

The **PAYS** ON NEWS™

Out with the OLD, in with the TRUE.

EVENTS:

OCT. 7, 2020

EARLY BALLOTS MAILED

OCT. 8, 2020

Town Council Meeting
Town Hall 5:30 pm - 7:30 pm

OCT. 11, 2020

Open Jam Session
Payson Golf Course 1-5pm

OCT. 13, 2020

Town Council Run-off Debate
Messenger's 6:30-7:30pm

JOLYNN SCHINSTOCK REFUSES TO PARTICIPATE IN PUBLIC DEBATE



DEBATE: The Debate on September 30th, at Messenger's 6:30PM, Bobby Davis, Jolynn Schinstock and Deborah Rose.

OCT. 31, 2020

HALLOWEEN PARTY!

Nov. 3, 2020

GENERAL ELECTION

★★★★★

If you attended the last debate on September 30th, then you are aware no mud was slung at Messenger's that night. The debate between the two town council candidates was supposed to allow the audience to get to know the candidates who are both competing for the last remaining seat on a split council. This race is of most importance to Payson citizens because it will dictate whether or not the town will be placed back into the hands of the past regime, or placed into the hands of the people. The fact that Ms. Schinstock was somehow prepared in advance and read all of her answers from a notebook wasn't representative of a debate, it was more like a rehearsed speech. The people who attended the debate were disappointed in her inability to think on her feet when she was stumped once she immediately told the audience it was perfectly okay for her not to know the answer.

The real excitement came at the end of the debate in the closing statement from Schinstock claiming she is best for the town council seat because of her ability to work with everyone on the council and help unite their efforts. Deborah Rose rebutted by asking her how she was going to live up to her campaign promise when Jolynn herself was a circulator for the recall of the Mayor.

"How is trying to overturn the people's elected leadership

going to unite the efforts of the council?" Deborah Rose asked. Schinstock replied defensively with false accusations that Deborah Rose was mudslinging. What? A week later in a 1/2 page color ad in the Roundup Rag she announced her refusal to participate in the debate scheduled for October 13th. Not surprising to Deborah Rose's team, but for Shirley Dye, the President of the Tea Party, it was a complete shock having to find out from the newspaper ad. Apparently without so much as an apology.

The debate on the 13th will still be held, but has been moved to Messenger's at 6:30 pm because Deborah wanted to have the opportunity to answer questions from the people.

Since Jolynn refuses to answer questions regarding her past behavior and affiliations you the people are being deprived again of knowing the truth. It is being covered up by a group who don't think they have to answer to authority or follow the rules. A group that think they know better than you do what this town needs and how to spend YOUR money. Don't let that happen, vote for Deborah Rose on the back of the early ballots. Don't miss this vote.

Views and opinions expressed in The Payson News are those of the authors, and do not necessarily reflect our policy or position; none of which are intended to malign anyone or anything. The

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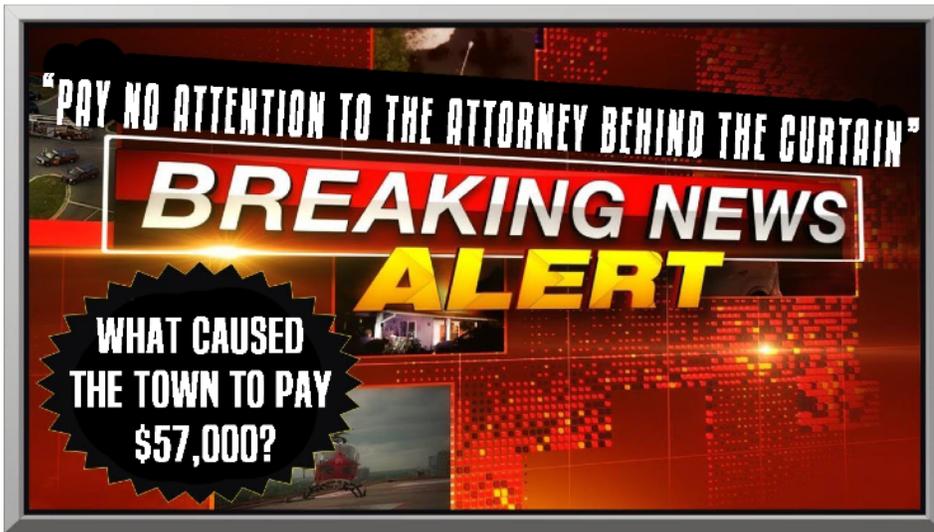
THE DREAM TEAM!

