

BY-LAW 45-01

**HAMLET OF ENTWISTLE WASTEWATER TREATMENT SYSTEM UPGRADING
"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 HAMLET OF ENTWISTLE WASTEWATER TREATMENT SYSTEM UPGRADING

WHEREAS:

The Council of Parkland County has decided to issue a by-law pursuant to Section 251 and Section 260 of the *Municipal Government Act* to authorize the financing, undertaking and completing of the Hamlet of Entwistle Wastewater Treatment System Upgrade.

The Council, as represented by the General Manager of the Operations Services Department, has made plans, specifications and estimates for the project and confirms the total cost of the said project is One Million and Six Hundred Thousand Dollars (\$1,600,000.00).

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

1. One Hundred and Fifty Thousand Dollars (\$150,000.00) – Monthly Utility Bills – Wastewater Treatment System Upgrade Charge.
2. Two Hundred and Fifty Thousand Dollars (\$250,000.00) – Entwistle Capital Surplus.
3. One Million and Two Hundred Thousand Dollars (\$1,200,000.00) – Alberta Transportation – Alberta Municipal Water/Wastewater Partnership Funding.

In order to construct and complete the said project, it will be necessary for Parkland County to borrow the sum of One Hundred and Fifty Thousand Dollars (\$150,000.00) (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 July 31, 2001 is \$3,219,963.00, no part of which is in arrears.

The estimated lifetime of the project is twenty (20) years.

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.

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

1. That for the purpose of upgrading the wastewater treatment system for the Hamlet of Entwistle the sum of One Hundred and Fifty Thousand Dollars (\$150,000.00) be borrowed from A.M.F.C. by way of debenture on the credit and security of Parkland County at large.

2. The debentures to be issued under this by-law shall not exceed the sum of One Hundred and Fifty Thousand Dollars (\$150,000.00), 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 Alberta Municipal Financing Corporation, (A.M.F.C.), per annum payable annually.
4. The debentures shall be issued in such 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 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 in such amounts as specified in the repayment schedule forming part of each debenture.
7. The debentures shall be signed by the Chief Elected Official and the Chief Administrative Officer of Parkland County and the Chief Administrative Office 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 user fee or user fees to provide an annual wastewater treatment system upgrade revenue, in an amount sufficient to pay the principal and interest falling due in such year on such debentures.

The user fee or user fees will be collected through a wastewater treatment system upgrade charge that will included in the utility bills issued to the Hamlet of Entwistle pursuant to By-law 37-99 being "A by-law of Parkland County for the prevention, restriction, regulation and control of the discharge of wastewater into wastewater collection, treatment and disposal systems within Parkland County".

In the event of any revenue deficiency, Parkland County shall levy and raise municipal taxes sufficient to pay the indebtedness.
9. The indebtedness is contracted on the credit and security of Parkland County at large.
10. 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.
11. This by-law shall take effect on the day of the final passing thereof.

READ A FIRST TIME this 11th day of September, 2001 A.D.

READ A SECOND TIME this 11th day of September, 2001 A.D.

READ A THIRD TIME and finally passed this 11th day of September, 2001 A.D.


REEVE


COUNTY COMMISSIONER