

MERRIAM DRAINAGE DISTRICT
OF JOHNSON COUNTY, KANSAS
MONTHLY BOARD MEETING
December 1, 2025

The regular monthly meeting of the Merriam Drainage District of Johnson County, Kansas, was called to order at 7:04 P.M. by Mr. Jackson at Higdon & Hale 6310 Lamar Ave #110, Overland Park, KS.

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

John Martin, CPA
Steve Roth, Engineer
Jim Orr, Attorney
Rebecca Heatwole, Reporting Secretary
Billy Croan, Guest

There was a discussion regarding the November 3, 2025 meeting minutes the following changes were requested:

1. Change the Report to Plan when discussing 65% Design Plan.
2. Mr. Orr suggested his comment regarding the 65% Design Plan should be changed to “Mr. Orr is not certain, given the facts he knows, whether or not the 65% Design Plan falls under open records.”

After the discussion a motion was made by Mr. Jackson to approve the meeting minutes of November 3, 2025 as amended; seconded by Mr. Leap; unanimously passed.

1) Engineering Report:

- Mr. Roth informed that the November COE meeting did not provide any new details. No decision was made for the bridges.
- Mr. Roth informed the Board that Max Rieke will complete the channel clearing in January. Mr. Roth has begun the talks with KDOT regarding the clearing between the railroad bridge and Antioch. He still needs to contact the Parks and Rec Director for City of Merriam.
- Mr. Roth would like to continue the effort for ground hog removal with the same company, CatchIt Wildlife, removal should begin in March. The board agreed to continue with the same vendor.

2) Attorney Report:

- Mr. Orr spoke with Sandy Cox with COE regarding a 90-day right-of-entry (ROE) for the COE to walk and observe the channel. Mr. Orr has reviewed the ROE and is requesting the removal of “exploratory work”. If the COE intends to dig etc. they must let MDD know. There was a general discussion in which Mr. Leap suggested going back to the COE to say if they want MDD to sign the ROE, then MDD should get a copy of the 65% Design Plan before March 2026. There should be an equal information share with the City of Merriam. Mr. Orr suggests reaching out to the COE to see what they say about sharing the document. After the general discussion, Mr. Jackson made a motion to approve the ROE with the contingency of requesting COE to share the 65% Design Plan, once drafted, with MDD; seconded by Mr. Leap; unanimously passed.
- Mr. Orr mentioned there was a correction on his statement; the charges are the same, but the item on November 2nd should have been November 20th instead.

3) Accountant Report:

- Mr. Martin informed the board that the financials are in good shape. He reminded the board that in January they will need to look at encumbering funds for projects in 2026.
- Mr. Martin discussed the compensation plan; he reminded the board that they wanted to look at salary increases every 2 years. Mr. Martin informed the board that a 5% increase was budgeted for 2026 for board members and recording secretary. Mr. Martin said that with transparency this really should be looked at every 2 years, instead of automated increases. Mr. Orr mentioned that automated salary increases might also go against budget law. After the

discussion, Mr. Jackson made a motion to increase board member and recording secretary salaries to keep in line with inflation which roughly equates to \$25/paycheck; seconded by Mr. Leap; unanimously passed.

- 4) Mr. Jackson informed the board that EZ Lawn Services, Esau Maldonado, did not receive their check. The previous check was canceled, and another check was issued for the same amount. Mr. Jackson would like the new check to be ratified. He mentioned to the board that they may need to consider moving him to an ACH payment instead of a mailed check. Mr. Leap made a motion to approve Mr. Jackson writing a new check and voiding the old check to Esau Maldonado; seconded by Mr. Weisbender; unanimously passed. Mr. Jackson made a motion to approve the November bills as presented; seconded by Mr. Leap; unanimously passed.

There being no further business, a motion to adjourn the meeting at 7:48 P.M. was made by Mr. Jackson; seconded by Mr. Leap; unanimously passed.

cc: Board and staff

Respectfully submitted,
Rebecca Heatwole
Recording Secretary