

BY-LAW 18-97
DUFFIELD WASTEWATER COLLECTION & LAGOON SYSTEM
"External Borrowing By-law"
OF PARKLAND COUNTY
IN THE PROVINCE OF ALBERTA

THIS BY-LAW AUTHORIZES THE COUNCIL OF
PARKLAND COUNTY TO INCUR AN INDEBTEDNESS
BY THE ISSUANCE OF DEBENTURES (THE
"DEBENTURES") TO THE ALBERTA MUNICIPAL
FINANCING CORPORATION (A.M.F.C.) FOR THE
PURPOSE OF THE DUFFIELD SEWER LAGOON AND
COLLECTION SYSTEM CONSTRUCTION.

WHEREAS:

The Council of Parkland County has decided to issue a by-law pursuant to Section 263 of the *Municipal Government Act* to authorize the financing, undertaking, and completing of the Duffield Sewer Lagoon and Collection System.

The Council, as represented by the Director of Transportation and Utilities, has made plans, specifications, and estimates for the project and confirms the total cost of the said project is One Million Eighty-eight Thousand One Hundred and Eighty-eight Dollars and Sixty-Nine Cents (\$1,088,188.69).

The Council of Parkland County has estimated the following grants and contributions will be received or applied to the project.

1. Two Hundred and Eighteen Thousand Dollars (\$218,000.00) -- local improvement tax
2. Four Hundred Thousand Dollars (\$400,000.00) -- Federal/Provincial National Infrastructure Program Share
3. Four Hundred Seventy Thousand One Hundred and Eighty-eight Dollars and Sixty-nine Cents (\$470,188.69) – Alberta Transportation & Utilities Wastewater Funding

In order to construct and complete the said project, it will be necessary for Parkland County to borrow the sum of Two Hundred and Eighteen Thousand Dollars (\$218,000.00) (the "indebtedness") on the terms and conditions referred to in this By-Law.

Parkland County will repay the indebtedness over a period of twenty (20) years in annual installments, with interest not exceeding fourteen per cent (14%), or the interest rate fixed from time to time by the Alberta Municipal Financing Corporation, per annum, payable annually.

The amount of the existing debenture debt of Parkland County at December 31, 1996, is **One Million Three Hundred and Eight Thousand Seven Hundred and Fourteen Dollars (\$1,308,714.00)**, no part of which is in arrears.

The estimated lifetime of the project is thirty (30) years.

The proposed construction will ultimately serve two hundred and ninety-nine (299) lots.

All required approvals for the project have been obtained and the project is in compliance with applicable acts and regulations of the Province of Alberta.

The Council of Parkland County has given proper notice of intention to undertake and complete the construction of a sewer lagoon and collection system, the costs or a portion of the costs thereof to be assessed against abutting (or benefitting) owners in accordance with the attached Schedule "A", and no sufficiently signed and valid petition against the said proposal has been received by the Council.

THEREFORE, THE COUNCIL OF PARKLAND COUNTY DULY ASSEMBLED ENACTS AS FOLLOWS:

