2001

BOARD OF GOVERNORS MEETING

Minutes of Meeting

The Grand Hyatt Hotel Washington, DC October 19 – 20, 2001
TABLE OF CONTENTS

| Call to Order                      | 1 |
| Announcement of Convention Committees | 1 |
| Roll Call                          | 2 |
| Approval of Previous Minutes       | 4 |
| Welcome from Host City             | 4 |
| Report, Recommendations, and Action on: | 4 |
| Secretary-Treasurer                | 4 |
| Executive Vice President           | 4 |
| Government Affairs Committee       | 4 |
| Marketing Committee                | 4 |
| *Electrical Contractor* Magazine   | 4 |
| Codes and Standards Committee      | 4 |
| Management Development Committee   | 4 |
| Labor Relations                    | 5 |
| Manpower Development Committee     | 5 |
| National Employees Benefit Board   | 5 |
| Electrical Contracting Foundation | 5 |
| Address by Edwin D. Hill           | 5 |
| Recognition of Fellows of the Academy of Electrical Contracting | 5 |
| Remarks by Tony Marandola          | 5 |
| Remarks by Malcolm O’Hagan         | 5 |
| Action On:                         | 5 |
| Reaffirm Standing Policy Statements| 5 |
| Ordinary Proposal #1               | 5 |
| Ordinary Proposal #2               | 6 |
| Ordinary Proposal #3               | 7 |
| Election of Member Officers        | 8 |
| Announcement of Executive Committee Selection for Vice President At Large | 8 |
| Action on Honorary Membership for President Borden | 8 |
| Briefing on National Affairs by William Cohen | 8 |
CALL TO ORDER:

Chairman Borden called the regular meeting of the Board of Governors of the National Electrical Contractors Association, Inc. to order at 8:35 a.m. October 19. Mr. Borden welcomed the members of the Board and guests. He explained that the agenda was arranged so that the Friday session would be devoted to a presentation and discussion of the reports and action thereon that would assure that the Governors would be fully informed before voting on the matters scheduled to come before the meeting. Several guest speakers were scheduled to speak including the recently elected International President of the IBEW, Ed Hill; Tony Marandola, Vice President, MCAA; Dr. Malcolm O’Hagan, President, NEMA and William Cohen, Former Secretary of Defense. Action on three Ordinary Proposals will be properly presented. Robert’s Rules of Order will govern such discussion as may be desired on these proposals.

Action on any of the proposals listed will be on the proposal itself, rather than on the comments, which may have been made regarding it.

The Constitution (Article VI, Section 3) requires that the voting shall be by ballot on elections (where there is more than one candidate), on Proposals to amend the Constitution or Bylaws, or any other matter if requested by any member of the Board of Governors. Each chapter governor has votes as provided in the Bylaws (Article II, Section 4) for members in good standing within that chapter. Effective date of these proposals shall be immediate upon passage unless otherwise indicated.

BOARD OF GOVERNORS CONVENTION COMMITTEES: Secretary Thompson announced that in accordance with the appropriate provisions of the NECA Constitution and Bylaws, the President has appointed the following committees to function at the meeting of the Board and during the Convention:

Credentials Committee
Chairman: Rex A. Ferry, Penn-Ohio Chapter
         Ron Autrey, North Florida Chapter
         James B. Stouffer, Northern Indiana Chapter
         Selma Ulrich (Secretary), Bethesda, Maryland

Tellers Committee
Chairman: J.T. Osborn, Albuquerque, New Mexico
         Ben Nest, Kennebunk, Maine
         Bill Orgill, Highlands Ranch, Colorado
         Selma Ulrich (Secretary), Bethesda, Maryland
ROLL CALL: The Secretary called the Roll, which indicated the following members of the Board were present:

