

MEMORANDUM OF UNDERSTANDING

Dated this 17<sup>th</sup> day of August, 2018.

This Memorandum of Understanding (MOU) is between the:

VILLAGE OF QUEEN CHARLOTTE  
PO Box 580  
Queen Charlotte BC V0T 1S0  
(hereinafter called the "Village")

AND THE:

SKIDEGATE BAND COUNCIL  
PO Box 1301  
Skidegate BC V0T 1S1  
(hereinafter called the "Band")

WHEREAS:

- A. In 2009, the Village of Queen Charlotte received an Inspector's Direction under the *Fisheries Act* to develop a strategy for the treatment and disposal of the Village's sewage, as untreated sewage is considered a substance that is harmful to fish, and the Village sewage system was constructed in 1984, with only minor extensions since that date (hereinafter called the "Village Sewer System"); and
- B. The Skidegate Band Council operates and maintains a secondary sewage treatment plant (STP) that was constructed in 2006/07 and comprises an aerated lagoon process housed in two circular concrete tanks sized for 1200 people with provision to expand to 1,800 people (hereinafter called the "Band STP"); and
- C. A Village/Skidegate Band Joint Sewage Treatment Concept Design Study was completed in 2013; and
- D. Both communities desire to enter into discussions regarding the feasibility of developing a servicing agreement that would allow the Village to treat its sewage at the Band's STP (hereinafter called the "Servicing Agreement").

WITNESSES that in consideration of the covenants, conditions and agreements herein contained, the Village and Band covenant and agree as follows:

- 1. The term of this MOU shall commence on **September 1, 2018**, and continue in perpetuity, or on termination of the completion of a Servicing Agreement, or when a decision is made that joint sewer treatment is not feasible.
- 2. The Village and the Band recognize that this project has long term impacts for both communities, and they agree to openly share the technical and financial information that will be needed to make decisions in the best interests of our residents.
- 3. The Village and the Band will establish a Working Group to further these discussions made up of one (1) representative of each Council and the Chief Administrative Officers and Public Works Superintendents of each community. The Terms of Reference of the Working Group and schedule of meetings will be developed jointly by the Chief Administrative Officers with final approval from each Council, and will include updating the 2013 feasibility study and recommending a cost sharing Servicing Agreement for joint sewer treatment.

**Sewer Treatment MOU between the Village of Queen Charlotte and the Skidegate Band Council**

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4. The Village and the Band commit to an open and transparent process for keeping residents of both communities informed on the progress of the discussions. The key milestones for communication and/or consultation will be recommended by the Working Group with final approval from each Council.
5. Understanding that there may be other issues of mutual concern that arise as the details of joint sewer treatment are worked through, Village and Band representatives will meet quarterly to look for ways to help each other in the best interests of both communities.
6. Any notice required to be given under this MOU shall be validly given to:
  - a) the Village by mail or email, addressed to:  
VILLAGE OF QUEEN CHARLOTTE  
PO Box 580  
Queen Charlotte Haida Gwaii BC V0T 1S0  
Attention: Chief Administrative Officer  
Email: [cao@queencharlotte.ca](mailto:cao@queencharlotte.ca)
  - b) the Band by mail or email, addressed to:  
SKIDEGATE BAND COUNCIL  
PO Box 1301  
Skidegate Haida Gwaii BC V0T 1S1  
Attention: Chief Administrative Officer  
Email: [cao@skidegate.ca](mailto:cao@skidegate.ca)
7. Either party hereto may at any time and from time to time change its address for service of notices by providing written notice given to the other party.
8. In this MOU the singular or feminine includes the plural or masculine or body corporate whenever the context so requires.
9. Either party may terminate this agreement by providing a full calendar months' notice to the other party.

IN WITNESS WHEREOF the parties have executed this MOU as of this 17 day of August, 2018.

VILLAGE OF QUEEN CHARLOTTE  
By its Authorized Signatory:

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Greg Martin  
Mayor

SKIDEGATE BAND COUNCIL  
By its Authorized Signatory:

  
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Billy Yovanovitch  
Chief Councillor