

2022 LGA Fall Conference | October 13 – 15 | Marriott Virginia Beach
Schedule | MCLE approval pending

Thursday, October 13

9 a.m. – 1 p.m. LGA Fall Board Breakfast, Meeting, & Lunch with Annual Sponsors

1 – 2:30 p.m. General Session A

Employment Grievance System Review, Requirements, and Recent Case Law

Moderator: Mary Beth Nash, Senior Assistant County Attorney, County of Roanoke

Speakers:

Michael A. Beverly, Deputy City Attorney, City of Norfolk

Shannon M. Manning, Assistant City Attorney, City of Newport News

Panelists will present an overview of the grievance system, including statutory requirements and options available to local government, and recent case law. Panelists will share experiences as lead counsel on a grievance issue, including one recently decided by the Supreme Court of Virginia.

2:30 – 3 p.m. Break

3 – 4:30 p.m. Concurrent Sessions 1 & 2

Construction Contract Fundamentals: Issues and Concerns for Local Governments

Moderator: Benjamin D. Naidorf, Assistant City Attorney II, City of Hampton

Speakers:

Solomon H. Ashby, Jr., Partner, McIntyre Stein & Ashby, PLLC

Jeannise Galloway Ewing, Assistant County Attorney II, County of Stafford

Michael L. Sterling, Principal, Woods Rogers Vandeventer Black PLC

This session will cover the critical issues and drafting matters involved in the initial review of construction contracts, the general administration of construction projects, or the identification and resolution of contractual disputes. The experienced panel will provide best practices and potential pitfalls to avoid in the preparation of construction contracts. Speakers will cover the fundamentals of procuring construction projects under the Virginia Public Procurement Act and provide an in-depth analysis of major issues in construction law such as price increases, delays, and non-performance.

Social Media in Trials

Moderator: Ellen F. Bergren, Deputy City Attorney, City of Chesapeake

Speakers:

Brandon S. Osterbind, Attorney, Osterbind Law, PLLC

F.E. "Tripp" Isenhour, III, County Attorney, County of Campbell

This CLE will cover all major social media channels, how they work, how people use them, and how to identify valuable information. Lawyers will learn briefly about the ethical limitations of what they can do on social media as it relates to jurors. Lawyers will also learn about the voir dire statutes and associated Virginia case law regarding what type of information may lead to either for cause strikes or valid peremptory strikes. In addition, the panel will discuss further strategies for using social media information in voir dire to uncover juror bias and learn how to use social media to manage the jury during trial.

6 – 7 p.m. YLGA Program

7 – 9 p.m. Opening Night Party

Friday, October 14

8:30 – 9 a.m. Breakfast

9 – 10:30 a.m. General Session B

New Case Law Update

Moderator: Sean P. Dolan, Assistant City Attorney, City of Suffolk

Speakers:

Ronald H. Rosenberg, Chancellor Professor of Law Emeritus, William and Mary Law School

D. Rossen S. Greene, Shareholder, Pender & Coward

L. Olivia Alexander, Esq., Assistant City Attorney II, City of Hampton Office of the City Attorney

This session will provide detailed analysis of federal and state judicial opinions issued since October 2021 and guidance on how the opinions directly affect the practice of local government law in areas such as land use and social services.

10:30 – 11 a.m. Break

11 a.m. – 12:30 p.m. Concurrent Sessions 3 & 4

Collaboration towards Affordable Housing

Moderator: Adam R. Kinsman, County Attorney, County of James City

Speakers:

Adam R. Melita, Deputy City Attorney, City of Norfolk

Michael W. Graff, Jr., Partner, McGuireWoods, LLP

Benjamin “Ben” Titter, Executive Vice President and General Counsel, Richmond Redevelopment and Housing Authority

Panelists will discuss the St. Paul’s Redevelopment Project lawsuit in Norfolk and review how localities and housing authorities can partner to further affordable housing, such as Community Land Trusts,

legislative priorities, funding opportunities from grants and bonds, cooperation on locality master plans and PHA Annual Plans, and through regional partnerships.

School Boards in the Hot Seat: An Update on the Cases Impacting School Law

Moderator: Elizabeth “Liz” Parman, Deputy County Attorney, County of James City

Speakers:

Wade T. Anderson, Division Counsel, County of Prince William School Board

Bradford A. King, Shareholder, Sands Anderson

School Boards have become ground zero in the “culture wars” and it should be no surprise that various issues involving employee rights, student discipline, and even the curriculum have resulted in litigation. This session will review and discuss recent cases impacting school divisions locally and nationally.

Everyone goes off-site for afternoon activities

6 p.m. Awards Reception, Dinner & Hospitality Suite

Saturday, October 15

8:30 – 9 a.m. Breakfast

9 – 10:30 a.m. Concurrent Sessions 5 & 6

The On-Going ECO/TDO/Civil Commitment Crisis in Virginia

Moderator: Christianna Cunningham, Associate City Attorney, Virginia Beach

Speakers:

Richard L. Childester, Attorney, County of Giles

Cheryl St. John, Supervisor, Virginia Beach Department of Behavioral Health and Developmental Services – Emergency Services

Kerry Kruk, Team Lead Human Rights Coordinator, Virginia Beach Department of Health and Developmental Services

Michael C. Poulson, Chief Magistrate, Second Judicial District, Region 7, Virginia Beach

This session will provide review of seven hot topics in DSS (Medical Clearance, LEOs, mandamus, non-mental illness behavior issues, human rights complaints, EMTALA applicability, and the Marcus Alert), including their background, legislation enacted, issues that have come out of their implementation, and their effect on local governments.

Parliamentary Procedure and Public Bodies

Moderator: Bobbi Jo Alexis, County Attorney, County of Culpeper

Speakers:

John C. Blair, City Attorney, City of Staunton

Haskell C. Brown, City Attorney, City of Richmond
Walter C. Erwin, (*retired*) City Attorney. City of Lynchburg

Panelists will address parliamentary procedure, which is fundamental to the legislative process of every public body. It serves as the primary infrastructure for effective group dialogue and action. The rules support discussion and decision-making in an open, balanced, and efficient manner, ensuring equitable consideration of the matters and concerns of the various groups within, or affected by the actions of, the public body.

10:30 – 11 a.m. Hotel Check-out Break

11 a.m. – 1 p.m. General Session C

“Sketchy” Ethics

Moderator: George Lyle, County Attorney, County of Henry

Speakers:

George Lyle, County Attorney, County of Henry

Lola Rodriguez Perkins, County Attorney, County of Surry

Alan B. Spencer, Deputy City Attorney, City of Danville

This session will contain hypothetical situations that implicate specific rules of the Virginia State Bar Professional Guidelines, with particular focus on rules and fact patterns that affect local government lawyers. The hypotheticals will involve written narratives, as well as short two to four minute, original, video-recorded skits, depicting situations that illustrate how an attorney should apply the professional guidelines.