

MUNICIPALITY OF RHINELAND

BY-LAW NO. 2015-5

Being a By-Law to amend its By-Law No. 2014-04

WHEREAS the Municipality of Rhineland, by its By-Law No. 2014-4, which was authorized by Municipal Board Order No. E-14-109 is inter alia, authorized to issue borrowing in the amount totaling \$732,500.00;

AND WHEREAS no borrowing as authorized by said By-Law No. 2014-04 has been issued or sold;

AND WHEREAS effective January 1, 2015 under regulation 135/2014, the Rural Municipality of Rhineland, the Town of Plum Coulee and the Town of Gretna have amalgamated to form the Municipality of Rhineland;

AND WHEREAS it is deemed necessary and expedient to amend said By-Law No. 2014-04 to provide for an increase in project costs, and that the authorized amount of borrowing to be issued be increased by the amount of \$367,500 from \$732,500 to \$1,100,000.

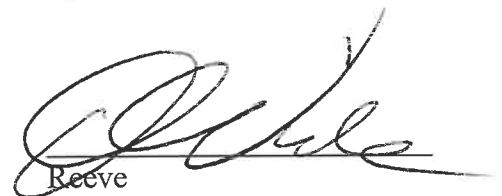
AND WHEREAS it is deemed necessary and expedient to amend the term of the borrowing by 5 years from 10 years to 15 years.

AND WHEREAS it is deemed expedient to amend said By-Law No 2014-04 to provide for an increase in the amount of authorized borrowing authority and the term of the borrowing.

NOW THEREFORE the Council of the Municipality of Rhineland duly assembled enacts as follows:

1. **THAT** By-Law No. 2014-04 **BE AND THE SAME IS HEREBY AMENDED** to provide for an increase in the amount of authorized borrowing authority in the amount of \$367,500.00 from \$732,500.00 to \$1,100,000.00.
2. **THAT** By-Law No. 2014-04 **BE AND THE SAME IS HEREBY AMENDED** to provide for an increase in the term of the borrowing by 5 years from 10 years to 15 years.
3. **THAT** Schedule "A" to said By-Law No. 2014-04 be cancelled, and Schedule "A" hereto be substituted therefor.

DONE AND PASSED by the Council of the Municipality of Rhineland in the Province of Manitoba this 22nd day of April A.D. 2015.

  
Reeve

  
Chief Administration Officer

Read a first time this 7<sup>th</sup> day of January, A.D. 2015  
Read a second time this 22nd day of April, A.D. 2015  
Read a third time this 22nd day of April A.D. 2015

**MUNICIPALITY OF RHINELAND**

Office Renovation and  
Expansion

Schedule "A" for By-law 2015-4

**Debenture Issue**

<b>Term (Yrs):</b>	15	<b>Amount:</b>	1,100,000.00
<b>Date:</b>	December 31, 2015	<b>Rate (%):</b>	5.0000
<b>Payable:</b>	December 31, 2016 - 2030	<b>Annual Payment:</b>	105,976.52
		<b>First Year's Payment:</b>	105,976.52
		<b>Adjusted Last Year's Payment:</b>	105,976.45

**MATURITY SCHEDULE**

<b>Year</b>	<b>Interest</b>	<b>Principal</b>	<b>Balance</b>
2016	55,000.00	50,976.52	1,049,023.48
2017	52,451.17	53,525.35	995,498.13
2018	49,774.91	56,201.61	939,296.52
2019	46,964.83	59,011.69	880,284.83
2020	44,014.24	61,962.28	818,322.55
2021	40,916.13	65,060.39	753,262.16
2022	37,663.11	68,313.41	684,948.75
2023	34,247.44	71,729.08	613,219.67
2024	30,660.98	75,315.54	537,904.13
2025	26,895.21	79,081.31	458,822.82
2026	22,941.14	83,035.38	375,787.44
2027	18,789.37	87,187.15	288,600.29
2028	14,430.01	91,546.51	197,053.78
2029	9,852.69	96,123.83	100,929.95
2030	5,046.50	100,929.95	0.00
<b>TOTALS</b>	<b>489,647.73</b>	<b>1,100,000.00</b>	

Manitoba



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APR 13 2014

The Municipal Board

1144 – 363 Broadway  
Winnipeg MB R3C 3N9  
Phone: 204-945-2941  
Fax: 204-948-2235  
[www.gov.mb.ca/municipalboard](http://www.gov.mb.ca/municipalboard)

April 7, 2015

Michael Rempel  
Chief Administrative Officer  
Rural Municipality of Rhineland  
Box 270  
Altona MB R0G 0B0

Dear Michael Rempel:

**RE: RURAL MUNICIPALITY OF RHINELAND - BY-LAW NO. 2015-5  
FILE NO. 14E7-0018**

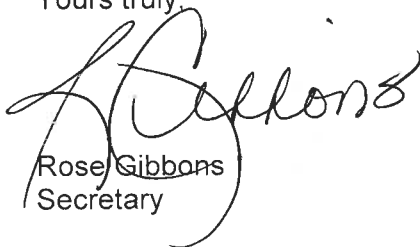
We enclose for your information a copy of Municipal Board Order No. E-15-027 together with the By-law.

The fee of \$50.00 is now due and payable on the By-law.

