

RESOLUTION NO. 2004-5

WHEREAS, on the 5th day of May, 1980, Resolution No. 3 was passed by the Board of County Commissioners of Thomas County, Kansas, reciting the need for the establishment of a Joint Port Authority to insure the continued availability of rail service to the inhabitants of Thomas County, Kansas; and

WHEREAS, the Joint Cooperative Agreement attached to said resolution as Exhibit "A" was approved and executed by this Board and the boards of county commissioners of the various other counties who were parties thereto, thereby establishing a Joint Port Authority pursuant to K.S.A. 12-3401 et seq., as amended, to be known as the Mid-States Port Authority (MSPA); and

WHEREAS, pursuant to Paragraph 3 of said Joint Cooperative Agreement, Thomas County, Kansas, is entitled to cast a ballot for directors-at-large on MSPA's Board of Directors; and

WHEREAS, Norman Nelson and Maryjo Downey have been serving as Directors-at-Large for positions 4 and 8, respectively, on the Board of Directors of MSPA with the full knowledge and approval of this Board; and

WHEREAS, Norman Nelson and Maryjo Downey have been nominated by the Board of Directors of MSPA to serve additional four-year terms, commencing June 1, 2004; Now, therefore,

BE IT RESOLVED by the Board of County Commissioners of Thomas County, Kansas, that:

1. Thomas County hereby casts its ballot for the appointment of Norman Nelson and Maryjo Downey to serve on the Board of Directors of the Mid-States Port Authority as Directors-at-Large for positions 4 and 8, respectively, for terms beginning June 1, 2004, and ending May 31, 2008.

2. This Board, by unanimous agreement, hereby approves and ratifies all actions of Norman Nelson and Maryjo Downey as Directors on MSPA's Board of Directors taken prior to this date.

DATED June 21, 2004.

BOARD OF COUNTY COMMISSIONERS OF
THOMAS COUNTY

Ronald A. Evans

Attest:

Glen H. Kersentrock

Shirley A. Pertini
County Clerk

Deane D. D... ..

**ALDERSON, ALDERSON, WEILER,
CONKLIN, BURGHART & CROW, L.L.C.**
ATTORNEYS AT LAW

W. ROBERT ALDERSON, JR.
ALAN F. ALDERSON*
JOSEPH M. WEILER
DARIN M. CONKLIN
MARK A. BURGHART*
DANIEL W. CROW**
MICHELLE L. MILLER

2101 S.W. 21ST STREET
TOPEKA, KANSAS 66604-3174
MAILING ADDRESS: P.O. BOX 237
TOPEKA, KANSAS 66601-0237

(785)232-0753
FACSIMILE: (785)232-1866
WEB SITE: www.aldersonlaw.com
e-mail: boba@aldersonlaw.com

OF COUNSEL:
BRIAN FROST
SCOTT S. SUMPTER
THOMAS C. HENDERSON

LL.M., TAXATION
*LICENSED TO PRACTICE IN
KANSAS AND MISSOURI

June 11, 2004

Tracey Perkins
County Clerk
Thomas County Courthouse
300 N. Court Street
Colby, Kansas 67701

Re: Appointment of Members to Mid-States
Port Authority's Board of Directors

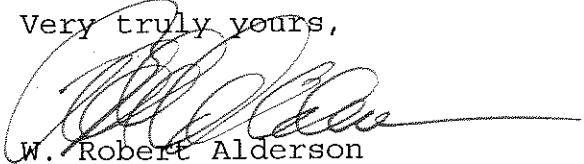
Dear Ms. Perkins:

I have enclosed two original copies of a resolution enabling Thomas County to exercise its rights regarding the selection of persons to serve on the Board of Directors of the Mid-States Port Authority (MSPA). The enclosed resolution provides for the casting of Thomas County's ballot for Norman Nelson and Maryjo Downey, who were nominated by MSPA's Board of Directors to serve four-year terms on the Board, as directors-at-large, commencing June 1, 2004.

Would you please submit the resolution to your Board of County Commissioners for its consideration as soon as possible. If the resolution is approved, each of the original copies should be signed by all of the County Commissioners and attested by you, as County Clerk. When all signatures have been affixed, please return one of the original copies to me and retain the other for your official records.

Thank you for your continued assistance to the Mid-States Port Authority. If you have any questions regarding this letter or the enclosures, please do not hesitate to contact me.

Very truly yours,


W. Robert Alderson
ALDERSON, ALDERSON, WEILER,
CONKLIN, BURGHART & CROW, L.L.C.

WRA:fm
Enclosures