

Ministre des Affaires indiennes et
du Nord canadien et interlocuteur fédéral
auprès des Métis et des Indiens non inscrits



Minister of Indian Affairs and
Northern Development and Federal Interlocutor
for Métis and Non-Status Indians

Ottawa, Canada K1A 0H4

I, Minister of Aboriginal Affairs and Northern Development, 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 17th day of December 2012.

- **Westbank First Nation**
Capital Expenditure By-law No. 12-TX-07

A handwritten signature in black ink, appearing to be 'J. Man...'.

Dated at Ottawa, Ontario, this 16 day of JAN 2013, 2012.

Canada¹⁺¹

**WESTBANK FIRST NATION
IR No.09 FUTURE COMMUNITY GOVERNANCE SITE LAND
PURCHASE CAPITAL EXPENDITURE BY-LAW NO. 12-TX-07**

To authorize the expenditure of a maximum of Five Hundred and Thirty Thousand Dollars (\$530,000.00) from money raised pursuant to section 83(1) of the *Indian Act*, for the purpose of purchasing 1.05 acre lot 83-2 within the 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 all community and band members to advance funds to complete the purchase of locatee land for future governance and recreational site.
- E. The Westbank First Nation has concluded the total cost of purchasing of the locatee land for future expansion of governance and recreational use to be not more than \$530,000 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 Land Purchase for Future Community Governance and Recreational Site Capital Expenditure By-law No. 12-TX-07.

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 purchase land for future community governance and recreation site project as summarized in Schedule "A" to this By-law.
3. The Westbank First Nation hereby approves the expenditure of not more than Five Hundred and Thirty Thousand (\$530,000.00) Dollars from the Cumulative Fund for the purposes of purchasing land for future community governance and recreational site 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 future community governance and recreation land purchase project.
5. Any of the Project Funds not expended on the IR No.09 community governance and recreation land purchase project or incidental costs related thereto, will be reimbursed to and deposited in the Cumulative Fund upon completion of the IR No. 09 community governance and recreation land purchase project.
6. All revenue collected related to this By-law will be reimbursed to "the Cumulative Fund".

EFFECTIVE

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

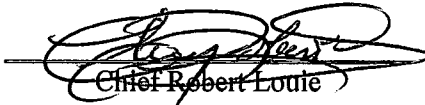
BE IT HEREBY RESOLVED AND AGREED:

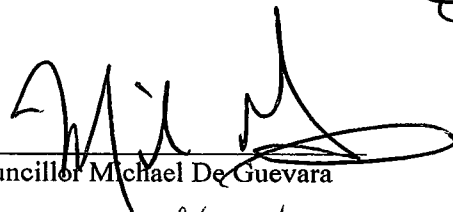
That this By-law, entitled the IR No. 09 Future Community Governance and Recreational Land Purchase Project WFN By-law No.12-TX-07 being read for the first, second and third and final time by the Council of the Westbank First Nation held at a duly convened meetings.

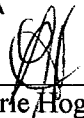
Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 19th day of November, 2012.

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 17th day of December, 2012.


Chief Robert Louie


Councillor Michael De Guevara


Councillor Lorrie Hogaboam

Councillor Mickey Werstuik


Councillor Christopher Derickson

SCHEDULE "A"

BUDGET FOR PROPOSED IR NO.9 FUTURE COMMUNITY GOVERNANCE AND RECREATIONAL LAND PURCHASE PROJECT

ITEM	COST	FUNDING SOURCE
Land Purchase	\$505,000	WFN, Local
Demolition and site restoration	\$ 25,000	Government Services (LGS)
	\$530,000	WFN, LGS
TOTAL	\$ 530,000	WFN, LGS



WESTBANK FIRST NATION

#301, 515 Hwy. 97 South, Kelowna, BC V1Z 3J2
Telephone: (250) 769-4999 – Fax: (250) 769-4377

WESTBANK FIRST NATION Council Meeting

Date: Tuesday, December 17, 2012
Time: 8:30 AM
Location: Board Room, Lindley Building
#310-515 Hwy. 97 South

AT THIS MEETING, THE FINAL DRAFT OF THE *LOCAL REVENUE LAW 12-TX-07* WILL BE READ AND CONSIDERED FOR ENACTMENT.

SUMMARY OF THE LOCAL REVENUE LAW 12-TX-07

Under *Westbank First Nation Expenditure Law 1995*; in accordance with section 4.4 of the Westbank First Nation Expenditure Bylaw, all surplus monies remaining in the Taxation Fund at the end of the Fiscal Year specified in the Expenditure bylaw 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**”).

Under *Local Revenue Law 12-TX-07*, WFN will be empowered to expend Stabilization Funds up to \$530,000.00 for the purchase of 1.05 acre lot 83-2, for Future Governance and Recreation Site Expansion (the “**Future Governance and Recreation Site Expansion Project**”). The purpose of the IR No. 10 Future Governance and Recreation Site Expansion Site is to provide a centralized core for better service to all members and residents.

First reading of the draft *Law 12-TX-07* was given by Council November 19, 2012, third and final reading will be given on December 17, 2012. A Local Revenue Law is exempted from second reading by section 60.9 of the *WFN Constitution*.

A COPY OF THE FINAL DRAFT LAW CAN BE OBTAINED IN THE DEPARTMENT OF TAXATION AT WFN ADMINISTRATION OFFICE AT 515 HWY 97 SOUTH, WESTBANK, BC.