



# Rural Municipality of Dufferin

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November 24, 2006

Wendy Wolfe, BA, CGA, CMMA  
Municipal Finance Officer  
Municipal Finance & Advisory Services, I.G.A.  
Box 22080, 2022 Currie Boulevard  
Brandon, MB R7A 6Y9

Re: By-law No. 1797

I am enclosing the original and three certified copies of a Local Improvement By-law No. 1797 being a by-law to authorize the expenditure and borrowing of funds for the construction and completion of drainage projects.

First reading was given to this by-law on the 27<sup>th</sup> of June, 2006 and was advertised with our 2006 Financial Plan. I understand now that this by-law should have been sent for Municipal Board approval at that time. We have now given second reading to this by-law and are requesting Municipal Board approval at this time.

This particular drainage project has been started and is expected to be completed in 2007. Please let me know if anything further is required. Thank you.

Yours truly,

Ruth Stege, CMMA  
Chief Administrative Officer

/rs  
Encl.



**RURAL MUNICIPALITY OF DUFFERIN**  
**By-law No. 1797**

Being a by-law of the Rural Municipality of Dufferin  
to authorize the expenditure and borrowing of funds for the  
construction and completion of drainage projects

Whereas, *The Municipal Act*, S.M. 1996, c.58 provides, in part, as follows:

“172 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
- (e) issuing debentures;

“borrowing by-law” means a by-law referred to in clause 174(1)(a)

“174(1) A municipality may make a borrowing only if

- (a) the borrowing is authorized by by-law; and
- (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 is of the opinion that drainage projects should be undertaken within the municipality;

**And Whereas**, in order to complete such undertakings, it will be necessary for the Rural Municipality of Dufferin to borrow the sum of One Hundred and Fifty Thousand Dollars (\$150,000.00) as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

**And Whereas**, the consecutive annual amounts, including principal and interest, required to be raised each year for five years, as hereinafter provided, for paying the principal and interest under this by-law are the amounts set out in Schedule “A” hereto;

**And Whereas**, the assessed value of the whole land chargeable under this by-law, according to the last revised assessment roll, is \$93,994,510.

**And Whereas**, the amount of the existing debenture debt of the Rural Municipality of Dufferin is \$352,448.44, of which no portion of the principal or of the interest thereon is in arrears;

**Now Therefore** the Council of the Rural Municipality of Dufferin in regular session assembled enacts as follows:

1. That the Rural Municipality of Dufferin is hereby authorized and empowered to raise upon the credit of the municipality, funds not repayable within the current fiscal year by the borrowing of money in an amount not exceeding One Hundred and Fifty Thousand Dollars (\$150,000.00).
2. That the funds so raised shall be for the purpose of financing certain drainage works with the municipality.
3. That the borrowing for the aforesaid project shall be issued by the Rural Municipality of Dufferin in the Province of Manitoba , and shall be payable at the Dufferin Credit Union Limited in Carman, Manitoba, and shall be dated the 31<sup>st</sup> day of December, 2006.
4. That the said borrowing shall bear interest at a rate estimated for the time being at 5.95% per annum, and subject to 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 31<sup>st</sup> day of December in each of the years 2007 to 2011, both inclusive.
5. That the issuance of borrowing shall be signed by the Reeve and the Chief Administrative Officer of the Rural Municipality of Dufferin and there shall be affixed thereto the corporate seal of the said municipality.
6. That during the currency of the said borrowing; namely, in each of the years 2007 to 2011, both inclusive, there shall be raised annually by a special rate on all the rateable property within the Municipality, an amount sufficient to meet the requirement for principal and interest.
7. That pursuant to subsection 174(3)(d) of the Municipal Act, pending the issue of the borrowing, the council of the Rural Municipality of Dufferin may agree with a bank or person or 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 One Hundred and Fifty Thousand Dollars (\$150,000.00).
8. That during the term of the borrowing authorized herein, in any year where the debt remains unissued, the levies may be made as if the borrowing had been issued; and upon completion of the project authorized herein, the levies shall be applied in reduction of temporary financing, and when issued, the amount and term of borrowing shall be reduced accordingly.

