

MERRIAM DRAINAGE DISTRICT  
OF JOHNSON COUNTY, KANSAS  
MONTHLY BOARD MEETING  
June 7, 2021

The regular monthly meeting of the Merriam Drainage District of Johnson County, Kansas, was called to order at 7:01 P.M. virtually by Chairman Eric Jackson with the following persons attending the electronic conference via the Blue Jeans Meeting:

Eric Jackson, Chairman  
Gerald Becker, Secretary  
Sam Matier, Treasurer

James Orr, Attorney  
Steve Roth, Engineer  
John Martin, CPA  
Rebecca Heatwole

A motion was made to approve the minutes of the May 3, 2021, as amended by Mr. Matier; seconded by Mr. Becker; unanimously approved.

1) Engineering Report:

- Mr. Roth received the stone competency report on the rock from Keith Scott & Company and determined it was comparable. Reike is not able to begin the work right away as their schedule is filled with summer work on schools; they won't be available until the end of August beginning of September. Mr. Roth verified with the quarry; the price of \$83/ton may increase depending on the fuel prices at the time the work will begin. They will need 2 – 3 week lead time to get all stone needed. Mr. Roth informed there should be no issue with waiting until August to begin the work. Final cost will be \$120,725.00; \$24,900.00 for the stone and \$95,825.00 for Reike. There was a general discussion during which Mr. Matier suggested having the quarry deliver the stone now and storing it until Reike is ready. Mr. Roth informed that the quarry won't unload and stack the stone they will just dump it; this might cost more later when Reike is ready to begin the work. The board would like to look into paying a deposit to the quarry now in order to lock in the lower price later. Mr. Roth will follow up with the quarry and provide information at the next meeting. The topic was tabled until the next meeting.
- Mr. Roth explained the labels on the MDD Boundary Map, he is in the process of updating the current CIP on the map. Mr. Roth will resend the link to the board.
- Mr. Roth presented the quote, \$18,000.00, from Max Reike for spray sections of the rip rap on the rock wall east of Merriam Drive Bridge, section S of Farmers Market, Johnson Drive Bridge to the box, along Shawnee Mission Parkway behind Skateland, and clearing trees N of Farmers Market on Merriam Drive. Portions of this work is from 2020 CIP, all work has been approved previously. Reike should be able to use this work as filler work while they are working on the schools. After a general discussion, a motion was made by Mr. Matier to approve the quote from Reike; seconded by Mr. Becker; unanimously approved. Mr. Roth would like for this work to be included in the budget for this year; Mr. Martin believes there is room in the budget to accommodate this request.
- Mr. Roth discussed the current invoice from Reike for the litter and trash clean up. The invoice was considerably higher than when they spoke. Mr. Roth questioned Reike and found that they removed 40 – 45 large contractor trash bags and it took a long time to clean the whole creek. Mr. Becker commented that after the last rain, he noticed there wasn't a lot of litter/trash in the plunge pool in Waterfall Park, he commended Reike on their cleaning. Mr. Matier questioned the use of a foreman to pick up trash, he would like to look at another type of company in the future that might be more cost effective. Mr. Becker believes the last time the creek was cleaned out was 2004 and the whole creek has never been cleared out at once. Mr. Becker agrees additional quotes should be looked at next time.

2) Attorney Report:

- Mr. Orr mentioned that the board should begin looking into beginning in person meetings again since the State of Emergency has passed; most government groups are going back to in-person meetings. There are pros and cons to starting in person meetings again ex. location of our meetings. The topic was tabled until next meeting.

3) Accountant Report:

- Mr. Martin informed he board there were no issues with operating expenses.
- Mr. Martin informed the board of the budgeting changes:
  - Municipalities have a hard budget cap based on their revenue dollars from previous budget. The limit is on tax dollars this year instead of mil levee.
  - June 15<sup>th</sup> - County Clerks must notify taxing subdivisions of their revenue-neutral rate, the tax rate for the current year that would generate the same amount of property tax revenue as levied the previous tax year. Once received the revenue-neutral rate, MDD must determine if that amount will be enough for 2022 budget.
  - July 15<sup>th</sup> – Taxing subdivisions must notify the county clerk if they intend to exceed the revenue neutral rate. Notifications are required to be published on websites and weekly or daily newspaper circulations within the county; must be published 10 – days before the revenue hearing. County clerks are required to notify the intent of the taxing subdivision at least 10 days in advance to the revenue hearing. Revenue hearings are held in September, Budget hearings are held in October.
  - If the taxing subdivision does not intend to go over the revenue neutral rate, the same budget deadlines as previous years will be followed.

4) Sexual Abuse Policy: Mr. Orr provided Mr. Jackson with names for three employment lawyers. Mr. Jackson spoke with them:

- Rick Guinn – He felt that MDD should have a sexual abuse policy. His cost would be \$750 - \$900.
- Jennifer Kyner – She was not sure if MDD would actually need a sexual abuse policy. KS Act Against Discrimination requires 4 or more employees and MDD would fall under the requirement. If MDD decided to pursue it, she would charge \$775.00.
- Mike Blumenthal – He questioned if the board were actual employees based on their elected official status. It's difficult to know if the money is being spent wisely due to the type of entity MDD is. Not sure what could be done to discipline a board member acting inappropriately. He would be willing to provide a policy for \$425.00.
- There was a general discussion during which Mr. Orr mentioned having the policy is really more of a matter of comfort he questioned if the risk outweighed the cost. Comes down to if the board wants to be ultra-cautious and set a public statement and policy or because the risk is minimal decide not to go ahead with it. After the general discussion, a motion was made by Mr. Jackson for Mr. Orr to speak with Mr. Blumenthal to pursue the sexual abuse policy with complaint process built in; seconded by Mr. Matier, unanimously approved.

5) Bills were approved as presented for payment a motion was made by Mr. Becker to approve bills; seconded by Mr. Matier; unanimously approved.

6) There was a general discussion regarding the next meeting falling on July 5<sup>th</sup>, the day the Federal Holiday will be celebrated on. After the discussion, Mr. Matier made a motion to change the meeting to July 6<sup>th</sup>; seconded by Mr. Jackson; unanimously approved.

There being no new business, a motion was made by Mr. Jackson to adjourn at 8:09 P.M.; seconded by Mr. Matier; unanimously approved.

cc: Board and staff

Respectfully submitted,  
Rebecca Heatwole  
Recording Secretary