

From: "Mike Sukal" <MSukal@afscme.org>
To: <kswift@uaw.net>
Date: 10/14/2005 5:49:48 PM
Subject: update

Karla:

Here's my report. I had a message from Keenan when I got back from the office. Let's talk this weekend about how we best coordinate while moving forward. I would like to call him back Monday morning.

Thanks
Mike

Present for AFSCME: President McEntee, Al Garrett, Larry Roehrig, Mike Sukal

Present for the State: Governor Granholm, Muzette Michaels, DHS General Counsel; Kelly Keenan, Director - Office of Legal Counsel; Tim Hughes, Legislative Director

President McEntee opened the meeting with a general overview of AFSCME and the UAW's organizing activity.

Governor Granholm asked a few specific questions about whether this affected private day care centers.

Kelly Keenan then described how an interlocal agency would be created and discussed the challenges of finding a partner for DHS that would be politically supportive of providers organizing and meet the legal requirements to enter into an interlocal agreement. He referred several times to the fact that they've been discussing these issues with Nick Chimaturo from Council 25 and Judy Stevens from AFSCME's staff.

President McEntee raised the issue of a timeline and Mike Sukal described how an Executive Directive could be a transitional step to establish union recognition and have the union meet and confer with DHS while the Interlocal Agency was being finalized. He explained the process that AFSCME used in Iowa.

The Governor clarified that the union would be bargaining with DHS under that scenario and asked if that would make providers state employees. The Governor and Keenan raised concerns that an executive directive would flag the issue in the legislature and discourage potential partners from joining the interlocal agreement. Sukal agreed to share more specifics with Keenan in a follow-up conversation.

President McEntee made it clear that AFSCME and the UAW were interested in sole jurisdiction of childcare providers and advised the Governor to tell SEIU that she was working with us now in order to avoid a greater conflict in the future.

App 312

From: Georgi-Ann Bargamian
To: keenank@michigan.gov; liedels@michigan.gov
Date: 11/11/2005 1:27:17 PM
Subject: Draft ILA and Feedback on ISD Admission to ECIC

Per yesterday's conference call, attached is an ILA that CCPTM drafted. Establishing a second public authority through a different ILA might be the way to go if it is determined that using ECIC is not feasible.

However, with regard to the idea of having the Livingston ISD join ECIC as a new ISD member, and the concern that was expressed in response that this admission request would have to go before the Michigan Legislature, please note that according to Article IX of the ECIC ILA, there is absolutely no involvement by the Michigan Legislature in admitting any ISD as an ECIC member. Nor is there any such caveat expressed anywhere else in the ECIC ILA.

Rather, the ISD is required to submit a "request form" accompanied by a legal opinion by the ISD's legal counsel confirming that the ISD "is validly formed and possesses the powers necessary to enter into this Agreement."

Upon the ISD's submission of that "request form" and accompanying opinion by its lawyer to ECIC, ECIC's CEO (if there is a CEO), recommends approval or denial of the request to the Executive Committee. The Executive Committee retains final authority to approve or reject the ISD's admission request.

If the Executive Committee approves the ISD's admission request, the ISD must adopt a resolution to enter into the ECIC agreement. The ISD is effectively admitted as an ECIC member when the ECIC ILA containing the additional signature of the new ISD member is filed with the Michigan Department of State and the ISD's county of location.

That's it.

Please also note that a new ISD's admission to ECIC and its Board doesn't change the Executive Committee's composition. The Executive Committee remains as comprised of the DHS representative and the 14 Michigan residents appointed by the Governor.

Therefore, the idea of having the Livingston ISD simply join ECIC (rather than approach that ISD to enter into a separate ILA) should remain a viable (and perhaps preferable) option.

Please let me know if you have any questions.

