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

A regular meeting of the State Bar of Michigan Taxation Section was held on Tuesday, March 16, 2004, at 9:00 a.m. The meeting was held at the law offices of Maddin, Hauser, Wartell, Roth & Heller, P.C., 28400 Northwestern Highway, Third Floor, Southfield, Michigan 48034. Sherill Siebert, Chairperson of the Tax Section, presided:

COUNCIL MEMBERS PRESENT

Sherill Siebert	Joan R. Dindoffer
Eric M. Nemeth	Jeffrey Devree
Charles M. Lax	Jay A. Kennedy
Anthony J. Caputo	Jess A. Bahs
Henry P. Lee	Trevor T. Wetherington
Ronald T. Charlebois	

COMMITTEE CHAIRPERSONS PRESENT

George H. Runstadler, III. Estates & Trust
James F. Mauro, Practice & Procedure
John M. Neberle, State & Local

COUNCIL MEMBERS ABSENT

Aaron H. Sherbin
Thomas J. Kenny

COMMITTEE CHAIRPERSONS ABSENT

Eric T. Carver, Business Entities
Warren J. Widmayer, Employee Benefits

OTHERS PRESENT

Edward M. Deron, Ex-Officio, Past Council Chairperson
Jan M. Baggett, Program Facilitator
Deborah Michaelian
Shirley Kaigler, Probate Section Liaison
Mary Hiniker, ICLE
Peter Kulick

The meeting was called to order at 9:00 a.m. by Council Chairperson Sherill Siebert.

A. ANNOUNCEMENTS.

Sherill Siebert began the meeting with a few announcements. She first called upon Eric Nemeth. Eric reported that he had received from the National Association of State Bar Tax Sections a plaque honoring past Chairperson Lawrence R. Vantil. Eric next indicated that Tax Council should consider a method of recognizing Past Chairpersons and other Tax Council members and chairpersons at their passing. It was suggested as a possibility that memorials be recorded in the *Michigan Tax Lawyer*.

Sherill Siebert next reported that Shirley Kaigler had recently been appointed by the Probate Section as the liaison to the Tax Section. Earlier this year, it was agreed that contemporaneous with this appointment she would also be appointed as the liaison from the Tax Section to the Probate Section. Accordingly, effective immediately Shirley Kaigler will replace George Gregory in this capacity.

B. MINUTES.

The minutes of the previous meeting of the Council had been distributed. There being no comments, on motion duly made by John Neberle and seconded by Trevor Wetherington to accept the minutes, the motion was unanimously carried.

Due to the absence of Aaron Sherbin from this Council meeting, it was noted that Chuck Lax would prepare and circulate the minutes of this meeting.

C. TREASURER'S REPORT.

It was noted that the treasurer's report was previously distributed with the minutes of the prior meeting and the agenda for the current meeting. It was further noted that at the present time cash on hand exceeded \$126,000.

D. COUNCIL ACTIVITIES.

Sherill Siebert asked for reports and was advised of the following:

1. After Hours Tax Law Series. Trevor Wetherington reported that the programs for the past year are now complete and were a resounding success. The attendance at the programs exceeded expectations and prior years' attendance. He attributed it to his predecessor Shirley Kaigler and Mary Hiniker from ICLE. He also attributed it to the superior topics and the quality of the speakers who appeared at the programs. Trevor then called upon Mary Hiniker for her comments.

Mary Hiniker thanked the Tax Council for allowing her to attend. She indicated that ICLE's relationship with the Tax Section and their sponsorship of tax related programs were an integral part of the ICLE After Hours Tax Program. She indicated that the Tax Section may wish to consider a greater presence at future seminars. Also, she reported that the structure of the presentations and materials may be changing over the next few years because of ICLE's plan to place audio and visual presentations online.

Trevor then reported that he has been working on next year's series. Mary Hiniker stated that the program for next year should be set within the next month in order to allow the preparation of materials and provide ICLE members with sufficient advance notice. Trevor next indicated that he will again include a program on "Hot Topics in Estate and Gift Taxes." This program always is successful. He also indicated that if at all possible, Lorraine New from the IRS will participate. A second topic that has been successful in the past and will also likely be included will be on partnerships and LLC's. Other topics under consideration included state and local taxes, real estate transactions, and drafting of operating and partnership agreements.

A brief discussion took place concerning opening the programs to more law students. Mary Hiniker indicated that it is ICLE's present policy for law students pay half of the normal cost paid by attorneys. It was suggested that we may wish to consider as an outreach program subsidizing a greater portion of the cost.

