

BARAGA COUNTY BOARD OF COMMISSIONERS
Regular Meeting Minutes
September 8, 2025

CALL TO ORDER:

Chairman Dakota called the Regular Meeting to order on Monday, September 8, 2025 at 5:00 p.m., Baraga County Courthouse, 16 N. Third Street, L'Anse, MI 49946.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA:

Chairman Dakota led us in the Pledge of Allegiance to the United States of America.

ROLL CALL:

Clerk Goodreau took roll call with the following results:

Present: James Niemela, District 1, Brad Dakota, District 2, Craig Kent, District 3, William Menge, District 4 and Lee DeLeon, District 5.

Absent: None.

APPROVAL OF AGENDA:

Commissioner Menge made a motion, supported by Commissioner Kent to approve the agenda, as presented. On Voice Vote, the motion carried.

APPROVAL OF MINUTES:

Commissioner DeLeon made a motion, supported by Commissioner Niemela to approve the minutes for the Regular meeting held on August 11, 2025. On Voice Vote, the motion.

PUBLIC COMMENT – Agenda Items Only:

No Public Comment on Agenda Items were offered.

TREASURERS REPORT:

As presented by Treasurer, Jill C Tollefson.

REVIEW OF CLAIMS AND ACCOUNTS:

Commissioner DeLeon made a motion, supported by Commissioner Menge to approve the BCMH Trustee Per Diem for August 2025 (\$1,120.00). On Voice Vote, the motion carried.

Commissioner Kent made a motion, supported by Commissioner Niemela to approve the payment of the Claims and Accounts for the period of August 12, 2025 through September 8, 2025 in the amount of \$56,035.33. On Voice Vote, the motion carried.

Commissioner Menge made a motion, supported by Commissioner DeLeon to approve the payment of the Prepaid Bills and Trust and Agency Accounts for the period of August 12, 2025 through September 8, 2025 in the amount of \$1,172,813.98. On Voice Vote, the motion carried.

Commissioner Niemela made a motion, supported by Commissioner DeLeon to approve the Sheriff's Dept. Checking Account expenditures for August 2025 in the amount of \$8,355.75. On Voice Vote, the motion carried.

UNFINISHED BUSINESS:

There was no Unfinished Business.

ACTION ITEMS:

The Board received an update from BCMH CEO, Rob Stowe. The hospital is in good financial condition. Hyperbaric chamber treatment has been added. The hospital now has a surgeon on staff. Just recently an OB/GYN has been added to staff. The hospital has signed on with Mayo Telestroke and is working on implementing a medical records program that will combine all arms of BCMH so that patient's records are available to all groups. Mr. Stowe also introduced Emily Dault the new director at Bayside Village.

The Board received three names from the two major political parties for appointment to a position each to the Board of Canvassers. The Republican Party nominations were Kevin Dean, Rollin (Sonny) Thoren, and Jeffrey Loman. The Democrat Party nominations were Jim Ekdahl, Ken Harju and Nancy Herck. The appointment is selected by ballot as is required by Election Law. By ballot the Board elected Kevin Dean as the Republican Party and Jim Ekdahl as the Democrat Party appointment to the County Board of Canvassers. Commissioner Kent made a motion, supported by Commissioner DeLeon to accept the appointments as elected by ballot. On Voice Vote, the motion carried.

Commissioner Kent made a motion, supported by Commissioner Menge to approve the payment to WUPPDR (INV# BY1Q2 in the amount of \$24,017.00) for work completed for the Materials Management Planning. The funds are to be reimbursed by the State of Michigan EGLE MMP Grant. On Voice Vote, the motion carried.

The Board received to quotes for the County's workers' compensation. Accident Fund (Reliance Agency), \$29,712.00 and Michigan Counties Workers' Compensation Fund, \$33,594.00. MCWCF is a pool of Michigan counties for workers' compensation. The MCWCF will provide a 35% premium rebate at the end of each year which brings the premium to \$21,836.10. Commissioner Menge made a motion, supported by Commissioner Kent to join Michigan Workers' Compensation Fund for the Counties' worker's compensation insurance. On Voice Vote, the motion carried.

Commissioner Kent made a motion, supported by Commissioner Niemela to enter closed session per the Open Meeting Act 15.268 Section 8(e) to discuss ongoing litigation with civil counsel as well as pursuant to 15.268 Section 8(c) to consider contract negotiations with the Sheriff Department Unions. On Voice Vote, the motion carried.

