

RESOLUTION NO. 02-2018

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
CHEROKEE COUNTY, KANSAS**

WHEREAS, the Cherokee County Board of Commissioners is empowered to transact all county business and perform all powers of local legislation pursuant to K.S.A. § 19-101a;

WHEREAS, the Cherokee County Board of Commissioners has the authority to take action to protect the public health, safety, and welfare of the residents and citizens of Cherokee County;

WHEREAS, there exists a serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Cherokee County;

WHEREAS, the diversion of legally produced controlled substances into the illicit market causes or contributes to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Cherokee County;

WHEREAS, the opioid crisis unreasonably interferes with rights common to the general public of Cherokee County; involves a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Cherokee County; includes the delivery of controlled substances in violation of State and Federal law and regulations; and therefore, constitutes a public nuisance;

WHEREAS, the opioid crisis is having an extended and far reaching impact of the general public, health, and safety, of residents and citizens of Cherokee County and must be abated;

WHEREAS, the violation of any laws of the State of Kansas or of the United States of America controlling the distribution of a controlled substance is inimical, harmful, and adverse to the public welfare of the residents and citizens of Cherokee County, and constitutes a public nuisance;

WHEREAS, the Cherokee County Board of Commissioners has the authority to abate, or cause to be abated, any public nuisance including those acts that unreasonably interfere with rights common to the general public of Cherokee County and/or involve a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Cherokee County;

WHEREAS, Cherokee County has expended, is expending, and will continue to expend in the future County funds to respond to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality within Cherokee County; and

WHEREAS, the Cherokee County Board of Commissioners has received information and believes that those in the chain of distribution of controlled substances (manufacturers and wholesale distributors) in Cherokee County, Kansas, and surrounding areas may have violated Federal and/or State laws and regulations that were enacted to prevent the diversion of legally produced controlled substances into the illicit market.

NOW, THEREFORE, BE IT RESOLVED by the Cherokee County Board of Commissioners, assembled on this day at which a quorum is present, that based upon the above the Cherokee County

Board of Commissioners are declaring the opioid crisis a public nuisance which must be abated for the benefit of Cherokee County and its residents and citizens.

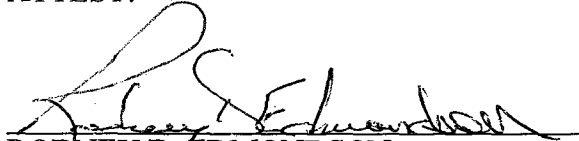
BE IT FURTHER RESOLVED that one avenue to abate the opioid crisis is to initiate litigation against the manufacturers and whole distributors who may have violated Federal and/or State laws and contributed to the ongoing abuse of and addiction to opioids in Cherokee County.

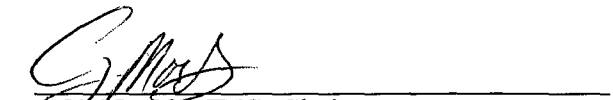
The motion to approve the foregoing resolution was made by Commissioner Moates, seconded by Commissioner Anderson, and the following vote was recorded:

Pat Collins, First District	<u>yes</u>
Neal Anderson, Second District	<u>yes</u>
Cory Moates, Chairman, Third District	<u>yes</u>


ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF CHEROKEE COUNTY, KANSAS

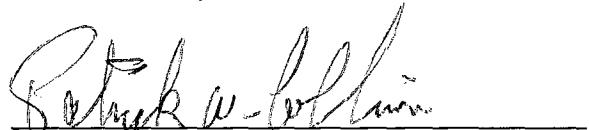

RODNEY D. EDMONDSON
Cherokee County Clerk


CORY MOATES, Chairman
Commissioner, Third District

APPROVED AS TO FORM:


NEAL ANDERSON
Commissioner, Second District


BARBARA WRIGHT
Cherokee County Counselor


PATRICK COLLINS
Commissioner, First District