

**Minutes**  
**Airport Advisory Board**  
**April 7, 2017**

On this 7<sup>th</sup> day of April, 2017, at 3:00 p.m., the Airport Advisory Board of the City of Devine convened in a meeting, and the following members thereof, being present:

Vickie Pumphrey, Airport Manager  
C.E. (Curly) Brehm, Chairman  
Bill Bain, Vice-Chairman  
Hap Squires  
Greg Coyne  
Tony Crosby

Absent being, Board Member Glen Dale Estep; thus, constituting a quorum.

Personnel present: William L. Herring, Mayor; Dora V. Rodriguez, Interim City Administrator/City Secretary; Denise Duffy, City Accountant; Tom Cate, City Attorney; and Ismael Carrillo, Director of Public Works; and Ofilia Pedroza, UB Clerk.

Others present: Chris Yanta, David Ehlinger, Jose Munoz, and Eldora Brehm.

Chairman C.E. (Curly) Brehm called the meeting to order.

The first order of business was to discuss and consider adding a "Visitor/Citizens Forum" as an agenda item to the Airport Advisory Board agendas.

The Board held discussion on adding this item to the agendas.

Interim City Administrator/City Secretary informed the Board that City Council has a policy of being able to speak up to five minutes and she also told the Board if they want to adopt a policy like the one Council has, she offered to give them a copy.

Motion by Board Member Hap Squires, seconded by Airport Manager Vickie Pumphrey to approve adding a "Visitor/Citizens Forum" as an agenda item to the Airport Advisory Board agendas, and to adopt the policy that the Council has.

Ayes	--	Five
Nays	--	Nays
Absent	--	One – Board Member Glen Dale Estep

Motion carried.

The second order of business was to discuss and consider approval of minutes for January 24, 2017.

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The Board reviewed the minutes.

Motion by Board Member Greg Coyne, seconded by Board Member Hap Squires to approve the minutes for January 24, 2017 as read.

Ayes	--	Five
Nays	--	Nays
Absent	--	One – Board Member Glen Dale Estep

Motion carried.

The third order of business was to discuss and consider the sale of Hangar #3 at Devine Airport.

Board Member Greg Coyne informed the Board that Hangar #3 is for sale for aviation-related business, to Mr. Chris Yanta.

Board Member Bill Bain made a motion to approve the sale of the hangar, and C.E. (Curly) Brehm seconded the motion but was told he could not make a motion. C. E. (Curly) Brehm responded that this was not the Council and that he can second the motion, and that he can also make a motion.

City Attorney Tom Cate addressed the Chairman of the Board and said that this raises another issue. He advised the Board that they need to come up with some type of draft and adopt some rules and procedures because they don't have any, and under the Section of the Code of Ordinances, they need to really do that. Chairman C.E. (Curly) Brehm agreed that they do not have any procedures, and stated they've been following the Roberts Rules of Order very loosely for many years.

City Attorney Tom Cate told the Board that one of the reasons he is bringing this up is because there seems to be more interest in the Airport now than there ever has been. He suggested that they need to adopt formal rules and procedures and then follow them. The Board held discussion on putting this on the next agenda.

Motion by Board Member Bill Bain, seconded by Board Member Hap Squires to approve the sale of Hangar #3 at Devine Airport.

Ayes	--	Five
Nays	--	Nays
Absent	--	One – Board Member Glen Dale Estep

Motion carried.

The fourth order of business was to discuss and consider Aviation Fuels, Inc. at Devine Airport.

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Mr. David Ehlinger addressed the Board and said his appeal towards each and every one is wanting to know what has happened with Aviation Fuels, Inc.? He told the Board that if you take a tour out at the Airport today, you can see separate businesses and individuals and renters out there storing their own five gallon drums of aviation fuel either in their hangars or truck beds. He said people are still having to go to other airports to get fuel.

Mr. Ehlinger referred to previous council meetings and made reference to various discussions that were carried about making this (fuel at the airport) happen, letters of intentions, improvements on paving of the runway and taxiway, discussions with Megan from TxDOT; motions were made by city council. He said recently he got all excited when he saw our Interim City Administrator/City Secretary Dora V. Rodriguez and City Engineer Raul Garcia and others at the airport doing a survey of the ramp area and talking to him. He said he is not hesitating; he's ready to do some things out there and get the fuel going. He has the place all cleaned up and ready to put concrete on the ground to get ready for the fuel tanks; he just needs to do some dirt movement.

