

BRADBURY HOUSE, 33-34 MARKET STREET HIGHBRIDGE, SOMERSET, TA9 3BW

> TEL: 01278 789906 EMAIL: admin@somersetdbs.co.uk

MINUTES OF THE NORTH SOMERSET LEVELS INTERNAL DRAINAGE BOARD FULL BOARD MEETING HELD ON 17 APRIL 2024 AT 14:30 IN KINGSTON SEYMOUR VILLAGE HALL

Attendance:			
Elected Members: Mr T Bush (C) Mr N Cole Mr J Harris Mr P Kingcott Mr R Mitchell Mr R Parsons Mr C Pyke Mr C Redding Mr E Adams	Appointed Members: Cllr P Burden Mr J Cato Ms S Hearne Cllr C Hunt Cllr Dan Thomas Cllr J Tonkin R Westwood Cllr C Gibbons	Officers: Iain Sturdy Naomi Johnson Phil Brewin Giles Oliver Anthony Brinson Maggie Hammond Matthew Wall Rob King Virginie Martin Izzy Ingledew	Public:
Approved Apologies:			
Mr G Plaister Mr S Hutchings	Cllr M Bird Mr P Harris Cllr B Petty	Dan Alsop David Crossman	
Non-Approved Apologies:			
Mr B Letts Mr A Mead Mr G Atwell			

Each Board is a statutory public body with responsibilities for flood protection, land drainage and the environment. All are members of the Association of Drainage Authorities.

Ag	genda Item:	Detail:	Action:
1.	Attendance and Apologies	 1.1. Apologies as per the above Attendance List. 1.2. The Chairman informed the Board that sadly John Tucker and John Pope (both Contractors) have recently passed away. 	
2.	Items Additional to the Agenda	 2.1 The Chairman told the Board that there would be a different format to this meeting and there will be an opportunity for members to bring up issues, items and incidents for discussion. 2.2 M Hammond informed the Board of the Charity Event on 18th April in aid of Motor Neurone Disease and invited the Board members to attend or purchase raffle tickets should they so wish. 	
3.	Declarations of Interest	3.1. None were made.	
4.	Opportunity for Members of the Public to address the Meeting	4.1. There were no members of the public present at this meeting.	
5.	Approval of Minutes	 5.1 The Chairman stated that on page 5 he thought that the incorrect title for Dr Fox had been used. IDS confirmed that this will be looked at and amended if necessary. 5.2. 'That the minutes are a true and accurate record of the meeting' <i>Proposed: J Tonkin</i> 	Action:NSL/20240417 -1
		Seconded: Sandra Hearne All in Favour	RESOLUTION 1
6.	Matters Arising /Review of Actions	6.4 Mr J Cato said that on page 5, the fifth paragraph talks about EA revenue funding and IDS chasing up between meetings. Mr J Cato asked if this is an ongoing action.	
		 6.5 IDS responded yes, it's ongoing work in progress. There are a number of things happening at the moment, one of those is triggered by the flooding in Godney and the River Brue. IDS is currently working with the EA on their asset data. Asset stats frequently quote that 94% of EA assets are in 'target' condition. They have shared with us that several assets have a target condition of 'poor' and several with no target condition at all. The statistics don't report on private assets. IDS is sharing his analysis with Piers Hooper in the local team at the EA. IDS is trying hard to talk to 	