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PAYSON'S TOWN ATTORNEY

By Jim Ferris



Payson Needs Effective Legal Representation

By Jim Ferris

The Town of Payson has contracted with the law firm of Pierce Coleman to provide legal services to the Town of Payson (Town). The Payson Town Council voted several months ago to extend Pierce Coleman's contract for another year for approximately \$240,000. The current contract expires at the end of the current fiscal year, June 30, 2021. Justin Pierce, a managing member of Pierce Coleman, grew up in Yuma. Kenny Evans, President of the MHA Foundation, and his family are also from Yuma. The Evans' and Pierces attended the same church in Yuma. How closely associated were their families? I'll let you decide. However, it may not be surprising to find that Justin Pierce is a 'friend' on Kenny Evan's Facebook page?

Pierce Coleman is paid a flat fee of \$120,000 every six month regardless of the amount of time they spend providing legal services for Payson. It is in their best interest **not** to advise the Town to engage in any legal actions that would cause them extra work. And if the town is hit with a threat of a lawsuit, what are they going to do? Are they going to spend any substantial time researching in defending the Town? Probably not. They will just throw

any legal challenges to the risk pool attorneys which will result in them taking the shortest possible path to have the suit dismissed, regardless of whether it is in the best interest of the Town. It is my understanding that when a case is referred to risk pool attorneys, we pay 75% of the pool attorney fees and the insurance pool pays 25% with a cap.

The Town needs a Town Attorney whose sole job it is to take care of the Town's legal needs. Someone that has and will take the time to research issues and propose the best course of action for Payson and its citizens. Someone who will act out of obligation, duty, and love of our town and who would put in the extra time and effort to do what is in the best interest of our Town. Someone you might see at a local restaurant or at a community event. Someone that is personally vested in Payson. Someone that we as elected officeholder or Town staff can meet with most any day at the local legal office. Someone that has the time and desire to meet with all Council members and discuss any legal issue that comes before the Town.

Early in December of 2019, I and others were pushing to retain outside attorneys to deal with the RCEA-SLE issues. Pierce Coleman admitted that they did not have experience in dealing with SLEs. Even though it was recognized that we

needed outside representation, nothing was done. I was unable to get Pierce Coleman, the Mayor, or the Acting Town Manager to move on this. Pierce Coleman acknowledged that it could take a substantial amount of time dealing with these issues. They acknowledged that they would not be adequately compensated for their time. They had a financial disincentive to pursue the issues we were having with the SLE. It was obvious that they were not going to be proactive in dealing with these issues. They would not be compensated any more for their time and effort if they took, what I perceived as, necessary legal action. It was in their best interest to let things slide. Why would they ever decide to invest their time to protect the Town's interest? - Time that they could be billing other clients. This is why we need a full-time Town Attorney who is loyally dedicated to serving the best interest of the citizens of Payson

FUN FACT: Berries are simple fruits stemming from one flower. This means that pineapples, bananas, watermelon, pumpkins, and avocados are berries.



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IMPORTANT DATES:

- Voter registration deadline:**
October 5, 2020
- Early Voting Begins:**
October 7, 2020
- Sample Ballots Mailed:**
October 23, 2020
- General Election Day:**
November 3, 2020

[VOTER REGISTRATION FORM CLICK HERE!](#)



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FUN FACT: The Itchy & Scratchy Show that takes place within [The Simpsons](#), has 107 episodes.

ATTORNEY CONTINUED FROM PAGE 3

When we removed the SLE Board members without giving them their civil rights of due process, Pierce Coleman and other members of the Town Council were quick to blame me and the three other Council members that voted to dismiss the SLE Board members appointed by the Town. They claim it was our fault because we did not have sufficient evidence showing "cause" to dismiss the SLE Board members. I believe I can argue that we did have "cause" to dismiss the Board. I have an email from Pierce Coleman and it states that if the RCEA-SLE failed to provide the Town with documentation the Town requested from the SLE then that could rise to the level of 'cause' to dismiss the SLE board members. The SLE failed to provide the requested documentation.

