

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 the 10th day of September 2018.

- **Westbank First Nation
Capital Expenditure By-law No. 18-TX-06**

Dated at Ottawa, Ontario, this 29 day of November 2018.

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

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

**WESTBANK FIRST NATION
SENSISYUSTEN HOUSE OF LEARNING ROOFTOP SOLAR PROJECT
CAPITAL EXPENDITURE BYLAW NO. 18-TX-06**

TO AUTHORIZE THE EXPENDITURE OF A MAXIMUM OF SEVENTY SEVEN THOUSAND DOLLARS (\$77,000.00) FROM MONEY RAISED PURSUANT TO SECTION 83(1) OF THE *INDIAN ACT*, FOR THE PURPOSE OF ROOFTOP SOLAR PROJECT OF THE SENSISYUSTEN HOUSE OF LEARNING AT 1900 QUAIL LANE, WESTBANK BC, WITHIN THE TSINSTIKEPTUM INDIAN RESERVE NO.09.

WHEREAS:

1. Pursuant to Section 83(1) of the *Indian Act* and Westbank First Nation's inherent right of self-government, Westbank First Nation has enacted the Westbank First Nation Property Taxation By-law, 95-TX-08 (the "**Taxation By-law**");
2. Pursuant to the Westbank First Nation Expenditure By-law, 1995, amended by By-law 97-TX-03 (the "**Expenditure By-law**"), 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;
3. In accordance with section 12(3)(l) of the Taxation By-Law, Westbank First Nation annually deposits ten percent (10%) of annual gross taxes into the "a cumulative capital projects fund", (the "**Cumulative Fund**") to be used from time to time for such capital projects as may be authorized by a separate by-law;
4. Westbank First Nation deems it desirable and in the best interest of the community to proceed with rooftop, solar project of the "Sensisyusten House of Learning" located at 1900 Quail Lane, Westbank, BC on Tsinstikeptum Indian Reserve No.09 (the "Rooftop Solar Project"). The Rooftop Solar Project will be completed in accordance with a proposed estimated cost of Seventy Seven Thousand Dollars (\$77,000.00) (see **Schedule "A"**);
5. Funding for the Installation will be drawn from the Cumulative Fund, raised pursuant to Section 83(1) of the *Indian Act*.

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

SHORT TITLE

1. This By-law may be cited for all purposes as the "Sensisyusten House of Learning Rooftop Solar Project Capital Expenditure By-law No. 18-TX-06".

EXPENDITURE AUTHORIZATION

2. Westbank First Nation hereby acknowledges that it is in the best interests of the community to proceed with the rooftop solar project in accordance with the schematics and plan attached (Schedule A).
3. Westbank First Nation hereby approves the expenditure of not more than Seventy Seven Thousand Dollars (\$77,000.00) on the rooftop solar project, to be drawn from the Cumulative Fund.
4. Westbank First Nation authorization of this capital expenditure includes all external expenditures related to the project including architects, designers, consultants, engineers, contractors, permits, and suppliers of all related goods and materials, but will not include any allocation of Westbank First Nation internal costs, overhead, or implicit interest.
5. Any of the project funds not expended on the "Sensisyusten House of Learning Rooftop Solar Project" or incidental costs related thereto will be reimbursed to the Cumulative Fund.

EFFECTIVE

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 "Sensisyusten House of Learning Rooftop Solar Project Capital Expenditure By-law No. 18-TX-06", being read for the first, second and third and final time by the Council of Westbank First Nation held at duly convened meetings.

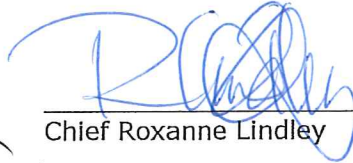
1st Reading

Kelowna, British Columbia, this 27th day of August 2018.

2nd Reading Exempt from second reading as per section 60.9 of Westbank First Nation Constitution pertaining to enactment of a Local Revenue Law.

3rd Reading

Kelowna, British Columbia, this 10th day of September, 2018.



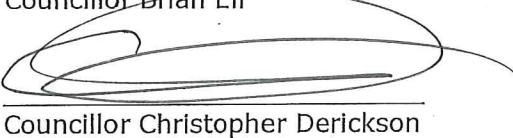
Chief Roxanne Lindley



Councillor Brian Eli



Councillor Thomas Konek



Councillor Christopher Derickson



Councillor Fernanda Alexander

SCHEDULE "A"

**Sensisyusten House of Learning Rooftop Solar Project
Capital Expenditure By-law No. 18-TX-06**

COST SUMMARY

ITEM	AMOUNT	YEAR OF EXPENDITURE
Rooftop Solar Project	\$ 77,000	Tax Revenue 2018
	40,000	OSR 2018
Contingency	\$ 33,000	2018
<u>TOTAL</u>	<u>\$150,000</u>	

MOTION

MOVED BY G. COUCH

Seconded by J. Cole

THAT the Advisory Council approves and recommends
Sensiyusten House of Learning Rooftop Solar Project
Capital Expenditure By-law 18-TX-06.

CARRIED

limlɔmpt

Adam Nerger

səx^wk'ətq'əq'aym (Recording Clerk)

Westbank First Nation

301-515 Highway 97 South

Kelowna, BC V1Z 3J2

T 250 769 4999 ext 1325

F 250 769 4377 www.wfn.ca

Community. Leadership. Pride.

Ernest Jack

From: Adam Nerger
Sent: Wednesday, August 29, 2018 9:37 AM
To: Ernest Jack
Cc: Eric Fleury
Subject: 18-TX-05 and 18-TX-06

Morning,

Below are the draft resolutions resulting from Monday's Council meeting.

**RESOLUTION
180827-04**

MOVED BY ilmix^{wəm} LINDLEY

Seconded by səx^{wk}wina?mam Konek

THAT yi səx^{wk}wina?məm hereby resolves to give First Reading of the Sensisyusten House of Learning Rooftop Solar Project Capital Expenditure By-law 18-TX-06.

CARRIED

limləmpt

Adam Nerger

səx^{wk}əʔq'əq'aym (Recording Clerk)

Westbank First Nation

301-515 Highway 97 South

Kelowna, BC V1Z 3J2

T 250 769 4999 ext 1325

F 250 769 4377 www.wfn.ca

Community. Leadership. Pride.



WESTBANK FIRST NATION

WESTBANK FIRST NATION Council Meeting

Date: Monday September 10th 2018
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.09 SENSISYUSTEN HOUSE OF LEARNING ROOFTOP SOLAR PROJECT *CAPITAL EXPENDITURE BY-LAW 18-TX-06* WILL BE READ AND CONSIDERED FOR ENACTMENT.

SUMMARY OF THE IR NO.09 SENSISYUSTEN HOUSE OF LEARNING ROOFTOP SOLAR PROJECT CAPITAL EXPENDITURE BY-LAW 18-TX-06

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

Under *By-law 18-TX-06*, WFN will be empowered to expend Capital Projects funds up to \$77,000 to complete the Sensisyusten House of Learning Rooftop Solar Project on IR No.09 for community purposes.

Council gave first reading of the By-law 18-TX-06 August 27, 2018, 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 September 10, 2018.

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.