6.95%

DONE AND PASSED by a by-law of the Rural Municipality of Dufferin in the Province of Manitoba this day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Shawn McCutcheon, Reeve

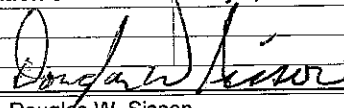
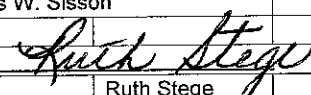
\_\_\_\_\_  
Ruth Stege, C.A.O.

Read a first time this 27<sup>th</sup> day of June, 2006.

Read a second time this 7<sup>th</sup> day of November, 2006

Read a third time this

**CAPITAL BUDGET**  
**Rural Municipality of Dufferin**  
**for the year 2006**

<b>- CAPITAL EXPENDITURES</b>					
<b>Particulars of Expenditure</b>	<b>Estimated Cost</b>	<b>Borne by G.O.F.</b>	<b>Borne by Utility</b>	<b>Borne by Reserves</b>	<b>Borne by Borrowing</b>
Nuisance Ground Capital Purchase (Year 2)	\$ 150,000.00	(\$25,000/yr x 6 yrs)		\$ 25,000.00	
Excavator	\$ 183,000.00			\$ 183,000.00	
Grader	\$ 167,000.00			\$ 167,000.00	
Fire Hall	\$ 225,000.00			\$ 20,000.00	\$ 205,000.00
Upgrade to Ward 6 PR Roads	\$ 12,500.00			\$ 12,500.00	
Office Equipment (Postage Meter & Copier)	\$ 10,000.00	\$ 10,000.00			
EMO - Emergency Equipment	\$ 15,000.00	\$ 15,000.00			
Rural Water Line Connections	\$ 250,000.00				\$ 250,000.00
Rural Water Line System Upgrades	\$ 150,000.00			\$ 150,000.00	
Drainage Projects	\$ 150,000.00				\$ 150,000.00
Highway #3 upgrade at Industrial Park Road	\$ 150,000.00			\$ 40,000.00	\$ 110,000.00
Land Purchase for Recreational Purposes	\$ 13,000.00			\$ 13,000.00	
Datalink Mapping System	\$ 30,000.00			\$ 30,000.00	
1/2 Ton Truck	\$ 10,000.00			\$ 10,000.00	
	\$ 1,515,500.00	\$ 25,000.00	\$ -	\$ 650,500.00	\$ 715,000.00
<b>TOTAL</b>					
		Page 5			
			Page 6		
				Part 2	
					Part 3
<b>PART 2: GENERAL AND SPECIFIC FUND WITHDRAWALS</b>					
	<b>GENERAL FUND TRANSFERS</b>		<b>UTILITY FUND TRANSFERS</b>		
<b>RESERVE NAME AND BY-LAW NO.</b>	<b>TO OPERATING</b>	<b>TO CAPITAL</b>	<b>TO OPERATING</b>	<b>TO CAPITAL</b>	<b>CASH RESOURCES</b>
Machinery Reserve #1207		\$ 10,000.00			\$ 365,666.86
Machinery Reserve #1207		\$ 183,000.00			\$ 365,666.86
Machinery Reserve #1207		\$ 167,000.00			\$ 365,666.86
General Reserve (Recreation Land)		\$ 13,000.00			\$ 305,027.94
General Reserve (Firehall)		\$ 20,000.00			\$ 305,027.94
General Reserve (for mapping system)		\$ 30,000.00			\$ 256,206.90
Utility Reserve #1683				\$ 150,000.00	\$ 228,116.60
PR Road Reserve #	\$ 12,500.00				\$ 17,112.80
Federal Gas Tax Reserve #1791	\$ 25,000.00				\$ 65,487.26
Federal Gas Tax Reserve #1791	\$ 40,000.00				\$ 65,487.26
	\$ 77,500.00				
	Page 2	\$ 423,000.00			
		Part 1			
			Page 6	\$ 150,000.00	
				Part 1	
<b>Part 3. BORROWING (Subject to Municipal Board Approval)</b>					
	<b>TEMPORARY FINANCING</b>			<b>REPAYMENT</b>	
<b>PROPOSAL</b>	<b>BANK LOAN</b>	<b>REVENUE LOAN</b>	<b>RESERVE LOAN</b>	<b>AMOUNT</b>	<b>TERM</b>
Water Line Project Debenture		\$ 250,000.00		\$ 250,000.00	Up to 10 Year Debenture
Drainage - Industrial Park	\$ 110,000.00			\$ 110,000.00	Up to 10 Year Debenture
Drainage	\$ 150,000.00			\$ 150,000.00	Up to 10 Year Debenture
Construction of New Fire Hall	\$ 205,000.00			\$ 205,000.00	Up to 10 Year Debenture
	\$ 465,000.00		Total - Part 1	\$ 715,000.00	
Adopted by Resolution of Council on May 9, 2006.					
Head of Council:					
	Douglas W. Sisson				
Chief Administrative Officer:					
	Ruth Stege				



Issued in accordance with the provisions of  
**The Water Rights Act** and regulations made thereunder.