decision makers to highlight that the EA can't work with just the 31% budget awarded compared to what was asked for. IDS said there is no extra money and he is trying to push the issue locally and nationally with good co operation from local EA colleagues	
Peter Burden said there is a report that was sent to NSC and that this will be shared with IDS with reference to what the EA are doing and what they are not doing.	
IDS said local people are aware of the shortfall. EA are largely in 'fix when fail mode'. Employees in the EA are not permitted to lobby. RFCC should be able to raise the issues at a more senior level. There is a RFCC meeting next Monday and IDS said he will raise this issue then. Richard Westwood said that Friends of Yeo have successfully lobbied re the problems at Land Yeo in Clevedon.	
He said that at Lady Bay there was a landslide across a footpath. A geology report said that there is no bedrock and currently its being looked at to see what can be done with this issue.	
The Chairman added that with regards to his question about peat depth, he has now had an answer from the contractors who put the pylons in at Kenn, the peat is 5.5m at its deepest.	
6.6 Review of Actions	
NSL20221116 – 2- IDS apologies that there has been no action on this one so far.	NSL20221116 – 2 Ongoing
NSL/20221116 - 3 – Design is completed, will be out to tender soon, YATWAG need to be consulted before this goes out to tender.	NSL/20221116 – 3 Ongoing
NSL/20231017-1 – This was specifically around the incident response plan – IDS will need to conduct a review on the plan to ensure NSL are included. This is ongoing.	NSL/20231017- 1 Ongoing
NSL/20240131-1 – Amendments were made. Action complete.	NSL/20240131-1
NSL/20240417 - 2 – M Hammond apologised that she hasn't been able to generate this information as	Complete
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	of yet, there is no specific report for this so she will have to pull several reports to gather this information.	NSL/20240417 – 2 Ongoing
7. Health & Safety	7.1 Naomi Johnson (NJ) updated the Board that the H&S committee met at the end of February – which was a good opportunity to go through recent incidents that have been logged.	
	The VIP list (visit in pairs list) was discussed and the question arose as to whether we need to inform individuals that they are on this list in case of GDPR issues.	
	Lots of training has been completed including LANTRA training and first aid training for certain staff members is also scheduled.	
	NJ said that the H&S audit is happening shortly and our procedures will be looked at and audited. The H & S committee will meet at the end of May to review the report and an update will be given to the Board at full board meetings in June.	
8. Flooding and Operational Issues	8.1 IDS said that 30 minutes have been put aside in this agenda for members to bring forward and discuss flooding and operational issues. IDS will record any issues arising and then these will be investigated.	
	8.2 Chris Redding asked about the National Grid work and is this proceeding as expected.	
	IDS replied there is currently 3 categories of work:	
	 Culverts to be removed and the reinstatement to be checked. Culverts that landowners wish to retain – if this is the case then there will be a process to change planning status and ensure they are adequate for the purpose and duration. Culverts that EDF want to remain in place. 	
	All 3 areas are challenging. IDS met with EDF recently, there is an issue with EDFs principal contractors sending information of works with short timescales that we cannot accept. IDS said that it was necessary to be clear with EDF and they have been told we need at least 30 days to consider these works. Good progress was made during the discussion and EDF agreed to give more information and be more open going forward.	
	Giles Oliver (GO) said that we may have to extend consents on a temporary basis and analysing what	

will remain will be hard. We aim to make this process more transparent and simplify the admin.	
IDS said the culverts that EDF want to remain is a material change to the DCO.	
Chris Redding asked if there are any cost implications to the Board, IDS replied there is an agreement to recharge costs back.	
J Tonkin asked if we would lose out on costs related to this.	
IDS and MH confirmed that we charge for the time spent on this work at the hourly rate and we are not losing out but equally we are not allowed to make a profit on this. However it does take resources away from other work.	
Virginie Martin (VM) said we have a checklist of the information we want them to supply us with for the culverts remaining. The process is they will have to apply to the LA for planning permission, then they will need to apply for consent here at £50 per culvert.	
The Chairman said that we will cover consent fees more later in the meeting.	
8.3 The Chairman said that landowner tensions are currently high regarding high v lower water levels.	
Anthony Brinson said there has been an issue in Kewstoke for around 6-7 years with a particular landowner. Kewstoke will suffer if AB lowers levels to the requested water levels, as the Rhyne network goes back to the River Banwell. AB said there are no structures that he can lower for the landowner without putting Kewstoke at risk.	
It was asked if water could be released earlier if there is a wet autumn and if dry keep at usual levels.	
AB said the person concerned wants winter penning in September.	
The Chairman said the issue for the Board is how far do we go in trying to give individuals what they want.	
Chris Redding mentioned that machinery is heavier than it used to be and this is also an issue with high water levels and soft ground.	
AB said the land (clay land) has now been panned with heavy machinery which means the land cant drain effectively, but the landowner is not accepting this and is blaming the Drainage Board for the	
	process more transparent and simplify the admin. IDS said the culverts that EDF want to remain is a material change to the DCO. Chris Redding asked if there are any cost implications to the Board, IDS replied there is an agreement to recharge costs back. J Tonkin asked if we would lose out on costs related to this. IDS and MH confirmed that we charge for the time spent on this work at the hourly rate and we are not losing out but equally we are not allowed to make a profit on this. However it does take resources away from other work. Virginie Martin (VM) said we have a checklist of the information we want them to supply us with for the culverts remaining. The process is they will have to apply to the LA for planning permission, then they will need to apply for consent here at £50 per culvert. The Chairman said that we will cover consent fees more later in the meeting. 8.3 The Chairman said that landowner tensions are currently high regarding high v lower water levels. Anthony Brinson said there has been an issue in Kewstoke for around 6-7 years with a particular landowner. Kewstoke will suffer if AB lowers levels to the requested water levels, as the Rhyne network goes back to the River Banwell. AB said there are no structures that he can lower for the landowner without putting Kewstoke at risk. It was asked if water could be released earlier if there is a wet autumn and if dry keep at usual levels. AB said the person concerned wants winter penning in September. The Chairman said the issue for the Board is how far do we go in trying to give individuals what they want. Chris Redding mentioned that machinery is heavier than it used to be and this is also an issue with high water levels and soft ground. AB said the land (clay land) has now been panned with heavy machinery which means the land cant drain effectively, but the landowner is not accepting

