

LEGISLATIVE SUMMARY SHEET

Tracking No. 0347-18

DATE: October 11, 2018

SUBJECT: AN ACTION RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE, NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING AND ADOPTING THE CHURCH ROCK INDUSTRIAL PARK PROJECT FUND EXPENDITURE PLAN PURSUANT 12 N.N.C §§ 2501 – 2508

PURPOSE: The purpose of this legislation is to approve funding from the Síhasin Fund to Rhino Health, LLC for construction of a facility to manufacture nitrile gloves.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 3:30pm 10/25/18
Posting End Date: 10/30/2018
Eligible for Action: 10/31/2018

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
23rd NAVAJO NATION COUNCIL – Fourth Year, 2018

INTRODUCED BY


Herman M. Daniels

(Prime Sponsor)

OTTO 730

TRACKING NO. 0347-18

AN ACTION

RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE,
NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING
AND ADOPTING THE CHURCH ROCK INDUSTRIAL PARK PROJECT FUND
EXPENDITURE PLAN PURSUANT 12 N.N.C §§ 2501 – 2508

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Naabik'iyati' Committee of the Navajo Nation Council is empowered to review all proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. §164(A)(9).
- C. The Resources and Development Committee of the Navajo Nation Council is serves as the oversight authority for the Division of Economic Development 2 N.N.C. § 501 (C)(1).
- D. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. § 301 (B) (2).

1 E. The Naabik'íyáti' Committee established the Naabik'íyáti' Síhasin Fund
2 Subcommittee to recommend to the Naabik'íyáti' Committee and Navajo Nation
3 Council financial support and/or financing plan(s) for the purposes designated in the
4 Síhasin Fund. NABIAP-20-15. However, approval by the Naabik'íyáti' Síhasin
5 Fund Subcommittee is not a requirement for legislation.

6 F. The Navajo Nation Code provides the purpose of the Navajo Nation Síhasin Fund
7 ("Síhasin Fund") is as follows:

8 § 2502 Purpose

9 A. The purposes of this Fund are to provide financial support and/or
10 financing for:

- 11 1. The planning and development of economic development
12 and regional infrastructure supporting economic development
13 and community development, including such infrastructure
14 as, but not limited to, housing, commercial and government
15 buildings, waterline, solid waste management development,
16 powerline projects, and transportation and communication
17 systems, within the Navajo Nation; and
- 18 2. Education opportunities for members of the Navajo
19 Nation.

20 B. For the Purpose in § 2502(A)(1), Fund expenditures for
21 infrastructure shall not be limited by 12 NNC § 1310(F) or
22 TCDCJY-77-99.

23 C. Leveraging the Fund by way of guaranteeing loans, match
24 funding, direct funding in part, and other weighted uses of the
25 Fund, including loan financing from the Fund, for the purposes
26 in § 2502(A)(1), shall be favored over direct funding in whole.

27 12 N.N.C. § 2502, as amended by CJA-03-18.

28 G. The Síhasin Fund provides that "Fund Principal" shall consist of all deposits made
29 to the Síhasin Fund and that "Fund Income" shall consist of all earnings (interest,
30 dividends, etc.) generated and realized by the Fund Principal, and that Fund

1 Income shall be deposited in and added to Fund Principal until such time as a
2 Fund Expenditure Plan is duly adopted. 12 N.N.C. §§ 2504 and 2505 (C).
3

4 **Section Two. Findings**

- 5 A. Rhino Health, LCC is a subsidiary of Church Rock Development, LLC proposes
6 to manufacture nitrile gloves at the Church Rock Industrial Park. The Church
7 Rock Industrial Park Project Plan is detailed in **Exhibit 1**.
- 8 B. Church Rock Development, LLC has provided a letter of intent which is attached
9 as **Exhibit A**.
- 10 C. A cost estimation totaling \$19,297,576.00 is provided in **Exhibit B**. This request
11 for funding is to be in the form of direct funding.
- 12 D. Rhino Health, LLC has an emergency operating agreement with the Navajo
13 Division of Economic Development entered into in April 2018, which is attached
14 as **Exhibit C**.
- 15 E. The Navajo Nation Division of Economic Development Plan of Operation,
16 attached as **Exhibit D**, provides that the purpose of the Division of Economic
17 Development is to “creat[e] an environment that is conducive to promote and
18 develop businesses in the commercial, tourism, industrial and other sectors of the
19 Navajo Nation economy, to enhance the creation of jobs and business
20 opportunities.”
- 21 F. A Letter of Support from the President and Vice President of the Navajo Nation
22 is attached as **Exhibit E** and a physical description of the project site is attached
23 as **Exhibit F**.
- 24 G. Rhino Health, LLC has applied for an Industrial Revenue Bond through
25 McKinley County. The application is attached as **Exhibit G**. A resolution by the
26 Advisory Committee to the Navajo Nation Council, ACMY-189-71, which
27 created Church Rock Industrial Park, is attached as **Exhibit H**.
28

29 **Section Three. Approval and Adoption of Expenditure Plan**

30

- 1 A. The Navajo Nation hereby approves and adopts the Churchrock Industrial Park
2 Project Expenditure Plan, attached and incorporated herein as **Exhibits A and B**.
- 3 B. The Navajo Nation hereby approves and adopts direct funding to Rhino Health,
4 LLC for nineteen million dollars (\$19,297,576.00) for the Church Rock Industrial
5 Park Project.
- 6 C. The Síhasin Funds allocated for the Church Rock Industrial Park Project
7 Expenditure Plan may be further leveraged by bond or loan financing pursuant to
8 the Navajo Nation Bond Financing Act, 12 N.N.C. § 1300 *et seq.*, as amended,
9 using Síhasin Fund earnings for repayment and financing costs upon the
10 recommendation of the Budget and Finance Committee and approval by a two-
11 thirds (2/3) vote of all members of the Navajo Nation Council.

12
13 **Section Four. Approval and Adoption of Expenditure Plan Administration**

14 The Navajo Nation hereby approves administration of the Churchrock Industrial
15 Park Project Expenditure Plan as follows:

- 16 1. The Navajo Nation Controller shall determine whether the source of the annual
17 allocations from the total allocation of \$19,297,576.00 will be Síhasin Fund
18 Principal or Income or a combination of both;
- 19 2. The funds allocated for the Churchrock Industrial Park Project Expenditure Plan
20 shall be used solely to design, plan, and construct the Churchrock Industrial
21 Park Project described in **Exhibits 1, A, and B**. Any and all cost-savings shall
22 be returned to the to the Síhasin Fund once the Churchrock Industrial Park
23 Project is completed;
- 24 3. The funds allocated for the Churchrock Industrial Park Project shall not lapse on
25 an annual basis pursuant to 12 N.N.C. §820 (N), however, any funds not spent
26 or encumbered within twenty-four (24) months of the date funds are made
27 available to the Crownpoint Chapter shall revert to the Síhasin Fund principal,
28 unless recommended otherwise by the Resources and Development Committee
29 and approved by the Naabik'íyáti' Committee.
- 30

- 1 4. The Office of the Controller shall release the funds to Rhino Health, LLC in
2 accordance with a grant agreement agreed to by the by the Division of
3 Economic Development, Office of Management and Budget, and Rhino Health,
4 LLC. The grant agreement shall include provisions that:
- 5 a. Rhino Health, LLC shall provide monthly reports to the Division of
6 Economic Development on the status of the construction of the facility
7 at Church Rock Industrial Park;
 - 8 b. Funds provided to Rhino Health, LLC shall only be used for the scope of
9 work as described in **Exhibit B**;
 - 10 c. Any cost savings from the cost estimation detailed in **Exhibit B** shall be
11 returned to the Síhasin Fund; and
 - 12 d. The use of Síhasin funds shall be audited on an annual basis by an
13 independent auditor. The audit report shall be provided to the Naabik'íyáti
14 Committee, the Office of the Controller, and the Division of Economic
15 Development.

16 17 **Section Five. Effective Date**

18 The Church Rock Industrial Park Project Expenditure Plan, as set forth above, shall
19 become effective pursuant to 12 N.N.C. § 2505.

20 21 **Section Six. Directives**

- 22 A. The Division of Economic Development shall report the status of the Churchrock
23 Industrial Park Project construction progress to the Naabik'íyáti' Committee on a
24 quarterly basis.
- 25 B. The Office of the Controller shall release funds to Rhino Health, LLC after it
26 ensures a grant agreement between the Division of Economic Development, the
27 Office of Management and Budget, and Rhino Health, LLC has been executed
28 and remains on file with the Office of the Controller.



THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ VICE PRESIDENT



August 3, 2018

MEMORANDUM

TO : Leonard Tsosie, Council Delegate
Chair, Sihasin Fund Sub- Committee
The Navajo Nation Council

FROM : Sharlene Begay-Platero
Sharlene Begay-Platero, IDS
Project Development Department/DED

SUBJECT: Sihasin Fund Application for Job Creation
in Church Rock Industrial Park, Church Rock, NM

Please find an application for industrial development and job creation at the Church Rock Industrial Park for funding for a manufacturing facility and infrastructure with Exhibits.

This application is for Phase II and Phase III for construction of a 124,000 SF facility and warehouse with infrastructure for a prospective tenant. Rhino Health, LLC, a subsidiary of the Church Rock Development, LLC. has submitted a Letter of Intent to lease property to manufacture Nitrile gloves at the Church Rock Industrial Park.

Please let us know if your committee needs any additional information related to this application. I can be reached at 505-905-6414 or srbp@navajoadvantage.com

Thank you.

Enclosures

Xc: Vice President Jonathan Nez, The Navajo Nation
Anthony Perry, Director, Project Development Department/DED



THE NAVAJO NATION

RUSSELL BEGAYE **PRESIDENT**
JONATHAN NEZ **VICE PRESIDENT**

August 3, 2018

MEMORANDUM

TO : Seth Damon, Council Delegate
Chair, Budget & Finance Committee
The Navajo Nation Council

FROM : Sharlene Begay-Platero
Sharlene Begay-Platero, IDS
Project Development Department/DED

SUBJECT: Permanent Trust Interest Income Fund Application for Job Creation
in Church Rock Industrial Park, Church Rock, NM

Please find an application for industrial development and job creation at the Church Rock Industrial Park for funding for a manufacturing facility and infrastructure with Exhibits.

This application is for Phase II and Phase III for construction of a 124,000 SF facility and warehouse with infrastructure for a prospective tenant. Rhino Health, LLC, a subsidiary of the Church Rock Development, LLC, has submitted a Letter of Intent to lease property to manufacture Nitrile gloves at the Church Rock Industrial Park.

Please let us know if your committee needs any additional information related to this application. I can be reached at 505-905-6414 or srbp@navajoadvantage.com

Thank you.

Enclosures

Xc: *Vice President Jonathan Nez, The Navajo Nation*
Anthony Perry, Director, Project Development Department/DED

DIVISION OF ECONOMIC DEVELOPMENT – PROJECT DEVELOPMENT DEPARTMENT

Post Office Box 663 Window Rock, Arizona 86515

Telephone (928) 871-6504 or (505) 905-6414 Telefax (928) 871-6507

Project Development Department, Division of Economic Development

Industrial Development and Job Creation, Church Rock Industrial Park – Project Plan

Sihasin Fund

July 31, 2018

Industrial Development and Job Creation Church Rock Industrial Park

A. Mission of the Project Development Department, Division of Economic Development:

The Division of Economic Development is one of twelve (12) Divisions within the Executive Branch of the Navajo Nation government whose legislative purpose is to promote and create employment and business opportunities in the commercial, industrial, tourism and private sectors of the Navajo economy. The Project Development Department (the Department) within the Division of Economic Development is the agent for the Navajo Nation government for the recruit and retention of tenants or businesses for the Nation's industrial parks. The Department, as a developer for the Navajo Nation, is responsible for the operation, maintenance and management of projects within the industrial parks on the Navajo Nation which includes construction of facilities for lease.

The main purpose of this proposal is to seek financial assistance from the Sihasin Fund to construction, including infrastructure, of a manufacturing and warehouse facility (124,000 square feet) for Phase II and III for a glove manufacturing business in the Church Rock Industrial Park in Church Rock, Navajo Nation, New Mexico. See Exhibit "A" of the Company's Letter of Intent and proposed concept of the site location and floor plan for the Phase II and III. The acreage is on Fee-simple land owned by the Navajo Nation.

The amount requested is \$19,000,000. See Exhibit "B".

Phase I is underway with the tenant, Rhino Health, LLC (is a subsidiary under the Church Rock Development, LLC) to begin operation in late December 2018. Currently, Rhino Health, LLC has an Emergency Operating Agreement (Exhibit "C") with the Division to occupy the current production and warehouse in Lot 15 at the Church Rock Industrial Park. This agreement is a temporary agreement for one year as the tenant's parent company, Church Rock Development Corporation negotiates for a business site lease with the Navajo Nation.

B. Authority to Develop Projects on the Navajo Nation

In 2006, the Government Services Committee of the Navajo Nation Council by resolution, GSCAP-12-07 amend the Division of Economic Development's Plan of Operation, on how the Division conducts "business", with "the purpose of creating an environment that is conducive to the promote and develop businesses in the commercial, tourism, industrial and other sectors of the Navajo Nation economy, to enhance the creation of jobs and business opportunities." Thus, the Department has the authority on behalf of the Navajo Nation to serve as a developer of commercial and industrial projects on the Reservation. Please see Exhibit "D", the Division of Economic Development's Plan of Operation also known as the business plan of the Division.

The Department has in the past received funding from the Business Industrial Development Fund (BIDF) for these types of transactions in the past however, the BIDF is currently “frozen” by the Division Director of Economic Development. Thus, the Department is requesting funding from the Sihasin Fund for this new manufacturing facility with infrastructure located on the Navajo Nation.

The Department has applied and received funding for funds for shopping center development, manufacturing facilities in the industrial parks and for infrastructure in the past from the Navajo Nation Council, the Interest Income of the Permanent Trust Fund and the Sihasin Fund as well as the Business Industrial Development Fund. The Department in return for the investment funding - for the creation of jobs for the Navajo people – has dedicated the lease rentals to back to the Navajo Nation’s General Fund as the pay back method for the fund’s assistance. And, for this project, the Navajo Business Activity Tax will be imposed on this manufacturing facility at this site in Church Rock, NM.

The Department has been approached by a new tenant, Church Rock Development LLC (a Holding Company) to lease additional property for Phase II and III and will manufacturing gloves in additional facilities (production and warehouse) to accommodate the growth of the products made in Native America. Rhino Health, LLC is the manufacturing company within Church Rock Development, LLC. Church Rock Development LLC has written a Letter Of Intent to lease the currently facilities and additional acreage to the facility to the Project Development Department. The lease terms indicated thus far is that the Company would like a fifty (50) year lease term with an option to renew for another fifty (50) years. The rental and the number of acres are currently being negotiated. Once the lease has been reviewed and negotiated, this business site lease will go before the Resources and Development Committee of the Navajo Nation Council for approval.

Summary/Project Description/Purpose

This project’s purpose is to develop or construct a manufacturing facility with a warehouse and parking with infrastructure to manufacture gloves on the Navajo Nation. The manufacturing facility will become a supplier of Nitrile to be marketed to Government agencies such as Department of Defense and Department of Homeland Security (TSA), Medical facilities such as Indian Health Service and the Veterans Administration, Food Industry such as food manufacturing and fast food restaurant chains and lastly the Retail Industry such as Home Depot or Walmart as examples. Phase II and III will include additional Five (5) manufacturing lines and the expected jobs is 250+. Phase I has begun and will hire 30+ people in the current production and warehouse in Lot 15 at the Church Rock Industrial Park. The size of the manufacturing facility and warehouse is 124,000 SF with a parking lot to accommodate about 150 parking spaces. The Business Plan is on file with the Department for this manufacturing company.

Production/Warehouse Description: The Division has been approached by Church Rock Development, LLC a New Mexico company incorporated on the Navajo Nation as a Foreign Corporation to manufacture gloves. The capital investment of will be from the Jungwoo Rubber and Plastics Company of Busan, Republic of Korea will invest provide a capital investment of \$4M to Phase I and \$25M to Phase II for this manufacturing facility. This facility will bring

employment 250+ new jobs initially to the Navajo Nation where the unemployment rate is 57.6% (Source: 2016 IMPLAN Data in the Comprehensive Economic Development Strategy, CEDS April 2018 and the per capita income is only ~ \$ 12,161 (Source: CEDS, April 2018, Page 40). For Eastern (Navajo) portion of the Navajo Nation, the unemployment rate is well over 74%.

