

MERRIAM DRAINAGE DISTRICT
OF JOHNSON COUNTY, KANSAS
MONTHLY BOARD MEETING
August 3, 2026

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

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

Guests: Jason Silvers
JJ Lee, Hydrologist at UMKC

Budget Hearing: Mr. Martin informed the board that the budget hearing was moved to the September meeting due to the County moving all their budget due date to August 20th – September 20th to keep RNR and other budget filings at the same time. Mr. Martin will publish the notice of the budget hearing with The Legal Record tomorrow.

A motion was made to approve the minutes of June 1, 2026 as written by Mr. Jackson; seconded by Mr. Leap; unanimously passed.

A motion was made to approve the minutes of July 6, 2026 as written by Mr. Jackson; seconded by Mr. Leap; unanimously passed.

1) Engineering Report:

- Mr. Roth heard back from the COE Project Manager asking exactly specifically what the MDD Board was questioning. Mr. Roth provided details but has not received a reply to his email.
- Mr. Roth informed the board that there have been no progress meetings in July; the status remains the same. The City of Merriam is still working on which direction they want to go.
- Mr. Roth provided the board with Benesch's analysis of the railroad bridge chokepoint. He said there are three main factors contributing to the issue, the two tributaries feeding into the channel and the 90-degree angle that is made where they meet up. Johnson County provided City of Merriam with a 2-dimension water model. Mr. Roth had to get permission to use the model from Brian Dyer, because 2-dimension model is more accurate. Ultimately, Benesch found that removing the railroad bridge alone had no real impact. They found that the following 2 simulations did have an effect:
 - 1) Removing the Railroad Bridge
 - a) This resulted in a maximum Water Surface Elevation decrease of 0.3ft.
 - 2) Removing the Railroad Bridge, Ramp on to I-35 and I-35 Bridge and widening the channel to Antioch Bridge Embankment.
 - a) This resulted in a maximum Water Surface Elevation decrease of 9.6ft.

There was a general discussion wherein Mr. Weisbender questioned if the channel could be made deeper rather than widening it. Mr. Roth said it could, but it couldn't go deeper than elevation; COE did a study on this. Mr. Weisbender asked about the use of a retention pond to which Mr. Roth replied, it would need to be the size of a regional lake to help, and removing the 90-degree angle would help, but not as much as removing the bridges. Mr. Roth informed the board that he did look into funding and found that there is some Federal funding to elevate railroad crossings, but he hasn't spent much time looking into it. Mr. Leap questioned if MDD could share Benesch's findings with COE and City of Merriam in hopes of MDD partnering

with them to find a solution before anything is done upstream. Mr. Roth mentioned that KDOT would need to be included as well. Mr. Orr said all of the players should be in the same room.

Mr. Jackson made a motion for the board to move into Executive Session to discuss flood control at the railroad bridge. The basis for the Executive Session is to discuss info that would be privileged under attorney client privilege. The open meeting will resume in 10 minutes; seconded by Mr. Leap; unanimously passed.

Mr. Jackson made a motion to reconvene the open meeting at 7:42pm; seconded by Mr. Leap; unanimously passed.

Mr. Leap made a motion that The Merriam Drainage District engage the city of Merriam and The Corps of Engineers and other interested parties to consider and pursue flood control at the railroad bridge and KDOT bridges (including 3 bridges); seconded by Mr. Jackson; unanimously passed.

Mr. Roth informed the board of a potential conflict of interest as Benesch works with the railroad and KDOT. Benesch does not have accounts with COE or The City of Merriam. This was noted by the board and thought to be okay.

- Mr. Roth informed that they began looking at the design for the grade control structures at Campbell Park to identify cost for the budget, he believes the original \$350,000 estimate is still a good number. Mr. Roth mentioned there are a couple of options: Vertical Wall and Gravity Wall.
 - 1) Vertical Wall would be built inside the channel at the same height as the existing bed and they would fill the gap between the new wall and the existing bed with rip rap.
 - 2) Gravity Wall requires an analysis of the ground rock to determine if the rock is good enough to be drilled into.

Mr. Roth mentioned the next step would be to have a geotechnical engineer come out to bore holes to determine the thickness of the rock below. Mr. Roth hopes to get a few quotes before the next meeting. There was a general discussion wherein Mr. Roth told the board that the purpose of the grade control structure is to help the degrading of the wall. He also informed that pumping concrete to reinforce the wall was not a good solution because the area was too large and the concrete would only be a temporary fix. Mr. Roth informed that the structural engineer at Benesch does have experience with these types of structures.

2) Attorney Report:

- Executive Session, nothing to report.

3) Accountant Report:

- Nothing

4) Mr. Jackson made a motion to approve the bills as presented; seconded by Mr. Leap; unanimously approved. Mr. Jackson made a motion to renew the USLI policy for public officials; seconded by Mr. Leap; unanimously approved. Miss Heatwole will pay the invoice online with the credit card.

5) Mr. Lee, Hydrologist and Professor at UMKC informed the board that UMKC is working in conjunction with Johnson County Stormwater on a two year project to test the level of microplastics in the water. Johnson County Stormwater recommended Turkey Creek as one of their 6 sampling locations. The sampling only occurs during high water events and having an autosampler would make it safer than having a person come out. They contacted EPA to request to use their site to place the

autosampler; EPA came out to clear their gear so it is open for the autosampler to be placed in that same location. Mr. Lee assured the board that the autosampler would only be test for microplastics, they would not be testing for oil or solvents in the creek. After a general discussion, Mr. Jackson made a motion to approve allowing UMKC and Johnson County Public Works to install the autosampler for the 2 year microplastics study contingent upon agreement that all responsibility, liability and risk of loss or damage is the responsibility of UMKC and Johnson County; seconded by Mr. Leap; unanimously approved.

- 6) Mr. Jackson mentioned that the next board meeting will be held on Tuesday, September 8, 2026 due to Labor Day on September 7, 2026.

There being no further business, a motion to adjourn the meeting at 8:15 P.M. was made by Mr. Jackson; seconded by Mr. Leap; unanimously passed.

cc: Board and staff

Respectfully submitted,
Rebecca Heatwole
Recording Secretary