Justin Pierce of Pierce Coleman gave a slide presentation at the regular Town Council Meeting on August 27, 2020 regarding the Town's obligation to pay Snell & Wilmer \$57K for attorney fees. In Pierce Coleman's slide labeled 'Good Resolution' it said, "If the Plaintiff's [SLE Board members] ultimately were unable to prove that there was not "cause" to remove them (which the TRO strongly suggested they would), the Town would have been on the hook for those hundreds of thousands of dollars (or seven figures)". Mr. Pierce deceptively suggests again that we would lose on the merits of "cause" and therefore the Town would be judged to pay \$57K. I believe we had good reason to believe that we had just "cause" to remove SLE Board members. I believe this could have been argued in court without the Town paying Snell & Wilmer's attorney fees. But what we could **not** win in court was their claim that we did not give the SLE Board their "due process". This is an error of process that our attorney should have been aware of. This is the real issue the court had a problem with and why we had to pay the 57K.

When I question Justin Pierce regarding "due process" at our August 24th Council Meeting he would not, he could not, answer the

FUN FACT: The total weight of all air on Earth is 11 quintillion pounds.

question or he would have admitted his responsibility in not providing "due process" and consequently would have had to take the primary responsibility for the \$57K check paid out for Plaintiff's attorney fees. {https://payson.granicus.com/player/clip/2465?view_id=17&redirect=true} cue Council meeting video from minute 49 to 58.

In regards to the court's issuance of the Temporary Restraining Order (TRO), in response to Snell & Wilmer's complaint the Judge states, "The allegations in the complaint demonstrate that Plaintiffs have a strong likelihood of success of the merits, and a balance of the iniquities in this case clearly tips in Plaintiff's favor considering the constitutional rights at stake." Notice how the Judge referred to "constitutional rights" not "cause". This statement, dated 3/11/2020, which I imagine to be standard language of most TROs stated "allegations" collectively. The merits of "cause" has not been litigated or argued in Arizona courts. But the Judge's statement clearly indicates "constitutional rights" being at stake. Mr. Pierce alleges that the Judge made a determination on the merits of "cause". I do not believe this to be the case at all.

But forget "for cause" - that is not what this \$57K check is all about. You can claim all you want that the position we took on "cause" was valid or not; but again we are not paying \$57K in legal fees due to an unsupported claim of "for cause". The primary claim against the Town is that we did not give the RCEA Board members their civil rights of 'due process'. How did we fail to give the RCEA Board members 'due process'?

Let's start by asking - did Pierce Coleman send a notice given to the SLE board members that the Town was going to discuss their potential removal from the SLE board? Yes. Did the notice outline the reasons for "cause"? **No**. Were the SLE board members given an opportunity to either have this discussion in executive session or in public? Yes. Did they choose to have this discussion in an open public meeting? Yes. As a Council member, was it reasonable for me to rely on our Town Attorneys and Town Manager to construct and manage this meeting in a legally compliant manner? **Yes!** Were the procedures and the management of this meeting structured in a manner to comply with the SLE board members right to due process?

Apparently, Not. Was it my, or any of the four Council members who voted to dismiss the SLE board members duty or responsibility to assure that this process was legal? **No**. Is it reasonable to expect that I had a duty to assure that due process requirements were met? **No**. If I had suspicions as to whether we were proceeding in appropriate legal manner, who would have I asked? - our *Town Attorneys and our Town Manager*. We should be able to rely on our Town Attorneys to handle this issue in a legally compliant manner.

I was not elected because of my expertise in the area of civil rights nor do I have a website touting my expertise regarding civil rights and due process. I believe a full-time Town Attorney would have used more caution and discretion; and they would have accepted responsibility for their actions.

I believe the motivation for this discussion to be put on the Council Meeting agenda and plastered in Payson's fake newspaper was to create a gotcha moment. I wish to thank SLE board nominated candidates Higgins and Smith for this opportunity to clear things up. I wonder, do you think the Roundup will be coming to me or watch the Council Meeting video to ascertain the truth regarding the \$57K check - Naaaaa.

If this whole scenario were to arise again, and I had virtually the same information and advice that I was given in January, I would again advocate that the Town take action to protect the citizens of Payson over any special interest group.

If you are tired of the Cabal leading the Town around by a nose ring, then vote Deborah Rose for Payson Town Council.

★★★★



WHAT?

WHAT? During the primary election Jolynn was just 3 votes shy of winning by 50% plus one majority . We had 3 uncounted provisional ballots that needed signatures to be verified. Jolynn took it upon herself to get this voter information and visit one of the voters houses in person . No other candidates quote visited voters after Election Day . And why was only Jolynn privy to this information. It may not be illegal but unethical at the least . She won't be getting my vote .

