZ, LLC as outside legal counsel to assist the Board of County Commissioners in the pursuit of civil litigation and/or settlement to abate or cause to be abated the public nuisance of opioid abuse, addiction, morbidity and mortality caused by the manufacturers and wholesale distributors of prescription opiates on a contingent fee basis.

Section 2. That the Board of County Commissioners hereby approve the investigation of, and if found appropriate, the filing of a civil action and/or settlement pursuit and direct special counsel to perform all due diligence and take appropriate action against all manufacturers and wholesale distributors legally responsible for causing or contributing to the opioid epidemic plaguing our community.

Section 3. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law.

Section 4. This resolution shall be in full force and effect from and immediately upon its adoption.

Commissioner Wilt seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner McGlothlin, Yes; Commissioner Lohnes, Yes; Commissioner Wilt, Yes

**Resolution 2020-0175  
LITO file**

**Authorize Employment of Outside Legal Counsel**

Commissioner McGlothlin moved to authorize the hiring of Zoll & Kranz, LLC, for outside legal counsel to investigate the viability of and if appropriate prosecute an action against the manufacturers and distributors of prescription opiates and/or pursue settlement or other resolution. Be it further moved that the employment of outside counsel is pursuant to Ohio Revised Code Section 305.14(A), and contingent upon the approval of the Clark County Common Pleas Court of the Board of County Commissioners retaining Zoll & Kranz, LLC.

Further move to authorize the County Administrator to execute the contract and related documents.

Commissioner Wilt seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Lohnes, Yes; Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Resolution 2020-0176

Commissioner Wilt adjourned the meeting.

**BOARD OF CLARK COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Melanie F. Wilt, President

By: \_\_\_\_\_  
Lowell R. McGlothlin

By: \_\_\_\_\_  
Richard L. Lohnes

I certify that the record is true and accurate:

\_\_\_\_\_  
Acting Commission Clerk