1. That for the purpose of construction of a sewer lagoon and collection system in the Hamlet of Duffield the sum of Two Hundred and Eighteen Thousand Dollars (\$218,000.00) be borrowed from the A.M.F.C. by way of debenture on the credit and security of Parkland County at large, of which amount the sum of Two Hundred and Eighteen Thousand Dollars (\$218,000.00) is to be collected by way of a local improvement tax as herein provided in attached Schedule "A".
2. The debentures to be issued under this by-law shall not exceed the sum of Two Hundred and Eighteen Thousand Dollars (\$218,000.00), and may be in any denomination not exceeding the amount authorized by this by-law and shall be dated having regard to the date of the borrowing.
3. The debentures shall bear interest during the currency of the debentures, at a rate not exceeding fourteen per cent (14%), or the interest rate fixed from time to time by the A.M.F.C., per annum, payable annually.
4. The debentures shall be issued in such a manner that the principal and interest will be combined and be made payable in, as nearly as possible, equal annual installments over a period of twenty (20) years, in accordance with the schedule attached and forming a part of each debenture.
5. The debentures shall be payable in lawful money of Canada at the (Royal Bank) in the City of Spruce Grove, or at such other bank or financial institution as the Council of Parkland County may authorize as its banking agency during the currency of the debenture.
6. The Chief Elected Official and Chief Administrative Officer of Parkland County shall authorize such bank or financial institution to make payments to the holder of the debentures, on such date and in such amounts as specified in the repayment schedule forming part of each debentures.
7. The debentures shall be signed by the Chief Elected Official and the Chief Administrative Officer of Parkland County, and the Chief Administrative Officer shall affix the corporate seal of Parkland County to the debentures.

8. There shall be levied and raised in each year of the currency of the debentures a rate on all the rateable property in Parkland County, collectible at the same time and in the same manner as other rates, in an amount sufficient pay the principal and interest falling due in such year on such debentures and in addition thereto the amount required to pay any of such debentures which fall due in each year after applying the local improvement tax hereafter provided for.

9. During the currency of the debentures there shall be raised annually for the payment of the owners' portion of the cost and interest thereon, by local improvement tax, the respective sums shown as yearly payments on Schedule "A" hereto attached, and there is hereby imposed on all lands on that portion of the streets or places whereon the improvements are to be laid, a local improvement tax sufficient to cover the owners' portion of the cost of the said work and the interest thereon payable at the unit rate or rates set forth in said Schedule "A". The said local improvement tax shall be in addition to all other rates and taxes.

10. The indebtedness is contracted on the credit and security of Parkland County at large.

11. The net amount realized by the issue and sale of debentures authorized under this by-law shall be applied only for the purposes for which the indebtedness was created.

12. This by-law shall take effect on the day of the final passing thereof.

READ a first time in Council this 27th day of May, 1997.

READ a second time in Council this 27th day of May, 1997.

READ a third time in Council and passed this 27th day of May, 1997.


REEVE


MANAGER, ADMINISTRATION SERVICES

NOTICE OF LOCAL IMPROVEMENT TAX

April 24, 1997

Registered Mail

«NAM»
«AD1»
«AD2»
«CTY»
«PCD»

Dear Sir and/or Madam:

Re: Hamlet of Duffield («LBP» «LEG»)
Wastewater Collection, Transmission, and Treatment System
Local Improvement Tax and Plan

On April 22, 1997, the Council of Parkland County passed resolution 138-97. This decision authorized the administration to advise all landowners as noted on the attached local improvement plan that the Council intends to construct a Wastewater Collection, Transmission and Treatment System for the Hamlet of Duffield. Notice is served by this letter.

This project was initiated upon recommendation from the Medical Health Inspector due to health concerns arising from current methods of wastewater disposal.

This proposal is to be funded by means of a local improvement tax. The project was discussed at a Stakeholder Advisory Committee Meeting held November 25, 1995, and at Public Meetings held December 12, 1995, and August 21, 1996. Additional consultation with owners has also taken place. The work is located within and near the Hamlet of Duffield and is designed to effectively collect, treat, and dispose of wastewater generated within the Hamlet of Duffield. This will eliminate all other methods of wastewater disposal.

Under Part 10, Division 7, and particularly sections 395 and 396 of the *Municipal Government Act* Chapter M-26.1 1994, Parkland County is sending out this notice which includes the required summary of information included in the local improvement plan.

Overview:

1. The project involves the construction of a low pressure wastewater collection system complete with service lines to property line for developed properties and the construction of a wastewater treatment facility consisting of an anaerobic lagoon and an evaporation lagoon.