Dave Golembewski

★★★★

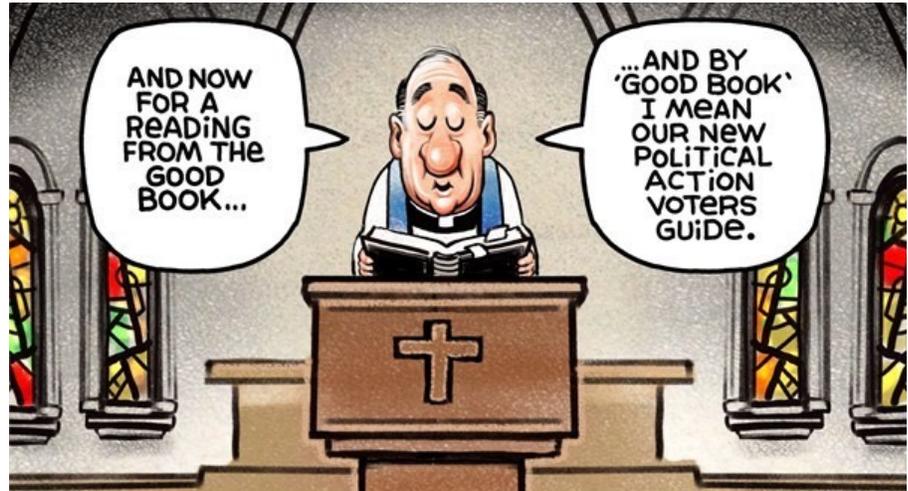
WHAT? There was an interesting contrast in styles at the debate between Deborah Rose and Jolynn Schinstock on Weds night, Sept 30. Jolynn read her answers from a prepared script and seemed to have little ability to do any thinking on her feet. She stumbled. She seemed worried about her possible missteps in a possible election violation being brought out as she at one point blew a gasket from a question that she totally misinterpreted. A question I might add that was approved by members of her team.

While Deborah Rose had notes to refer to she was capable of thinking and speaking on her feet. She showed she was very capable of holding her own and expressing a strong point of view in a very intelligent way and thru the use of stories could give visuals to better make her point.

Jolynn at one point said that she was capable of voting independently as a School Board member. After a brief check of her voting record that was the only time I could find. Otherwise the Board voted 5-0 since she came on the Board. I don't think a one time nay vote constitutes independent thinking.

★★★★

NO POLITICKING ON CHURCH PROPERTY?



By Paul Frommelt

In the Sep 22nd issue of The Payson Roundup titled: "**Polling places, election department prepare for November Election:** Eric Mariscal

from the Gila County registrar's office is quoted as disallowing any 'politicking' on church properties for the upcoming November 3rd General Election. This includes even outside the 75-foot limit! Pastor

Richie, from The Church of the Nazarene is quoted as saying he... "plans to put my foot down and not allow any political parties on his church property for the general election." In the same article, Pastor Richie also stated, "...so he's setting a firm

boundary of no politicking on church property" [1] Again, in the same Roundup article, "Expedition Church plans to follow suit. 'We made a decision there will be no campaigning on our property' said

Donovan Christian of Expedition church." Eric Mariscal even seemed to suggest no monitoring or observing will be allowed anywhere on church

property by private citizens. According to Arizona Revised Statutes, they cannot restrict poll watchers in this way. " **H. Except in the case of an**

emergency, any facility that is used as a polling place on election day or that is used as an early voting site during the period of

early voting shall allow persons to electioneer and engage in other political activity outside of the seventy-five foot

limit prescribed by section 16-515 in public areas and parking lots used by voters. This subsection shall not be construed to permit

the temporary or permanent construction of structures in public areas and parking

lots or the blocking or other impairment of access to parking spaces for voters. The county recorder or other officer in charge of elections shall post on its website at least two weeks before election day a list of those polling places in which emergency conditions prevent electioneering and shall specify the reason the emergency designation was granted and the number of attempts that were made to find a polling place before granting an emergency designation. If the polling place is not on the website list of polling places with emergency designations, electioneering and other political activity shall be permitted outside of the seventy-five foot limit. If an emergency arises after the county recorder or other officer in charge of elections' initial website posting, the county recorder or other officer in charge of elections shall update the website as soon as is practicable to include any new polling places, shall highlight the polling place location on the website and shall specify the reason the emergency designation was granted and the number of attempts that were made to find a polling place before granting an emergency designation." [2]

lots or the blocking or other impairment of access to parking spaces for voters. The county recorder or other officer in charge of elections shall post on its website at least two weeks before election day a list of those polling places in which emergency conditions prevent electioneering and shall specify the reason the emergency designation was granted and the number of attempts that were made to find a polling place before granting an emergency designation. If the polling place is not on the website list of polling places with emergency designations, electioneering and other political activity shall be permitted outside of the seventy-five foot limit. If an emergency arises after the county recorder or other officer in charge of elections' initial website posting, the county recorder or other officer in charge of elections shall update the website as soon as is practicable to include any new polling places, shall highlight the polling place location on the website and shall specify the reason the emergency designation was granted and the number of attempts that were made to find a polling place before granting an emergency designation." [2]