EXECUTIVE COMMITTEE

President: D.R. Borden, Jr., Miami, Florida
Vice President, District 1: Gordon (Skip) Seaman, Sr., Bohemia, New York
Vice President, District 2: Ted C. Williams, Chagrin Falls, Ohio
Vice President, District 3: Charles E. Mink, Jr., Knoxville, Tennessee
Vice President, District 4: Gervase Rose, Milwaukee, Wisconsin
Vice President, District 5: William B. (Ben) Cook, Jr., Tulsa, Oklahoma
Vice President, District 6: Max N. Landon, Portland, Oregon
Vice President, District 7: Larry N. Plunkett, St. Louis, Missouri
Vice President, District 8: William G. Dale, Cheyenne, Wyoming
Vice President, District 9: C.M. (Mike) Sloan, Los Alamitos, California
Vice President, District 10: Walter T. Parkes, Victor, New York
Vice President at Large: Edward E. Witt, Sr., Jacksonville, Florida

CHAPTER AND GOVERNOR (Alphabetical by Chapter)

Alaska .................................................... James Fullford
Albany .................................................... Donald Hart
American Line Builders ....................... Richard V. Miller
Arizona .................................................... Gregory Russell
Arkansas ................................................... Howard Hughes
Atlanta .................................................... Doug Pirkle
Atlantic Coast ...................................... Joseph B. Guedri, III
Augusta ...................................................... Tim Mundy
Baton Rouge .......................................... Hermon L. Milton
Boston .................................................... Paul Guarracino
California Central Coast .................... John L. Russell
Cascade .................................................. Paul Sorensen
Central Florida ........................................ Terry W. Davis
Central Illinois ....................................... Robert E. Grady
Central Indiana ..................................... Jack M. Snyder, Jr.
Central Massachusetts ....................... Jonathan Ostrow
Central Mississippi ............................... Alton Ware, Alt.
Central Ohio ......................................... James C. Mc Atee
Central Texas .......................................... Don B. Kanetzky
Chicago & Cook County ........................... Terry Butz
Cincinnati .............................................. Ronald R. Pennington
Connecticut ............................................ Ian Logie
Contra Costa .......................................... Douglas Watson
Dakotas .................................................... Gregory A. Rick
East Central California .......................... Marvin Boldt
East Tennessee ...................................... Robert B. Johnson
Eastern Illinois ..................................... Stephen R. Stump
Eastern Oklahoma ................................. Dennis Shields
El Paso ..................................................... Ralph E. Kendrick, Jr.
Finger Lakes .......................................... Richard L. Burns
Florida West Coast ............................... Keneath Robinson, Jr.
Georgia ................................................... Patrick McCarthy
Greater Cleveland .................................. John S. Dietrich
Greater Sacramento ................................ Morris Boychuk
Gulf Coast ............................................. Franklin D. Russell
Hudson Valley ....................................... Jeffrey L. Seidel
Idaho ..................................................... Ken Holtz
Illinois .................................................... Joseph Saban
Inland Empire ......................................... Andrew R. Dahlman
Intermountain ....................................... Robert V. Rydalch
Iowa ..................................................... Donald Pfohl
Kansas ................................................... Richard E. Landers
Kansas City ............................................. James Lacy, Alt.
Kern County .......................................... Richard Traynor
Long Island ............................................ James T. Giorgio, Alt.
Los Angeles County ............................... Stanley R. Lazarian
Louisville ............................................. William B. Lich
Maryland ............................................... Donald Thomas
Memphis ................................................... Claude O. McCrory, III
Michigan ............................................... Ronald C. Lindberg
Middle Tennessee ................................. Bertram B. Noll
Milwaukee ............................................. Gregg B. Eisenhardt
Minneapolis ............................................ Douglas L. Olson
Missouri Valley Line Constructors .......... John Colson
Montana ............................................... Terry R. Powell
Monterey Bay California ........................... Frederick A. Jensen
Nebraska ............................................... David Firestone
New Mexico ........................................... Troy L. Beall
New York City ....................................... John E. Kilgallen
North Central Ohio ............................... James Abbott
North Florida .......................................... Ron A. Autrey
North Louisiana ..................................... Kirk Davis
North Texas ............................................ T.A. Huston
Northeast Louisiana .............................. Garland Meredith
Northeastern Illinois ............................. Robert A. Dixon
Northeastern Line Constructors .............. George Troutman
Northern California .............................. Robert F. Daoust
Northern Illinois .................................... David E. Morse
Northern Indiana .................................... James B. Stouffer
Northern New Jersey ............................. Thomas J. Demcsak

