


CERTIFICATION

Pursuant to section 86 Indian Act RSC 1989 C.I-5 and amendments thereto, I certify that the attached copy of the Westbank First Nation Campbell Road Capital Expenditure Bylaw No. 01-TX-01 a true copy of the said by-law.



KUMAR DHIR

Director, Lands and Trust Services,
A Superintendent as defined in
Section 2 (1) Indian Act RSC 1985

Minister of Indian Affairs
and Northern Development



Ministre des Affaires
indiennes et du Nord canadien

Ottawa, Canada K1A 0H4

I, the Minister of Indian Affairs and Northern Development, HEREBY
APPROVE, pursuant to section 83 of the *Indian Act*, the following bylaw
made by the Westbank First Nation, in the Province of British Columbia, at a
meeting held on the 29th day of March 2001.

- **Westbank First Nation**
Campbell Road Capital Expenditure Bylaw No. 01-TX-01

A handwritten signature in black ink, appearing to read "Robert D. Lawrence".

Dated at Ottawa, Ontario this 5th day of *May* 2001.

Canada

**WESTBANK FIRST NATION
CAMPBELL ROAD TR-11A
CAPITAL EXPENDITURE BYLAW NO. 01-TX-01**

WHEREAS:

- A. Pursuant to Section 83(1) of the *Indian Act* and the Westbank First Nation's inherent right of self-government, the Westbank First Nation has enacted the Westbank First Nation Property Taxation Bylaw, 95-TX-08 (the "**Taxation Bylaw**");
- B. In accordance with section 12(3)(l) of the Taxation Bylaw, the Westbank First Nation annually deposits Ten (10%) per cent of annual gross taxes in a cumulative capital projects fund (the "**Cumulative Fund**") to be used from time to time for such capital projects as may be authorized by separate bylaw;
- C. Pursuant to the Westbank First Nation Expenditure Bylaw, 1995, amended by Bylaw 97-TX-03 (the "**Expenditure Bylaw**"), the Westbank First Nation is authorized to expend moneys raised pursuant to the Taxation Bylaw for local purposes, including the provision of Local Services on Reserve and capital projects;
- D. The Council of the Westbank First Nation deems it desirable and in the best interests of the members of the Westbank First Nation to construct sewer infrastructure off reserve along Campbell Road to benefit and provide sewer service to lands within Tsinstikeptum Indian Reserve No.10, pursuant to the Project Cost Summary attached as Schedule "A" to this Bylaw;
- E. The Westbank First Nation has estimated the total cost of construction of the water distribution system to be Two Hundred Sixty-Three Thousand Three hundred Thirty-Seven (\$263,337.00) Dollars, including expenses incidental thereto, as outlined in Schedule "B."

NOW THEREFORE, the Council of the Westbank First Nation hereby enacts the following bylaw:

- 1. This Bylaw may be cited for all purposes as the Campbell Road Capital Expenditure Bylaw No. 01-TX-01.
- 2. The Westbank First Nation hereby acknowledges that it is in the best interests of the Westbank First Nation to construct the sewer infrastructure, as identified in Schedule "A," to improve and extend sewer service to lands within Tsinstikeptum Indian Reserve No. 10.
- 3. The Westbank First Nation hereby approves the expenditure of Two Hundred Sixty-Three Thousand Three hundred Thirty-Seven (\$263,337.00) Dollars from moneys collected pursuant to the Taxation Bylaw for the purposes of constructing the sewer infrastructure in accordance with Schedule "B."
- 4. The Westbank First Nation also authorizes the expenditure of all or a portion of the moneys identified in section 3 to acquire all such lands, easements, rights-of-way, licences, permits, rights and authorities as may be required or desirable for or in connection with the construction of the sewer infrastructure within Tsinstikeptum Reserve No. 10.
- 5. The Westbank First Nation acknowledges and agrees that any moneys not expended on the water distribution system as identified in Schedule "B," or incidental thereto, will be reimbursed to and deposited in the Cumulative Fund.

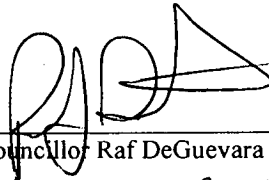
6. This Bylaw comes into full force and effect upon approval by the Minister of the Department of Indian Affairs and Northern Development.

BE IT KNOWN that this Bylaw, entitled the Campbell Road TR-11A Capital Expenditure Bylaw No. 01-TX-01 is hereby read for the first, second and third and final time and is hereby enacted as Bylaw No. 01-TX-01 by the Council of the Westbank First Nation at a duly convened meeting of Council held on the 27 day of March, 2001.

