

RURAL MUNICIPALITY OF DUFFERIN

By-Law No. 1744

Being a by-law to authorize the expenditure and borrowing of funds for the completion of Phase 8 Rural Water Line System.

WHEREAS the provisions of the Municipal Act, S.M. 1996, c.58, provides in part as follows:

If approved by by-law, a municipality may undertake, as a local improvement for the benefit of all or part of the municipality,

- (a) the acquisition, development, upgrading or replacement of one or more of the following:*
 - ii) water supply, treatment and distribution facilities;*

AND WHEREAS subsection 320 (1) of the Act provides as follows:

Subject to subsections (2) and (6) and subsection 321(4), a council may by by-law

- (a) approve the local improvement or special service as set out in the plan or proposal;*
- and*
- (b) authorize the municipality to impose taxes as set out in the plan or proposal.*

AND WHEREAS section 172 of the Act provides in part as follows:

In this Division,

"Borrowing" means the borrowing of money, and includes

- (b) borrowing to pay for a local improvement under Division 4 (Local Improvements and Special Services) of Part 10,*

AND WHEREAS Section 174(1) of the Act provides in part as follows:

A municipality may make a borrowing only if

- (a) the borrowing is authorized by bylaw;*
- (b) subject to subsection (2), the borrowing is set out as a debt obligation in the operating budget or capital budget or it is made to fund an expenditure authorized under subsection 169(5);*

AND WHEREAS the Council of the Rural Municipality of Dufferin has prepared Local Improvement Plan No. 2/2001 providing for spending and borrowing authority for the construction of a rural water line system – Phase 8 as a local improvement pursuant to Part 10 of the Act.

AND WHEREAS the requirements as prescribed in sections 318, 319 and 320 of the Act have been complied with;

AND WHEREAS the consecutive annual amounts, including principal and interest required to be raised in each year for 10 years as hereinafter provided, for paying the principal and interest under this by-law are the amounts as set out in Schedule "A" hereto;

AND WHEREAS the amount of existing debenture debt of the Rural Municipality of Dufferin is \$1,623,997.35 of which no portion of the principal or interest thereon is in arrears.

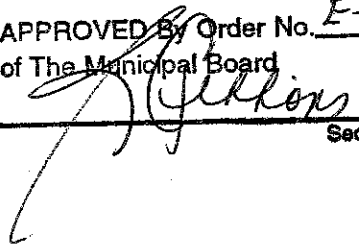
NOW THEREFORE the council of the Rural Municipality of Dufferin enacts as follows:

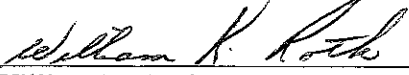
1. THAT pursuant to subsection 320(1) of the Act, the Rural Municipality of Dufferin approve Local Improvement Plan No. 2/2001 attached hereto as Schedule "B",
2. THAT the Rural Municipality of Dufferin may expend up to three hundred and seventy thousand and five hundred dollars (\$370,500.00) by the issue and sale of debentures for the purpose of completing the construction of the proposed Phase 8 of the rural water line system as a local improvement.
3. THAT for the aforesaid project, the municipality may borrow three hundred and seventy thousand and five hundred dollars (\$370,500.00). Such debentures shall be issued by the Rural Municipality of Dufferin and shall be payable at the Canadian Imperial Bank of Commerce in Carman, Manitoba and shall be dated the 31st day of December A.D., 2001.
4. THAT the said debentures shall bear interest at a rate estimated for the time being at 8% per annum, and subject in any event to the authorization of the Municipal Board at the time of sale, and shall mature in accordance with the maturities set out in Schedule "A" hereto on the 1st day of December in each of the years 2002 to 2011, both inclusive.
5. THAT each of the said debentures shall be signed by the Reeve, or by some other person authorized by by-law to sign same, and the Chief Administrative Officer of the Rural Municipality of Dufferin, and there shall be affixed thereto the corporate seal of the said municipality, and the coupons, if any attached thereto shall be signed by the Chief Administrative Officer.
6. THAT during the currency of the said debentures, namely, in each of the years 2002 to 2011, both inclusive, there shall be raised annually by a special rate of \$4.85 per foot on all the rateable property described in Schedule "C" hereto, according to the frontage thereof, with a minimum/maximum of 200 feet, an amount sufficient to provide for the principal and interest requirements hereunder.
7. THAT pursuant to paragraph 174(3)(d) of the Municipal Act, pending the issue and sale of debentures, the Council of the Rural Municipality of Dufferin may agree with a bank or person to borrow from the general funds of the municipality for temporary advances from time to time to meet expenditures incurred for the purpose aforesaid, and the total of such