Please provide the Board with a Certified copy of the By-law after 3<sup>rd</sup> reading.

Please quote our File Number on all correspondence.

Yours truly,



Rose Gibbons  
Secretary

RG/an/enclosures

c: Wendy Wolfe, Municipal Services Officer

THE MUNICIPAL BOARD OF MANITOBA  
**DECISION AND ORDER**

**DECISION DATE:** April 7, 2015

Order No. E-15-027

File No. 14E7-0018

**PANEL:** William Barlow, Chair  
Lori Lavoie, Member

**MUNICIPALITY OF RHINELAND - BY-LAW NO. 2015-5**

The Municipality of Rhineland (the "Municipality") submits By-law No. 2015-5, for Board's approval.

By-law No. 2015-5, attached as Appendix "A", authorizes the following:

- to increase borrowing authority from \$732,500.00 to \$1,100,000.00 (an increase of \$367,500.00), and
- to increase the term of borrowing from 10 years to 15 years (an increase of 5 years).

The Municipality gave notice in accordance with *The Municipal Act*, advising potential taxpayers of the increase in borrowing and increase in the term of borrowing.

By email dated March 19, 2015, the Municipality also applies under Section 86 of *The Municipal Board Act* for validation of an irregularity that has occurred in the proceedings by reason of the passing of the By-law.

Section 86 states:

**86 Where by inadvertence, clerical error, omission or other cause an irregularity has occurred in the proceedings leading up to, or in the passing, giving, doing, or making, or in the form or execution, of a by-law, resolution, notice, advertisement, or return, of a local authority, the subject matter whereof is within its jurisdiction, thereby rendering it of doubtful validity, upon application, the board may inquire into the matter, and, if satisfied that it would be lawful but for the irregularity, and that no person is or will likely be injuriously affected thereby, make an order declaring it valid for all purposes; whereupon all the matters and things therein referred to are validated.**

The Municipality did not publish the public notice before giving first reading to the By-law pursuant to Section 174.1(1) of *The Municipal Act*, which states, in part:

**Passing a borrowing by-law**

174.1(1) The council must give public notice before giving first reading to a borrowing by-law that authorizes the municipality to

- (a) issue debentures; and
- (b) use the money borrowed to fund a capital project that has been included in the financial plan adopted under section 162.

In its email of March 19, 2015, the Municipality states, in part:

“The Municipal Service Officers advise me after first reading and public hearing that we did not provide the public notice required under section 174.1 of The Municipal Act. This oversight was not intentional and we will endeavour to ensure this does not occur going forward.

The public hearing was advertised twice in the local paper and we received no representation for or against the by-laws at the hearing on February 25, 2015.”

The Board has inquired into the matter and is satisfied in the circumstances that the By-law would be lawful but for the irregularity and that no one has or will likely be injuriously affected. Therefore, pursuant to Section 86 of *The Municipal Board Act*, the Board declares By-law No. 2015-5 to be valid for all purposes.

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

1. Municipality of Rhineland By-law No. 2015-5 **BE DECLARED VALID FOR ALL PURPOSES.**
2. Municipality of Rhineland By-law No. 2015-5 **BE APPROVED** subject to the following amendments:

THE MUNICIPAL BOARD OF MANITOBA

Order No. E-15-027

File No. 14E7-0018

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- a) After the second "Whereas" Clause, insert "**AND WHEREAS effective January 1, 2015 under Regulation 135/2014, the Rural Municipality of Rhineland, the Town of Gretna and the Town of Plum Coulee have amalgamated to form the Municipality of Rhineland;**"; and
  - b) In the third "Whereas" Clause, delete "**\$732,000**" and replace with "**\$732,500**".
3. A filing fee of \$50.00 be paid by the Municipality of Rhineland.

FOR THE MUNICIPAL BOARD

April 7, 2015  
Date

William Barlow  
William Barlow, Chair

Rose Gibbons  
Rose Gibbons, Secretary

STATUTORY DECLARATION

ON THE MATTER OF BY-LAW NO. 2015-5 OF THE Municipality of Rhineland,

I, Michael Rempel of the Municipality of Rhineland, Chief Administrative Officer, MAKE OATH AND SAY:

- 1. That I am the Chief Administrative Officer of the Municipality of Rhineland, in the Province of Manitoba, and as such have knowledge of the facts herein deposed to.
- 2. That this proposed borrowing is not set out in the Capital Estimates of the Municipality of Rhineland 2015 Financial Plan.
- 3. That Council of the Municipality of Rhineland did sit on the day, time and place set out in the Public Notice in accordance with Section 169(5) of *The Municipal Act*. The tear sheets or certified copies of the Notices are attached hereto as Exhibit "A". The public hearing minutes (or an excerpt of the minutes) are attached hereto as Exhibit "B."
- 4. That Council gave first reading to By-law No.2015- 5at its council meeting held on January 7, 2015 as shown in the Notice.

And I make this Affidavit bona fide.

Sworn before me at the Town of Gretna )  
of \_\_\_\_\_, Manitoba, this 23 )  
day of March 2015. )

[Signature] )  
A Commissioner for Oaths within the Province of )  
Manitoba. )

[Signature]  
Chief Administrative Officer

Commission expires \_\_\_\_\_ )  
2015 / 12 / 24 )

Municipality of Rhineland  
(Name of Municipality)