

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 2nd day of August 2016.

- **Westbank First Nation  
Capital Expenditure By-law No. 16-TX-07**

Dated at Ottawa, Ontario, this 27<sup>th</sup> day of October 2016.

A handwritten signature in blue ink that reads "Carolyn Bennett".

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

**WESTBANK FIRST NATION  
IR NO.09 COMMUNITY CORE IMPROVEMENTS PHASE II CAPITAL  
EXPENDITURE BY-LAW NO. 16-TX-07**

To authorize the expenditure of a maximum of Four Hundred Fifty Thousand Dollars (\$450,000) from money raised pursuant to section 83(1) of the *Indian Act*, for the purpose of completing the construction of Community Core Phase II Road Construction and Landscaping 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)(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 Community Core Phase II Road Construction and Landscaping Project on Tsinstikeptum Indian Reserve No.09.
- E. The Westbank First Nation has concluded the total cost of construction of the Community Core Phase II Road and Landscaping on Tsinstikeptum Indian Reserve No.09 to be not more than Four Hundred Fifty Thousand Dollars \$450,000 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 Community Core Phase II Road Construction and Landscaping Project Capital Expenditure By-law No. 16-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 Core Phase II Road Construction and Landscaping Project as summarized in Schedule "A" to this By-law.
3. The Westbank First Nation hereby approves the expenditure of not more than Four Hundred Fifty Thousand Dollars (\$450,000) from the Contingency Fund for the purposes of the Community Core Phase II Road Construction and Landscaping 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 Core Phase II Road Construction and Landscaping Project.
5. Any of the Project Funds not expended on the IR No.09 Community Core Phase II Road Construction and Landscaping Project or incidental costs related thereto, will be reimbursed to and deposited in the Contingency Fund upon completion of the IR No.09 Community Core Phase II Road Construction and Landscaping 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:**

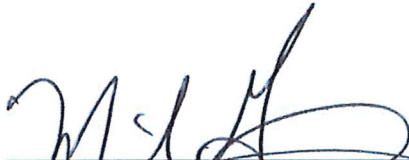
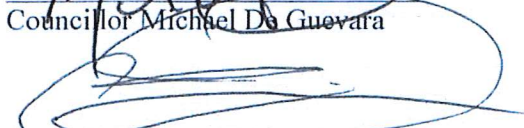
That this By-law, entitled the "IR No.09 Community Core Phase II Road Construction and Landscaping Project By-law No.16-TX-07" has been read for the first, second (if required), third and final time by the Council of the Westbank First Nation at duly convened council meetings.

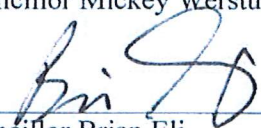
Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 4<sup>th</sup> day of July, 2016.

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 2<sup>nd</sup> day of August, 2016.

  
Chief Robert Louie

  
Councillor Michael De Guevara  
  
Councillor Christopher Derickson

Councillor Mickey Werstuik  
  
Councillor Brian Eli

**SCHEDULE "A"**

**16-TX-07**

**Community Core Phase 2 (2016 works)  
Youth Centre Site**

<b>Civil Works</b>	<b>Unit</b>	<b>quantity</b>	<b>unit price</b>	<b>amount</b>
Road Granular Base 100mm	sqm	1600	8	12800
Road Asphalt, 75mm	sqm	1600	30	48000
Barrier Curb	lm	300	80	24000
street Lighting	LS	3	7500	22500
multi use path curb	LM	190	85	16150
multiuse path subbase 150mm	sqm	304	14	4256
Multiuse Granular Base 100mm	sqm	304	8	2432
multi use path paving	sqm	266	19	5054
Line painting & Signage	LS	1	LS	5000
multiuse path bollard lights	each	12	3000	36000
<b>civil total</b>				<b>176192</b>
<b>Landscaping hardscapes</b>				
Site Grading	sqm	1272	12	15264
Concrete Paving	sqm	322	100	32200
stair handrails	lm	15	150	2250
cocrete stairs	ls	1	10000	10000
concrete walls	lm	45	600	27000
chain link fence	lm	70	150	10500
amphitheather lighting (in concrete)	LS	1	15000	15000
tree grates	each	10	2500	25000
fire pit	each	1	5000	5000
benches	each	2	3000	6000
<b>hardscapes total</b>				<b>112214</b>
<b>WFN softscapes</b>				
				<b>0</b>
gravel surfacing	sqm	33	50	1650
cobble mulch (100mm depth)	sqm	64	50	3200
Landscape edging (aluminum)	lm	138	25	3450
Topsoil planting areas (450mm)	cu.m	119	75	8925
topsoil turf areas (100mm)	cu.m	153	75	11475
sodding	sq.m	1022	8	8176
deciduous tree (6cm cal)	each	29	500	14500
coniferious trees (2.5m HT)	each	17	500	8500
Shrubs (#01 cont)	each	475	16	7600
wood bark mulch (50mm)	cu.m	13	100	1300
root barrier	lm	15	60	900
irrigation tie in	each	1	1500	1500
irrigation control	each	1	3000	3000
Irrigation planting drip	sq.m	265	20	5300
irrigation turf area	sq.m	1022	15	15330
irrigation trees	each	46	150	6900
<b>WFN softscapes</b>				<b>101706</b>
<b>Subtotal</b>				<b>390112</b>
<b>Engineering/Contingency (14%)</b>				<b>59888</b>
<b>Total</b>				<b>450000</b>