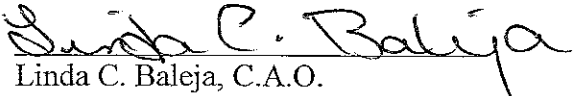
advances shall not exceed six hundred and fifteen thousand three hundred and thirty three dollars (\$615,333.34).

8. THAT during the term of the debentures authorized herein, in any year where debentures remain unissued, the levies may be made as if the debentures had been issued; and upon completion of the project authorized herein, when the final amount of the debt created hereunder is known, the levies shall be applied in reduction of temporary financing, and when issued, the amount and term of debentures shall be reduced accordingly.
9. THAT, at any time prior to or within thirty days following the completion of the work, any ratepayer of the area affected by the local improvement as described in Schedule "C" hereto may commute and pay in one principal sum that part of his share of the debt herein authorized in respect of the frontage and/or flankage rates provided herein in the said by-law of the Rural Municipality of Dufferin and hereafter no frontage and/or flankage rates shall be levied against the said lands in respect of the debentures to be authorized herein.

DONE AND PASSED as a by-law of the Rural Municipality of Dufferin in the Province of Manitoba this the day of A.D. 2001.

APPROVED By Order No. E-01-115
of The Municipal Board

Secretary


William K. Roth, Reeve


Linda C. Baleja, C.A.O.

Read a first time this the 11 day of Sept. A.D. 2001.

Read a second time this 13th day of Nov. A.D., 2001

Read a third time this 13th day of Nov. A.D., 2001.