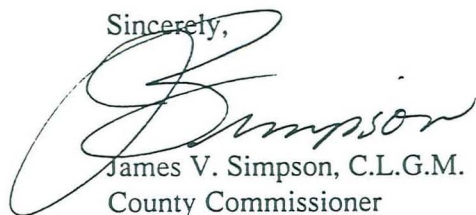
Hamlet of Duffield
Wastewater Collection, Transmission, and Treatment
Local Improvement Tax And Plan

2. The local improvement portion of the estimated cost of the project is \$218,000.00. Based on wastewater generation, Parkland School Division No. 70 will be assessed a levy of 29% of the local improvement portion of the cost in the amount of \$63,220. The balance of the local improvements portion, \$154,780, will be assessed to developed lots on a per connection basis. Based on the current number of required connections, 39, the estimated cost per service is \$3,968.72.
3. Significant funding is being provided for this project from the Canada Infrastructure Program and Alberta Municipal Water/Wastewater Partnership program.
4. The cost for each service can be amortized over a 20 year period or prepaid at the discretion of the owner. The current interest rate is set at 7.5% subject to adjustment at time of debenture up to a maximum of 14% as fixed from time to time by the Alberta Municipal Finance Corporation.
5. Future service connections will be assessed a connection fee of \$3,968.72 plus 6% per annum and will be required to pay any construction costs.
6. There will be a \$10.00 per month maintenance fee.
7. At an interest rate of 7.5% amortized over 20 years, the estimated cost is \$41.97 per month including \$10.00 maintenance fee.
8. No other form of wastewater disposal will be permitted within the Hamlet of Duffield.
9. Based on tendered unit rates and subject to final quantities, the cost of each on lot service system including septic tank, pump, piping and connections is \$4,702.65 including 7% GST. At an interest rate of 7.5% amortized over 20 years, the estimated cost is \$37.88 per month.

Benefiting property owners have the right to petition against the project subject to Section 408 of the Municipal Government Act, Chapter M-26.1, 1994.

Should you require additional information regarding this matter or have any questions, please contact Kevin Cymbaluk (Parkland County) at 963-2231, or John Foster (Infrastructure Systems Ltd.) at 466-9000.

Sincerely,



James V. Simpson, C.L.G.M.
County Commissioner

:ds

cc: Norman Jespersen, Reeve
Dan Hungle, Director, Transportation & Utilities
Kevin Cymbaluk, Transportation & Utilities
John Foster, Infrastructure Systems Ltd.

4.0 LIST OF LAND OWNERS

The parcels of land in respect of which the local improvement tax will be imposed are divided into two categories, those which are currently developed and are required to connect to the system upon completion of it's construction and those which may connect to the system in the future. The following two lists, Developed Lots and Undeveloped Lots list the parcels of land and the person or persons who will be liable to pay the local improvement tax upon connection to the wastewater collection system.