2
Northern New York ......................... Leo J. Villeneuve
Northwest Line Constructors .............. Donald M. Wilson
Orange County ............................... Robert L. Douglass
Oregon-Columbia .......................... Brian N. Christopher
Oregon-Pacific-Cascade ..................... Nathan Philips
Penn-Del-Jersey .............................. John F. Hahn, Jr.
Penn-Ohio ..................................... Rex A. Ferry
Puget Sound .................................. Jim Mackey
Quad-Cities .................................. Frederick D. Fuessel
Red River Valley ............................ Dan Shine
Redwood Empire ............................. Ben Cantarutti
Rhode Island & S.E. Massachusetts ... William F. O’Rourke
Rocky Mountain ............................. Richard E. Gash
Saguaro ....................................... John F. Kostyo
St. Louis ..................................... James C. Pavelec
St. Paul ...................................... Chris Christensen
San Diego County ........................... David A. Raspolich
San Francisco ............................... Kenneth A. Paganini
San Joaquin Valley ......................... Eugene Gini
San Mateo County ........................... Robert Menicucci, Alt.
Santa Clara Valley ......................... Patrick L. Mark
South Florida ............................... E. Milner Irvin
South Louisiana ............................ James J. Frischertz
South Texas .................................. John M. Gueldner
Southeast Texas ............................. Charles M. LeBlanc
Southeastern Line Constructors ............. William H. Green
Southeastern Michigan ..................... Clyde Jones
Southern Colorado ........................ Craig E. Whitney
Southern Indiana ........................... Steve Elbrink
Southern Nevada ........................... Robert J. Lisowski
Southern New Jersey ....................... Raymond Palmieri
Southern Sierras ............................ Francis E. Fehlman
Southern Tier ............................... John H. Bouille
Southwest Louisiana ....................... James M. Stark
Southwest Washington ..................... Michael T. Glasman
Southwestern Line Constructors ............ Robert A. Asher
Toledo ....................................... Donald L. Turner
Twin Ports-Arrowhead ...................... Jeff D. Tyllia
Washington, DC ............................. Michael F. Dugan
West Texas .................................. Daniel McCracken
West Virginia-Ohio Valley ................. Daniel E. Bane, Alt.
Western Line Constructors ................. William Hamlin
Western Massachusetts ..................... Thomas Schmitt
Western New York State .................... Robert E. Hobba
Western Ohio ................................ John Carlisle
Western Oklahoma ......................... Stephen F. Young
Western Pennsylvania ..................... Robert J. Bruce, Jr.
Wisconsin ................................. Bruce Companik
Wyoming ..................................... Bob Blackham

INTERNATIONAL CHAPTERS

Canadian Electrical Contractors Association, Inc.
Toronto, Ontario, Canada .................. Rick Lavergne

NECA (Australia) - National Office
Victoria, Australia ............................ Peter Vandenheuvel

Electrical Contractors Association Queensland
Queensland, Australia ....................... Kev Sellwood

Electrical Contractors Association of New Zealand
Wellington, New Zealand ................... Murray Hughes

Electrical Contractors Association of Western Australia
Western Australia, Australia ............... Rocky Mussilino

NECA (Australia) - Victoria
Victoria, Australia .......................... Patrick Walton

NECA (Australia) - New South Wales
New South Wales, Australia ................ Reg Young

