

## October 18, 2021 Commission Meeting

- Presentation by Chancellor Vicki Hoover regarding the annual report of Chancery court cases.
- Presentation by Bob Nolan, Henry County Airport Manager, regarding recent repair updates.
- Budget amendment Resolution 1-10-21
- County to opt in the Opioid Settlement Resolution 2-10-21
- Henry County Commission reapportionment/redistricting Resolution 3-10-21
- Henry County Board of Education reapportionment/redistricting Resolution 4-10-21
- Henry County Road Commission reapportionment/redistricting Resolution 5-10-21

STATE OF TENNESSEE  
COUNTY OF HENRY...

Be it remembered that the County Commission met in a regular session at the Courthouse in Henry County, Tennessee on October 18, 2021 at 5:00 p.m. Present and presiding the Honorable John Penn Ridgeway, Chairman, Donna Craig, County Clerk and the County Commissioners:

ITEM NO. 1 The meeting was called to order by Sheriff Josh Frey.

ITEM NO. 2 The invocation was led by Commissioner Kenneth Humphreys.

ITEM NO. 3 The pledge to the flag was led by Sheriff Josh Frey.

ITEM NO. 4 Roll Call

The following Commissioners were present: Jerry Berry, Wesley Bradley, Dell Carter, Greg Carter, James Copeland, Kenneth Humphreys, Don Jones, Kreg Kyle, Paul Neal, Monte Starks, James Travis, Marty Visser, David Webb and Drew Williams. Absent: Randy Gean.

ITEM NO. 5 Presentation by Chancellor Vicki Hoover regarding the annual report of Chancery court cases.

ITEM NO. 6 Presentation by Bob Nolan, Henry County Airport Manager, regarding recent repair updates.

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

Commissioner Dell Carter made a motion to approve the Consent Agenda, which consists of the following: Minutes of the meeting of September 20, 2021, various quarterly reports, Henry County Medical Center statement of cash flow, Trustee's month end report, property tax collections to date report and the following Notary Public designations: Sharon D. Davidson, Amanda F. Lackey, Stephanie L. Atkinson, Tracy L. Beville, Pamela A. Reiners, Ashton Spellings and Elnora Jane Rowlett. The motion was seconded by Commissioner Kyle.

ITEM NO. 7

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY								
BRADLEY, WESLEY								
CARTER, DELL			X					
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY	X							
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG				X				
NEAL, PAUL								
STARKS, MONTE								
TRAVIS, JAMES								
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

VOICE VOTE CARRIED

DATE : 10-18-21

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

A motion was made by Commissioner Humphreys and seconded by Commissioner Dell Carter to approve Resolution 1-10-21, to authorize certain changes in the budget for Fiscal Year 2021-2022.

ITEM NO. 8

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY					X			
BRADLEY, WESLEY					X			
CARTER, DELL				X	X			
CARTER, GREG					X			
COPELAND, JAMES					X			
GEAN, RANDY	X							
HUMPHREYS, KENNETH			X		X			
JONES, DON					X			
KYLE, KREG					X			
NEAL, PAUL					X			
STARKS, MONTE					X			
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WEBB, DAVID					X			
WILLIAMS, DREW					X			
TOTAL	1				14			

MOTION CARRIED

DATE : 10-18-21

**RESOLUTION #1-10-21**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF  
COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET  
FOR THE HENRY COUNTY GENERAL FUND  
FOR FISCAL 2021-2022**

**WHEREAS**, the Board of County Commissioners of Henry County, Tennessee at its June Recessed Session, 2021, adopted the budget for the Henry County General Fund for fiscal 2021-2022; and,

**WHEREAS**, the said Board of County Commissioners of Henry County, Tennessee must authorize and approve any and all changes and amendments of the said budget of the Henry County General Fund; and,

**WHEREAS**, the expenditures authorized in the said budget of the Henry County General Fund will be insufficient in certain line items with funds being available for transfer; and,

**WHEREAS**, it is necessary and appropriate that the said budget of the Henry County General Fund be amended to provide additional funds for certain line items.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Henry County, Tennessee assembled in regular session on this the 18<sup>th</sup> day of October 2021, a majority or more of said membership concurring, that the budget for the Henry County General Fund be and hereby is amended as follows, to-wit:

**SHERIFF'S OFFICE**

INCREASE REVENUE ACCOUNT 44530, entitled "Sale of Equipment," in the amount of \$83,140.25

INCREASE ACCOUNT 54110-338, entitled "Maintenance & Repair – Vehicles," in the amount of \$3,000.00

INCREASE ACCOUNT 54110-317, entitled "Data Processing," in the amount of \$5,210.25

INCREASE ACCOUNT 54110-718, entitled "Vehicles," in the amount of \$64,930.00

INCREASE ACCOUNT 54210-790, entitled "Other Equipment," in the amount of \$10,000.00

INCREASE REVENUE ACCOUNT 48610, entitled "Donations," in the amount of \$9,140.40

INCREASE ACCOUNT 55510-599, entitled "Other Charges," in the amount of \$9,140.40

Please see memo from Josh Frey regarding this transfer request.

**BE IT FURTHER RESOLVED** that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED 10-18-21

  
JOHN PENN RIDGEWAY, CHAIRMAN  
HENRY COUNTY COMMISSION

  
DONNA CRAIG  
COUNTY CLERK

APPROVED 10-18-21

  
JOHN PENN RIDGEWAY  
COUNTY MAYOR

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

A motion was made by Commissioner Kyle to approve Resolution 2-10-21, to authorize Henry County to opt into the proposed settlement of the National Prescription Opiate Litigation. The motion was seconded by Commissioner Bradley.

ITEM NO. 9

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY					X			
BRADLEY, WESLEY				X	X			
CARTER, DELL					X			
CARTER, GREG					X			
COPELAND, JAMES					X			
GEAN, RANDY	X							
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG			X		X			
NEAL, PAUL					X			
STARKS, MONTE					X			
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WEBB, DAVID					X			
WILLIAMS, DREW					X			
TOTAL	1				14			

MOTION CARRIED

DATE : 10-18-21

**RESOLUTION NO. 2-10-21**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE HENRY COUNTY TO OPT IN TO THE PROPOSED SETTLEMENT OF THE NATIONAL PRESCRIPTION OPIATE LITIGATION**

**WHEREAS**, the State of Tennessee along with other states and local political subdivisions have been in litigation against the three largest pharmaceutical distributors of Opioid drugs, McKesson, Cardinal Health and AmerisourceBergen, and Opioid drug manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson in the United States District Court for the Northeastern District of Ohio, Eastern Division, in that lawsuit captioned *In re: National Prescription Opiate Litigation*, MDL No., 2804, Case No. 17-MD-2804; and

**WHEREAS**, a proposed settlement negotiated by the Attorney General of the State of Tennessee (among others) has been reached contingent upon a certain minimum number of states and local governments "opting in" to the settlement over the next several months; and

**WHEREAS**, the settlement (if it becomes final) will result in Tennessee receiving an estimated \$600 million dollars, 35% of which will be divided between those Tennessee Counties which opt in to the settlement pursuant to Public Chapter 491, Section 6, Subsections (p); and

**WHEREAS**, the Attorney General of the State of Tennessee recommends that Tennessee Counties opt in to the settlement in order to receive a portion of the settlement fund; and

**WHEREAS**, opting in to the proposed settlement of the National Prescription Opiate Litigation is in the best interests of the citizens and residents of Henry County, Tennessee;

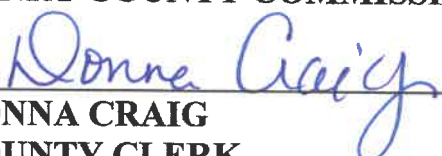
**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of Henry County, Tennessee assembled in regular session on this 18<sup>th</sup> day of October, 2021, a majority or more of the membership concurring, that Henry County, Tennessee shall opt in to the proposed settlement of the National Prescription Opiate Litigation; and

**BE IT FURTHER RESOLVED**, that the Henry County Mayor and Henry County Attorney (either of them or collectively) are authorized and directed to execute whatever instruments are necessary to opt Henry County in to the proposed settlement of the National Prescription Opiate Litigation;


**BE IT FINALLY RESOLVED**, that a copy of this resolution be spread upon the minutes of this meeting.

**PASSED** 10-18-21

  
JOHN PENN RIDGEWAY, CHAIRMAN  
HENRY COUNTY COMMISSION

  
DONNA CRAIG  
COUNTY CLERK

**APPROVED** 10-18-21

  
JOHN PENN RIDGEWAY  
HENRY COUNTY MAYOR





FOR IMMEDIATE RELEASE  
July 21, 2021  
#21-25

CONTACT: Samantha Fisher  
615.741.5860  
[Samantha.Fisher@ag.tn.gov](mailto:Samantha.Fisher@ag.tn.gov)

**ATTORNEY GENERAL SLATERY LEADS \$26 BILLION AGREEMENT WITH  
OPIOID DISTRIBUTORS/MANUFACTURER**

Nashville- Attorney General Herbert H. Slatery III today announced an historic \$26 billion agreement that will bring desperately needed relief to people across the country struggling with opioid addiction. The agreement is between state and local governments and Cardinal, McKesson, and AmerisourceBergen – the nation’s three major pharmaceutical distributors – and Johnson & Johnson, which manufactured and marketed opioids. The agreement would resolve investigations and litigation over the companies’ roles in creating and fueling the opioid epidemic. The agreement also requires significant industry changes that will help prevent this type of crisis from happening again. State negotiations were led by Attorneys General Josh Stein (NC), Herbert Slatery (TN), and the attorneys general from California, Colorado, Connecticut, Delaware, Florida, Georgia, Louisiana, Massachusetts, New York, Ohio, Pennsylvania, and Texas.

