

MOORE, COCKRELL, GOICOECHEA & JOHNSON, P.C.

Mikel L. Moore
[Also Admitted in Arizona]
Dale R. Cockrell
[Also Admitted in South
Dakota and Colorado]
Sean P. Goicoechea
Jay T. Johnson
Jennifer Jeresek Mariman
[Also Admitted in Oregon]
Christopher C. Di Lorenzo
[Also Admitted in Colorado]
Katherine A. Matic
Thomas A. Hollo
[Also Admitted in Massachusetts]

145 Commons Loop, Ste. 200
Kalispell, MT 59901

December 8, 2017

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P.O. Box 7370
Kalispell, MT 59904-0370

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Office: (406) 751-6000
Fax: (406) 756-6522

Via Email Only

Sarah Hulstein
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street
Denver, CO 80202-1129
Hulstein.Sarah@epa.gov

Re: Request for Final Documentation - Superfund Cooperative Agreement V 96803401

Dear Ms. Hulstein:

We represent the City/County Board of Health for Lincoln County (“Board”). We are in receipt of James A. Hageman’s November 21, 2017 letter to the Board requesting final documentation regarding Superfund Cooperative Agreement V 96803401 (“Grant”). Since sending that letter, I understand Mr. Hageman, Lincoln County Commissioner Mark Peck, and Lincoln County Administrator Darren Coldwell have spoken about the issues contained therein. We understand you seek documentation/information with respect to two primary issues: 1) Grant payments to Doney Crowley, P.C. (“Law Firm”), and 2) whether certain Grant funds were kept in an interest bearing account.

With respect to the first issue, the Board is simply not in a position to verify the accuracy of the time included on the Law Firm’s Draft Statement, attached to my letter dated September 1, 2017, or certify that time stated therein was incurred in administering the Grant. Rather, the Law Firm is in the best position to provide that verification/certification. Attached hereto is our letter dated December 5, 2017 to the Law Firm in that regard. We will promptly forward you any information we receive in response to that letter.

With respect to the second issue, the drawdowns referenced in Mr. Hageman’s November 21, 2017 letter totaling \$144,500.46 were not kept in an interest bearing account or in any cash management arrangement with a bank. Rather, they were kept in a checking account with Glacier Bank that accrues no interest. I understand Commissioner Peck, Mr. Coldwell, and Mr. Hageman spoke about this issue and that Mr. Coldwell has sent Paul Felz the following documents:

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1. Monthly Grant deposits dating back to January 2013 confirming no interest was accrued;
2. Email from Lincoln County Treasurer Nancy Higgins confirming Lincoln County does not distribute interest on Grant funds deposited with Lincoln County;
3. Grant cash balance in July of 2015 (the last month Lincoln County received a Grant payment) and Grant cash balance in September 2017 (when Lincoln County began the new Grant);
4. Monthly general ledgers showing all Grant expenses and deposits from the inception of the Grant to July 2015; and
5. Monthly general ledgers showing all Grant expenses and deposits from August 2015 through September 2017.

Again, we will promptly send you any information we receive from the Law Firm. Should you have any questions or need any further information, please feel free to contact us.

Sincerely,

MOORE, COCKRELL,
GOICOECHEA & JOHNSON, P.C.



Jennifer Mariman

JJM/lw

Enclosure – 12/5/17 Letter to Doney Crowley, P.C.

Cc: Mike Cole, Chair, Lincoln County Board of Commissioners
Mark Peck, Lincoln County Board of Commissioners
Marcia Boris, Lincoln County Attorney
Darren Coldwell, Lincoln County Administrator
Jan Ivers, Chair, City/County Board of Health for Lincoln County
James A. Hageman, Director of Grants, Audit and Procurement Office, U.S.
Environmental Protection Agency