issues. AB said he is looking at problems with the	
disk valves that control the water levels and ways of dealing with these.	
GO added that we are looking at repairing leaks and there is scope to install a tilting weir that would give AB greater flexibility. There has been a drought in Kewstoke the last few years so we need to look into how to keep water more effectively in dry times.	
John Cato asked if are we opening up issues for others - why should we take on an extra risk? We should manage it how it should be managed.	
IDS clarified that the risk was drying out land not the flooding of land. It's an interesting test case, people wanting different water level management schemes will increase in the future, with increasing challenges for the Board to satisfy rate payers	
It was said that it's our job to maintain water levels. If it's a wet autumn, we need to adjust tilting weir operations in advance of rain.	
PB said this is a familiar conversation, we do need to anticipate what's coming. We also need the right structures to help us to be flexible with water levels. He wanted to remind the Board that there could be environmental harm if we don't get the levels right. We need to be adaptable.	
Rob King said that he will be speaking to the landowner for future issues.	
Nigel Cole raised the possibility of a private pump to circumnavigate the Rhyne system.	
The Chairman said land drainage consent would be required for this.	
IDS clarified the Boards powers and responsibilities. We quite often get caught between competing needs, its important to work together to see what solutions are possible. Modest interventions to be considered for both parties that may help issues.	
8.4 John Harris raised the issue of depth of peat information. This information is valuable data that we need to collect.	
Phil Brewin stated he is aware of the data; Simon Bunn (NSC) is chasing this regarding it being published on the planning website.	
IDS mentioned Defra are currently looking at Peat Data. PB confirmed this and said the peat mapping project is forming a large part of Defra's current	

	research work. They are struggling to contact	
	landowners and get access and this is causing some delay.	
	IDS stated there is an option coming forward for landowners to manage water levels to protect peat. This may put some pressure on the Board with	
	regards to different water levels in different areas.	
	15.37pm Cllr Marcia Pepperall left the meeting.	
9. Land Drainage Consent Fees	9.1 Virginie Martin (VM) asked the Board to consider waiving the fee for agriculture culverts, she clarified that this means culverts where land drainage rates were paid. There were 5 applications in 2023 of this type and correspond to only £250 in fees.	
	VM felt that when fees are waived more people come forward to apply for consent and therefore there is less time needed to be spent on enforcement. We also have more involvement in the design of the culvert and how it is built.	
	VM stated that her team are currently looking at improving application forms to avoid going back and forth. If all 3 Boards were aligned with this it would save the team a lot of time.	
	Bob Mitchell asked if legally we were allowed to charge some and not others or do we need to treat everyone the same?	
	The Chairman felt this wouldn't be apparent until someone legally contested it. He added that NSL would be the last board to waive fees for these culverts as Axe Brue and Parrett are already doing this.	
	Peter Burden asked if, like NSL, the other Boards got the majority of their income from the Council.	
	IDS confirmed this was the case.	
	Chris Redding added that the most important factor was to get culverts built to the correct standards.	
	AB gave some examples of unconsented culverts that he felt needed to be addressed.	
	Bob Mitchell said he recalled from sometime before the Board joined SDBC that if a culvert was in place for so many years before its realised consent wasn't given – there is nothing you can do about it.	
	IDS said if it's known about for 6 months and not acted on it – the case would be very weak and enforcement becomes difficult.	
	The principal reason for waiving the fees is to encourage people to make the applications as the fee wouldn't be a discouragement.	
		Dago 7 of 1

