

Ministre des Affaires autochtones
et du développement du Nord



Minister of Aboriginal Affairs and
Northern Development

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 29th day of July 2013.

- **Westbank First Nation
I.R. No. 09 Community Youth Center
and Sport Court Project
Capital Expenditure By-law No. 13-TX-07**

Dated at Ottawa, Ontario, this 20th day of *September* 2013.

A handwritten signature in black ink, appearing to read "J. ...".

Canada 

WESTBANK FIRST NATION
IR No.09 YOUTH CENTER AND SPORT COURT CAPITAL
EXPENDITURE BY-LAW NO. 13-TX-07

To authorize the expenditure of a maximum of Three Million Eighty Thousand Dollars (\$3,080,000.00) from money raised pursuant to section 83(1) of the *Indian Act*, for the purpose of completing the construction of the Community Youth Center and Sport Court 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)(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. Westbank First Nation deems it desirable and in the best interest of the community to advance funds to complete the Community Youth Center and Sport Court on Tsinstikeptum Indian Reserve No.09.
- E. The Westbank First Nation has concluded the total cost of construction of the Community Youth Center and Sport Court on Tsinstikeptum Indian Reserve No.09 to be not more than \$3,080,000.00 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 the IR No.09 Community Youth Center and Sport Court Project Capital Expenditure By-law No. 13-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 proceed with the Community Youth Center and Sport Court Project as summarized in Schedule "A" to this By-law.
3. The Westbank First Nation hereby approves the expenditure of not more than Three Million Eighty Thousand (\$3,080,000.00) Dollars from the Stabilization Fund for the purposes of the Community Youth Center and Sport Court 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 Community Youth Center and Sport Court Project.
5. Any of the Project Funds not expended on the IR No.09 Community Youth Center and Sport Court Project or incidental costs related thereto, will be reimbursed to and deposited in the Stabilization Fund upon completion of the IR No.09 Community Youth Center and Sport Court Project.

EFFECTIVE

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

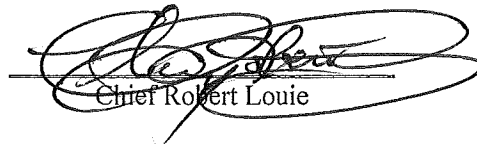
BE IT HEREBY RESOLVED AND AGREED:

That this By-law, entitled the IR No.09 Community Youth Center and Sport Court Project By-law No.13-TX-07 being read for the first time by the Council of the Westbank First Nation held at duly convened meetings.

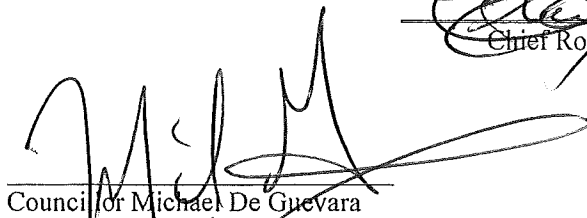
Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 17th day of June, 2013.

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 29th day of July, 2013.



Chief Robert Louie



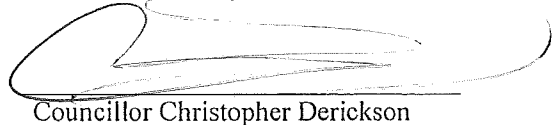
Councillor Michael De Guevara



Councillor Lorrie Hogaboam



Councillor Mickey Werstuik



Councillor Christopher Derickson

SCHEDULE "A"

BUDGET FOR PROPOSED IR NO.09 Community Youth Center and Sport Court Project 13-TX-07	COST	Year of Expenditures
Planning / Servicing	\$ 90,000.00	2013
Design	\$ 257,000.00	2013/2014
Construction	\$2,425,000.00	2013 / 2014
Contingency	\$ 308,000.00	2014
TOTAL	\$3,080,000.00	



