

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

**April 19, 2018**

A regular meeting of the Council of the State Bar of Michigan Taxation Section was held on April 19, 2018, at 3 p.m. at the offices of Honigman Miller Schwartz and Cohn LLP, 660 Woodward Ave, Suite 2290, Detroit, Michigan. Carolee Kvoriak Smith, Chairperson of the Taxation Section, presided.

**COUNCIL MEMBERS PRESENT**

Thomas Fabbri	Carolee Kvoriak Smith	Michael Monaghan
Ryan Peruski	William Lentine	Sean Cook
James Combs	Andrew MacLeod	

**COUNCIL MEMBERS ABSENT**

Alexander Domenicucci	Mindi Johnson	Andrea Crumback
Jackie Cook	Joshua Wease	Brian Gallagher

**COMMITTEE CHAIRPERSONS PRESENT**

Eric Gregory	Rebecca Pugliesi	Nick Papasifakis

**COMMITTEE CHAIRPERSONS ABSENT**

Jon Baloch	Daniel Stanley	
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**OTHERS PRESENT**

Jeff Kirkey	Mary Owiesny	Josh Lowenthal
Mary Hennessey	John Arendshorst	

Carolee Kvoriak Smith called the meeting to order at 3:02 p.m. A quorum was not present and therefore voting matters would be deferred.

Ms. Smith started on the Tax Conference checklist circulated to Council [annual tax conference agenda]. Ms. Smith introduced a new committee chair to replace Mr. Monterosso – Mr. Nick Papasifakis.

## **MINUTES OF PRIOR COUNCIL MEETING**

Ms. Smith presented the Council Meeting Minutes of March 16, 2018. Mr. Monaghan motioned to approve, subject to amendment, and Mr. Peruski seconded. The minutes were unanimously approved.

## **TREASURER'S REPORT**

Mr. Combs presented an update on budget for the 2017-2018 fiscal year attached as Attachment A. Mr. Combs noted that revenues and expenses continued to be recognized but the biggest note with the Itemized report did not include \$2,100 (approximately) revenue which appears to be the 280E seminar fees. The amount has not been received in the bank account. Committee activities - expenses were relatively light. On the Section 280E event, there are estimated 62 people attending.

## **COUNCIL ACTIVITIES**

### **1. Strategic Planning – Ryan Peruski**

October 25 is a date for the Mr. Peruski was present and provided a report. Mr. Peruski's mentioned that CPE is strongly desired. This being a self-regulated program for CPE and marketing materials to be sent will include offering CPE.

An offer to discuss ASC 740 was made for the fundamentals program.

### **2. Public Communications – Brian Gallagher**

Ms. Smith discussed contact with the State Bar regarding the July meeting. Attendees will discuss the SBM connect and other connected communications.

Mr. Gallagher briefly mentioned an E-blast for updated committee pages. Mr. Gallagher encouraged social media on Facebook and with great committee events coming up please take more pictures from events. LinkedIn account has been obtained. The last activity was 3 years ago so updates are needed.

Mr. Gallagher will reach out to Mr. Kirkey and the State Bar to address concerns about privacy considerations.

### **3. Michigan Tax Lawyer – Mindi Johnson**

Ms. Johnson was not present but provided the following report.

"We have just submitted the Spring 2018 edition to the publisher! This edition contains articles that are focused on employee benefits-related topics. It also provides a summary of the MSU Alternative Spring Break program (that was financially supported by the Council); a reminder from Carolee to sign up for SBM Connect and eblasts; and a

promotion for the Tax Conference. Section members can expect to receive the edition next month. The Summer 2018 edition of MTL will focus on either Trusts/Estates or State/Local Tax topics. More information will be forthcoming.”

4. Michigan Bar Journal Liaison / Annual Tax Dinner / Tax Court Lunch – Sean Cook

Mr. Cook reminded Council of the Townsend annual event on September 13, 2018 at 3:00 for the Annual Dinner, however, he noted that he will start selecting the menu. Entertainment will not be reserved but a podium will be included. Ms. Smith will obtain the gavel, the plaque and discussed the program generally. Mr. Peruski inquired about the tables and coordinating differently for the meeting and the dinner.

5. Annual Tax Conference

2018 – Andrea Crumback/Jeff Kirkey:

Ms. Smith and Mr. Kirkey briefly addressed the upcoming conference checklist. As the last meeting before the big day, communications for the conference were included in the May Bar Journal, a letter in the Michigan Tax Lawyer coming out next month and ICLE has been sending its regular rotation of reminders. Last chance email will go out on May 14.

At this moment we have 61 registered with 5 weeks to go. A brochure was just sent yesterday in the mail.

Ms. Smith discussed individual efforts to find attendees and recommended council members engage in individual efforts to encourage new attendees. Smitha Han will be a speaker this year and will send to her colleagues. Ms. Smith coordinated E-Blasts for other sections.

We are re-running the marijuana event at 8:00 a.m.

Speaker attendance is in good shape. This year, Patrick Robertson is flying in the night before. Materials are due April 30, 2018.

Ms. Smith discussed the annual speaker dinner usually involving the out of town speakers. Usually sparsely attended, but this year some speakers have indicated a desire to attend. Speaker Khoury will be invited as well. This year we have decided to invite the entire Tax Council as opposed to limiting to officers. This increases the likely attendance.

Honorees, including students, governmental attendees, and grant recipients. Mr. Monaghan sent all 5 students to Mr. Kirkey for registration for free and confirmed all 5 will attend. Ms. Smith suggested that students could have ribbons. The powerpoint presentation will be scrolling at lunch. Plaques have

been timely ordered and for those students in attendance an announcement will be made to recognize each student Honoree.

