



The Dispute Resolution Board Foundation

Fostering common-sense dispute resolution worldwide

Summary Minutes of the DRBF Board of Directors Meeting Friday, February 10, 2006 by Conference Call

The following Board of Directors members participated in the Board of Directors meeting by conference call: Romano Allione (V), Peter Chapman, James Donaldson (V), Peter M. Douglass (V), William W. Edgerton (V), Harold V. McKittrick (V), John W. Nichols (V), John C. Norton (V), Gwyn Owen (V); (V), and Robert A. Rubin (V). Kerry Lawrence, Ann McGough and Steve Fox participated by invitation.

The following BOD members were unable to participate: Armando Araujo, Bernard Becq, William B. Baker, Jack L. Feller, Gordon L. Jaynes, Daniel F. Meyer, Marianne Ramey, Brison S. Shipley, Robert J. Smith and Jack J. Woolf.

Note: (V) represents voting Board members.

Announcements

DRBF President Harold McKittrick began the meeting with a few announcements. A new director, Bernard Becq, has been appointed to replace outgoing voting member Brison Shipley, whose term expired in October. Mr. Becq is with the World Bank, and is enthusiastic about the DRB concept. Former World Bank representative Armando Araujo stays on until his term expires in October 2006.

Financial Report and 2006 Budget

Jim Donaldson reported that he and Steve Fox will meet in the coming week with the accounting firm to review the current reporting process and identify opportunities to streamline the process, in an effort to produce reports more quickly.

DRBF President Hal McKittrick proposed an addition to the budget for International Chapter assistance in the amount of \$2000, with a goal of increasing to the requested \$5000 next year.

Regional Representatives

John Nichols reported that he has sent a letter to the regional reps in all 11 regions detailing expectations and terms of reference and requesting a signed commitment. He noted that they were all returned, which was a positive step. He then sent a detailed list of all members within a region, asking the regional representatives to send each member in their region an email requesting information about owners using or considering DRBs. He also requested a list of existing DRBs in their region that they know about, and the list of members (who will be solicited for membership if they aren't already members).

Pete Douglass asked how we can best handle Canada, as they are basically following the US model and are quite enthusiastic about the DRB process. The committee is open to suggestions for that country. President Hal McKittrick asked Jim Donaldson and Pete Douglass to collaborate with John Nichols on how to best handle Canada. It was further suggested that they consider appointing two reps because of the large size of the country.



The Dispute Resolution Board Foundation

Fostering common-sense dispute resolution worldwide

Disclaimer Language for Website

Prior to the meeting, Bob Smith prepared and circulated new disclaimer language to include on the Member Resume Database page of the DRBF website. After some discussion, the revised wording was approved to be added to the website.

Vietnam - Appointing Authority

DRBF President Hal McKittrick reviewed a proposal from Viet Nam requesting an appointing authority from the DRBF, which had been circulated to the Board prior to the meeting. Peter Chapman urged the board to expand the discussion beyond Viet Nam to consider setting a policy for how to handle requests to appoint DRB members in other countries as well. He noted that if the DRBF doesn't establish a policy, it runs the risk of losing prominence as the DRB authority. He suggested considering a panel that matches the right skills with the right DRB, and the establishment of reasonable fees to cover the oversight required to properly manage the program.

Gwyn Owen agreed with Peter's assessment of the situation and supports the need to offer the program for a fee, and the need for close supervision of the pool of candidates (minimum training requirements, etc.). He stated such a program covers a lot of ground that the Foundation does not currently have provisions for.

Bob Rubin stated this is something he has cautioned against for a long time. He suggested it should be deferred until the DRBF is in a financial condition capable of handling such a challenge.

Peter Chapman mentioned it would be a slow ramp up, and also emphasized the requirement of being a member of the Foundation, which guarantees a certain level of membership for the Foundation. Jack Norton expressed his support that if we are going to be in the international arena, it is probably something that needs to be done.

Gwyn Owen proposed creating a policy summarizing the approach for the Board to consider. Jack Norton suggested having a breakout session at the next Annual Meeting with Peter Chapman and Bob Rubin serving as moderators to flesh out the pros and cons and an appropriate path forward.

John Nichols mentioned that Hawaii has a group that appoints board members and it has stopped the DRBF from gaining a foothold in that area.

Hal McKittrick proposed that the DRBF agree to Viet Nam country representative's request, and name a "DRBF Appointing Authority" with the DRBF president assuming that role. In fact there will be an interim committee consisting of McKittrick, Rubin, Chapman and Owen to handle any requests for appointments that come in. Further, the DRBF won't promote the "appointing authority" program at this time, but won't refuse opportunities either. Meanwhile a long term policy will be developed. Gwyn Owen agreed to draft a policy document for BOD review.



The Dispute Resolution Board Foundation

Fostering common-sense dispute resolution worldwide

International Issues

Gwyn Owen reported that on Thursday, Feb. 9, the DRBF was represented by DRBF members Geoffrey Smith and Jim Perry at a National Association of Public Works Contractors meeting in Paris. The title of the presentation was “The Rise of Dispute Boards in 21st Century International Construction Projects,” and was co-sponsored by ICE and PS Consulting. France has been a difficult market so it is considered to be a positive step.

Training and Continuing Education

An overview of the status of training programs for the international market was discussed as a prelude to an expanded discussion planned for the face to face meeting in Chicago and again in Orlando in the fall.

It has been proposed that a committee be put together to evaluate the process for international training programs. So far, training is done by various groups and not in a consolidated effort. The material needs to be copyrighted to the DRBF, and put in a format that can be used anywhere in the world by DRBF approved trainers. The committee has been formed but has not met or been given any direction from the Board. The U.S. training is working well and provides a revenue stream. The same needs to be developed for the international market but it will require a different model that will be effective for that audience. The course should also be available within the US for those seeking international appointments. A two day model is probably required.

President Hal McKittrick reminded the Board of the new CV policy which requires training and continuing education, and the new commitment as appointing authority for DRBs in Viet Nam. These efforts require that we move forward and make headway in our international training. Marianne Ramey is serving on and is to liaise with both committees to ensure the wheel is not reinvented. Hal encouraged Committee Chair Gwyn Owen to get the committee functioning and to add any members he feels are needed.

The meeting concluded at 1:00pm EST. The next meeting is scheduled for Friday, March 24, 2006 at 12 noon EST.

Meeting Minutes submitted by Ann McGough.