“We’ve reached an agreement in the most complicated civil case in American history,” said General Slatery. “Yes, it took several years. It required a lot of give and take from everyone involved but now we have one. The negotiating states were both red and blue; this was a bipartisan effort from start to finish. We acted on behalf, and at the direction of, a host of other states. Our objective was to solve a national problem that has touched virtually everyone in one way or another. We want all states and local governments to sign on. That way we can hold these companies accountable (as they should be), get immediate funds to programs that will reduce the crisis and save lives, and do so now, as opposed to years of litigation and the costs that go with it.”

The agreement would provide a means of resolving the claims of both states and local governments across the country, including the nearly 4,000 that have filed lawsuits in federal and state courts. Following today’s agreement, states have 30 days to join the deal and local governments in the participating states will have up to 150 days to join. The deal’s ratification is contingent on a critical mass of states and local governments participating. States and their local governments will receive maximum payments if each state and its local governments join in support of the agreement.

Tennessee will be signing the agreement and reaching out to encourage participation.



In anticipation of this agreement, new legislation recently passed by the General Assembly and signed by Governor Bill Lee provides for the creation of a state-wide administration system of abatement funding. The legislation resulted from months of coordination among bill sponsors, stakeholders, and the Tennessee Attorney General's Office.

**Funding Overview:**

- The three distributors collectively will pay up to \$21 billion over 18 years.
- Johnson & Johnson will pay up to \$5 billion over nine years with up to \$3.7 billion paid during the first three years.
- The total funding distributed will be determined by the overall degree of participation by both litigating and non-litigating state and local governments.
- Over two-thirds of the money is required to be spent on opioid treatment and prevention.
- Each state's share of the funding has been determined by agreement among the states using a formula that takes into account the impact of the crisis on the state – the number of overdose deaths, the number of residents with substance use disorder, and the volume of opioids prescribed – as well as the population of the state.

**Injunctive Relief Overview:**

The agreement will result in court orders requiring Cardinal, McKesson, and AmerisourceBergen to:

- Establish a centralized independent clearinghouse to provide all three distributors and state regulators with aggregated data and analytics about where drugs are going and how often, eliminating blind spots in the current systems used by distributors.
- Use data-driven systems to detect suspicious opioid orders from customer pharmacies.
- Terminate customer pharmacies' ability to receive shipments, and report those companies to state regulators, when they show certain signs of the drugs being diverted.
- Prohibit shipping and report suspicious opioid orders.
- Prohibit sales staff from influencing decisions related to identifying suspicious opioid orders.
- Require senior corporate officials to engage in regular oversight of anti-diversion efforts.



The agreement will result in court orders requiring Johnson & Johnson to:

- Stop selling opioids for 10 years.
- Not fund or provide grants to third parties for promoting opioids.
- Not lobby on activities related to opioids.
- Share clinical trial data under the Yale University Open Data Access Project.

This settlement comes as a result of investigations by state attorneys general into whether the three distributors fulfilled their legal duty to refuse to ship opioids to pharmacies that submitted suspicious drug orders and whether Johnson & Johnson misled patients and doctors about the addictive nature of opioid drugs.

Tragically, just last year in the U.S., opioid overdose [deaths](#) rose to a record 93,000, a nearly 30 percent increase over the prior year. In Tennessee, opioid overdoses kill an average of more than five people a day and the cost to families and communities is immeasurable.

A previous version of this deal in principle was announced in 2019 and included the opioid manufacturer Teva. Negotiations with Teva are ongoing and are no longer part of this agreement.

###

National Opioids Settlements  
P.O. Box 43196  
Providence, RI 02940-3196



**NPD**  
1665



122810003967  
Postal Service: Please do not mark barcode  
NPD AF-308-728  
John Ridgeway County Mayor  
PO Box 7  
Paris, TN 38242

**TO LOCAL POLITICAL SUBDIVISIONS:**  
**IMPORTANT INFORMATION ABOUT THE NATIONAL OPIOID SETTLEMENT.**  
**SUBDIVISIONS MUST SUBMIT SIGNED DOCUMENTATION TO PARTICIPATE.**

**THE DEADLINE FOR PARTICIPATION TO MAXIMIZE SETTLEMENT BENEFITS IS JANUARY 2, 2022.**

**If your subdivision is represented by an attorney with respect to opioid claims, please immediately contact them.**

**SETTLEMENT OVERVIEW**

After years of negotiations, two proposed nationwide settlement agreements (“Settlements”) have been reached that would resolve all opioid litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen (“Distributors”), and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson (collectively, “Janssen”).

The proposed Settlements require the Distributors and Janssen to pay billions of dollars to abate the opioid epidemic. Specifically, the Settlements require the Distributors to pay up to \$21 billion over 18 years and Janssen to pay up to \$5 billion over no more than 9 years, for a total of \$26 billion (the “Settlement Amount”). Of the Settlement Amount, approximately \$22.7 billion is earmarked for use by participating states and subdivisions to remediate and abate the impacts of the opioid crisis.

The Settlements also contain injunctive relief provisions governing the opioid marketing, sale and distribution practices at the heart of the states’ and subdivisions’ lawsuits and further require the Distributors to implement additional safeguards to prevent diversion of prescription opioids.

Each of the proposed Settlements has two key participation steps. First, each state decides whether to participate in the Settlements. Tennessee has joined both Settlements. Second, the subdivisions within each participating state must then decide whether to participate in the Settlements. Generally, the more subdivisions that participate, the greater the amount of funds that flow to that state and its participating subdivisions. Any subdivision that does not participate cannot directly share in any of the settlement funds, even if the subdivision’s state is settling and other participating subdivisions are sharing in settlement funds.

This letter is part of the formal notice required by the Settlements.

**WHY IS YOUR SUBDIVISION RECEIVING THIS NOTICE?**

You are receiving this letter because Tennessee has elected to participate in both of the two national Settlements against (1) the Distributors, and (2) Janssen, and your subdivision may participate in the Settlements. This notice is being sent directly to subdivisions and also to attorneys for subdivisions that we understand are litigating against these companies. If you are represented by an attorney with respect to opioid claims, please immediately contact them. Please note that there is no need for subdivisions to be represented by an attorney or to have filed a lawsuit to participate in the Settlements.

## WHERE CAN YOU FIND MORE INFORMATION?

This letter is intended to provide a brief overview of the Settlements. Detailed information about the Settlements may be found at: <https://nationalopioidsettlement.com/>. This national settlement website also includes links to information about how the Settlements are being implemented in your state and how settlement funds will be allocated within your state. This website will be supplemented as additional documents are created. The Tennessee Attorney General's office has also set up a state-specific website, which may be found at: <https://www.tn.gov/attorneygeneral/working-for-tennessee/filings-of-interest/opioids.html>.

## HOW DO YOU PARTICIPATE IN THE SETTLEMENTS?

**You must go to the national settlement website to register to receive in the coming weeks and months the documentation your subdivision will need to participate in the Settlements (if your subdivision is eligible). All required documentation must be executed and submitted electronically through the website and must be executed using the "DocuSign" service.** As part of the registration process, your subdivision will need to identify, and provide the email address for, the individual who will be authorized to sign formal and binding documents on behalf of your subdivision.

## HOW WILL SETTLEMENT FUNDS BE ALLOCATED IN EACH STATE?

The settlement funds are first divided among the participating states according to a formula developed by the Attorneys General that considers population and the severity of harm caused by the opioid epidemic in each participating state. Each state's share of the abatement funds is then further allocated within each state according to agreement between the state and its subdivisions, applicable state allocation legislation, or, in the absence of these, the default provisions in the agreements.

Many states have or are in the process of reaching an agreement on how to allocate abatement funds within the states. Allocation agreements/legislation and other information about Tennessee's allocation agreement or legislation can be found on the national settlement website. The allocation section of the website will be supplemented as more intra-state allocation arrangements are finalized. Tennessee's state-specific website will be updated as well.