On the Navajo Nation, the manufacturing sector consists of only 3% of a total of 1,378 jobs on the reservation. Sixty-seven percent (67%) of the Navajo jobs on the reservation are in the Government, Service and Wholesale & Retail Trade economic sectors of the Navajo economy. Tribal, state, county and federal governments create government jobs. Service jobs are categorized as jobs at hospitals, schools, accommodation and food services. Because of this unbalance of jobs within the Navajo economy, the Project Development Department of the Nation's Division of Economic Development is seeking assistance to increase the number of manufacturing jobs by the construction of this facility.

Historically, industrial development has been misunderstood and was not a priority for economic development on the Navajo Nation whereas the emphasis for economic development was placed on tourism and small or home-based businesses. Now, however, under the present administration of President Begaye and Vice President Nez industrial development via this type of manufacturing (of gloves) is a new avenue to employ Navajo people and diversify the Nation's economy. See Letter of Support from the President and Vice President dated April 12, 2018 to the Navajo Area Indian Health Services, Chief Procurement Officer, Mr. Frank Dayish indicating that support for the manufacturing of disposable nitrile gloves in the health care facilities on the Navajo Nation. See Exhibit "E".

The Church Rock Industrial Park has an Environmental Assessment Report for the entire industrial park. The report is dated July 2002.

Job Creation: The project impact or the creation of this manufacturing facility will bring economic base jobs to the Navajo economy. Economic base jobs also known as E-base jobs have a very high multiplier effect on an economy. It has been said that one manufacturing job creates three jobs in other sectors of an economy. For this project, the estimated number of construction jobs is 50. The estimated number of economic base jobs created is 30 initially and 250+ in Years 2 and 3. Employees are expected to be drawn from surrounding Navajo chapter communities near the Church Rock Industrial Park.

Location: These facilities will be located in Lot 15 and acreage to the west of Lots 15 within the Church Rock Industrial Park on the Navajo reservation near the New Mexico-Arizona border. The park is an existing development with full utilities located six miles east of Gallup, New Mexico, and is one of eight industrial sites located on the Navajo Nation. The park consists of 76 acres available for lease and is adjacent to Interstate 40, which is a prime cross-continent commercial transportation corridor. The park is also located adjacent to State Highway 118 and is served by a rail spur of the Atchison, Topeka and Santa Fe Railroad. Existing tenants within the park include USDA Food Distribution, Thompson's Convenience Store, the Fire Rock Navajo Casino, McKinley County Transportation Department and the Eastern Navajo Economic Development Office. Please see Exhibit "F", the Google Map photo and physical description of the Church Rock Industrial Park.

C. Market Analysis

Description and Need: This project will be located on the Navajo Nation Indian Reservation. Amongst the over 500 American Indian Tribes and 310 Indian Reservations recorded by the United States Census, the Navajo Nation is the homeland of the largest American Indian tribe and its reservation sprawls across northeast Arizona, northwest New Mexico and southern Utah. The Navajo Nation land base is over 17 million acres and is situated in the Four Corners region of the United States; please see the map below.



Arid deserts and alpine forests with high plateaus, mesas, and mountains reaching as high as 10,500 feet in altitude and as low as 5,500 feet to the low desert regions characterize the topography of the Navajo Nation. Volcanic activities, wind and water erosions have formed and carved the Navajo Nation's many majestic mesas, mountains and canyons. The Navajo Nation is the home of a number of world renowned scenic wonders of the Southwest including Canyon de Chelly in Arizona, Shiprock peak in New Mexico and Monument Valley in Utah to name a few. The beauty and culture of the Navajo Nation draws over 5 million tourists annually from all over the world to this homeland of the Navajo people.

The population of the Navajo Nation is 175,108 on the reservation. The Navajo population growth rate is 2.25 (per 1,000) and is substantially higher than the U. S. growth rate of 1.24 (per 1,000). However, the estimated population growth rate from 1990 to 2000 was ~ 1.85%. This low growth rate has been partially attributed to the lack of employment opportunities on the Navajo Nation. Younger Navajos move to large cities in the Southwest such as Phoenix, Arizona, Albuquerque,

New Mexico and Salt Lake City, Utah to find employment thereby reducing the population size and growth rate of the Navajo Nation. The Navajo population on the reservation is young with a median age of ~ 31 years compared to the United States median age of ~ 37 years. The population of the Navajo population is evenly divided between males (48%) and females (51%). Source: CEDS, April 2018, Page 31.

Project Jobs: This project will bring employment of 250+ new jobs to the Navajo Nation where the unemployment rate is 57% and the per capita income is only ~ \$ 12,101. For Eastern part of the Navajo Nation mostly in the State of New Mexico, the unemployment rate is over 74%.

This project impact is economic base jobs to the Navajo economy. Economic base jobs also known as E-base jobs have a very high multiplier effect on an economy. It has been said that one (1) manufacturing job creates three (3) jobs in other sectors of an economy. For this project, the estimated number of construction jobs is 20. The estimated number of jobs created is 30 initially and 250+ in Years 2 and 3. Employees are expected to be drawn from surrounding Navajo chapter communities.

D. Management and Organization of Construction Project and Operations

The Project Development Department is responsible entity as the developer for the Navajo Nation for commercial and industrial projects for this project.

Construction and Infrastructure Funding Needed: The amount of funding requested from the is \$19,00,000 to construct of the anticipate manufacturing facilities and the infrastructure. A budget is attached hereto as Exhibit “B”.

Project funding in the amount of \$30,000,000 for the equipment of the facility via an Industrial Revenue Bond (RDB) for the purchase of the Equipment with the McKinley County government received a do pass to move forward on the bond financing.

Included as Exhibit “G” is the IRB Application to the McKinley County Commission and its Smart Growth Fund Commission dated July 24,2018.

Investment Pay Back to the Navajo Nation General Fund: As has been the history of the Industrial Unit of the Project Development Department, the pay back for this investment will be in the form of monthly rental and creation of jobs.

The Division of Economic has historically negotiated business site leases within the Navajo Nation where the lease rental is to be paid to the Navajo Nation. This practice on monthly rental to the General Fund via the Navajo Nation Controller. The Department serves as the agent for the Navajo Nation in the recruitment and retention of tenants in the Nation’s industrial parks. The average term of these tenants is 15 years, thus these leases are long term leases. The prospective tenant has indicated that they prefer a fifty (50) year lease with an option to renew for an additional term of fifty (50) years.

The rental language historically used is as follows (dependent on lease negotiations):

The Lessee, in consideration of the foregoing, covenant and agrees to pay in lawful money of the United States of America to: Office of the Controller, Accounts Receivable Section, P.O. Box 3150, Window Rock, Arizona 86515 for the use and benefit of the Lessor the following:

Years 1 – 3	No rental, development period.
Years 4 – 5	at \$XXXXXX per month
Years 6 – 10	at \$XXXXXX per month.
Years 11 – 50	at \$XXXXXX per month.

When will you need the funds to be available? January 2018

Ownership, Operation and Maintenance of the Facilities: The Project Development Department will be the responsible department within the Navajo Nation for this project. This construction will be coordinated with the tenant, the McKinley County if New Mexico LEDA (Local Economic Development Act) Funds are appropriated and monitored by Sharlene Begay-Platero, Industrial Development Specialist with the overall monitoring by the Department Director, Anthony Perry.

If approved, the Department will work with the LEDA fund to coordinate with the McKinley County on the construction bidding and construction management.

Master Plan of the Church Rock Industrial Park: A master plan has been completed by Red Bruin and Associates in 2005 of the Church Rock Industrial Park which includes lot division and a proposed inter-road system within the Park. A drainage study was also completed in January 2006. This drainage study was and is being used by D. Sloan Architects, P. C. for the Lot 15 development and was used for the development of the Fire Rock Navajo Casino.

Environmental Assessment: An Environmental Assessment for the entire industrial park was completed in July 2002. And, an Environmental Assessment for Lot 15 at the Church Rock Industrial Park, in accordance with the National Environmental Policy Act of 1969, As Amended DOI DM Part 516 and 30 BIAM, Supplement 1 by J. R. Analla EA Services, EAS-0705 was completed in June 2007. Lot 15 is where the current production and warehouse are located which is the 1st phase of this project.

Land Withdrawals: The Church Rock Industrial Park (site) is on the Navajo Nation reservation. The industrial park was withdrawn by Advisory Committee of the Navajo Tribal Council in 1971 for the purpose “industrial development by leasing its (Navajo Nation) lands and otherwise assisting in such developments.” Attached hereto is Exhibit “H”, Advisory Committee Resolution ACMY-189-71. A portion of the industrial park is owned by the Navajo Nation and the land it entitled “fee simple” land.

Permits: The Project Development Department will be the lead with all agencies and utilities to coordinate this large project regarding this new construction at Church Rock.

Can this project be completed in 18 months or less? Yes.

Area map, site map, and floor map (as applicable): A copy of the Church Rock Industrial Park outlining the lots within the industrial park is included as Exhibit “F” along with an Ariel photo of the industrial park and this development are included with this application.

E. Conclusion

In conclusion, the Department experience with construction of manufacturing facilities for the occupation of tenant within the Navajo Nation’s Industrial Park. The prospective tenant has a \$29M capital investment towards this new manufacturing venture. Many site visits over the last two years have netted this Letter of Intent to bring jobs for our Navajo people.

Lastly, the Business Plan is on file with our Department as well as financials of this company.

Church Rock Development LLC.



Letter of Intent

June 18th, 2018

Mr. Anthony Perry, Director
Ms. Sharlene Begay-Platero, Ind. Dev. Representative
Navajo Nation -Project Development Department
P. O. Box. 663
Window Rock, AZ 86515

Reference: Glove manufacturing project in Church Rock industrial complex

Dear Mr. Perry and Ms. Begay-Platero,

Please accept this letter as a sincere expression of our intent to build an income generating nitrile glove manufacturing plant and distribution warehouse facility at above two Church Rock buildings in the Church Rock Industrial Park. The buildings are in Lot 15 at Church Rock, New Mexico.

These two buildings were originally custom built for the glove manufacturing and has been empty for many years. Though bit smaller than we need, due to market timing, we would like to utilize these two existing buildings as anchor factory for our first venture in the United States with the Navajo Nation.

We plan to expand much larger factory immediately after the successful launching of the first operation (Phase 2). We would build the second facility and occupy a 100,000 square feet facility to the west and north of the Lot 15 at the Church Rock Industrial Park. Mainly Lot#13, 14, 20, 19 & 18.

This will be very long-term commitment of capital, experience, time and much resources to enhance and support Navajo people and for its well-being community.

Since 1984, Church Rock Development head company, Jungwoo Rubber and Plastic Co. in Korea has supplied commodity items such as natural rubber to global clients such as tire, chemical, medical glove, construction, rubber derivative and synthesized consumer products, health and pharmaceutical, shoe manufacturing industries, etc.

Church Rock Development LLC.

- **We will be targeting following customers:**

Government; DOD, DOJ, FEMA, TIS, etc.

Medical; IHS, VA, Armed Forces, etc.

Food Industry: Fast food chains, Food Manufacturing & Process Plants. etc.

Retail; Home Depot, Wal-Mart, etc.

- **Usage of each bldg. & Lot:**

The current Lot 15 Production building will be refit with one manufacturing line

The Warehouse building will be packaging, palletizing, warehouse, shipping and administration office use.

2nd Phase empty lot, we will construct and build new and larger production complex.

- **Machinery and line set ups:**

It will be state of art and latest high-tech production, first of its kind in the United States.

Production machine is about 4 stories high and over 200 ft long.

- **Employee potentials:**

1st Phase: ~30+ one line

2nd Phase: ~300 + from 5 lines

- **Estimated Capital requirement per phase:**

1st Phase: \$5-8 million USD

2nd Phase: \$20 + million USD

3rd Phase: TBD

- **Proposed Time Table:**

1st Phase: From Occupation to set up finish will take ~ 12 + month

2nd Phase: new building construction will take about 10-12 months and factory operation will take about additional 4~6 month after the construction

- **Confidentiality:**

The entering into of this Letter of Intent, and the potential completion of this transaction, will be kept strictly confidential and will not be disclosed to customers, suppliers, employees or other persons without the consent of both parties, such consent not to be unreasonably delayed or withheld; this provision shall not apply to disclosure to professional advisors, potential financiers, or appraisers, provided they agree to maintain the same level of confidentiality required by the parties.

Church Rock Development LLC.

The purpose of this letter is to fully secure the building for long term leasing by Church Rock LLC to start Nitrile Glove manufacturing plants operation.
Upon completion of the both plants, this complex will create more than 300 direct and indirect projected jobs at operations and management levels.

Rhino Health LLC is a US manufacturing company, which will be responsible for operation of "Made in USA" nitrile glove manufacturing in Navajo land and sales - first in the USA.

Church Rock Development will be creating long-term quality employment opportunities for Navajo people and boost of its economy.

We look forward to working together to create the most constructive and beneficial relationship together.

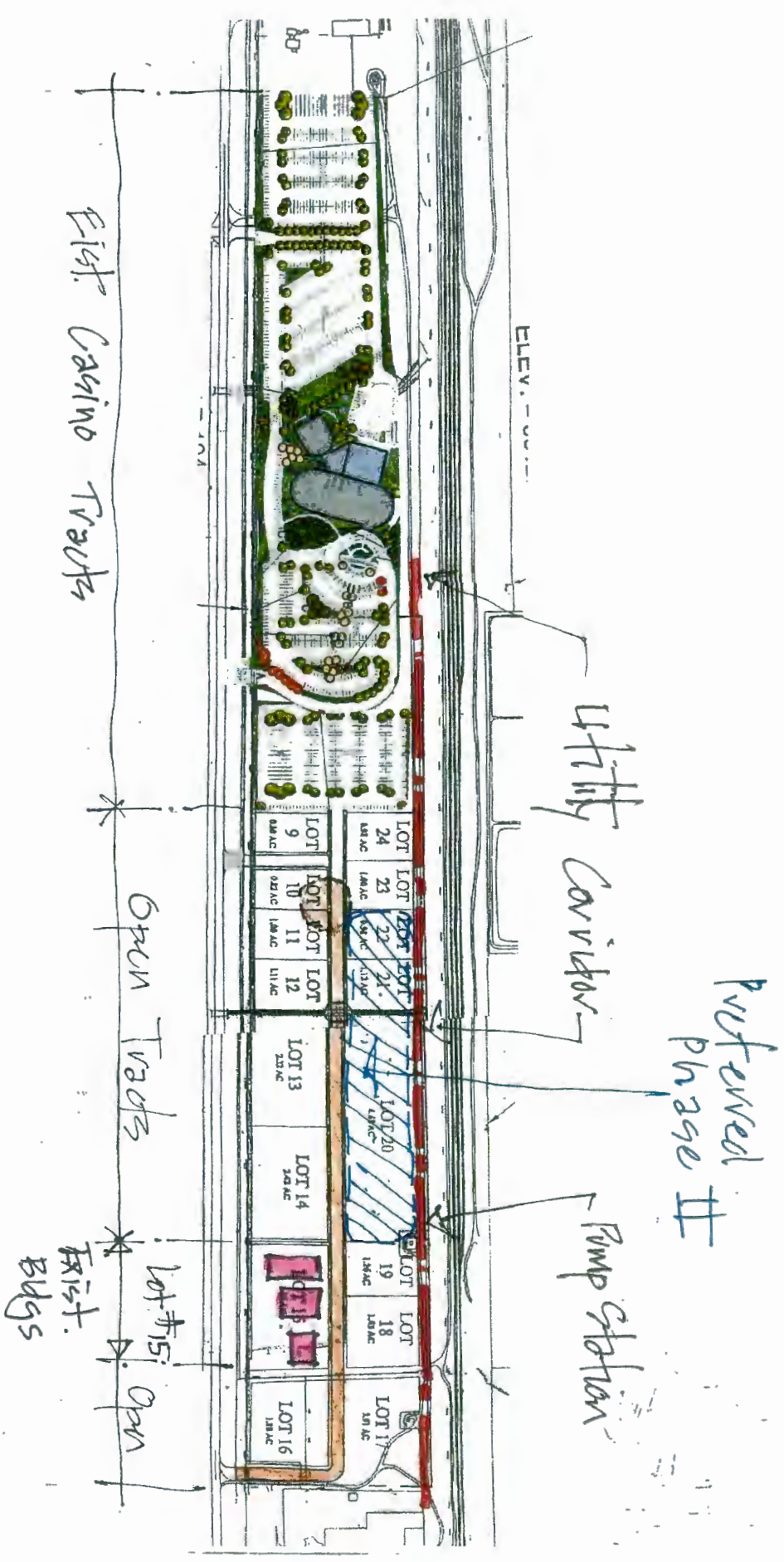
Sincerely,

Church Rock Development LLC.



