

Flathead Reservation Water Management Board Minutes

October 27, 2022, from 2:00-4:00 PM

In-person: Flathead Reservation Water Management Board Office
400 Main Street Southwest, Ronan, MT 59864

Virtual at Zoom Link: <https://zoom.us/j/97880877439>

1. Call to Order (Board Chair)

- 1.1. Opening Prayer
Georgia Smies
- 1.2. Attendance: Roger Noble, Kenneth Pitt,
Georgia Smies, Teresa Wall-McDonald, Craig Adams (Bia, acting
Superintendent)
Absent: Clayton Matt
- 1.3. Announce meeting minutes on DNRC & CSKT websites
- 1.4. Adopt agenda
Motion by Roger Noble
Second by Georgia Smies
Vote result: Approved, 4 of 4

2. Public Comment (for items not on the agenda)

No public comment.

3. Board Business (Board Chair)

- 3.1. Approve minutes for September 29, 2022, September 8, 2022, and
October 13, 2022

For September 29th
Motion by Roger Noble
Second Teresa Wall-McDonald
Vote result: Approved, 4 of 4

For September 8
Motion by Georgia Smies
Second by Teresa Wall-McDonald
Vote result: Approved, 4 of 4

For October 13
Motion by Roger Noble
Second by Georgia Smies

Vote result: Approved, 4 of 4

3.2. Legal updates (Hallee Frandsen)

H. Frandsen: Letting the board know that it's a similar list of updates: The board was provided the artist contract for the logo. Will need board approval on logo and open meeting law memo. HR review and potential policy and procedure update will be given by John Tietz.

J. Tietz: We would like to have a working session with legal counsel and the board. Ethan is now working, and we would like to schedule a board session. We have a lot of things in play and would like to have some discussions. Could we schedule in the next few weeks to have an in-person meeting? Would like to review legal counsel and bylaws.

K. Pitt: Next date is November 10, 2022

J. Tietz: I will check my schedule.

R. Noble: How many hours do you believe it will be as a working session?

J. Tietz: 2

H. Frandsen: 10th of November would work.

R. Noble: Would we like to meet right before the next board meeting?

K. Pitt: Does 12:30 on November 10th work?

J. Tietz: Yes, it will work.

K. Pitt: Lets schedule for that date. I have not read the memo for open meeting laws and would like 2 weeks to review.

R. Noble: Do we need to have action to release logo?

H. Frandsen: We need confirmation on how to proceed.

G. Smies: Our logo is important to get the website developed.

H. Frandsen: We can discuss these matters during our working session.

3.3. Domestic allowance applications

3.3.1. Applications recommended for authorization (Board-Cristy Brooks)

C. Brooks: We have 13 applications that need approval for a domestic allowance permit. The following applications need approval: Bolme, Brickowski, Franklin, Guenther, Guenther, and Guenther, Hess, Holy, Madman, Mahre, Purser, Purser (2), Western MT Land & Cattle LLC, Whitehair, J, Whitehair, K.

No public comment

3.3.2. Board action on domestic allowance authorizations
Motion to authorize applications: Roger Noble
Second by: Georgia Smies
Vote: Approved, 4 of 4

3.4. Redundant wells (Board-Ethan Mace)

3.4.1. Update on 10/13 questions

E. Mace: Last meeting we discussed the redundant well form. I gave a definition of what a redundant well is. Without water the public would move over to the redundant well. This form is the first of its kind and directed to the office of the engineer. The form would be directed to the office of the engineer for approval instead of the board. This is to provide separation per the compact for the board and the office of the engineer. Would like notarization legality to be looked at, the third item is the legal counsel. What happens if the applicant is not timely in filing with the office? Ethan wanted to pursue ramifications. Legal counsel offered some language to be added in the affidavit section to remove the notarization requirement. Once this was added we could remove the requirement. Could we check to see if notary could be removed from all forms if this language was added. If an applicant came in with a good cause of filing the redundant well late with the Water Engineer, there would be an exception.

H. Frandsen: Regarding the form, the title should be changed to declaration and not affidavit. The language needs to be changed.

R. Noble: The title of the person signing the form should be added to the form.

E. Mace: Additionally, if legal or the board sees any changes needed, please get back to me. Do we need public comment on redundant well form?

Public Comment: No public comment.

3.4.2. Board action on redundant well form and process

Motion by: Georgia Smies, approval with changes

Second by: Teresa Wall-McDonald

Vote: Approved, 4 of 4

3.5. Human Resources Committee

3.5.1. Water conservation specialist position (Board-Ethan Mace)

E. Mace: Letting the board know the progress of interviews and hiring of the water conservation specialist. I would like to make an offer this week for hire. Will send out offer letter with a verbal confirmation of the hire.

K. Pitt: Has the authority to hire been given to you?

E. Mace: Was told by the board that it's his regular duties to hire. In purposes of outreach or expenditures of budget I would ask the board's approval. I would receive permission before offering position.