NECA (Australia) - South Australia
South Australia, Australia ................. Peter Vandenheuvel

NECA AMERIC – National Office
Mexico City, Mexico ........................ Andrés C. Quintana

ACEN NECA Monterrey (Mexico)
Monterrey, Mexico ........................... Eduardo Mariscal-Hay

NECA ACOEO (Guadalajara, Mexico)
Guadalajara, Mexico .......................... Oscar Adalberto Torres

The following domestic chapters were not represented:

East Central California ........................ Redwood Empire
El Paso .......................................... San Francisco
Inland Empire .................................. San Joaquin Valley
Memphis ........................................ Southeastern Michigan
Northeast Louisiana ....................... Southwest Louisiana
Quad City ...................................... Western Massachusetts

The following international chapters were not represented:

Electrical Contractors Association Queensland
Electrical Contractors Association of Western Australia
NECA (Australia) – Victoria
ACTION ON MINUTES OF PREVIOUS MEETING:

Upon motion duly made and seconded, the minutes of the meeting held in Seattle, Washington on September 22 – 23, 2000 were approved.

WELCOME FROM HOST CITY: Michael F. Dugan, Governor of the Washington, DC Chapter welcomed the governors and guests to Washington, DC.

REPORT OF THE SECRETARY-TREASURER: Mr. J. Michael Thompson, Secretary-Treasurer, presented a report with financial and membership data as of August 31, 2001. The formal report as of June 30, 2001 is contained in “Reports of Staff Officers and President’s Standing Committees-Board of Governors Meeting 2001,” and is incorporated in these minutes by reference.

Upon motion duly made and seconded, it was voted to adopt the report of the Secretary-Treasurer as presented.

REPORT AND RECOMMENDATIONS OF THE EXECUTIVE VICE PRESIDENT: Mr. John M. Grau, Executive Vice President, presented the recommendations of the Executive Committee regarding their position on the Ordinary Proposals that will be before the body. Mr. Grau also presented a synopsis of his prepared report and a current update on all matters of substantial concern to the Association. The formal report is contained in “Reports of Staff Officers and President’s Standing Committees-Board of Governors Meeting 2001,” and is incorporated in these minutes by reference.

Upon motion duly made and seconded, it was voted to adopt the report of the Executive Vice President as presented.

REPORT OF THE GOVERNMENT AFFAIRS COMMITTEE: Mr. William G. Dale, Jr., Chairman of the Government Affairs Committee, presented a synopsis of the formal report as contained in “Reports of Staff Officers and President’s Standing Committees-Board of Governors Meeting 2001,” and is incorporated in these minutes by reference.

Upon motion duly made and seconded, it was voted to adopt the report of the Government Affairs Committee as presented.

REPORT OF THE MARKETING COMMITTEE: Mr. Gervase Rose, Chairman of the Marketing Committee, presented a synopsis of the formal report as contained in “Reports of Staff Officers and President’s Standing Committees-Board of Governors Meeting 2001,” and is incorporated in these minutes by reference.

Upon motion duly made and seconded, it was voted to adopt the report of the Marketing Committee as presented.

REPORT ON ELECTRICAL CONTRACTOR MAGAZINE: Mr. John Maisel, Publisher, presented a synopsis of the formal report as contained in “Reports of Staff Officers and President’s Standing Committees-Board of Governors Meeting 2001,” and is incorporated in these minutes by reference.

Upon motion duly made and seconded, it was voted to adopt the report of the Electrical Contractor magazine as presented.

REPORT OF THE CODES AND STANDARDS COMMITTEE: Mr. Max N. Landon, Chairman of the Codes and Standards Committee, presented a synopsis of the formal report as contained in “Reports of Staff Officers and President’s Standing Committees-Board of Governors Meeting 2001,” and is incorporated in these minutes by reference.