Mr. Mark Lee

CC: DJ Yoon
P. Mason Esq.
J. Lee Esq.



131ft

Total: 686 ft

426ft

130ft

WARE HOUSE
&
PACKING

FACILITY FOR PII & PIII AND PRODUCTION OFFICE / LAB

PHASE III

STORAGE
&

COMPOUND TANK

GAS HEATER BOILER

PHASE II

MAIN OFFICE

686 ft*400 ft = 274,400ft = 2.55ha



Rhino Rubber Glove Manufacturing

<u>Scope of Work</u>	<u>Vendor</u>	
Topographic and Boundary Survey		\$ 10,000.00
Utility Capacity Investigation		\$ 10,000.00
Geotechnical Soil Borings		\$ 10,000.00
Environmental Assessment & Reports		\$ 30,000
HWY 118		\$ 500,000.00
Water Storage Tank		\$ 600,000.00
Site Development - Water & WWTP & Parking		\$ 6,500,000.00
Utility Connection Fee		\$ 100,000.00
274,400 sf Metal Building		\$ 8,232,000.00
Bonds & Insurance	2%	\$ 318,000.00
CM/GC Fee	10%	\$ 1,593,200.00
Building Construction		\$ 17,873,200
Architect, Engineers & Design Consultants	8%	\$ 1,259,376.00
Testing, Permits and Inspections		\$ 100,000.00
Design, Permits, Testing		\$ 1,359,376
FFE		\$ 25,000.00
Interior Signage		\$ 10,000
FF&E & Related		\$ 35,000
ESTIMATED TOTAL PROJECT DEVELOPMENT COSTS		\$ 19,297,576

Emergency Operating Agreement

EMERGENCY OPERATING AGREEMENT made this ____ day of April, 2018, by and between DIVISION OF ECONOMIC DEVELOPMENT, hereinafter referred to as "DED", and RHINO HEALTH, LLC, 104 E. Aztec Avenue, Gallup, New Mexico 87301 (Mark Minso Lee, Member) hereinafter referred to as "Operator".

Recitals

Whereas the Church Rock Warehouse facilities (Tribal Building #6912A and #6912B), Lot 15 in the Church Rock Industrial Park) are currently being used and existing structures are subject to vandalism;

Whereas the Lot 15 Site is within the jurisdiction of the Navajo Nation;

Whereas the Lot 15 includes approximately 1.5 acres more or less;

Whereas the property is available as a business site lease it needs to be occupied for security and maintenance of the business so that the Navajo Nation continue to benefit from the business opportunities.

Whereas the Navajo Nation desires to engage the services of the Operator to manage and operate this site, on a temporary and emergency basis, until a Business Site Lease can be issued, which may be incumbent upon the operator being able to exercise the development efforts and or related interest of the Navajo Nation. Operator desires to provide such services on the terms and conditions contained herein.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. **EMPLOYMENT OF OPERATOR:** Operator shall act as the exclusive operator to manage, operate, and maintain the Lot 15 Business Site (only the Warehouse, Tribal Building #6912A and #6912B) until a formal lease from the Navajo Nation for the premises is executed and approved.
2. **TERM AND RENTAL:** The use of this Agreement will be limited to a term of one year following the date this Agreement is signed; however, may be renewed, for another year. Operator must give the DED Division Director notice at least five (5) days before expiration of the Agreement so long as the Operator is diligently working on obtaining a business site lease.

Rent shall be waived, but shall not be construed to be the annual rental for a Business Site Lease or Permit.

3. **MAINTENANCE, REPAIRS, AND OPERATIONS:** Operator shall not be responsible for, and shall have no liability for any past due or unpaid Lease payments accrued by the former operator prior to the execution of this Agreement. Operator shall be responsible for all maintenance, repair and operations on the building and premises and shall maintain in a pleasant appearance as determined by the Nation.
4. **EMPLOYEES** Operator shall employ, discharge, and supervise all on-site employees or contractors required for the efficient operation and maintenance of the Lot 15 Business Site. All on-site personnel, except independent contractors and employees of independent contractors, shall be the employees of the Operator. Operator shall comply with all applicable Navajo Nation preference in employment laws in hiring, supervising, and discharging the on-site personnel at the Lot 15 Business Site.
5. **INSURANCE** Operator may obtain the following insurance, and such insurance shall be maintained in force during the full term of this Agreement:
 - a. Comprehensive general liability insurance for bodily injury, death and property damage which must include the Navajo Nation and the United States as additional named insureds.
 - b. Workers compensation and employer liability insurance to cover the Operator, the employees of the Operator.
6. **TERMINATION:** This Agreement may be terminated by either party by giving not less than thirty (30) day notice in writing to the other party.
7. **CONDEMNATION:** This Agreement shall terminate in the event of a total condemnation of the Lot 15 Business Site. If a partial condemnation of the property reduces the compensation of Operator by more than ten per cent (10%), Operator may terminate this Agreement.
8. **NO PROPERTY INTEREST CREATED:** Nothing contained in this Agreement shall be deemed to create or shall be construed as creating in Operator any property interest in the land.
9. **LICENSING OF OPERATOR:** Operator shall at all times during the term of this Agreement maintain such licenses and permits as are required for any of the various services to be performed by Operator.
10. **OPERATOR AS INDEPENDENT CONTRACTOR:** Operator is an independent contractor and not an employee of the Navajo Nation for any purpose.

11. **COVENANTS AND CONDITIONS:** All of the terms and conditions of this Agreement are expressly intended to be construed as covenants as well as conditions.
12. **NOTICE:** All notices, requests, demands, or other communications hereunder shall be in writing, and shall be deemed to have been duly given if delivered in person, or within five (5) days after deposited in the United States mail, postage prepaid, certified, with return receipt requested, or otherwise actually delivered to Navajo Nation, Division of Economic Development at P. O. Box 663, Window Rock, Arizona 86515 or to Operator at Post Office Box 3558, Window Rock, Navajo Nation, Arizona. Either party hereto may change the address at which it receives written notices by so notifying the other party hereto in writing.
13. **PARTIES BOUND; ASSIGNMENT:** This Agreement shall be binding on and inure to the benefit of the successors and assigns to the parties hereto, and their respective successors and assigns; provided, however, that this Agreement may not be assigned by Operator without prior written consent of the Navajo Nation. Anything in the foregoing to the contrary notwithstanding, Operator may, without the consent of the Navajo Nation, delegate the performance of (but not responsibility for) any duties and obligations of Operator to any independent contractor or entity.
14. **CONSENT TO JURISDICTION:** Operator hereby consents to the legislative, executive and judicial jurisdiction of the Navajo Nation in connection with all activities conducted by the Operator within the Navajo Nation. Operator shall agree to be accordance with the Laws of the Navajo Nation and any amendments thereto applicable to business leases.
15. **SOVEREIGN IMMUNITY:** Nothing herein shall be construed to waive the sovereign immunity of the Navajo Nation, explicitly or implicitly.
16. **EFFECT OF PARTIAL INVALIDITY:** Should any section or any part of any section of this Agreement be rendered void, invalid or unenforceable for any reason by the appropriate Navajo Nation Court, such a determination shall not render void, invalid or unenforceable any other section or any part of any section in this Agreement.
17. **INTEGRATION:** The drafting, execution and delivery of this Agreement by the parties have been induces by no representations, statements, warranties or agreements other than those expressed in this Agreement. This Agreement embodies the entire understanding of the parties, and there are no further or other agreements or understandings, written or oral, in effect between the parties relating to the subject matter hereof unless expressly referred to in this Agreement.

18. MODIFICATION: This Agreement may not be modified unless such modification is in writing and signed by both parties in this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.



Mark Minso Lee, Member
Rhino Health, LLC

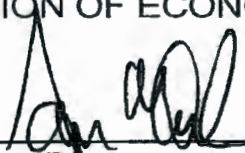
DATE: 4/2/2018



Department Manager
Anthony Perry

DATE: 4-04-18

DIVISION OF ECONOMIC DEVELOPMENT



Division Director
Sean McCabe

DATE: 4/4/18



NAVAJO NATION LIMITED LIABILITY COMPANY ACT

CERTIFICATE OF AUTHORITY

To all to Whom these Presents Shall Come, Greeting:

I, the Manager of the Business Regulatory Department, DO HEREBY CERTIFY
that ***RHINO HEALTH, LLC***
File Number: 102337

a Limited Liability Company organized under the laws of the STATE OF
NEW MEXICO was on the 12th day of
March, 2018, authorized to transact business with the Navajo
Nation as a FOREIGN Limited Liability Company.

I FURTHER CERTIFY that this Limited Liability Company has filed all affidavits
and required documents and paid all filing fees required and, therefore, is registered as a
Foreign Limited Liability Company with the Navajo Nation.



IN WITNESS WHEREOF, I have hereunto set
my hand and affixed the official seal of the
Navajo Nation Limited Liability Company Act
at Window Rock, Arizona, this 12th

day of March 2018 A.D.

Beverly J. Coho

Beverly J. Coho
Manager, Business Regulatory Department

GSCAP-12-07

RESOLUTION OF THE
GOVERNMENT SERVICES COMMITTEE
OF THE NAVAJO NATION COUNCIL

21ST NAVAJO NATION COUNCIL - First Year, 2007

Legislation No.: 0213-07
Sponsored by Roy Dampsey, Council Delegate

AN ACTION

RELATING TO ECONOMIC DEVELOPMENT AND GOVERNMENT SERVICES;
AMENDING THE MASTER PLAN OF OPERATION FOR THE DIVISION OF
ECONOMIC DEVELOPMENT

BE IT ENACTED:

The Navajo Nation hereby amends the Master Plan of Operation for the Division of Economic Development, which was last amended by Resolution GSCF-13-96. The amended Master Plan of Operation for the Division of Economic Development is set forth in the attached Exhibit A.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Government Services Committee of the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 7 in favor and 0 opposed, this 10th day of April, 2007.



Leonard Teller, Vice-Chairperson
Government Services Committee

Motion: Roy Laughter
Second: Lee Jack, Sr.

DIVISION OF ECONOMIC DEVELOPMENT
MASTER PLAN OF OPERATION

I. Establishment.

The Division of Economic Development (hereinafter "Division") is hereby established within the Executive Branch of the Navajo Nation Government.

II. Purpose.

The Division is established for the purpose of creating an environment that is conducive to promote and develop businesses in the commercial, tourism, industrial and other sectors of the Navajo Nation economy, to enhance the creation of jobs and business opportunities.

III. Objectives

To carry out its purpose, the following Division objectives are established:

- a. To promote and support an environment that leads to the creation and retention of jobs and business opportunities in the commercial, industrial, tourism and other private sectors of the Navajo economy; and
- b. To recommend the enactment, amendment, or rescission of laws and promulgation and/or reduction of regulations to enhance economic development on the Navajo Nation and to create a positive business environment; and
- c. To maintain a decentralized network of business development offices in the primary growth centers of the Navajo Nation that provides individuals and organizations with technical assistance to develop business plans, feasibility studies, financing, planning, loan and grant packaging, business site lease processing, Business Preference Certification, and industrial park management; and
- d. To develop and manage a comprehensive financing program to expand or develop new economic initiatives and plans for the Navajo Nation; and
- e. Seek and secure financing from the Navajo Nation, state, federal, and other agencies for commercial and

industrial development projects, monitor and administer grants and loans received for such projects; and

- f. Seek and implement new business opportunities and economic development projects for the Navajo Nation.

IV. Personnel and Organization

A. Personnel

The position of Executive Director of the Division is hereby established. The Executive Director shall be appointed by the President of the Navajo Nation and confirmed by the Navajo Nation Council, pursuant to 2 N.N.C. § 102 (F). The Executive Director shall serve at the pleasure and under the general direction and guidance of the President of the Navajo Nation and shall coordinate with the Economic Development Committee of the Navajo Nation Council and Navajo Nation Chapters to promote and encourage economic development on the Navajo Nation. In order to achieve the purposes and objectives of this Plan of Operation, the Executive Director shall have the authority to:

1. Recommend the creation, merger, separation, amendment or abolishment of programs, or specific functions within the Division, in accordance with Navajo Nation law, budgetary and personnel policies and procedures of the Navajo Nation; and
2. Hire, direct, supervise, and evaluate employees and reclassify positions within the Division in accordance with personnel policies and procedures of the Navajo Nation; and
3. Oversee the management of the Division's programs, including but not limited to management of the Navajo Nation Business and Industrial Development Fund, the Micro-Enterprise Lending Fund, or any other new program established within the Division, in accordance with the rules, regulations, guidelines, policies, procedures and laws of the Navajo Nation; and
4. Negotiate economic development-related agreements under the jurisdiction of the Division on behalf of the Navajo Nation in accordance with and subject to applicable rules, regulations,

guidelines, policies, procedures, and laws of the Navajo Nation; and

5. Delegate authority pertaining to the operation of the Division and its programs to subordinate directors of the Division, to the extent permitted by the laws and policies of the Navajo Nation; and
6. Delegate authority pertaining to the management of business site leases under the jurisdiction of the Division to Chapters, Townships, or other forms of government, to the extent permitted by law and policies of the Navajo Nation conditioned upon approval of a business site leasing management plan by the Economic Development Committee; and
7. Delegate authority pertaining to the administrative management of business site leases under the jurisdiction of the Division to Chapters, Townships, or other forms of government, to the extent permitted by law and policies of the Navajo Nation conditioned upon approval of an administrative business site lease management plan by the Economic Development Committee; and
8. Recommend additional professional, technical and clerical positions as needed to carry out the organization purposes as stated herein. Additional positions shall be acquired in accordance with applicable Personnel Policies and Procedures and applicable budget rules established for conducting the annual Navajo Nation budget process; and
9. Execute such directives and authorities as may be directed and/or authorized by the appropriate authority of the Navajo Nation.

B. Organization

Seven departments of the Division are hereby established, each with specific duties and responsibilities as outlined hereinafter (see Organization Chart attached hereto as Exhibit I):

1. Administrative Department; and
2. Project Development Department; and
3. Business Regulatory Department; and
4. Support Services Department; and
5. Small Business Development Department; and

6. Tourism Department; and
7. Real Estate Department.

V. Authority and Responsibility of the Division

The general authorities and responsibilities of the Division are as follows:

- A. Manage all funds identified for economic development in a fiscally responsible manner and administer the Navajo Nation Business and Industrial Development Fund and Micro-Enterprise Lending Fund pursuant to the approved Fund Management Plans; and
- B. Identify and recommend changes in the laws and regulations of the Navajo Nation or other government agencies to reduce or eliminate barriers to entry and expansion faced by new and growing business enterprises and to eliminate regulatory and jurisdictional conflicts which inhibit the location of major industries within the Navajo Nation; and
- C. Manage and develop industrial parks, business sites, and other lands dedicated to economic development; and
- D. Manage and recommend changes to the environmental review as the Environmental Reviewer under the Navajo Nation Business Site Leasing Regulations of 2005; and
- E. Solicit proposals from outside businesses and industries to locate facilities and operations in Navajo Nation industrial parks and to assist them in implementing proposed projects; and
- F. Collect, maintain, analyze and disseminate information relevant to business and economic activity on the Navajo Nation (such as socio-economic data, labor market data, land use data, etc.) and conduct economic feasibility studies and other technical studies to enhance economic development; and
- G. Propose, plan, and undertake economic development projects by investing resources in ventures that adds to Navajo Nation assets and provide opportunities for related business development and employment, including, but not limited to:

1. expand, diversify, and privatize the operations of Navajo Nation Enterprises or other Navajo Nation owned business entities; and
 2. develop tourism facilities and services to capture a major share of the tourism market of the southwest; and
 3. improve industrial parks and related infrastructure to increase the attractiveness and suitability of the Navajo Nation as a place to locate business; and
 4. develop facilities and services to enhance commercial development.
- H. Seek federal, state, and conventional financing for commercial, industrial, and tourism projects and develop other economic programs to enhance economic activity within the Navajo Nation; and
- I. Execute such directives as may be directed or authorized by the appropriate authority of the Navajo Nation consistent with Navajo and federal law; and
- J. Assist Navajo Nation Chapters in the execution of economic development functions and authorities which are properly delegated.

