SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF MARCH 19, 2002
BOARD OF DIRECTORS REGULAR MEETING

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Dub Yarbrough, Chairman, at 1:08 p.m.

PLEDGE OF ALLEGIANCE.

The Board was led in the Pledge of Allegiance by Dub Yarbrough.

ROLL CALL OF DIRECTORS.

Directors in attendance were John Chaney, Mark Conkling, Richard Deubel, Guy McDowell, and Dub Yarbrough. Staff members present were David Stoliker, Executive Director, Bob Fogle song, Perry Baird, and Laura Davis. Bernard Metzgar, SSCAFCA’s attorney and members of the public were also present.

APPROVAL OF AGENDA.

Mr. Yarbrough stated that he was going to pull the minutes out of the Consent Agenda so that a discussion may be had on them.

A motion was made by Mark Conkling to approve the Agenda. It was seconded by Richard Deubel and passed unanimously.

CONSENT AGENDA.


Mr. Yarbrough stated that under Section V on page V4 and V6 of the packets, he has had calls on the wording of the agreement with regard to the Venada Arroyo DMP. He stated that the word “partnership” signifies something different than an agreement would signify. He wanted to change the wording from “partnership” to “agreement.”

A motion was made by Mark Conkling to approve the minutes of February 19, 2002, as amended with this change. It was seconded by John Chaney and passed unanimously.
b. **Action/Approval for Treasurer’s Report for February 28, 2002.**

A motion was made by Mark Conkling to approve the Treasurer’s Report dated 02/28/02 as presented. It was seconded by Guy McDowell and passed unanimously.

**PUBLIC FORUM.**

Mr. Tony Popper stated that this month the Soil & Water Commission will approve Ciudad’s request for a mil levy. The mil levy is one, one hundredth of a mil, and on that there would be about $3.00 on a home assessed at $100,000. They need help in getting positive votes and he asks all of the board members to vote in favor of the mil levy.

**CHAIRMAN’S REPORT.**

Mr. Yarbrough stated that the Corrales Village Council owns a piece of property that SSCAFCA wants to put a monument on for Annette Jones. SSCAFCA already has an easement on it. Mayor Kanin brought it up at a council meeting and approved SSCAFCA’s use of the surface for the monument. The Annette Jones and Johnnie Losack monuments should be completed soon.

**BOARD OF DIRECTORS’ COMMENTS.**

None.

**ATTORNEY’S REPORT.**

Mr. Metzgar stated that there is no attorney report this month.

**ACTION/APPROVAL ON SSCAFCA OFFICE BUILDING BID.**

Kris Callori, of EDI, stated that the bid opening was held on March 5, 2002 and they got responses from five contractors. The low bidder was Cheyenne Building Contractors, Inc. EDI has reviewed Cheyenne’s references and Ms. Callori believes they will do a fine job in building SSCAFCA’s building. EDI recommends approval of Cheyenne Building as SSCAFCA’s contractor. She stated that the bids came down approximately $130,000.00 from the first bid.

Mr. Stoliker stated that SSCAFCA has the budget in place to do the project. Ms. Callori stated that she had the contractor break out the site costs and the building costs. The building ends up being approximately $129.00 per square foot. Mr. Chaney stated that if all
the remaining fees were added up, the total for the building comes out to about $962,413.00, which comes out to about $190.00 per square foot. Ms. Callori stated that architects do not normally add in all the fees or external costs when they figure square footage costs.

Mr. Stoliker stated that the total contract cost, to date, for EDI was $104,000.00. The total amount to be paid to EDI will be approximately $125,000.00. Mr. Chaney stated that SSCAFCA is currently paying approximately $3,600.00 per month in rent. If SSCAFCA continues to rent, it will need to double its space, which will bring SSCAFCA up to around $7,000.00 per month in rental payments. If a million-dollar building were financed, which could easily be done, the mortgage payments would be in the neighborhood of $7,000.00 per month. With a building, there is some residual value.