CC: Sukal, Mike; Swift, Karla

App 316

Exhibit 7

Georgi-Ann Bargamian - ECIC and MCLA

From: Georgi-Ann Bargamian
To: keenank@michigan.gov; liedels@michigan.gov; nick@miafscme.org; Sukal, Mike;
Swift, Karla
Date: 11/14/2005 9:39:47 AM
Subject: ECIC and MCLA

Kelly and Steve:

Following up my email on the ECIC ILA and how an ISD becomes a participant, I have been advised by Nick that on last week's conference call, Musette Michael was referring to a section of the MCLA (and not the ILA) when she raised the issue of having to let the Legislature know of an ISD joining ECIC.

Is the "boilerplate" that Musette was referring to at MCLA 388.1632j? That's the section of the State School Aid Act of 1979 dealing with Great Start fund grant allocations to ISDs for particular preschool programs for kids from birth to 5.

I don't see anything in that section that would require reporting of an ISD joining ECIC to the Legislature or the House and Senate fiscal agencies.

The section seems to limit such reporting to receipt of direct grants by the ISD pursuant to its specific grant request from the \$3.3 million 2005-2006 allocation for Great Start programs.

Can you shed some light on this for me and let me know your thoughts on the applicability of Section 388.1632j or if there's some other section that's applicable?

Thanks,
Georgi-Ann

App 318

Exhibit 9

UNIONDEFS00005955

From: "Liedel, Steve (GOV)" <liedels@michigan.gov>
To: "Georgi-Ann Bargamian" <GBAR@uaw.net>
Date: 1/10/2006 3:13:25 PM
Subject: RE: Michigan Child Care Providers

Thank you for the update.

-----Original Message-----

From: Georgi-Ann Bargamian [mailto:GBAR@uaw.net]
Sent: Tuesday, January 10, 2006 3:11 PM
To: Liedel, Steve (GOV)
Subject: Michigan Child Care Providers

Hi Steve:

This email confirms that the Unions are organizing all Michigan in-home child care providers: family, group, day care aide, and relative aide. As you may know, this group consists of about 41,000 in-home providers.

Please let me know if you have any questions.

--Georgi-Ann

CC: "Keenan, Kelly (GOV)" <keenank@michigan.gov>

Georgi-Ann Bargamian - Interlocal Agreement

From: "Keenan, Kelly (GOV)" <keenank@michigan.gov>
To: "Karla Swift" <KSWIFT@uaw.net>, <sfantauzzo@afscme.org>, <msukal@afscme.org>
Date: 1/20/2006 11:56 AM
Subject: Interlocal Agreement

Extremely Confidential

Here is a draft of the interlocal agreement. Please hold it very confidential and only share on a need to know basis. Questions may be directed to Brandon Hofmeister of my office.

Also on a confidential need to know basis, the Lt. Governor is contacting the college president to indicate administration support of the proposal and to encourage their participation. He will advise me as soon as that has occurred and I will in turn let you know.

App 321

Exhibit 13

hofmeisterb@michigan.gov

-----Original Message-----

From: Georgi-Ann Bargamian [mailto:GBAR@uaw.net]
Sent: Tuesday, February 14, 2006 3:07 PM
To: Hofmeister, Brandon (GOV)
Subject: RE: interlocal agreement

OK. By the way, how long will the AG office review take, do you think?

>>> "Hofmeister, Brandon (GOV)" <hofmeisterb@michigan.gov> 2/14/2006 3:01 PM >>>

OK - If you guys can agree to drop it, I think we'd probably favor that.

The more this thing looks exactly like QCCC, the better. That might mean sacrificing a perfect document to some degree. But if it's important...we can put it in.

Brandon Hofmeister
Deputy Legal Counsel
Office of the Governor Jennifer Granholm
517-373-1317
hofmeisterb@michigan.gov

-----Original Message-----

From: Georgi-Ann Bargamian [mailto:GBAR@uaw.net]
Sent: Tuesday, February 14, 2006 2:22 PM
To: Hofmeister, Brandon (GOV)
Subject: RE: interlocal agreement

I think that the exemption is unnecessary because labor contracts and government agreements entered into within government's authority are exempt from anti-trust concerns as I read 445.771 et seq.

