

**The Rural Municipality of Morris**

**BY-LAW NO. 1668/10**

BEING a by-law of the Rural Municipality of Morris to authorize the expenditure and borrowing of money for the installation of low pressure sewer lines in the community of Sperling, as a Local Improvement.

**WHEREAS** Section 311 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 :
  - (i) sewage collection and treatment facilities;
  - (ii) water supply, treatment and distribution facilities;
  - (iii) waste management facilities;
  - (iv) highways;
  - (v) drainage systems or
- (b) Any other project the cost of which includes a capital component."

**AND WHEREAS** subsection 320(1) of The Municipal Act provides as follows:

"Subject to subsection (2) to (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 Municipal 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 Improvement and Special Services) of Part 10
- (e) issuing of debentures;"

**AND WHEREAS** subsection 174 (1) of The Municipal Act provides as follows:

"A municipality may make a borrowing only if:

- (a) the borrowing is authorized by by-law;
- (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 Morris has prepared Local Improvement Plan No. 2/2010 providing for the spending, borrowing authority, and imposition of taxes for the installation of low pressure sewer lines in the North end of Sperling, as a local improvement pursuant to Part 10 of The Municipal Act;

**AND WHEREAS** in order to complete such undertaking, it will be necessary for the Rural Municipality of Morris to borrow the sum of One Hundred And Ten Thousand (\$110, 000.00) as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

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**AND WHEREAS** the consecutive annual amounts, including principal and interest, required to be raised each year for 20 years, as hereinafter provided, for paying the principal and interest under this by-law are the amount set out in Schedule "A" hereto;

**AND WHEREAS** the requirements as prescribed in Sections 318,319 and 320 of The Municipal Act have been complied with;

**AND WHEREAS** the amount of existing debenture debts of the Rural Municipality of Morris is \$3,790,234.01, of which no portion of the principal or of the interest thereon is in arrears;

**NOW THEREFORE** the Council of the Rural Municipality of Morris, in regular meeting duly assembled, enacts as follows:

1. That pursuant to subsection 320(1) of The Municipal Act, the Rural Municipality of Morris adopt Local Improvement Plan No. 2/2010 attached hereto as Schedule "B".
2. That the Rural Municipality of Morris may expend up to One Hundred And Thirty Thousand (\$130,000.00) for the purpose of installing a low pressure sewer system in the North end of Sperling, as a Local Improvement.
3. That for the aforesaid project, the said municipality may borrow up to One Hundred And Ten Thousand (\$110,000.00) Such borrowing shall be issued by the Rural Municipality of Morris in the Province of Manitoba, and shall be payable at the Rosenort Credit Union in Rosenort, Manitoba Canada and shall be dated the 31<sup>st</sup> day of December, AD 2010.
4. That the said borrowing shall bear interest at a rate estimated for the time being at 6% 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 31<sup>st</sup> day of December in each of the years 2010 to 2030, both inclusive.
5. That the issuance of borrowings shall be signed by the Mayor, or by some other person authorized by by-law to sign same, and by the Chief Administrative Office of the Rural Municipality of Morris 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 2011 to 2030, both inclusive, there shall be raised annually by a special per parcel levy on all the ratable property described in Schedule "C" hereto, an amount sufficient to meet the requirement of 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 Morris 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 Ten Thousand (\$110,000.00).



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8. That during the term of the debentures authorized herein, in any year where the borrowing remain unissued, the levies be made as if the debentures have 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 debentures shall be reduced accordingly.

**DONE AND PASSED** by the Council of the Rural Municipality  
of Morris in the Province of Manitoba this    day of                    , A.D. 2010.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CAO

Read a first time on the 20<sup>th</sup> day of    October, 2010  
Read a second time on the    day of                    , 2010  
Read a third time on the    day of                    , 2010

Approved, subject to Amendment

By Order No. E-10-198  
of The Municipal Board

  
\_\_\_\_\_  
Secretary

RURAL MUNICIPALITY OF MORRIS

INSTALL LOW-PRESSURE SANITARY  
LINES IN SPELLING (NORMAL)

SCHEDULE - A TO BY-LAW No. 1668/2010

Local Improvement Debenture Issue

Term (Yrs):	20	Amount:	110,000.00
Date:	December 31, 2010	Rate (%):	6.0000
Payable:	December 31, 2011 - 2030	Annual Payment:	9,590.30
		First Year's Payment:	9,590.30
	Adjusted	Last Year's Payment:	9,590.31

MATURITY SCHEDULE

Year	Interest	Principal	Balance
2011	6,600.00	2,990.30	107,009.70
2012	6,420.58	3,169.72	103,839.98
2013	6,230.40	3,359.90	100,480.08
2014	6,028.80	3,561.50	96,918.58
2015	5,815.11	3,775.19	93,143.39
2016	5,588.60	4,001.70	89,141.69
2017	5,348.50	4,241.80	84,899.89
2018	5,093.99	4,496.31	80,403.58
2019	4,824.21	4,766.09	75,637.49
2020	4,538.25	5,052.05	70,585.44
2021	4,235.13	5,355.17	65,230.27
2022	3,913.82	5,676.48	59,553.79
2023	3,573.23	6,017.07	53,536.72
2024	3,212.20	6,378.10	47,158.62
2025	2,829.52	6,760.78	40,397.84
2026	2,423.87	7,166.43	33,231.41
2027	1,993.88	7,596.42	25,634.99
2028	1,538.10	8,052.20	17,582.79
2029	1,054.97	8,535.33	9,047.46
2030	542.85	9,047.46	0.00
TOTALS	81,806.01	110,000.00	191,806.01

