

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 30th day of July 2018.

- **Westbank First Nation
Capital Expenditure By-law No. 18-TX-04**

Dated at Ottawa, Ontario, this 29 day of November 2018.


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

**WESTBANK FIRST NATION
PUBLIC WORKS PURCHASE CAPITAL EXPENDITURE BY-LAW NO.
18-TX-04**

TO AUTHORIZE THE EXPENDITURE OF A MAXIMUM OF ONE HUNDRED AND NINETY SIX THOUSAND AND SEVEN HUNDRED EIGHTY FOUR THOUSAND DOLLARS (\$196,784.00) FROM MONEY RAISED PURSUANT TO SECTION 83(1) OF *INDIAN ACT*, FOR THE PURPOSE OF OPERATIONAL SECURITY IMPROVEMENTS FOR PUBLIC WORKS, EQUIPMENT REPLACEMENT AND TO COMPLETE LANDSCAPING PROJECTS WITHIN TSINSTIKEPTUM INDIAN RESERVE NO.09.

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)(l) 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 operational security improvements, equipment replacements and to conclude landscaping capital projects.

- E. The Westbank First Nation has concluded the total cost of operational security improvements, equipment replacements and landscaping projects to be not more than \$196,784.00 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 Purchase of Operational Security Improvements, Equipment replacements and Landscaping Projects Capital Expenditure By-law No. 18-TX-04.

EXPENDITURE AUTHORIZATION

2. The Westbank First Nation hereby acknowledges that it is in the best interests of its members to fund operational improvements, equipment replacements and landscaping projects as summarized in Schedule "A" to this By-law ("the Project").
3. The Westbank First Nation hereby approves the expenditure of not more than One Hundred Ninety Six Thousand and Seven Hundred Eighty Four (\$196,784.00) 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 Operational Security Improvements, Equipment Replacements and Landscaping Projects WFN By-law No.18-TX-04 having been:

Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 16th day of July 2018.

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 30th day of July 2018, is hereby enacted as a Westbank Law.

Chief Roxanne Lindley

Councillor Christopher Derickson



Councillor Thomas Konek



Councillor Brian Eli



Councillor Fernanda Alexander

SCHEDULE "A"

**BUDGET FOR PROPOSED FOR PUBLIC WORKS SECURITY IMPROVEMENTS
EQUIPMENT REPLACEMENTS AND LANDSCAPING PROJECTS CAPITAL
EXPENDITURE BY-LAW 18-TX-04**

ITEM	COST	FUNDING SOURCE
Public Works Improvement Projects		
(2) Automated Gate access to works yards	\$ 40,000.00	WFN, Local
Public Works Equipment Replacements		Government Services
Replace Bobcat 773	\$ 70,000.00	(LGS)
(3) Industrial Grade Push mower (21-x-series)	\$ 8,000.00	All Work to be
Turf Dethatcher	\$ 6,200.00	completed in 2018
Purchase Utilities (UT65006 Truck)	\$ 6,000.00	
(Attachment) Sand dispenser for 3500 Truck	\$ 6,000.00	
(Attachment) Snow Plow for 3500 Truck	\$ 9,500.00	
Landscape Items		
Furniture, Banners, Trash Bins/transit stops public	\$ 20,000.00	
Spaces, parks, Transit Stops, multi use paths		
Plant Replacements (replace dead plants various	\$ 10,000.00	
Locations		
Sub Total	\$175,700.00	
Contingency	\$21,084.00	WFN, LGS
TOTAL	\$ 196,784	WFN, LGS