In the same thread, according to ARS, all polling places are to be placed in schools "unless there is insufficient room there". Why is the polling even being done at churches? "

★★★★

OCTOBER 13th



Jolynn Schinstock

Deborah Rose

**GET TO KNOW THE CANDIDATES
FOR TOWN COUNCIL AS
~~THEY~~ ANSWERS YOUR QUESTIONS
SHE**

Tuesday, October 13th
6:30-7:30pm at Messinger's
901 S Westerly Rd.

- OPEN TO THE PUBLIC - DOORS OPEN AT 6PM -

DEBORAH ROSE'S REBUTTAL OF SCHINSTOCK'S ACCUSATIONS



October 6, 2020

The definition of mudslinging is defined as a malicious or scandalous attack on another. Since I've been accused of this by my opponent Jolynn Schinstock it is important to refute her accusations.

A fact is something that is a real truth and actually exists, so I would bring before you a few facts:

- Over 100 hundred people attended the debate on September 30th and I have not had one of those witnesses attest to the accusation that I launched a malicious attack against her. See the video at my Facebook page dated September 30th at Deborah Rose or Deborah For Payson. After watching the video you can decide if she is right.
- We did have a meeting in my office that Jolynn asked for. I asked my treasurer Carla to be there as a witness and refused her request to record that meeting. She wanted to explain her reason for knocking on the door of a provisional ballot voter. That voter was upset a candidate showed up at her home to ask her about her vote. Jolynn attempted to persuade us that her actions were totally innocent. We also worked on a debate model she would be comfortable with.
- Questions may trigger upsets if the one being asked is hiding something. Vulnerability demands honesty. Lying demands denying truth. I asked two questions in the final moments of that

debate, and that was misconstrued as some sort of infraction about our agreement. Facts don't have feelings, people do. Sometimes facts trigger those emotions. This is the reality of what happened that evening. I never agreed to not discussing material facts about any subject, and made that very clear to Mrs. Schinstock in our meeting.

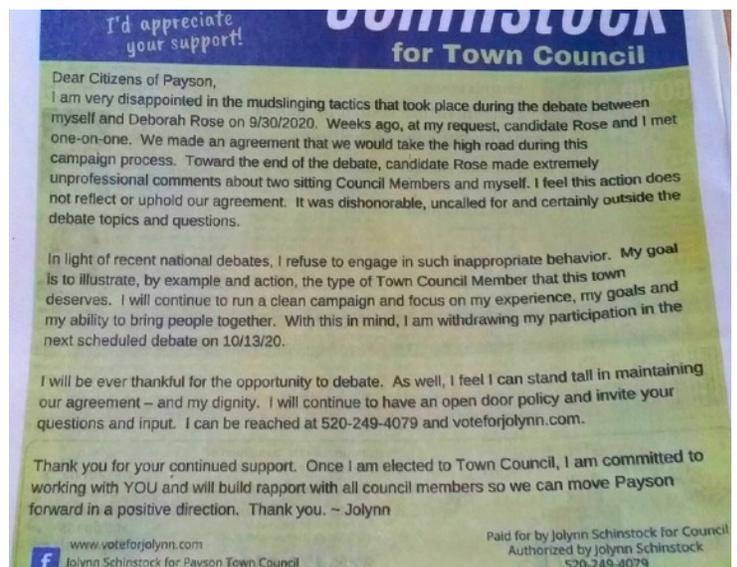
•The question was asked of us on debate night, "How would we influence and collaborate and work together when elected to Council?" I stated it would be almost impossible when half the team on the council participated in the recall of our Mayor. I named three of the Recall Circulators, two of whom are current sitting Council members Steve Smith and Barbara Underwood. The other I pointed out was Jolynn Schinstock. I questioned how she was going to be able to get everyone working together when she personally tried to remove our Mayor from office? I believe that is an important question. I believe we deserve an answer. Perhaps the truth is she doesn't want to answer the hard questions. If that's the case then it would be more honest to say that she not only wants out of the debate but the race. Solving difficult problems is a mandatory requirement when entering the political arena. It is not for the faint of heart.

