

Build Kansas Fund | Fiscal Year 2025 Application Package | Memo



To: Representative Troy Waymaster, Chair, Build Kansas Advisory Committee
Chardae Caine, Kansas Legislative Research Department
Shauna Wake, Office of the Kansas State Treasurer

From: Jason Fizell, Interim Executive Director, Kansas Infrastructure Hub

RE: Build Kansas Fund Application #2025-117-GP

Date: May 22, 2025

Attached, please find an application made to the Build Kansas Fund by the Unified Board of Supervisors for Greeley County. The application packet includes the following items:

- Coversheet – provides a high-level overview of the application including a unique identification number, page 1 of 23 of the Build Kansas Fund Application Package.
- Build Kansas Fund Application – includes information submitted with the Build Kansas Fund Application, pages 2-7. Page 8 provides the table of funding sources and zip codes served by the project.
- Attachments – Application for Federal Assistance, pages 9-23.

Project Overview

The Unified Board of Supervisors for Greeley County seeks funding from the Federal Aviation Administration (FAA) for funding available through the Airport Infrastructure Grants (AIG) program for their Acquisition of Easement 5 at Tribune Municipal Airport Project, which includes the easement acquisition of 27.78 acres (Easement 5) of land to provide control of the AWOS critical area.

This opportunity is a formula BIL program with a local match requirement of 5% of the total project cost. The entity is requesting \$3,420.00 from the Build Kansas Fund, and is providing a local match of \$180.00. This request has the potential to unlock \$68,400.00 in federal funds, for a total project cost of \$72,000.00.

The deadline was April 30, 2025, and this Build Kansas Fund application was received on April 24, 2025.

Build Kansas Fund Steering Committee Recommendation

The Build Kansas Fund Steering Committee reviewed this application on May 14, 2025 following a successful completeness check. The Steering Committee **RECOMMENDS APPROVAL** of Build Kansas Funding to the Build Kansas Advisory Committee for final advice.

Build Kansas Fund | Fiscal Year 2025

Application Package | Coversheet



Build Kansas Fund Application Number	2025-117-GP
Applicant Name	Unified Board of Supervisors for Greeley County
Application Date Received	4/24/2025
Project Name	Acquisition of Easement 5 at Tribune Municipal Airport
Project Description	This project consists of the easement acquisition of 27.78 acres (Easement 5) of land to provide control of the AWOS critical area.
Entity Type	Other
Economic Development District (EDD) Planning Commission	Great Plains Development, Inc.
Infrastructure Sector(s)	Transportation
BIL Program	Airport Infrastructure Grants (AIG) Program
BIL Program Type	Formula
Application Type	Implementation
BIL Application Deadline	4/30/2025
Build Kansas Fund Request	\$3,420.00
Technical Assistance Received	General Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	BIL Application Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Build Kansas Fund Application Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Other (Brief Description): Provided BKF Application Support.
Application Notes	Build Kansas Fund contribution of \$3,420.00 will unlock \$68,400.00 in federal BIL funding, with a local cash contribution of \$180.00, for a total project cost of \$72,000.00
Steering Committee Funding Recommendation	5/14/2025 Recommend <input checked="" type="checkbox"/> Declined <input type="checkbox"/>
Advisory Committee Funding Recommendation	5/22/2025 Recommend <input type="checkbox"/> Declined <input type="checkbox"/>

Title	Unified Board of Supervisors for Greeley County	04/24/2025
	by Ian Wright in Build Kansas Fund Application	id. 50353770
	iwright@hwlochner.com	

Original Submission	04/24/2025
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Score	n/a
Part 1: Applicant Information	
The name of the entity applying for the Build Kansas Fund:	Unified Board of Supervisors for Greeley County
Project Name:	Acquire Easement 5 for AWOS Critical Area Control
Entity type:	County Government
Entity Population:	1,181
Applicant Contact Name:	Stephanie Reichert
Applicant Contact Position/Title:	Utilities Administrator
Applicant Contact Telephone Number:	+16203762548
Applicant Contact Email Address:	stephanie.elliott@ugcks.com
Applicant Contact Address:	508 Broadway
Applicant Contact Address Line 2 (optional):	PO Box 577
Applicant Contact City:	Tribune
Applicant Contact State:	Kansas
Applicant Contact Zip Code:	67879