1	A	B	C	D	E	F	G	H	I	J	K
NAME	ADDRESS	TOWN	PROV.	CODE	LEGAL	ROLL #	COST/CONN.	DEPOSIT	FRONT.	FTG. LEVY	
2	ADDITIONS TO ORIGINAL										
3	Christine Bray	Box 6	Sperling	Manitoba	ROG 2M0	NE 1/4 23-6-3 W.P.M.	9300	\$9,000.00	\$2,500.00	200	
4	Kara Sanduiak	Box 339	Carman	Manitoba	ROG OJO	Lot 1 Plan 25439 on SE 1/4 17-6-5 W.P.M.	83500	\$7,500.00	\$1,000.00	200	
5	Irene Praymayer		Carman	Manitoba	ROG OJO	SE 1/4 9-6-5 W.P.M.	79650	\$7,500.00	\$1,000.00	200	
6	Diane Lenton	Box 5	Stephenfield	Manitoba	ROG 2R0	Parcel D Plan 21380 - NE 1/4 24-6-7 W.P.M.	122400	\$7,500.00	\$1,000.00	200	
7	Simon & Elizabeth Prinsloo		Carman	Manitoba	ROG OJO	NE 1/4 3-7-5 W.P.M.	140000	\$9,000.00	\$2,500.00	200	
8	Aime Ouellette		Roseisle	Manitoba	ROG 1V0	Lots 1-3, Block 4 Plan 843, Roseisle	137200	\$7,500.00	\$1,000.00	200	
9	Don & Cindy McDonald	Gen. Del.	Roseisle	Manitoba	ROG 1V0	Lots 3 and 4, Block 3, Plan 152, Roseisle	135700	\$7,500.00	\$1,000.00	200	
10											
11	BARNSELY, BROADVALLEY & McDERMOTT										
12	Cornelius & Bev Gansekoelle	Box 1748	Carman	Manitoba	ROG OJO	Pl. SW 1/4 30-7-4 W.P.M.	72800	\$7,500.00	\$1,000.00	200	
13	Myron J. Pedersen	Box 84	Elm Creek	Manitoba	ROG ONO	NE 1/4 32-7-4 W.P.M.	73600	\$7,500.00	\$1,000.00	200	
14	Klaas W. Veldman	R.R. 1	Carman	Manitoba	ROG OJO	NE 1/4 33-7-4 W.P.M.	74000	\$7,500.00	\$1,000.00	200	
15	Cory Janzen		Carman	Manitoba	ROG OJO	NW 1/4 28-7-4 W.P.M.	71100	\$7,500.00	\$1,000.00	200	
16	Marjorie Lehmann (Doug)		Carman	Manitoba	ROG OJO	SE 1/4 29-7-4 W.P.M.	71700	\$7,500.00	\$1,000.00	200	
17	Jean Mary Van Workum	Box 490	Carman	Manitoba	ROG OJO	SW 1/4 27-7-4 W.P.M.	70850	\$7,500.00	\$1,000.00	200	
18	Ben & Henrietta Gansekoelle	Gen. Del.	Carman	Manitoba	ROG OJO	SW 1/4 14-7-4 W.P.M.	64050	\$7,500.00	\$1,000.00	200	
19	Barry Driedger	R.R. 1	Carman	Manitoba	ROG OJO	NW 1/4 23-7-4 W.P.M.	68700	\$7,500.00	\$1,000.00	200	
20	Dave and Cathy Penner	Box 43	Homewood	Manitoba	ROG OYO	NW 1/4 25-7-4 W.P.M.	69750	\$7,500.00	\$1,000.00	200	