**Licence No. 05-WCW-287**

Know all men by these presents that in consideration of and subject to the provisions, conditions and restrictions hereinafter contained, the Minister of Water Stewardship for the Province of Manitoba does by these presents give full right and liberty, leave and licence to **R.M. of Dufferin of the R.M. of Dufferin** in the Province of Manitoba (hereinafter called "the LICENSEE") to construct drainage or other works (hereinafter called "the WORKS") described as follows:

**Construct drain to alleviate local drainage concerns**

and located on the following described lands:

**North of Sections 28, 29 & 30-7-4W**

and more particularly shown on a plan filed in the office of the Director, Water Branch, a copy of which plan is hereto attached and marked Exhibit "A".

This Licence is issued upon the express condition that it shall be subject to the provisions of The Water Rights Act and Regulations and all amendments thereto and, without limiting the generality of the aforesaid, to the following terms and conditions, namely:

1. The WORKS shall be constructed and operated in accordance with the terms and conditions described as follows:

**Reconstruct approximately 5000m of existing drain with a maximum cut of 1.2m below existing drain grade, a 5.0m base and 3:1 side slopes at location indicated on attached layout plan.**

**Gradient control structures to be constructed to Manitoba Water Stewardship's design criteria as stipulated in Water Stewardship's August 22, 2005 design memo. Copy of design is on file at Grosse Isle Office.**

**Ensure adequate and effective erosion and sedimentation controls are in place during construction.**

**Excavated area to be seeded as soon as practicable after construction.**

**No works to be undertaken between April 1 and June 15 of any given year in order to minimize fisheries impacts.**

2. The LICENSEE does hereby remise, release and forever discharge Her Majesty the Queen in Right of the Province of Manitoba, of and from all manner of action, causes of action, claims and demands whatsoever which against Her Majesty the LICENSEE ever had, now has or may hereafter have, resulting from the construction and operation of the WORKS.
3. In the event that the rights of others are infringed upon and/or damage to the property of others is sustained as a result of the operation or maintenance of the WORKS and the rights herein granted, the LICENSEE shall be solely responsible and shall save harmless and fully indemnify Her Majesty the Queen in Right of the Province of Manitoba, from and against any liability to which Her Majesty may become liable by virtue of the issue of this Licence and anything done pursuant hereto.
4. Upon the execution of this Licence the LICENSEE hereby grants the said Minister and/or his Agents the right of ingress and egress to and from the said lands for the purpose of inspection of the WORKS and the LICENSEE shall at all times comply with such directions and/or orders that may be given by the said Minister or his Agents in writing from time to time with regard to the operation and maintenance of the WORKS.
5. If for any reason whatsoever the said Minister deems it advisable to cancel this Licence, he may do so by letter addressed to the LICENSEE at **Box 100, Carman, MB R0G 0J0** and thereafter this Licence shall be determined and at an end.
6. The term of this Licence shall be **in perpetuity** and this Licence shall become effective only on the date of execution hereof by a person so authorized in Manitoba Water Stewardship.



DATE July 24 2007

RECEIVED FROM R. M. of Dufferin

ADDRESS P.O. Box 100, Carman MB R0G 0S0

THE SUM OF Fifty <sup>XX</sup>/<sub>100</sub> DOLLARS (\$ 50.00)

PARTICULARS File No. 07E7-0001, Order No. E-07-007,

By-law No. 1797

Cheque No. 20070526 dated July 10, 2007

M. Janssen

THIS RECEIPT IS FOR MONEY RECEIVED ONLY AND DOES  
NOT AUTHORIZE THE HOLDER FOR ANY OTHER PURPOSE.  
MG 3680 REV. 01/02