Ms. Callori, in response to a question by Dub Yarbrough, stated that it is not normal to include the architect fee in the square footage cost. Mr. Yarbrough stated that all of these costs are direct costs of the building and the cost of the building is closer to $190.00 per square foot. Ms. Callori stated that they had the contractor break out the building costs and the site improvements costs, and the numbers came up to $129.00 per square foot for the cost of the building. The landscaping the SSCAFCA board approved is included in the cost. Mr. Conkling stated that the problem might come from the way the different professions deal with assessing costs, rather than someone trying to be deceptive about the costs. Mr. Conkling asked if the value engineering cost was included in EDI’s original architectural fees. Ms. Callori stated that was correct and that they have not added any additional fees to the contract.

A motion was made by Mark Conkling to approve the SSCAFCA office building bid by Cheyenne Building Contractors, Inc. It was seconded by John Chaney.

Mr. Conkling stated that the Board has already approved the building, the site, the design, the architect’s fees, the concept, and has had a presentation on the costs of renting versus owning. The only thing before the Board today is approval of the contractor to build the building.

Ms. Callori stated that three of the bidders in this round had bid in the previous round. They were Innerspace, Brycon and Longhorn. The lowest bid in the first round was $1,015,000.00. One of the reasons for the lower bids this time is because EDI went through the building and did some value engineering and refined some of the systems. They also spoke with some different contractors and got input on that. The economy is also getting better right now and there are a lot of contractors fighting for jobs. Mr. Metzgar stated that SSCAFCA is bound to the lowest builder, so long as SSCAFCA can verify that the contractor
is able to do the job. Mr. Stoliker stated that the amount bid will be the contract amount unless something else is approved by the Board. Ms. Callori stated that they originally had shown some tensile fabric in the lobby on the ceiling, but that was taken out because it was for decorative purposes only. They originally had the ceiling of the boardroom in all wood paneling, but they reduced that and only put wood paneling over the board table with some acoustical tile ceiling in the back. They did not make any changes to the look of the building or the structural integrity of the building.

Ms. Callori stated that part of EDI’s service to SSCAFCA is to provide an on-site inspector to ensure that this building is built according to specifications. The projected completion date is November 2002 on a 225-day contract. Mr. Yarbrough stated that $600,000.00 of this office budget came from SSCAFCA’s predecessor, the Corrales Watershed Board, and was earmarked for a building for SSCAFCA.

Roll call vote on the motion: Guy McDowell, yes; Richard Deubel, yes; Mark Conkling, yes; John Chaney, yes; Dub Yarbrough, yes. The motion passed 5-0.

Mr. Chaney requested staff to place a plaque on the building explaining that $600,000 cam from the Corrales Watershed Board and the citizens of Corrales.

EXECUTIVE DIRECTOR’S REPORT.


Mr. Stoliker stated that the staff has had a request from John Blackburn, of the North Hills Homeowners Association, for assistance with drainage problems. There are some maintenance issues and some public health and safety issues that Mr. Blackburn is concerned about.

Mr. John Blackburn stated that North Hills is one of the outlying subdivisions in Rio Rancho and is near the intersection of Unser and Northern Boulevard. He stated that North Hills is a problematic subdivision, and most of the problems they have are primarily as a result of the transition of the neighborhood association from the developer (AMREP) to the homeowners. AMREP built the project to include a number of common areas. These areas include large open grass areas, drainage culverts, and irrigation systems for both common areas and residential areas, which include medians, walls, fences, etc. When AMREP turned it over to the homeowners, it had established initial assessment rates that homeowners could be charged in the form of dues to maintain the properties. Due to limited budgets,
substandard performance by some of the landscaping contractors, and a number of measures taken by the Association boards, a lot of the common areas have fallen into disrepair. Because of the limited resources, the scope and maintenance of these areas are really outside of their financial capability. The costs incurred to maintain the status quo are roughly equal to the revenues they collect as an Association in the form of dues. The dues are limited by the State and the boards have not raised dues more than twice in the last six years. There is only about a 60% participation in the Homeowners Association. There are also a number of lawsuits filed against the association that the Association must defend with their dues. Another cost that the Association must bear is costs associated with vandalism, which increases each year.