Developed Lots - Required to pay upon project completion

N.W. 26-52-03-W5M - Title No. 952 064 462 Roll No. 1915.000
N.W. 26-52-03-W5M - Title No. 912 295 687 Roll No. 1915.004
N.W. 26-52-03-W5M - Title No. 952 158 221 Roll No. 1915.005
Lot 001 Block 001 Plan 4733AQ - Roll No. 1915.008
Lot 2A Block 001 Plan 4733AQ - Roll No. 1915.009
Lot 30-31 Block 001 Plan 4733AQ - Roll No. 1915.018
Lot 3-6 Block 002 Plan 4733AQ - Roll No. 1915.022
Lot 1-2 Block 003 Plan 4733AQ - Roll No. 1915.033
Lot 005 Block 003 Plan 4733 AQ - Roll No. 1915.037
Lot 20-22 Block 016 Plan 4733AQ - Roll No. 1917.000
Lot 26-27 Block 016 Plan 4733AQ - Roll No. 1917.006
Lot 1A Block 017 Plan 4733AQ - Roll No. 1917.007
Lot 005 Block 017 Plan 4733AQ - Roll No. 1917.011
Lot 9-10 Block 017 Plan 4733AQ - Roll No. 1917.015
Lot 13-16 Block 017 Plan 4733AQ - Roll No. 1917.019
Lot 17-18 Block 017 Plan 4733AQ - Roll No. 1917.023
Lot 11 Block 018 Plan 4733AQ - Roll No. 1917.037
Lot 12 Block 018 Plan 4733AQ - Roll No. 1917.038
Lot 13 Block 018 Plan 4733AQ - Roll No. 1917.039
Lot 015 Block 018 Plan 4733AQ - Roll No. 1917.041
Lot 4-6 Block 019 Plan 4733AQ - Roll No. 1917.045
Lot 007 Block 019 Plan 4733AQ - Roll No. 1917.048
Lot 1A Block 016 Plan 4733AQ - Roll No. 1917.073
Lot 5-8 Block 016 Plan 4733AQ - Roll No. 1917.077
Lot 9-10 Block 016 Plan 4733AQ - Roll No. 1917.079
Lot 12-13 Block 016 Plan 4733AQ - Roll No. 1917.081
Lot 14-16 Block 016 Plan 4733AQ - Roll No. 1917.083
Lot 17-18 Block 016 Plan 4733AQ - Roll No. 1917.086
Block A Plan 4733AQ - Roll No. 1918.000
S.W. 35-52-03-W5M - Title No. 245-M-215 - Roll No. 1920.000
Lot 1-2 Block 004 Plan 4733AQ - Roll No. 1920.001

Developed Lots (continued)

Lot 1-5 Block 005 Plan 4733AQ - Roll No. 1920.009
Lot 1-9 Block 006 Plan 4733AQ - Roll No. 1920.033
Lot 10-11 Block 006 Plan 4733AQ - Roll No. 1920.042
Lot 12-13 Block 006 Plan 4733AQ - Roll No. 1920.044
Lot 1-5 Block 007 Plan 4733AQ - Roll No. 1920.065
Lot 1A Block 012 Plan 4733AQ - Roll No. 1920.147
Lot B Plan 892 3013 - Roll No. 1915.028
N.W. 26-52-03-W5M - Title No. 932 020 878 Roll No. 1915.003

Undeveloped Lots - required to pay upon connection

All those lots in plans 4733AQ and Plan 892 3013 not described and the remainder of N.W. 26-52-03-W5M

