

Ministre des
Relations Couronne-Autochtones



Minister of
Crown-Indigenous Relations

Ottawa, Canada K1A 0H4

I, Minister of Crown-Indigenous Relations, HEREBY APPROVE, pursuant to section 83 of the *Indian Act*, the following by-law made by the Westbank First Nation in the Province of British Columbia, at a meeting held on the 15th day of July 2019.

- ***Westbank First Nation
Public Works Equipment Replacements
Capital Expenditure By-law No. 19-TX-03***

Dated at Ottawa, Ontario, this 30th day of August 2019.

A handwritten signature in blue ink that reads "Carolyn Bennett".

Hon. Carolyn Bennett, M.D., P.C., M.P.

**WESTBANK FIRST NATION
PUBLIC WORKS EQUIPMENT REPLACEMENTS CAPITAL
EXPENDITURE BY-LAW NO. 19-TX-03**

TO AUTHORIZE THE EXPENDITURE OF A MAXIMUM OF THREE HUNDRED AND FIFTY EIGHT THOUSAND DOLLARS (\$358,000.00) FROM MONEY RAISED PURSUANT TO SECTION 83(1) OF *INDIAN ACT*, FOR THE PURPOSE OF EQUIPMENT REPLACEMENTS FOR PUBLIC WORKS, WITHIN TSINSTIKEPTUM INDIAN RESERVES NO.09 & NO.10.

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 By-law, 95-TX-08 (the "**Taxation By-law**");
- B. In accordance with section 12(3)(1) of the Taxation By-law, the Westbank First Nation annually deposits Ten (10%) percent 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 by-law;
- C. Pursuant to the Westbank First Nation Expenditure By-law, 1995, amended by By-law 97-TX-03 (the "**Expenditure By-law**"), the Westbank First Nation is authorized to expend moneys raised pursuant to the Taxation By-law 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 interest of Band and Community members to advance funds to complete Public Works equipment replacements.
- E. The Westbank First Nation has concluded the total cost of Public Works equipment replacements to be not more than \$358,000.00 as outlined in Schedule "A" to this By-law.

NOW THEREFORE, the Council of the Westbank First Nation hereby enacts the following by-law;

TITLE

1. This By-law may be cited for all purposes as the Public Works Equipment Replacements Capital Expenditure By-law No. 19-TX-03.

EXPENDITURE AUTHORIZATION

2. The Westbank First Nation hereby acknowledges that it is in the best interests of its members to fund the Public Works equipment replacements project as summarized in Schedule "A" to this By-law ("the Project").
3. The Westbank First Nation hereby approves the expenditure of not more than Three Hundred Fifty Eight Thousand (\$358,000.00) Dollars from the Cumulative Fund to fund the project (the "Project Funds").
4. Any of the Project Funds not expended on the capital project or on incidental, costs related thereto will be reimbursed to and deposited in the Cumulative Fund upon completion of the Project.

EFFECTIVE

5. This By-law comes into full force and effect upon approval by the Minister of the Department of Indigenous Affairs and Northern Development Canada.

BE IT HEREBY RESOLVED:

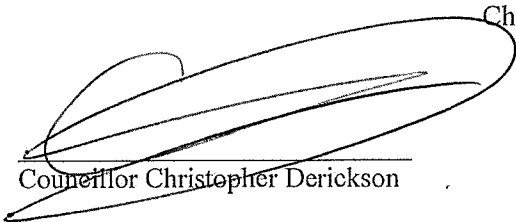
That this By-law, entitled the Public Works Equipment Replacements Project WFN By-law No.19-TX-03 having been:

Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 02nd day of July 2019.

Exempt from a second reading pursuant to section 60.9 of the Westbank First Nation Constitution.

Read a third time by Council of the Westbank First Nation at a duly convened meeting held on the 15th day of July 2019, is hereby enacted as a Westbank Law.

Chief Roxanne Lindley

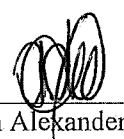


Councillor Christopher Derickson

Councillor Brian Eli



Councillor Thomas Konek



Councillor Fernanda Alekander

SCHEDULE "A"

**BUDGET FOR PROPOSED FOR PUBLIC WORKS EQUIPMENT REPLACEMENTS
CAPITAL EXPENDITURE BY-LAW 19-TX-03**

Equipment	Estimate	FUNDING SOURCE
MultiLift Hooklift Truck New truck to replace PW55006. PW55006 is 12 years old (2007), and has required annual maintenance of ~\$7,000.00. This truck will not only replace truck PW5500, but it will also add capacity to our fleet by the addition of multiple attachments (see below).	\$ 200,000.00	WFN, Local Government Services (LGS) All Work to be completed in 2019
Sanding Unit for winter operations Pre-wet system (PWS) for Sanding unit 10' Front Plow of winter operations Liquid Application System (LAS) for winter operations and dust control. Garbage Bin on Sub frame Subtotal Contingency Total	\$ 25,000.00 \$ 8,000.00 \$ 20,000.00 \$ 55,000.00 \$ 12,000.00 \$ 320,000.00 <u>\$ 38,000.00</u> \$ 358,000.00	WFN, LGS