

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

April 11, 2019

A regular meeting of the Council of the State Bar of Michigan Taxation Section was held on April 11, 2019, at 9 a.m. at Honigman's office in Bloomfield Hills, Michigan. Ms. Jackie Cook, Chairperson of the Taxation Section, presided.

COUNCIL MEMBERS PRESENT

James Combs	Jackie Cook	Tom Fabbri
Andrea Crumback	Ryan Peruski	William Lentine
Brian Gallagher	Eric Gregory	
Michael Monaghan	Andrew MacLeod	

COUNCIL MEMBERS ABSENT

Joshua Wease	Sean Cook	Carolee Smith
Mindi Johnson		

COMMITTEE CHAIRPERSONS PRESENT

Daniel Stanley	Erick Hosner	
Rebecca Pugliesi	John Arendshorst	

COMMITTEE CHAIRPERSONS ABSENT

Nick Papasifakis	Joshua Lowenthal (Vice Chair)	Kathleen Cieslik (Vice Chair)

OTHERS PRESENT

Neal Nusholtz		

Jackie Cook called the meeting to order at 9:05 a.m. A quorum was determined to be present.

Ms. Cook referred to the proposed Minutes of Regular Meeting dated March 14, 2019 and after review and discussion thereof, it was proposed (after noting that quorum is present),

that the minutes be approved with Mr. James Combs making the motion and Mr. Brian Gallagher seconded the motion, the minutes were then approved and adopted.

TREASURER'S REPORT

Mr. Lentine reported that he just received the March 31, 2019 financials from the State Bar of Michigan, and the numbers appear to be slightly ahead of last year at this time and he briefly reviewed a few line items from the most recent month-end financial statements. Mr. Lentine also noted that he has not yet had time to review the March 31, 2019 financial statements in detail, but will do so in the near future. Lastly, Mr. Lentine encouraged the Tax Section's committee chairs to spend their respective budgets.

COUNCIL ACTIVITIES

1. Strategic Planning – Ryan Peruski

Mr. Peruski discussed the strategic plan, and the updates to the strategic plan for 2019. Mr. Peruski noted that he drafted the revised strategic plan based on the feedback he received, and discussed some of the updates to the strategic plan and the status of various items listed thereon. Mr. Peruski stated that he is working on questions / follow-up for the goals as listed on the revised strategic plan and areas for improvement. Mr. Peruski is hoping to get input based on the questions / follow-up and to circulate an updated and revised draft of the strategic plan to the Tax Council for approval at the next meeting.

Ms. Cook thanked Mr. Peruski for his efforts, and a general discussion was held regarding summarizing the historical progress relating to the prior strategic plan as well as the updates to the strategic plan. Ms. Cook stated that she is hoping for some type of high level summary of progress that could be shared with the Tax Section's membership and was hoping to have the deliverable ready by July so that it could be shared with the Tax Section's membership in the e-newsletter.

Mr. Peruski also discussed the law student outreach program event that was held jointly with MSU's law school. The event was a networking event and involved a panel of lawyers providing networking tips. Mr. Peruski noted that the event had strong attorney participation and approximately 20 law students were in attendance. Mr. Monaghan reiterated support for the event and that it was well attended and organized.

2. Public Communications – Tom Fabbri

Mr. Fabbri noted that he continues to work with Andrew Marks of SBM to update content on the Tax Section's website, and requested committee chairs to provide updates on their committee events and activities.

3. Michigan Tax Lawyer – Mindi Johnson

Ms. Johnson was unable to attend the meeting, but provided a written report stating that the transition to an electronic edition of the Michigan Tax Lawyer is proceeding.

4. Annual Tax Dinner / Tax Court Lunch – Eric Gregory

Mr. Gregory noted that he is still waiting on the Tax Court schedule to come out for purposes of planning the next Tax Court Luncheon.

Mr. Gregory also provided an update regarding the September 18, 2019 annual meeting and that it is going to be held at the Townsend Hotel in Birmingham, and that he is waiting for the announcement for the meeting to go on SBM's website.

5. Annual Tax Conference – Mike Monaghan and Brian Gallagher

Mr. Monaghan noted that planning for the 2019 Annual Tax Conference is pretty much final and in good shape and that registrations appear to be going well and that ICLE will continue to send out email solicitations to drive attendance for the program.

Mr. Gallagher reported in relation to the student awards for the 2019 Tax Conference that there will be four student award recipients. A brief discussion was also held regarding speaker introductions at the Tax Conference and that the committee chairs will be responsible for introducing the speakers relating to each committee's corresponding subject matter track.

Ms. Cook thanked Mr. Monaghan and Mr. Gallagher regarding their efforts in planning the 2019 Tax Conference.