In reviewing allocation information, please note that while all subdivisions may participate in the Settlements, not all subdivisions are eligible to receive direct payments. To promote efficiency in the use of abatement funds and avoid administratively burdensome disbursements that would be too small to add a meaningful abatement response, certain smaller subdivisions do not automatically receive a direct allocation. However, participation by such subdivisions will help maximize the amount of abatement funds being paid in the Settlements, including those going to counties, cities, parishes, and other larger subdivisions in their communities.

To determine your eligibility to receive, directly or indirectly, any of the funds allocated to your state should you elect to participate in the settlements in which your state participates, you should first visit <https://nationalopioidsettlement.com/> to determine if your state has entered into a state-subdivision agreement or has an allocation statute and/or a statutory trust. If so, then the terms of the state-subdivision agreement, allocation statute, and/or statutory trust (as applicable) will govern your eligibility to receive funds directly or indirectly from the share that is allocated to your state under the national settlement agreements. In some states there will be a proposed state-subdivision agreement that is in the process of being adopted by subdivisions. Any questions concerning the status or terms of the state-subdivision agreement, allocation statute, and/or statutory trust in your state, if applicable, can be directed to the Attorney General's Office.

You may be contacted by the Attorney General's Office with additional information regarding the allocation of settlement funds in Tennessee. Subdivisions with representation can expect information from their attorneys as well. We encourage you to review all materials and to follow up with any questions. The terms of these Settlements are complex and we want to be sure you have all the information you need to make your participation decision.



## WHY YOU SHOULD PARTICIPATE

A vast majority of states have joined the Settlements and attorneys for many subdivisions have already announced support for them. For example, the Plaintiffs' Executive Committee, charged with leading the litigation on behalf of more than 3,000 cities, counties and others against the opioid industry, and consolidated in the national multi-district litigation ("MDL") pending before Judge Dan Aaron Polster in the Northern District of Ohio, recommends participation in these Settlements.

Subdivision participation is strongly encouraged, for the following reasons:

First, the amounts to be paid under the Settlements, while insufficient to abate the epidemic fully, will allow state and local governments to commence with meaningful change designed to curb opioid addiction, overdose and death;

Second, time is of the essence. The opioid epidemic continues to devastate communities around the country and it is critical that the funds begin to flow to allow governments to address the epidemic in their communities *as soon as possible*;

Third, if there is not sufficient subdivision participation in these proposed Settlements, the Settlements will not be finalized, the important business practice changes will not be implemented, the billions of dollars in abatement funds will not flow to communities, and more than 3,000 cases may be sent back to their home courts for trial, which will take many years;

Fourth, the extent of participation also will determine how much money each state and its local subdivisions will receive because approximately half of the abatement funds are in the form of "incentive payments," *i.e.*, the higher the participation of subdivisions in a state, the greater the amount of settlement funds that flow into that state;

Fifth, you know first-hand the effects of the opioid epidemic on your community. Funds from these Settlements will be used to commence abatement of the crisis and provide relief to your citizens while litigation and settlement discussions proceed against numerous other defendants in the opioid industry; and

Sixth, because pills do not respect boundaries, the opioid epidemic is a national crisis that needs a national solution.

## NEXT STEPS

These Settlements require that you take affirmative steps to "opt in" to the Settlements. If you do not act, you will not receive any settlement funds and you will not contribute to reaching the participation thresholds that will deliver the maximum amount of abatement funds to your state.

First, register your subdivision on the national settlement website so that information and documents required to participate can be sent to you. You will need the email address of the person who will be authorized to sign on behalf of your subdivision. This is the only action item needed at this time.

Second, have your authorizing person(s) or body begin to review the materials on the websites concerning the settlement agreement terms, allocation and other matters. Develop a list of questions for your counsel or the Attorney General's Office. In the very near future, your subdivision will need to begin the process of deciding whether to participate in the proposed Settlements and subdivisions are encouraged to work through this process well before the January 2, 2022 deadline to be an initial participating subdivision. Again, the Attorney General's Office, your counsel, and other contacts within the state are available to discuss the specifics of the Settlements within your state and we encourage you to discuss the terms and benefits of the Settlements with them.

Third, monitor your email for further communications, which will include a Participation Agreement, Release, (where applicable) a model Resolution, and instructions on executing and submitting electronically using DocuSign.

We urge you to view the national settlement website and Tennessee's state-specific website at your earliest convenience. Information and documents regarding the national Settlements and your state allocation can be found on the settlement website at <https://nationalopioidsettlement.com>.

For further information, please contact:

Michael Leftwich | Executive Counsel  
Office of the Tennessee Attorney General  
P.O. Box 20207, Nashville, TN 37202  
615-253-1108  
[Michael.Leftwich@ag.tn.gov](mailto:Michael.Leftwich@ag.tn.gov)



# State of Tennessee

## PUBLIC CHAPTER NO. 491

### HOUSE BILL NO. 1132

By Representatives Farmer, Lamberth, Marsh, Hazlewood, Carr, Powers, White

Substituted for: Senate Bill No. 558

By Senator Haile

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 9; Title 20; Title 29; Title 33; Title 47; Title 53; Title 68 and Title 71, relative to the opioid crisis.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 9, Chapter 4, is amended by adding Section 2 as a new, appropriately designated part.

#### SECTION 2.

(a) The opioid abatement fund is established and funded pursuant to this section.

(b) The opioid abatement fund shall operate as an irrevocable trust that the state treasurer shall administer. Amounts in the opioid abatement fund shall not revert to the general fund of the state. The treasurer and attorney general and reporter shall approve the terms of the trust instrument. The terms of the trust instrument shall not be substantively amended except by unanimous approval of the trustees, the opioid abatement council established pursuant to SECTION 6 of this act, and the attorney general and reporter.

(c)

(1) Funds in the opioid abatement fund shall be spent only for the following purposes:

(A) Prospective opioid abatement and remediation;

(B) Expenses incurred in administering and operating the opioid abatement council;

(C) Related expenses as provided in SECTION 7(b); and

(D) Expenses associated with administering, investing, and disbursing funds held in the opioid abatement fund.

(2) Funds in the opioid abatement fund shall not be used to reimburse expenditures incurred prior to the effective date of this act. Funds from the opioid abatement fund shall not be used to pay litigation costs, expenses, or attorney fees arising from the enforcement of legal claims related to the opioid epidemic.

(3) Any opioid abatement fund disbursements must be made at the direction of the opioid abatement council. Except to the extent required by law, the trustees of the opioid abatement fund shall not make or refuse to make any disbursement contrary to the direction of the opioid abatement council.

(d)

(1) The trustees of the opioid abatement fund are:

(A) The commissioner of finance and administration;

(B) The state treasurer; and



(C) The chair of the opioid abatement council.

(2) The state treasurer shall serve as the chair of the trustees and shall preside over all meetings and proceedings of the trustees.

(3) To the extent not prohibited by law, the trustees shall not act contrary to the direction of the opioid abatement council and shall uphold the decisions the council renders regarding disbursement of funds from the opioid abatement fund. The trustees have only a ministerial role and not a discretionary role in the distribution of funds, as directed by the opioid abatement council. The trustees have no duties concerning the opioid abatement fund other than those duties set forth in the opioid abatement fund's trust instrument and in this part.

(e) The opioid abatement fund is the designated repository of funds that are either dedicated to opioid abatement or remediation or are otherwise directed to abatement or remediation and that are received by the state pursuant to a judgment on opioid-related claims, a recovery in bankruptcy on opioid-related claims, or a settlement of opioid-related claims. This subsection (e) does not prevent the opioid abatement fund from also receiving funds from other sources if the funds will be dedicated to abatement.

(f)

(1) The trustees shall adopt, in writing, an investment policy or policies authorizing how assets in the trust may be invested prior to investments being made.

(2) Funds in the opioid abatement fund may be invested and reinvested for the benefit of the fund by the state treasurer pursuant to § 9-4-603. The trustees shall delegate to the state treasurer the responsibility for the investment and reinvestment of trust funds in accordance with the policies and guidelines established by the trustees.

(3) All or a portion of the trust may be invested, reinvested, and coinvested with other funds, not a part of the trust, which are held by the state treasurer, including, but not limited to, assets of the state pooled investment fund established pursuant to part 6 of this chapter. The state treasurer shall account for the trust funds in one (1) or more separate accounts in accordance with this section or other law.

SECTION 3. Tennessee Code Annotated, Title 33, is amended by adding Sections 4 through 9 as a new, appropriately designated chapter.

SECTION 4. This chapter is known and may be cited as the "Opioid Abatement Council Act."

SECTION 5. As used in this chapter:

(1) "Commissioner" means the commissioner of mental health and substance abuse services;

(2) "Council" means the Tennessee opioid abatement council;

(3) "Department" means the department of mental health and substance abuse services;

(4) "Director" means the executive director of the council;

(5) "Opioid abatement and remediation purposes" means programs, strategies, expenditures, and other actions designed to prevent and address the misuse and abuse of opioid products and treat or mitigate opioid use or related disorders or other effects of the opioid epidemic;

(6) "Opioid abatement fund" means the fund created by SECTION 2 of this act;

(7) "State-subdivision opioid abatement agreement" means an agreement entered into by the state and one (1) or more political subdivisions of the state that addresses the allocation of funds dedicated to opioid abatement and remediation; and

(8) "Statewide opioid settlement agreement" means a settlement agreement entered into by the state and one (1) or more entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids in which political subdivision claims are addressed. A copy of the agreement, including any amendments thereto, must be kept on the website of the attorney general and reporter.

