

03-5-21-7

MWSD 1

**IN THE BOARD OF THE LANE COUNTY  
METROPOLITAN WASTEWATER SERVICE DISTRICT**

**ORDER** ) **IN THE MATTER OF CLOSING OUT THE METROPOLITAN  
          ) WASTEWATER SERVICE DISTRICT WASTEWATER BOND  
          ) RETIRMENT FUND AND TRANSFERRING THE REMAINING  
          ) FUND BALANCE INTO THE DISTRICT'S WASTEWATER  
          ) ADMINISTRATION AND CONSTRUCTION FUND**

**WHEREAS**, Lane County and the cities of Eugene and Springfield formed the Metropolitan Wastewater Management Commission (MWMC) in 1977 by intergovernmental agreement to build and operate regional sewerage facilities in the Eugene/Springfield metropolitan area; and

**WHEREAS**, the Lane County Metropolitan Wastewater Services District (MWSD) was formed in 1978 to sell general obligation bonds to finance the local share of design and construction costs of the facilities; and

**WHEREAS**, the general obligation bonds were fully paid and retired in August 2002 and ownership of the regional sewerage facilities was transferred to the MWMC in February 2003 by Board Order 03-02-02-1M; and

**WHEREAS**, the purpose for the Wastewater Bond Retirement Fund has been fulfilled and is no longer needed since the MWMC now has the authority to issue future debt as required; and

**WHEREAS**, Oregon Revised Statutes' local budget law provides for the elimination of unnecessary funds as follows:


**ORS 294.475 Elimination of unnecessary fund; disposition of balance.** Subject to the provisions contained in the charter of any city or county or in any law relating to municipal corporations, when the necessity for maintaining any fund of the municipal corporation has ceased to exist and a balance remains in the fund, the governing body shall so declare by ordinance or other order and upon such declaration such balance shall forthwith be transferred to the general fund of the municipal corporation unless other provisions have been made in the original creation of the fund.

**WHEREAS**, this matter having come before the Lane County Metropolitan Wastewater Service District Board for consideration; now therefore,

**IT IS HEREBY ORDERED** that since the need for the Wastewater Bond Retirement Fund no longer exists and since no other provisions were made for these funds at the time the fund was created, this fund shall be closed and the balance of remaining dollars shall forthwith be transferred into the district's Wastewater Administration and Construction Fund, which serves as the general fund for the district.

Dated this \_\_\_\_ day of May 2003.

**APPROVED AS TO FORM**

Date 5/13/03 Lane County  


OFFICE OF LEGAL COUNSEL

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Peter Sorenson, Chair  
Metropolitan Wastewater Service District Board