

South Carolina Opioid Recovery Fund Board of Directors Meeting
December 8, 2022
Edgar A. Brown Building, 1205 Pendleton Street, Room 252, Columbia, SC

Call to Order

Board Chair Eric Bedingfield called the Board of Directors Meeting to order at 1:00 PM at the Edgar A. Brown Building in Columbia, SC. Those in attendance and constituting a quorum were:

Board Members Present: Eric Bedingfield, Aditi Bussells, Martine Helou-Allen, Gary Mixon, Lisa Montgomery (via Zoom), Toby Chappell, Hon. Bruce Williams, Steve Donaldson, and Mayes DuBose

Approval of Minutes from Last Meeting

Motion to approve minutes from September 29, 2022 SCORF Board meeting was made by Mr. Mixon seconded by Dr. Dubose, m/c unanimous.

Attorney General's Office Report

Attorney Libet, Assistant Attorney General, presented the Settlement Report for the December 8, 2022 Meeting of the South Carolina Opioid Funds and Guaranteed Political Subdivision Subfund (attached). He also mentioned other settlements in the news such as Wal-Mart, CVS, and Walgreens.

Fund Financial Report

Denise Carraway, SFAA Director of Budget and Finance, presented the Statement of Activities (attached).

SFAA Administrative Report

Alana Williams, SFAA Director of Strategic Initiatives, provided an administrative report to the Board including a staffing update, information regarding liquid files and website update. A question was presented as to whether a telephone number could be added to the web page once the administrative position has been filled, and Alana said yes.

Chairman's Report

Chairman Bedingfield informed the Board that the majority of Guaranteed Political Subdivision Subfund (GPS) applications were filed at the last minute and the goal for today's meeting is to review the first 9-10 applications. He informed the Board it would need to schedule another meeting prior to 1/12/2023 to respond to the remaining GPS applications within the specified time frame.

Attorney Libet suggested to the board to amend and propose changes to the application time turnaround for approval, since this is by agreement and not statute it can easily be changed. It was then asked if the SCORF Administrative staff can keep up with the applications or if they must come to the board. Attorney Libet stated Admin staff can ready the applications for approval but the board must be the arbiter, however it can be a quick process and electronic. Chairman Bedingfield followed up by stating the GPS application process can be modified, and the Board can possibly meet via Zoom in the future.

New Business

Chairman Bedingfield led a discussion regarding Frequently Asked Questions (FAQ) from the first round of applications for the Board to consider. The first issue involved establishing a page limit for applications. Eight pages was proposed as a reasonable page limit for the technical proposal, no more than 4 pages for Qualifications and Experience and no more than 4 pages for Budget/Budget Narrative. It was agreed the Board will adopt these page limits as part of its guidelines and post them on the website.

The next FAQ was, “when does the project have to be started following the disbursement of the SCORF funds?” Attorney Libet advised there should be immediate plans by applicants to use the funds for abatement strategies and funds are not held onto by recipients. A discussion followed including suggestions to require projects start in 60 or 90 days from award, defining the meaning of “start” followed and whether funds could be disbursed incrementally. Attorney Libet indicated that if recipients cannot begin work after receiving the funds as contemplated in the settlement agreement, he recommends they should be encouraged to come back and apply later. After further extensive discussion, Chairman Bedingfield posed the question of whether the approval letter should have an expectation of when to start and when reporting requirements must be met. The Board decided to include 120 days as a start time frame in the approval letters.

A discussion was held regarding reporting requirements. The current time frame for GPS recipients to report to the SCORF Board is March 31st of the following year and recipients of discretionary funds are required to report quarterly. The Board will consider amending reporting timeframes and will establish further guidelines for reporting once additional information is received regarding national reporting expectations. The Board will continue to outline the reporting expectations for applicants once it learns more about the national settlement reporting requirements and clarify those expectations on the application.

The next FAQ was, “how long is the award period/funding period?” Similar fund applications are typically for a one year time frame although the project may span longer than one year. The Board decided that awards will be for one year and recipients can come back and apply for the following year’s funds.

Chairman Bedingfield then asked the Board to begin looking at the provided application packets to begin GPS Application Review.

Chairman Bedingfield reminded the Board to consider whether each application meets the letter of the law, and asked that staff create cover sheets for applications in the future. Attorney Libet noted the issue of rounding in some applications, and Chairman Bedingfield stated applications should be approved for the exact amount for which they applied.