VI. Administration Department

The purpose of the Administration Department is to provide for overall management of the Division in terms of both administrative and program functions. The specific duties and responsibilities of the Administration Department are as follows:

- A. Provide overall direction to the Division by maintaining short and long range plans, goals, and objectives; and
- B. Respond to community needs and plans relating to economic development; and
- C. Ensure the implementation of duties and functions, authorities, and responsibilities of the Division; and
- D. Work in concert with the Economic Development Committee of the Navajo Nation Council, other standing committees

of the Navajo Nation Council, and the Navajo Nation Council; and

- E. Negotiate agreements related to economic development in accordance with applicable policies and laws..

VII. Project Development Department

- A. The duties and responsibilities of the Project Development Department are as follows:

1. Plan commercial and industrial projects throughout the Navajo Nation. Planning activities may include, but are not limited to, conducting surveys, withdrawing land, obtaining feasibility studies, securing financing, conducting site assessments and all other necessary planning activities; and
2. Develop and market commercial and industrial projects throughout the Navajo Nation. Procure and manage architectural and engineering, construction and other professional services contracts. Procure and manage infrastructure, facilities, site improvements and other capital improvement construction contracts; and
3. Seek and secure financing from the Navajo Nation, state, federal, and other agencies for commercial and industrial development projects, monitor and administer grants and loans received for such projects; and
4. Seek, implement, and retain business opportunities and economic development projects for the Navajo Nation; and
5. Develop and implement a marketing plan to promote the Navajo Nation to attract, secure and retain, commercial and industrial businesses; and
6. Improve and upgrade commercial sites, industrial parks and related infrastructure to accommodate present and future economic development activities for the Navajo Nation; and
7. Negotiate and finalize business site leases and economic development-related agreements on behalf of the Navajo Nation, in accordance with

applicable rules, regulations, policies and procedures adopted pursuant to the laws of the Navajo Nation; and

8. Provide technical assistance and support to tribal and non-tribal entities to plan and develop commercial and industrial projects and related infrastructure on the Navajo Nation; and
9. Conduct technical and financial analysis of potential commercial and industrial development projects for the Navajo Nation; and
10. Provide construction management duties on commercial and industrial projects that may include; and land withdrawal procedures, site clearances, and preparation of proposal and bid documents, collaborative efforts with professional entities (Architects, Engineers, Project Inspectors, Certified Appraisers, etc.) on development of commercial and industrial projects; and
11. Develop and administer the annual operating budget for the Department, which includes day to day accounting activities.

B. Personnel

1. There shall be a position of Department Manager who shall direct the Department, to ensure the policies, procedures, and guidelines are followed to the upmost; and
2. The Department Manager shall possess the following qualifications: a bachelor's degree and/or a minimum of five years experience in any business or administration field; and
3. The Department Manager shall report directly to the Executive Director of the Division; and
4. The Department Manager shall have the authority to hire staff as is necessary to carry out the purposes and objectives set forth herein and as is provided in the program budget, in accordance with the Navajo Nation Policies and Procedures; and

5. Recommend, develop, implement, and administer programs in accordance with the laws, budgetary and personnel policies and procedures of the Navajo Nation; and
6. The Department Manager shall have the authority to delegate authority to Department staff to carry out the objective and functions of the Department; and
7. All personnel shall be employed, supervised and compensated including evaluation and reclassification in accordance with Navajo Nation Personnel Policies and Procedures.

VIII. Business Regulatory Department

A. The duties and responsibilities of the Business Regulatory Department (hereinafter "BRD") are as follows:

1. Administer, implement, and enforce the Navajo Business Opportunity Act, (hereinafter "NBOA") 5 N.N.C. §§ 201 et seq., which provides first preference to certified economic vendors conducting business within the Navajo Nation. In accordance with the NBOA, BRD shall maintain a certification program for the purposes of determining the eligibility of all Navajo and/or Indian owned economic enterprises; and
2. Draft and implement rules and regulations consistent with the NBOA. BRD may conduct public hearings during the draft phase of the rules and regulations; and
3. Administer, implement and enforce the Navajo Nation Corporation Code, (hereinafter "Code") 5 N.N.C. §§ 3100 et seq., which requires all legal corporate entities to formally file and register all required documents with BRD; and
4. Administer, implement and enforce the Navajo Nation Uniform Commercial Code, (hereinafter "Navajo UCC") Title 5A of the N.N.C. In accordance with the Navajo UCC, BRD shall maintain a file of all secured transactions entered between buyer and seller; and

5. Administer and implement the Navajo Weights and Measure Program, which enforces the implementation of the National Institute of Standards and Technology (hereinafter "NIST"). The Weights and Measure Program will inspect and certify all measuring devices used in commercial transactions for legal trade; and
6. Administer and implement policies and procedures for the issuance of business licenses, once delegated from the Oversight Committee; and
7. Develop and implement intergovernmental agreements between the Navajo Nation and States of Arizona, New Mexico and Utah to carry out the purpose and goals of the Weights and Measures Program; and
8. Reviews and renders decisions on any violation in accordance with the NBOA and Code. Upon BRD's written decision, all decisions may be appealed to the Office of Hearing and Appeals within ten (10 days); and
9. Serve as the filing agent for all corporate, NBOA and Navajo UCC filings; and
10. Coordinate regulatory activities with all federal, state, tribal, and local governmental entities that require Navajo and/or Indian preference programs; and
11. Provide educational programs, information, and related training sessions to appropriate tribal and non-tribal entities as may be necessary for the continued understanding of the policies, procedures, duties, and responsibilities of BRD.

B. Personnel

1. There shall be a position of Department Manager who shall oversee the Department to ensure the policies, procedures, and guidelines are followed to the upmost and conduct the following duties:
 - a. The Department Manager shall report directly to the Executive Director of the Division; and

- b. The Department Manager shall have the authority to hire staff as is necessary to carry out the purposes and objectives set forth herein and as is provided in the program budget, in accordance with the Navajo Nation Policies and Procedures Manual; and
 - c. Recommend, develop, implement, and administer programs in accordance with the laws, budgetary and personnel policies and procedures of the Navajo Nation; and
 - d. Delegate authority to Department staff to carry out the objective and functions of the Department.
- 2. There shall be a position of Economic Development Specialist who shall administer, monitor and enforce the regulatory laws and provide technical and administrative assistance to all businesses, commercial and industrial entities; and
 - 3. There shall be a position of Weights and Measures Inspectors who shall perform administrative and technical tasks by conducting periodic inspections of all measuring devices and dispensers in accordance with NIST. Recommend corrective actions on any discrepancies; and
 - 4. All personnel shall be employed, supervised and compensated including evaluation and reclassification in accordance with Navajo Nation Personnel Policies and Procedures Manual.

IX. Support Services Department

- A. The duties and responsibilities of the Support Services Department are as follows:
 - 1. Administer the Navajo Nation Business and Industrial Development Fund, hereinafter "BIDF," coordinate management of the BIDF with the Division of Finance, and formulate, develop, and recommend policies, procedures, and guidelines to improve the administration of the BIDF; and
 - 2. Administer and oversee the financing of investment opportunities offered under the BIDF in accordance to the Fund Management Plan and coordinate the

- return of investments due to the BIDE with respective Programs which may include lease modifications, entering into contractual agreements, and maintaining an annual budget; and
3. Administer all loan programs and funds offered under BIDE and coordinate with other departments, programs and agencies pursuant to the applicable financial assistance guidelines, including providing loan application review for all loans, except the Micro-Enterprise Loans, to ensure compliance with loan guidelines; and
 4. Develop and oversee the administration of the annual operating budgets, in coordination with the Division and departments. Provide technical assistance on day to day accounting operations for the Division; and
 5. Collect data on micro-economics, economic strategy and information for the Navajo Nation to prepare reports that are used for Economic Development Administration Funding and for the Bureau of Indian Affairs, Department of Interior for additional funding; and
 6. Coordinate with Credit Services Department, Division of Finance to provide credit and collection reports for loan programs and carry out the quick and orderly disposition of collateral repossessed under business loan programs in accordance with applicable Navajo law; and
 7. Provide loan application review for all loans, except the Micro-Enterprise Loans, and to ensure compliance with loan guidelines; and
 8. Develop and maintain an efficient central data base to monitor small business, commercial, and industrial activity, and to generate socio-economic and other statistical information; and
 9. Provide information technology services, for the managing and processing information, in particular the use of electronic computers and computer software to convert, store, protect, process, transmit and retrieve information for the Division, including maintaining a division-wide network (LAN, WAN and MAN); and

10. Administer the maintenance of all the Division facilities, both interior and exterior, including groundwork within the perimeter of the facility, janitorial, HVAC, and elevator upkeep, security, and any other duties necessary for the maintenance of the buildings.

B. Personnel

1. There shall be a position of Department Manager who shall oversee the Department, to ensure the policies, procedures, and guidelines are followed to the upmost; and
2. The Department Manager shall possess the following qualifications: a bachelor's degree and/or a minimum of five years experience in any business or administration field; and
3. The Department Manager shall report directly to the Executive Director of the Division; and
4. The Department Manager shall have the authority to hire staff as is necessary to carry out the purposes and objectives set forth herein and as is provided in the program budget, in accordance with the Navajo Nation Policies and Procedures; and
5. Recommend, develop, implement, and administer programs in accordance with the laws, budgetary and personnel policies and procedures of the Navajo Nation; and
6. The Department Manager shall have the authority to delegate authority to Department staff to carry out the objective and functions of the Department; and
7. All personnel shall be employed, supervised and compensated including evaluation and reclassification in accordance with Navajo Nation Personnel Policies and Procedures.

X. Small Business Development Department

- A. The duties and responsibilities of the Small Business Development Department are as follows:

1. Maintain a network of Regional Business Development Offices, hereinafter "RBDO," as established to serve as a direct link to local communities and to assist and promote Navajo individuals, chapters, and organizations with business and economic development matters and concerns; and
2. Exercise business site lease, sublease, assignment, encumbrance, permit and any modification approval authority as delegated by the Economic Development Committee of the Navajo Nation Council, pursuant to Navajo Nation Business Site Lease Administrative and Management Plan; and
3. Provide technical assistance through the Regional Business Development Offices to individuals, small businesses, chapters and other organizations in processing land withdrawals, developing business plans, obtaining financing, negotiating, and processing business site leases, permits, obtaining business preference certifications, administering educational seminars, and processing any other business site leasing activities and addressing other business concerns; and
4. Provide technical assistance to chapters, communities, business associations, and other organizations in local planning and promotion of business and economic development activities; and
5. RBDO may in coordination with the appropriate department, work with tribal and non-tribal entities to plan and develop commercial, industrial and tourism projects and related infrastructure; and
6. RBDO may provide technical assistance on commercial and industrial projects that may include, land withdrawal procedures, site clearances, and preparation of proposal and bid documents, collaborative efforts with professional entities, including but not limited to, Architects, Engineers, and Certified Appraisers on development of commercial and industrial projects; and
7. Administer the Micro-Enterprise Loan Fund and approve those loan documents at the applicable

RBDO, pursuant to applicable guidelines and the fund management plan; and

8. Provide technical assistance through the Regional Business Development Offices to individuals, small businesses, chapters and other organizations in the application and processing of BIDE loan documents in accordance with the guidelines for the administration of the BIDE; and
9. Provide loan application review for all Micro-Enterprise Loan Fund and Navajo Nation Small Business Lending Program for loans \$250,000 or less, originating at the RBDO to ensure compliance with loan guidelines; and
10. Produce brochures, conduct management counseling, business training for Navajo individual entrepreneurs, organizations, chapters; and
11. RBDO shall maintain records, for all leasing activities, which include renewals, modifications, subleases, assignments, encumbrances, amendments and terminations of Business Site Leases and coordinate with the Navajo Real Estate Department in its record-keeping duty; and
12. Develop and administer the annual operating budget for the Department, which includes day to day accounting activities.

B. Personnel

1. The position of Department Director of the Department is hereby established. The director shall have the authority to:
 - a. Reports directly to the Executive Director of the Division; and
 - b. The Department Manager shall possess the following qualifications: a bachelor's degree and/or a minimum of five years experience in any business or administration field; and
 - c. Recommend, develop, implement and administer programs in accordance with the laws, budgetary and personnel policies and procedures of the Navajo Nation; and

- d. Delegate authority to Department staff to carry out operations of the Department.
2. The Department shall be sufficiently staffed to accomplish the purpose and objectives of the Department; and
3. All personnel shall be employed, supervised and compensated including evaluation and reclassification in accordance with Navajo Nation Personnel Policies and Procedures.

XI. Navajo Tourism Department

A. Establishment

The Navajo Tourism Department, Division (hereinafter referred to as the "Department") is hereby established under the Executive Branch of the Navajo Nation government.

B. Purpose

The Department is established to promote and develop tourism related business thereby creating jobs and business opportunities.

C. Objectives

To carry out the Department's purpose, the following objectives are established:

1. To develop projects that will provide accommodations and infrastructure for such projects as resorts, visitor centers, restaurants, roadside rest areas, recreational vehicle parks, and other developments; and
2. To prevent leakage of tourism dollars off the Navajo reservation by creating Navajo businesses; and
3. To develop and implement a tourism development strategy that will increase the number of tourist destinations within the Navajo Nation; and
4. To provide funds for tourism promotion, tourism department operational funds, and for project development which includes the following, but is

not limited to the advertisement of Navajo people, scenery and facilities and for acquisition, construction, renovation and maintenance of tourism related attractions and recreational facilities; and

5. To promote economic development opportunities and projects related to tourism through programs including education and training, visitor information, services, sales promotion, publicity, advertising, marketing, research, and travel development; and
6. To initiate and cooperate with the Division Administration, the amendment, development, and implementation of new and existing tribal, state, and federal legislation, policies, and regulations that benefit on the tourism industry; and
7. To manage and administer the Navajo Nation Tourism Fund Management Plan approved by Resolution BFO-56-93, which includes an annual budget with an expenditure plan; and
8. In conjunction with the Division, the Department may develop and recommend to the Budget and Finance Committee of the Navajo Nation Council the fund's management plan, after review by the Economic Development Committee.

D. Personnel

1. The position of Department Director of the Department is hereby established. The director shall have the authority to:
 - a. Reports directly to the Executive Director of the Division; and
 - b. Recommend, develop, implement, and administer programs in accordance with the laws, budgetary and personnel policies and procedures of the Navajo Nation; and
 - c. Delegate authority to Department staff to carry out operations of the Department.

2. The Department shall be sufficiently staffed to accomplish the purpose and objectives of the Department; and
3. All personnel shall be employed, supervised and compensated including evaluation and reclassification in accordance with Navajo Nation Personnel Policies and Procedures.

XII. Navajo Real Estate Department

A. Establishment

The Navajo Real Estate Department, Division (hereinafter referred to as the "Realty Department") is hereby established under the Executive Branch of the Navajo Nation Government.

B. Purpose

To implement the Navajo Nation Business Site Leasing Regulations of 2005 ("Tribal Regulations"), as amended, that was approved on July 10, 2006, by assuming the authorities of the Bureau of Indian Affairs on management and enforcement of Business Site Leases.

C. Objectives

1. Manage Business Site Leases, which includes, ensuring the Lessee provides all required documents within the agreed time frame, monitor the Lessee's compliance with all the terms and conditions of Business Site Leases during the term of the Lease, and any other necessary functions pursuant to the Navajo Business Site Lease Management Plan and coordinate with Division of Finance for all accounting matters; and
2. Enforce all terms and conditions of Business Site Leases, which include assessing late charges, debt collections, obtaining insurance proceeds, execution of bonds, and any other activities or remedies allowable under the Navajo Business Site Lease Management Plan; and
3. Negotiate with Lessees, including acting as a mediator for any arising disputes between the Navajo Nation and any aggrieved interested party, as defined and provided in the Tribal Regulations

and in the Navajo Business Site Lease Management Plan, as amended; and

4. Recommend relief for business site leases, permits, subleases, assignments and encumbrances in default, if necessary coordinate with the Navajo Department of Justice for further legal actions, remedy and relief; and
5. Exercise its authority to terminate any business site lease, permit, sublease, assignment and encumbrances, in default, in accordance with the Navajo Business Site Lease Management Plan and the regulations of the Navajo Nation; and
6. Manage the Navajo Real Estate Records, which includes the disbursement of all Business Site Leases, ~~assignment of~~ Lease numbers to all Business Site Leases, and cooperate with the Secretary of Interior in the transfer of records received from the Secretary and with the Navajo Land Department for title recording upon the establishment of a title plant; and
7. Develop and maintain a record of all leasing activities, which includes executions, renewals, modifications, subleasing, assigning, encumbering, amendments and terminations of Business Site Leases, for all Business Site Leases including Chapters, Townships, other municipal forms of government and entities; and
8. Provide status reports to the RBDO and Project Development Department before any actions, to the extent possible, legal or non-legal taken against any Business Site Lease in default; and
9. Provide annual accounting to the Office of the Controller for the Navajo Nation and the Secretary and shall coordinate with all Chapters, Townships, other municipal forms of government and entities in obtaining and reviewing such accounting; and
10. Administer, certify and maintain the record of Environmental Review, which includes the review of environmental impacts of certain proposed leasing activities and coordinate with the other departments and other Divisions as is required, in

accordance with the environmental review policy and procedures; and

11. Provide environmental review for all business site leases to ensure compliance with the standard format for the environmental review; and
12. Administer the Navajo Nation Appraisal Office, for conducting appraisals for certain proposed leasing and business activities based on requests from departments, which includes developing an appraisal log to report methods of conducting appraisals and providing any technical assistance to departments and interested individuals with respect to economic development projects to determine the fair annual lease value, fair market value and assess property and other assets for collateral assignments of lease; and
13. Provide appraisal review for all appraisals conducted on the Navajo nation to ensure compliance with the appraisal policy and procedures; and
10. Manage and administer the Navajo Nation Real Estate Fund Management Plan which must be recommended by the Economic Development Committee and approved by the Budget and Finance Committee of the Navajo Nation Council.