SECTION 6.

(a) There is created the Tennessee opioid abatement council.

(b) The council is composed of fifteen (15) voting members and one nonvoting ex-officio member. The commissioner or the commissioner's designee shall serve as the nonvoting ex-officio member. Voting members must be residents of this state and have expertise and a minimum of ten (10) years of experience in public health policy, medicine, substance use disorder and addiction treatment, mental health services, drug misuse prevention programs, or drug court diversion or other programs in which people with substance use disorders interact with first responders, law enforcement, or the criminal justice system. A member shall not serve more than two (2) terms consecutively but may be reappointed to the council after not serving as a member for two (2) or more years.

(c) The council shall be appointed as follows:

(1) The governor shall appoint four (4) members, including the chair;

(2) The speaker of the senate shall appoint four (4) members;

(3) The speaker of the house of representatives shall appoint four (4) members;

(4) The Tennessee County Services Association shall appoint two (2) members; and

(5) The Tennessee Municipal League shall appoint (1) member.

(d) Upon creation of the council, the members appointed in subdivisions (c)(2) and (3) shall serve an initial four-year term and the members appointed in subdivisions (c)(4) and (5) shall serve an initial five-year term to enable the staggering of terms.

(e) With the exception of the initial terms established in subsection (d), each appointed member of the council shall serve a three-year term, with terms ending on June 30 of each year. The beginning of an initial term shall be deemed to be July 1 of the calendar year in which the appointment occurs, regardless of whether the actual appointment date occurs before or after July 1 of that year.

(f) The respective appointing authority may remove a member for failure to attend at least one-half (1/2) of the scheduled meetings in any one-year period or for other cause.

(g) If a vacancy on the council occurs, the respective appointing authority shall fill the vacancy for the unexpired term. Notwithstanding the expiration of a member's term, each member shall serve until a successor is duly appointed.

(h)

(1) The members shall serve without compensation, but each member shall be entitled to reimbursement for the member's actual and necessary expenses incurred in the performance of the member's official duties.

(2) All reimbursement for travel expenses shall be in accordance with the comprehensive travel regulations promulgated by the department of finance and administration.

(3) All actual and necessary expenses incurred in the performance of members' official duties shall be paid from the opioid abatement fund and not the general fund.

(i) The council shall meet at the call of the chair and not less than four (4) times per year. The meeting location shall rotate among locations in each of the three (3) grand divisions. Members may attend meetings in person or remotely by audiovisual means, as provided in § 8-44-108.

(j) Meetings of the council must comply with the open meeting requirements of title 8, chapter 44. Notwithstanding the open meeting requirements of title 8, chapter 44, the council is permitted to meet in a closed executive session for the purpose of obtaining advice from counsel and discussing personnel-related issues in addition to any other purposes allowed by title 8, chapter 44.

(k) Records of the council are deemed to be public records for purposes of the open records law, compiled in title 10, chapter 7, subject to the confidentiality provisions of § 10-7-504 and other laws or doctrines.

(l) The annual report, financial statements, all books, accounts, and financial records of the council shall be subject to annual audit by the comptroller of the treasury. Any monies distributed to local governments from the fund shall also be subject to audit by the comptroller of the treasury.

(m) Written minutes covering all meetings and actions of the council shall be prepared by the director and shall be maintained by the department and open to public inspection.

(n) The council will terminate if all opioid abatement monies being paid pursuant to existing settlements, judgments, or court orders have been received and disbursed unless the attorney general and reporter certifies that additional funds are anticipated within one (1) year.

(o) The council shall not be subject to the contested case procedures set forth in title 4, chapter 5, part 3. If a court has entered a consent judgment agreed to by the state through the approval of the attorney general and reporter that incorporates a statewide opioid settlement agreement or a state-subdivision opioid abatement agreement, and such an agreement provides for the court in which the consent judgment was filed to determine particular disputes, the court that entered the consent judgment shall have exclusive jurisdiction over such disputes. Otherwise actions to disburse funds are final.

(p) For proceeds received from a statewide opioid settlement agreement with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, or Johnson & Johnson or affiliates or subsidiaries of these entities that are deposited in the opioid abatement fund, the council shall disburse thirty-five percent (35%) of these proceeds to counties that join the settlement. The council shall disburse these proceeds to counties subject of subsections (q)-(s). The council shall disburse the remaining sixty-five percent (65%) of such proceeds for statewide, regional, or local opioid abatement and remediation purposes pursuant to SECTION 8.

(q) Proceeds disbursed to counties under subsection (p) shall be allocated according to data measuring the impact of the opioid crisis at the county level. The allocation may be set in a state-subdivision opioid abatement agreement. If there is no agreement, the council will determine the allocation using population to determine half of the allocation and state data on opioid sales measured by morphine milligram equivalents, fatal overdoses, and non-fatal overdoses to determine the other half of the allocation. The council will use aggregate data for at least three (3) years and will update the data every four (4) years. If any of these sets of data are not available, the council may use the remaining data sets or substitute another set of data that reflects the impact of the opioid crisis.

(r) Funds allocated to a county pursuant to subsection (p) are subject to subsection (s) and must be spent on opioid abatement and remediation purposes that are:

- (1) Specifically approved by the council; or
- (2) Included on a council list of approved programs.

(s) The council:

(1) Shall create a list of approved programs for opioid abatement and remediation for use by the council, the state, or local governments;

(2) Shall create a certification process through which government entities verify the use of funds for programs on the council's list of approved programs;

(3) Has the authority to create an application and certification process for counties applying for funds toward programs not on the council's list of approved programs;

(4) Has the authority to develop rules and time limitations for use of medication assisted therapies in treating opioid addiction that are paid for through the opioid treatment fund; and

(5) Has the authority to create a timeline for monies paid to the counties to revert back to the opioid treatment fund if they are not used within a certain period by a county.

#### SECTION 7.

(a)

(1) The department shall serve as staff to the council and shall recommend to the council a candidate to serve as executive director of the council.

(2) If a majority of the council votes to decline the department's recommendation within fourteen (14) calendar days of receiving the recommendation, the department shall submit a new candidate.

(3) If a majority of the council either votes in favor of the department's recommendation or does not decline the recommendation in accordance with subdivision (a)(2), the candidate may be hired as the director and shall be an employee of the department.

(b) The director must be a full-time position. The commissioner may recommend that a current department employee serve as the director, subject to subsection (a). The commissioner shall establish the director's salary and other compensation, which shall be no more than the department's highest-paid assistant commissioner. The director's salary and compensation shall be paid from the opioid abatement fund, as shall the salaries and compensation of other council staff and department employees the commissioner deems necessary to administer the council. The commissioner may hire two (2) full-time employees to staff the council in addition to the director and hire additional staff upon approval of the council. Salaries and compensation levels shall be comparable to department employees doing similar work. New or additional department costs and all expenditures related to the council shall be paid from the opioid abatement fund and not the general fund. The commissioner shall provide reports as the council may require on staffing, salaries, compensation, and other costs and expenditures related to the council.

#### SECTION 8. The duties and responsibilities of the council include the following:

(a) Subject to the terms of a state-subdivision opioid abatement agreement or a statewide opioid settlement agreement concerning funds paid pursuant to such

agreement, the council shall direct the disbursement of funds held in the opioid abatement fund by decisions approved by at least a majority of the entire membership of the council. These disbursement directives shall be limited to funding or supporting opioid abatement and remediation purposes and related administrative costs. Before rendering decisions regarding the disbursement of funds, the council shall receive input from the department's statewide planning and policy council's need assessment process, which is conducted with the assistance of seven (7) regional planning and policy councils, and allow for comment and input from community stakeholders, local governments, state and local public health officials, public health advocates, law enforcement and judiciary representatives, opioid remediation service providers, and other parties interested and actively involved in addressing the opioid crisis and its abatement. The council shall develop policies to provide reasonable opportunity to receive input from these parties.

(b) The council shall create and the director shall deliver to the governor, the speaker of the senate, the speaker of the house of representatives, the chairs of the government operations committees of the senate and house of representatives, and the chairs of the finance, ways and means committees of the senate and house of representatives on or before September 30 of each year an annual report for the prior fiscal year that details the total funds deposited into the opioid abatement fund, the abatement strategies funded, and any disbursement or expenses paid from the opioid abatement fund.

SECTION 9. The council is exempt from the requirements of title 12, chapter 3, related to procurement.

SECTION 10. Tennessee Code Annotated, Title 47, is amended by adding Sections 11 through 15 as a new, appropriately designated chapter.