Mr. Blackburn stated that unless some outside organizations can be enlisted to help, the neighborhood will continue to go downhill. The City of Rio Rancho accepted the construction plans, as well as the transition strategy proposed by AMREP, and Mr. Blackburn feels that the community needs to take care of the problems. He stated that the City could help by taking over the Association’s common areas, just as they do parks and other subdivisions. The developer can help in getting the area up to the standards of the City. He is hoping that SCAFCA can help in the drainage problems. The drainage infrastructure is in a dire state of disrepair. The culverts have eroded away so that the channels have filled with debris. Consequently, large pools of stagnant water breed insects and bacteria during the warm months. In addition, the erosion of the culvert walls has caused fences to slide in, along with some people’s back yards. Really appropriate maintenance procedures are beyond the scope of the Association’s financial capabilities. AMREP installed a set of corrugated pipes to route water under all the roads. In some cases, these pipes extend hundreds of feet underground and have no features or protections to prevent children from getting inside them.

After a visit from David Stoliker and Howard Stone, Mr. Blackburn stated that he had received a letter from Mr. Stone, which made some suggestions to help fix some of the problems. The letter states that they could install some protective grates on the culverts to keep the kids out of them. Further, one very problematic drainage area off of Charles Street is affecting people’s private property with fencing falling into the culvert. The remedy for this situation is expensive.

Mr. Blackburn stated that Mr. Jack Thomas was very instrumental in getting the common open areas in the neighborhood, without any drainage concerns, turned over to the City. In August 2001, the City was supposed to pick up those areas as City property. No commitments were made as to what would be done with them. Somehow, the City got
around the anti-donation clause with regard to these properties until a lawsuit was filed over the properties.

Mr. Chancy stated that SSCAFCA has had various requests for assistance before, and the way they sometimes address the issue is through the $50,000.00 governmental assistance fund. This is a way that the City may help the Association. Mr. Metzgar stated that the anti-donation is not just a statute, it is a Constitutional provision that cannot be “gotten around.” It is a specific provision that states that a governmental entity cannot assist private parties with public funds. He stated the problem is that the properties are not owned by the public. The City can perform the maintenance, however, the Association would have to turn over the properties to the City, and the City would have to accept the properties.

Mr. Deubel stated that he understands that the City doesn’t want the properties at this point because they still require so much work to bring them up to the City standards. Mr. Ken Curtis, of the City of Rio Rancho, stated that the association has approached the City about taking over these areas, however, the City is also named in litigation and because of that, everything is on hold. Mr. Blackburn stated that there are a number of lawsuits filed by some of the homeowners against the Association on mis-use of office, fraud, and other charges. The charges against the City result from the homeowners feeling that they are not getting what they pay for. Mr. Curtis stated that the City had been willing to take the areas and do the limited maintenance, but because of the litigation, the City halted all efforts.

Mr. Yarbrough stated that SSCAFCA sets aside $50,000.00 each year in matching governmental assistance funds, which means that the City of Rio Rancho would have to match the amount SSCAFCA donates for any project. Mr. Metzgar stated that the City comes to SSCAFCA to ask for the matching funds. SSCAFCA does not tell the City which projects it should do with the matching funds. Mr. Stoliker stated that the City still has $10,000.00 remaining in its account for the fiscal year. Mr. Blackburn stated that the Association takes in a $500,000.00 dollars a year. If every homeowner would pay, that number would be around $800,000.00. The landscapers alone are currently $300,000.00. There is another $150,000.00 in miscellaneous costs related to property management. Every month, the Association is either in the black or red by ten to fifteen thousand dollars. Mr. Yarbrough stated that SSCAFCA’s total O & M cost is budgeted at $300,000.00.

Mr. Metzgar advised SSCAFCA not to provide any funds directly to a neighborhood association that owns the property privately. If the City eventually takes over the areas in public ownership, SSCAFCA can then, through its $50,000.00 matching fund, contribute to what the City may ask for in getting the project done.
Mr. Blackburn thanked the Board for allowing him to make his presentation.

b. Report on the Harvey Jones Channel Structural Investigation.

Mr. Stoliker stated several months ago, staff brought an issue to the Board regarding the development of the proposed northwest sector in Corrales potentially increasing the traffic on the roads next to the Harvey Jones Channel. Staff was concerned about the traffic effects on the channel structure. At that meeting, the Board approved an investigation of the structural integrity of the Channel. Mr. Howard Stone stated that they studied the Harvey Jones Channel and a portion of the Dulcellina Curtis Channel. In 1994, there was an MOU between the Village of Corrales and CWD, which appears to have transferred the rights-of-way from CWD to the Village. SSCAFCA appears to have retained an easement on the roads, but the Village of Corrales owns the roads. They did a combination study of looking at the channel's structural integrity and the roadways for safety issues. He brought with him David Beam, the structural engineer, and Kurt Thorson, who did the traffic and roadway portion.