34

- 35

53-2-5

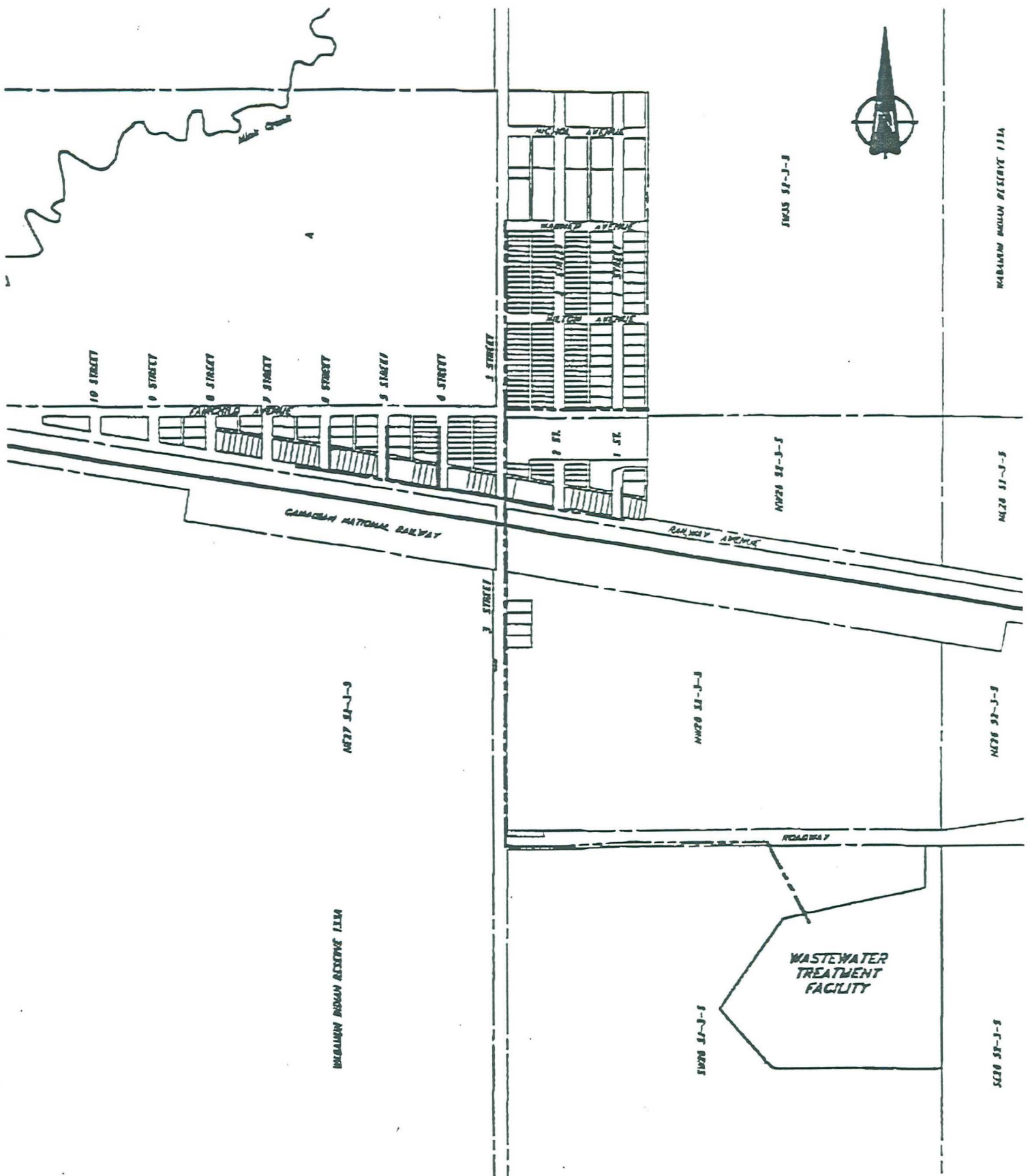
Hamlet of Duffield

BLK 'B'