CLOSED SESSION

The Board entered back into open session at 5:57 p.m. Clerk Goodreau took Roll with the following results:

Present: Commissioner Niemela, Commissioner Dakota, Commissioner Kent, Commissioner Menge and Commissioner DeLeon.

Absent: None.

Commissioner Niemela made a motion, supported by Commissioner DeLeon to adopt the following Resolution:

RESOLUTION 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 BARAGA COUNTY filed a lawsuit to address the public nuisance that is the Opioid Epidemic;

AND WHEREAS the following entities:

1. Alvogen Inc.
2. Amneal Pharmaceuticals, Inc.
3. Apotex Inc.
4. Hikma Pharmaceuticals USA, Inc.
5. Indivior Inc.
6. Mylan Pharmaceuticals Inc.
7. Sun Pharmaceutical Industries, Inc. and
8. Zydus Pharmaceuticals, Inc.

(“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 BARAGA COUNTY’s lawsuit;

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

1. An agreement to pay (a) \$18,680,162 in a single year by Alvogen Inc.; (b) \$71,751,010 over ten years by Amneal Pharmaceuticals, Inc.; (c) \$63,682,369 in a single year by Apotex Inc.; (d) \$95,818,293 over one to four years by Hikma Pharmaceuticals USA, Inc.; (e) \$38,022,450 over four years by Indivior Inc.; (f) \$284,447,916 over nine years by Mylan Pharmaceuticals Inc.; (g) \$30,992,087 over one to four years by Sun Pharmaceutical Industries, Inc.; and (h) \$14,859,220 in a single year by Zydus Pharmaceuticals, Inc. The bulk of each of these payments will be dedicated to funding abatement and prevention strategies associated with the opioids public nuisance;
2. In addition to these abatement payments, several of the settlements allow states to receive free pharmaceutical products or cash in lieu of this product.
3. Additionally, seven of the companies (not including Indivior) are prohibited from promoting or marketing opioids and opioid products, making or selling any product that contains more than 40 mg of oxycodone per pill, and are required to put in place a monitoring and reporting system for suspicious orders.

4. Indivior has agreed to not manufacture or sell opioid products for the next 10 years, but it will be able to continue marketing and selling medications to treat opioid use disorder.

AND WHEREAS BARAGA COUNTY previously executed Participation Agreements for the Distributor and Janssen Settlements, as well as the Teva, Allergan, CVS, Walmart, and Walgreens Settlements, which have conferred and continue to confer valuable benefits;

AND WHEREAS BARAGA COUNTY desires to enter into an allocation method which allocates settlement funds from the Settling Defendants on a 50/50 basis to:

1. Local Governments who have elected to participate in the settlements with the Settling Defendants; and
2. the State of Michigan.

NOW THEREFORE, BARAGA COUNTY authorizes the execution of Participation Agreements for the Master Settlement Agreements with: (1) Alvogen Inc.; (2) Amneal Pharmaceuticals, Inc.; (3) Apotex Inc.; (4) Hikma Pharmaceuticals USA, Inc.; (5) Indivior Inc.; (6) Mylan Pharmaceuticals Inc.; (7) Sun Pharmaceutical Industries, Inc.; and (8) Zydus Pharmaceuticals, Inc., each of which are listed and available to the public at <https://nationalopioidsettlement.com/additional-settlements/>. Specimen copies of the material terms of the participation agreements are attached in one combined PDF as Exhibit A to this resolution.

BARAGA COUNTY also authorizes the execution of a new Michigan State-Subdivision Agreement for Allocation of Opioid Settlement Agreements substantially similar to the proposed agreement attached as Exhibit B to this resolution.

On Voice Vote, the motion carried.