Mr. Stoliker stated that SSCAFCA is paying for this study to protect SSCAFCA's structures. If the traffic on the roadways harmed the structures, SSCAFCA must take the necessary steps to protect the channels from harm. Also, SSCAFCA has an agreement with NRCS to maintain and protect the Harvey Jones and Dulcelina Curtis Channels.

Mr. Stone stated that through the Northwest Sector Plan, the Village has plans to open up some property to development, which could cause increased traffic on the roads adjacent to the Channel. Mr. David Beam, stated that he is the structural engineer, and that the Channel is a rectangular channel with vertical walls and a flat concrete slab and is built of reinforced concrete. The height of the walls vary from 8’9" to 12’4" along the length of the channel. The limits of his study were from the inlet of the Harvey Jones Channel to Corrales Road. He did not evaluate the Dulcelina Curtis Channel, however, his opinion is that because the designer was the same for both, what he has discovered for the Harvey Jones Channel is most likely the same for the Dulcelina Curtis Channel. He stated that the width at the bottom of the channel varies from 35’ to 40’. The thickness of the walls varies from 10” to 16”.

Mr. Beam stated that his charge was to determine whether the channel is adequate to support highway loads. The highway load is a minimum criteria and is probably a conservative approach to take. He used AASHTO criteria. He applied the current AASHTO code to the different portions of the channel. He then had to make some assumptions as to what the properties of the soil, the concrete and the reinforcing bars were, because he didn’t
have all of the data available. He made some conservative assumptions on the weight of the soil behind the wall and supported by the vertical channel wall. He then applied AASHTO criteria for the surcharge that represents highway loading. If vehicles are within so many feet of a retaining wall, a surcharge load needs to be placed onto the wall that is equivalent to two feet of fill. The wall has to bear the burden of carrying the soil behind the wall, as well as an imaginary two feet additional fill. He proceeded with his analysis in assuming that the traffic can come right up to the structure. In addition to the weight of the soil that represents the vehicles traveling next to the channel, AASHTO also states that you need to make sure that the structure can resist the force of a truck hitting the wall. That would be traffic impact load equal to 10,000 pounds force divided over a five-foot width of the channel.

Mr. Beam stated that, given the above, he has three components of load that he needs to apply. Those are, the soil load, the surcharge load, and the impact load. In his analysis, he made some assumptions on the strength of the materials. He has assessed a 4,000-psi concrete, which is standard practice for NRCS. He has a reinforcing strength of 40,000 psi on the bars, which is also standard for NRCS. However, at the time the channel was built, it would be uncommon for the contractor to obtain 40,000 psi/bars. The reinforced steel that most likely would have been provided for this project is a 60,000-psi bar, which would make his analysis conservative. This means that there will be more strength to the channel than what he has discovered. He looked at the different parameters of strength, which include the flexural strength, the sheer strength, and the flexibility of the channel. Saturated soil will burden the channel much more than just moist soil.

Mr. Beam stated that when he did his investigation, he had the construction plans and the reinforcing schedule. He found that the channel has, in all cases, adequate strength to resist the loads prescribed by AASHTO, including saturated soil and the impact loads. He tested for an impact load at a wall joint and the channel still held up very well. His analysis shows that there is at least enough capacity to support highway loads.

The channel joints are at regular intervals and are unreinforced and he recommends that those be observed from time to time to make sure that the joints don’t start to fail. Mr. Yarbrough stated that SSCAFCA is charged with checking the channel once a year for O & M matters. There are not currently any separators between the road and the wall. From a structural perspective, you do not need any separators. The channel is sound as it sits. There are no restrictions from a structural perspective.