The grant committee needs members. Tom Fabbri, Bill Lentine and Mr. Monaghan volunteered. Ms. Smith suggested an electronic vote to accommodate timing and efficient administration. The committee members committed to coordinate a meeting of the committee today following the conclusion of this meeting today.

10 free governmental attendees will likely be in attendance. Matt Hodges, from Treasury, inquired about attendance. Mr. Gregory suggested connecting with our IRS liaisons. Additionally, Area Directors may be of interest. Mr. Peruski suggested he would review the Fundamentals Program to determine appropriate governmental attendees but suggested Ms. Smith send a personal email to Fundamentals attendees. Mr. Gregory suggested contacting Robert Forrest.

Focus group with Ms. Crumback will lead the group with the following participants: Mr. Gallagher, Mr. Peruski, Ms. Cook and Ms. Smith. The goal is to propose and review 3-5 questions for delivery to Tax Section membership.

3 sponsors this year including Plante Moran, Fraser Trebilcock, and Mika Myers.

Mr. Combs and Mr. Lentine to market the 280E program.

Assigning Speaker Introductions:

- Opening session: Mike Monaghan
- Patrick Robertson: Andrea Crumback and Carolee Smith
- Judge Buk: James Combs
- Heather Fryk: Andrea
- Nick Khoury: Carolee Smith
- SALT: Dan Stanley
- Estates and Trusts: Aaron Stumpf intro by J
- Brian Gallagher introducing EB
- Fed Income Tax Reform: Jon Baloch/WCL
- Data Breaches: Mindi Johnson

**2019 – Michael Monaghan:**

Mr. Monaghan discussed the revised agenda with the schedule starting at noon to 5 with 45 minute sessions, a lunch and an end of day networking event. Speakers will be needed and assistance is appreciated. Venues have been reconsidered and Mr. Kirkey was helpful in accumulating information for venues. Mr. Monaghan suggested retaining the Inn at St. Johns. With the format

changing keeping the venue the same may be appropriate. Ms. Smith suggested the same approach as another variable.

Mr. Peruski suggested the venue is stale. Many attendees over the past several years have commented or complained about some of the issues like setup, cell service, location, etc. Mr. Kirkey mentioned that the Inn at St. Johns is, for May 19, 2019, on hold.

Discussion followed including Mr. Lentine suggested using university settings. Mr. Cook suggested a hotel setting which allows for overnight attendance. Mr. Monaghan may contact Mr. Wease to inquire about facilitating a discussion with MSU for the Tax Conference to be held at Kellogg Center.

Burton Manor, Suburban Showplace, Laurel Manner, Sheraton Detroit and others have been considered. Mr. Kirkey mentioned that the IP section had a Kellogg conference but they recently switched to a new location in Lansing. The mixed reviews include an issue with attendance plummeting so the location may be a negative.

An electronic survey was suggested to address venue considerations such that non-attendees could also express preference and/or rationale for not attending in order to select an ideal location.

6. Federal & State Legislative Update and Public Policy Liaison – Andrew MacLeod

Mr. MacLeod was present and reported on federal act to make technical corrections for partnership audit rules, clarified netting on some of the rules, the amended return procedure, and other adjustments. Notice 2018-28 came out recently to clarify rules with business interest expense deduction, consolidated groups and C corporations as partners in partnerships. Supreme Court heard the Wayfair case on Nexus for Sales and Use Tax so anticipate some news on that front in the coming year.

Three events are anticipated: Federal Tax Reform (Plante)/Estate (BDO speaker and Mr. Cook)/International events.

7. ICLE – Jeff Kirkey

Mr. Kirkey was present but did not have a report.

8. Grant Program – Tom Fabbri

Mr. Fabbri was present and requested the committee vote promptly for grant recipients to present at the upcoming Tax Conference.

9. Pro Bono Project/Community Service Initiative Coordinator – Joshua Wease

Mr. Wease was not present and did not provide a report.

10. IRS Area Counsel Liaison Report – Eric Skinner / Rob Heitmeyer

Messrs. Skinner and Heitmeyer were not present and did not provide a report.

11. Probate and Estate Planning Section Liaison Report – George Gregory

Mr. Gregory was present and provided a written report, attached.

12. State Bar of Michigan Liaison Report – Shenique Moss

Ms. Moss was not present and did not provide a report.

13. Program Facilitator Report – Mary Owiesny

Ms. Owiesny was present, but did not have anything to report.

**COMMITTEE ACTIVITIES**

1. Federal Income Tax – Jon Baloch

Mr. Baloch was not present and did not provide a report.

2. Employee Benefits – Eric Gregory

Mr. Gregory was present and reported that the Employee Benefits committee will hold an event next week at the Nickerbocker on the new Labor Department Rules. To be held in Grand Rapids on April 26, 2017.

3. Estates and Trusts – Nick Papsifakis

Mr. Papsifakis was present but did not provide a report.

4. State and Local Taxation – Daniel Stanley

Mr. Stanley was not present and did not provide a report.

5. Young Tax Lawyers – Rebecca Pugliesi

Ms. Pugliesi reported that the YTL will hold a co-event with the MWTA in Lansing.

**OLD BUSINESS**

Old business discussed, in part as identified above, included Federal Tax Reform events and E-Blasts.

**NEW BUSINESS**

- **Young Lawyers Program in Boyne: Sponsorship**

Ms. Smith discussed the sponsorship opportunity and will coordinate with Ms. Pugliesi and/or Mr. Peruski regarding the strategic planning approach for this event in June. Consideration of the cost-benefit issues is in issue but Ms. Pugliesi will contact the organization for additional details.

There being no additional business, a motion to adjourn was made by Mr. Monaghan, seconded by Mr. Peruski. The meeting was adjourned at approximately 5:00 p.m.

Respectfully submitted,

  
William Lentine  
Secretary