Commissioner Kent made a motion, supported by Commissioner Niemela to adopt the following Resolution:

RESOLUTION 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 BARAGA COUNTY filed a lawsuit to address the public nuisance that is the Opioid Epidemic, which named, among others, Purdue Pharma L.P. (Purdue) and several members of the Sackler family (Sackler Family Defendants);

AND WHEREAS Purdue has presented a proposed Bankruptcy Plan, and the Sackler Family Defendants have entered into a Governmental Entity & Shareholder Direct Settlement Agreement (together, the “Purdue/Sackler Settlement”) 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 BARAGA COUNTY’s lawsuit;

AND WHEREAS the Purdue/Sackler Settlement will provide significant equitable and monetary relief, including an agreement that (a) the Sackler Family Defendants will pay \$6.5 billion over the next 15 years in exchange for a release of claims against them and (b)

the Purdue estate will contribute an amount of approximately \$900 million. The bulk of these payments will be dedicated to funding abatement and prevention strategies associated with the opioids public nuisance;

AND WHEREAS BARAGA COUNTY previously executed Participation Agreements for the Distributor and Janssen Settlements, as well as the Teva, Allergan, CVS, Walmart, and Walgreens Settlements, which have conferred and continue to confer valuable benefits;

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

1. Participating Local Governments who have elected to participate in the Purdue/Sackler Settlement; and
2. the State of Michigan.

NOW THEREFORE, BARAGA COUNTY authorizes the execution of a Participation Agreement for the Purdue/Sackler Settlement, which is available at <https://nationalopioidsettlement.com/>. A specimen copy of the material terms of the participation agreement is attached as Exhibit A to this resolution.

BARAGA COUNTY also authorizes the execution of a new Michigan State-Subdivision Agreement for Allocation of Opioid Settlement Agreements substantially similar to the proposed agreement attached as Exhibit B to this resolution.

BARAGA COUNTY also authorizes the Weitz & Luxenberg law firm to vote on BARAGA COUNTY's behalf in favor of the Bankruptcy Plan for Purdue.

On Voice Vote, the motion carried.

REPORTS OF STANDING COMMITTEES:

Commissioner addressed concerns with the MiWorks! committee getting a quorum. He updated the Board on the Materials Management Planning group.

INFORMATIONAL ITEMS:

- BCMH Board of Trustees, Minutes

RESOLUTIONS:

Commissioner Menge made a motion, supported by Commissioner Kent to adopt the following Resolution:

WHEREAS, Senate Bills 293 and 294 would create an effective bond-or-forfeit process that would apply when an animal is seized due to a pending or active court case involving a violation of Michigan law prohibiting animal neglect (MCL 750.50) or cruelty (MCL 750.50b) by the animal's owner; and

WHEREAS, the inclusion of an effective bond-or-forfeit process in those statutes, which would require a defendant/owner charged with animal neglect or cruelty to forfeit the animals to the seizing agency or pay for the costs of the animal's care and housing with a bond, would benefit both animals and the people in Michigan;

WHEREAS, the current bond-or-forfeit process applicable in cases of animal neglect or cruelty, creates a burden for seizing agencies such as Baraga County Sheriff's Office, as the one holding the animal, responsible for housing, food, veterinary care, and other costs as the animal is held for the duration of criminal proceedings; and

WHEREAS, without an effective process, animals continue to be victims and when they have to remain in a shelter for an extended period of time, it is not only detrimental to the animals, but to the staff and volunteers of the facility also; and

WHEREAS, precedent has been set in that the bond-or-forfeit process that is being proposed for MCL 750.50 and MCL 750.50b, is already included in MCL 750.49, Michigan's animal fighting statute; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Baraga County Board of Commissioners support Senate Bills 293 and 294 that would create an effective bond-or-forfeit process for animals seized due to pending or active court cases involving violations of animal neglect or cruelty by the animal's owner.

BE IT FURTHER RESOLVED, that the County Clerk shall forward copies of this resolution to the Governor of the State of Michigan, the Majority Leader of the Michigan Senate, the Speaker of the Michigan House of Representatives, all Michigan counties for their consideration and action and distribute to all County Clerks to be a posed communication in each county.

On Voice Vote, the motion carried.

COMMISSIONERS COMMENTS:

PUBLIC COMMENTS:

Dr. Eileen Schweickert voiced her interest in serving on the Baraga County DHHS Board.

Phyllis Fredendall voiced concerns over cuts to Medicaid.

ADJOURNMENT:

There being no further business to come before the County Board, Commissioner Menge made a motion, supported by Commissioner DeLeon to adjourn the meeting at approximately 6:13 p.m. On Voice Vote, the motion carried.

Brad Dakota, Chairman

Wendy J. Goodreau, Clerk