SECTION 11. This chapter is known and may be cited as the "Tennessee Opioid Abatement Act."

SECTION 12. The general assembly finds and declares the following:

(1) The opioid crisis presents serious health and safety concerns throughout the state and is a threat to the general welfare of the people of this state;

(2) The provision of care, rehabilitation, and treatment for opioid abuse and dependency creates a substantial drain on governmental resources;

(3) It is the intention of the general assembly to facilitate statewide opioid settlement agreements that provide a coordinated resolution of state and local governmental claims against entities involved in the manufacture, marketing, distribution, dispensing, or sale of opioids, or related activities, in order to generate funds for opioid abatement programs and remediation; and

(4) A statewide coordinated resolution of state and local claims against entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids, or related activities, is critical to resolving current litigation and other claims regarding the opioid crisis and maximizing the financial commitment of those entities.

SECTION 13. As used in this chapter, unless the context requires otherwise:

(1) "Declaration of a statewide opioid settlement agreement release" means a written release approved by the attorney general and reporter for a statewide opioid settlement agreement, which must include or reference the approval of the governor and comptroller of the treasury;

(2) "District" means the governmental districts in the state, including, but not limited to, school districts, judicial districts, hospital districts, health districts, utility districts, fire districts, development districts, special districts, and other public districts;

(3) "Governmental entity" means:

(A) The state and each of its departments, agencies, divisions, boards, commissions, and other instrumentalities;

(B) Any political or governmental subdivision or other public entity within the boundaries of the state, including, but not limited to, counties, municipalities, districts, and towns and any department, agency, division, board, commission, and other instrumentalities thereof; and

(C) Any governmental official, officer, or employee of the state or of a political or governmental subdivision or other public entity within the boundaries of the state acting in an official capacity;

(4) "Released claims" means the causes of action and other claims that are released in a statewide opioid settlement agreement or as set forth in a declaration of such an agreement by the attorney general and reporter, including matters identified as released claims as that term or a comparable term is defined in a statewide opioid settlement agreement;

(5) "Released entities" means the entities released in a statewide opioid settlement agreement and pursuant to a declaration of a statewide settlement agreement by the attorney general and reporter, including those identified as released entities as that term or a comparable term is defined in a statewide opioid settlement agreement;

(6) "State-subdivision opioid abatement agreement" means an agreement entered into by the state and one (1) or more subdivisions of the state that addresses the allocation of funds dedicated to opioid abatement; and

(7) "Statewide opioid settlement agreement" means a settlement agreement entered into by the state and one (1) or more entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids in which subdivision claims are addressed.

SECTION 14. The funds obtained pursuant to a statewide opioid settlement agreement must be distributed pursuant to the agreement and any relevant provisions of a state-subdivision opioid abatement agreement. Copies of statewide opioid settlement agreements, including any amendments to such agreements, must be kept on the website of the attorney general and reporter.

SECTION 15. Upon the issuance of a declaration of a statewide opioid settlement agreement release by the attorney general and reporter PURSUANT TO SECTION 19, a governmental entity shall not have the authority to assert, bring, or attempt to enforce a released claim against a released entity in any legal proceeding. Any pending or future litigation brought by a governmental entity asserting released claims against released entities shall be dismissed with prejudice. Copies of declarations of a statewide opioid settlement agreement release must be kept on the website of the attorney general.

SECTION 16. Tennessee Code Annotated, Title 20, Chapter 13, is amended by adding Sections 17 through 20 as a new, appropriately designated part.

SECTION 17. The general assembly finds and declares the following:

(1) The opioid crisis presents serious health and safety concerns throughout the state and is a threat to the general welfare of the people of this state;

(2) The provision of care, rehabilitation, and treatment for opioid abuse and dependency creates a substantial drain on governmental resources;

(3) It is the intention of the general assembly to facilitate statewide opioid settlement agreements that provide a coordinated resolution of state and local governmental claims against entities involved in the manufacture, marketing, distribution, dispensing, or sale of opioids, or related activities, in order to generate funds for opioid abatement programs and remediation; and

(4) A statewide coordinated resolution of state and local claims against entities involved in activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids, or related activities, is critical to resolving current litigation and other claims regarding the opioid crisis and maximizing the financial commitment of those entities.

SECTION 18. As used in this part, unless the context requires otherwise:

(1) "District" means all governmental districts in the state, including, but not limited to, school districts, judicial districts, hospital districts, health districts, utility districts, fire districts, development districts, special districts, and other public districts; and

(2) "Governmental entity" means:

(A) The state and each of its departments, agencies, divisions, boards, commissions, and other instrumentalities;

(B) Any political or governmental subdivision or other public entity within the boundaries of the state, including, but not limited to, counties, municipalities, districts, and towns and any department, agency, division, board, commission, and other instrumentalities thereof; and

(C) Any governmental official, officer, or employee of the state or of a political or governmental subdivision or other public entity within the boundaries of the state acting in an official capacity.

SECTION 19. Upon written approval of the governor and comptroller of the treasury, the attorney general and reporter has the authority to release any pending or future claim of governmental entities against McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, and Johnson & Johnson and affiliates, subsidiaries, and other entities related to these companies that are released in the McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, and Johnson & Johnson settlement agreements for activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids, or related activities, if the attorney general deems the release necessary to the interest of the state in the resolution of the opioid crisis.

SECTION 20. The Tennessee opioid abatement council established pursuant to Section 6 must be reviewed in accordance with §§ 4-29-118(a) and 4-29-244(b).

SECTION 21. This part shall not be construed as a restriction or a limitation upon the powers that the attorney general and reporter might otherwise have under the laws of this state but must be construed as cumulative of and supplemental to these powers.

SECTION 22. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 23. This act takes effect upon becoming a law, the public welfare requiring it.

HOUSE BILL NO. 1132

PASSED: May 5, 2021



CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 24<sup>th</sup> day of May 2021



BILL LEE, GOVERNOR



ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

Commissioner Humphreys made a motion to approve Resolution 3-10-21, to adopt a reapportionment/redistricting plan for Henry County Commission. The motion was seconded by Commissioner Starks.

ITEM NO. 10

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY					X			
BRADLEY, WESLEY					X			
CARTER, DELL					X			
CARTER, GREG					X			
COPELAND, JAMES					X			
GEAN, RANDY	X							
HUMPHREYS, KENNETH			X		X			
JONES, DON					X			
KYLE, KREG					X			
NEAL, PAUL					X			
STARKS, MONTE				X	X			
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WEBB, DAVID					X			
WILLIAMS, DREW					X			
TOTAL	1				14			

MOTION CARRIED

DATE : 10-18-21

**RESOLUTION NO. 3-10-21**

**A RESOLUTION OF THE HENRY COUNTY BOARD OF  
COMMISSIONERS TO ADOPT A  
REAPPORTIONMENT/REDISTRICTING PLAN  
FOR HENRY COUNTY COMMISSION**

**WHEREAS**, *Tennessee Code Annotated*, Section 5-1-111, requires that, at least every ten (10) years, county legislative bodies shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county legislative body so that the members represent substantially equal populations; and

**WHEREAS**, Henry County has prepared a plan consistent with the provisions of *Tennessee Code Annotated*, Section 5-1-111, which provides for a county legislative body composed of 15 members and which creates 5 districts as depicted on the official redistricting map for Henry County prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110.

**NOW, THEREFORE, BE IT RESOLVED** by the Henry County Legislative Body meeting in regular session at Paris, Tennessee, on this 18th day of October, 2021, that:

**SECTION 1.** There is hereby adopted a reapportionment plan for Henry County which provides for 15 commissioner(s) in each of the 5 districts for a total county legislative body of 15 members. The districts for members of the county legislative body are depicted on the official redistricting map for Henry County prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110. A copy of the redistricting map is attached as Exhibit A to this resolution and is incorporated herein by reference.

**SECTION 2.** All members of the county legislative body shall be elected at large within the district wherein the candidate seeks election. The 3 candidates receiving the greatest number of votes in each district shall be elected.

**SECTION 3.** This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filled in accordance with *Tennessee Code Annotated*, Section 5-1-104.

ADOPTED this 18<sup>th</sup> day of October, 2021.