	Matthew Wall (MW) said the Land Drainage Act says "may require a fee"	
	The Chairman said it would be a benefit to paying your rates.	
	Peter Kingcott said that a lot of gateways have pipes under them. Would consent still be needed to replace a pipe that was unsatisfactory?	
	IDS said yes. Bylaws apply to all watercourses.	
	MW added that invert levels of pipes are important as well.	
	John Cato asked is there an issue about communicating this to landowners and the details about what is required or not required?	
	IDS said the newsletter that goes out with the drainage rate demands has already been finalised and gone to the printer. Potentially there may be an option of adding in an additional piece of paper to communicate this. IDS to look into this.	Action:NSL/20240417 -2
	'That the Board accept the proposal that we waive the fees for agricultural culvert consents'	
	Prop: John Harris	
	Seconded: Nigel Cole	
	Vote: All in Favour	RESOLUTION 2
10.Operational and Engineering	 10.1 Rob King updated the Board on the Operations workload. He said it has been extremely busy for the team. There have been plenty of phone calls with issues that have needed visits and team needing to be on standby. The team are working through a defect list but due to the wet ground conditions there have been some access issues. There will be a half day training session coming up for Area and Deputy Area Supervisors at Huckers Bow on how to operate the structure. This is planned to be further rolled out to all important structures in the near future. We now have surveillance cameras in place along with signage saying that the structure is under surveillance – this has reduced tampering. AB's area has been penned to roughly 20% David Crossman area at full summer pen. Still actively recruiting for a Deputy Area Supervisor. 	
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had a conversation about this with the Chairman. As an organisation we need to ensure we have made any necessary adjustments to ensure staff are safe and that they feel valued.	
Our efforts to keep them safe is not an effort to move them on from the organisation. All measures haven't yet been agreed.	
The Chairman agreed that we can't afford to lose the knowledge that those individuals have, but that we do need a Deputy Area Supervisors for depth and resilience.	
Chris Redding said for the last 5 years he has been pushing for the knowledge to be passed on, technology can help us with safety.	
Bob Mitchell asked if the same applies for self employed contractors that we use. IDS said yes it does.	
10.3 Matthew Wall – Maintenance Update	
Liddy Yeo access is complete.	
MW said this year is the final year for the maintenance contracts. There is an even spread of contractors within the other boards but NSL just have one Contractor that being John Tucker & Sons. MW stated that we need to consider how we can encourage other contractors to tender for the work, we can future proof by having more Contractors available and interested in the work.	
MW is proposing to bring a paper to the June Board meeting showing options on moving forward with Contractors.	
It was asked if we are asking for new contractors or if we are hoping to bring the Contractors from other areas up to NSL. MW replied he would be looking for both.	
Sanda Hearne asked if all the Contractors do the same type of work or different? MW replied it's the same work with similar equipment.	
Nigel Cole asked if it was a fresh Contractor coming in, how much work would the Board need to offer them to make it worth their while? MW replied this would be a commercial decision.	
Comment was made that "that a tender is a tender". The NSL area is an awkward patch and it is hoped that contractors wouldn't 'cherry pick' work. MW responded that NSL is very similar to the other Boards – they have good and bad areas.	
Duarus – mey nave good and bad areas.	