The Board was satisfied with the structural presentation.
Mr. Kurt Thorson, stated that his charge was to look at the situation from a transportation standpoint. As part of the Northwest Sector Plan, there are four potential access points being considered by the Village. SSCAFCA is mostly concerned about access points C and D. Access point C is roughly halfway up the reach of the Dulceelina Curtis; access point D is at the western boundary of the Harvey Jones Channel. These two points are identified in the Northwest Sector Plan as potential access points to cross the channels and utilize the access roads that parallel the channels on both sides. Assuming the Northwest Sector Plan is approved and that development does begin to occur and either or both of the access points are approved, there could be some significant increase in traffic on the roads by the channels. If the access points are approved, the Village would most likely be looking at upgrading these roads from dirt roads to paved roads.

His study included making sure that if the facilities are upgraded, that they are located such that the channel walls do not impair the traffic in that someone tries to hold SSCAFCA liable for any traffic accident. The other aspect he looked at was, if, in the event an accident was to occur on the upgraded facilities, he wanted to look at the channel in relation to the roadway to make certain that the channel itself will not worsen the situation in any way.

He looked at the Northwest Sector Plan and assumed that most of the commercial use would access onto 528. The residential development was determined to result in roughly 2,400 vehicle trips per day that could be generated by the development. The worst case would be that only three access points are approved. This would result in roughly a third of the traffic coming down these roads, which would be roughly 800 vehicle trips per day. The type of facility to be developed would be a collector road, which is two lanes. Minimum standards for a collector road are 12' per lane. The code does make some provision for two 10' lanes, but it is not recommended. There are two ways the road can be constructed, one is urban, which includes a curb and gutter. The resulting width is about 32' which comes into play when you measure relative to the channel wall where the road will sit. In a rural type facility, you would want to have two 12' lanes, a 4' shoulder on either side and an additional 2' offset in the event that you had a hazard or an obstruction of any type outside of the shoulder. The rural section would come up to about 34'.

He then looked at the existing right-of-way limits adjacent to the channels. These types of facility can easily be constructed within all of the reaches, with one exception. The area where it would not be possible is just east of the Corrales Main Canal on the southmost side of the Harvey Jones Channel. They did not conduct a survey of any type to verify, but based on the right-of-way maps available, and field inspection, it appears that there is approximately 25' and, at the most 30', available from the existing channel face to the property line.
The second area they looked at is what happens outside of the roadway. If you have a rural section, the code recommends 10 feet outside of the driving lane be clear of obstructions or hazards. If you have a curb section, that amount can be reduced to 1.5 feet. At the point of the overflow spillway, right now, the existing wall is only elevated above the roadway probably about 12" to 18". There is a segment through the curve where a guardrail has previously been installed. Right now, if a vehicle left the driving surface, it is possible they could overtop the wall and get into the channel. The report recommends that the guardrail be extended approximately 1,000 feet to the west.

Mr. Thorson stated that the right be reserved to evaluate raising the Corrales Bridge over the Harvey Jones Channel due to the capacity constraint at that location. He stated that the report states that SCAFCA should also reserve the right to review any of the improvements proposed by the Village, which would include the roadways themselves, the bridge crossings and drainage flows. They also recommend that some pedestrian type fencing be installed at the far west end. They recommend that the joints continue to be inspected on a yearly basis. They also recommend that if the roadways are expanded, that the right-of-way be acquired by other parties to accommodate the roadways. Another recommendation is that horizontal sight distance be maintained on the roadways parallel to the channel. The driving lanes would need to be located a minimum of six feet from the face of the channel wall to comply with this recommendation. Any of the new roads that are constructed should maintain positive crossflow drainage. Drainage on the roadway itself should flow away from the channel. They would like to see 12' wide driving lanes on these facilities.

Mr. Stoliker stated that he would like the Board to approve the report, direct staff to install the guard rail or fill in the notch, allow staff to transmit the report to the Village of Corrales, and to make sure proper procedures in place to maintain the joints in the walls. Mr. Beam stated that the way the joints are built in the first place is different from the procedure to repair them. The material they put in is a preformed material and the concrete is poured next to it. When it starts to get pulled out, you have to go back in with a two component material to replace it to re-establish the integrity of the joint. They want to make sure that SCAFCA knows the good techniques on how to repair the joints. Mr. Stoliker would like to leave this task order open and when the Village comes in with their plans and designs, SCAFCA could then have these gentlemen check them to make sure that they have completed everything the way it should be done.

