

**TOWN OF CARMAN
BY-LAW NO. 08/1914
Being a By-Law to amend its By-Law No. 07/1904**

WHEREAS the Town of Carman, by its By-Law No. 07/1904, which was authorized by Municipal Board Order No. E-07-140, inter alia, authorized to issue borrowing in the amount totaling \$400,000.00;

AND WHEREAS no borrowing as authorized by said By-Law No. 07/1904 has been issued or sold;

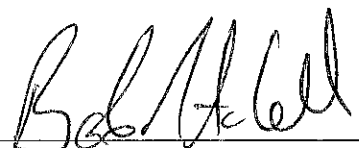
AND WHEREAS it is deemed necessary and expedient to amend said By-Law No. 07/1904 to provide for an increase in project costs, and that the authorized amount of borrowing to be issued be increased by the amount of \$250,000.00 from \$400,000.00 to \$650,000.00.

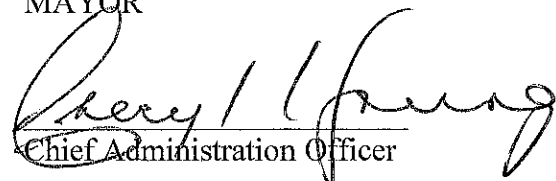
AND WHEREAS it is deemed expedient to further amend said By-Law No. 07/1904 to provide for an increase in the amount authorized borrowing authority.

NOW THEREFORE the Council of the Town of Carman duly assembled enacts as follows:

1. **THAT** By-Law No. 07/1904 **BE AND THE SAME IS HEREBY AMENDED** to provide for an increase in the amount of authorized borrowing authority in the amount of \$250,000.00 from \$400,000.00 to \$650,000.00.
2. **THAT** Schedule "A" to said By-Law No. 07/1904 be cancelled, and Schedule "A" hereto be substituted therefor.
3. **THAT** Schedule "B" to said By-Law No. 07/1904 be cancelled, and Schedule "B" hereto be substituted therefor.

DONE AND PASSED by the Council of the Town of Carman in the Province of Manitoba this 15th day of May A.D. 2008.


MAYOR


Chief Administration Officer

Read a first time this 20th day of March A.D. 2008.
Read a second time this 15th day of May A.D. 2008.
Read a third time this 15th day of May A.D. 2008.

THE MUNICIPAL BOARD OF MANITOBA
DECISION AND ORDER

DECISION DATE: April 22, 2008

Order No. E-08-085
File No. 07E8-0040

PANEL: Peter G. Diamant, Chair
David Gisser, Member

TOWN OF CARMAN - BY-LAW NO. 08/1914

The Town of Carman submits By-law No. 08/1914, attached as Appendix "A", to provide for an increase in borrowing authority from \$400,000.00 to \$650,000.00 (an increase of \$250,000.00).

By-law No. 08/1914 amends By-law No. 07/1904, approved by Municipal Board Order No. E-07-140.

Upon considering the proposed By-law, **THE BOARD ORDERS THAT:**

1. Town of Carman By-law No. 08/1914 **BE APPROVED** subject to the following amendments:
 - (a) Insert as Clause No. 3, **"THAT Schedule "B" to said By-law No. 07/1904 be cancelled, and Schedule "B" hereto be substituted therefor."**
2. A filing fee of \$50.00 be paid by the Town of Carman.

FOR THE MUNICIPAL BOARD

April 22, 2008
Date

Peter Diamant
Peter G. Diamant, Chair

Rose Gibbons
Rose Gibbons, Secretary



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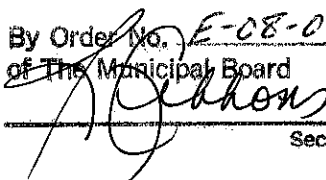
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1. **THAT** By-Law No. 07/1904 **BE AND THE SAME IS HEREBY AMENDED** to provide for an increase in the amount of authorized borrowing authority in the amount of \$250,000.00 from \$400,000.00 to \$650,000.00.
2. **THAT** Schedule "A" to said By-Law No. 07/1904 be cancelled, and Schedule "A" hereto be substituted therefor.

DONE AND PASSED by the Council of the Town of Carman in the Province of Manitoba this _____ day of _____ A.D. 20__.

