

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

January 17, 2019

A regular meeting of the Council of the State Bar of Michigan Taxation Section was held on January 18, 2019, at 9 a.m. at the Southfield office of Warner Norcross. Ms. Jackie Cook, Chairperson of the Taxation Section, presided.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

Joshua Wease		
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COMMITTEE CHAIRPERSONS PRESENT

Daniel Stanley	Nick Papisifakis	Erick Hosner
Rebecca Pugliesi	John Arendshorst	

COMMITTEE CHAIRPERSONS ABSENT

Paul Howarah (Vice Chair)	Kathleen Cieslik (Vice Chair)	Joshua Lowenthal (Vice Chair)

OTHERS PRESENT

Jeff Kirkey	Mary Owiesny	Max Matthies

Jackie Cook called the meeting to order at 9:04 a.m. A quorum was determined to be present.

Ms. Cook referred to the proposed Minutes of Regular Meeting dated December 13, 2018 and after review and discussion thereof, including the correction of minor typographical errors, it was proposed (after noting that quorum is present), that the minutes, as corrected, be

approved with Mr. Michael Monaghan making the motion and Mr. William Lentine seconded the motion, the minutes were then approved and adopted.

TREASURER'S REPORT

Mr. Lentine discussed the budget and reviewed budgeted numbers and noted that the Tax Section started the fiscal year with approximately 90,013 of cash on hand and encouraged committee chairs to spend their respective budgets. Mr. Lentine discussed expenditures relating to the Michigan Tax Lawyer and the Fundamentals of Taxation program. Mr. Lentine then reviewed the end of November numbers and noted that total cash on hand at the end of November was approximately \$118,732. Ms. Carolee Smith posed a question regarding the format for the financial statements relating to the reporting of the L. Wright Hart Fund and noted that it should be broken out on the Tax Section's financial reports.

COUNCIL ACTIVITIES

1. Strategic Planning – Ryan Peruski

Mr. Peruski discussed the 2019 Fundamentals of Taxation Program and a recently held meeting regarding re-formatting the program for 2019 and ideas to sustain the program on a go-forward basis. Mr. Peruski then noted that he anticipates making recommendations for the revised program in March.

Mr. Peruski also noted that he is working with Joshua Wease on the proposed student networking event and anticipates only a short formal program and inviting various law firms to participate in the event. In addition, Mr. Peruski anticipated that the venue for the student networking event will likely be in the Novi area with the event to be held late in the 1st quarter or during the 2nd quarter of 2019.

2. Public Communications – Tom Fabbri

Mr. Fabbri urged everyone to provide updates on their committee events so that he can list them on the Tax Section's website. Mr. Fabbri also encouraged everyone that uses LinkedIn to join the Tax Section's LinkedIn group and noted that he will be posting updates to it relating to the Annual Tax Conference.

3. Michigan Tax Lawyer – Mindi Johnson

Ms. Johnson noted that she is finalizing the articles for next issue of the Michigan Tax Lawyer but waiting on committee reports and hopes for the print edition to be finalized shortly. Ms. Johnson has set up a meeting with the State Bar to learn about transitioning to an E-Edition of the Michigan Tax Lawyer and to let her know if anyone would like to participate in that meeting. Ms. Johnson noted that she is also working on taking an inventory / creation of an index of the articles that have been published in the Michigan Tax Lawyer.

4. Annual Tax Dinner / Tax Court Lunch – Jon Baloch

Ms. Cook noted that Mr. Baloch has resigned from his position on the Tax Council and that his position is currently vacant. Ms. Jackie Cook reported that the Tax Court luncheon is in limbo due to the government shut down so the timing of the luncheon program is uncertain at this point.

5. Annual Tax Conference – Mike Monaghan and Brian Gallagher

Mr. Monaghan noted the 2019 Annual Tax Conference is in good shape and it is still open whether the newly appointed State of Michigan Treasurer will be available to speak at the conference. Dan Stanley reported that he has reached out to the Treasurer's office to arrange for the new Treasurer's attendance at a February event of the State and Local Tax Committee and he will attempt to recruit her to speak at the Annual Tax Conference. Mr. Monaghan also noted that registration is open for the Annual Tax Conference and encouraged everyone to register and for committee chairs to promote the Tax Conference at their events.

Brian Gallagher reported that he has nothing new to report with respect to the planning for the 2020 Tax Conference.

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

Mr. Cook referenced the "Tax Highlights" update of legislative and regulatory tax developments for Tax Section members, and various updates listed on the "Tax Highlights" hand-out were discussed. Mr. Cook anticipated sending future issues of "Tax Highlights" to Committee Chairs for their input. Ms. Smith noted that the Michigan Tax Tribunal reform bill was passed but that it was a slimmed down bill that did not contain all of the hoped for reforms. Mr. Cook noted that the "Tax Highlights" has its own webpage on the Tax Section's website.

7. ICLE – Max Matthies

Mr. Matthies noted that ICLE finished taping last week for its most recent Tax related program and anticipated posting the edited version on the program in the near future.

8. Grant Program – Andrea Crumback

Ms. Crumback discussed that she will be providing information for inclusion in the Michigan Tax Lawyer regarding the Grant Program and that she will also be sending out letters to potential grant recipients in February. Ms. Crumback discussed forming an ad hoc sub-committee to award the grants and anticipated forming the committee in March. Tom Fabbri and Mindi Johnson volunteered to serve on the sub-committee when it is formed.

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

Mr. Wease was not present, but provided a report.