D. Personnel

1. There shall be a position of Department Manager who shall oversee the Department and ensure sound real estate management practices are followed; and
2. The Department Manager shall possess the following qualifications: a bachelor's degree, and a minimum of five years of experience in business, real estate and/or finance; and
3. The Department Manager shall report directly to the Executive Director of the Division; and
4. The Department Manager shall have the authority to hire staff as is necessary to carry out the purposes and objectives set forth herein and as is provided in the program budget, in accordance with the Navajo Nation Personnel Policies and

Procedures and division policies and plans, which must include:

- a. Licensed Appraiser; and
 - b. a position for an Environmental Reviewer who must possess the following qualifications: five (5) years of experience in an environmental field of law.
5. Recommend, develop, implement, and administer programs in accordance with the laws, budgetary and personnel policies and procedures of the Navajo Nation; and
 6. The Department Manager shall have the authority to delegate authority to Department staff to carry out the objectives and functions of the Department; and
 7. All personnel shall be employed, supervised and compensated including evaluation and reclassification in accordance with Navajo Nation Personnel Policies and Procedures.

XIII. Legislative Oversight

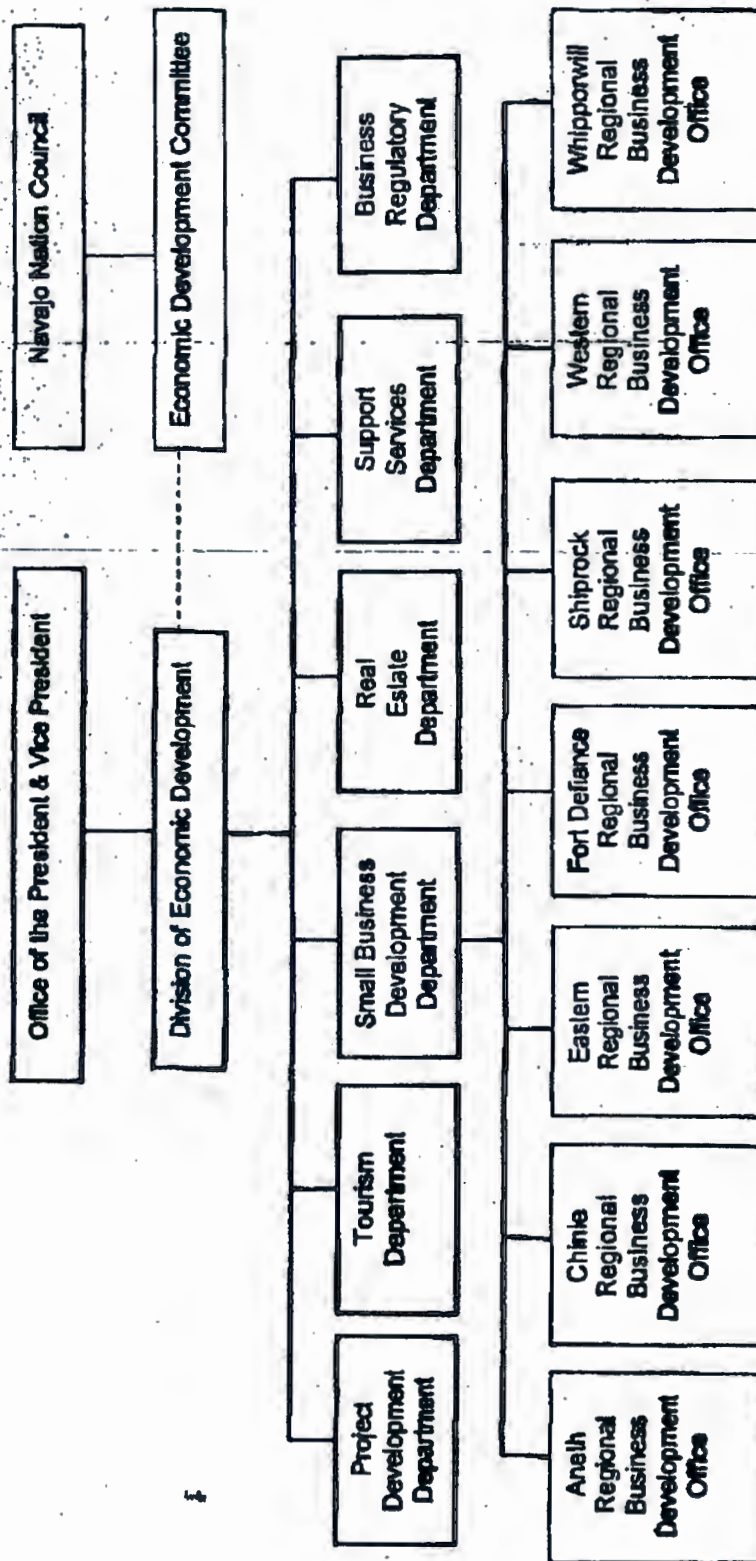
Pursuant to 2 N.N.C. § 724 (G), the Economic Development Committee of the Navajo Nation Council is the oversight committee for the Division.

XIV. Amendments

This Plan of Operation may be amended from time to time upon recommendation of the Economic Development Committee of the Navajo Nation Council and approval by the Government Services Committee of the Navajo Nation Council.

New

ORGANIZATION CHART NAVAJO NATION DIVISION OF ECONOMIC DEVELOPMENT



DED - Administration Department

September 27, 2005

New

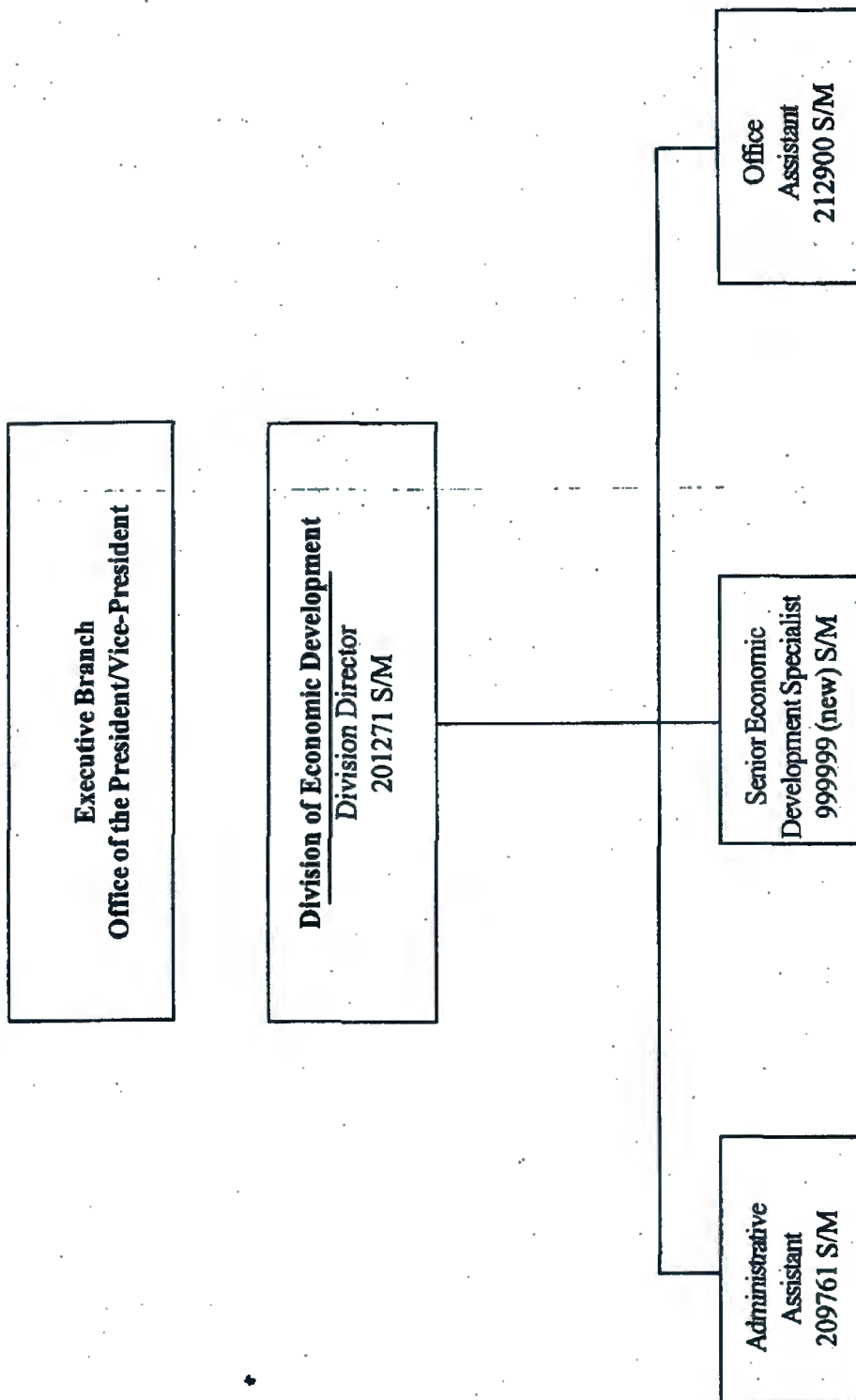
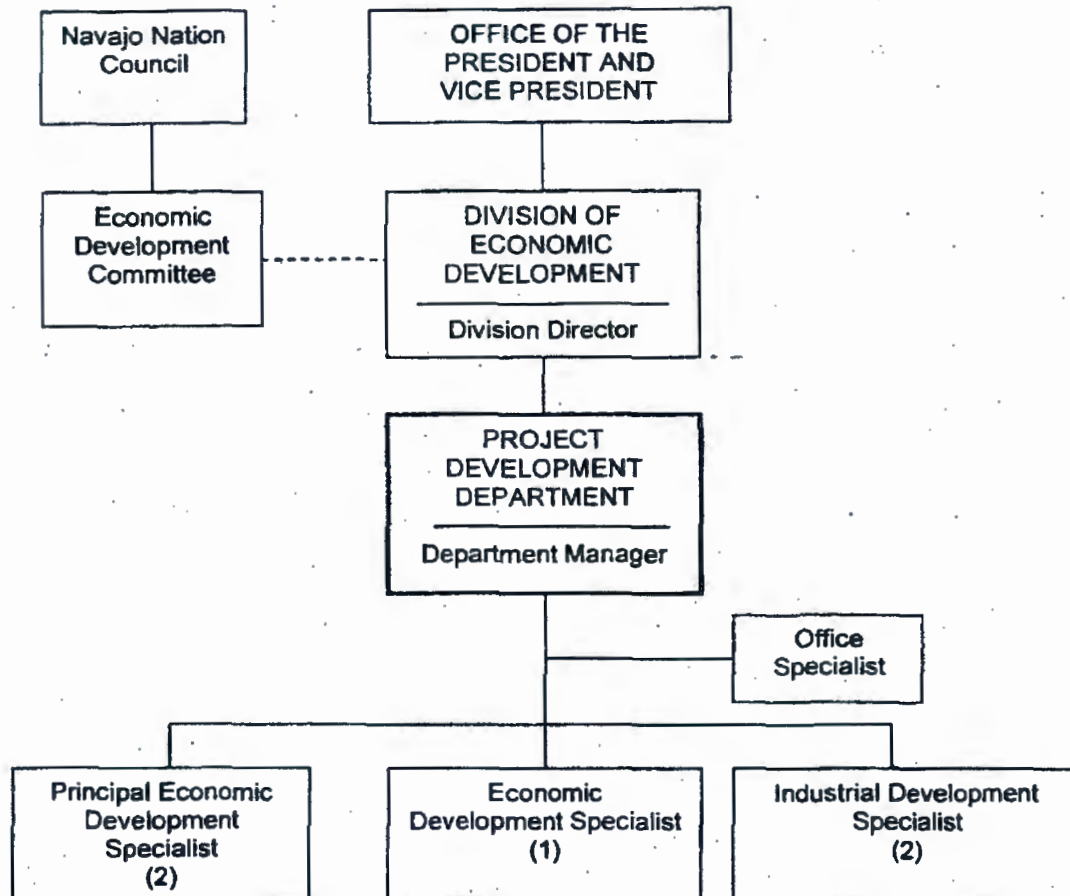


EXHIBIT "A"

ORGANIZATION CHART

New

PROJECT DEVELOPMENT DEPARTMENT DIVISION OF ECONOMIC DEVELOPMENT



Same
No Change

DIVISION OF ECONOMIC DEVELOPMENT

Business Regulatory Department ORGANIZATION CHART

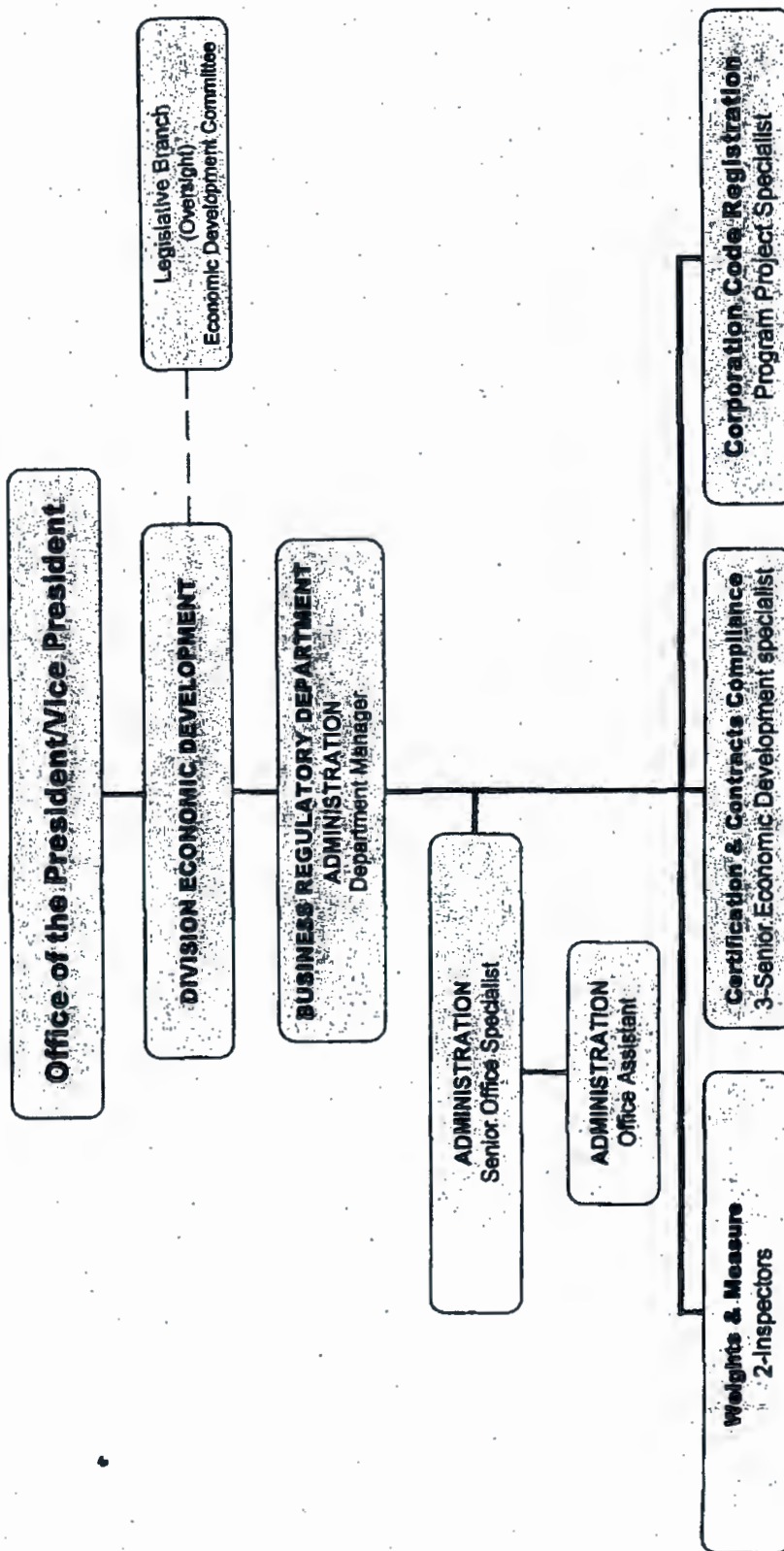


EXHIBIT "A"