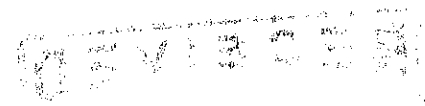
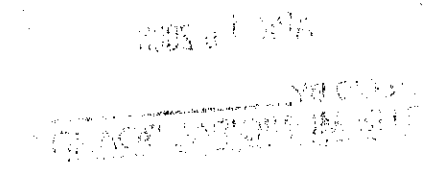
Approved, subject to Amendment

By Order No. E-08-085
of The Municipal Board

Secretary

MAYOR

Chief Administration Officer

Read a first time this 20th day of March A.D. 2008.
Read a second time this _____ day of _____ A.D. _____
Read a third time this _____ day of _____ A.D. _____

TOWN OF CARMAN

SCHEDULE - A TO BYLAW 08/1914 *To Amend Bylaw No 07/1904*
 Water Treatment Plant Addition for Sludge Filter Press

Local Improvement Debenture Issue

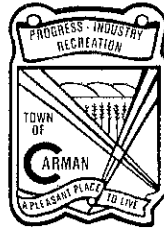
Term (Yrs): 10	Amount: 650,000.00
Date: December 31, 2008	Rate (%): 8.2500
Payable: December 31, 2009 - 2018	Annual Payment: 97,964.29
	First Year's Payment: 97,964.29
	Adjusted Last Year's Payment: 97,964.32

MATURITY SCHEDULE

Year	Interest	Principal	Balance
2009	53,625.00	44,339.29	605,660.71
2010	49,967.01	47,997.28	557,663.43
2011	46,007.23	51,957.06	505,706.37
2012	41,720.78	56,243.51	449,462.86
2013	37,080.69	60,883.60	388,579.26
2014	32,057.79	65,906.50	322,672.76
2015	26,620.50	71,343.79	251,328.97
2016	20,734.64	77,229.65	174,099.32
2017	14,363.19	83,601.10	90,498.22
2018	7,466.10	90,498.22	0.00

TOTALS	329,642.93	650,000.00	979,642.93
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18-Mar-08



**SCHEDULE "B" TO BY-LAW NUMBER 08/1914
THE TOWN OF CARMAN
LOCAL IMPROVEMENT PLAN #03/07, as amended
FOR
ADDITION TO THE WATER TREATMENT PLANT
FOR SLUDGE FILTER PRESS EQUIPMENT
(Pursuant to Subsection 315(1) of *The Municipal Act*)**

(a) *Description of the Proposed Local Improvement*

The Town of Carman has been working with the Water Services Board to provide a solution for the sludge bi-product of water production to be removed and treated rather than flushed into the Boyne River. The Town of Carman was then successful in obtaining financing through the Canada Manitoba Infrastructure Program for this project and is currently proceeding with a solution under this program. Dillon Consulting Ltd. has been hired to determine an acceptable solution to dispose of this sludge and has now come up with the recommendation of a sludge filter press should be built in the water treatment plant. This will allow the sludge mixture to be dried and the disposed of. This new treatment will no longer discharge this material into the Boyne River thus enhancing the river that flows through the Town of Carman.

(b) *Local Improvement District to be taxed*

The Council of the Town of Carman intends to impose this local improvement tax on all assessable property within the Town of Carman Local Improvement District Number One. This will include all taxable assessment, Grant-in-Lieu assessment and Otherwise Exempt assessment in the Town of Carman. Local Improvement District Number One includes all properties within the Town of Carman boundaries. The assessment value in 2008 of this property totals \$76,344,100.

(c) *Identify the Potential Taxpayers Under the Plan*

The potential taxpayer, as defined by Section 310 of *The Municipal Act*, is a person who would, if the local improvement were approved by by-law, be liable to pay for the local improvement. In this proposal, the potential taxpayer would include the owners of any assessable property in the Town of Carman Local Improvement District Number One.

(d) Method of Calculating Local Improvement Tax

The local improvement requirement in each year is to be raised by a local improvement tax calculated on the basis of the portioned value of eligible assessable property over ten (10) years.

The rate will be calculated on the current year's portioned assessment by mill rate, based on the 2008 assessment of \$76,344,100, the rate would be 1.28 mills.

Pursuant to Section 325 of *The Municipal Act*, taxpayers will not be permitted to prepay their respective local improvement taxes because they are based on assessment.

(e) Estimated Cost of Local Improvement

a. Sludge Filter Press Project	
-Filter Press	\$336,000.00
-Building Addition	\$585,000.00
-Engineering	<u>\$129,000.00</u>
Total Project costs	\$1,050,000.00
Less: Grant Received	<u>\$400,000.00</u>
Total Project Costs – Town of Carman cost	\$650,000.00

(f) Particulars of Debenture Issue

Amount of Debenture	\$650,000.00
Term	10 Years
Interest Rate	8.25% (or rate at the time of borrowing)
Due Date	December 31, 2009 through to 2018 both inclusive

(g) Other Anticipated Sources of Funding

The Town of Carman will receive \$400,000.00 funding through the Canada Manitoba Infrastructure Program for this project. The balance of the funding will be the responsibility of the Town of Carman.

(h) Funding of Maintenance of Proposed Local Improvement

The Town of Carman will include in its annual operating financial plans fund for the operating and maintenance of the equipment that will be situated in the Town's water treatment plant.