

Minutes of the Executive Committee Meeting of the DRBF Executive Board of Directors January 16, 2009

A meeting of the Executive Committee of the DRBF Executive Board of Directors was held by conference call on January 16, 2009 with the following participants: Romano Allione, James Brady, Jim Donaldson, Volker Jurowich, Jack Norton, and Gwyn Owen. Kerry Lawrence, Steve Fox and Ann McGough participated by invitation.

Financial Report

Prior to the meeting, the budget and financial report were distributed to all Board members. Treasurer Jim Donaldson asked the Executive Board to approve the budget as presented for 2009, noting there are still some formatting issues that are scheduled to be implemented by the first of February. Gwyn Owen asked if the budget includes input from Regions 1 and 2, and Jim confirmed that it did, noting that the vote for the budget includes both regions' budgets. Jim assured the Board that if the formatting changes caused any difference to the figures, then the Board would have a chance to review and vote again on any changes. A motion to approve the budget was made by Jim Donaldson, seconded by Jim Brady, and passed unanimously.

Steve Fox reported that the budget at the end of 2008 was \$206,831, allowing the Foundation to put \$107,000 into reserves, more than previously anticipated. He said the difference came mostly from the operations budget; and noted as an example the DRBF has saved \$3,000 already this year in phone calls with the move to Skype for conference calls. He reminded the Board that the budget for Region 2 is speculative, and noted that next year it will be easier to project anticipated revenue and expenses.

Membership

A membership comparison report was distributed prior to meeting. Steve Fox reported that figures are down slightly from last year (about 5 members), and the 'sustaining' members category is down slightly. He did say that for January, renewals are looking strong, currently 82 compared to last year's 65. He noted there are no workshops on the schedule, which usually drives new membership. He also said that in January the Foundation typically hits the 70% mark for annual memberships, and that he will be sending a 2nd round of renewal invoices by the end of the month.

Infrastructure

Jim Brady discussed his recent notes distributed to the Board, including his upcoming President's Letter for the Forum. In it, he raises the issue of a potential increase in infrastructure projects and thus an increase in the demand for Dispute Boards. He asked the Board for their feedback about the potential growth of the process. Gwyn Owen said that he sees a significant upsurge on the International side, and so he agrees completely with the premise. Volker Jurowich noted he agrees with an increase in the use of DBs, but said he is not sure about an increase in the investment in infrastructure which remains to be seen. He said he has heard some rumors of contracts and projects being cancelled, so he feels it is hard to predict at this time. Jack Norton said that he feels if the Federal infrastructure funding plan comes through as proposed, it could increase significantly the number of DRBs in the U.S. Steve Fox pointed out that if that is the case, it will drive the need for more training.

Jim Brady raised the issue of wanting members to identify opportunities to speak at conferences and meetings about the DRB process, and said he has asked Jack Woolf to chair a committee to identify

and track opportunities. (Jim Brady noted he will decide on a title for the committee by Monday.) Ann McGough asked about whether this is just a Region 1 effort or both regions, noting it might best be funneled through the Country Reps and Regional Reps. Volker mentioned there is a lot of training interest in Turkey, and Romania. Gwyn remarked that there is some organized training with ICC currently planned for Thailand, and there is an effort to move into Singapore and Malaysia, because there would be virtually no expenses and it may result in a large exposure in Southeast Asia.

Conferences

Region 2: – Ann McGough reported on the updated agenda for the International Conference. Gwyn Owen said he received an announcement notice through the Royal Institute of British Architects (RIBA), and noted he had not received anything from the Institute of Civil Engineers (ICE) but knows John Hawkins at ICE would assist in getting the word out to their members. Ann agreed to follow up with him.

Jim Brady asked the Board to comment on Kurt Dettman's recent inquiry about the Chartered Institute of Arbitrators in the US. Gwyn stated he believes they have an alliance with Peter Merrill for training, but noted that he thinks that group may be a good place for the DRBF to provide speakers at their meetings and conferences.

Region 1: – Jack Norton gave an overview of the draft agenda, noting some speakers have been secured. There was some discussion of approaching someone from the Panama project to speak about DRBs in Panama. Ann McGough agreed to give Romano Allione a one page flyer or letter to take to them, which could be followed with a formal letter inviting the senior program administrator to speak at the conference.

Workshops/Training

Committee Chair Kerry Lawrence reported there is not much demand right now for training workshops, noting government agencies are at standstill right now. He has a proposal in to Colorado DOT, and they have expressed that they want to do it but they are struggling to come up with the money for it. Kerry reported he is working on training workshops for the Houston conference. He has a lead on some training out of Florida, and they are willing to travel (maybe even to Houston). Jack Norton noted there are probably only 10 or 12 people in Florida who will need training this year. Jim Brady asked about the 'Refresher' training program, which Kerry noted is available and has been offered once or twice before. He said he has an updated version of the PPT presentation that Ann had previously distributed to the Board, and he will send it to Ann for distribution to the Board. Jack Norton noted there is a possible training opportunity in Omaha, and said he would send the lead to Kerry. Gwyn Owen reported on some activity at the university level in the UK, noting there is Dispute Board training included in the curriculum of the international law program at the universities of Swansea in south Wales and at Reading and Loughborough in the north of England. He explained that many top people from outside the UK who work in government infrastructure departments go to such UK Universities for one year of construction management and disputes training, and they then go back to their home country and normally run their departments such as the roads programs. To get our DRBF name into these programs would be a good way of spreading the word at grass roots level about the Foundation and its work.

President's List

Jim Brady reported that the committee has reviewed all of the requests that have been submitted. A letter was sent to all of the people on the list last year, and everyone who has replied has asked to stay on the list. Steve Fox stated he will copy Jim Brady weekly on any new letters that come in to the Seattle office.

Bylaws

Jim Brady noted there has been a lot of discussion going on back and forth by email, and asked Kerry Lawrence if it would be possible to keep the exchange going and have a proposal made prior to the next meeting so that the Board can vote on it at the Feb. 20 meeting. Kerry agreed that could be done, noting he is trying to keep it loose enough for local laws to be addressed. Romano Allione noted three documents are needed: bylaws for the Executive BOD and agreements with Regions 1 and 2. It was noted that the physical location of the worldwide DRBF and Region 1 can be the same, but the corporation and finances will be separate. Kerry said he will use the ICC documents as a template, which will result in multiple corporations. The document will be distributed at least one week before next meeting, so the Board can review and be prepared to vote on it at the next meeting.

Other Business

There was some discussion of the need to identify the location for the 2010 International Conference so that it can be announced in London. Asia was noted as desirable, although venues typically need to be booked about two years out. Volker said that both Manila and Brazil under consideration for 2010. Ann suggested the Board should consider setting the location for the next two years, and it was agreed that the same should be done for the Region 1 conference.

The next meeting is scheduled for Friday, February 20, 2009 at 12 noon EST by Skype conference call. All participants are urged to install Skype prior to the call.

Meeting Minutes submitted by Bill Baker and Ann McGough.