

MERRIAM DRAINAGE DISTRICT
OF JOHNSON COUNTY, KANSAS
MONTHLY BOARD MEETING
June 5, 2023

The regular monthly meeting of the Merriam Drainage District of Johnson County, Kansas, was called to order at 7:00 P.M. by Mr. Jackson at Higdon & Hale 6310 Lamar Ave #110, Overland Park, KS.

Eric Jackson, Chairman
Dan Leap, Secretary
Jeff Weisbender, Treasurer

James Orr, Attorney
Steve Roth, Engineer
John Martin, CPA
Rebecca Heatwole
Guest: Jason Silvers

A motion was made to approve the board meeting minutes of May 1, 2023, as written by Mr. Jackson; seconded by Mr. Leap; unanimously approved.

1) Engineering Report:

- Mr. Roth informed the board that Max Rieke has completed all of the hole repairs (5) and tree clearing on the west bank from Farmers Market to Johnson Drive. Their original estimate was \$15,200 but this work only used \$5,000 of the estimate. Mr. Roth informed the board there are some trees down in the channel, out of the wall, and behind the wall. Mr. Roth suggests having Max Rieke clear out everything that is 6" in diameter or smaller using the remaining funds allocated in the previous estimate. After a general discussion, Mr. Jackson made a motion for Max Rieke to continue tree clearing along the creek not to exceed the original estimate; seconded by Mr. Weisbender; unanimously approved.
- Mr. Roth met with the Regional Manager for True Tech Wildlife Service. There are a few items that MDD Board will need to take into consideration:
 - a) The animals are more likely groundhogs than muskrats based on the small holes along the east bank north of the Farmers Market.
 - b) The environment along the wall is perfect for burrowing animals. This will be an ongoing issue, there is not a one and done solution.
 - c) There will be some liability with the traps that are out in the open along a public trail. People may want to free the animals and get hurt and there is also a concern that other animals (small dogs and cats) might also get trapped.

Mr. Roth spoke with Mr. Orr regarding MDD liability. Mr. Orr informed the board both MDD and contractor could share liability and could have obligation if someone (small child) stuck their hand in the cage and got injured. In addition to the worry about trapping small dogs or cats there is also the possibility of the humane issue. How often will the traps be cleared; can this be guaranteed to be done in a timely manner?

Mr. Roth and Mr. Orr suggested a continuous maintenance budget item that would allow Mr. Roth to have Max Rieke fill the holes when they are spotted which will reduce the lag time between when the holes are noticed and the repairs are completed. Catching the holes early will make them easier and cheaper to fill and will reduce the amount of equipment needed.

Mr. Roth also mentioned that now the animals have been identified as groundhogs it might open up more companies that are willing to assist.

After a general discussion, Mr. Jackson was in favor of continuous maintenance fixing holes than trapping animals and Mr. Leap was in favor of trapping the animals. Mr. Roth

will contact True Tech to get some answers to determine if this is cost effective. He will also invite the Regional Manager to the next board meeting to answer any of the board's questions. In addition, Mr. Roth will contact Max Rieke to discuss the possibility of a continuous maintenance request.

- The Corps of Engineers is moving along with their project. There is another meeting scheduled for tomorrow. They have released a report which lays out changes to the original plan. Cost estimate was available upon request, Mr. Roth will make the request.
 - Mr. Roth reminded the board that while MDD is only responsible for the maintenance of the channel after the work is finished, the cost of maintenance will increase over time. Until the plan is finalized, MDD won't know what their financial responsibility will be.
 - COE does annual inspections and 5 year inspections to make sure proper maintenance is being done.
- 2) Attorney Report:
 - See above.
 - 3) Accountant Report:
 - Mr. Martin informed the board he has begun working on the 2024 Budget. All 2022 actuals have been input and it looks as though there will be \$192,889 remaining in the budget if everything stays the same.
 - Revenue Neutral Rate has not yet been received but Mr. Martin believes there are plenty of funds for the maintenance to continue.
 - 4) Mr. Jackson informed the board that the public officials policy expires in August. He will speak with Aspire to get a quote for the new policy year.
 - 5) Mr. Jackson made a motion to approve the bills as presented for payment; seconded by Mr. Weisbender; unanimously approved.

There being no further business, a motion to adjourn at 7:39 P.M. was made by Mr. Jackson; seconded by Mr. Leap; unanimously approved.

cc: Board and staff

Respectfully submitted,
Rebecca Heatwole
Recording Secretary