 IDS said he was keen to ensure that areas were not split into agricultural and urban areas as this may affect the tenders for the work, urban areas would be seen as harder and may have less interest. We need to be careful when looking at how areas are divided. There will come a time when we will need alternative contractors available. IDS said we tend to pay for work completed. We could look into options of how we pay if there were issues about Contractors skipping hard pieces of work and only invoicing for easier work. The Chairman said there is an option to roll the tender over for another year. IDS confirmed this as long as both the contractor and organisation are willing to do so. MW said on the other Boards we do have an hourly rate for the awkward bits, this can be put into the specification when we identify areas that are difficult. The Chairman said a decision will need to be made at the next meeting. 10.4 Giles Oliver - Engineering Giles Oliver (GO) has said that the relationship with Caim Engineering is working well. GO showed the Board information relating to the engineering projects and their current status. These used to be coded red, amber, green but have now been changed to provide a clearer benchmark for progress. GO gave an update on the 2023/2024 Programme which included: Hurst Pool Rhyne - Plan to install a new tilting weir on the existing structure to improve water level management in the SSI and to improve operator safety. We are writing to the EA about the acceptability of the proposed structure as the catchment area is a flood storage reservoir for the EA River the Congress. This is now operational and complete. Gauge Boards - A survey contractor has installed 20 new benchmarks in the South and 8 new in the North. This will feed into other projects such as the telementry project and interact with EA data. Cherry Orchard Rhyne / Kiver Kenn - Site 			
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 Desilting Biddlestreet Rhyne and Kenn Moor work has been completed. There have been major bank slips on the Yatton Little River a contractors has carried out bank stabilisation and these works complete. 	
 GO also gave an update on the 2024/2025 programme with included: Crossmans Hatch is one of the current major projects. There are landowner meetings regarding the placing of the sluice. This project will go to tender soon and hopefully construction will be in late summer. Banwell Bypass is the other big project and there is lots of engagement regarding the work going on with this. 	
Bob Mitchell mentioned the Banwell Bypass project and said that the road at the top has been flooding and water is not moving. He felt that ripping out hedges may have affected the waterflow. GO asked Bob Mitchell to send some photos to him so that he could look into this.	Action:NSL20240417 - 3
MW added that there is a video of a new piece of equipment, a silt pump working – if anyone would like to view this MW said he would share the link. IDS suggested this could be sent to anyone interested.	- 5
 <u>10.5 Virginie Martin – Development Control Update</u> VM wanted to share 4 applications that the team have currently been working on. Metro West – currently being consulted on the discharge requirement 11 which is about surface water. This is just outside of the IDB area but water would be discharged into the IDB area. East Wolvershill Road, Banwell – large application covering 100-hectare site for development. Yatton Rugby Club – regarding the new location. There have been discussions regarding tree planting and surface water discharge. Rectory Farm – two plots of land. Met with the applicant discussed location of the ponds and to ensure effective drainage. 	
<u>10.6 Phil Brewin – Environment</u> Phil Brewin (PB) focussed on the peat projects during his update. The Board's peat project is part of Defra's Lowland Agricultural Peat Small Infrastructure Pilot (LAPSIP.	

PB said that the LAPSIP is a fairly straight forward project in itself – to install a telemetry system in peat areas consisting of 10 stations. There are quite a lot of moving parts involved – PB said we are very keen to ensure we select the right system, not only its cost but as well as avoiding previous problems we have come across in the past and to ensure adequate repairs and maintenance. PB said he would be looking for a supplier that can provide us a with a complete service.	
PB added that we also need to consider how we share the data that we collect from this project and how we make good use of other data that may also be available e.g. the EA telemetry data. This is a big initiative within government. PB stated we are talking to EA and NSC about perhaps sharing a license to display and manage data effectively.	
PB said we are also looking at what sort of gauge boards we might use. After research, a new supplier has been found that provide easier to read and clean gauge boards.	
1 st claim for this work has been processed and the money has been received.	
PB suggested during the summer would be an ideal time to visit sites with Board members. Defra are very keen to engage with the Board, they will be coming to this area and PB is keen to show them our work. PB said there was lots of work going on and that it was very productive for the Board.	
PB said there is an Eel conference in Glastonbury on 5 th July and he will send an email out when he has any further information.	
Sandra Hearne asked about pennywort and has the mild, wet winter weather increased its spread?	
PB agreed that milder winters and springs give pennywort a good start. We need to deal with the considerable issue we have in the Weston area. There is money available to get in a specialist contractor to help with this issue as we don't have the resources in-house to deal with all of it.	
AB said that Banwell area is prone to pennywort, it's starting to appear and spread now. AB said he will be starting spraying regime before the first keeching begins.	
PB said we need to start early, if we tackle it in the summer, this is too late to make any difference.	
Chris Redding asked if we can use funds from last years unused budget in addition to what we have available to spend this year?	

