

VILLAGE OF CHASE

BY-LAW NO. 261

A By-law to authorize a contract with the Adams Lake Indian Band for connection to the sewer system of the Village of Chase.

WHEREAS, pursuant to Section 286.1 of the Municipal Act being Chapter 290, R.S.B.C., 1979, and amendments thereto, the Council may, with the approval of the Inspector of Municipalities, enter into an agreement with the Council of an Indian Band and provide a Municipal Service to land within a Reserve.

NOW THEREFORE, the Council of the Village of Chase, in open meeting assembled enacts as follows:

1. THE agreement attached to this by-law and marked Appendix "A" is hereby declared to be and is a part of this by-law.
2. The Mayor and the Clerk of the Village of Chase are hereby authorized to sign and affix the seal of the Corporation and do all things necessary to complete the signing part of this by-law on the behalf of the Corporation of the Village of Chase.
3. This By-law may be cited for all purposes as Village of Chase CONTRACT WITH ADAMS LAKE INDIAN BAND for CONNECTION TO THE SEWER SYSTEM OF THE VILLAGE OF CHASE NO. 261, 1983.

READ A FIRST TIME THIS 2nd DAY OF March, 1983.

READ A SECOND TIME THIS 2nd DAY OF March, 1983.

READ A THIRD TIME THIS 10th DAY OF March, 1983.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS _____ DAY OF _____, 1983.

RECONSIDERED AND ADOPTED this 12th day of May, 1983.

Donald Sampson
Mayor

Shirley Timpany
Clerk

I hereby certify the foregoing to be a true and correct copy of By-law No. 261, cited as "Village of Chase Contract with Adams Lake Indian Band for Connection to the Sewer System of the Village of Chase, 1983." as Read a Third Time by Council on the 10th day of March, 1983.

Shirley Timpany
Clerk

Approved pursuant to the provisions of section 286.1 of the Municipal Act this 4 day of May 1983.
[Signature]
Inspector of Municipalities

A true copy of By-Law No. 261 registered in the office of the Inspector of Municipalities this 3rd day of June 1983.

[Signature]
Deputy Inspector of Municipalities

AGREEMENT IN PRINCIPLE

This AGREEMENT is made as of the 28th day of APRIL, A. D. 1983.

BETWEEN:

THE MUNICIPAL COUNCIL OF THE VILLAGE OF CHASE
P. O. Box 440
CHASE, B. C.
VOE IMO

AND

THE ADAMS LAKE INDIAN BAND COUNCIL
P. O. Box 588
CHASE, B. C.
VOE IMO

for a joint wastewater collection and disposal system.

The Village of Chase Municipal Council and the Adams Lake Indian Band Council hereby agree to the following;

1. The Adams Lake Indian Band Council agrees to pay a total capital contribution of \$105,000.00 to the Village of Chase as part of the capital contribution for the treatment system and that part of the collection system of the Village of Chase which is utilized to transfer municipal waste material from the Adams Lake Indian Reserve to the Village of Chase treatment facilities.
2. The phasing of payments from the Adams Lake Indian Band Council to the Village of Chase to be based on the percentage of the estimated construction cost for each phase, resulting in the following payment schedule.

Year	Estimated Const. Cost	Percent	Payment
1	\$160,683	46.4	\$ 48,720
2	95,455	27.5	28,875
3	90,505	26.1	27,405

The payments from the Indian Band Council to the Village of Chase to be on a lump sum upon the completion and commissioning of each phase of the works.

3. Any future major capital construction program on the wastewater collection and disposal system which is contemplated by the Village of Chase and which may involve injection of capital funds from the Indian Band Council will require advance notice to the Band and agreement from the Band concerning their share of the work.
4. This AGREEMENT is intended to cover the composition of the respective communities at the time of the signing of the AGREEMENT, and any major changes (commercial and industrial developments) which may alter the proportional flows significantly will require negotiation of an amendment to this AGREEMENT.

- 5. User rates to cover the costs of operation and maintenance of the treatment system, lift stations, and the portion of the collection system within the municipal boundaries which are used by the Indian Band Council, will be charged to the Band Council in accordance with By-law No. 255 of the Village of Chase, and will be set at \$4.00 per connection per month and paid on a quarterly basis by the Indian Band Council.
- 6. As part of the regular village operation and maintenance program, the Village of Chase maintenance personnel shall inspect, monitor, and repair the lift station located within the Indian reserve, as necessary.

It is understood that the Band Council will be responsible for the capital costs of any parts which need to be replaced as part of the regular maintenance schedule, and it is further understood that an arrangement will be made between the Village maintenance crews and the Band Council whereby the Indian Band's maintenance man is available during the maintenance trips to observe and learn from the Village crews. Any additional expenses incurred by the Village crews due to the training program are to be paid by the Band as mutually agreed upon.

The Adams Lake Indian Band lift station is not connected into the Village of Chase central alarm system; both parties are agreeable to inclusion of the Indian Band lift station into the alarm system. As soon as David Nairne and Associates Ltd. has received the necessary design information regarding the Village of Chase alarm system, the municipality will proceed with the design of works necessary to connect the Indian Band Council's lift station to the system.

- 7. Any additional costs associated with inclusion of the Band lift station on the alarm system will be borne by the Band Council.
- 8. The Indian Band Council agrees to give the Village crews access to the lift station on demand.

NOTE: The liability of the Indian Band when Village crews are on reserve and the liability of Village crews when they are working on the reserve, shall be covered by insurance to ensure that sufficient coverage for all parties is in place.

- 9. The Indian Band Council, subject to final review of the by-law, agrees to comply with the Village of Chase connection by-law, which covers the method and types of discharge into the wastewater collection and disposal system.

David Nairne
Mayor

Shirley Simpson
Cliff Treanor
FOR THE VILLAGE OF CHASE

Harvey Jules
Ron Jules
Tom Dennis

FOR THE ADAMS LAKE INDIAN BAND COUNCIL

APRIL 28, 1983
DATE