



# **The Dispute Resolution Board Foundation**

Fostering common-sense dispute resolution worldwide

## **Minutes of the DRBF Board of Directors Meeting Friday, September 8, 2006**

A DRBF Board of Directors meeting was held by conference call on September 8, 2006 with the following participants: Romano Allione (V), Bernard Becq (V), Jim Donaldson (V), Peter M. Douglass (V), William W. Edgerton (V), Jack Feller (V), Harold V. McKittrick (V), John Norton (V), Gwyn Owen (V), Marianne Ramey (V), Robert A. Rubin (V), and Jack J. Woolf. Kerry Lawrence, Larry Delmore, Steve Fox, and Ann McGough participated by invitation. The following BOD members were unable to participate: Armando Araujo(V), William B. Baker(V), Peter Chapman and Gordon L. Jaynes (V) who sent their apologies, Daniel F. Meyer, and Robert J. Smith (V).

Note: (V) represents voting Board members.

### **Election Ballot and Seating of New Directors**

Steve Fox reported that so far he has received 55 ballots by email. None from the Forum mailing have been returned, but he would expect to begin receiving those next week. Several ballots have included write-in nominations. At this stage, it does look like the slate of new Board members and the Bylaw revisions will pass. The nominees are being invited to the BOD meeting preceding the Annual Meeting, although they will not be able to vote at that time.

### **Annual Meeting**

Larry Delmore stated that the agenda is set, and the main work now is on building attendance. He has been hearing positive comments about the agenda, and that the DRBF is doing a good job listening to the needs of the market. Some people have said they will be unable to attend due to personal plans, but are asking about the ability to obtain written materials following the meeting. It was noted this could be a revenue source, and Larry will coordinate with Ann McGough to discuss how to do it, package it, and promote it.

President Hal McKittrick reminded everyone of the importance of registering for the conference and of calling people and encouraging them to attend as well. He noted there will be a Florida chapter meeting the Friday afternoon before in the same hotel, so hopefully that will draw some participation.

### **Proposed DRBF 10 year plan**

Prior to the meeting, Hal McKittrick had sent a summary of the Heathrow meeting to all BOD members. Hal gave a brief review of the conclusions of the meeting and noted that the bottom line is that the current structure of the DRBF is not suitable to meet the needs in the coming years without some restructuring. He cited a few key areas of the proposed plan, which would be phased over the next 10 years.

Hal explained that the goal of the first decade of the DRBF has been to establish the DRB process. This has been done, now the Foundation needs to expand its use.



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Hal noted that the proposal does not take into account the nuts and bolts of the costs associated with the plan. The plan begins by using existing resources, but with an expansion in a few years that will require a business plan to prepare for this.

Bernard Becq stated he will be participating in a meeting in London in Nov of procurement managers for the development banks. He offered to roll out the regional board opportunities idea to the group. Gwen Owen offered to provide some background information Becq could use for his presentation.

Gwyn Owen shared some background on the Romanian plan which may pass in the coming week which would make the FIDIC model law (and also the DB option). Jim Donaldson asked Gwyn about whether it is a binding recommendation. It is a temporary binding decision, but still operated at the job site level. It was agreed that this would be a good topic of discussion for Orlando.

Pete Douglass asked about the DRBF's ability to address this demand for new DB practitioners, and Gwyn Owen agreed to provide some details on that in Orlando.

There was some discussion on the cross-pollination of U.S. members on international Boards and vice versa. It was noted that parties to the project are going to select Board members based on knowledge of the work type and the region. However, there may be opportunities that our members are interested in, and is subject is one of the topics to explore as part of the multinational training committee plans and discuss in Orlando.

President Hal McKittrick summarized the general theme of the proposal by quoting Romano Allione, "The train is moving, and whether we get on it or not is irrelevant to the train, because it's going with or without us."

## **Training the trainers**

Ralph Ellis (Fla.) and Jim Phelps (Va.) will be training with Larry Delmore in Orlando. The committee is looking for additional trainers for other parts of the country, particularly the northeast and Midwest. The long-term goal to have a better geographical spread so we don't have someone spending a whole day traveling just to give training.

## **DRBF Panel Opportunities**

Larry Delmore gave some background on the email that was sent to all members about upcoming DRB opportunities. The response has been overwhelming, and he has about 120 responses. Most were verbose about their pleasure that the Board is being pro-active in responding to their needs.

Larry confirmed that the brief bios are being sent to the owners in a "here are the names" manner, with no implied endorsement. He said that he has found many people are not computer savvy enough to go online to our website to search the database, and want to see it on nice paper in a 3 ring binder. Marianne Ramey pointed out that is not the case overseas, where there is a big movement to be "green" and reduce paper. This system would be in addition to the online database, and only for those who prefer it.



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## **Other business**

President Hal McKittrick noted the positive financial situation. Larry Delmore will be going back to Ohio for several days of training and to San Francisco for 3-6 days before the year is out.

Larry Delmore stated he anticipates receiving CLE and CEU certification by mid- to late October which should open up more opportunities. He will look into whether the certifications can be retroactive, which could be helpful to Orlando registrations since the workshops will occur at the beginning of October.

## **Next meeting – October 6, 2006 Orlando, FL**

All committee chairs are asked to make reports. The Board will also discuss venues for '07 conferences (Annual Meeting & Conference and the International Conference).

**The meeting concluded at 1:00 p.m. with a reminder that all Board members need to be promoting attendance at the upcoming conference.**

**The next meeting is scheduled for Friday, October 6, 2006 in Orlando.**

**Meeting Minutes submitted by Ann McGough.**