- Not Included

LOT A
PLAN 892 3013

LOIR



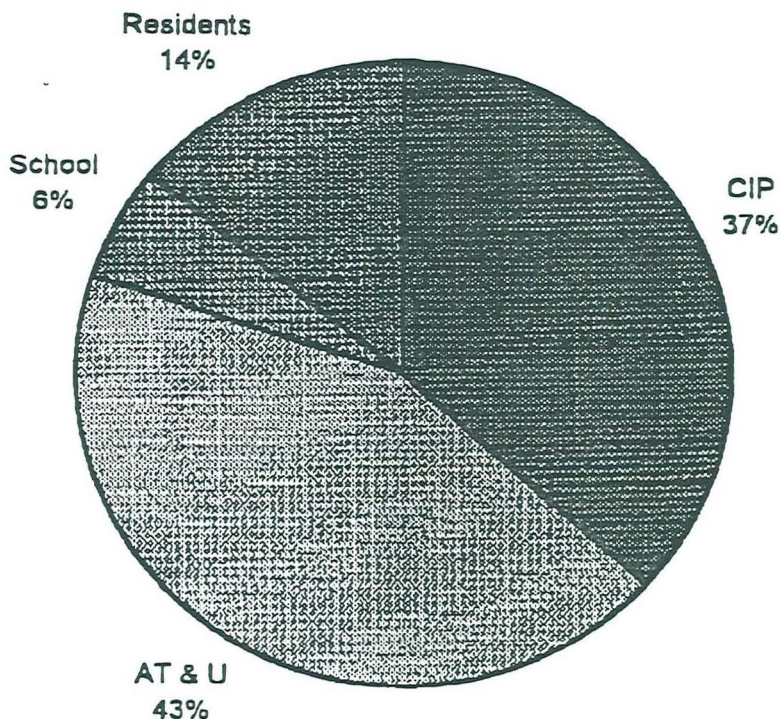
HAMLET OF DUFFIELD
WASTEWATER COLLECTION,
TRANSMISSION & TREATMENT SYSTEM

ISL Infrastructure
 Systems Ltd.
 DESIGN & PLANNING

PARKLAND
 COUNTY

COUNTY OF PARKLAND HAMLET OF DUFFIELD WASTEWATER COLLECTION, TRANSMISSION AND TREATMENT SYSTEM

Cost Sharing Breakdown



Project Cost: \$ 1,088,189 including 3% G.S.T.

excluding on-lot facilities

CIP	\$400,000	37%
AT & U	\$470,189	43%
School	\$ 63,220	6%
Residents	\$ 154,780	14%

Local Improvement Tax (per lot based on 39 connections)

Prepaid lump sum (optional)	\$3,968.92
Monthly payment at 7.5 % over 20 years	\$31.97
Monthly maintenance cost	\$10.00

On-Lot Facilities (optional) for typical lot

Prepaid lump sum (optional)	\$4,702.65
Monthly payment at 7.5 % over 20 years	\$37.88

Future Connections \$3968.72 plus 6% per annum

**HAMLET OF DUFFIELD SANITARY
SEWER SYSTEM UPGRADE
PUBLIC MEETING**

Parkland County wishes to advise that a public meeting will be held on April 30, 1997, at 7:00 p.m., at the Duffield Community Centre to discuss costs, funding, and cost sharing for the proposed upgrade of the Duffield sanitary sewer system. All interested parties are welcome to attend and participate.

TU-04

BY-LAW 18-97
DUFFIELD WASTEWATER COLLECTION & LAGOON SYSTEM
"External Borrowing By-law"
OF PARKLAND COUNTY
(hereinafter referred to as the "Municipality")
IN THE PROVINCE OF ALBERTA

THIS BY-LAW AUTHORIZES THE COUNCIL OF THE MUNICIPALITY TO INCUR AN INDEBTEDNESS BY THE ISSUANCE OF DEBENTURES (THE "DEBENTURES") TO THE ALBERTA MUNICIPAL FINANCING CORPORATION (A.M.F.C.) FOR THE PURPOSE OF THE DUFFIELD SEWER LAGOON AND COLLECTION SYSTEM CONSTRUCTION.

WHEREAS:

The Council of the Municipality has decided to issue a by-law pursuant to Section 251 of the *Municipal Government Act* to authorize the financing, undertaking, and completing of the Duffield Sewer Lagoon and Collection System.

The Council, as represented by the Director of Transportation and Utilities, has made plans, specifications, and estimates for the project and confirms the total cost of the said project is One Million Eighty-eight Thousand One Hundred and Eighty-eight Dollars and Sixty-Nine Cents (\$1,088,188.69).

The Council of the Municipality has estimated the following grants and contributions will be received or applied to the project.

1. Two Hundred and Eighteen Thousand Dollars (\$218,000.00) -- local improvement tax
2. Four Hundred Thousand Dollars (\$400,000.00) -- Federal/Provincial National Infrastructure Program Share
3. Four Hundred Seventy Thousand One Hundred and Eighty-eight Dollars and Sixty-nine Cents (\$470,188.69) -- Alberta Transportation & Utilities Wastewater Funding

In order to construct and complete the said project, it will be necessary for the Municipality to borrow the sum of Two Hundred and Eighteen Thousand Dollars (\$218,000.00) (the "indebtedness") on the terms and conditions referred to in this By-Law.