The applications were reviewed by the Board as follows:

1. Beaufort County Government. Mr. Donaldson recused himself from discussing the application, as required for board conflicts. There were no questions. Motion to approve application for amount requested of \$299,376 and seconded, m/c unanimous.

2. Fairfield County. Comments about this application were it was succinct and a small issue of a rounding math error. Motion to approve for the amount available of \$621,179.61 and seconded, m/c unanimous.
3. Bamberg County. Ms. Helou raised the concern of what if the County does not raise all of the additional funds needed to build the training center they want to build, what will happen to the requested grant funds they receive from SCORF? Mr. Chappell expressed concern that the amount available would not meet the stated purpose. Attorney Libet then discussed the Board's options for this situation, and after discussing these options, the Board decided it needed more information from the applicant to show potential for success of their proposed project. Motion to deny with an explanation and request to resubmit their application with more information or a different strategy, seconded, all ayes.
4. Saluda County. Board members liked that this application was concise. Motion to approve request for \$45,799.28 and seconded, m/c unanimous.
5. Tega Cay City. Mr. Chappell raised the issue that the permission letter needed to be from a City Official or Chief Administrator, but not the Finance Director as is Tega Cay's letter. Board members asked that an FAQ be added to the application guidelines on the SCORF website indicating letters granting permission to third parties be signed by a chief elected official or chief administrative official. Motion to approve request for \$22,559.27 conditioned upon receipt by Jan. 1, 2023 of a new permission letter signed by a chief elected official or chief administrative official, seconded, all ayes, application was conditionally approved upon the stated conditions.
6. Williamsburg County. Board members discussed that the application asks for funding for three years and the Board had confirmed it will only fund projects for one year at a time. Chairman Bedingfield suggested approving the application for year one and then requiring a new application for years two and three. Attorney Libet advised if the amount on the application for year one is clear, the Board can approve one year only. Motion to approve for one year in the amount of \$85,571 and seconded, all ayes. Williamsburg County was unanimously approved.
7. Horry County Government. Board members stated this was one of the strongest applications. Motion to approve the amount requested of \$917,228.22 and seconded, m/c unanimous.
8. Aiken County. Several issues were raised about this application's budget not aligning with the narrative and the regarding potential supplanting of funds which is not allowed with SCORF funds. There was also an issue of the budget request being much higher than the allocated amount. Chairman Bedingfield raised a motion to pass over this application, to allow time to call Aiken County and get more information within the 45-day time window. Motion to pass over approved, seconded, all ayes, motion to pass over passed.

9. York County by Keystone Substance Abuse-. Motion to approve request for \$349,912.84 and seconded, m/c unanimous.
10. City of Rock Hill. Board members stated the application was thorough and well laid out. Motion to approve request for \$683,000.30 and seconded, m/c unanimous.

In consideration of scheduling the next meeting, Chairman Bedingfield informed the Board the remaining applications need a response by 1/12/2023. The Board decided on January 5, 2023, from 11:00 am-1:00pm as the next meeting date to review the remaining applications.

The Board decided to reopen applications for GPS funds 2/1-2/28/2023 and the Board would meet again on 3/15/2023 to discuss new applications accepted during this time.

The meeting was adjourned at 3:11 pm.

SETTLEMENT REPORT FOR DECEMBER 8, 2022 MEETING

The Treasurer received a payment of \$50,788,528.57 on October 18, 2022. This amount represents the accelerated 2022-2025 payments (\$50,471,446.16) and the 2022 additional restitution amount payment (\$317,082.41) from Janssen under the terms of the national settlement.

Pursuant to the terms of the agreement between the State of South Carolina and its participating political subdivisions, money shall be allocated as follows:

SOUTH CAROLINA OPIOID FUNDS OVERVIEW						
Date	Payment	Opioid Recovery	GPS Subfund	Disc Subfund	Adm Subfund*	Other
7/15/2022	\$12,550,750.48	\$10,291,615.39	\$8,572,915.62	\$1,512,867.46	\$102,916.15	\$102,916.16
9/15/2022	\$13,190,226.89	\$10,815,986.05	\$9,009,716.38	\$1,589,949.95	\$108,159.86	\$108,159.86
10/18/2022	\$50,788,528.57	\$41,703,668.26	\$34,538,442.49	\$6,337,494.05	\$413,865.86	\$413,865.86
Total	\$76,529,505.94	\$62,811,269.70	\$52,121,074.49	\$9,440,311.46	\$624,941.87	\$624,941.88