21	Don and Louise Dewitt	Box 574	Carman	Manitoba	ROG OJO	SW 1/4 24-7-4 W.P.M.	69500	\$7,500.00	\$1,000.00	200	
22	Arno and Alice Linde	Box 22	Carman	Manitoba	ROG OJO	NW 1/4 13-7-4 W.P.M.	63350	\$7,500.00	\$1,000.00	200	
23	Chris and Sheila Doell	Box 56	Homewood	Manitoba	ROG OJO	NE 1/4 13-7-4 W.P.M.	63250	\$7,500.00	\$1,000.00	200	
24	Barb Toews	Box 20	Homewood	Manitoba	ROG OYO	NE 1/4 24-7-4 W.P.M.	69100	\$7,500.00	\$1,000.00	200	
25	Walter and Mary Giesbrecht	Box 85	Homewood	Manitoba	ROG OYO	SW 1/4 30-7-3 W.P.M.	29300	\$7,500.00	\$1,000.00	200	
26	Jacob Toews		Homewood	Manitoba	ROG OYO	SE 1/4 32-7-3 W.P.M.	30000	\$7,500.00	\$1,000.00	200	
27	Rollin and Alice Wiebe	Box 12	Homewood	Manitoba	ROG OYO	SW 1/4 28-7-3 W.P.M.	28200	\$7,500.00	\$1,000.00	200	
28	Terrance & Janice Polvi	Box 32	Homewood	Manitoba	ROG OYO	NW 1/4 21-7-4 W.P.M.	25250	\$7,500.00	\$1,000.00	200	
29	Werner and Hilda Dick	Box 876	Carman	Manitoba	ROG OJO	NE 1/4 21-7-3 W.P.M.	25100	\$7,500.00	\$1,000.00	200	
30	Elmer Wiebe		Homewood	Manitoba	ROG OYO	NW 1/4 22-7-3 W.P.M.	25600	\$7,500.00	\$1,000.00	200	
31	Allan Fillieul	Box 81	Brunkild	Manitoba	ROG OEO	SW 1/4 20-7-3 W.P.M.	25000	\$7,500.00	\$1,000.00	200	
32	Dave & Debbie Baleja	Box 5	Homewood	Manitoba	ROG OYO	SW 1/4 21-7-3 W.P.M.	25450	\$7,500.00	\$1,000.00	200	
33	Randy Goertzen	Box 21	Homewood	Manitoba	ROG OYO	NE 1/4 7-7-3 W.P.M.	18100	\$7,500.00	\$1,000.00	200	
34	William Goertzen		Homewood	Manitoba	ROG OYO	NW 1/4 8-7-3 W.P.M.	18700	\$7,500.00	\$1,000.00	200	
35											
36	Glennis Gitzel	Gen. Del.	Carman	Manitoba	ROG OJO	NW 1/4 12-7-6 W.P.M.	158000	\$7,500.00	\$1,000.00	200	
37	Gary Richardson	Box 1107	Carman	Manitoba	ROG OJO	NE 1/4 26-7-5 W.P.M.	150200	\$7,500.00	\$1,000.00	200	
38	Dick and Audrey Currie	R.R. 2	Carman	Manitoba	ROG OJO	SW 1/4 25-7-5 W.P.M.	150000	\$7,500.00	\$1,000.00	200	
39	Jacobus & Gerda Doorribos	Gen. Del.	Carman	Manitoba	ROG OJO	NW 1/4 12-7-6 W.P.M.	149400	\$7,500.00	\$1,000.00	200	
40	Norma Peckover	Box 1	Homewood	Manitoba	ROG OYO	NE 1/4 23-7-5 W.P.M.	148900	\$7,500.00	\$1,000.00	200	

