

THE RURAL MUNICIPALITY OF MORRIS

BY-LAW NO. 1562/03

BEING a by-law of the Rural Municipality to authorize the expenditure and borrowing of money for the installation and connection of households and properties to a rural area water line system.

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
- (a) 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. 1/2003 providing for the spending, borrowing authority, and imposition of taxes for the, installation and connection of certain properties and households to a rural water distribution system in the Rural Municipality of Morris, as a local improvement pursuant to Part 10 of The Municipal Act;

AND WHEREAS, in order to complete such undertaking, it will be necessary to issue debentures of The Rural Municipality of Morris for the sum of One Hundred and Four Thousand Dollars (\$104,000.00)
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 10 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 are prescribed in Sections 318, 319 and 320 of The Municipal Act have been complied with;

AND WHEREAS each of the property parcels will be equally charged an amount to repay the annual requirements to retire this debenture debt.;


AND WHEREAS the amount of existing debenture debt of the Rural Municipality of Morris is \$114,455.28, 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. 1/2003 attached hereto as Schedule "B".
2. That the Rural Municipality of Morris may expend up to One Hundred and Four Thousand Dollars (\$104,000.00) for the purpose of installing and connecting households and properties to a rural water system in the Rural Municipality of Morris.
3. That for the aforesaid project, the said municipality may borrow One Hundred and Four Thousand Dollars (\$104,000.00) by the issue and sale of debentures, such debentures shall be issued by the Rural Municipality of Morris in the Province of Manitoba, and shall be payable at the Royal Bank of Canada in Winnipeg or at the principal office of the Bank in one of the cities of Winnipeg, Toronto, Montreal or Vancouver, Canada at the holder's option, and shall be dated the 1st day of December, A.D. 2003.
4. That the said debentures shall bear interest at a rate estimated for the time being at 7.0% 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 2003 to 2012, both inclusive.
5. That each of the debentures shall be signed by the Reeve, or by some other person authorized by by-law to sign same, and by the Chief Administrative Officer of the Rural Municipality of Morris 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 whose signature thereon maybe by lithograph or other mechanical means.
6. That during the currency of the said debentures; namely, in each of the years 2004 to 2013, both inclusive, there shall be raised annually by a special rate of \$925.46 per parcel being levied on all benefiting property described in Schedule "C" hereto, with an amount sufficient to meet the requirement for principal and interest.
7. That pursuant to subsection 174(3) of The Municipal Act, pending the issue and sale of debentures, 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 for the purpose aforesaid, and the total of such advances shall not exceed One Hundred and Four Thousand Dollars (\$104,000.00)

8. That during the term of the debentures authorized herein, in any year where the debentures remain unissued, the levies may be made as if the debentures has been issued; and upon completion of the project authorized herein, the levies shall be applied in reduction of temporary financing, and then issued, the amount and term of debentures shall be reduced accordingly.
9. That, at any time prior to or within 30 days following completion of the work, any ratepayer of the area affect by the local improvement as described in Schedule "C" hereto may commute and pay in one principal sum that part of his/her share of the debt herein authroized in respect of the per parcel rate provided therein to the said Chief Administrative Officer of the Rural Municipality of Morris and thereafter no per parcel rate shall be levied against his/her said lands in respect of the debentures to be authorized herein.

DONE AND PASSED by the Council of the Rural Municipality of Morris in the
Province of Manitoba this 14th day of May, A.D. 2003


Reeve


Chief Administrative Officer

Read a first time this 13th day of February, A.D. 2003

Read a second time this 14th day of May, A.D. 2003

Read a third time this 14th day of May, A.D. 2003

THE MUNICIPAL BOARD OF MANITOBA

WINNIPEG, MANITOBA

MANITOBA

)Order No. E-03-067

)File No. 03E8-0015

THE MUNICIPAL BOARD

BEFORE: Mr. P.G. Diamant, Chair
Ms. L.A. Lavoie, Member

RURAL MUNICIPALITY OF MORRIS - BY-LAW NO. 1562/03

The Rural Municipality of Morris applies under Section 320(4) of *The Municipal Act*, S.M. 1996 c. 58 for approval of By-law No. 1562/03 attached as Appendix "A" authorizing the installation and connection of households and certain properties to a rural water distribution system as a Local Improvement and the borrowing of \$104,000.00.

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

1. Rural Municipality of Morris By-law No. 1562/03 **BE APPROVED** subject to the following amendments:
 - (a) In the tenth "Whereas" Clause, second line, delete "\$109,104.00" and replace with "\$114,455.28";
 - (b) Delete "Clause No. 6" and replace with the following "Clause No. 6":

"That during the currency of the said debentures; namely, in each of the years 2004 to 2013, both inclusive, there shall be raised annually by a special rate of \$925.46 per parcel being levied on all benefiting property described in Schedule "C" hereto, with an amount sufficient to meet the requirement for principal and interest."

