

**COUNCIL OF TAXATION SECTION  
MINUTES OF REGULAR MEETING**

**September 17, 2009**

A regular meeting of the Council of the State Bar of Michigan Taxation Section was held on September 17, 2009 at 3:00 PM at the Hyatt Regency Dearborn at 600 Town Center Drive, Dearborn, Michigan 48126-2793. Jess A. Bahs, Chairperson of the Taxation Section, presided.

**COUNCIL MEMBERS PRESENT**

Jess A. Bahs	Ronald T. Charlebois
Gina M. Torielli	Jack Van Coevering
Marjorie B. Gell	John M. O'Hara
Wayne D. Roberts	Lynn M. Gandhi
David B. Walters	Paul V. McCord

**COUNCIL MEMBERS ABSENT**

Warren Widmayer	Jay A. Kennedy
Michael Domanski	Fred Hoops

**COMMITTEE CHAIRPERSONS PRESENT**

Marko Belej	Lisa Zimmer
George V. Cassar	Jim Mauro
Marla S. Carew	

**COMMITTEE CHAIRPERSONS ABSENT**

None.

**OTHERS PRESENT**

Deb Michaelian	Gary Glenn
Mary Hiniker	Myles Hoffert
Tom Shaevsky	Alex Domenicucci
Gary Remer	Peter Kulick
Eric Skinner	Alex Nicholaidis
Jeff Kirkey	Lorraine F. New

Council Chairperson, Jess A. Bahs, called the meeting to order at approximately 3:00 PM.

## MINUTES

The Minutes of the last meeting of the Council had been previously distributed. There being no changes to the Minutes, the motion by Gina M. Torielli, seconded by David B. Walters, to accept the revised Minutes was unanimously carried.

## TREASURER'S REPORT

Gina M. Torielli submitted a report for the period from October 1, 2008 to May 31, 2009. The report indicated cash of approximately \$110,000 on hand at May 31, 2009. Gina reviewed her report with a comment that the amounts of actual revenues including dues are apparently fully reported for the full year. In addition to reporting revenue below budgeted amounts, Gina added that additional expenses were expected before year end so as raise total expected expenses for the year to approximately \$85,000 which is well below the budgeted amount but exceeds revenues for the year by as much as \$20,000. The actual cash balance at year end is projected to be reduced to around \$100,000 due to annual expenses exceeding annual revenue by approximately \$20,000. A motion to approve the Treasurer's report was made by Ronald T. Charlebois, seconded by John M. O'Hara, and unanimously approved.

## COUNCIL ACTIVITIES

1. Continuing Professional Education - After Hours Tax Law Series – Paul McCord. Mary Hiniker from ICLE submitted a report on the current registrations for the 2009-2010 After Hours Tax Law Series. Her report indicated that the first session regarding impact of the economic stimulus and other 2009 legislation scheduled for October 6<sup>th</sup> will be well attended and the preliminary numbers suggests that the later sessions should also have satisfactory attendance.
2. E-Newsletter – John O'Hara John requested information from Council members as to Section and/or Committee activities he could cite in the next newsletter.
3. 2010 Tax Conference – John O'Hara John reported that considerable activity has occurred in preparation for the May 20<sup>th</sup> Tax Conference. In addition to securing the facilities at the Rock Financial Showplace in Novi, two sponsors of the 2009 event have agreed to continue to support the 2010 Tax Conference. John also reported on the preliminary budget for the Conference. Both John and Jeff Kirkey from ICLE detailed the \$5,000 ICLE marketing budget that they had agreed upon.
4. Tax Court Luncheon - Jack Van Coevering Jack indicated that he was currently coordinating an October 20th luncheon date with Judge Paris for the Tax Court Calendar beginning this month.

Federal and State Legislative and Public Policy Liaison – Wayne Roberts

Offer in Compromise                      Future considerations for the Taxation Section: quotes from lobbyist; whether lobbyist should be engaged.

Membership Outreach Coordinator – David Walters

- Grant Program – account for grant program

Annual Meeting – Jack Van Coevering

- Legal humorist Sean Carter
- Julio & Sons Restaurant for dinner

Lobbyist Information

- Discussed Probate Section use of lobbyist and Section leadership
- Discussed new Probate Code effective 4/1/2010

PROBATE AND ESTATE PLANNING SECTION LIAISON REPORT

Lorraine F. New - The Michigan Trust Code legislation passed the legislature and will become effective on April 1, 2010. There will be a variety of opportunities through ICLE to become familiar with the new code. The new Chairperson of the section will be Harold Schuitmaker, following an organizational meeting in Kalamazoo on October 24, 2009. The Probate and Estate Planning Section meets monthly on Saturday mornings at the University Club in Lansing; the next meeting of the Probate Section is at 9:00 a.m. on November 21, 2009.

STATE BAR OF MICHIGAN LIAISON REPORT

- Lambro Niforos - Absent

IRS AREA COUNSEL LIAISON REPORT

Eric Skinner

- New manager of an IRS SBSE Group Detroit – Alex Nicholaides
- IRS moving out of McNamara Building
- Objective is to move forward calendars in next 6 months for trials
- Reflective of growing tax court activity
- New industry – global high wealth industry group result of UBS and VDA activity
- Predicts additional activity in high wealth and foreign/international activity
- Commented on success of federal OIC program for both revenue enforcement and intangibles s/a fresh start and other similar issues

## PROGRAM FACILITATOR REPORT

Deb Michaelian was present and indicated she had nothing to report.

## COMMITTEE ACTIVITIES

### Business Entities – Marco Belej

No report. Mr. Belej is passing on member list to new Chair.

### Employee Benefits – New Chair

- Annual meeting – November
- Trying to get Senator Stabenow to speak at employee benefits annual meeting

### Estates and Trusts – George Cassar

- Recent meeting on estates and trusts have had high attendance
- Open agenda round table format

### Practice and Procedure – James Mauro

- Peter Kulich new Chair
- Criminal Tax program at Cooley was successful.

### State and Local – Marla S. Carew

- June 2009 - Lansing government meeting with Department of Treasury was a success with approximately 30-35 in attendance.
- Marla is pursuing a joint SALT meeting w/MACPA SALT task force

### International Law – Michael Domanski

- Michael Domanski not present
- International law committee increasing activity and growing

## OLD BUSINESS

### Index of Articles – Marjorie Gell

- Marjorie Gell working with students to assist

## NEW BUSINESS

### Tax Tribunal Bill – Jess A. Bahs

- All lawyers and judges
- State Bar contacts

- Tax Section will publish portion on Tax Tribunal reform
- Myles Hoffert suggested working with Building Owners and Managers Association (BOMA)
  - Commented on recent MTT cases. MTT is an agency not subject to Michigan Supreme Court authority
  - Tax Tribunal fee increases – Briggs Tax Services

ABA – Jack Van Coevering

- Model Tax Tribunal Act in process
- Third interaction of ABA models
- Next step per Jess Bahs – request Tax Section PAC contributors to fund lobbying by Tax Section
- Cooley Section Fair – October 21, 2009

There being no further business, upon motion duly made, seconded and unanimously approved, the meeting was adjourned at approximately 5:00 PM.

Respectfully submitted,

Warren J. Widmayer  
Secretary