Is the Project Contact the same as the Applicant Contact?	No
Project Contact Name:	Ian Wright
Project Contact Position/Title:	Project Manager
Project Contact Telephone Number:	+13165189244
Project Contact Email Address:	iwright@hwlochner.com
Project Contact Address:	15717 College Boulevard
Project Contact Address Line 2 (optional):	
Project Contact City:	Lenexa
Project Contact State:	Kansas
Project Contact Zip Code:	66061
Part 2: Build Kansas Fund - Eligibility Criteria	
Certify that you are pursuing an Infrastructure Investment and Jobs Act (IIJA) funding opportunity for which your entity is eligible:	Yes
Certify that the Infrastructure Investment and Jobs Act (IIJA) funding opportunity you are pursuing has a required non-federal match component:	Yes
What is the primary county that the project will occur in?	Greeley County

The Build Kansas Fund is intended to support Kansas-based infrastructure projects. Please provide a list of all the zip codes this project will be located in, along with an estimated percent [%] of the project located in that zip code. For example, if seeking funding for road infrastructure, provide a rough percent of the roads expected in each zip code:

Zip Code Percentage.xlsx

	Part 3: Infrastructure Investment and Jobs Act (IIJA) - Grant Application Information Please Note: This information is related to the federal Infrastructure Investment and Jobs Act (IIJA), commonly known as the Bipartisan Infrastructure Law (BIL), funding opportunity to which you will apply. This is NOT information for the Build Kansas Match Fund.
Please enter the Infrastructure Investment and Jobs Act (IIJA) funding opportunity title that the entity is applying for:	Bipartisan Infrastructure Law (BIL) / IIJA Airport Infrastructure Grant Funding
What is the funding agency for this Infrastructure Investment and Jobs Act (IIJA) funding opportunity?	Federal Aviation Administration
What is the Assistance Listing Number (ALN) for this Infrastructure Investment and Jobs Act (IIJA) funding opportunity?	20.106
What is the federal application due date for this Infrastructure Investment and Jobs Act (IIJA) funding opportunity?	4/30/2025
Application Type:	Implementation
What is the federal fiscal year for this Infrastructure Investment and Jobs Act (IIJA) funding opportunity?	2025

Enter the amount of funding being applied for, from the Infrastructure Investment and Jobs Act (IIJA) funding opportunity:

\$68,400.00

Enter the total project cost:

\$72,000.00

Enter the required non-federal match percentage:

5%

Part 4: Build Kansas Fund - Match Application Information Beginning in July 2024 and moving forward, eligible applicants are expected to contribute a portion of the non-Federal match requirement. This contribution can be in the form of cash and/or in-kind contributions. The goal is to demonstrate the applicant's commitment to the project. The contribution should be significant enough relative to the Build Kansas Fund request. For a local public entity, 5% of the non-federal match is a good guideline, but not a requirement. See Build Kansas Fund Program Guidance for exceptions and more information.

Enter the non-federal cash match amount being requested from the Build Kansas Fund:

\$3,420.00

Enter the non-federal cash match amount being provided by the eligible applicant, if applicable:

\$180.00

Enter the estimated value of the non-federal in-kind match amount being provided by the eligible applicant, if applicable:

\$0

Expected breakdown of funding sources to support the project: Enter the funding source and projected amount from each source to support this project:

[Kansas+DOT+table_V2.xlsx](#)

Part 5: Build Kansas Fund - Means Test and Eligible Applicant Match

What other available funding sources that are currently planned to go unused by your entity will be leveraged for this project?

N/A

Will any American Rescue Plan Act (ARPA) or Coronavirus State & Local Fiscal Recovery Fund monies will be used for the non-federal match?

N/A

What other sources of in-kind match will be leveraged for this project? Please list and include the actual or estimated value of each.

N/A

What other funding sources (local, federal, or non-federal) will be used for this match?

N/A

Describe your efforts to find other available funding sources for this project:

The IIJA (formerly Bipartisan Infrastructure Law (BIL)) local match to the federal grant has been planned for utilizing local funding mechanisms. At this point in time and throughout past research, there are no known funding sources available (federal or local) that could fund the BIL local match.