*half of the funds which will ultimately go to the Administrative Subfund are being retained in the Opioid Recovery Fund pending appropriate amendments to the South Carolina Opioid Settlement Allocation Agreement

GUARANTEED POLITICAL SUBDIVISION SUBFUND						
Subdivision	Type	Allocation %	Prior Balance	Expenditures	New Funds	Current Total
Abbeville	County	0.3350059823%	\$58,902.87	\$0.00	\$115,493.40	\$174,396.27
Aiken	County	2.5661670597%	\$451,199.71	\$0.00	\$884,686.76	\$1,335,886.47
Aiken	City/Town	0.7838026892%	\$137,813.14	\$0.00	\$270,216.18	\$408,029.32
Allendale	County	0.1220441823%	\$21,458.57	\$0.00	\$42,074.76	\$63,533.33
Anderson	County	3.3392231904%	\$587,123.33	\$0.00	\$1,151,198.06	\$1,738,321.39
Anderson	City/Town	1.1735303052%	\$206,337.51	\$0.00	\$404,574.88	\$610,912.39
Bamberg	County	0.2705913372%	\$47,577.08	\$0.00	\$93,286.43	\$140,863.51
Barnwell	County	0.4653224769%	\$81,815.94	\$0.00	\$160,420.05	\$242,235.99
Beaufort	County	2.3364418352%	\$410,807.97	\$0.00	\$805,488.93	\$1,216,296.90
Beaufort	City/Town	0.0769982478%	\$13,538.31	\$0.00	\$26,545.17	\$40,083.48
Berkeley	County	2.0961440294%	\$368,557.29	\$0.00	\$722,646.20	\$1,091,203.49
Bluffton	City/Town	0.0481968917%	\$8,474.28	\$0.00	\$16,615.89	\$25,090.17
Calhoun	County	0.1833260393%	\$32,233.55	\$0.00	\$63,201.70	\$95,435.25
Cayce	City/Town	0.2572136960%	\$45,224.93	\$0.00	\$88,674.49	\$133,899.42
Charleston	County	3.8016438488%	\$668,429.05	\$0.00	\$1,310,617.71	\$1,979,046.76
Charleston	City/Town	2.3004340552%	\$404,476.85	\$0.00	\$793,075.24	\$1,197,552.09
Cherokee	County	0.9440700745%	\$165,992.37	\$0.00	\$325,468.40	\$491,460.77
Chester	County	0.3947965211%	\$69,415.62	\$0.00	\$136,106.20	\$205,521.82
Chester	City/Town	0.1299573133%	\$22,849.92	\$0.00	\$44,802.82	\$67,652.74
Chesterfield	County	0.9443488664%	\$166,041.38	\$0.00	\$325,564.52	\$491,605.90
Clarendon	County	0.5705383575%	\$100,315.66	\$0.00	\$196,693.25	\$297,008.91
Clemson	City/Town	0.3311616877%	\$58,226.94	\$0.00	\$114,168.08	\$172,395.02
Colleton	County	0.8589365535%	\$151,023.66	\$0.00	\$296,118.60	\$447,142.26
Columbia	City/Town	2.3918060702%	\$420,542.46	\$0.00	\$824,575.76	\$1,245,118.22
Conway	City/Town	0.2894739402%	\$50,897.14	\$0.00	\$99,796.22	\$150,693.36
Darlington	County	1.6906462867%	\$297,260.12	\$0.00	\$582,850.75	\$880,110.87
Dillon	County	0.6608411417%	\$116,193.26	\$0.00	\$227,825.16	\$344,018.42
Dorchester	County	1.6015765975%	\$281,599.32	\$0.00	\$552,143.95	\$833,743.27
Easley	City/Town	0.8565835771%	\$150,609.94	\$0.00	\$295,307.41	\$445,917.35
Edgefield	County	0.3586097074%	\$63,053.03	\$0.00	\$123,630.79	\$186,683.82
Fairfield	County	0.3536421891%	\$62,179.61	\$0.00	\$121,918.24	\$184,097.85
Florence	County	2.2059006272%	\$387,855.39	\$0.00	\$760,484.82	\$1,148,340.21
Florence	City/Town	1.0065336904%	\$176,975.11	\$0.00	\$347,002.75	\$523,977.86
Forest Acres	City/Town	0.0995929056%	\$17,511.06	\$0.00	\$34,334.68	\$51,845.74
Fort Mill	City/Town	0.1714974802%	\$30,153.77	\$0.00	\$59,123.80	\$89,277.57