City Attorney Tom Cate said he wanted to address that issue. He said that, in general, he agrees with what David Ehlinger is saying. He told the Board that the City Council is enthusiastic about having fuel for sale out at the Airport based upon what everyone has told us; it will make the airport more feasible. He explained that the City was under the impression that the \$600,000 grant that we've gotten from TxDOT would include, in the scope of work, a location for the fuel farm, and so that is the way the City proceeded. He said the City has been in touch with Megan on that issue and so has David, several times. He then told the Board that the City received an email from Megan where she's saying not to put her as the point of contact for this fuel farm; pretty much saying that it is the City's problem, not hers, and it's not really within the scope of work that you're going to get your grant for.

According to City Attorney Tom Cate, that is the reason City Engineer Raul Garcia was out at the airport along with city staff because Megan is telling us that if we're going to have pavement to the fuel farm, we're going to have to do it ourselves; the City is going to have to pay for that. He said Mr. Garcia came up with a cost estimate of about \$35,000 to pave the taxiway over to the fuel farm.

City Attorney Tom Cate told the Board that Mr. Ehlinger is right in that he presented a contract to the City, but we were waiting for TxDOT to tell us where they think is the most feasible area where the fuel farm would be. He told the Board that since they are the Airport Advisory Committee, they are more knowledgeable about the fuel, and so he asked them to put in their two cents in, and help out the City on this.

City Attorney Tom Cate told the Board that we had contacted Megan early in the beginning of this year, and he wanted to share some comments from Megan. He handed copies of Megan's email to the Board for review. He then handed them the last email we received from Megan in which she basically says that the taxiway is up to the City, and is not within the scope of the \$600,000 grant. The Board reviewed the email.

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City Attorney Tom Cate added that one of the things that the City is going to strive for at the Airport is safety; we want to make sure that this thing is done correctly. The Board agreed on this because, they said, gasoline is very dangerous. Mr. Cate told the Board that he didn't expect them to read everything in the contract and make comments today but told them that, on behalf of the City, he would appreciate for the Advisory Board to look at the contract and offer any suggestions that they might have regarding fuel at the Airport. The Board then inquired as to who had prepared the contract. When David Ehlinger told them that he had done the contract, they inquired if he had legal assistance with it, and he said he had.

City Attorney Tom Cate passed out another handout to the Board and said this was basically his thoughts on safety issue, and told the Board that as owners and pilots, they probably have other ideas to add to this too. The Board reviewed the handout. Mr. Cate added that he thinks the biggest problem we have is that we're just not moving fast enough for David.

Chairman C.E. (Curly) Brehm commented that the City of Devine will also be making money off of this, and we need to move ahead on this. He said he's been pushing this for over ten years.

Board Member Hap Squires inquired if we were assuming that the \$35,000 was going to be part of the \$600,000 grant for airport improvements. City Attorney Tom Cate responded, yes, to that. Mr. Squires then inquired if it was possible to amend the grant to include that amount.

City Attorney Tom Cate directed the Board to the last handout from Megan at TxDOT Aviation which stated, "The scoping engineer in our office is still working on the scope and estimate for the airport project. I'm estimating that the time frame for the airport engineer to be selected for the project could be in three to six months." City Attorney Tom Cate told the Board that we haven't received anything from them on the scope of the project yet; they're still trying to find an engineer.

Board Member Hap Squires commented that she still hasn't necessarily said that it's still not in the scope.

City Attorney Tom Cate reviewed Megan's email further which read, "It might be helpful for the City to have an airport engineer on board to help with fuel farm placement and other items providing aviation outlook to the project, but isn't necessary to have an airport engineer in place before proceeding with the fuel farm request. This decision is at the sole discretion of the City. Tom explained that this is why the City had our engineer go out there. He added that the City wants to move forward with it, and he told Board Member Hap Squires that we think it's not going to be within the scope of the \$600,000 grant.

Board Member Hap Squires inquired that if they still haven't quite defined it, if it is because we didn't include this in our initial proposal. City Attorney Tom Cate said he doesn't think that is it. He said he feels that based on our conversations with Megan; we've been led to think that it is not going to be covered.