Let me talk to my AFSCME counterpart as see whether they'd be willing to forego this. It's sure not a deal breaker. I'm assuming DHS isn't advocating its inclusion.....

>>> "Hofmeister, Brandon (GOV)" <hofmeisterb@michigan.gov> 2/13/2006 2:24 PM >>>

Ok thanks - I'll discuss w/ Steve and we'll get back to you soon. We might be able to include something in the ILA, but it might be better to

do this in a transfer agreement if everyone agrees...especially if we need an explicit reference to authorized representatives.

I take it the point is to avoid an antitrust suit by parents alleging price fixing for child care rates?

Do providers actually even have a state action exemption as it is now? I know the department would...but my (admittedly uninformed) reading of the exemption would be that providers who merely get a license from or register with the state are not state actors for antitrust purposes...and even those who get reimbursed with state funds might not be state actors for antitrust.

App 326

From: "Hofmeister, Brandon (GOV)" <hofmeisterb@michigan.gov>
 To: "Georgi-Ann Bargamian" <GBAR@uaw.net>
 Date: 2/14/2006 3:45:20 PM
 Subject: RE: interlocal agreement

Kelly and Steve are the real experts on this stuff...and Steve is away in meetings all day today...but we're going to talk about the ILA tomorrow morning so I'll probably have a better grasp then. Don't really want to ballpark w/o talking to those guys first.

ILA
 timetable

We do need to run it through DHS, which we can do quickly once we have a draft everyone is happy with. And Moll needs to sign on (no idea how long that might take - that's the biggest question mark for me). Then it goes to the AG. My understanding is the AG guy is neither friend nor foe...just professional civil service staff. And that's the level we want to keep this thing at...we want it to be very routine. If it raises any eyebrows, it might get kicked up to some foes higher on the food chain.

Brandon Hofmeister
 Deputy Legal Counsel
 Office of the Governor Jennifer Granholm
 517-373-1317
 hofmeisterb@michigan.gov

-----Original Message-----

From: Georgi-Ann Bargamian [mailto:GBAR@uaw.net]
 Sent: Tuesday, February 14, 2006 3:35 PM
 To: Hofmeister, Brandon (GOV)
 Subject: RE: interlocal agreement

Is this one guy in the AG's office "friend" or "foe?" Will he drag his feet purposely?

Also, what's the typical timeline on these ILAs, including AG review, consideration and signature by the ILA parties, and satisfaction of statutory signing and filing requirements?

In other words, in a best case scenario, when you think the effective date would be for MHBCCC and what would be the worst case scenario effective date? I know this is all ballpark.

>>> "Hofmeister, Brandon (GOV)" <hofmeisterb@michigan.gov> 2/14/2006 3:09 PM >>>

Probably a few weeks...but it's hard to tell...it's one guy over there who specializes in these things. Depends completely on his workload at the time and whether he's on vacation w/ his kids for spring break, etc.

Brandon Hofmeister
 Deputy Legal Counsel
 Office of the Governor Jennifer Granholm
 517-373-1317
 App 325

MHBCCC CHECKLIST DRAFT CONFIDENTIAL

[ILA to AG 7/28/06; Potential 8/4/06 AG action?: drop dead date for appointees 8/4/06]