	MH responded that when we get to the June meeting, if there is an underspend it is then up to the Board members to decide how this is used. MH suggested that we wait and see what the figures say in June.	
	PB added that we need to have the right plan in place and find a specialist contractor that is able to take this on.	
	10.7 The Chairman asked how far the work on the safety fence at Samson's Sluice has got and was it completed yet.	
	GO replied that the concrete slabs work can start in around 3 to 4 weeks. The fencing will be replaced with euro fencing.	
	Richard Westwood asked if there was a Board away day – could Samson's Sluice be visited as part of this. The Chairman agreed.	
11. Issues to be raised with ADA	11.0 IDS said there is a consultation being undertaken 'on a draft statutory instrument about the English drainage boards alternative value calculation regulations 2024'	
	IDS said the reason for the consultation is largely because there is an increase in interest across the country to set up new drainage boards or for existing boards to increase their boundaries and provide a valuable service to more of the population.	
	IDS said that there can be a problem with setting up new drainage boards or extending boundaries and read a quote from his slide ' <i>because in determining</i> <i>the special levy charge, paid by local authorities, the</i> <i>land drainage act refers to rateable values shown in</i> <i>the non domestic rating list of the charging authority</i> <i>and the valuation list for domestic properties dated</i> <i>March 1990. In many areas however these 1990</i> <i>lists are no longer available , they are either missing</i> <i>or incomplete'</i>	
	Therefore, if drainage boards were to expand or new ones were created the method that allows them to calculate the levy is not possible.	
	The consultation is around the methodology and this mainly considers the likely impact on the proportion of Board expense allocated to the Local Authority and the IDBs – ADA are leading on this consultation.	

ADA tested options in 2017 and again after some adjustments in 2021 around apportioning the costs. ADAs recommendation is to support option B in the new methodology that has on average a 0% change, although actual figures differ from Board to Board. No IDB will be compelled to use the new methodology, would only need to consider this should we extend our boundaries or create a new IDB. Chris Redding said there is a lot of development in the NSL area and asked if this means that the special levy from the council will naturally rise. MH replied if we have been advised of a change – it will go from agricultural rate to special level every year. The Chairman said he finds it difficult to comprehend that those who receive water have to pay rates, yet those who deliver the water do not. Should we contemplate moving to a catchment-based organisation? 1DS stated that pre 1991 every property in the drainage district was charged and properties outside of the drainage district ware not charged. The Levy is now spread across the council tax area. 12. Board Elections 2024 12.0 IDS said NSL elections have come round again this year. Nick Stevens is helping IDS with the next elections. Close of nominations will be Wednesday 9° October 2024. 13. AOB Peter Burden said that he is aware of a RFCC member who has an interest in IDB matters, He suggested the clerk kept this person up to date with agendas, minutes and a standing invitation to attend. 14. Date of Next Meeting HPC meeting. The Chairman askid the date of the next meeting was 19° June 2024 at 14.30. The meeting was closed at 17.00hrs. The meeting was closed at 17.00hrs. <th></th> <th></th> <th></th>			
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Annex:

A. NSLIDB Board – Table of Outstanding Actions

CHAIR.....DATE

ANNEX A TO NSLIDB BOARD MINUTES DATED 17 APRIL 2024

NSLIDB BOARD – TABLE OF OUTSTANDING ACTIONS

Action Number:	Action:	Actionee:
NSL/20221116 - 2	Group of Board members to debate investments across the consortium of Boards and develop a policy for investment. The policy is currently under development.	M Hammond - In progress
NSL/20221116 - 3	New sluice to improve water levels on Claverham Drove; designs have been completed and prices to be sought.	D Alsop - Ongoing
NSL/20231017- 1	Review Dynamic Risk Assessments on the Health and Safety policy.	I Sturdy - Ongoing
NSL/20240131 - 2	To make additional information regarding outstanding arrears available to Cllr Dan Thomas.	M Hammond - Complete
NSL/20240417 - 1	To check the title for Dr Fox and amend minutes if necessary (Sir)	I Sturdy Complete
NSL/20240417 - 2	To look into the feasibility of sending additional information with rate demands re: waiving of consent fees for agricultural culverts.	I Sturdy Complete
NSL/20240417 - 3	To email a link to the video of a working silt pump to all members.	I Sturdy
NSL/20240417 - 4	To make contact with the RFCC member regarding their interest in IDB matters and attending future meetings.	I Sturdy Complete