Fountain Inn	City/Town	0.1975697094%	\$34,737.95	\$0.00	\$68,112.21	\$102,850.16
Gaffney	City/Town	0.2044353782%	\$35,945.12	\$0.00	\$70,479.15	\$106,424.27
Georgetown	County	1.1895098900%	\$209,147.15	\$0.00	\$410,083.84	\$619,230.99
Georgetown	City/Town	0.2626233562%	\$46,176.10	\$0.00	\$90,539.47	\$136,715.57
Goose Creek	City/Town	0.5473575768%	\$96,239.87	\$0.00	\$188,701.67	\$284,941.54
Greenville	County	7.1502328364%	\$1,257,199.13	\$0.00	\$2,465,044.63	\$3,722,243.76
Greenville	City/Town	2.2705648395%	\$399,225.06	\$0.00	\$782,777.82	\$1,182,002.88
Greenwood	County	1.3388944490%	\$235,412.88	\$0.00	\$461,584.21	\$696,997.09
Greenwood	City/Town	0.0308220618%	\$5,419.33	\$0.00	\$10,625.91	\$16,045.24
Greer	City/Town	0.5590564672%	\$98,296.84	\$0.00	\$192,734.86	\$291,031.70
Hampton	County	0.3450376919%	\$60,666.71	\$0.00	\$118,951.83	\$179,618.54
Hanahan	City/Town	0.2279684840%	\$40,082.86	\$0.00	\$78,592.19	\$118,675.05
Hilton Head Island	City/Town	0.2323878458%	\$40,859.90	\$0.00	\$80,115.77	\$120,975.67
Horry	County	5.2166718879%	\$917,228.22	\$0.00	\$1,798,448.99	\$2,715,677.21
Irmo	City/Town	0.0942740906%	\$16,575.87	\$0.00	\$32,501.02	\$49,076.89
James Island	City/Town	0.0461551887%	\$8,115.30	\$0.00	\$15,912.01	\$24,027.31
Jasper	County	0.4278548317%	\$75,228.14	\$0.00	\$147,503.06	\$222,731.20
Kershaw	County	1.0780892823%	\$189,556.47	\$0.00	\$371,671.56	\$561,228.03
Kershaw Health	Hospital	0.0000000000%	\$0.00	\$0.00	\$63,416.48	\$63,416.48
Lancaster	County	1.4809282603%	\$260,386.17	\$0.00	\$510,550.40	\$770,936.57
Laurens	County	1.3598442946%	\$239,096.41	\$0.00	\$468,806.67	\$707,903.08
Lee	County	0.2176621820%	\$38,270.75	\$0.00	\$75,039.09	\$113,309.84
Lexington	County	4.4881391605%	\$789,132.99	\$0.00	\$1,547,287.14	\$2,336,420.13
Lexington	City/Town	0.2342104062%	\$41,180.35	\$0.00	\$80,744.10	\$121,924.45
Marion	County	0.6973242307%	\$122,607.96	\$0.00	\$240,402.71	\$363,010.67
Marlboro	County	0.4878238042%	\$85,772.26	\$0.00	\$168,177.38	\$253,949.64
Mauldin	City/Town	0.4253253929%	\$74,783.40	\$0.00	\$146,631.04	\$221,414.44
McCormick	County	0.1281623493%	\$22,534.31	\$0.00	\$44,184.00	\$66,718.31
Moncks Corner	City/Town	0.1965426445%	\$34,557.36	\$0.00	\$67,758.14	\$102,315.50
Mount Pleasant	City/Town	0.5750801889%	\$101,114.23	\$0.00	\$198,259.04	\$299,373.27
Myrtle Beach	City/Town	1.9068234068%	\$335,269.74	\$0.00	\$657,377.87	\$992,647.61
Newberry	County	0.5656551710%	\$99,457.07	\$0.00	\$195,009.77	\$294,466.84
Newberry	City/Town	0.0344864857%	\$6,063.63	\$0.00	\$11,889.22	\$17,952.85
North Augusta	City/Town	0.5139678525%	\$90,369.08	\$0.00	\$177,190.55	\$267,559.63
North Charleston	City/Town	1.7751090959%	\$312,110.89	\$0.00	\$611,969.32	\$924,080.21
North Myrtle Beach	City/Town	0.6366313248%	\$111,936.55	\$0.00	\$219,478.81	\$331,415.36
Oconee	County	2.8099515214%	\$494,063.43	\$0.00	\$968,731.52	\$1,462,794.95
Orangeburg	County	1.4543982912%	\$255,721.50	\$0.00	\$501,404.19	\$757,125.69
Orangeburg	City/Town	0.0468940344%	\$8,245.21	\$0.00	\$16,166.73	\$24,411.94
Pickens	County	2.8143347165%	\$494,834.12	\$0.00	\$970,242.63	\$1,465,076.75
Port Royal	City/Town	0.0206098617%	\$3,623.76	\$0.00	\$7,105.26	\$10,729.02
Richland	County	3.8816723839%	\$682,500.17	\$0.00	\$1,338,207.56	\$2,020,707.73
Rock Hill	City/Town	1.3120073555%	\$230,685.42	\$0.00	\$452,314.88	\$683,000.30
Saluda	County	0.2604801809%	\$45,799.28	\$0.00	\$89,800.61	\$135,599.89
Simpsonville	City/Town	0.3497064495%	\$61,487.60	\$0.00	\$120,561.39	\$182,048.99
Spartanburg	County	6.4084293395%	\$1,126,770.55	\$0.00	\$2,209,307.68	\$3,336,078.23
Spartanburg	City/Town	1.1890308958%	\$209,062.93	\$0.00	\$409,918.71	\$618,981.64
Summerville	City/Town	0.6446011912%	\$113,337.86	\$0.00	\$222,226.43	\$335,564.29
Sumter	County	0.9480995733%	\$166,700.86	\$0.00	\$326,857.57	\$493,558.43
Sumter	City/Town	0.5390642671%	\$94,781.68	\$0.00	\$185,842.55	\$280,624.23
Tega Cay	City/Town	0.0433365022%	\$7,619.70	\$0.00	\$14,940.27	\$22,559.97
Union	County	0.6499524020%	\$114,278.74	\$0.00	\$224,071.26	\$338,350.00
West Columbia	City/Town	0.3943858322%	\$69,343.40	\$0.00	\$135,964.62	\$205,308.02
Williamsburg	County	0.4931357629%	\$86,706.24	\$0.00	\$170,008.68	\$256,714.92
York	County	2.5800878865%	\$453,647.36	\$0.00	\$889,485.97	\$1,343,133.33
TOTAL			\$17,582,632.00	\$0.00	\$34,538,442.49	\$52,121,074.49