TOPIC	ACTION(S)	WHO/WHEN	QUESTIONS/INFO
Vet appointees	Review Larry Simmons and Dr. Earlie Washington paperwork	S Corbin	<input checked="" type="checkbox"/> Olof Karlstrom, Elizabeth Hackett, Karen Eaton & Patricia Ovieto already vetted
Backup/placeholder appointees	Generate names from dbase	KK/SL>S Corbin >KS/MS	recruit backups 8/4/06; not needed if Simmons & Washington OKed
Board Member Meeting Availability Identify/confirm Board Roles	Contact Larry Simmons	KS?	Available 8/16, 21, 23, 24, 25? Is 2-6 pm ok? Re-confirm willingness to Chair? Also ask to serve on a committee-- Exec Dir Search Comm or Finance Comm When available re: 2006 Meeting Schedule
	Contact Dr. Earlie Washington	KS?	Available 8/16, 21, 23, 24, 25? Is 2-6 pm ok? Also ask to serve on a committee? When available re: 2006 Meeting Schedule
	Contact S. Olof Karlstrom	KK recruit as finance chr	Available 8/16, 21, 23, 24, 25? Is 2-6 pm ok? Recruit -- Finance Chair When available re: 2006 Meeting Schedule
	Contact Elizabeth Hackett	KK or SL	Available 8/16, 21, 23, 24, 25? Is 2-6 pm ok? Also ask to serve on a committee? When available re: 2006 Meeting Schedule
	Contact Marianne Udow	KK or SL	Available 8/16, 21, 23, 24, 25? Is 2-6 pm ok? When available re: 2006 Meeting Schedule
	Contact Patricia Ovieto	KS?	Is 2-6 pm ok on 8/16, 21, 23, 24, 25? Confirm willingness to be Sec'y? Also ask to serve on a committee? When available re: 2006 Meeting Schedule
	Contact Karen Eaton	KS	Is 2-6 pm ok on 8/16, 21, 23, 24, 25? Will chair Exec Dir Search Comm When available re: 2006 Meeting Schedule
	Send written "hold the date" msg	SL/PG? after above calls	For any dates when all can come
	Draft talking points for Bd Members		
	Brief Bd Members w/ talking points		
ID/Confirm Board Roles	Confirm L Simmons to be Chair	KS	Or just have at meeting for them?

From: "Keenan, Kelly (GOV)" <keenank@michigan.gov>
To: "Karla Swift" <kswift@uaw.net>, <msukal@afscme.org>
Date: 4/7/2006 8:08:07 AM

As a follow up to yesterday's meeting:

1. When, where and how long with the card count take? I need an idea of what kind of time commitment is involved to help find the right person to observe the count.

2. DHS is working on locating the signatures. As of yesterday, they believed that the signatures are probably in a state storage warehouse until they are destroyed pursuant to state law. Generally records are held 3 to 7 years. I expect to know something today regarding the signatures availability.

3. Peter Goodstein, Flint, Mich., 810.767.6860, is an attorney who seems to be a possible good fit as counsel to the new authority. I do not know Peter personally, but he has relevant experience and is well thought of in Genesee County by people we trust to have good judgment. Gary Corbin advised that he has worked on projects with Peter and thinks he would be a good fit. Peter has done complicated and sensitive work for Genesee County Treasurer Dan Kildee. Please do your own careful due diligence on Mr. Goodstein and let me know what you think. Keep in mind that once the authority is established, we can always find another person for any role where there may be a better fit.

For some reason I do not have Judy's email address so I trust you will forward this. I hope to be emailing a one page document later today that provides a simple schematic of what we are doing for use with Mott. Geri will set up a call later today. Thanks.

CC: "Patrick McCarty" <PMCCARTY@uaw.net>

Georgi-Ann Bargamian - Follow up

From: "Mike Sukal" <MSukal@afscme.org>
To: <kswifi@uaw.net>, "Judy Stevens" <JStevens@afscme.org>, <hofmeisterb@michigan.gov>, <keenank@michigan.gov>, <GBAR@uaw.net>
Date: 5/3/2006 1:39 PM
Subject: Follow up
CC: "Margaret McCann" <MMcCann@afscme.org>

Gang-

Yesterday's meeting was very helpful. I wanted to follow up on our commitments:

- KK to call Peter Goodstein by today/ prep meeting with BH/JS by 5/12.
- MM to meet AG today.
- MM follow up with GB after AG discussion.
- KK to discuss executing MOTT meeting by 5/12 with Dr Shaink.
- MS and KS final board recommendations by 5/8.
- 5/12 - MOTT acts, MOTT Signs/DHS Signs
- 5/15 - Gov signs/ILA Filed.
- 5/16 - MHBCC Board meets

Thanks and please let me know if I missed anything.