Part 6: Additional Information

Please upload a draft or final version of the Infrastructure Investment and Jobs Act (IIJA) program grant application associated with this request OR an executive summary providing an overview of the project:

[5K2_Easement_5_Acquisition_FAA_Grant_Application_IIJA-017_FOR_SIGNATURE.pdf](#)

Provide any additional information about this project not covered in previous sections of this application (optional):

Total Project Cost: \$72,000

AIG-BIL/IIJA Funds: \$68,400.00

Local Match to AIG-BIL/IIJA Funds: \$3,600

Build Kansas Fund Request: \$3,420.00

Local Match to Build Kansas Fund Request: \$180.00

Part 7: Terms and Conditions

Understanding of Fund Release Requirements: checked

Understanding of Use of Funds: checked

Understanding of Reporting Requirements: checked

Authority to Make Grant Application: checked

Persons and Titles: Ian Wright
The following persons are responsible for making this Build Kansas Fund application.

Position/Title: Project Manager

Additional:

Position/Title:

Additional:

Position/Title:

Additional:

Position/Title:

Source	Amount	% of Project
Build Kansas Funds (non-federal match)	\$3,420.00	4.75%
Eligible Applicant Cash Match	\$180.00	0.25%
Eligible Applicant In-Kind Match (estimated value)	\$0.00	0%
BIL Federal Funds (applied for)	\$68,400.00	95%
Additional Project Contribution (if applicable)	\$0.00	0%
TOTAL PROJECT COST	\$72,000.00	100%

***Applicant match contribution is 5% of total match requirement**

Zip Code	% of project in zip code
67879	100%
	100% In Kansas

Application for Federal Assistance SF-424

*1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

*2. Type of Application

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify)

*3. Date Received:

4. Applicant Identifier:

K5K2

5a. Federal Entity Identifier:

IIJA 3-20-0083-017-2025

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: Unified Board of Supervisors for Greeley County

*b. Employer/Taxpayer Identification Number (EIN/TIN):

48-6045100

*c. UEI:

M4G5M9LZLCC5

d. Address:

*Street 1: 508 Broadway

Street 2: P.O. Box 577

*City: Tribune

County/Parish: Greeley

*State: Province: KS

*Country: USA: United States

*Zip / Postal Code 67879-0000

e. Organizational Unit:

Department Name:

City and County

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: *First Name: Stephanie

Middle Name: R.

*Last Name: Reichert

Suffix:

Title: Utility Administrator

Organizational Affiliation:

Unified Greeley County, Kansas

*Telephone Number: 620.376.4278

Fax Number: (620) 376-2447

*Email: stephanie.elliott@ugcks.com

Application for Federal Assistance SF-424

***9. Type of Applicant 1: Select Applicant Type:**

X: Other

Type of Applicant 2: Select Applicant Type:

Pick an applicant type

Type of Applicant 3: Select Applicant Type:

Pick an applicant type

*Other (Specify)

Unified City/County Government

***10. Name of Federal Agency:**

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

***12. Funding Opportunity Number:**

IIJA 3-20-0083-017-2025

*Title:

Acquire Easement 5 for AWOS critical area control.

13. Competition Identification Number:

N/A

Title:

N/A

14. Areas Affected by Project (Cities, Counties, States, etc.):

Tribune, Greeley County, Kansas

***15. Descriptive Title of Applicant's Project:**

Acquisition of Easement 5 (Smith Land Co.), consisting of 27.78 acres for control of AWOS critical area.

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

*a. Applicant: KS-001

*b. Program/Project: KS-001

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: 12/28/2023

*b. End Date: 07/01/2025

18. Estimated Funding (\$):

*a. Federal	\$ 68,400
*b. Applicant	\$ 3,600
*c. State	\$ 0
*d. Local	\$ 0
*e. Other	\$ 0
*f. Program Income	
*g. TOTAL	\$ 72,000

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on _____.
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

***20. Is the Applicant Delinquent On Any Federal Debt?**☐ Yes ☒ No

If "Yes", explain:

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: _____ *First Name: Steve _____

Middle Name: _____

*Last Name: Mangan _____

Suffix: _____

*Title: Chairman of the Board of Supervisors

*Telephone Number: 620.376.4256

Fax Number: 620.376.4255

* Email: mangan@sunflowertelco.com

*Signature of Authorized Representative:

*Date Signed:

Application for Federal Assistance (Development and Equipment Projects)