Mr. Gallagher reported that he had nothing new to report on the 2020 Tax Conference.

6. Federal & State Legislative Update and Public Policy Liaison – Sean Cook

Mr. Cook was unable to attend but provided a written report which included the "Tax Highlights" edition dated as of April 1, 2019.

7. ICLE – Max Matthies

Mr. Matthies was not in attendance, but Ms. Cook discussed the most recent segment for the Tax Law Series and thanked Mr. Hosner for stepping up to participate because the scheduled speaker had dropped out at the last minute.

8. Grant Program – Andrea Crumback

Ms. Crumback noted that grant applications are now due and that at this point she only has two grant applications, but anticipates that she may receive additional grant requests, and grant recipients are anticipated to be selected by her sub-committee in the near future.

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

Mr. Wease was not present, but provided a report stating that he is planning with Rob Heitmeyer a program with IRS to provide tax assistance on May 6th at the State Bar of Michigan's offices in Lansing and that he is also planning pro-bono tax preparer training for late June.

10. Student Outreach – Ryan Peruski and Joshua Wease

Mr. Cook noted Mr. Peruski's prior discussion of the law student outreach event, and no further discussion was held on this topic.

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

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

12. Probate and Estate Planning Section Liaison Report – Neal Nusholtz

Mr. Nusholtz was present but had nothing new to report at this time.

13. State Bar of Michigan Liaison Report – Thomas Howlett

Mr. Howlett was not present and no report was provided.

14. Program Facilitator Report – Mary Owiesny

Ms. Owiesny was not present, but a provided a report noting the she had nothing new to report.

COMMITTEE ACTIVITIES

1. Employee Benefits – John Arendshorst

Mr. Arendshorst noted an upcoming event on April 18th in Grand Rapids and encouraged everyone to attend, and that he has been working with Andrew Marks of SBM to update the event on the Tax Section's website and that another invitation for the event will be forthcoming from SBM Connect.

2. Estates and Trusts – Nick Papsifakis

Mr. Papsifakis was not in attendance, but provided a report and noted that a March 14th event was held on directed trusteeships, and that he is working on another event for Wed. June 5th to be held at the Michigan Humane Society focused on charitable tax issues for estate planners.

3. Federal Income Tax – Erick Hosner

Mr. Hosner reported that is planning an event for June 6th on a tax controversy topic. Josh Lowenthal – Vice Chair is working on planning the event to be held in Detroit at a location yet to be determined.

4. State and Local Taxation – Daniel Stanley

Mr. Stanley provided an update that the proposed new rules for the Michigan Tax Tribunal have not come into effect yet, and also discussed a potential request for an amicus brief regarding a state and local tax matter.

5. Young Tax Lawyers – Rebecca Pugliesi

Ms. Pugliesi noted that she is planning an event for April 25th for the Young Tax Lawyers at the Detroit Beer Company.

OLD BUSINESS

Fundamentals Program 2019: Ms. Pugliesi discussed planning for the Fundamentals of Taxation Program for 2019, and also discussed proposed locations for the program, including potentially holding the program at Wayne State’s law school.

Law Student Writing Challenge: Mr. Combs noted that at this point there have been no submissions for the law student writing contest and that there is a April 15th deadline for submissions.

Treasurer Eubanks – Topics for May Tax Conference presentation:

Ms. Cook noted that potential questions / topics have been provided to the Treasurer for her speech at the 2019 Annual Tax Conference and there was no further discussion of this matter.

NEW BUSINESS

Content for Tax in the Great Lakes State – Spring 2019 (April):

Ms. Cook encouraged everyone to provide content for the next e-newsletter and that it will be going out in the next few weeks.

Tomra – Amicus Opportunity:

At this point, all members of the Honigman law firm were excused from the meeting, including James Combs and Daniel Stanley. Ms. Cook then proceeded to discuss a potential amicus opportunity submitted by June Summers Haas regarding Industrial

Processing exemption and general facts regarding the Tomra case and rulings issued by the Michigan Court of Claims and the Michigan Court of Appeals, and noted that the Michigan Supreme Court has agreed to hear the case and that amicus briefs for the case are due by July 17th. Ms. Cook proposed forming an ad-hoc sub-committee to decide whether the Tax Section would like to submit an amicus brief with respect to this matter. Bill Lentine and Erick Hosner agreed to serve on the sub-committee, and Ms. Cook stated that she would reach out to Andrea Crumback and Sean Cook to see if they would also be willing to serve on the ad-hoc committee.

There being no other business Ms. Jackie Cook requested a motion to adjourn the meeting with such motion being made by Brian Gallagher and seconded by Eric Gregory, and such motion was approved.

The meeting was adjourned at approximately 10:40 a.m.

Respectfully submitted,



Andrew MacLeod
Secretary