Upon motion duly made and seconded, it was voted to adopt the report of the Codes and Standards Committee as presented.

REPORT OF THE MANAGEMENT DEVELOPMENT COMMITTEE: Walter Parkes, Chairman of the Management Development Committee, presented a synopsis of the formal report as contained in “Reports of Staff Officers and President’s Standing Committees-Board of Governors Meeting 2001,” and is incorporated in these minutes by reference.

Upon motion duly made and seconded, it was voted to adopt the report of the Management Development Committee as presented.
REPORT ON LABOR RELATION: Mr. Geary M. Higgins, Executive Director of Labor Relations, presented a synopsis of the formal report as contained in “Reports of Staff Officers and President’s Standing Committees-Board of Governors Meeting 2001,” and is incorporated in these minutes by reference.

Upon motion duly made and seconded, it was voted to adopt the report on Labor Relations as presented.

REPORT OF THE MANPOWER DEVELOPMENT COMMITTEE: Mr. William B. Cook, Jr., Chairman of the Manpower Development Committee, presented a synopsis of the formal report as contained in “Reports of Staff Officers and President’s Standing Committees-Board of Governors Meeting 2001,” and is incorporated in these minutes by reference.

Upon motion duly made and seconded, it was voted to adopt the report of the Manpower Development Committee as presented.

REPORT OF THE NATIONAL EMPLOYEES BENEFIT BOARD: Mr. Anthony J. Salamone, Executive Secretary-Treasurer of the National Employees Benefit Board for the Electrical Contracting Industry, presented a synopsis of his formal report as contained in “Reports of Staff Officers and President’s Standing Committees-Board of Governors Meeting 2001,” and is incorporated in these minutes by reference.

REPORT OF THE ELECTRICAL CONTRACTING FOUNDATION: Mr. E. Milner Irvin, III, Electri’21 Council member, presented a synopsis of the formal report as contained in “Reports of Staff Officers and President’s Standing Committees-Board of Governors Meeting 2001,” and is incorporated in these minutes by reference.

ADDRESS: Mr. Edwin D. Hill, International President of the IBEW discussed issues confronting the industry.

THE MEETING WAS RECESSED AT 12:15 p.m. AND RECONVENED AT 9:05 A.M. SATURDAY, OCTOBER 20 WITH CHAIRMAN BORDEN PRESIDING

RECOGNITION OF FELLOWS OF THE ACADEMY OF ELECTRICAL CONTRACTING: Mr. Borden requested that all Fellows stand and be recognized.

REMARKS: Mr. Tony Marandola, Vice President of the Mechanical Contractors Association of America (MCAA) addressed the group on items of common interest between the two associations.

REMARKS: Dr. Malcolm O’Hagan, President of the National Electrical Manufacturers Association (NEMA) addressed the group regarding similar trends in their association.

ACTION TO REAFFIRM STANDING POLICY STATEMENTS:

Upon motion duly made and seconded, it was voted to reaffirm Standing Policies 1 through 14 and 16 through 17.

ACTION ON ORDINARY PROPOSAL #1:

Upon motion duly made and seconded, it was voted to ADOPT this proposal by a voice vote.

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<tr>
<th>ORDINARY PROPOSAL #1</th>
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<tr>
<td>Re: New Standing Policy Statement 15 (Submitted by NECA Marketing Committee)</td>
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<tr>
<td>WHEREAS, The electrical industry has changed dramatically through deregulation mergers and acquisitions, consolidation, and divestiture;</td>
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<tr>
<td>WHEREAS, The existing NECA Standing Policy Statement 15 no longer addresses the conditions of the industry as they exist; now, therefore, be it</td>
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</table>
RESOLVED, That the existing NECA Standing Policy Statement 15, “Electrical Industry Contractor Utility Relations,” be deleted in its entirety and replaced with the following statement:

RESOLVED, That the existing NECA Standing Policy Statement 15, “Electrical Industry Contractor Utility Relations,” be deleted in its entirety and replaced with the following statement:

