

Local Government Attorneys of Virginia | Board of Directors Meeting Minutes
January 24, 2024 at 9:30 a.m. | Zoom

2024 Winter Quarterly Meeting

Attendees: Lesa Yeatts (President), Andy Herrick (Vice President), Kelly Lackey (Treasurer), Courtney Sydnor (Secretary), Michael Abbott, John Blair, Martin Crim, Brandi Law, Patrick Murphrey, Ryan Samuel, Tyler Southall, Alan Spencer

Staff: Amy Sales, Christy Jenkins, Bill Murrill, David Wagoner

Guests: None

Absent: Mark Popovich (Immediate Past President)

Ms. Yeatts declared a quorum and started the meeting at 9:34 a.m.

I. Minutes

- a. Ms. Yeatts presented the October 5, 2023 Minutes.
 - i. DISCUSSION: There was no discussion.
 - ii. ACTION: Mr. Murphrey moved to accept the minutes. Mr. Southall seconded the motion. The minutes were approved unanimously.
- b. Ms. Yeatts presented the October 18, 2023 Minutes.
 - i. DISCUSSION: There was no discussion.
 - ii. ACTION: Mr. Crim moved to accept the minutes. Mr. Southall seconded the motion. The minutes were approved unanimously.
- c. Ms. Yeatts presented the November 3, 2023 Minutes.
 - i. DISCUSSION: There was no discussion.
 - ii. ACTION: Mr. Murphrey moved to accept the minutes. Mr. Southall seconded the motion. The minutes were approved unanimously.

II. Officer's Reports

- a. President (Yeatts): Ms. Yeatts announced a change in the agenda, switching the order of the Vice President and Treasurer reports. There was no comment.
 - i. Ethics and Conflict of Interest Statement Review: Ms. Yeatts reviewed the Ethics and Conflict of Interest policy contained in Section 9-3.04 (b) of the P&P and shared that at future Board meetings directors and officers will be asked whether they have any disclosures pursuant to that provision. No disclosures were made at this meeting.
 - ii. Committee appointments, reappointments, and liaisons: Ms. Yeatts reviewed the list provided noting the Board liaisons. Ms. Sales shared that officers can serve, but the P&P states that they generally do not serve as liaisons. It was noted that Ms. Yeatts should be removed from the Conference Policy Committee membership list.
 - iii. Appointment of nominating committee: Ms. Yeatts shared the proposed list of nominating committee appointees as included the Board book.
 - a. DISCUSSION: There was no discussion.
 - b. ACTION: Mr. Herrick moved to accept the committee nominees. Mr. Crim seconded the motion. The motion passed unanimously.
 - iv. Annual Sponsorship timeline and follow up: Ms. Yeatts asked if there were updates. Ms. Lackey shared that Dave Arnold (Pender & Coward) would not be able to justify the

- \$15,000 level, but did not commit to an amount. She will follow up. Mr. Blair shared his difficulty getting an appointment with Stephen Piepgrass (Troutman Pepper).
- v. Leadership Institute Program update: Ms. Yeatts reviewed the update provided in the Board book. Ms. Sydnor asked if Board members are required to attend. Ms. Yeatts said that registration is capped and Board attendance is not a requirement.
 - vi. Ad Hoc 50th Anniversary History Committee: Ms. Yeatts shared that appointments will be made early to help develop the program's historical content.
 - vii. Ms. Yeatts also noted that William & Mary requested the distribution to participate in a moot court. Distribution via the forum is not allowed, but interested Board members can reach out to her or Ms. Sales for the ask.
- b. Treasurer (Lackey): Ms. Lackey switched order with Mr. Herrick to share that she resigned from King George and has taken a temporary position with the City of Fredericksburg. Her role still qualifies her to serve on the Board.
- i. Taxes filed: Ms. Lackey shared that the taxes were filed and shared with the Board on January 11, 2024.
 - ii. FY 2023 financial reports:
 - a. Account registers and recommendations: There was no discussion among the Board or comment from Mr. Murrill.
 - b. Vanguard: Ms. Lackey shared that Vanguard has rebounded some and she rebalanced the accounts in the last week. The rebalancing is not reflected in the reports shared in the Board book.
 - iii. Approval of treasurer's report
 - a. DISCUSSION: There was no discussion.
 - b. ACTION: Mr. Spencer moved to approve the treasurer's report. Mr. Blair seconded the motion. The motion passed unanimously.
 - iv. Approval of dues write-offs: Ms. Lackey asked the Board to look at the list of non-renewals.
 - a. DISCUSSION: Ms. Sales was asked to contact Blankingship & Keith regarding the Town of Purcellville and Ms. Law noted that the contact for Gordonsville has changed.
 - b. ACTION: Mr. Crim moved to approve the dues write-off list. Ms. Sydnor seconded the motion. The motion passed unanimously.
- c. Vice President (Herrick): Mr. Herrick discussed the association's cashflow issue. He reminded the Board that they approved an unbalanced budget. He shared that the association receives funds in lumps (membership cycle and conference registration). There is usually a pull from Vanguard around May, but the need came earlier this year. Per the 5% allowed in the P&P, he rebalanced the account to get through the Spring conference. Mr. Murrill shared that another influx will likely be needed before the membership cycle. Ms. Sydnor asked if there is a time when LGA has funds, can it be reinvested. Mr. Herrick shared that there is not a policy in place to do that.
- d. Secretary (Sydnor)
- i. Electronic votes (none): There were no electronic votes. Ms. Sydnor shared her participation on the Boyd Graves Conference and is on the tax sales study committee. She said that the leadership directed the committee to go to LGA to review the committee's recommendations. She said that Steve Price is the chair and listed the other members. She reached out to Mr. Price to see if he wanted her to liaise with the Board during this meeting to figure out who should be assigned to assist. However, he did not respond. She will follow up with him.