Mike

Mompoint, Ashley (AG)

From: Holmeister, Brandon (GOV)
Sent: Wednesday, May 10, 2006 9:59 AM
To: Holmeister, Brandon (GOV); 'Mike Sukal'; 'Karla Swift'; 'Judy Stevens'
Cc: Keenan, Kelly (GOV)
Subject: RE: Draft Bylaws - MHBCCC
Attachments: Draft MHBCCC Bylaws.pdf

Attached is a revised draft...without a "Treasurer" position on the board...as we discussed last week.

Brandon Holmeister
Deputy Legal Counsel
Office of the Governor Jennifer Granholm
517-373-1317
hofmeisterb@michigan.gov

Join now in Governor Granholm's fight to lower gas prices in Michigan. Go to www.michigan.gov/lowergasprices to sign a petition to tell the President to lower our gas prices!

From: Holmeister, Brandon (GOV)
Sent: Tuesday, May 09, 2006 4:24 PM
To: 'Mike Sukal'; Karla Swift; Judy Stevens
Cc: Keenan, Kelly (GOV)
Subject: Draft Bylaws - MHBCCC

Attached is a draft set of bylaws which the MHBCCC may wish to adopt. This draft attempts to give broad authority to the board. The MQCCC and ECIC bylaws served as models.

Brandon Holmeister
Deputy Legal Counsel
Office of the Governor Jennifer Granholm
517-373-1317
hofmeisterb@michigan.gov

Join now in Governor Granholm's fight to lower gas prices in Michigan. Go to www.michigan.gov/lowergasprices to sign a petition to tell the President to lower our gas prices!

Jenson, Melissa (AG)

From: Liedel, Steve (GOV)
Sent: Thursday, October 26, 2006 5:19 PM
To: 'Judy Stevens'
Cc: 'Karla Swift'; 'Mike Sukal'; 'Georgi-Ann Bargamian'; 'Margaret McCann'; Keenan, Kelly (GOV)
Subject: RE: Next steps for Transfer Agreement

Attachments: Draft Child Care Transfer Agreement_3.doc



Draft Child Care
Transfer Agre...

Attached is the current working draft of the transfer agreement for discussion next week.

Steven C. Liedel
Deputy Legal Counsel
Office of Governor Jennifer M. Granholm
(517) 241-1139
(517) 241-5026 (fax)
liedels@michigan.gov

-----Original Message-----

From: Judy Stevens [mailto:JStevens@afscme.org]
Sent: Wednesday, October 25, 2006 10:35 AM
To: Liedel, Steve (GOV)
Cc: Karla Swift; Mike Sukal; Georgi-Ann Bargamian; Margaret McCann
Subject: RE: Next steps for Transfer Agreement

Our Transfer Agreement revisions are attached.

Judy Stevens
Strategic Analyst
Corporate Affairs and Strategic Research Department of Organizing and Field Services
American Federation of State, County & Municipal Employees
1625 L Street, NW
Washington, DC 20036
Office: (202) 429-1253
Fax: (202) 429-1298
Cell: (703) 946-4181

-----Original Message-----

From: Karla Swift [mailto:KSWIFT@uaw.net]
Sent: Tuesday, October 24, 2006 2:22 PM
To: liedels@michigan.gov
Cc: Judy Stevens; Margaret McCann; Mike Sukal; Georgi-Ann Bargamian
Subject: Next steps for Transfer Agreement

Hi Steve,
Just to confirm, we are trying to get you our revisions by the end of the day today. You will be merging our revisions with DHS revisions and turning around a new draft within one to two days. Once that new revision is done we should meet face to face. Include in that meeting will be our representatives, DHS and you.
So, assuming that a new document is ready by Friday, we are available to meet:
Monday, 10/30 in the morning
Tuesday, 10/31 between 8am and 9:30am or after 2:30 pm Wednesday, 11/1 anytime Thursday, 11/2 anytime
Mike and I would also like to update Kelly on other CCPTM matters sometime