

**BEFORE THE COUNTY COMMISSIONERS  
OF KIOWA COUNTY, KANSAS  
RESOLUTION NO. 2011-7**

This Resolution is made and entered into this 18th day of April, 2011, by the Board of County Commissioners of Kiowa County, Kansas.

**WHEREAS**, the Regional Authority was formed pursuant to an Interlocal Agreement and General Plan for Solid Waste Management adopted August 3, 1993, ("Interlocal Agreement") by the Regional Authority Members, being Barber, Clark, Comanche, Harper, Kiowa and Pratt Counties in Kansas; and

**WHEREAS**, Clark County withdrew from the Regional Authority leaving the remaining counties as participants in the Interlocal Agreement; and

**WHEREAS**, pursuant to the Interlocal Agreement, the Counties established a not-for-profit corporation known as the Gyp Hills Regional Solid Waste Authority, Inc., which was duly organized on October 14, 1993, by the filing of Articles of Incorporation with the Kansas Secretary of State; and

**WHEREAS**, thereafter in furtherance of the Interlocal Agreement the Regional Authority, created a Regional Solid Waste Management Committee, adopted By-Laws, and elected Directors for the Regional Authority; and

**WHEREAS**, since said time, the Regional Authority has acted on behalf of all of the Counties with respect to solid waste management matters, including initial efforts to create a Regional Solid Waste Landfill for the use by all of the Counties; and

**WHEREAS**, subsequent to initiating efforts to create a Regional Solid Waste Landfill, changes in regulations by the Kansas Department of Health & Environment ("KDHE") made it more practical and possible for the separate Counties to maintain their own landfills thereby eliminating the necessity for a Regional landfill; and

**WHEREAS**, the Interlocal Agreement provides at Article XI, Section 11.1 that the Interlocal Agreement may be terminated by agreement of 2/3rds of the voting percentages of the members, being the Counties which are parties to the Interlocal Agreement; and

**WHEREAS**, Pratt County believes it to be in its best interest to terminate the Interlocal Agreement and to dissolve the Regional Authority.

**NOW, THEREFORE,** be it resolved by the Board of County Commissioners of Pratt County, Kansas, that the County's participation in the Gyp Hills Regional Solid Waste Authority, Inc., pursuant to the Interlocal Agreement should be terminated and that this Resolution shall be considered as Pratt County's vote for termination in accordance with Article XI, Section 11.1; and

**BE IT FURTHER RESOLVED,** that upon the affirmative vote of sufficient members as set forth in Article XI, Section 11.1, to permit termination of the Interlocal Agreement that the duly appointed Director of the Regional Authority for Pratt County, the same being Dean Staab, should be and hereby is authorized, directed and empowered to execute the form of Unanimous Consent Resolution attached hereto authorizing the dissolution and liquidation of the Regional Authority in accordance with its By-laws and the Interlocal Agreement and to take all other action reasonably necessary and required to accomplish such purposes.

BOARD OF COUNTY COMMISSIONERS  
OF KIOWA COUNTY, KANSAS

Ron Freeman 

Don Richards 

John Unruh 