III. Conference Administration (Easter)

- a. 2023 Fall Conference Recap
 - i. Approval of Fall Conference financials: Ms. Jenkins shared that the program profited over \$8,500. She noted that sponsorships exceeded goals, but there was a fee for internet.
 - a. DISCUSSION: There was no discussion.
 - b. ACTION: Mr. Blair moved to approve the conference financials. Mr. Southall seconded the motion. The motion passed unanimously.
 - ii. Fall Conference evaluations (attendee and chair): Ms. Jenkins shared that she learned the most from the Opening Night Party feedback and will change practice to include more food and better accommodate dietary issues.
- b. 2024 Spring Conference Update
 - i. Financial estimates: Ms. Jenkins presented the financials and noted that the Opening Night Party location is being secured.
- c. 2024 Regional Seminar and 2024 Fall Conference Updates: There were no updates.
- d. 2026 Spring Conference location discussion:
 - i. DISCUSSION: Ms. Jenkins noted that the area will celebrate the 250th anniversary of 1776 and Williamsburg may not be the ideal host in 2026. Mr. Herrick noted that the Doubletree information lists Charlottesville as the location. Ms. Jenkins confirmed that the hotel is in Williamsburg. Ms. Jenkins noted that Great Wolf cannot accommodate LGA in March or April and that it would be a tight venue in any event. Board members expressed no desire to return to Kingsmill.
 - ii. ACTION: The Board tabled the decision until the 2024 Spring Board meeting and asked Ms. Jenkins to contact Cesare's in Danville.

IV. Issues for Board Consideration

- a. Membership (Yeatts):
 - a. School Board Attorney definition discussion: Ms. Yeatts presented the email from Lola Perkins, reporting that a school board attorney had been told in the past that she was not eligible for active membership. Board members reviewed relevant language in Articles of Incorporation and P&P, which seems to include school board attorneys as active members. Mr. Blair inquired why school law would be a required topic in the LGA conference rotation if school attorneys are not eligible for active membership. Ms. Yeatts asked the Board to consider the issue for further discussion at the Spring meeting. In the meantime, Ms. Sales will ask Ms. Custer if there is a reason why school board members were previously excluded from active membership.
 - b. Associate Membership discussion: Ms. Yeatts presented the email from Mr. Samuel about members who litigate against local governments. There was a brief discussion of several members that sue localities. Mr. Crim shared that there are areas in the state where attorneys must work for and litigate against local governments to sustain a practice. Ms. Lackey asked Ms. Sales to make sure the member welcome email includes information on the function of the forums and posting guidelines. Ms. Yeatts asked that the Board consider the issue for further discussion at the Spring meeting.
- b. Discuss exhibit fee increase (Sales): Ms. Sales presented a five-year history of paid exhibitors and the associated fees. She noted that registration fees have increased and asked if the exhibit fees could be altered to align with the registration fees at \$550 for regular and \$600 for late exhibiting fees. Mr. Herrick asked if a vote was needed. The Board supported the increase without a vote.

- c. Timeline for website development (Sales): Ms. Sales presented the timeline for website development to show the Board that the transition is being addressed. Easter's targeted timeline is for rollout in November or December. There was no discussion.
- d. Creation of AI Committee discussion (Yeatts): Ms. Yeatts shared that the topic was introduced by Leo Rogers, but he has not responded to the Board question about what the committee would produce. She would like to continue with making it an official committee. Mr. Blair asked if there are other associations that have formed AI committees that LGA can collaborate with such as VLGMA. Ms. Yeatts asked Ms. Sydnor and Ms. Sales to connect with VLGMA contacts to see if a committee exists.
- e. Review Spencer reappointment to Virginia Opioid Abatement Authority (Yeatts): Ms. Yeatts presented the request in the Board book. Mr. Abbott moved to reappoint Tim Spencer to the Virginia Opioid Authority. Mr. Herrick seconded the motion. The motion passed unanimously.
- f. P&P Update Proposal update (Sales): Ms. Sales shared that Susan Custer was unable to put together a proposal before the Winter Board meeting, but she is still interested in the work and will present at the Spring program. Mr. Herrick suggested that Ms. Custer still subcontract the work, but that leadership follow the 2019 plan where leaders take a section and come back with changes. Ms. Sales will present FlippingBook fees at the Spring program.

V. Staff Reports

- a. Executive Director (Sales): Ms. Sales thanked the Board for working with her as she learns her new role.
- b. Associate Director (Jenkins): Ms. Jenkins thanked the Board for helping her learn LGA and her new role.
- c. CFO (Murrill): Mr. Murrill thanked the Board for helping staff during the transition.
- d. Handbook (Wagoner): Mr. Wagoner said that the *Handbook* is proceeding at pace and that 18 of the 29 chapters are complete. He believes that it will be complete by mid to late February. He also shared that he is enjoying the *Bill of Particulars* work and developed a content timeline for staff.

VI. Committee/Practice Group Reports Received: Mr. Herrick noted that the Spring Awards nominations are due February 15, so the Board will likely meet around March 1. Ms. Lackey shared that she will contact Tara McGee to assist with LGA nomination for the Virginia State Bar Association of the Year award.

VII. Future Meetings: There was no discussion about future meetings.

VIII. Other Business: No other business was discussed.

The meeting adjourned at 11:37 a.m.

The minutes were approved by Courtney Sydnor, Secretary on February 16, 2024.