Mr. Jim Service stated that the Northwest Sector Plan has been approved and that the Village is trying to go through all the mechanisms necessary to impose impact fees for the
development. That is causing a huge quagmire in the approval process. If you don’t get a developer who can get some parties to agree to replat and get a larger piece, you wind up with little roads in every tract. The Village is hoping to get the two developers instrumental in this area to form an agreement with all of the property owners to have maybe two large developments so a better development plan can be brought to SCAFCA. Mr. Stoliker stated that by approving the report, it is in no way approving the crossings as pointed out earlier. The crossings are contained in the Northwest Sector Plan as potential crossings.

A motion was made by Mark Conkling to accept the report as presented. It was seconded by Guy McDowell and passed unanimously.

Mr. Stoliker will include language that SCAFCA reserves the right to approve or deny crossings and improvements along the channel. Mr. Deubel stated that he is concerned about potential liability to SCAFCA with regard to any crossing. He also questions the need for any crossing on any of these channels.

A motion was made by Mark Conkling to retain the task order for future assistance. It was seconded by Dub Yarbrough and passed unanimously.

Mr. Yarbrough stated that he thought SCAFCA had been released from reporting duties to the NRCS. Mr. Stoliker stated that any alteration to the structure must have NRCS approval. The guardrail would not need approval, but the filling in of the notch would need to be approved. Mr. Stone stated that it might take a couple of months to get approval from the NRCS. Mr. Stoliker stated that he would find out the answer and work with the Executive Committee to take care of the guardrail or fill in the notch fill.

A motion was made by Mark Conkling to turn the report over to the Village of Corrales. It was seconded by John Chaney and passed unanimously.

c. Action/Approval for Authorization to Give “30 Day Notice of Public Hearing” for the Adoption of a Retiree Health Care Resolution.

Mr. Chaney stated that the Executive Committee studied this. It is a perk for the existing employees to allow them to extend their health care coverage. After discussing it with the employees, it was decided that it would not benefit any of them at this time. The only possible reason to take this up and to look at it would be to add another benefit for future employees. The Executive Committee determined that, at this time, it is not necessary to do this.
A motion was made by John Chaney to table this matter. It was seconded by Richard Deubel and passed unanimously.

FOR BOARD INFORMATION:

g. FY 2003 Preliminary Budget.

Mr. Stoliker stated that there is a Preliminary Budget contained in the Board’s packets. Mr. Baird stated that SSCAFCA has until June 1, 2002 by statute, to submit the budget to the DFA. Mr. Yarbrough stated that he is wondering what happened on the property adjacent to the 19th Street Pond. Mr. Foglesong stated that the title company has sent over a title binder, but Pam McGrath has not had time to do the work on it yet.

Mr. Yarbrough stated that he has questions on the costs for the Tulip Road Dam for $83,000 and the Los Montoyas Arroyo Dam Site for $283,475. He would like to discuss the priorities for the projects.

a. Copy of the Final Resolution of Standing Executive Committee.

Mr. Stoliker stated that this is contained in the Board’s packets.

b. Task Order 2002-3 BHI, for Additional Work in Support of the READS Program.

Mr. Stoliker stated that this is contained in the Board’s packets.


Mr. Stoliker stated that this is contained in the Board’s packets and will be signed by staff unless the Board expresses some concerns.


Mr. Stoliker stated that this is contained in the Board’s packets.

e. Advertisement and Position Description for Field Operation Supervisor.

Mr. Stoliker stated that this is contained in the Board’s packets.
BOARD OF DIRECTORS REGULAR MEETING

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f. Letters Referencing the Venada Arroyo and Harvey Jones Channel Ongoing Operation and Maintenance.

Mr. Stoliker stated that these are contained in the Board’s packets.

h. Executive Committee Meeting Minutes.

Mr. Stoliker stated that this is contained in the Board’s packets.

i. Letter from Michael Foster, of Sandoval County, Regarding Sand Removal from Various SSCAFCA Project Sites.

Mr. Stoliker stated that this is contained in the Board’s packets.

OTHER BUSINESS.

None.

ADJOURNMENT.

A motion was made by Mark Conkling and seconded by John Chaney to adjourn the meeting. It was carried unanimously. Meeting adjourned at 4:22 p.m.

WM. C. YARBROUGH
Chairman

RICHARD DEUBEL
Secretary

DATE APPROVED: 16 APR 02

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