**APPROVED:**

  
\_\_\_\_\_  
**JOHN PENN RIDGEWAY, CHAIRMAN  
HENRY COUNTY COMMISSION**

**ATTEST:**

  
\_\_\_\_\_  
**DONNA CRAIG  
COUNTY CLERK**

  
\_\_\_\_\_  
**JOHN PENN RIDGEWAY  
HENRY COUNTY MAYOR**

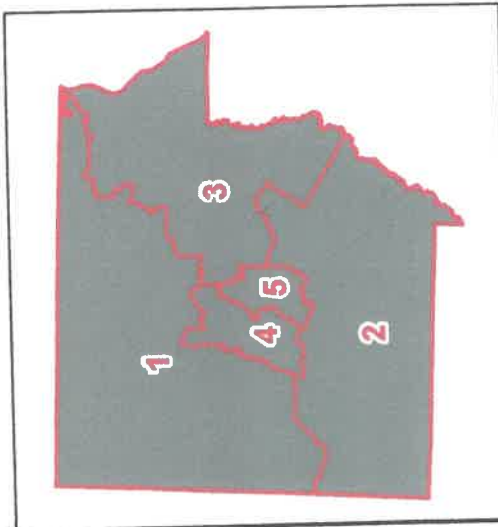


Henry County

County Commission District

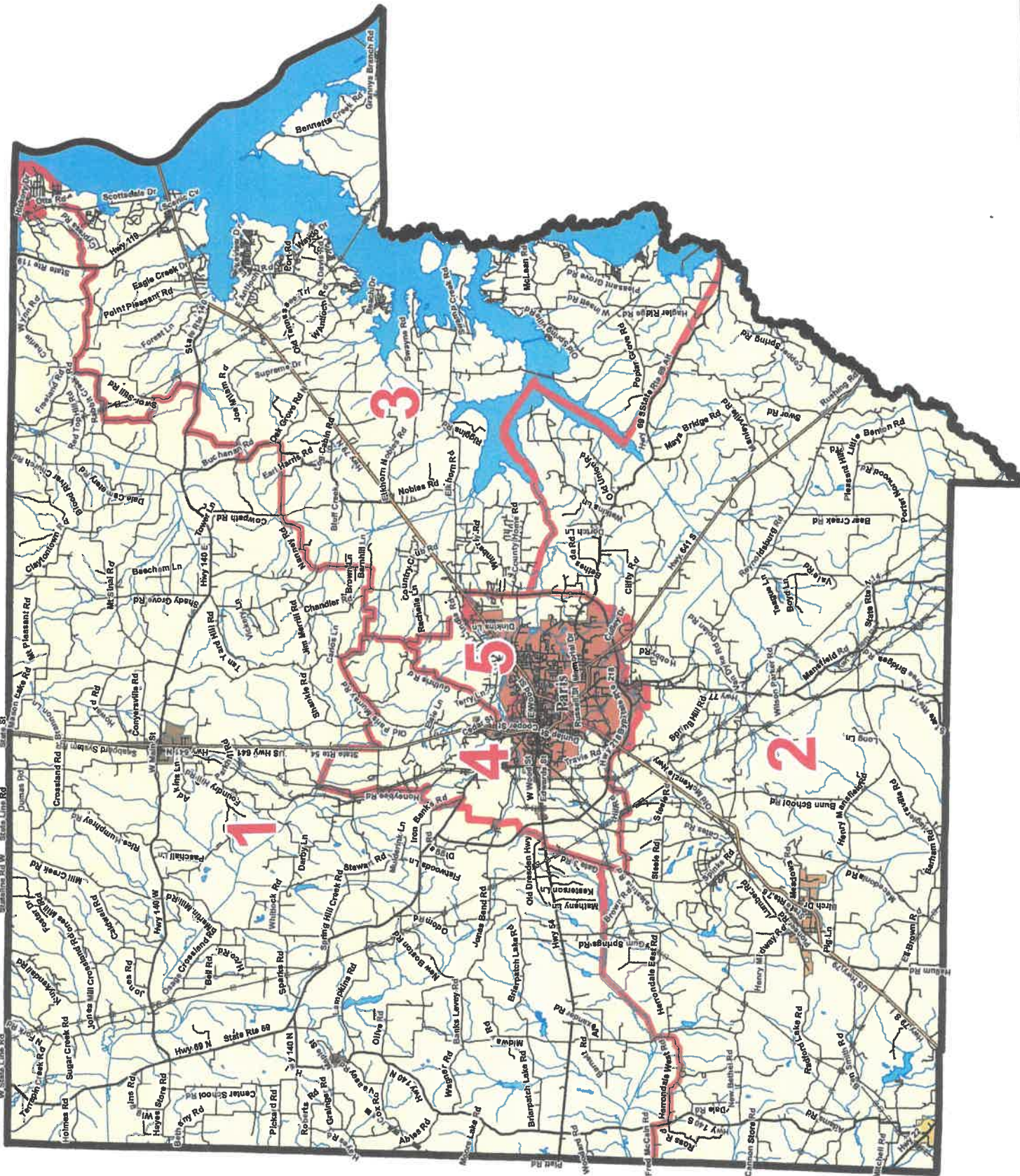
- County Commission District
- Interstates
- U.S. Highway
- State Highway
- Local Roads
- Railroads
- Pipeline (incomplete)
- Powerline (incomplete)
- Stream
- Lakes / Rivers
- City, Town
- NAME20\_1
- Cottage Grove
- Henry
- McKenzie
- Paris
- Puryear
- County

EXHIBIT A



This map is provided as a public service and is for informational purposes only. It is not an endorsement or approval by the Comptroller of the Treasury or any proposed district boundaries contained herein.

Created On: 10/8/2021



ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

Commissioner Greg Carter made a motion to approve Resolution 4-10-21, to adopt a reapportionment/redistricting plan for Henry County Board of Education. The motion was seconded by Commissioner Kyle.

ITEM NO. 11

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY					X			
BRADLEY, WESLEY					X			
CARTER, DELL					X			
CARTER, GREG			X		X			
COPELAND, JAMES					X			
GEAN, RANDY	X							
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG				X	X			
NEAL, PAUL					X			
STARKS, MONTE					X			
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WEBB, DAVID					X			
WILLIAMS, DREW					X			
TOTAL	1				14			

MOTION CARRIED

DATE : 10-18-2021



**RESOLUTION NO. 4-10-21**

**A RESOLUTION OF THE HENRY COUNTY BOARD OF  
COMMISSIONERS TO ADOPT A  
REAPPORTIONMENT/REDISTRICTING PLAN  
FOR HENRY COUNTY BOARD OF EDUCATION**

**WHEREAS**, *Tennessee Code Annotated*, Section 5-1-111, requires that, at least every ten (10) years, county legislative bodies shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county school districts so that the members represent substantially equal populations; and

**WHEREAS**, Henry County has prepared a plan consistent with the provisions of County Technical Assistance Service (CTAS) Private Acts of 2002, Chapter 106, which provides for a Henry County Board of Education composed of five (5) members and which creates five (5) school districts as depicted on the official redistricting map for Henry County.

**NOW, THEREFORE, BE IT RESOLVED** by the Henry County Commission meeting in regular session at Paris, Tennessee, on this 18th day of October, 2021, that:

**SECTION 1.** There is hereby adopted a reapportionment plan for Henry County Board of Education which provides for five (5) school board members in each of the five (5) districts for a total Board of Education of five (5) members. The districts for members of the Henry County school board are depicted on the official redistricting map for Henry County prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110. A copy of the redistricting map is attached as Exhibit A to this resolution and is incorporated herein by reference.

**SECTION 2.** All members of the Henry County Board of Education shall be elected at large with one (1) member of the board being elected by the qualified voters in each school district, on a non-partisan basis within the district wherein the candidate seeks election.

**SECTION 3.** This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filed in accordance with CTAS Private Acts of 2002, Chapter 106.

ADOPTED this 18<sup>th</sup> day of October, 2021.

**APPROVED:**

  
\_\_\_\_\_  
**JOHN PENN RIDGEWAY, CHAIRMAN  
HENRY COUNTY COMMISSION**

**ATTEST:**

  
\_\_\_\_\_  
**DONNA CRAIG  
COUNTY CLERK**

  
\_\_\_\_\_  
**JOHN PENN RIDGEWAY  
HENRY COUNTY MAYOR**



# Henry County

## Board of Education District

- County Commission District

Interstates

U.S. Highway

State Highway

Local Roads

Railroads

Pipeline (Incomplete)

Powerline (Incomplete)