PART II – PROJECT APPROVAL INFORMATION

Part II - SECTION A	
The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.	
Item 1. Does Sponsor maintain an active registration in the System for Award Management (www.SAM.gov)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Item 2. Can Sponsor commence the work identified in the application in the fiscal year the grant is made or within six months after the grant is made, whichever is later?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Item 3. Are there any foreseeable events that would delay completion of the project? If yes, provide attachment to this form that lists the events.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Item 4. Will the project(s) covered by this request have impacts or effects on the environment that require mitigating measures? If yes, attach a summary listing of mitigating measures to this application and identify the name and date of the environmental document(s).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Item 5. Is the project covered by this request included in an approved Passenger Facility Charge (PFC) application or other Federal assistance program? If yes, please identify other funding sources by checking all applicable boxes.	
<input type="checkbox"/> The project is included in an <i>approved</i> PFC application. If included in an approved PFC application, does the application <i>only</i> address AIP matching share? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> The project is included in another Federal Assistance program. Its CFDA number is below.	
Item 6. Will the requested Federal assistance include Sponsor indirect costs as described in 2 CFR Appendix VII to Part 200, States and Local Government and Indian Tribe Indirect Cost Proposals?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
If the request for Federal assistance includes a claim for allowable indirect costs, select the applicable indirect cost rate the Sponsor proposes to apply:	
<input type="checkbox"/> De Minimis rate of 10% as permitted by 2 CFR § 200.414.	
<input type="checkbox"/> Negotiated Rate equal to	% as approved by _____ (the Cognizant Agency) on _____ (Date) (2 CFR part 200, appendix VII).
<i>Note: Refer to the instructions for limitations of application associated with claiming Sponsor indirect costs.</i>	

PART II - SECTION B

Certification Regarding Lobbying

The declarations made on this page are under the signature of the authorized representative as identified in box 21 of form SF-424, to which this form is attached. The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.

The Authorized Representative certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Sponsor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Authorized Representative shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The Authorized Representative shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

PART II – SECTION C

The Sponsor hereby represents and certifies as follows:

1. Compatible Land Use – The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the airport:

The City of Tribune and Greeley County, KS hold fee simple title to 103.39 acres in Tracts A and B and Nos. 1, 2, 3, and 4. The City/County also hold clear zone easements to 92.33 acres in Easement Nos. 1, 2, 3, 4, and 5. With these land parcels, the Airport has reasonable land use control of airport property and land in the vicinity.

2. Defaults – The Sponsor is not in default on any obligation to the United States or any agency of the United States Government relative to the development, operation, or maintenance of any airport, except as stated herewith:

None

3. Possible Disabilities – There are no facts or circumstances (including the existence of effective or proposed leases, use agreements or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of the Grant Assurances, either by limiting its legal or financial ability or otherwise, except as follows:

None

4. Consistency with Local Plans – The project is reasonably consistent with plans existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

Yes

5. Consideration of Local Interest – It has given fair consideration to the interest of communities in or near where the project may be located.

Yes

6. Consultation with Users – In making a decision to undertake an airport development project under Title 49, United States Code, it has consulted with airport users that will potentially be affected by the project (§ 47105(a)(2)).

Yes

7. Public Hearings – In projects involving the location of an airport, an airport runway or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

N/A

8. Air and Water Quality Standards – In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable and air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary.

N/A

PART II – SECTION C (Continued)

9. Exclusive Rights – There is no grant of an exclusive right for the conduct of any aeronautical activity at any airport owned or controlled by the Sponsor except as follows:

None

10. Land – (a) The sponsor holds the following property interest in the following areas of land, which are to be developed or used as part of or in connection with the Airport subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned property map designated as Exhibit “A”. [1]

Per Exhibit "A" Property Map dated 5-3-22. (Note that Property Map will be updated to reflect acquisition of Easement 5)

Fee simple title to 103.39 acres in Tracts A and B and Nos. 1, 2, 3, and 4. Easements to 92.33 acres in Easement Nos. 1, 2, 3, 4, and 5.

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the start of any construction work under the Project, the following property interest in the following areas of land on which such construction work is to be performed, all of which areas are identified on the aforementioned property map designated as Exhibit “A”. [1]

None

(c) The Sponsor will acquire within a reasonable time, and if feasible prior to the completion of all construction work under the Project, the following property interest in the following areas of land which are to be developed or used as part of or in connection with the Airport as it will be upon completion of the Project, all of which areas are identified on the aforementioned property map designated as Exhibit “A”. [1]

None

¹ State the character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.