New

ORGANIZATION CHART
NAVAJO NATION DIVISION OF ECONOMIC DEVELOPMENT

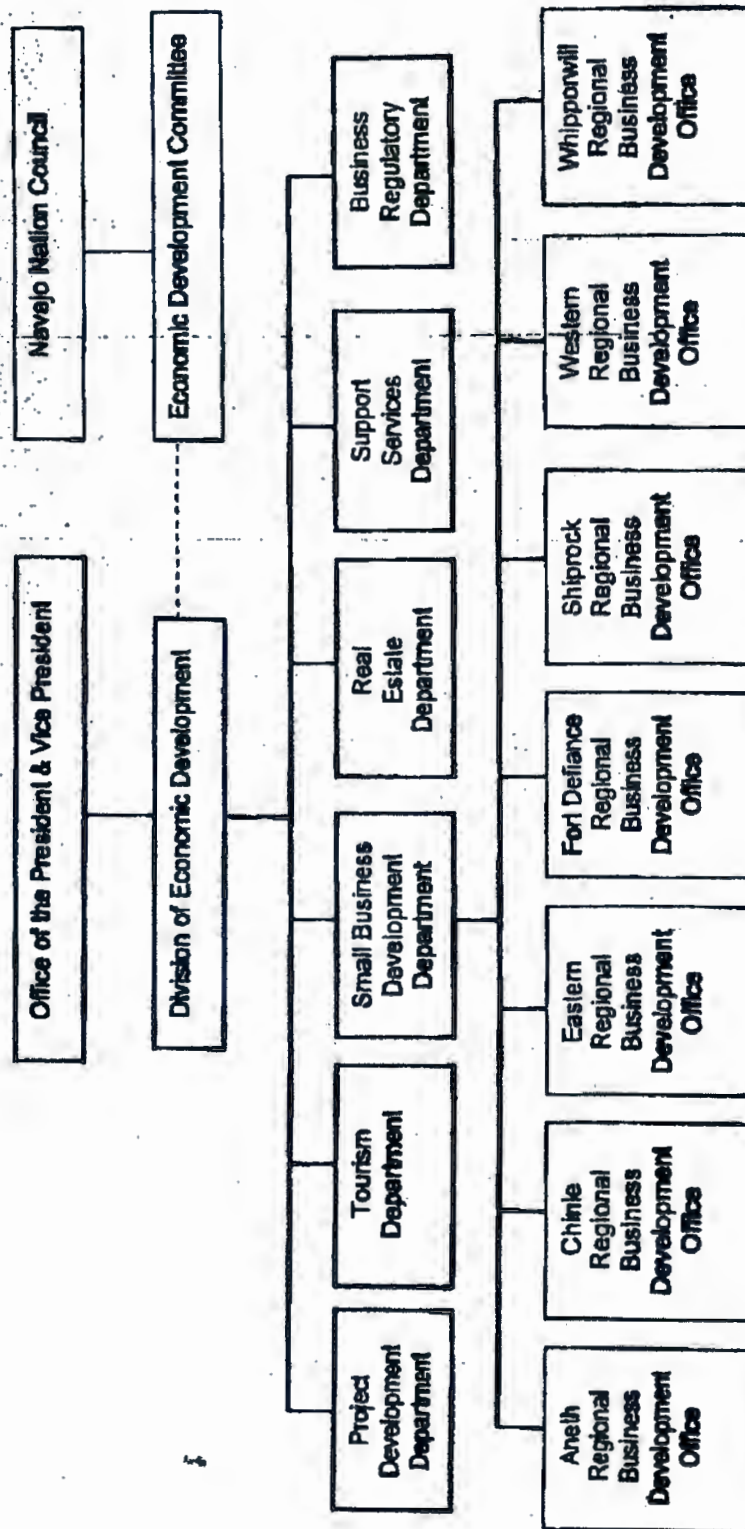


EXHIBIT "A"

DIVISION OF ECONOMIC DEVELOPMENT SMALL BUSINESS DEVELOPMENT DEPARTMENT and REGIONAL BUSINESS DEVELOPMENT OFFICES

Same
No Change

Fiscal Year 2007 Position Organizational Chart

DIVISION OF ECONOMIC DEVELOPMENT
Administration

Small Bus. Deve. Dept.
Department Mgr. II
Administrative Assistant
Loan Officer
Senior Appraiser

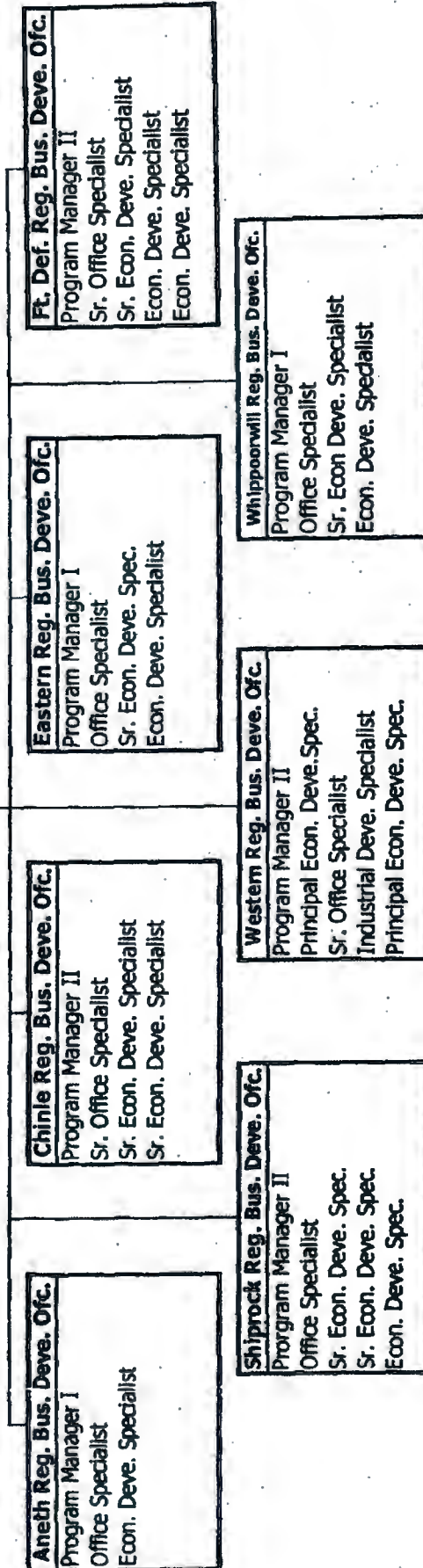
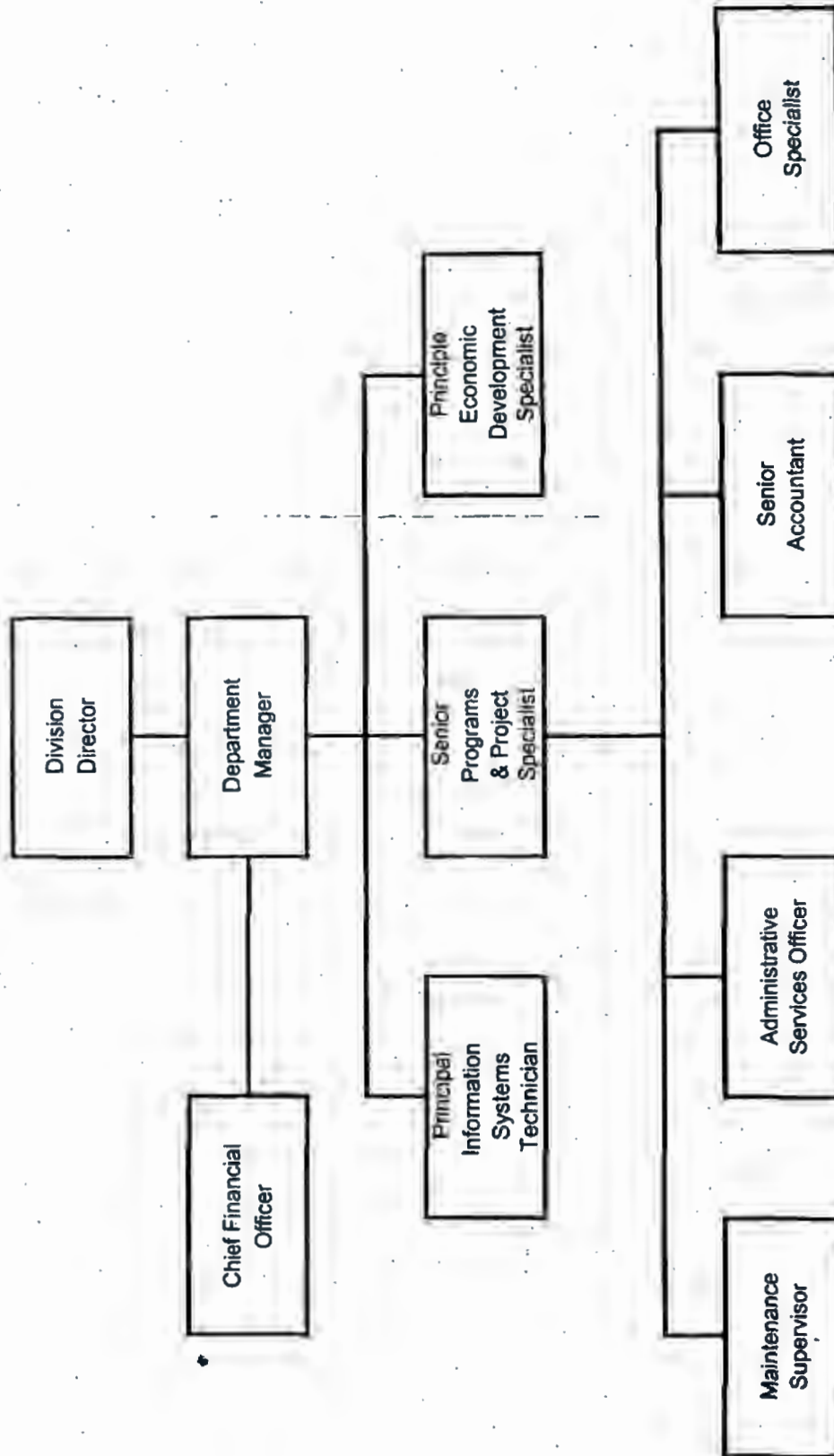


EXHIBIT "A"

DIVISION OF ECONOMIC DEVELOPMENT
Support Services Department
Proposed Organizational Chart

New



DIVISION OF ECONOMIC DEVELOPMENT SMALL BUSINESS DEVELOPMENT DEPARTMENT and REGIONAL BUSINESS DEVELOPMENT OFFICES

Same
No Change

**Fiscal Year 2007
Position Organizational Chart**

DIVISION OF ECONOMIC DEVELOPMENT
Administration

Small Bus. Deve. Dept.
Department Mgr. II
Administrative Assistant
Loan Officer
Senior Appraiser

Aneth Reg. Bus. Deve. Ofc.
Program Manager I
Office Specialist
Econ. Deve. Specialist

Chinle Reg. Bus. Deve. Ofc.
Program Manager II
Office Specialist
Sr. Econ. Deve. Specialist
Sr. Econ. Deve. Specialist

Eastern Reg. Bus. Deve. Ofc.
Program Manager I
Office Specialist
Sr. Econ. Deve. Spec.
Econ. Deve. Specialist

Ft. Def. Reg. Bus. Deve. Ofc.
Program Manager II
Sr. Office Specialist
Sr. Econ. Deve. Specialist
Econ. Deve. Specialist
Econ. Deve. Specialist

Shiprock Reg. Bus. Deve. Ofc.
Program Manager II
Office Specialist
Sr. Econ. Deve. Spec.
Sr. Econ. Deve. Spec.
Econ. Deve. Spec.

Western Reg. Bus. Deve. Ofc.
Program Manager II
Principal Econ. Deve. Spec.
Sr. Office Specialist
Industrial Deve. Specialist
Principal Econ. Deve. Spec.

Whippoorwill Reg. Bus. Deve. Ofc.
Program Manager I
Office Specialist
Sr. Econ. Deve. Specialist
Econ. Deve. Specialist

EXHIBIT "A"

New

EXHIBIT "A"

NAVAJO TOURISM DEPARTMENT

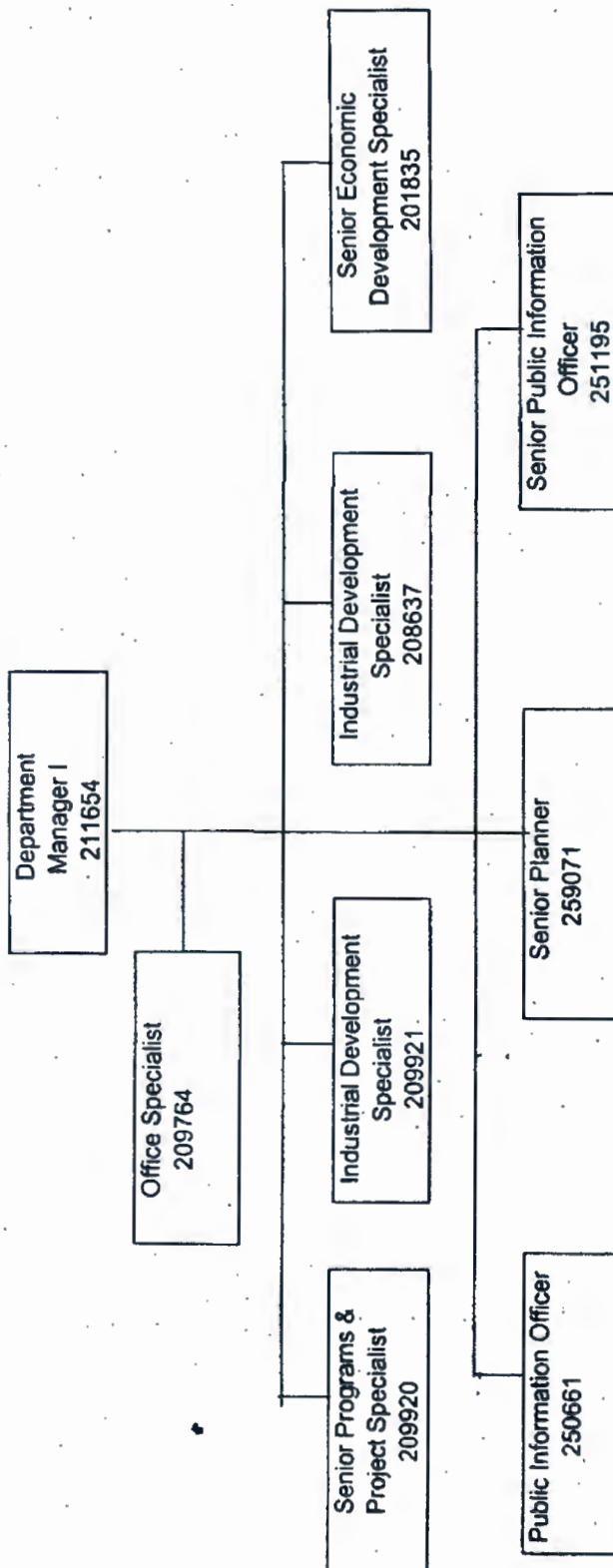
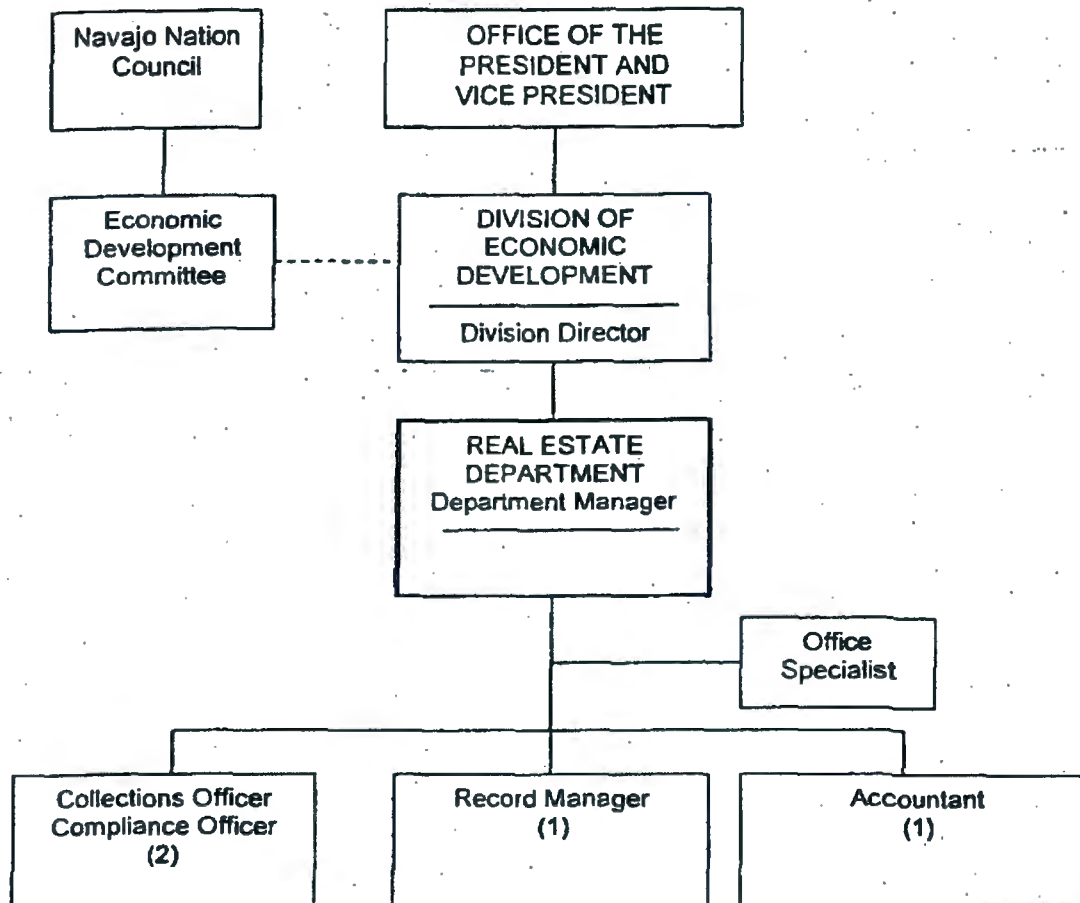