THE MUNICIPAL BOARD OF MANITOBA

WINNIPEG, MANITOBA

File No. 02E8-0015

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Order No. E-03-067

(c) Insert the following as "Clause No. 9":

"That, at any time prior to or within (30) days following 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/her share of the debt herein authorized in respect of the per parcel rate provided herein to the said Chief Administrative Officer of the Rural Municipality of Morris and thereafter no per parcel rate shall be levied against his/her said lands in respect of the debentures to be authorized herein"

2. A filing fee of \$50.00 be paid by the Rural Municipality of Morris.

THE MUNICIPAL BOARD


Chair

April 16, 2003
Date


Secretary

RURAL MUNICIPALITY OF MORRIS

SCHEDULE - A TO BYLAW 1562/03

Local Improvement Debenture Issue

Term (Yrs):	10	Amount:	104,000.00
Date:	DECEMBER 1, 2003	Rate (%):	7.0000
Payable:	DECEMBER 1, 2004-2013	Annual Payment:	14,807.26
# of Days	365	Adjusted First Year's Payment:	14,807.26
		Adjusted Last Year's Payment:	14,807.27

MATURITY SCHEDULE

Year	Interest	Principal	Balance
2004	7,280.00	7,527.26	96,472.74
2005	6,753.09	8,054.17	88,418.57
2006	6,189.30	8,617.96	79,800.61
2007	5,586.04	9,221.22	70,579.39
2008	4,940.56	9,866.70	60,712.69
2009	4,249.89	10,557.37	50,155.32
2010	3,510.87	11,296.39	38,858.93
2011	2,720.13	12,087.13	26,771.80
2012	1,874.03	12,933.23	13,838.57
2013	968.70	13,838.57	0.00
TOTALS	44,072.61	104,000.00	148,072.61

*amended
by 1569/03*

03-Apr-03

RURAL MUNICIPALITY OF MORRIS

LOCAL IMPROVEMENT PLAN NO. 1/2003

RURAL AREA
(ROSENORT WEST AND RIVERSIDE EAST)

WATER LINE INSTALLATION

PROJECT

Local Improvement Plan No. 1/2003
Rural Area Water Lines

During the fall of 1998, the Pembina Valley Water Co-op did install and extend a main water line from Morris to Kane with the line proceeding on to Winkler, Manitoba. This water main is a 12 inch line from Morris to Lowe Farm and an 8 inch line to Kane. The Pembina Valley Water Co-op also installed an 8 inch water main from PTH 23 to Rosenort, Manitoba along PR 422. This line went to the water plant in Rosenort, Manitoba. When these lines were installed an additional main line was installed by the Pembina Valley Water Co-op from PR 422 to Riverside, Manitoba.

The Pembina Valley Water Co-op has granted permission to the Rural Municipality of Morris to undertake projects to connect to their water mains and provide service lines to the residents of the Rural Municipality of Morris.

The Rural Municipality of Morris had previously been in contact with P.F.R.A. office in Morden, Manitoba who provided the Municipality with assistance in designating proposed line extensions and finding that costs involved for servicing the Municipality were approximately \$8,000,000.00. Based on the assumed share formula between the Manitoba Water Services Board and P.F.R.A. and the R. M. of Morris, the Municipality would be responsible for approximately \$3,700,000.00. At that time, Council established a cost amount of \$8,000.00 per connection for persons wishing to connect to this water system. This amount of \$8,000.00 to connect to the water system allows the householder to be connect by the Municipality. Our connection fee of \$8,000.00 is divided into a \$1,500.00 initial payment, with the option of the remaining \$6,500.00 being paid once the connection project is completed or to have the \$6,500.00 placed as a Special Services debenture over a 10 year period against each of the properties that requests and receives connection to this water system.

Local Improvement Plan No. 1/2003
Rural Water Lines
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All persons that connected to the water system were informed what the costs involved were and what the debenture aspect will mean to their property taxes.

Roll No.	Property Owner	Legal Desc. of Property
65850	Nelson Toews	SE of Sec. 11-6-1W
65000	Hermart Farms	SE of Sec. 10-6-1W
60000	Levi Rempel	NW of Sec. 2-6-1W
68000	Michael Dueck	SW of Sec. 14-6-1W
60800	Elwyn Eidse	NE of Sec. 3-6-1W
59900	Kenton Penner	NW of Sec. 2-6-1W
66850	Les Siemens	SE of Sec. 12-6-1W
66100	Cam Cornelsen	NE of Sec. 12-6-1W
66000	Jake Cornelsen	NE of Sec. 12-6-1W
222950	William Thiessen	SW of Sec. 17-6-1E
223800	Bruce Rempel	SE of Sec. 18-6-1E
59100	Duane Rempel	NW of Sec. 1-6-1W
91150	Peter Teichroeb	SW of Sec. 18-4-2W
183400	George Thiessen	Lot 10 - 16158
183100	Dennis Friesen	Lot 8 - 16158
174600	Tim Loewen	Lot 18 - 13373

For each of the listed household properties connected, the unpaid amount of \$6,500.00 will be put as a debenture against that property. At this time, a 10 year debenture with an interest rate of 7.00% will require an estimated annual amount of \$925.45 from each property to repay the debenture amount.

Prepared:

Grant Macaulay,
Municipal Administrator,
Rural Municipality of Morris,
Box 518, Morris, Manitoba. R0G 1K0