- Fact is we have one more debate and I will be the only one

there. Why? Because I don't run from problems and I don't hide from truth. I'm here because I am a team player and if I don't get my way, I won't throw my colleagues under the bus, nor shame them on social media, nor throw a fit if things don't go my way. We are a team and we take the hard knocks and we celebrate the victories together. We raise the bar, we work harder, smarter and faster together. If one fails, it's the job of the team to cover for that player, not trample him or her. The problem is that we have a quarterback (Mayor) that needs to get the ball into the end zone but our own players keep tackling him. The people of Payson own the team and they need to decide with their votes, who plays and who sits the bench, plain and simple. I believe they see the facts or will go seek them out, Hint: www.savepaysonaz.com

Take a moment to check out www.abetterpayson.com and see who is mudslinging who.

The facts are I would be honored to serve you, work hard to accomplish goals, and collaborate with other team players to make Payson a better town for you and for the whole of our great community. I promise to inspect what you expect. I am asking for your vote. A vote for the yellow rose of Payson. Although my opponent will not attend the next debate, we want fulfill our commitment to the second "debate". Please join us Tuesday, October 13th from 6:30-7:30PM at Messinger's Funeral Home, 901 S Westerly Rd, Payson AZ 85541. (Location changed from Ponderosa Bible Church) Your questions will be welcomed.





EARLY VOTING

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- Wrestling Team for Kids 5 - 10 yrs.
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I believe in God, family, this great country,
and the people of Payson.

Injustice anywhere is a threat to justice everywhere.
- Martin Luther King, Jr.

DEBORAH ROSE
for Town Council

votefordebora2020@gmail.com
https://www.facebook.com/DeborahForPayson

The Payson News has been created by citizens of Payson who demand the **TRUTH** be told in Payson. If there is only one source for news, and the reporting is completely biased, you're not getting the whole story. We feel newspapers have a responsibility to the community to keep the people informed without trying to promote an agenda for personal gain. To disinform the public is wrong, we have enough fake news in this town. What is written today is our history tomorrow. It is too important to let one group continue to deprive us of the truth; thus this publication was born.



We check the facts, and provide the link to the proof so you can see it for yourselves. We care about our history being written with truth and integrity. The people should have a voice, and be able to question things in our town without threats. This is our town, it belongs to the people. If you would like to subscribe and be on the email list for The Payson News send an email to: signup4@thepaysonnews.com Or if you'd like to submit an ad, send an email to: ads@thepaysonnews.com. We ask that you help our efforts and get the word out to neighbors, friends and family. God Bless. ★

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Thank You!

CONTINUED NO POLITICKING...

CONTINUED FROM PAGE 6...
E. Except as provided in subsection F of this section, a public school shall provide sufficient space for use as a polling place for any city, county or state election when requested by the officer in charge of elections.
F. The principal of the school may deny a request to provide space for use as a polling place for any city, county or state election if, within two weeks after a request has been made, the principal provides a written statement indicating a reason the election cannot be held in the school, including any of the following:
1. Space is not available at the school. [3]

So, what is it they don't want us to see? Perhaps we, as voters, may see something happening that we're not supposed to? You be the judge. Is it just that they don't know or understand the law? Or is it that they hope you don't?!

[1] Payson Roundup, September 22, 2020
 "Polling places, election department prepare for November Election
 [2] ARS 16-411,H
 [3] ARS 16-411, E,F,1



TONTO RIM
Bar & Grill

3870 E Arizona Hwy 260,
Star Valley, AZ 85541,

928.363.4074

Crossword

by Margie E. Burke

ACROSS

- 1 Short-legged dog
- 6 Charges
- 10 Scottish miss
- 14 Pretty up
- 15 Weak, as an excuse
- 16 E, to a pilot
- 17 Halifax's home
- 19 Surgery souvenir
- 20 Vocal vibration
- 21 Pair on the links
- 23 Growing business?
- 25 Affirm
- 26 Walk with attitude
- 30 Audience member
- 34 Private instructor
- 35 Scrooge's look
- 36 Quaint lodge
- 37 In awe
- 38 Catchall category
- 39 Misplaced
- 40 Trapper's ware
- 41 Intense dislike
- 42 Event location
- 43 Not a child of slavery
- 45 Brief promo
- 46 Samson's pride
- 47 Word before gas or drop
- 49 Soon
- 52 Circus staple
- 57 It may be proper
- 58 Mercy killing
- 60 Church nook
- 61 Sole anagram
- 62 Becomes tiresome