Throughout most of the twentieth century, the electrical contractor and the utility company were viewed as individual parts of the total, integrated electrical industry. Each performed a unique role. The electric utility company generated, transmitted, and distributed electrical power to its customers, while the electrical contractor supplied the materials, equipment, labor, and expertise to build and maintain electrical facilities that allowed customers to convert electrical power into a wide variety of beneficial uses. Those distinct roles have changed dramatically in recent times. Lines of separation of responsibility and domain have blurred as deregulation, mergers, acquisitions, consolidations, and divestitures have altered the industry. Rapid changes in corporate structure and high turnover at utility companies have interrupted communication channels between utility firms and contractors. The good will that existed between the industry partners has practically evaporated.

Utilities are now engaged in activities traditionally performed by electrical contractors, either through acquisition of contracting firms or by independent development of capabilities. These actions raise concerns among electrical contractors that utilities are unfairly competing: first, by using resources subsidized by regulated electricity rates to lower direct costs; and second, by ignoring codes and standards that electrical contractors must observe.

On the first point, NECA opposes the practice of cross-subsidization, whereby electrical utility companies, or the holding companies that own them, use resources obtained through regulated utility rates to enable their contracting subsidiaries to gain competitive advantage in the marketplace over electrical contractors. As a matter of principle and policy, NECA will endeavor to thwart this abusive practice whenever and wherever it occurs. NECA recognizes the legitimate right of businesses to compete in the electrical contracting market through legal and ethical practices, but will not hesitate to use its resources to oppose those practices it sees as illegal or unethical.

On the second point, NECA recognizes that both electrical contractors and utility companies must adapt to meet challenges in the business and regulatory environments where they operate. NECA maintains, however, that all firms engaged in the business of electrical contracting should operate under uniform industry standards that insure fair and open competition. Electrical utilities and contractors alike have a responsibility to their customers and the public-at-large to maintain a high level of quality, ensure effective electrical safety, and provide a high degree of electrical system reliability in the installations they provide. NECA believes that uniform standards like the National Electrical Code™ and the National Electrical Installation Standards® should be adopted for their appropriate applications by all firms engaged in electrical contracting. NECA will oppose efforts to lower the standards that protect the public and that demand a high level of quality and reliability.

NECA advocates a return to positive relations between electric utilities and electrical contractors, and encourages reopening and maintaining effective communication channels at all levels. Electrical contractors and utility companies are most productive, and customers are best served, when the industry partners cooperate to deliver the goods. Disputes will arise and the parties will have to ‘agree to disagree’ on some issues, but the industry and the end-users of electrical power will benefit from electric utilities and contractors working together on common interests and competing fairly when interests diverge.

ACTION ON ORDINARY PROPOSAL #2

Upon motion duly made and seconded, it was voted to ADOPT this proposal by a voice vote.

ORDINARY PROPOSAL # 2

Re: NECA Strategic Plan (Submitted by NECA Executive Committee)

WHEREAS, NECA is celebrating its 100th year and wishes to establish a new strategic direction as it embarks on a new century of industry leadership;
WHEREAS, The NECA Executive Committee established a strategic planning process for the Association at their January 2000 meeting;

WHEREAS, Strategic planning and thinking is a desirable and continuous process for the Association;

WHEREAS, Standing committees, district councils and task forces have provided input to the plan as have all members by means of a survey; and

WHEREAS, The NECA Executive Committee has created a strategic vision and plan; now, therefore, be it

RESOLVED, That the NECA Board of Governors adopts the NECA Strategic Long Range Plan to guide the Association.

ACTION ON ORDINARY PROPOSAL #3

Upon motion duly made and seconded, it was voted to ADOPT this proposal by a voice vote.