SCHEDULE 'C'

BY-LAW NO. 1744

	A	B	C	D	E	F	G	H	I	J	K
41	Ray and Emma Grant	Box 695	Carman	Manitoba	ROG OJO	SE 1/4 23-7-5 W.P.M.	149100	\$7,500.00	\$1,000.00	200'	
42											
43	PR 245 EXT. #706) LET										
44	Kelly & Elaine Ferris	Box 4	Stephenfield	Manitoba	ROG 2R0	NW 1/4 30-6-6 W.P.M.	116500	\$7,500.00	\$1,000.00	200'	
45	Blair & Janice Leishman	Box 68	Stephenfield	Manitoba	ROG 2R0	NW 1/4 25-6-7 W.P.M.	123530	\$7,500.00	\$1,000.00	200'	
46	Glenn & Molly Huston	Box 81	Stephenfield	Manitoba	ROG 2R0	SW 1/4 31-6-6 W.P.M.	117500	\$7,500.00	\$1,000.00	200'	
47	Ben & Nancy Peters	Box 63	Roseisle	Manitoba	ROG 1V0	NW 1/4 26-6-7 W.P.M.	123500	\$7,500.00	\$1,000.00	200'	
48	Harold & Ruth Harms	Box 37	Roseisle	Manitoba	ROG 1V0	NW 1/4 26-6-7 W.P.M.	123550	\$7,500.00	\$1,000.00	200'	
49	Dennis & Marion Klassen	Box 44	Roseisle	Manitoba	ROG 1V0	SW 1/4 26-6-7 W.P.M.	123800	\$7,500.00	\$1,000.00	200'	
50	Brian & Elaine Friesen	Box 97	Roseisle	Manitoba	ROG 1V0	NE 1/4 21-6-7 W.P.M.	133000	\$7,500.00	\$1,000.00	200'	
51	Omer & Glenda Soenen		Roseisle	Manitoba	ROG 1V0	Lots 12/13, Blk 1 Plan 152, Roseisle	133850	\$7,500.00	\$1,000.00	200'	
52	Charles Gibbs	Box 128	Roseisle	Manitoba	ROG 1V0	Lots 6/7, Blk 2 Plan 152, Roseisle	134600	\$7,500.00	\$1,000.00	200'	
53	Marvin Dyck	Box 88	Roseisle	Manitoba	ROG 1V0	Lots 10/11, Blk 2 Plan 152, Roseisle	134900	\$7,500.00	\$1,000.00	200'	
54	Shannon & Garth Campbell	Box 6	Roseisle	Manitoba	ROG 1V0	Lot 5, Blk 3 Plan 152, Roseisle	135800	\$7,500.00	\$1,000.00	200'	
55	Pentecostal Assemblies	Box 105	Roseisle	Manitoba	ROG 1V0	Lot 12, Blk. 3 Plan 152, Roseisle	136300	\$7,500.00	\$1,000.00	200'	
56	Gerald & Mami Stewart	Box 321	Carman	Manitoba	ROG OJO	Lot 11, Plan 1385, Roseisle	138000	\$7,500.00	\$1,000.00	200'	
57	Jake & Elsie Derksen	Box 771	Carman	Manitoba	ROG OJO	SE 1/4 24-6-7 W.P.M.	122850	\$7,500.00	\$1,000.00	200'	
58	Wes & Brenda Klassen	Box 82	Roseisle	Manitoba	ROG 1V0	SW 1/4 22-6-7 W.P.M.	121925	\$7,500.00	\$1,000.00	200'	
59	Darrell & Eleanor Friesen	Box 62	Roseisle	Manitoba	ROG 1V0	Lot 1 Plan 1385	137910	\$7,500.00	\$1,000.00	200'	
60											
61	BARNESLEY (#706)										
62	Jack & Sherry Ryrle	Box 16	Elm Creek	Manitoba	ROG ONO	SE 1/4 36-7-5 W.P.M.	155650	\$7,500.00	\$1,000.00	200'	
63	Klazine Boeve	Box 824	Carman	Manitoba	ROG OJO	NW 1/4 19-7-4 W.P.M.	66950	\$7,500.00	\$1,000.00	200'	
64	John & Mary Heard	Gen. Del.	Carman	Manitoba	ROG OJO	SE 1/4 25-7-5 W.P.M.	149900	\$7,500.00	\$1,000.00	200'	
65	Harvey Reimer	Box 1307	Carman	Manitoba	ROG OJO	SW 1/4 31-7-4 W.P.M.	73450	\$7,500.00	\$1,000.00	200'	
66	C. Duprat & B. Antohony	Box 1691	Carman	Manitoba	ROG OJO	SW 1/4 31-7-4 W.P.M.	73425	\$7,500.00	\$1,000.00	200'	
67											
68											
69											
70	OTHER MUNICIPALITIES										
71	Ray & Beth Faux	Box 26	Roseisle	Manitoba	ROG 1V0	R.M. OF THOMPSON		\$8,500.00	\$8,500.00		
72	Pryce Jones		Elm Creek	Manitoba	ROG ONO	R.M. OF GREY		\$8,500.00	\$8,500.00		
73	Jim Pedersen		Elm Creek	Manitoba	ROG ONO	R.M. OF GREY		\$8,500.00	\$8,500.00		
74											
75											
76											
77								\$456,000.00	\$85,500.00		

RURAL MUNICIPALITY OF DUFFERIN

SCHEDULE - A TO BYLAW 1744

Local Improvement Debenture Issue

Term (Yrs):	10	Amount:	370,500.00
Date:	DECEMBER 31, 2001	Rate (%):	8.0000
Payable:	DECEMBER 31, 2001-2011	Annual Payment:	55,215.43
# of Days	365	Adjusted First Year's Payment:	55,215.43
		Adjusted Last Year's Payment:	55,215.37