G. Smies: Thank you to Pelah and others that contributed to the interview process, it was a job well done.

3.6. Office of the Engineer Operations (Board-Ethan Mace)

3.6.1. Domestic Allowance application processing update

E. Mace: First item, getting through today's applications the board has authorized 203 domestic allowance applications.

3.6.2. Office of the Engineer Business Hours: Mon-Thurs 9:00 am to 5:00 pm

E. Mace: Hours for the office, seeing the amount of walk-in traffic and the behind the scenes work for administration. I would like approval to leave Fridays set aside to do administration duties.

T. Wall-McDonald: Feels it's reasonable with ability to plan more public interaction. Not sure if it's a long-term purpose but feels it's reasonable for a 6-month period.

G. Smies: Do you plan on being in the office on Friday?

E. Mace: Would like a flex situation. If Cristy would like to work five, eight hours days then she can continue but if she adjusts the schedule then that would be fine.

K. Pitt: Sounds like it would be a good idea.

R. Noble: What would the phone usage be?

E. Mace: No. We would leave that for Monday's.

T. Wall-McDonald: Absolutely make sure to state the hours. Making sure there is a very clear message to the public on when calls would be returned.

R. Noble: Doesn't feel closing the office on Friday meets the mandate of serving the public. Feels that the office shouldn't be closed. At least half a day it should be open to the public. I hope that this would change once we bring other staff on.

E. Mace: Changing the hours is part of processing the 3,000 applications and moving towards the hours we could eliminate the public interrupting the processing of these applications. If someone has a pending transaction is usually what we have public contacting us for. My hope is to get more time to work on this project.

K. Pitt: Monday-Thursday with ½ day on Friday.

E. Mace: We have a door sign and voice mail option to display office hours.

P. Hoyt: Clarification on hours.

K. Pitt: 9-1 if that works for Cristy.

C. Brooks: That works for me.

3.6.3. Chairs for Board members

E. Mace: Would the board be interested in authorizing purchase for chairs?

K. Pitt: He's comfortable with the chairs we have now.

R. Noble: I'm comfortable now with these chairs.

G. Smies: I'm fine with the chairs we have.

3.6.4. IT updates

3.6.4.1. Board email and calendars

E. Mace: One of the first topics, is the board emails and calendars. I spoke to Roger about the email and wondering if he's ready to work with Kelly Connect on getting settled.

R. Noble: I did call.

E. Mace: Teresa have you been able to get yours set up?

T. Wall-McDonald: I need help.

E. Mace: I will have someone from IT contact you.

K. Pitt: Part of the problem I was experiencing was IT having an old phone number.

E. Mace: Can I get the boards phone numbers? I will reach out to you separately Teresa.

3.6.4.2. Laptops

E. Mace: Laptops are here, and you are not obligated to take the laptop if it doesn't work for you. I know some wanted these laptops due to public right to know and being subpoenaed to court and expected to submit information from their personnel laptop and so using these laptops might be beneficial. Our IT management will allow access to the public information of the calendar, emails, any personal information would be kept in a file for use. I will have staff sign out laptops to track who has them. Standard record keeping.

3.6.4.3. Kelly Connect

E. Mace: We are in a discovery process; they do have a ticket system. They create a work ticket; this is common for IT companies. We need to gather a plan with landlords' permission to do network cable drops and a repeater for the Wi-Fi. Large congestion with internet uses the repeater system would allow for large meetings. Will send draft with information on IT.

T. Wall-McDonald: This all sounds good.

3.6.5. Public outreach

E. Mace: Last meeting you requested that we get some movement on some public relations of my hire, would like comments. Have received some comments on the PR and would like to know if there is more. Rob has helped his expertise on developing the PR.

K. Pitt: I'm the delay with the PR.

R. Noble: I didn't receive the PR.

E. Mace: I will send this out, additionally if you have any questions and comments let me know. We would like to have public meetings for realtors.

P. Hoyt: Cassie from First call provided a rough draft.

R. McDonald: Will review

E. Mace: Working through with Pelah.

P. Hoyt: It's more in a construction phase.

4. Board Member or Other Updates

No board updates.

5. Public Comment

No public comment

6. Next Steps/Meetings:

6.1. Set next meeting: November 10, 2022 (in person)

P. Hoyt: Would it work for us to move the meeting back to 3pm instead of 2pm.

K. Pitt: That would work for us so the legal meeting can be at 1pm.

Maya the following meeting after would be on Thanksgiving.

H. Frandsen: Would Ethan want to answer some questions regarding the .gov domain.

E. Mace: Was waiting to see the draft memo in applying for the .gov status.

H. Frandsen: Works and there are criteria to meet for .gov domain. It doesn't meet the autonomy of fiscal and administrative. It does meet the other criteria. We can analyze this information in the memo.

R. Noble: Seems like giving our independent status would allow us to qualify but not administrative

H. Frandsen: Under the criteria it meets 2 of the 3.

R. Noble: We have 2 governmental entities

H. Frandsen: Can take a more in-depth review of.

6.2. Other items

No other items.

7. End meeting (Board Chair)

All in favor 4 of 5.