10. Student Outreach – Ryan Peruski and Joshua Wease

Mr. Peruski referenced his prior discussion of the planned student networking 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 not present but provided a written report regarding issues discussed at a recent meeting of the Probate & Estate Planning Section.

13. State Bar of Michigan Liaison Report – Thomas Howlett

Not present and no report was provided.

14. Program Facilitator Report – Mary Owiesny

Ms. Owiesny noted that she is working to update the minutes for the Tax Section's website.

COMMITTEE ACTIVITIES

1. Employee Benefits – Eric Gregory

Mr. Gregory noted that his next event is February 7, 2019 in Troy at 8am, with the topic being the "Affordable Care Act" and he encouraged everyone to attend. Mr. Gregory stated the he is working on a calendar of events and anticipated holding events in April and June.

2. Estates and Trusts – Nick Papsifakis

Mr. Papsifakis delayed his planned February event until March 14th, and is working on a location, but with the topic for the event to be trust decanting.

3. Federal Income Tax – Erick Hosner

Mr. Hosner reported an event is upcoming on February 21st and the topic will involve recapping recent regulatory guidance on the new tax act with BDO making the presentation. Mr. Hosner will be meeting with FIT's Vice Chair to plan future meetings for the upcoming year.

4. State and Local Taxation – Daniel Stanley

Mr. Stanley referenced the earlier discussion in connection with the Annual Tax Conference regarding the proposed "Meet the Treasurer" event to be held in February.

5. Young Tax Lawyers – Rebecca Pugliesi

Ms. Pugliesi is in the process of planning events for the Young Tax Lawyers committee for the upcoming year and is tentatively planning an event for April. Ms. Pugliesi also noted that Mary Hennessey has resigned as Vice Chair of the committee. Erick Hosner suggested a potential replacement for the open Vice Chair position.

OLD BUSINESS

Fundamentals Program. Mr. Peruski referenced the prior discussion regarding the planning for the Fundamentals of Taxation Program, and noted that a consensus should be reached as to whether ICLE should be more involved in the planning for the program. In addition, he also noted the concern that the content for the program could become stale, and that he will be prepared to discuss the Fundamental of Taxation Program in more detail in March.

Student Writing Contest: Mr. Combs noted that on January 15, 2019 the Tax Section's new Student Writing Contest was launched on the Tax Section's website. Mr. Combs also discussed eligibility requirements and the need to get the word out regarding the contest, and the \$1,000 award for the 1st place recipient. Mr. Combs thanked the committee chairs for assisting with topics for the writing contest. Ms. Cook also noted the need for volunteers to assist with reviewing the submissions.

E-Newsletter: Ms. Cook noted the publication of the first E-Newsletter and welcomed ideas / input for the next edition of it which is anticipated to be sent out in January.

NEW BUSINESS

Tax Council Vacancy: The resignation of Jon Baloch was discussed and the need to appoint a replacement for Jon to serve on the Tax Council. Ms. Cook nominated Eric Gregory for the vacant Tax Council position. Ms. Cook so moved, and Ms. Carolee Smith seconded, and all approved the appointment of Eric Gregory to the Tax Council. In connection therewith and a part of such approval, John Arendshorst was appointed to Eric Gregory's former position as chair of the Employee Benefits Committee.

Student Writing Contest: Ms. Jackie Cook referenced Mr. James Combs prior discussion of the Student Writing Content and reviewed a proposed written resolution regarding the Tax Section's Student Writing Challenge and upon the motion of Sean Cook, seconded by Michael Monaghan, all approved of the resolution.

Tax Law Student Achievement Award: Brian Gallagher discussed the basic eligibility criteria relating to the Tax Law Student Achievement Award. Ms. Cook noted that award includes free admission to the Annual Tax Conference and the Fundamental of Tax

Program. After the discussion and upon the motion of Sean Cook, seconded by Carolee Smith, all approved of the resolution.

March 14 Meeting at SBM. Ms. Cook discussed that the next Tax Section Meeting is on March 14th in Lansing at the State Bar of Michigan Offices. Andrew Marks of SBM was invited to attend the meeting.

Tax in the Great Lake State – Winter 2019. Ms. Cook discussed that the Winter edition has gone to press and the next edition is anticipated in April of 2019. Ms. Cook encouraged submissions for the next issue. Mr. Sean Cook volunteered to provide some content.

MICPA Cross-Pollination: Ms. Cook noted that she met with the MICPA regarding coordinating with the MICPA on potential future joint events. In connection therewith, she noted that in the past these joint events have not met expectations, but that a joint event involving the Young Tax Lawyer committee could be a good fit and also provide a good networking opportunity. Mr. Lentine mentioned that a joint event with the Federal Income Tax committee may also be a good fit for a joint program.

Honigman v. Detroit Amicus Opportunity. At this time, James Combs, Ryan Peruski and Dan Stanley, Mary Owiesny were all excused from the meeting. Mr. Lentine discussed the findings of the ad hoc committee that was formed to discuss the submission of an amicus brief to the Michigan Supreme Court. After the discussion and a brief review of the Tax Section's amicus brief guidelines, it was decided that the Tax Section would not be able to add a lot of value / novel insight in relation to the issues of this case, and it was decided that the Tax Section should politely decline to submit an amicus brief.

There being no other business Ms. Jackie Cook requested a motion to adjourn the meeting with such motion being made by Bill Lentine and seconded by Sean Cook, and such motion was approved.

The meeting was adjourned at approximately 10:53 a.m.

Respectfully submitted,



Andrew MacLeod
Secretary