20-Oct-10

**Schedule "B" to By-law No. 1668/10 Pursuant to Section 315 of  
The Municipal Act**

**RURAL MUNICIPALITY OF MORRIS**

**LOCAL IMPROVEMENT PLAN 2/2010**

**SPERLING NORTH END SEWER  
EXTENSION**

**PROJECT**

The Rural Municipality of Morris, in 2002, installed a low pressure sewage system and lagoon in the South end of Sperling. This system provided that everyone who lived South of the Railway tracks could hook up to a low pressure sewer system. The cost of this system was financed over a period of 20 years, with persons that were hooked to the system being charged a full share, and persons that were not hooked up being charged a half share of the cost.

The RM of Morris has now decided to extend this sewer system to the area North of the railway tracks. This will involve a total of 14 properties that can be hooked up to this system. The RM of Morris has obtained agreement from the residents South of the railway track, that the residents on the North side could use the existing lagoon for no charge. This will provide access to a sewer system to all properties within the Sperling village. The cost of this system is broken down into two components.

The first component is the actual installation of the sewer lines and the connections for each household. The estimated cost for this portion is \$60,000.00, and the RM of Morris has obtained a grant from the Manitoba Water Services Board in the amount of \$20,000.00. This would leave a net cost of \$40,000.00 to be divided by a total 14 properties for a cost of \$2,857.14 per property. All property owners will have the choice of paying their share up front, or having it debentured on a per parcel specific basis for a period of 20 years. Based on an estimated interest rate of 6% per annum, this would result of \$249.10 per property for a period of 20 years.

The second component of the sewer hookup would involve the potential replacement of a holding tank. Each existing holding tank would have to be inspected to make sure that it is in good enough condition to be hooked up to the lower pressure sewer system. If the existing tank is in poor condition, or there is no existing tank, a new tank would have to be installed. The RM of Morris is willing to finance the cost of this new tank on behalf of those property owners that require it. Based on an estimated cost of \$5,000.00 per holding tank, owners would be given the choice of paying the actual cost up front, or financing it for a period of 20 years. If it was financed on a parcel specific basis for 20 years, based on an estimated interest rate of 6%, the cost would be \$435.92 per property.

The RM of Morris proposes that the local improvement tax will be based on a per parcel basis, with each property owner having the option of prepaying the entire amount or any portion thereof. Once the final cost are determined, each property owner would be given 30 days to pay their share in advance. Anyone that chose not to pay in advance would be charged a debenture over a 20 year period.

The Rural Municipality of Morris estimates that the maximum cost for this entire project would be \$130,000.00 with this cost being reduced by \$5,000.00 for each holding tank that was reusable. It is estimated that this low pressure sewer system could last for 50 years without any major maintenance. The RM of Morris believes that this system would be much more environmentally friendly than a mixture of holding tanks and septic fields on small urban lots.

The RM of Morris proposes that all hook ups will become part of the Sperling sewer system. This will involve a quarterly fee to be approved by the Public Utilities Board for all maintenance costs.

Prepared: September 30<sup>th</sup>, 2010

APPENDIX "A" TO  
MUNICIPAL BOARD ORDER  
NO. E-10-198

Ernest G. Buhler, C.M.M.A.  
Chief Administrative Officer  
Rural Municipality of Morris  
Box 518  
Morris, Manitoba



RURAL MUNICIPALITY OF MORRIS

SCHEDULE "C" BY-LAW NO. 1668/10

APPENDIX "A" TO  
MUNICIPAL BOARD ORDER  
NO. E-10-198

	NAME	ROLL NO.	TOTAL HOOK UP COST	TOTAL HOLDING TANK COST	TOTAL CASH COST	HOOK UP COST PER YEAR	HOLDING TANK COST PER YEAR	TOTAL FINANCE COST
1	NOLETTE, ANDRE	140800000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
2	GALLANT, MARJORIE	141000000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
3	REIMER, RONALD	141400000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
4	STOKER, DENIS DUNCAN	141500000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
5	SIGURDSON, HERBERT SIGURDOR	141800000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
6	BERG, OREST	141900000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
7	DRAKE, JUSTIN DOUGLAS	142100000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
8	DIBERNARDO, FORTUNATO	142200000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
9	AJUDHIA, NOOTAN	142300000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
10	REIMER DELLVINA ROSE	143800000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
11	HABES, MICHAEL JOHN ANTHONY	144000000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
12	3015742 MB LTD./Sperling Industries	144400000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
13	HEIDE, ARON	147400000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
14	SPERLING CO-OP ELEVATOR ASSOCIATION	146800000	\$2,857.14	\$5,000.00	\$7,857.14	\$ 249.10	\$ 435.92	\$ 685.02
TOTAL=			\$39,999.96	\$70,000.00	\$109,999.96	\$3,487.40	\$6,102.88	\$ 9,590.28