Board Members and David Ehlinger held brief discussion on this being a major stumbling block for the fuel farm. David Ehlinger commented that it makes no sense that someone is going to risk their aircraft coming on to an unimproved surface.

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Chairman C.E. (Curly) Brehm spoke about trying to do a prime professional job on that taxiway, and inquired if there was a less expensive way to do something to the taxiway temporarily, like oil it or put asphalt, just to get David started. He mentioned the problem with propellers is that they suck up FOD, foreign object damage, and it can get every expensive to repair these propellers. City Attorney Tom Cate added that this is why we are here. He told the Board that we need to get in touch with our engineer and the airport advisory will need to give us their input if they think that's a possibility.

Mayor Herring addressed the Board and explained that when you start a project, that automatically kills you taking grant money. Chairman C.E. (Curly) Brehm said he was talking about starting and finishing; oiling and walking away, and using the taxiway until such time as it can be improved. Mayor Herring told Curly that you can't get grant money to pay for the oiling. He explained that you can't do work and then get a grant to pay for the oiling or whatever was done. In other words, the grant money will not reimburse you for what you've already spent. He explained that the City learned this in trying to build a sports complex. Chairman C.E. (Curly) Brehm said he understood and said he just wants to do something so they can get utilization of the ramp.

David Ehlinger held discussion with the Board regarding TxDOT. He commented that if the scope of the work has not been lent to contract, then it's still negotiable. He inquired if we can still go back to TxDOT and ask them to add this to that. He said he is okay with the three to six months waiting period; he'll just have to wait a little longer.

Interim City Administrator/City Secretary Dora V. Rodriguez and City Attorney Tom Cate both informed the Board that we do not know. City Attorney Tom Cate said it will be three to six months before they hire an engineer.

David Ehlinger said that his appeal to the Airport Advisory Board today is at least to get a minimum of understanding; clearly stating that the taxiway from the runway to the ramp area will be pursued to be completed during the scope of the work in the contract.

Discussion was held by Chairman C.E. (Curly) Brehm and Board Member Bill Bain. David Ehlinger was told that he cannot be given that, but an effort can be made. David said all he means is for the push to continue.

Motion by Board Member Bill Bain, seconded by Board Member Greg Coyne to recommend that the City continue their efforts to work with TxDOT to determine whether the taxiway can be included in the scope of the project, and to inform the Board once they hear something about it.

Ayes	--	Five
Nays	--	Nays
Absent	--	One – Board Member Glen Dale Estep

Motion carried.

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Discussion was held by the Board after the motion by Board Member Bill Bain who stated that no one is against anything. He stated that in respect to the City entering into a contract which they did not prepare, he just hoped that the contract may have had more, but told David Ehlinger that it was a good foundation start. David Ehlinger said he and City Attorney Tom Cate both looked at it.

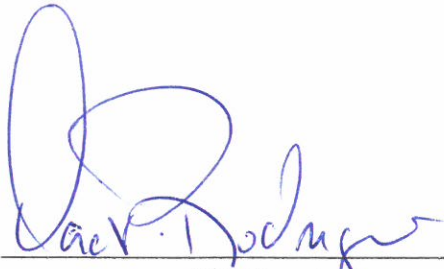
City Attorney Tom Cate added that the City wants to push forward with this; the Council has already voted to have fuel at the airport.

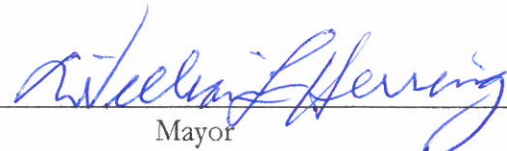
Brief discussion was held on three-wheelers on the ramp, but according to Airport Manager Vickie Pumphrey, she already addressed the owners and they've already been told they are not allowed to do this. The problem was taken care of.

There being no further business to come before the Board, motion was made by Board Member Tony Crosby, seconded by Airport Manager Vickie Pumphrey to adjourn the meeting.

Ayes	--	Five
Nays	--	Nays
Absent	--	One – Board Member Glen Dale Estep

Motion carried.

  
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City Secretary

  
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Mayor

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Airport Manager