MATURITY SCHEDULE

Year	Interest	Principal	Balance
2002	29,640.00	25,575.43	344,924.57
2003	27,593.97	27,621.46	317,303.11
2004	25,384.25	29,831.18	287,471.93
2005	22,997.75	32,217.68	255,254.25
2006	20,420.34	34,795.09	220,459.16
2007	17,636.73	37,578.70	182,880.46
2008	14,630.44	40,584.99	142,295.47
2009	11,383.64	43,831.79	98,463.68
2010	7,877.09	47,338.34	51,125.34
2011	4,090.03	51,125.34	0.00
TOTALS	181,654.24	370,500.00	552,154.24

20-Aug-01

Schedule "B" to by-law #1744

RURAL MUNICIPALITY OF DUFFERIN

LOCAL IMPROVEMENT PLAN - No. 2/2001

PHASE 8 - RURAL WATER LINE SYSTEM

(a) Description of the Proposed Local Improvement

The local improvement proposed herein involves the provision of additional authority to expend and borrow funds for the completion of Phase 8 of the rural water line system for the Rural Municipality of Dufferin.

Phase 8 represents the eighth phase of the rural water line system project for this municipality.

(b) Local Improvement District to be Taxed

The Local Improvement Tax required to service the debt to be issued under this proposal will be levied on qualifying properties within the Rural Municipality of Dufferin Local Improvement Phase 8 Rural Water Line System.

(c) Identification of Potential Taxpayers Under the Plan

The local improvement taxes under this plan are to be imposed in respect of any properties in the Rural Municipality of Dufferin Local Improvement District Phase 8.

(d) Method of Calculating Local Improvement Tax

The local improvement tax to be levied under this proposal will be calculated on the basis of a frontage levy against all properties in the local improvement district described in Schedule "C" attached hereto. This frontage levy will be equivalent to \$6,500.00 plus interest thereon for the ten year duration of the levy. The levy will commence in the year 2002 until 2011 both inclusive. This \$6,500.00 represents the total \$7,500.00 charge for the rural water line service less the deposit which has been paid to the Rural Municipality of Dufferin to ensure the water service.

Taxpayers will be permitted to pay the \$6,500.00 balance after the rural water line service connection to their property is complete instead of having a frontage tax levied against their property. If the taxpayer chooses to pay the entire \$7,500.00 charge for the rural water line service connection service there will not be a local improvement charge levied against their property.

(e) Estimated Cost of Local Improvement Tax

Calculation of Spending Authority Required

Project Cost (Roseisle PR 245 extension)	\$	181,000.00
Project Cost (Barnsley, Broadvalley, McDermott ext)	\$	742,000.00
TOTAL PROJECT COST	\$	923,000.00
Manitoba Water Services Board Share	\$	307,666.66
R.M. of Dufferin Share, being	\$	615,333.34
\$370,500.00 Debenture (57 x \$6,500.00)		
\$ 85,500.00 Waterline deposits (3 x \$8,500.00; 55 x \$1,000.00; 2 x \$2,500.00)		
\$159,333.34 Rural water line project reserve fund.		

Calculation of Additional Required Borrowing Authority

R. M. Share of total project costs		\$615,333.34
R.M. Revenues:		
(55 hookups x \$7,500.00)	\$	450,000.00
(3 hookups x \$8,500.00)	\$	25,500.00
(2 hookups x \$9,000.00)	\$	18,000.00
Less deposits received from ratepayers (55 x \$1,000.00)	-	55,000.00
(3 x \$8,500.00)	-	25,500.00
(2 x \$2,500.00)	-	5,000.00
Additional Borrowing Authority Required	\$	370,500.00
Balance to be withdrawn from rural water line project reserve	\$	159,333.34

(f) Particulars of Debenture Issue

Amount	\$	370,500.00
Term		Not more than 10 years.
Interest Rate		8%

(g) Other Anticipated Sources of Funding

At the time of preparation of the local improvement plan, no other sources of funding for the project are expected.

(h) Funding of Operation and Maintenance of Proposed Local Improvement

The annual operating and maintenance costs of the proposed local improvement will be covered by water utility charges.

Linda C. Baleja
Chief Administrative Officer
August 16, 2001