

Lincoln County & Board of Health
Joint Statement re: Resolution of Doney Crowley Matter

The City/County Board of Health for Lincoln County ("Board of Health") and Lincoln County had to previously close meetings pursuant to Mont. Code Ann. § 2-3-203(4)(a) to discuss their strategy regarding claims they had against Doney Crowley, subsequent settlement negotiations, and a potential settlement. Because a settlement has been reached, they want to share this information with the public.

By way of background, Doney Crowley was the general counsel for the Board of Health and outside legal counsel for Lincoln County. In that context, Doney Crowley, and one of its attorneys Allan Payne, advised the Board of Health and Lincoln County in applying for an EPA Grant (Superfund Cooperative Agreement V 96803401). Doney Crowley became the administrator of the Grant. In its role as general counsel and as Grant administrator, Doney Crowley advised Lincoln County and the Board of Health that it could take draws that exceeded Grant expenditures in order to pay 20% of the Grant funds received to Doney Crowley for its services as Grant administrator. Federal regulations require that grant administrators like Doney Crowley be paid on an hourly basis. As a result, the EPA later investigated the matter and ordered Lincoln County to repay \$105,697.

Lincoln County and the Board of Health considered its civil options against Doney Crowley. In doing so, negotiations began with Doney Crowley. As a result and after quite a bit of back and forth, Doney Crowley offered \$120,000 to resolve this matter and Lincoln County and the Board of Health accepted. In considering that settlement offer, Lincoln County and the Board of Health understood that it was unlikely that significantly more would be recovered after a civil lawsuit, which would necessitate significant time and effort and would require incurring attorney fees.

Lincoln County and the Board of Health are pleased to bring this matter to a resolution and move forward to focus on the important issues facing Lincoln County.