PART III – BUDGET INFORMATION – CONSTRUCTION

SECTION A – GENERAL	
1. Assistance Listing Number:	20.106
2. Functional or Other Breakout:	

SECTION B – CALCULATION OF FEDERAL GRANT			
Cost Classification	Latest Approved Amount (Use only for revisions)	Adjustment + or (-) Amount (Use only for revisions)	Total Amount Required
1. Administration expense (legal fees)			\$ 7,000
2. Preliminary expense			
3. Land, structures, right-of-way (AWOS Easement 5)			20,000
4. Architectural engineering basic fees			
5. Other Architectural engineering fees			42,800
6. Project inspection fees			
7. Land development			
8. Relocation Expenses			
9. Relocation payments to Individuals and Businesses			
10. Demolition and removal			
11. Construction and project improvement			
12. Equipment			
13. Miscellaneous (closing costs and recording fees)			2,200
14. Subtotal (Lines 1 through 13)			\$ 72,000
15. Estimated Income (if applicable)			
16. Net Project Amount (Line 14 minus 15)			72,000
17. Less: Ineligible Exclusions (Section C, line 23 g.)			
18. Subtotal (Lines 16 through 17)			\$ 72,000
19. Federal Share requested of Line 18			68,400
20. Grantee share			3,600
21. Other shares			
22. TOTAL PROJECT (Lines 19, 20 & 21)			\$ 72,000

SECTION C – EXCLUSIONS	
23. Classification (Description of non-participating work)	Amount Ineligible for Participation
a.	
b.	
c.	
d.	
e.	
f.	
g. Total	

SECTION D – PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE	
24. Grantee Share – Fund Categories	Amount
a. Securities	
b. Mortgages	
c. Appropriations (by Applicant)	
d. Bonds	
e. Tax Levies	
f. Non-Cash	
g. Other (Explain): General Fund	3,600
h. TOTAL - Grantee share	\$ 3,600
25. Other Shares	Amount
a. State	
b. Other	
c. TOTAL - Other Shares	\$ 0
26. TOTAL NON-FEDERAL FINANCING	\$ 3,600

SECTION E – REMARKS (Attach sheets if additional space is required)

PART IV – PROGRAM NARRATIVE
(Suggested Format)

PROJECT: Acquisition of Easement 5, consisting of 27.78 acres, for control of AWOS critical area.

AIRPORT: Tribune Municipal Airport (5K2)

1. Objective:

This project will fund the easement acquisition of 27.78 acres (Easement 5) of land to provide control of the AWOS critical area.

2. Benefits Anticipated:

Land use control - owning an easement for the AWOS critical area.

3. Approach: (See approved Scope of Work in Final Application)

The Consultant will be responsible for project formulation and administration services, project management, field survey, appraisal, review appraisal, and update of the Exhibit 'A' Property Map and Airport Layout Plan.

4. Geographic Location:

Tribune Municipal Airport, City of Tribune, Greeley County, Kansas

5. If Applicable, Provide Additional Information:

6. Sponsor's Representative: (include address & telephone number)

Stephanie R. Reichert, Utility Administrator
508 Broadway, Tribune, KS 67879
620.376.4278

TO: **Amy Walter**
Land Specialist,
FAA 901 Locust St.,
Rm 364 Kansas
City, MO 64106

FROM: **City of Tribune, Kansas**
Unified Greeley County
Charles F. Moser, Unified Greeley County Attorney
Matt Jacobs PE, Vice President, Aviation, Lochner

DATE: April 17, 2025

RE: Acquisition of Airspace & Access Easement for AWOS
From Smith Land Company, Inc

RECOMMENDATION FOR ADMINISTRATIVE SETTLEMENT

**Property Description: Northeast Quarter (NE/4) of Section Thirty-Two (32),
Township Eighteen (18) South, Range Forty (40) West
of the 6th P.M., Greeley County, Kansas.**

Summary of Negotiations

Unified Greeley County Supervisor Steve Mangan and Unified Greeley County Attorney Charles Moser presented an acquisition offer to Ray Smith, President of Smith Land Company, Inc ("Landowner") in March 2024. The offer price was \$8,335.00, based upon the appraisal reports for the fair market value of the property. Over the next several months discussions between the parties continued in an attempt to reach an agreed value for the requested easement.

The Landowner's counter-offer in the amount of \$20,000.00 is 240% above the appraised fair market value of the property. After careful consideration of the Landowner's counter proposal, Unified Greeley County with the recommendation of

Matt Jacobs, Vice President of Aviation with Lochner, is proposing an administrative settlement for the acquisition of the parcel in order to avoid condemnation proceedings and further cost to Unified Greeley County.