Stream

Lakes / Rivers

City, Town

NAME20\_1

Cottage Grove

Henry

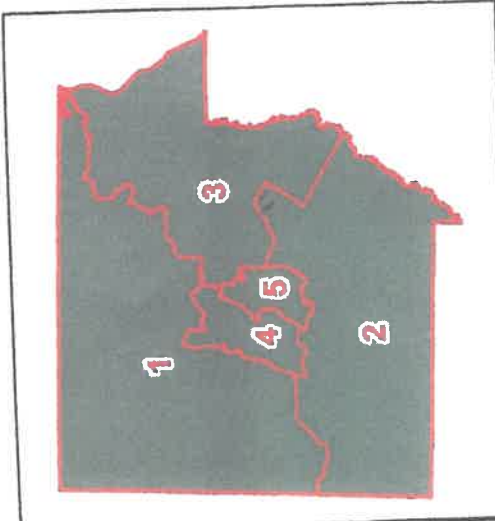
McKenzie

Paris

Puryear

County

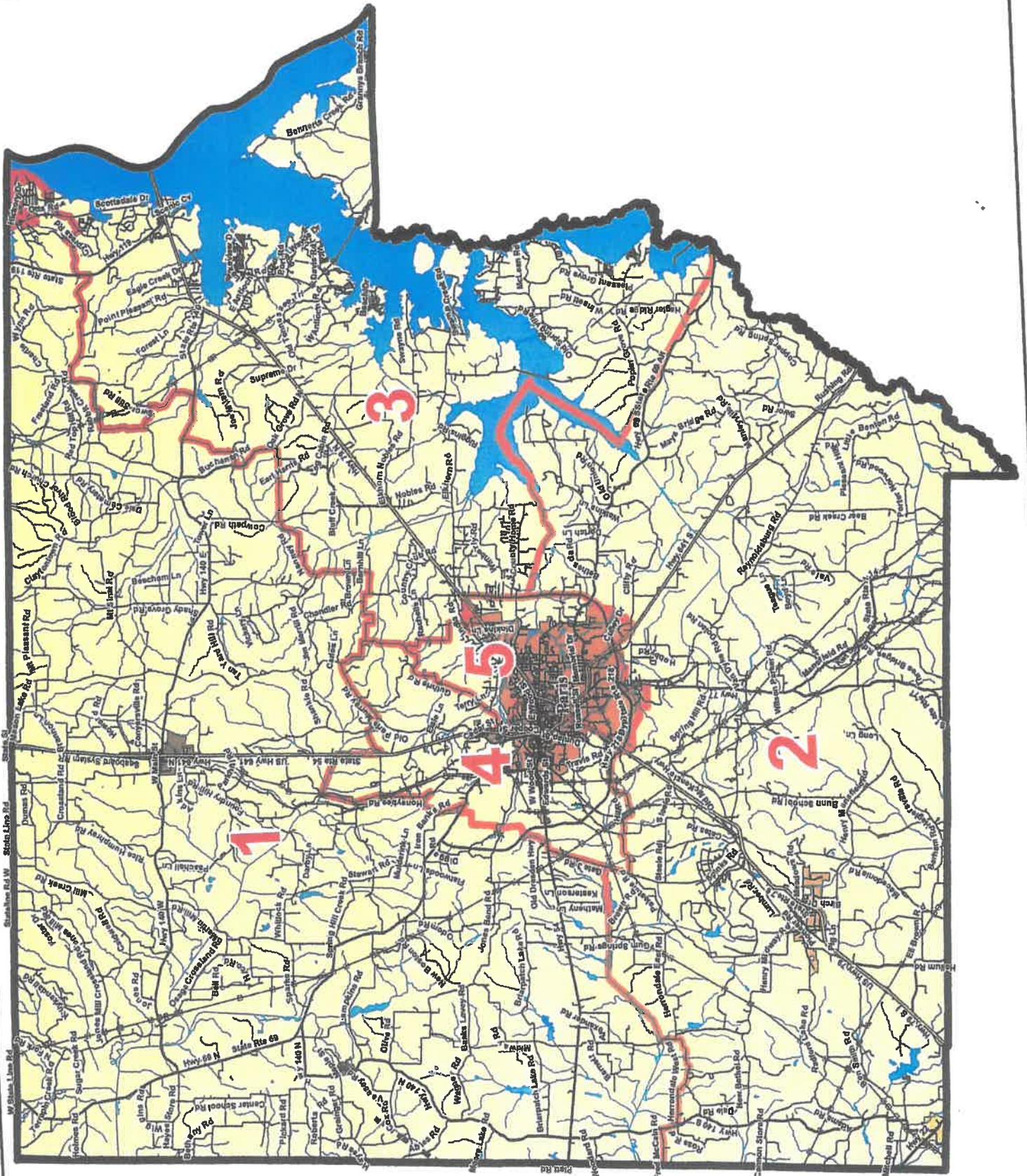
### EXHIBIT A



## TENNESSEE COMPTROLLER OF THE TREASURY

This map is provided as a public service and is for informational purposes only. It is not an endorsement or approval by the Comptroller of the Treasury of any proposed district boundaries contained herein.

Created On: 10/8/2021





## Private Acts of 2002 Chapter 106

**SECTION 1.** Chapter 56 of the Private Acts of 1995, and any acts amendatory thereto, are hereby repealed.

**SECTION 2.** Henry County shall be divided into five (5) school districts of substantially equal population, which shall be established by resolution of the county legislative body from time to time.

**SECTION 3.** The Henry County Board of Education (the "board") shall consist of five (5) members, with one (1) member of the board being elected by the qualified voters in each school district, on a non-partisan basis. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of approximately one-half (1/2) of the members of the board shall expire, with the odd-numbered districts expiring at the same time and the even-numbered districts expiring at the same time. Persons elected in the regular August general elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

**SECTION 4.** During the transition from (6) members to the five (5) members provided for in this act, all incumbent board members shall remain on the board until the expiration of their current terms, and the number of board members may temporarily exceed the number of members authorized in this act. To establish staggered four (4) year terms, beginning with the August 2002 elections, the board shall be elected as follows: At the August 2002 general elections, one (1) member shall be elected from each of Districts 2 and 4 to four (4) year terms, and one (1) member shall be elected from District 5 to a two (2) year term. At the August 2004 general elections, one member shall be elected from each of Districts 1, 3 and 5 to four (4) year terms. Thereafter, board members shall be elected to four (4) year terms as the term of each respective board member expires.

**SECTION 5.** The Henry County Board of Education shall have the same powers, duties, privileges and qualifications as a board of education established pursuant to Tennessee Code Annotated, Title 49.

**SECTION 6.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 7.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Henry County. Its approval or non-approval shall be proclaimed by the presiding officer of the county legislative body of Henry County and certified to the Secretary of State.

**SECTION 8.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 7.

Passed: March 27, 2002.

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**Source URL:** <http://privateacts.ctas.tennessee.edu/content/private-acts-2002-chapter-106>

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

A motion was made by Commissioner Don Jones to approve Resolution 5-10-21, to adopt a reapportionment/redistricting plan for Henry County Road Commission. The motion was seconded by Commissioner Dell Carter.

ITEM NO. 12

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY					X			
BRADLEY, WESLEY					X			
CARTER, DELL				X	X			
CARTER, GREG					X			
COPELAND, JAMES					X			
GEAN, RANDY	X							
HUMPHREYS, KENNETH					X			
JONES, DON			X		X			
KYLE, KREG					X			
NEAL, PAUL					X			
STARKS, MONTE					X			
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WEBB, DAVID					X			
WILLIAMS, DREW					X			
TOTAL	1				14			

MOTION CARRIED

DATE : 10-18-2021



**RESOLUTION NO. 5-10-21**

**A RESOLUTION OF THE HENRY COUNTY BOARD OF  
COMMISSIONERS TO ADOPT A  
REAPPORTIONMENT/REDISTRICTING PLAN  
FOR HENRY COUNTY ROAD COMMISSION**

**WHEREAS**, *Tennessee Code Annotated*, Section 5-1-111, requires that, at least every ten (10) years, county legislative bodies shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county school districts so that the members represent substantially equal populations; and

**WHEREAS**, Henry County has prepared a plan consistent with the provisions of County Technical Assistance Service (CTAS) Private Acts of 1972, Chapter 326, which provides for a Henry County Road Commission composed of six (6) members and which creates five (5) road districts as depicted on the official redistricting map for Henry County.

**NOW, THEREFORE, BE IT RESOLVED** by the Henry County Commission meeting in regular session at Paris, Tennessee, on this 18th day of October, 2021, that:

**SECTION 1.** There is hereby adopted a reapportionment plan for Henry County Road Commission which provides for six (6) road board members, five (5) of which shall be elected from, and residing in, each of the five (5) road districts as established by resolution of the county legislative body, and one (1) member shall be elected from the county-at-large for a total Henry County Road Commission of six (6) members. The districts for members of the Henry County Road Commission are depicted on the official redistricting map for Henry County prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110. A copy of the redistricting map is attached as Exhibit A to this resolution and is incorporated herein by reference.

**SECTION 2.** The Henry County Road Commission member serving at-large shall serve as chairman of the Commission.

**SECTION 3.** This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filled in accordance with CTAS Private Acts of 1972, Chapter 326.

ADOPTED this 18<sup>th</sup> day of October, 2021.

