



# RESOLUTION OF THE GOVERNING BODY OF FENTRESS COUNTY, TENNESSEE

101 Main Street • P.O. Box 1128 • Jamestown, Tennessee 38556

## **RESOLUTION 2018-08 DECLARING THE OPIOID CRISIS A PUBLIC NUISANCE**

**WHEREAS**, the FENTRESS County Commissioners has the authority to adopt resolutions with respect to county affairs of Fentress County, Tennessee, pursuant to Tenn. Code Ann. § 5-1-118(c), as amended;

**WHEREAS**, the Fentress County Commissioners have the authority to take action to protect the public health, safety, and welfare of the residents and citizens of Fentress County;

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

**WHEREAS**, the opioid crisis unreasonably interferes with rights common to the general public of Fentress County; involves a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Fentress 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 Fentress County and must be abated;

**WHEREAS**, the violation of any laws of the State of Tennessee, 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 Fentress County and constitutes a public nuisance;

**WHEREAS**, the Fentress County Commissioners have 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 Fentress County and/or involve a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Fentress County;

**WHEREAS**, Fentress 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 Fentress County; and

**WHEREAS**, the Fentress County Commissioners have received information and believes that those in the chain of distribution of controlled substances (manufacturers and wholesale distributors) in Fentress County, Tennessee, 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.



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**NOW, THEREFORE, BE IT RESOLVED** by the Fentress County Commissioners, assembled on this 26<sup>th</sup> day of March, 2018 at which a quorum is present that based upon the above the Fentress County Commissioners are declaring the opioid crisis a public nuisance which must be abated for the benefit of Fentress County and its residents and citizens.

**BE IT FINALLY RESOLVED** that all resolutions that are inconsistent with this resolution are rescinded.

The motion to approve the foregoing resolution was made by Commissioner Kim Davidson seconded by Commissioner Lester Gooding and the following vote was recorded:

**APPROVED:**

J. Michael Cross  
Fentress County Executive  
J. Michael Cross

Jimmy Johnson  
1<sup>st</sup> District Commissioner Jimmy Johnson

Kim Davidson  
2<sup>nd</sup> District Commissioner Kim Davidson

Benny Hughes  
3<sup>rd</sup> District Commissioner Benny Hughes

Lester Gooding  
4<sup>th</sup> District Commissioner Lester Gooding

Larry Cooper  
5<sup>th</sup> District Commissioner Larry Cooper

**ATTEST:**

Marilyn Stephens  
Fentress County Court Clerk  
Marilyn Stephens

absent  
1<sup>st</sup> District Commissioner Justin Miller

J.P. Reagan  
2<sup>nd</sup> District Commissioner J.P. Reagan

Don Williams  
3<sup>rd</sup> District Commissioner Don Williams

Jeff Green  
4<sup>th</sup> District Commissioner Jeff Green

Wade Matthews  
5<sup>th</sup> District Commissioner Wade Matthews