The following is a cost analysis of an acquisition administrative settlement for the subject parcel:

Summary of Current Acquisition Offer and Counter-Offer

A. Initial Acquisition Offer – Appraised Fair Market Value	
Appraisal: (27.78 gross acres)	\$8,335.00
B. Counter-Offer by Landowner	
Counter-offer (27.78 gross acres)	<u>\$20,000.00</u>
C. Difference	\$11,665.00

Analysis

The use of the condemnation process to acquire the property would result in additional consultant fees; including expert testimony, and testimony from the appraisers, and additional legal fees. One appraiser would have to travel 648 miles (round trip) while the other appraiser would have to travel 860 miles to testify, adding significantly to the legal costs. It is anticipated that the legal fees and expenses to Unified Greeley County to move forward with condemnation of the property would likely range between \$8,000-10,000. The settlement would also avoid further delays and costs associated with the acquisition of the property.

This is a small, close knit agricultural community (County population of 1,300) and essentially every job and business is related to agriculture. Farmers and landowners will likely make up at least 2/3rds of the court-appointed appraisers if

not all. The appraisal reports previously prepared will mean nothing to them. The court-appointed appraisers will not look favorably upon government, even local government, taking any type of land right away. These court-appointed appraisers will picture themselves being in the same position as this Landowner. As landowners themselves, the court-appointed appraisers will have a great deal of experience with negotiating easements and will likely have negotiated easements for a value that is many times the appraisal. They are likely not to draw much of a difference between this airspace and access easement and a pipeline easement with which they have previously negotiated. What is important to them is that there are now restrictions placed on the land. Further, while it is an airspace easement, because of the rise in elevation of the land in question, no structure taller than 9' will ever be allowed in the easement area. That is a significant restriction that I am certain the court-appointed appraisers will place a significant value on.

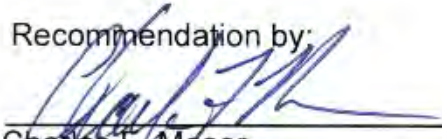
I know first-hand how court-appointed appraisers will frown upon and value any land restrictions as I represented some landowners around 2005 when the Kansas Department of Transportation came in for a highway project. The amount ultimately awarded the landowners was nearly 5 times what the Kansas Department of Transportation appraisal was. I know the way the landowners viewed the State during and after this process and it will be no different for our local government. In that case, the easement and its restrictions were only temporary, not permanent as in the matter at hand. Interestingly, one of the members of our Board of Supervisors (the governing body for Unified Greeley County) was one of the court-appointed appraisers. He recalls that one of his fellow court-appointed appraisers wanted to award the landowner nearly twice as much as was ultimately awarded,

but was able to be convinced that since the easement and restrictions were only temporary that the lower value suggested by the other two court-appointed appraisers was reasonable

Furthermore, Unified Greeley County believes the non-economic costs of proceeding with a condemnation proceeding are even more significant. While condemnation remains an option always, the condemnation process is damaging to all involved in a small rural community. The costs are not simply economical, but also in the sense of “community” that the citizens have and the need for a sense of community in our small town is important. A condemnation action will not be viewed favorably in a community where the citizens have opposed any type of zoning restrictions over the years. To this day there remains no zoning in any part of the County or incorporated municipalities. Land use restrictions are simply not welcomed by many. Further, the principal of the Landowner, and his family have generously donated to the community, its organization, and even the local government over the years. A condemnation proceeding could irreparably damage this relationship. The Board of Supervisors recognize these non-economic costs and want to avoid condemnation if at all possible. The proposal would settle this disputed acquisition at a reasonable cost. Therefore, it is Unified Greeley County’s opinion, which is supported by Matt Jacobs, Vice President of Aviation with Lochner, that the proposed settlement is reasonable, prudent and in the public interest.

Unified Greeley County requests that the FAA approve the negotiated administrative settlement amount of \$20,000.00 for acquisition of the airspace and access easement on the Landowner's land.

Recommendation by:

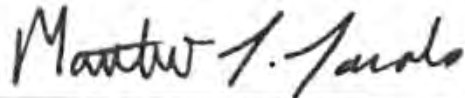


Charles F. Moser
Unified Greeley County Attorney

4-23-25

Date

Concurrence by:



Matt Jacobs, PE

Vice President Aviation, Lochner

4/23/2025

Date