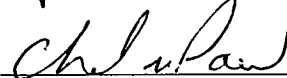
Voting in favour of the Bylaw are the following members of Council:


Chief Brian Eli

Councillor Deanna Hamilton


Councillor Raf DeGuevara

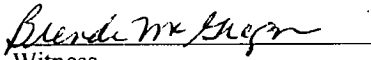
Councillor Michael Werstuik


Councillor Chad Paul

being a majority of those members of the Council of the Westbank First Nation present at the aforesaid meeting of the Council.

The Quorum of council is three (3) members.

I, Brian Eli, Chief of the Westbank First Nation, do hereby certify that a true copy of the foregoing Bylaw was mailed to the Minister of Indian Affairs and Northern Development pursuant to section 83 of the Indian Act the 27 day of March, 2001.


Witness


Chief Brian Eli

SCHEDULE "A"

PROJECT SUMMARY

This project includes engineering services during construction and contracted construction services for approximately 720 meters of sanitary sewer off-reserve along Campbell Road in a southerly direction from the boundary of I.R.#10 to Casa Rio Drive in Casa Loma.

This project is undertaken in partnership with the Regional District of Central Okanagan and the Provincial Ministry of Transportation and Highways to install the sewer line during a highway repair project on Campbell Road. The sewer line is intended to eventually connect to the Regional District's sanitary sewer system and become an integral part of the system bringing sewer service to I.R.#10.

Project costs for sewer extensions to provide service to specific developments on I.R.#10 will be developer driven. As such, developers will be required to pay the cost of these extensions and to contribute to the cost of this and other sections of the project.

Developers will be required to construct sewer infrastructure to WFN standards.

SCHEDULE "B"

ENGINEER'S COST ESTIMATE: CAMPBELL RD SANITARY SEWER					
GRAVITY MAIN PORTION ONLY					
ITEM NUMBER	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION
Section 01050 Field Engineering					
01050.1	Survey, Layout & As-Built Allowance	L.S.	1	####	\$ 1,200.00
Section 01050.1 Traffic Regulation					
01050.1	Traffic Control	L.S.	1	####	\$ 2,500.00
Section 02070 Sitework Demolition and Removal					
02070.1	Asphalt Removal & Disposal (all depths)	m2	2000	\$ 5.00	\$ 10,000.00
02070.2	Asphalt Sawcutting (all depths)	lin.m.	50	\$ 3.00	\$ 150.00
Section 02224 Roadway Excavation, Embankment & Compaction					
02224.1	Re-Circulate Backfill	m2	500	\$ 20.00	\$ 10,000.00
02224.2	Remove & Replace Unsuitable Trench Material with Imported Pit Run	m3	1000	\$ 40.00	\$ 40,000.00
02224.3	Rock Removal & Off-site Disposal	m3	50	\$ 50.00	\$ 2,500.00
Section 02233 Granular Base					
02233.1	Granular Base (100mm depth)	sq.m.	2500	\$ 5.00	\$ 12,500.00
Section 02234 Granular Sub-Base					
02234.1	Granular Subbase (300mm depth)	sq.m.	2500	\$ 7.00	\$ 17,500.00
Section 02512 Hot-Mix Asphalt Paving Paving					
02512.1	Road Paving - MoTH Class II Medium Mix (50mm depth)	sq.m.	2500	N.I.C.	
Section 02725 Manholes & Catchbasins					
02725.1	Standard Manhole Base (1050 mm dia.)	ea.	12	\$ 500.00	\$ 6,000.00
02725.2	Standard Manhole Riser Section (1050 mm dia.)	vrt.m.	25.3	\$ 500.00	\$ 12,650.00
02725.3	Standard Manhole Lid & Casting (1050 mm dia.)	ea.	12	\$ 500.00	\$ 6,000.00
Section 02731 Sanitary Sewer					
02721.1	Sewer Gravity Main (300mm, all depths)	lin.m.	672	\$ 100.00	\$ 67,200.00
02721.2	Sewer Gravity Main (200mm, all depths)	lin.m.	36	\$ 90.00	\$ 3,240.00
02721.3	Sewer Service Pipe (100mm, all depths)	lin.m.	120	\$ 60.00	\$ 7,200.00
02721.4	Inspection Chambers c/w Stub, Plug, End Cap & Marker	ea.	12	\$ 250.00	\$ 3,000.00
02721.5	Wyes (300mm x 100mm)	ea.	12	\$ 250.00	\$ 3,000.00
02721.6	Twin Forcemain Stubs & Caps	L.S.	1	\$ 500.00	\$ 500.00
02721.7	Concrete Pull Box c/w Steel Lid	ea.	12	\$ 200.00	\$ 2,400.00
02721.8	Sewer Gravity Main End Caps (all diameters)	ea.	4	\$ 100.00	\$ 400.00
SUBTOTAL					\$ 207,940.00
5% CONTINGENCY ALLOWANCE					\$ 10,397.00
ENGINEERING INSPECTION					\$ 19,000.00
WFN CONTINGENCY					\$ 25,000.00
TOTAL COST					\$ 262,337.00