



TOWN OF SAINTE-ANNE
BY-LAW NO. 2-2022

BEING a by-law of the Town of Sainte-Anne to authorize the expenditure and borrowing of money for the construction of a wastewater treatment lagoon expansion and associated works, 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) (i) sewage collection and treatment facilities;

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

Subject to subsections (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

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

(e) issuing debentures;

AND WHEREAS the Council of the Town of Sainte-Anne has prepared Local Improvement Plan No. 1-2022 providing for the spending, borrowing authority, and imposition of taxes for the construction of a Wastewater Treatment Lagoon Expansion and related works in the Town of Sainte-Anne and as indicated in the attached Schedule "B" as a Local Improvement pursuant to part 10 of *The Municipal Act*;

AND WHEREAS, the Town of Sainte-Anne has applied to the Investing in Canada Infrastructure Program and funding is anticipated as set out in Schedule "B" clause F;

AND WHEREAS, in order to complete such undertaking, it will be necessary for the Town of Ste. Anne to borrow the sum of Four Million Four Hundred Thousand Dollars (\$4,400,000) as hereinafter provided, which is the amount of 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 twenty (25) 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 requirements as prescribed in Sections 318, 319, and 320 of *The Municipal Act* have been complied with;

AND WHEREAS the existing debenture debt of the Town of Sainte-Anne is \$1,993,554.65 of which no portion of the principal or interest thereon is in arrears;

NOW THEREFORE the Council of the Town of Sainte-Anne duly assembled, enacts as follows:

1. THAT pursuant to subsection 320(1) of *The Municipal Act* the Town of Sainte-Anne adopt Local Improvement Plan No. 1-2022 attached hereto as Schedule "B".
2. THAT the Town of Sainte-Anne may expend up to Eleven Million, Three Hundred Thousand Dollars (\$11,300,000) for the purpose of the construction of a Wastewater Treatment Lagoon Expansion plant and related works as indicated in the attached Schedule "B" as a Local Improvement.
3. THAT for the aforesaid project, the municipality may borrow the said sum of Four Million Four Hundred Thousand Dollars (\$4,400,000); such borrowing shall be issued by Town of Sainte-Anne in the Province of Manitoba, and shall be payable at the Caisse Groupe Financier in Sainte-Anne, Manitoba, Canada, and shall be dated the 31st day of December A.D. 2022.

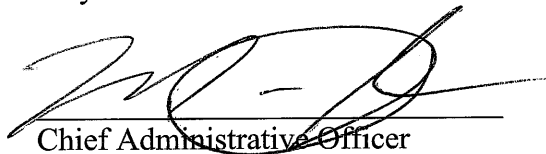
4. THAT the said borrowing shall bear interest at a rate estimated for the time being at 3.5% per annum, and subject in any event to the authorization of The Municipal Board at the time of sale, payable annually during their currency, and shall mature in accordance with the maturities set out in Schedule "A", hereto on the 31st day of December in each of the years 2023 to 2047, both inclusive.
5. THAT each of the said borrowing shall be signed by the Mayor of the Town of Sainte-Anne, or by some other person authorized by by-law to sign the same, and by the Chief Administrative Officer of The Town of Sainte-Anne, 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 2023 to 2047, both inclusive, there shall be raised annually by special mill rate on all taxable, grant-in-lieu and otherwise exempt properties in the Town of Sainte-Anne, an amount sufficient to meet the requirement for principal and interest.
7. THAT pursuant to the provisions of The Municipal Act, pending the issue of the borrowing, the Council of The Town of Sainte-Anne may agree with a bank or person for temporary advances from time to time to meet expenditures incurred for the purpose aforesaid, such advances in total not to exceed the sum of Eleven Million Three Hundred Thousand Dollars (\$11,300,000).
8. THAT Council of the Town of Sainte-Anne will not proceed with the capital project, construction of a Wastewater Treatment Lagoon Expansion and related works, unless funding as set out in Schedule "B" clause F to the By-Law is received.

DONE AND PASSED by the Council of the Town of Sainte-Anne in regular session assembled this 25th day of May, 2022.

TOWN OF SAINTE-ANNE



Mayor



Chief Administrative Officer

Read a first time this 9th day of March, 2022;
Read a second time this 25th day of May, 2022;
Read a third time this 25th day of May, 2022.

I, Marc Darker, Chief Administrative Officer of the Town of Ste. Anne, do hereby certify that the above document is a true and correct copy of the original.

TOWN OF SAINTE-ANNE

Wastewater Treatment Lagoon Expansion

Sold To: Town of Ste. Anne

SCHEDULE - A TO BYLAW NO. 2-2022
TO AMEND BY-LAW NO.

Local Improvement Debenture Issue

Term (Yrs):	25	Amount:	4,400,000.00
Date:	December 31, 2022	Rate (%):	3.5000
Payable:	December 31, 2023 - 2047	Annual Payment:	266,965.76
# of Days	0	Adjusted First Year's Payment:	266,965.76
		Adjusted Last Year's Payment:	266,965.58