The Municipality will repay the indebtedness over a period of twenty (20) years in annual installments, with interest not exceeding fourteen per cent (14%), or the interest rate fixed from time to time by the Alberta Municipal Financing Corporation, per annum, payable annually.

The amount of the existing debenture debt of the Municipality at December 31, 1996, is **One Million Three Hundred and Eight Thousand Seven Hundred and Fourteen Dollars (\$1,308,714.00)**, no part of which is in arrears.

The estimated lifetime of the project is thirty (30) years.

The proposed construction will serve about two hundred and ninety-nine (299) lots.

All required approvals for the project have been obtained and the project is in compliance with all acts and regulations of the Province of Alberta.

The Council of the Municipality has given proper notice of intention to undertake and complete the construction of a sewer lagoon and collection system, the costs or a portion of the costs thereof to be assessed against abutting (or benefitting) owners in accordance with the attached Schedule "A", and no sufficiently signed and valid petition against the said proposal has been received by the Council.

THEREFORE, THE COUNCIL OF THE MUNICIPALITY DULY ASSEMBLED ENACTS AS FOLLOWS:

1. That for the purpose of construction of a sewer lagoon and collection system in the Hamlet of Duffield the sum of Two Hundred and Eighteen Dollars (\$218,000.00) be borrowed from the A.M.F.C. by way of debenture on the credit and security of the Municipality at large, of which amount the sum of \$0.00, is to be paid by the County at large and Two Hundred and Eighteen Dollars (\$218,000.00) is to be collected by way of a local improvement tax as herein provided in attached Schedule "A".
2. The debentures to be issued under this by-law shall not exceed the sum of Two Hundred and Eighteen Dollars (\$218,000.00), and may be in any denomination not exceeding the amount authorized by this by-law and shall be dated having regard to the date of the borrowing.
3. The debentures shall bear interest during the currency of the debentures, at a rate not exceeding fourteen per cent (14%), or the interest rate fixed from time to time by the A.M.F.C., per annum, payable annually.
4. The debentures shall be issued in such a manner that the principal and interest will be combined and be made payable in, as nearly as possible, equal annual installments over a period of twenty (20) years, in accordance with the schedule attached and forming a part of each debenture.
5. The debentures shall be payable in lawful money of Canada at the (Royal Bank) in the City of Spruce Grove, or at such other bank or financial institution as the Council of the Municipality may authorize as its banking agency during the currency of the debenture.
6. The Chief Elected Official and Chief Administrative Officer of the Municipality shall authorize such bank or financial institution to make payments to the holder of the debentures, on such date and in such amounts as specified in the repayment schedule forming part of each debentures.
7. The debentures shall be signed by the Chief Elected Official and the Chief Administrative Officer of the Municipality, and the Chief Administrative Officer shall affix the corporate seal of the Municipality to the debentures.

8. There shall be levied and raised in each year of the currency of the debentures a rate on all the rateable property in the Municipality, collectible at the same time and in the same manner as other rates, in an amount sufficient pay the principal and interest falling due in such year on such debentures and in addition thereto the amount required to pay any of such debentures which fall due in each year after applying the local improvement tax hereafter provided for.

9. During the currency of the debentures there shall be raised annually for the payment of the owners' portion of the cost and interest thereon, by local improvement tax, the respective sums shown as yearly payments on Schedule "A" hereto attached, and there is hereby imposed on all lands on that portion of the streets or places whereon the improvements are to be laid, a local improvement tax sufficient to cover the owners' portion of the cost of the said work and the interest thereon payable at the unit rate or rates set forth in said Schedule "A". The said local improvement tax shall be in addition to all other rates and taxes.

10. The indebtedness is contracted on the credit and security of the Municipality at large.

11. The net amount realized by the issue and sale of debentures authorized under this by-law shall be applied only for the purposes for which the indebtedness was created.