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- 63 Look narrowly
- 64 Palm reader, e.g.
- 65 Parched
- 11 Squeezeboxes
- 12 Pillow covering
- 13 Needing kneading
- 18 Like some pigeons
- 22 "Get ___ it!"
- 24 Subject of the 1993 film "The Fugitive"
- 26 Work group
- 27 Soothsayer
- 28 Depository
- 29 ___ wild
- 31 Overflow (with)
- 32 Follow as a result
- 33 Script direction
- 35 Recipe instruction
- 38 Scent-free
- 39 Rural sight
- 41 Final notice?
- 42 Covered balcony
- 44 Breadwinner
- 45 "Gone With the Wind" plantation
- 48 Anesthetic of yore
- 49 Ginger cookie
- 50 Crosby costar in "Road to Rio"
- 51 Type of log
- 53 Cowpoke's pal
- 54 Biblical birthright seller
- 55 Turns sharply
- 56 Vane direction
- 59 Nail holder

DOWN

- 1 "Out of the question"
- 2 Emanation
- 3 Wander
- 4 Unit of fat
- 5 To such an extent
- 6 Elevator stop
- 7 Absorb, as a cost
- 8 Throw off
- 9 Atlantic fill
- 10 Diminish

Bob's Plumbing

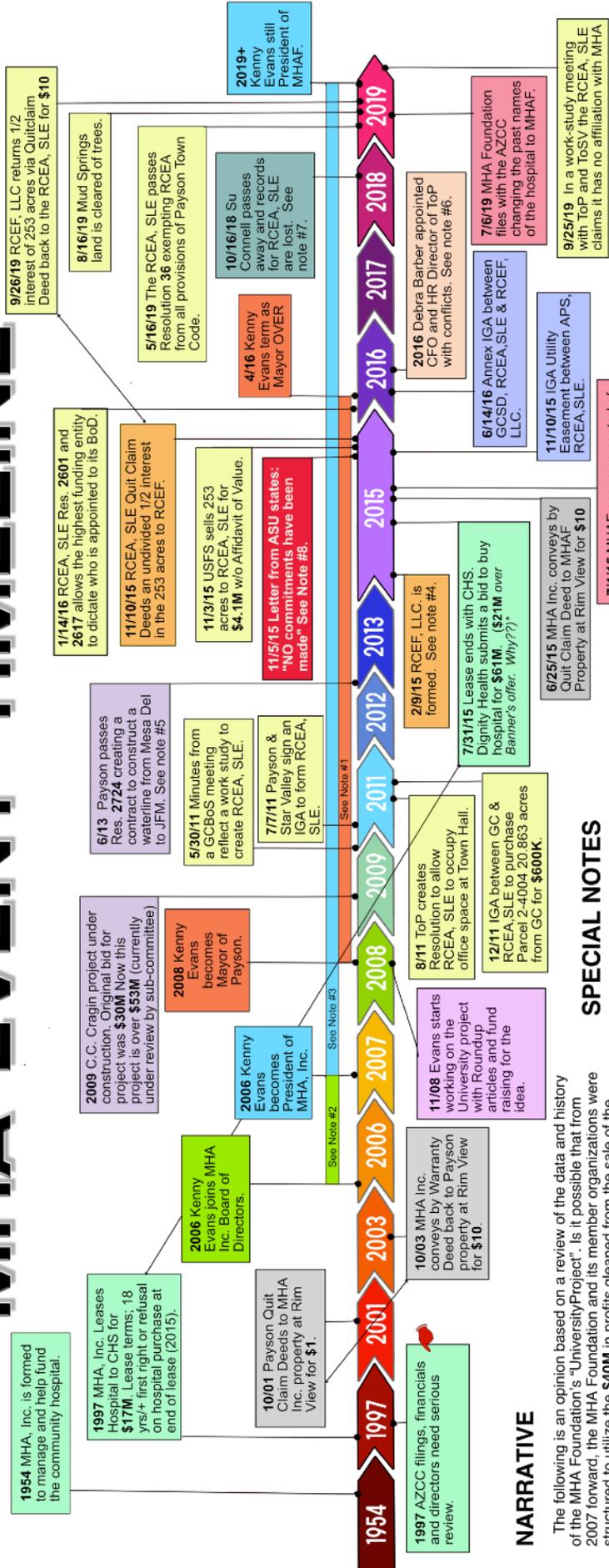
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MHA EVENT TIMELINE



LEGEND

- MHA Foundation = Mogollon Health Alliance Foundation a 501c3 (company on top of the pyramid)
- RCEA, SLE = Rim Country Educational Alliance, A Separate Legal Entity and a Political Subdivision
- RCEF, LLC = Rim Country Educational Foundation a for profit limited liability company
- JFM= Joint Facilities Management the company that owns Chaparral Pines and The Rim
- MHA Inc = Mogollon Health Alliance a for-profit AZ Corporation
- C. C. Cragin = the \$53M water project previously known as Blue Ridge Reservoir North of Payson.