EXHIBIT "A"

ORGANIZATION CHART REAL ESTATE DEPARTMENT DIVISION OF ECONOMIC DEVELOPMENT



Evidence of Demand

Exhibit 1: Navajo Nation Support Letter



THE NAVAJO NATION

RUSSELL BEGAYE **PRESIDENT**JONATHAN NEZ **VICE PRESIDENT**

April 12, 2018

Mr. Frank Dayish, Chief Procurement Officer
Division of Acquisition Management
Navajo Area Indian Health Services
P.O. Box 9020
Window Rock, AZ 87515

Re: Rhinos Health, L.L.C. and Red Rock Unlimited, L.L.C.

Dear Mr. Dayish,

We write to you today in support of Rhinos Health, L.L.C. and Red Rock Unlimited, L.L.C. and their glove manufacturing plant, expected to be operational by December 2018. The proposed manufacturing site is located in the Church Rock Industrial Park—between Fire Rock Navajo Casino and Church Rock, NM.

Rhinos Health L.L.C. intends to manufacture disposable nitrile gloves used in healthcare facilities by utilizing two existing warehouses in the Church Rock Industrial Park. Rhinos Health, L.L.C. has established a partnership with Red Rock Unlimited, L.L.C., a Navajo Owned Distributor registered with the Regional Navajo Business Regulatory Commission, to distribute disposable nitrile gloves and related medical supplies to federal agencies and the national healthcare industry. The Rhinos Health L.L.C. manufacturing workforce will comprise of mostly Navajo workers—creating much needed employment for our local communities.

It is our sincere belief that this partnership will inspire other manufacturing opportunities and business development within the Navajo Nation—stimulating the Navajo Economy and benefiting our Navajo People. For these reasons, we write to you in full support of this project.

Your questions regarding this letter may be directed to Christopher Bahe, Staff Assistant for the Office of the President and Vice President at (928) 871-7000.

Respectfully,

THE NAVAJO NATION

A handwritten signature in black ink, appearing to read "Russell Begaye".
Russell Begaye, President

A handwritten signature in black ink, appearing to read "Jonathan M. Nez".
Jonathan M. Nez, Vice President

POST OFFICE BOX 7440 / WINDOW ROCK, AZ 86515 / PH: (928) 871-7000 / FAX: (928) 871 4025



Brief Physical Description of Project Site

The Church Rock Industrial Park (site) is located approximately six miles east of downtown Gallup, New Mexico. The site is located between Interstate 40 (I-40) frontage road, State Highway 118 (formerly Historic Route 66) to the south and the Burlington Northern Santa Fe Railroad (BNSF) to the north. The Church Rock Industrial Park (CRIP) is characterized by nearly flat terrain, allowing the development of requisite facilities with a minimum of site preparation.

Access to I-40 is provided via old Highway 66, the Interstate frontage road. I-40 off ramps are located 2 miles west and 4 miles east of the CRIP. The BNSF railroad, including a short spur line runs along the north site of the industrial park. This spur could be extended if needed. Commercial air transportation is available at the Gallup Municipal Airport 10 miles west.

Two water and sewer systems are available at the site. The City of Gallup and the Navajo Tribal Utility Authority (NTUA) operate these systems. The City of Gallup system consists of an 8" waterline and 8" sewer line. The NTUA system has varying line sizes and is designed to serve the residential needs in the Church Rock community. The sewer drains into a three-stage sewage lagoon facility located directly northeast of the CRIP. High-voltage electric service lines are located within the frontage road right-of-way along the south side of the industrial park. Also included in this corridor are 2" and 8" gas lines.

In addition to the features that lend to its suitability and quality as a commercial development site, it is remote enough to have no adverse effects on residential areas and yet close enough to allow those employed at the site a short commute (generally less than five to six miles). The industrial park is large enough to accommodate a number of diverse ventures. The location of the CRIP and existing infrastructure make it a prime site for commercial development. Uses of the site may included by not limited to:

- Expansion of the Navajo Nation Food Distribution truck maintenance shop, now located on the western end of the CRIP
- Portable campus/storage building manufacturing
- Cabinet manufacturing operations
- Bituminous and concrete pave operations
- General manufacturing plants
- General offices
- Retail Sales operations

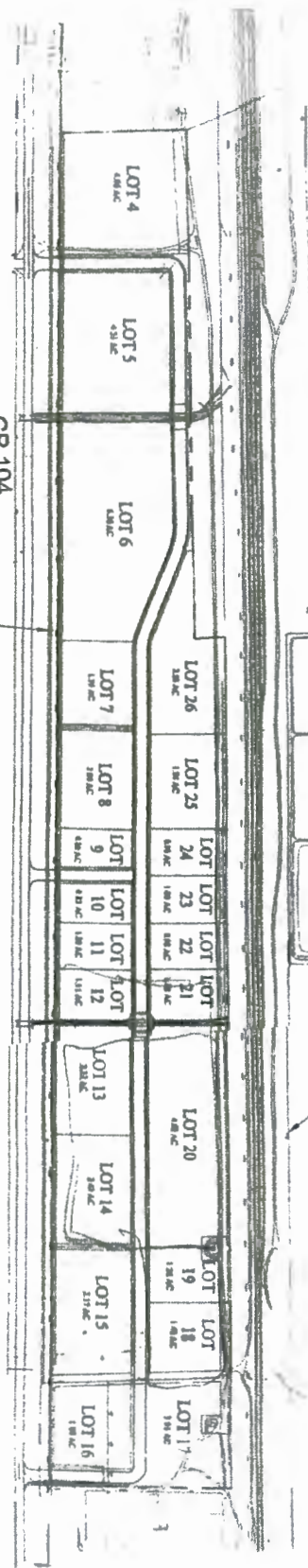
BRASS CAP 1950 9/10/15/16

N = 21790.92
E = 14702.76
ELEV. = 6599.85

CP 103
30" X 3/4" REBAR W/
ALUMINUM CAP
N = 20455.69
E = 17263.42
ELEV. = 6612.00

CP 105
30" X 3/4" REBAR W/
ALUMINUM CAP
N = 20250.41
E = 19138.54
ELEV. = 6619.19

CP 107
30" X 3/4" REBAR W/
ALUMINUM CAP
N = 20269.28
E = 20729.86
ELEV. = 6628.79



CP 104
30" X 3/4" REBAR W/
ALUMINUM CAP
N = 19604.25
E = 17283.85
ELEV. = 6612.31

CP 108
30" X 3/4" REBAR W/
ALUMINUM CAP
N = 19323.43
E = 20770.83
ELEV. = 6647.52

Church Rock Industrial Park
Church Rock, New Mexico

20 4.08
13 2.22
14 2.43
19 1.26
18 1.42
12.12
+15. 2.08
14.20

Church Rock Industrial Park





MCKINLEY COUNTY, NEW MEXICO

REQUEST FOR

ECONOMIC DEVELOPMENT INCENTIVES

207 West Hill Street Gallup, NM 87301

Questions may be directed to the Smart Growth Commission, via:

Doug Decker
Phone: 505-863-1400;
Email: ddecker@co.mckinley.nm.us



ECONOMIC DEVELOPMENT INCENTIVE OPPORTUNITIES

The McKinley County has resources available to assist businesses wishing to relocate or expand in McKinley County. The County has adopted a local economic development act (LEDA) ordinance, which allows us to engage in economic development activities without violating the State of New Mexico's anti-donation clause. The County

works through the Smart Growth Commission, to qualify applicants and to negotiate agreements that allow businesses to take advantage of these resources.

INCENTIVE OPPORTUNITIES INCLUDE:

Lease of County-owned properties	Industrial parks
Property tax abatements	Access to loan funds and State tax credits
Industrial revenue bonds	Job training funds
Infrastructure improvement	Customized incentives including LEDA

ARE YOU ELIGIBLE ?

Any existing or proposed corporation, limited liability company, partnership, joint venture, syndicate, association or other person is eligible provided that it meets one or more of the following criteria:

- A. an industry for the manufacturing, processing, or assembling of any agricultural or manufactured products;
- B. a commercial enterprise for storing, warehousing, distributing, or selling products of agriculture, mining or industry, but, other than provided in Paragraph (D) of this subsection, not including any enterprise for sale of goods or commodities at retail or for the distribution to the public of electricity, gas, water, or telephone or other services commonly classified as public utilities;
- C. a business in which all or part of the activities of the business involves the supplying of services to the general public or to governmental agencies or to a specific industry or customer, but, other than provided in Paragraph (D) of this subsection, not including businesses primarily engaged in the sale of goods or commodities at retail;
- D. a telecommunications sales enterprise that makes the majority of its sales to persons outside of New Mexico

WHAT'S THE APPLICATION PROCESS ?

Our process for awarding economic development incentives is governed by the County's Economic Development Plan Ordinance (County LEDA Ordinance No. JAN 07 2008). The basic steps in the process are as follows:

1. Smart Growth Commission staff will meet with you to determine whether or not you are eligible for incentives offered through the County. We will then discuss your specific needs and see how the County and/or Smart Growth Commission can best assist you. Together, we will come up with a preliminary plan of action.
2. You submit a formal application for incentives by the providing the information requested in this packet to the Smart Growth Commission Office. Smart Growth Commission staff will review the information you supply in order to qualify you as a viable business partner, and to determine the economic benefits of your business to the community. All of the information requested is *required by law* before any economic development incentives can be provided.
3. Once your application is complete, Smart Growth Commission staff will negotiate with you regarding the specific incentives to be provided. The amount and type of incentives offered will correlate directly to the positive economic impact that your project will have on the community.
4. Smart Growth Commission staff will draw up a formal Project Participation Agreement, outlining the exact responsibilities of each party, and forward it to the Smart Growth Commission for acceptance. The Smart Growth Commission will then forward its recommendation to the McKinley County Board of

Commissioners, along with minutes of the Smart Growth Commission meeting and any other pertinent background information.

5. The McKinley County Board of Commissioners will make a final determination on the Project Participation Agreement at a public hearing.

REQUEST FOR ECONOMIC DEVELOPMENT INCENTIVES MCKINLEY COUNTY, NEW MEXICO

WHO ARE YOU ?

Legal name	Rhino Health LLC.
Trade name (d.b.a)	NA
Address	309A East Historic Hwy 66
City, State, ZIP	Church Rock, NM 87311
Phone #	Mob; 201-214-4000 / Wk.. 833-898-8989
Fax #	
Primary contact person	Mark Lee
Federal Tax ID #	82-3871381
NM State Tax. and Rev. #	03-404379-00-9
City Business License #	

This business is organized as a:

C- Corporation S-Corporation **LLC** Partnership Proprietorship

Principal(s)	Title(s)	Address(es)
Mark Lee	Partner	60A W. Harwood Ter. Palisades Park, NJ 07650
DongJin Yoon	Partner	Lotte CastleGooSeo2Dong, GeunjungKu, 702-2103 Busan, Korea

Please attach copies of:

- Incorporation papers
- By-laws
- Resumes of all principals (owners, partners, directors or officers).

WHAT DO YOU PROPOSE TO DO?

Please provide a brief summary of the project you are undertaking, including description, purpose, timeframe, and total costs. Attach any relevant information or documentation.

The global Rubber Glove market revenue represents \$11+billion dollars. In the U.S. market, the nitrile examination gloves represent about 40% of market share respectively with a growth trajectory of 6 - 8% a year.

To help keep up with the growing demand for Nitrile glove, Rhinos Health has made an investment to become the first factory in the USA to manufacture Nitrile examination and other industrial gloves. The build out of the factory will be done in two phases, boasting the latest high-tech machines and years of industry specific experience. After completion, our factory will produce over 1,159 billion pairs of gloves annually, which will account for 1.33% of the U.S. market usage.

The factory's new home will reside in an ideal Native American production environment situated in a designated HUB zone area. Rhinos Health will have a unique advantage to importing other product as well. In the initial stages, the focus will be on selling to the (B2G) U.S. Government and other Health Care market first.

Finally, at the end of the 2nd phase, fiscal year 2019-2020, we anticipate hiring and estimated 300 to 350 local employees for all positions from Production to Management. Our goal is to create a self-sustaining operation by local employees by the end of the 4th year in operation. Total project will be 30 Million USD for the second phase.

WHAT DO YOU WANT FROM THE COUNTY?

What specific incentives are you asking the County to provide (e.g., parcel of land, building lease, waiver of fees, industrial revenue bonds)?

For the Phase 2 expansion, Rhino Health LLC., is asking for \$30 million IRB to rapidly address growing market demands.

WHAT IS YOUR FINANCIAL HISTORY ?

- Yes ☒ No ☐ Has the business or any of its officers ever been involved in a bankruptcy?
- Yes ☒ No ☐ Has the business or any of its officers ever defaulted on any loans or other financial obligations?
- Yes ☒ No ☐ Does the business or any of its officers have any loans or other financial obligations on which payments are not current?

If you answered yes to any of the above questions, please **attach** a brief explanation.

Please **attach** copies of:

- Financial statements for the past three years (income statements and balance sheets)
- Projected income and cash flow statements for at least three years
- Completed credit check authorization

HOW WILL YOU FUND YOUR PROJECT ?

Funding Type	Source	Amount
Equity Investment	Overseas Jungwoo Direct Investment	4,000,000.00
City Funding		
Bank Loans		
Other Loans		
Other Sources		
	TOTAL	4,000,000.00

Please **attach** evidence of funding sources, such as letters of commitment or intent to fund. Attached Commitment letter.

WHAT IS YOUR PLAN FOR THIS PROJECT ?

