

## ***Resolution of the Flathead Reservation Water Management Board***

***#frwmb 06(2024): Direction for Legal Communications, Workflow, and Fiscal Management***

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**Date of Original Approval:** \_\_\_\_\_

**Purpose:** Establish communication, workflow, and billing policies for operations of legal counsel when providing legal services for the Flathead Reservation Water Management Board and/or the Office of the Water Engineer.

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### **Communications**

The Water Engineer shall serve as the primary point of contact for legal counsel and does so under the guidance of the Board. Communications regarding legal assignments, assignment priorities, assignment timelines, billing, payment, and scheduling of hearings or court actions will be routed through the Water Engineer, who will act in executive function for the Board at their direction.

The Board Chair and Vice Chair shall serve as the secondary contact points and be copied on all communications with legal substance, excluding administrative ministerial activities of implementation for assignments and actions already approved. If there are issues of appeals or personnel that warrant exclusion of either the Board Chair or Vice Chair, only the Board member without the conflict shall be copied on the communications.

If there are issues of appeals or personnel that warrant exclusion of the Water Engineer from communications, the Water Engineer will not be included on the communications related to that topic. The primary point of contact will shift to the Board Chair and Vice Chair.

The Board may designate alternative primary and secondary contacts through majority vote in all instances, the Board Chair and Vice Chair may be replaced respectively by alternative designees selected by the Board.

The Water Engineer may designate alternative primary contact from the OE Staff via written communication copied to the Board Chair, Vice Chair, and legal counsel.

### **Billing**

Bills will be routed to the Office of the Water Engineer. Legal counsel will provide the Water Engineer with written electronic communication, copied to the Board Chair, when fees for billable services exceed monthly established contractual thresholds. This action will occur preferably in advance of meeting thresholds, but minimally within two business days of exceeding thresholds and before performing billable functions exceeding a 10% overage of established monthly thresholds. Upon receiving notice, the Water Engineer is authorized to

permit additional legal counsel billable functions via written communication copied to the Board Chair and Vice Chair.

**Workload Tracking**

For purposes of achieving public meeting schedules and document review, legal counsel will work with the Water Engineer to develop and maintain a workflow document, detailing project updates, affirmation of priority of work, and level of individual project completion. Legal counsel will track billing by specific project and provide the Water Engineer with a tabular data sheet in the monthly billing.

**Attendance at Meetings and Other Billable Venues**

Legal counsel shall be present at every Board meeting either virtually or in person. Legal counsel will inform and get approval from the Water Engineer in advance of attending, in person, Board meetings, seminars, conference calls, and other venues. Legal counsel may be asked to limit billable attendance to such venues at the direction of the Board Chair via written communication with the Water Engineer and Vice Chair copied.

**Resolution Certification**

Resolution #frwmb 06 is hereby adopted by the Flathead Reservation Water Management Board on \_\_\_\_\_, with \_\_\_\_\_ members voting in favor and \_\_\_\_\_ members voting in opposition. This Resolution will hereby serve to guide and govern the Board and OE operations.

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Date: \_\_\_\_\_  
Board Chair, Clayton Matt

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Date: \_\_\_\_\_  
Board Vice Chair, Roger A. Noble

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Date: \_\_\_\_\_  
Water Engineer Acknowledgement