	The 4.4 Million for the Youth centre includes \$100,000 for the infrastructure, a contingency and the servicing.
Staff exits:	Coun. Derickson, Coun. Werstuik and Chief Louie left the meeting at 10:53am.
Staff enters:	B. Connor entered the meeting at 10:56am
MOTION	MOVED BY GORDON COUCH Seconded by Bonnie Semeniuk THAT the Advisory Council hereby recommends the acceptance of the expenditure of \$600,000 from Capital funds for Local Revenue Law 13-LRL-08 -Construction of Improvements in the Community Core CARRIED
Staff exits:	R. DeGuevara left the meeting at 11:08am
Recess 11:03am	Reconvened 11:08am
Delegate enters:	K. Carmichael entered the meeting at 11:05am
	<u>Presentation of the 2012/2013 Audited Financial Statements for Local Government Services (Westbank First Nation Local Government Services Financial Statement is attached to the minutes as Exhibit "B")</u>
<i>K. Carmichael</i>	Overviewed the Audit with the Advisory Council. The category "Other Fundraising and Grants" is for money that comes in and does not fit into any other category. This would be donations, fundraising and grants. These items show up in many different areas of the revenue.
<i>L. Teichgraber</i>	This was easy to follow and read. But I would like to see the "Other Fundraising and Grants" category in a little more detail.
<i>B. Connor</i>	We could add the 3 or 4 main items, in this category, to next year's Budget.
Staff and delegate enter:	R. DeGuevara and E. Lube entered the meeting at 12:13pm.
Staff and delegate exit:	B. Connor and K. Carmichael left the meeting at 12:15pm
Recess for lunch at	Reconvene at 12:40pm

Ernest Jack

From: Laurie Bowen
Sent: Monday, July 29, 2013 10:40 AM
To: Ernest Jack; Dan Brown
Cc: Brian Conner; Graeme Dimmick; Hilary Hettinga; Raf De Guevara
Subject: Draft Minutes re Reading of Laws

Hi All,

Below, for your review, are the draft minutes from this morning's General Council Meeting re: the Readings of Laws. I will put the Third Readings on the Advisory Council agenda for FYI. Does the OK Highway / Daimler Road law still need to go to the Advisory Council or has it already been presented to them?

Laurie

	<p><u>Third Reading – Local Revenue Law 13-LRL-05 – White Tail Way Phase 2</u> (Staff Report to Council from E. Jack dated July 23, 2013 is attached to these minutes as Exhibit "J.")</p>
	<p>Council reviewed the report.</p>
<p>RESOLUTION 130729-08</p>	<p>MOVED BY COUNCILLOR DERICKSON Seconded by Councillor Werstuik THAT Council hereby gives Third Reading to, and enacts, Local Revenue Law 13-LRL-05 for an expenditure of up to \$150,345.25 for the completion of White Tail Way. CARRIED</p>
	<p><u>Third Reading – Capital Expenditure Bylaw 13-TX-07 – IR No. 09 Community Youth Centre and Sport Court</u> (Staff Report to Council from D. Brown dated July 24, 2013 is attached to these minutes as Exhibit "K.")</p>
	<p>Council reviewed the report.</p>
<p>RESOLUTION 130729-09</p>	<p>MOVED BY COUNCILLOR DE GUEVARA Seconded by Councillor Derickson THAT Council hereby gives Third Reading to, and enacts, Capital Expenditure Bylaw 13-TX-07 for the expenditure of up to \$3,080,000 for the design, construction and furnishing of the youth centre and sport court. Should any portion of the funds remain unexpended after the expenditures hereby authorized have been made, any unexpended funds shall be returned to the credit of the I.R. #9 Development Cost Charge Road reserves. CARRIED</p>
	<p><u>Third Reading – Capital Expenditure Bylaw 13-TX-08 – IR No. 09 Quail Lane Redesign and Phase 1 Servicing Project</u> (Staff Report to Council from D. Brown dated July 24, 2013 is attached to these minutes as Exhibit "L.")</p>



WESTBANK FIRST NATION

WESTBANK FIRST NATION Council Meeting

Date: Monday, July 29th, 2013
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 IR No.9 COMMUNITY YOUTH CENTER AND SPORTS COURT WITHIN THE FUTURE GOVERNANCE AND RECREATIONAL COMMUNITY CORE PLANNING DEVELOPMENT SITE PROJECT *CAPITAL EXPENDITURE BYLAW 13-TX-07* WILL BE READ AND CONSIDERED FOR ENACTMENT.

SUMMARY OF IR No.9 COMMUNITY YOUTH CENTER AND SPORTS COURT PROJECT CAPITAL EXPENDITURE BYLAW 13-TX-07

Under the Westbank First Nation Expenditure Bylaw 1995 and subsequent amendments (the "Expenditure Bylaw") Westbank First Nation "WFN" is authorized to expend moneys raised pursuant to the Westbank First Nation Property Taxation Bylaw 95-TX-08 (the "Taxation Bylaw") for local purposes, including the provision of local services on Reserve and capital projects.

Under *Bylaw 13-TX-07*, WFN will be empowered to expend Capital Projects funds up to \$3,080,000 for the construction of community youth center as part of the continued urbanization and address changing demographics for youth purposes.

First reading of the draft *Bylaw 13-TX-07* was given by Council June 17, 2013; A Local Revenue Law is exempted from second reading by section 60.9 of the *WFN Constitution*. Third and final reading will be given on July 29, 2013.

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.