12. This by-law shall take effect on the day of the final passing thereof.

READ a first time in Council this 27th day of May, 1997.

READ a second time in Council this 27th day of May, 1997.

READ a third time in Council and passed this 27th day of May, 1997.

REEVE

MANAGER, ADMINISTRATION SERVICES



Infrastructure
Systems Ltd.

ENGINEERS & PLANNERS

100, 5008 - 86TH ST. EDMONTON, AB, CANADA T6E 5S2

TELEPHONE (403) 466-9000

FAX (403) 469-5683

April 11, 1997

Our Ref: 2707

Parkland County
4601 - 48 Street
Stony Plain
T7Z 1R1



Attention: Kevin Cymbaluk, P.Eng.
Transportation and Utilities Coordinator

Dear Sir:

RE: HAMLET OF DUFFIELD
WASTEWATER COLLECTION, TRANSMISSION AND TREATMENT
TENDER REVIEW AND AWARD RECOMMENDATION

Tenders for the above project were opened 2:00 p.m. April 10, 1997. Seven of the twelve invited tenderers submitted tenders. The tenderers and their tender amounts including G.S.T. are listed below in ascending order.

In-Line Augering	\$ 1,049,797.06
G.S. Holdings	\$ 1,092,470.00
IGL Canada (Western)	\$ 1,173,651.97
Ras-Dam Construction	\$ 1,220,225.43
North American Construction Group	\$ 1,440,670.47
Raywalt Construction	\$ 1,491,933.10
Sureway Construction	\$ 1,626,236.29

All tenders were accompanied by the required bid bond and consent of surety. Two tenderers made revisions to the Tender Form. G.S. Holdings revised the allowable construction period from nine to twelve weeks. IGL Canada (Western) added two items to Schedule A, Part 1 of the Tender Form which would pay to restore areas disturbed during construction and added to Schedule C, Part 2 that restoration was the responsibility of the Owner. The construction specifications state that restoration is paid for as a part of trench excavation and septic tank installation. Because neither of these two tenderers is the low bidder, and we are prepared to recommend the low bidder, these changes are of no consequence.

Attached, is a spreadsheet which compares the three lowest tenders and the Engineer's Estimate. The total amount tendered by IGL Canada (Western) is different in the spreadsheet from the above table because of the items added to the Tender Form by IGL.

Grande Prairie

Fort McMurray

Red Deer

Peace River

Camrose

MCEA Member, Consulting Engineers of Alberta



There are differences between the attached Engineer's Estimate and the pre-tender cost estimate submitted to the County February 20, 1997 due to the following revisions made at the County's request.

- The fence was revised from a four strand barbed wire fence to a 1.8 m non-climbable welded lawn fence.
- The access road was widened from 4 to 5 metres.
- The minimum depth of fill of the access road was increased from 0.8 to 1.5 metres.
- The gravel surface of the access road was changed from 75 mm of 19 mm crushed gravel to 50 mm of 19 mm crushed gravel over 100 mm of 38 mm crushed gravel.
- On lot facilities were added. Estimated costs for on-lot facilities, including G.S.T., are based on those presented at Public Meeting Number 2 held August 21, 1996.

Note that a ten per cent contingency was included in the pre-tender cost estimate.

We have worked with In-Line Augering previously and have reviewed their proposed approach to this project. It is our experience that they are a competent contractor and they displayed a good understanding of the requirements of this project. We therefore recommend that the contract be awarded to In-Line Augering Ltd. for the total tendered amount of \$ 1,049,797.06 including G.S.T., subject to final quantities. Please note that the total contract amount without on-lot costs is \$955,744.06 including G.S.T..

If you have questions or comments, please contact the undersigned at your convenience.

Sincerely,


John Foster, P.Eng.
Project Engineer

JLF/jf

enclosure