Another item that is under consideration is bringing in a national speaker. Trevor indicated that this would provide greater visibility for the Tax Section and ICLE. Mary Hiniker indicated that ICLE had no objection to this type of program, although the cost of the program should be borne by the Tax Section. Trevor was directed to give consideration to possible national speakers.

2. Summer Tax Conference. Henry Lee, Chairperson of the 2004 Summer Tax Conference, distributed his report. He first indicated that the program would be held at the Soaring Eagle Casino & Resort in Mt. Pleasant, Michigan, on Friday and Saturday, June 25 and 26, 2004. The three sponsors of the program will be Standard Federal Bank, Stout Risius Ross, Inc. and Virchow Krause & Company, LLP.

Henry next reported that the invitations are in the process of being finalized and will be mailed shortly. The invitation will have a different look than it has in the past and will be mailed regular first-class mail with enclosures. Furthermore, within the next few days, an e-mail invitation will be sent to those members of the Tax Section who have agreed to receive e-mail from the State Bar.

The principal speaker for the program will be Roy Adams. Mr. Adams is nationally known, speaking extensively on estate planning topics. Additionally, Robert Keebler of Virchow Krause & Company, LLP, another well-known national speaker, will also appear. In addition to Mr. Adams and Mr. Keebler, other local speakers will appear and provide presentations.

Henry reported that there would be many other forms of advertising. The *Michigan Probate & Estate Planning Journal* will include an advertisement. The *Tax Lawyer* will also include an advertisement. Special mailings will be made by each of the three Conference sponsors. ICLE will be solicited to determine if they will assist in publicizing the Conference. Henry concluded his comments by indicating his hope and belief that this year's attendance will far exceed recent Conferences and possibly exceed the attendance at any Summer Tax Conference held in the past.

Sherill Siebert next called upon Jess Bahs, Chairperson of the 2005 Summer Tax Conference for his report. Jess indicated that he recently concluded a survey among Tax Council members which proved interesting. It was Jess' observation that many of the participants attend the conference for reasons other than "educational purposes." These included golf, family related activities, etc.

A discussion then took place concerning the date for the conference. It was concluded that the two best dates would be June 17 and 18, 2005 or June 24 and 25, 2005. With respect to the location of the program, Jess said that he has considered a number of different resorts. At this time, he indicated that he was seriously considering Crystal Mountain Resort. He had been informed that Crystal Mountain has spent a substantial amount of money on renovation and will be building a water theme park, which will lend itself to the "family experience." Also being considered is a return to Soaring Eagle. The difficulty, of course, with returning to Soaring Eagle is that a commitment will likely be needed for a resort before this year's Summer Tax Conference.

3. Tax Court Luncheon. Ron Charlebois reported that there are no Tax Court dockets scheduled in the near future in Detroit, so that no Tax Court luncheons have been scheduled.

4. Directory. Trevor Wetherington distributed draft copies of the directory which is being compiled. He indicated it was substantially complete and has included not only Tax Section members' information but also contact information for state agencies, state courts, the IRS, etc. It was suggested that e-mail addresses be included for each of the Tax Section members and their subcommittee memberships. Trevor indicated that would be easy to add.

A lengthy discussion took place concerning the method of distribution of the directory. Although it had been planned for the directory to be distributed by e-mail, it was noted that the State Bar of Michigan's policy is to allow e-mail distribution only to members of a section who have affirmatively consented to receive e-mail with their application. Although there are more than 1,400 Tax Section members, less than 400 members have consented to the receipt of e-mails. It was suggested by Sherill that the State Bar of Michigan be contacted to determine whether the distribution of the directory would be an exception.

5. Michigan Bar Journal. Ron Charlebois reported that he has received three commitments for the November 2004 *Michigan Bar Journal* which will focus on tax issues. Ron indicated that Robin Ferriby, Henry Lee and Gina Torielli or another professor from Cooley Law School have made commitments for articles. A fourth article has been offered to Michelle Halloran affiliated with MSU-DCL and we are awaiting word from her.

6. Michigan Tax Lawyer. Jay Kennedy reported that the last edition of the *Tax Lawyer* was distributed approximately two weeks ago. He also indicated that he was in the process of finalizing the next edition. Substantially all of the articles, reports, and other items have already been submitted to Jay at this time. Jay also indicated that with respect to the next edition, Tom Kenny will be asked to play a greater role.

7. Internet. Jeff Devree submitted a written report. He first of all indicated that web access to the Section's web site is now available through our alternate address