ORDINARY PROPOSAL #3

Re: National Agreement on Employee Portability (Submitted by the District Six Council, NECA)

WHEREAS, The National Electrical Contractors Association and the International Brotherhood of Electrical Workers have worked together for almost a century to promote and foster the advantages of utilizing Union Contractors and Union Labor rather than the unorganized sector of our industry;

WHEREAS, Our partnership has created many work opportunities for both the contractors and the electrical worker within the electrical contracting industry by the sheer virtues of our training, expertise and ability to man the work of our customers;

WHEREAS, The relationships that are created between the customer and the Electrical Contractors within our industry are one of the most important ways to continue to expand our market share;

WHEREAS, Many of our clients have facilities or projects that are located in varied locations crossing IBEW local union jurisdictional lines and where individual contractors may or may not have permanent offices:

WHEREAS, The ability of our contractors to retain this work is greatly enhanced when experienced workers who have gained special skills or the customer’s confidence in one contractor location are able to “follow the work” to these varied job locations;

WHEREAS, NECA and the IBEW addressed this situation in part by signing and implementing the National Agreement on Employee Portability in March 1993 to enhance signatory contractors’ ability to meet the demands of their customers by increasing the number of workers who can be transferred to areas where the contractor does not have a local office;

WHEREAS, This Agreement was amended to meet changing industry conditions in December 1996; WHEREAS, Changing technological market and customer requirements are creating situations where contractors find it necessary to transfer qualified workers between office locations and in greater numbers than anticipated under the current agreement;

WHEREAS, The current agreement was a forward-looking tool that has served the organized electrical construction industry well by allowing the transfer of IBEW workers which has created job opportunities for both traveling and local workers which likely would have been missed if customers could not rely on their established relationships with signatory contractors, now, therefore, be it

RESOLVED, That NECA enter into discussions with the IBEW to amend the terms of the National Agreement on Employee Portability to enhance the ability of employers to best use the skills of their employees by allowing the requisite number to follow the work offered by the customer regardless of the location of the work or the contractor’s permanent offices.
ELECTION OF MEMBER OFFICERS:

There being no opposition, upon motion duly made and seconded, the following candidates were elected to two-year terms commencing January 1, 2002:

President, William B. Cook, Jr., Tulsa, OK
Vice President, District 1 Edward McPhee, Jr., Bristol, CT
Vice President, District 3 E. Milner Irvin, Miami, FL
Vice President, District 5 Howard Hughes, Fort Smith, AR
Vice President, District 7 David Firestone, Lincoln, NE
Vice President, District 9 Robert Daoust, Hayward, CA

Special thanks were offered to retiring Vice Presidents Gordon (Skip) Seaman, Charles E. Mink, Jr., William B. (Ben) Cook, Larry N. Plunkett, C. M. (Mike) Sloan, and Edward E. Witt, Sr.

ANNOUNCEMENT OF EXECUTIVE COMMITTEE SELECTION FOR VICE PRESIDENT AT LARGE:

President Borden announced that the Executive Committee had appointed Robert Egizii of Springfield, Illinois as the Vice President at Large for the two-year term commencing January 1, 2002. Mr. Egizii represents Egizii Electric, Inc.

ACTION ON HONORARY MEMBERSHIP FOR PRESIDENT BORDEN:

The Executive Committee had nominated D. R. Borden, Jr. for honorary membership. Mr. Borden relinquished the chair to William B. Cook.

Upon motion duly made and seconded, an Honorary Membership was voted for Mr. Borden, based upon his significant contributions to the industry.

OTHER BUSINESS:

There being no further business to come before the meeting, the Chairman thanked the members for their presence and cooperation and officially adjourned the meeting at 10:50 a.m.

BRIEFING ON NATIONAL AFFAIRS:

Former Secretary of Defense, William Cohen, addressed the Governors and guests. He spoke about the recent terrorist activities and related items of national security. Following some questions, the meeting ended at 11:45 a.m.

J. Michael Thompson
Secretary