

MERRIAM DRAINAGE DISTRICT  
OF JOHNSON COUNTY, KANSAS  
MONTHLY BOARD MEETING  
July 3, 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  
Billy Croan

Mr. Orr requested his statement be modified from “would” to “could share liability” and “could have obligation. A motion was made to approve the board meeting minutes of June 5, 2023, as amended by Mr. Jackson; seconded by Mr. Weisbender; unanimously approved.

1) Engineering Report:

- Mr. Roth informed the board that he confirmed Max Rieke had completed the work they invoiced in the amount of \$42,115.00. Mr. Roth recommends the board approve the invoice for payment.
- Mr. Roth informed the board that he reached out to True Tech with the board’s questions but has not received a response.
  - a) Continuous Maintenance – Mr. Roth suggests that 2 Benesch employees walk the channel monthly and damage will be reported to Max Rieke for repairs. Max Rieke believes they will be able to get the work completed within 2 weeks of them being informed of repairs needed.
  - b) Now that it is known that the burrowing animals are groundhogs and not muskrats, Mr. Roth will reach out to the companies he had contacted before to ask them the board’s questions.
  - c) It was requested by the board that Mr. Roth reach out to other municipalities to see how they take care of damage caused by burrowing animals. Mr. Roth will begin contacting municipalities and present the information at the next board meeting. Mr. Weisbender informed that his research on trapping found that companies are required to check traps daily.
  - d) Mr. Jackson shared photo of damage on the South side of the channel just down from the Farmer’s Market. It is presumed this damage is caused by another burrowing animal.
- Mr. Billy Croan, guest, suggested that MDD operate cameras on the channel as the footage might be interesting to see.
- Mr. Roth informed the Board that a hole opened up on the west side of the trail adjacent to Merriam Gardens (9700 W 67<sup>th</sup> Street). The hole is due to a pipe failure. It seems this is a private storm sewer line that was installed which crosses the trail and discharges into the channel and asphalt is no longer being supported. There are 4 companies that own property around the hole, but Mr. Roth believes it is not an MDD issue. Mr. Orr concurred with Mr. Roth and doesn’t believe it is something MDD should take care of because it is not on MDD property. Mr. Roth suggests this is something the City of Merriam should take care of as they are able to put a lien on the property owners for repayment.
- The Corps of Engineers has put together a draft report between the original report and current report. Boring is complete, but they are still working on lab analysis. Cost

estimates won't be ready until they have completed the surveys. All meetings have been cancelled until August. Mr. Roth believes it will be 2024 before they have more definition of the scope of work.

2) Attorney Report:

- Mr. Orr informed the board that the Public Officials' policy renewal is basically the same as previously with exception of the added exclusion for biometric information such as facial recognition etc. After a general discussion, Mr. Weisbender made a motion to approve the renewal of the public officials' policy; seconded by Mr. Jackson; unanimously approved.

3) Accountant Report:

- Mr. Martin presented the 2024 Budget to the Board informing them that the 2024 Budget was basically the same as 2023 Budget. He informed that in 2023 the mil levee was 1.584 which is higher than the 2024 Revenue Neutral Rate (RNR) of 1.46.
- Mr. Martin informed the board they could stay with the previous mil levee on the 2023 budget but they would have to inform the county of their intention to exceed the RNR and a hearing would need to be held.
- Mr. Martin does not believe that MDD needs to exceed the RNR of 1.46 and presented the budget to the board reflecting this. Mr. Martin believes using the RNR will still allow MDD to maintain the channel as they have been and still provide some carryover. After a general discussion Mr. Leap made a motion not to exceed the RNR; seconded by Mr. Weisbender; unanimously approved.

- 4) Mr. Leap 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 7:36 P.M. was made by Mr. Jackson; seconded by Mr. Leap; unanimously approved.

cc: Board and staff

Respectfully submitted,  
Rebecca Heatwole  
Recording Secretary