

Ministre des Affaires
autochtones et du Nord



Minister of Indigenous and
Northern Affairs

Ottawa, Canada K1A 0H4

I, Minister of Indigenous and Northern Affairs, 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 11th day of April 2016.

- **Westbank First Nation
Capital Expenditure By-law No. 16-TX-01**

Dated at Ottawa, Ontario, this 21 day of June 2016.

A handwritten signature in blue ink, which appears to read 'Carolyn Bennett', is written over the printed name.

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

**WESTBANK FIRST NATION
PUBLIC WORKS PURCHASE CAPITAL EXPENDITURE BY-LAW NO.
16-TX-01**

To authorize the expenditure of a maximum of One Hundred and Forty Three Thousand Dollars (\$143,000.00) from money raised pursuant to section 83(1) of the *Indian Act*, for the purpose of fleet replacements for Public Works, equipment upgrades and to conclude landscaping projects.

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 the Band members to advance funds to complete Public Works fleet replacement, equipment upgrades and to conclude landscaping projects capital purchases.
- E. The Westbank First Nation has concluded the total cost of purchasing capital fleet replacement, equipment upgrades and public safety to be not more than \$143,000.00 as outlined in Schedule "A" to this By-law.

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

SHORT TITLE

1. This By-law may be cited for all purposes as purchase of capital equipment for fleet replacement, equipment upgrades and landscaping uses Capital Expenditure By-law No. 16-TX-01.

EXPENDITURE AUTHORIZATION

2. The Westbank First Nation hereby acknowledges that it is in the best interests of its members to purchase capital equipment for fleet replacement, equipment upgrades and landscaping projects as summarized in Schedule "A" to this By-law.
3. The Westbank First Nation hereby approves the expenditure of not more than One Hundred and Forty Three Thousand (\$143,000.00) Dollars from the Cumulative Fund for the purposes of purchasing fleet replacement, equipment upgrades and landscaping projects (the "Project Funds").
4. The Westbank First Nation also authorizes the expenditure of all or a portion of the Project Funds 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 fleet replacement, equipment upgrades and landscaping projects.
5. Any of the Project Funds not expended on the fleet replacement, equipment upgrades and landscaping projects or incidental costs related thereto, will be reimbursed to and deposited in the Cumulative Fund upon completion of fleet replacement, equipment upgrades and landscaping projects.
6. Any funds not expended on this project will be reimbursed to and deposited in the "Cumulative Fund".

EFFECTIVE

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

BE IT HEREBY RESOLVED AND AGREED:

That this By-law, entitled the Public Works fleet replacement, equipment upgrades and landscaping projects WFN By-law No.16-TX-01 being read for the first, second and third and final time by the Council of the Westbank First Nation held at a duly convened meetings.

Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 29th day of February, 2016.

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

Read a third time, and enacted as a Westbank Law, by Council of the Westbank First Nation at a duly convened meeting held on the 11th day of April, 2016.



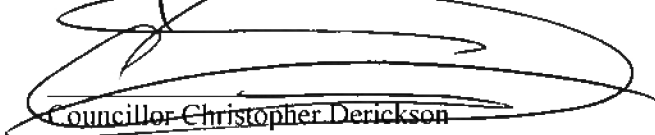
Chief Robert Louie



Councillor Michael De Guevara



Councillor Mick Werstuik



Councillor Christopher Derickson



Councillor Brian Eli

SCHEDULE "A"

BUDGET FOR PROPOSED FOR PUBLIC WORKS FLEET REPLACEMENT EQUIPMENT UPGRADES AND LANDSCAPING PURCHASE PROJECTS

ITEM	COST	FUNDING SOURCE
Irrigation Truck (Ford)	\$40,000.00	WFN, Local Government Services (LGS) All Work to be completed in 2016
Bobcat Attachments (Bobcat)	\$10,000.00	
Tractor Upgrades (John Deere)	\$ 6,000.00	
Ridge Estates Reader Border	\$ 5,000.00	
Falcon/Fox Road Park	\$12,000.00	
Landscape Banners	\$10,000.00	
Public Works Yard Periphery	\$ 5,000.00	
Major Road Landscape Improvements	\$ 5,000.00	
IR No.10 Hwy 97 Berm replacement	\$ 6,000.00	
Hwy 97 Boulevard improvements	\$14,000.00	
Tomat Park / Sneena Road	\$10,000.00	
Lindley Office Building Landscape curbs	\$ 7,000.00	
Contingency	\$13,000.00	WFN, LGS
TOTAL	\$ 143,000	WFN, LGS