

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 May 16, 2022.

***Westbank First Nation IR No.09 and No.10 Development Services
Trackless Machine Purchase Project Capital Expenditure
By-law No. 22-TX-03***

Dated at Ottawa, Ontario, this 10 day of June 2022.

A blue ink signature of Marc Miller, consisting of a stylized, cursive 'M' and 'M'.

Hon. Marc Miller, P.C., M.P.

WESTBANK FIRST NATION
IR NO.09 IR NO.10 DEVELOPMENT SERVICES TRACKLESS MACHINE
PURCHASE PROJECT CAPITAL EXPENDITURE BY-LAW NO. 22-TX-03

To authorize the expenditure of a maximum of One Hundred Fifty Five Thousand Six Hundred and Ninety Dollars (\$155,690.00) from money raised pursuant to section 83(1) of the *Indian Act*, for the purpose of completing the Development Services Trackless Machine Purchase Project within the Tsinstikeptum Indian Reserve No.09 and 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)(m) of the Taxation By-law, the Westbank First Nation annually deposits Ten (10%) percent of annual gross taxes in an income contingency fund (the "**Contingency Fund**") to be used from time to time for such capital projects as may be authorized by separate by-law;

- C. In accordance with section 4.4 of the WFN Expenditure By-law 1995, all surplus monies remaining in the Taxation Fund at the end of the Fiscal Year specified in the Expenditure By-law Annual Budget Schedule may be transferred into the Stabilization Fund, and may be applied towards the operation and administration costs for the next Fiscal Year, overruns on existing Capital projects or for any other contingencies, (the "**Stabilization Fund**");

- D. Westbank First Nation deems it desirable and in the best interest of the community members to advance funds to complete the Development Services Trackless Machine Purchase Project on Tsinstikeptum Indian Reserve No.09 and No.10.

- E. The Westbank First Nation has concluded the total cost of Development Services Purchase of the on Tsinstikeptum Indian Reserve No.09 and No.10 to be not more than One Hundred Fifty Five Thousand Six Hundred and Ninety Dollars \$155,690.00 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 the IR No.09 and No.10 Development Services Trackless Machine Purchase Project Capital Expenditure By-law No. 22-TX-03.

EXPENDITURE AUTHORIZATION

2. The Westbank First Nation hereby acknowledges that it is in the best interests of all community and band members of the Westbank First Nation to proceed with the Development Services Trackless Machine Purchase Project as summarized in Schedule "A" to this By-law.
3. The Westbank First Nation hereby approves the expenditure of not more than One Hundred Fifty Five Thousand Six Hundred Ninety Dollars (\$155,690.00) from the Contingency Fund for the purposes of Development Services Trackless Machine Purchase Project (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 the IR No.09 and No.10 Development Services Trackless Machine Purchase Project.
5. Any of the Project Funds not expended on the IR No.09 No.10 Development Services Trackless Machine Purchase Project or incidental costs related thereto, will be reimbursed to and deposited in the Contingency Fund upon completion of the IR No.09 and No.10 Development Services Trackless Machine Purchase Project.

EFFECTIVE

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

BE IT HEREBY RESOLVED AND AGREED:

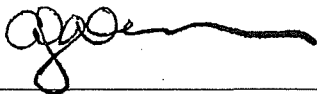
That this By-law, entitled the "IR No.09 and No.10 Project By-law No.22-TX-03" has been read for the first, second (if required), third and final time by the Council of the Westbank First Nation at duly convened council meetings.

Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 02nd day of May, 2022.

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 16th day of May, 2022.

Chief Christopher Derickson



Councillor Andrea Alexander



Councillor Fernanda Alexander



Councillor Jordan Coble



Councillor Lorrie Hogaboam

SCHEDULE "A"

| BUDGET FOR PROPOSED IR NO.09 and No.10 Development Services Trackless Machine Purchase Project 22-TX-03 | COST | FUNDING SOURCE |
|--|---|---|
| Trackless Machine Series MT7 V-Plow Blade Liquid Application System | \$ 144,000.00 7,350.00 4,340.00 | WFN, Local Government Services Contingency Fund |
| Total Cost | \$ 155,690.00 | WFN, LGS Contingency Fund IR 9, 10 |
| Total Cost | \$ 155,690.00 | WFN, LGS Contingency Fund |