South Carolina Opioid Recovery Fund Board
Statement of Financial Activities

	<i>December 2022</i>	Opioid Recovery Fund	Administrative Subfund	Guaranteed Political Subdivision Subfund	Discretionary Subfund
Transfers In/Source of Funds:					
	Opioid Recovery Settlement Fund (STO)*	62,811,269.70	-	-	-
	Opioid Recovery Fund		624,941.87	52,121,074.49	9,440,311.46
	Investment Earnings	61,522.74	-	-	-
	Total Transfers In:	62,872,792.44	624,941.87	52,121,074.49	9,440,311.46
Transfers Out:					
	Administrative Subfund	624,941.87	-	-	-
	Guaranteed Political Subdivision Subfund	52,121,074.49	-	-	-
	Discretionary Subfund	9,440,311.46	-	-	-
	Total Transfer Out:	62,186,327.82	-	-	-
Expenses:					
	Personnel (Per Diem)	-	600.00	-	-
	Contractual Services		439.90		
	Supplies		3,220.61		
	Travel	-	2,439.59	-	-
	Distributions to applicants			2,007,583.41	
	Total Expenses:	-	6,700.10	2,007,583.41	-
Funds Remaining		686,464.62	618,241.77	50,113,491.08	9,440,311.46
Cash Recapitulation (YTD)					
	Beginning Cash Balance	-	-	-	-
	Transfers In	62,872,792.44	624,941.87	52,121,074.49	9,440,311.46
	Transfers Out	(62,186,327.82)	-	-	-
	Expenses	-	(6,700.10)	(2,007,583.41)	-
	A/P Adjustment	-	-	2,007,583.41	-
	Ending Cash Balance	686,464.62	618,241.77	52,121,074.49	9,440,311.46