**APPROVED:**

  
\_\_\_\_\_  
**JOHN PENN RIDGEWAY, CHAIRMAN  
HENRY COUNTY COMMISSION**


**ATTEST:**


  
\_\_\_\_\_  
**DONNA CRAIG  
COUNTY CLERK**


  
\_\_\_\_\_  
**JOHN PENN RIDGEWAY  
HENRY COUNTY MAYOR**





# Henry County Road Commission


- 
County Commission District



Interstates



U.S. Highway



State Highway



Local Roads



Railroads



Pipeline (incomplete)



Powerline (incomplete)



Stream



Lakes / Rivers



City, Town



NAME20\_1



Collage Grove


Henry

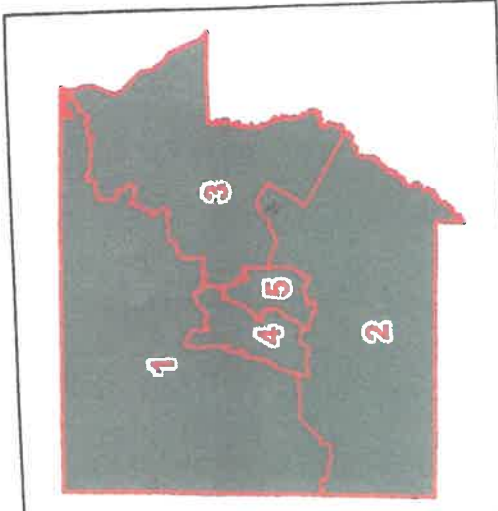

McKenzie


Paris


Puryear

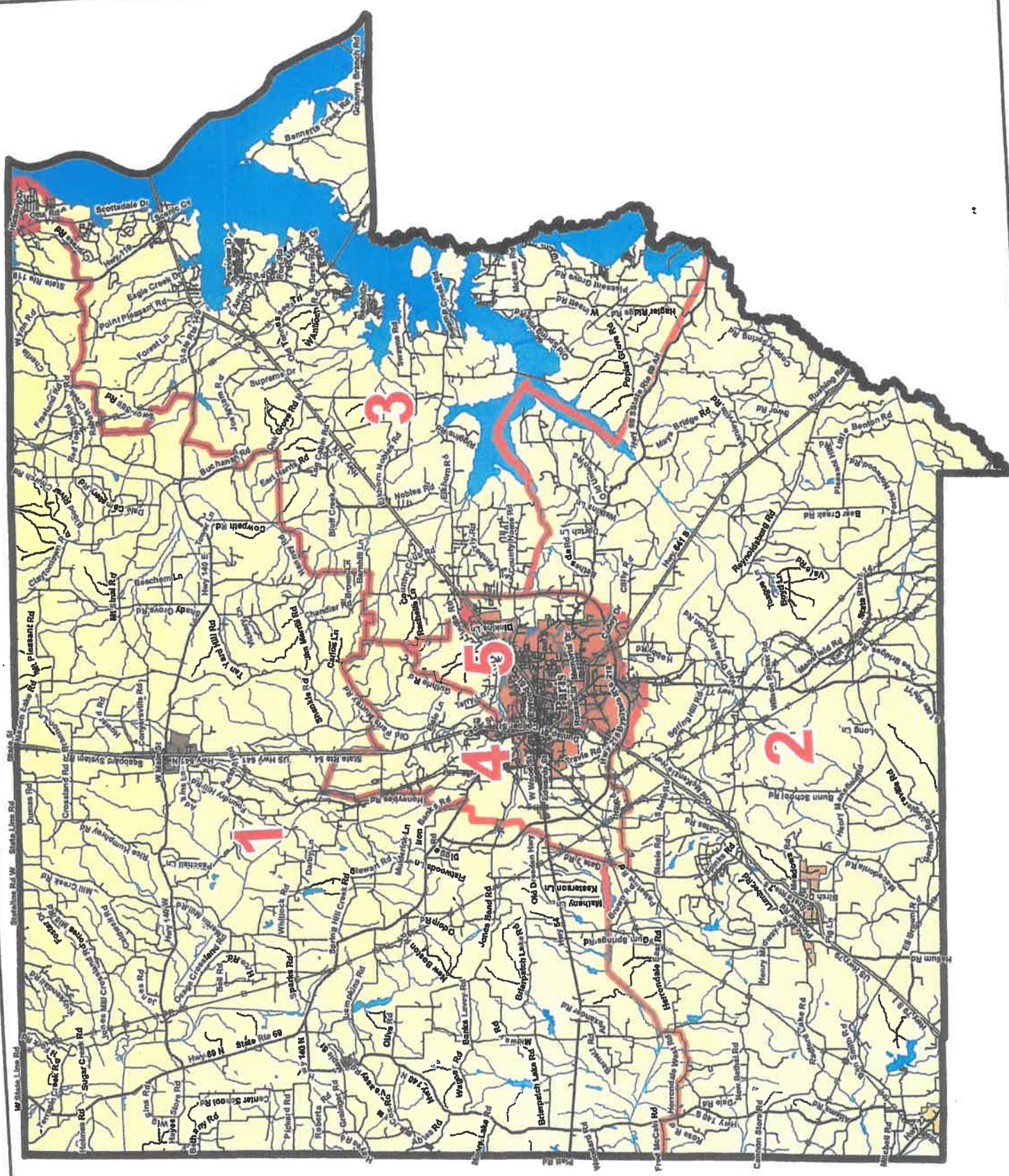

County

## EXHIBIT A



This map is provided as a public service and is for informational purposes only. It is not an endorsement or approval by the Comptroller of the Treasury of any proposed district boundaries contained herein.

Created On: 10/8/2021





## Private Acts of 1972 Chapter 326

**SECTION 1.** This Act shall be known and may be cited as "The Henry County Road Law."

**SECTION 2.** There is hereby created the Henry County Road Commission, hereinafter referred to as "the Commission." The Commission shall be composed of six (6) members, five (5) of which shall be elected from, and residing in, each of the five (5) road districts which shall be established by resolution of the county legislative body, and one (1) member shall be elected from the county at-large. The member serving at-large shall serve as chairman of the Commission.

Commission members shall be elected at the regular August general elections to four (4) year terms, and may succeed themselves without limitation as to the number of terms they may serve. Terms shall begin on the first day of September following their election.

Commission members in office on the date this act becomes effective shall continue to serve until the expiration of the terms to which they were elected. To accomplish the transition from seven (7) commission members to six (6) commission members, commission members shall be elected as follows: At the August 2002 elections, one (1) Commission member shall be elected to a four (4) year term from each of road districts 1 and 3. At the August 2004 elections, one (1) Commission member shall be elected to a four (4) year term from each of road districts 2, 4, and 5, and the at-large Commission member shall be elected to a four (4) year term from the entire county. Thereafter, Commission members shall be elected to four (4) year terms as the terms of each member expires.

As amended by: Private Acts of 2002, Chapter 107

**SECTION 3.** If a vacancy occurs in the office of County Road Commissioner or Chairman of said board, the Quarterly County Court shall elect some qualified person to serve for until the next General Election.

**SECTION 4.** At the organizational meeting of the newly elected Road Commission, there shall be elected a Vice-Chairman to preside in the absence of the Chairman. Roberts Rules of Order shall prevail at any and all official meetings of the Road Commission.

**SECTION 5.** Before entering upon their official duties the members of the County Road Commission shall make and subscribe to an oath to perform their duties faithfully, impartially, and without prejudice for or against any sections of the County, and before entering or taking such office shall execute and file with the County Court Clerk of said County a fidelity bond in a penal sum as required by law. Said bond shall be good and solvent security approved by the County Judge of such County. Said bond and oath of office are to be filed in the office of the County Court Clerk, and recorded on the minutes of said Court.

**SECTION 6.** No member of the County Road Commission shall be employed by the County Highway Department.

As amended by: Private Acts of 1991, Chapter 42.

**SECTION 7.** The Commission shall meet once each month at a time and place to be designated at the organizational meeting of such Commission and each member of the Commission shall be entitled to a sum not to exceed that provided for in the budget of Henry County. Meetings other than regular monthly meetings deemed necessary by the Chairman or a majority of the members may be held; provided, however, that no such meeting will be held unless the members of said Commission are notified at least 48 hours prior to the meeting. The above notice requirement may be waived by a majority vote of the Commissioners and the Chairman of said Commission, in the case of an emergency.

**SECTION 8.** The Commission has jurisdiction of expenditures of all road and bridge funds belonging to the County from whatever source insofar as the expenditure of said funds does not deviate from the budgeted chart of accounts as adopted by the Quarterly County Court for the Annual Operating Budget of the County. Any transfers of budgeted funds by series or subseries must be approved by proper resolution of the Quarterly County Court. It shall be the further duty of said Commission to classify all county roads and submit to the Quarterly County Court for its approval a five (5) year long-range maintenance and improvement plan for the County Road System, which shall be subject to annual review. It shall be the duty of said Commission to submit to the Quarterly County Court at its March term annual plans for execution during the ensuing fiscal year. The preparation and submission of the proposed annual budget for the County Road Department will follow the guidelines established by the Budgeting Act of the County. The Commission shall have general control of all county road and

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

Commissioner Jones made a motion to adjourn. The motion was seconded by  
Commissioner Visser.  
ITEM NO. 13

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY								
BRADLEY, WESLEY								
CARTER, DELL								
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY	X							
HUMPHREYS, KENNETH								
JONES, DON			X					
KYLE, KREG								
NEAL, PAUL								
STARKS, MONTE								
TRAVIS, JAMES								
VISSER, MARTY				X				
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

DATE : 10-18-21

VOICE VOTE CARRIED