MATURITY SCHEDULE

Year	Interest	Principal	Balance
2023	154,000.00	112,965.76	4,287,034.24
2024	150,046.20	116,919.56	4,170,114.68
2025	145,954.01	121,011.75	4,049,102.93
2026	141,718.60	125,247.16	3,923,855.77
2027	137,334.95	129,630.81	3,794,224.96
2028	132,797.87	134,167.89	3,660,057.07
2029	128,102.00	138,863.76	3,521,193.31
2030	123,241.77	143,723.99	3,377,469.32
2031	118,211.43	148,754.33	3,228,714.99
2032	113,005.02	153,960.74	3,074,754.25
2033	107,616.40	159,349.36	2,915,404.89
2034	102,039.17	164,926.59	2,750,478.30
2035	96,266.74	170,699.02	2,579,779.28
2036	90,292.27	176,673.49	2,403,105.79
2037	84,108.70	182,857.06	2,220,248.73
2038	77,708.71	189,257.05	2,030,991.68
2039	71,084.71	195,881.05	1,835,110.63
2040	64,228.87	202,736.89	1,632,373.74
2041	57,133.08	209,832.68	1,422,541.06
2042	49,788.94	217,176.82	1,205,364.24
2043	42,187.75	224,778.01	980,586.23
2044	34,320.52	232,645.24	747,940.99
2045	26,177.93	240,787.83	507,153.16
2046	17,750.36	249,215.40	257,937.76
2047	9,027.82	257,937.76	0.00
TOTALS	2,274,143.82	4,400,000.00	

08-Jun-22

TOWN OF SAINTE-ANNE
 SCHEDULE "B" TO BY-LAW NO. 2-2022
 LOCAL IMPROVEMENT PLAN NO. 1-2022

CONSTRUCTION OF A WASTERWATER TREATMENT LAGOON EXPANSION
 (Pursuant to subsection 315(1) of *The Municipal Act*)

A. DESCRIPTION OF THE PROPOSED LOCAL IMPROVEMENT

The Local Improvement proposed herein involves the provision of authority to borrow funds for the construction of a new wastewater treatment lagoon expansion.

The project has been initiated by the Council of the Town of Sainte-Anne due to the age and components of the existing lagoon. Result of a feasibility study perform in 2017, The Town's lagoon is at or nearing both the hydraulic capacity and the organic loading capacity. An expansion is required to meet Sainte-Anne's current and future wastewater management needs.

Based on discussions between the Town and the Manitoba Water Services Board (MWSB) it was agreed to review potential ways to increase the community's wastewater treatment and storage capacity to treat the increased wastewater flow that is expected to be generated over the next 25 years.

B. LOCAL IMPROVEMENT DISTRICT WHICH THE LOCAL IMPROVEMENT TAX WILL BE IMPOSED

The Local Improvement Tax required under this proposal will be levied on all taxable, grant-in-lieu and otherwise exempt properties within the corporate boundaries of the Town of Sainte-Anne.

C. IDENTIFICATION OF POTENTIAL TAXPAYERS UNDER THE PLAN

The potential taxpayers under this plan will be the property owners of all taxable, grant-in-lieu and otherwise exempt properties in the Town.

D. METHOD AND RATE OF CALCULATING THE LOCAL IMPROVEMENT TAX

The local improvement tax to be levied under this proposal will be based on the portioned values of assessable property (ie: special mill rate) on all the benefiting properties that are located within the Town of Sainte-Anne boundaries, with an amount sufficient to provide the principal and interest requirement hereunder.

The mill rate based on the 2022 portioned assessment (113,360,350) will be:

A Mill rate of 2.356

Calculated on a residential property valued at \$250,000 (portioned value of \$112,500) an estimated \$265.05 local improvement tax will be levied annually for 25 years.

E. Estimated Cost of Local Improvement / Sources of Funding

Total cost of the project is \$11,300,000.

Item	Description	Cost
A	AERATED LAGOON and SAGR	
A.1	Earthwork and Desludging Existing Lagoon	3,900,000
A.2	Sagar	2,000,000
A.3	Building Construction and Hydro	2,400,000
	SUBTOTAL	8,300,000
	Engineering (15%)	1,245,000
	Contingencies (5%)	415,000
	Finance & administration (10%)	830,000
	Miscellaneous Expenses	510,000
	TOTAL COST	11,300,000

F. Other Anticipated Sources of Funding

The Town has submitted an application to the Investing in Canada Infrastructure Program. Should the Town be successful with its grant application the breakdown will be as follows:

Investing in Canada Infrastructure Program	
Province Share - 50% Province of Manitoba Water Services Board	5,650,000.00
Municipal Share - 50% - Town of Sainte-Anne	5,650,000.00

*all costs are estimated

The Town's portion represents the Municipal Share of the Grant and the ineligible expenses of the grant or \$5,650,000.00 (\$4,820,000 + \$830,000.00). The Town's share of the cost (\$5,650,000.00) will be funded as follows: \$600,000.00 from the Federal Gas Tax Reserve Fund, \$400,000.00 from the Hydro Bipole Reserve Fund, \$250,000 from the Utility Reserve Fund and the balance of \$4,400,000.00 by borrowing.

Council of the Town of Ste. Anne will not proceed with the capital project, construction of a Wastewater Treatment Lagoon Expansion and related works, unless funding as set out in Schedule "B" clause F to the By-Law is received.

G. Particulars of Borrowing

Amount: \$4,400,000.00
Term: 25 years
Interest: 3.50%
Annual Payment: \$266,965.76

H. Annual Operating and Maintenance Cost of the Proposed Local Improvement

The annual operation or maintenance costs associated with the local improvement proposed herein will be recovered in the annual operating budget of the utility. The Town has submitted a "Water and Sewer Rate Study" to the Public Utilities Board to establish consumer rates. These rates will be approved by The Public Utilities Board.

Marc Darker
Chief Administrative Officer
Town of Sainte-Anne/Ville de Sainte-Anne
14 Centrale Avenue
Ste. Anne, MB R5H 1B8
Ph : 204-422-5293 | Fax : 204-422-5459