SPECIAL NOTES

- Kenny Evans was Mayor of Payson and President of the MHA Foundation during this time.
- Kenny Evans was Mayor of Payson and a MHA Foundation board member during this time.
- Kenny Evans was Mayor of Payson and as president of the RCEA-SLE board of directors based on the MHA Foundation providing majority funding (SLE Governance agreement).
- The MHA Foundation created the RCEF, LLC. (Rim Country Educational Foundation, LLC. a for profit entity) purportedly to raise funds for the RCEA, SLE but in fact this entity was created to take operational control and ownership of the property. This is evidenced by the quit claim deed for an undivided half interest in the property issued two months after the RCEF, LLC. was created.
- The contract between the Town of Payson, Joint Facilities Management (JFM), and the RCEA, SLE to build this pipeline calls for the JFM to pay the RCEA, SLE \$700,000 to design and build the facility and then pay the Town \$100,000 of that sum to assume ownership and maintenance going forward. In reality the Town paid for everything and was reimbursed \$455,533 (per FOIA data). The remaining \$244,467 was retained by the RCEA, SLE as profit. The Town could have contracted directly with the JFM to build this project and retained the \$244,567 profit that went to the RCEA, SLE. The RCEA, SLE has no property on the pipeline route and no reason to be involved with this project.
- The Town of Payson's CFO's husband was appointed by Kenny Evans to the Airport Commission, his company also contributed \$500 to the Unite Payson Recall.
- Su Connell, ToP council woman for 12 years and Secretary of MHA Foundation, occupied an office for RCEA, SLE in the Town Hall complex from 2011 to 2018. After her passing on 10/16/18 all records kept there for RCEA, SLE are lost according to an RCEA, SLE spokesperson.
- IMPORTANT!!! BEFORE** the 253 acres were purchased, a letter to RCEA, SLE from ASU's Richard H. Stanley states: **"We have made NO commitments and NO commitments have been made to us, and the discussions to date have not progressed to formal negotiations."**

**Unconfirmed at this time, efforts have been made to confirm Dignity Health did indeed submit an offer. Efforts have been made to obtain a copy of the lease agreement from MHA, MHAF, and CHS with no avail.*

NARRATIVE

The following is an opinion based on a review of the data and history of the MHA Foundation's "UniversityProject". Is it possible that from 2007 forward, the MHA Foundation and its member organizations were structured to utilize the \$40M in profits gleaned from the sale of the community's hospital to obtain the 253 acre "University Site" for a very low price (\$4.1M) and then develop the property "FOR PROFIT"? To accomplish this, it appears that Mayor Evans's used his influence as Mayor to form a separate legal entity (SLE) which could purchase the property for a low appraised price (because the Mayor had it zoned for educational use) rather than through a public bid process. Once the Separate Legal Entity was created the arrangement also allows any property owned by the SLE to make its own rules and zoning (not confined to educational use) without regard for the town of Payson's codes or ordinances.

By being president of the MHA Foundation concurrently with being the Mayor of Payson, during the creation of the SLE he was in a position to vote and lobby Town Council and staff for approval of the SLE that the MHA Foundation wanted.

It is of special interest to note that when the hospital was sold the \$40M offer from Banner was approved while a \$61M cash offer from Dignity Health was rejected. Leaving \$21M on the table for the community.

It appears that the structure of the various associated entities of the MHA Foundation and the board of director appointment process was designed to place total control of the property in the hands of the MHA Foundation through the appointments of a few select individuals. These individuals were appointed to the boards of directors over several years with some being on two boards at the same time. The common denominator in all of this is former mayor Kenny Evans who was Mayor from 2009 to 2016 and president of the MHA Foundation from 2007 to present.

There are still many questions about this entity that can not be answered. Tax and financial records have been formally requested. These records are legally required to be available to the public upon request. It is our goal to have the appropriate agencies require the financial records of the associated entities be available.