Please **attach** your business plan for the entity and/or the proposed project, to include:

- Executive summary
- Business description and history
- Product or service description
- Market analysis and strategy
- Summary of competition
- Operations plan
- Organizational chart
- Description of previously completed projects
- Resumes of key staff involved with this project

Local Economic Development Act Ordinance Jan-7-2008 requirements for public funding – Section 8.2, which mandates that all applicants provide detailed information regarding the following:

- **Cost- Benefit Analysis.** *All applicants for economic development projects requesting economic assistance from the County shall submit a cost benefit analysis. Preparing a cost benefit analysis shall be the responsibility of the applicant.*
- **Water / Wastewater Plan.** *A water usage plan that identifies:*
 - *The anticipated and estimated water usage for all production practices;*
 - *The water source for these premises;*
 - *The return or wastewater plan for what will happen after water is used, and*
 - *A list of the planned water conservation measures;*
- **Facility Development Plan.** *If a facility is being constructed or renovated, a facility development plan with proper specification that identifies:*
 - *The anticipated and estimated energy uses for all production measures;*
 - *The energy sources for these practices;*
 - *A list of the planned energy conservation measures or green building design features;*
 - *A list of the planned renewable energy sources and uses, and;*
 - *Identify if you are or plan to participate in the Leadership in Energy and Environmental Design (LEED) certification process.*

HOW WILL YOUR PROJECT AFFECT THE LOCAL ECONOMY?

How many and what type of jobs will this project create[^]

Job Title or Type	Estimated Pay Scale	Number of Jobs Created			L / O
		At Start-up	Beginning of Year 2	Beginning of Year 3	
Accounting dept Manager	80,000	1	1	2	L
Book keepers	40,000	1	2	4	L
Sales and Marketing manager	80,000	1	1	1	L
Marketing assistant	40,000	1	2	2	L
Operation Manager	100,000	1 (O)	1 (L)	1 (L)	O/L *
Machine Maintenance	40,000	2	1	1	L
Compounding	40,000	2 (O)	3 (L)	1 (L)	O/L
production	40,000	18	6	250+	L
QC/QA	40,000	2	4	22	L
Packing	40,000	3	9	20	L
logistic	40,000	1	1	3	L
Office Workers, reception, etc.	40,000	2	3	5	L
Attached; Installation jobs					L
Total No. of Jobs Created		35	34	312	
Total Estimated Payroll		1,540,000.	1,500,000.	12,660,000	

***It is our direction to fully run by managers after first 3-4 years of training and handover.**

Please indicate in the above chart which jobs will you.

- Fill locally (L).
- Fill by transfer from other facilities or recruit from outside the McKinley County area (O).

How many and what type of jobs will this project retain or impact?

Job Title or Type	Estimated Pay Scale	Number of Jobs Retained / Impacted		
		At Start-up	Beginning of Year 2	Beginning of Year 3
During Installation				
See separate attachment.				
Total No. of Jobs Retained / Impacted				
Total Estimated Payroll				

What is the anticipated impact of this project on the local tax base?

***separate list of direct and indirect impact attached**

What is the anticipated impact of this project on local school system?

In all previous overseas factory projects, we were very successfully because of our desire to understand local culture and supported local community. Rhino Health will initiate career development program with NM University at Gallup and will sponsor various public-school programs.

It will not only support but develop feasible program with local governments to make impact on quality of school systems, which is incubator of next leaders in our better-quality society.

REQUEST FOR ECONOMIC DEVELOPMENT INCENTIVES AUTHORIZATION FOR CREDIT CHECK

As part of our due diligence in processing your request for economic development incentives, McKinley County may elect to obtain credit reports in relation to you and your business and research your Dun and Bradstreet number.

I hereby authorize the McKinley County to obtain such personal or business credit reports.

Mark M. Lee

Applicant Name

Rhino Health LLC

Business Name

Social Security #

82-3871381

Federal Tax ID #

Dun & Bradstreet (DUNS #) 081082483

Signature of Applicant

6/27/2018

Date

Indus

tabbies

H

ACMY-189

Church Rock Industrial
Park

ACMY-189-71

RESOLUTION OF THE
ADVISORY COMMITTEE OF THE
NAVAJO TRIBAL COUNCIL

Creating Church Rock Industrial Park and Park Facilities,
and Authorizing NTUA to Make Applications for Federal
Grant from the Economic Development Administration (EDA),
U.S. Department of Commerce and Environmental
Protection Agency to Construct the Park and Park Facilities

WHEREAS:

1. Navajo Tribal Council Resolution No. CO-40-55, provided that The Navajo Tribe is willing to participate in the development of industries where such industries will create payrolls for the members of The Navajo Tribe, and
2. By Resolution No. CMA-15-64, the Navajo Tribal Council adopted a Navajo Tribal Economic Development Policy concerning private capital investment in Navajoland, in which policy The Navajo Tribe invites and encourages investment by private capital to develop the extensive natural and human resources, and which policy indicates that the Tribe is convinced that mutual benefits will result and that job opportunities and technical training leading to better living standards for the Navajo people will be generated. In the same policy, The Navajo Tribe indicated its willingness to participate in industrial development by leasing its lands, and otherwise assisting such developments, and
3. The Eastern Navajo Industries, Inc., by resolution of its Board of Directors, dated February 15, 1971, gives assurances to The Navajo Tribe that it will lease a site or sites on an industrial park for the establishment of a mobile and modular homes manufacturing plant provided that The Navajo Tribe will construct an industrial park, known as the Church Rock Industrial Park, and a building thereon to house its manufacturing plant, and
4. In order to locate such industries in the area, and to provide space and facilities for other industries which may desire to locate in the area, it will require the withdrawal of certain Tribal land and the construction of an industrial park and park facilities thereon, and
5. The estimated cost of construction of the industrial park is \$1,200,000.00, and the building thereon to house the Eastern Navajo Industries, Inc. Manufacturing Plant is \$750,000.00, or a total cost of \$1,950,000.00, and

Exhibit H

6. The Navajo Tribe desires to make application to the Economic Development Administration and Environmental Protection Agency for a 100 percent grant of Federal funds to construct the industrial park, the estimated cost of which is \$1,200,000.00, and a 50 percent grant and a 50 percent loan to construct a building on the park for housing the Eastern Navajo Industries Manufacturing Plant, the estimated cost of which is \$750,000.00, and

7. The Economic Development Administration Administration has tentatively indicated a willingness to give consideration to providing a 100 percent Federal grant for construction of the industrial park, and a 50 percent Federal grant and a 50 percent loan to finance construction of a building on the park, and

8. The Navajo Tribal Utility Authority (NTUA), an enterprise of the Navajo Tribe, in prosecuting such applications, and it is deemed appropriate to authorize the Authority to make said applications on behalf of The Navajo Tribe.

NOW THEREFORE BE IT RESOLVED THAT:

1. There is hereby withdrawn approximately 76 acres, more or less, of Navajo Tribal Trust Land located as described on the attached sheet marked Attachment "A".

2. The Chairman of the Navajo Tribal Council is hereby authorized to execute on behalf of The Navajo Tribe a lease with the Eastern Navajo Industries, Inc. for an appropriate site or sites for its industries on said industrial park and upon terms and conditions as may be approved by the Advisory Committee of the Navajo Tribal Council.

3. The Navajo Tribal Utility Authority is hereby authorized to act for The Navajo Tribe as applicant for an Economic Development and Environmental Protection Agency grant in the amount of 100 percent for construction of the Church Rock Industrial Park.

4. The Navajo Tribal Utility Authority is further authorized to act for The Navajo Tribe as applicant for an Economic Development Administration 50 percent grant and a 50 percent loan for construction of a building thereon, and to prosecute said applications, including construction of projects to completion.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation

(Arizona), at which a quorum was present and that same was passed by a vote of 16 in favor and 0 opposed, this 12th day of May, 1971.

Wilson P. Sket

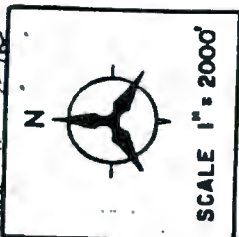
Vice Chairman
Navajo Tribal Council

ATTACHMENT "A"

Land Withdrawal for Industrial Development Known as Church Rock
Industrial Park

Said parcel of land is more fully described as follows:

A strip of land located in Sections 14 and 15, Township 15 N., Range 17 W., N.M.P.M., bounded on the north by the A.T. & S.F. right of way, on the south by U.S. Highway 66 (I-40) right of way, on the west by the section line common to Sections 15 and 16, and on the east by a line 700 feet east of, and parallel to, the section line common to Sections 14 and 15, comprising 76 acres, more or less.



LEGEND

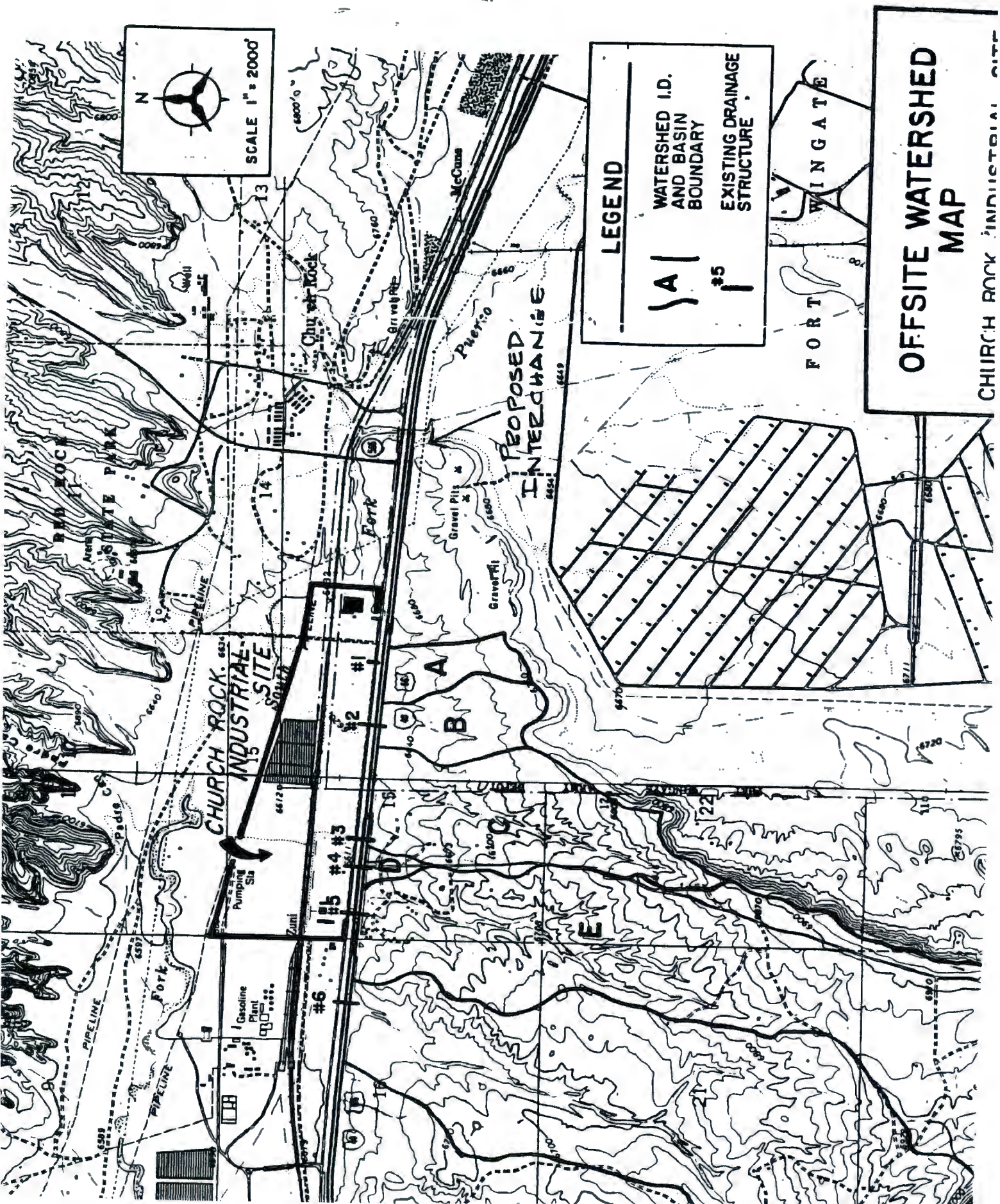
WATERSHED I.D. AND BASIN BOUNDARY

EXISTING DRAINAGE STRUCTURE

OFFSITE WATERSHED MAP

CHURCH ROCK INDUSTRIAL SITE

FORT WINGATE



**AN
ENVIRONMENTAL ASSESSMENT**

for

Church Rock Industrial Site

Prepared By

Navajo Nation

Division of Economic Development

P. O. Box 663

Window Rock, Arizona 86515

for

United States Department of the Interior

Bureau of Indian Affairs

Navajo Region

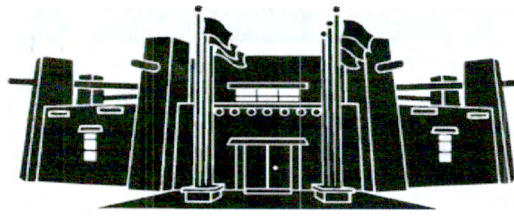
Eastern Navajo Agency

July 2002

in accordance with
National Environmental Policy Act of 1969,
As Amended
DOI DM Part 516
and
30 BIAM, Supplement 1

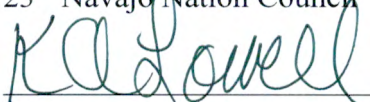


**J. R. Analla
EA Services
EAS-8221
July 2002**



MEMORANDUM

TO: Honorable Seth Damon
23rd Navajo Nation Council

FROM: 
Kristen Lowell, Principal Attorney
Office of Legislative Counsel

DATE: October 11, 2018

SUBJECT: **AN ACTION RELATING TO THE LAW AND ORDER, BUDGET AND FINANCE, NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING AND ADOPTING THE CHURCH ROCK INDUSTRIAL PARK PROJECT FUND EXPENDITURE PLAN PURSUANT 12 N.N.C §§ 2501 – 2508**

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, “the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration.” 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0347-18__

SPONSOR: Seth Damon

TITLE: An Action Relating To Law And Order, Budget And Finance, NAABIK'IYATI' Committees, And Navajo Nation Council; Approving And Adopting The Church Rock Industrial Park Project Fund Expenditure Plan Pursuant 12 N.N.C §§ 2501 - 2508

Date posted: October 25, 2018 at 3:30 PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0347-18

SPONSOR: Honorable Seth Damon

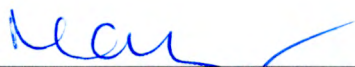
TITLE: An Action Relating To Law And Order, Budget And Finance, NAABIK'IYATI' Committees, And Navajo Nation Council; Approving And Adopting The Church Rock Industrial Park Project Fund Expenditure Plan Pursuant 12 N.N.C §§ 2501 - 2508

Posted: October 25, 2018 at 3:30 PM

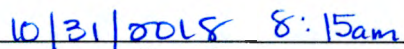
5 DAY Comment Period Ended: October 30, 2018

Digital Comments received:

Comments Supporting (10)	<ol style="list-style-type: none"> 1. Tommy Haws, Senior Vice President; Pinnacle Bank, Gallup 2. Adam Q. Kennedy 3. Mike Stark, County Operations Officer; County Executive Office 4. Denise Williams Monaghan, Innovation Director; NW NMMEP 5. Michael Kozeliski 6. Myron Tommy 7. Namjoo Hastiin-Nez, President; Silent Hawk Environment LLC 8. Waymon Kennedy 9. Nizhoni Kennedy 10. Gerri Thomas, Account Executive; Franciscan Companies
Comments Opposing (1)	<ol style="list-style-type: none"> 1. Vincent Yazzie
Inconclusive Comment	<i>None</i>



Legislative Secretary II
Office of Legislative Services



Date/Time

0347-18

Tommy Haws <Tommy.Haws@bankofcolorado.com>

Fri 10/26/2018 10:28 AM

To: comments <comments@navajo-nsn.gov>;

Please accept my positive endorsement of Rhino Health and the pending opening of a manufacturing facility on the Navajo Nation in Churchrock, NM. This is an opportunity to grow the economic base of the Nation by creating jobs, creating self-reliance, and expanding further growth opportunities with Foreign Direct Investment.

As a lifelong resident of the area, seeing this type of stable and sustainable growth is exciting and encouraging.

Sincerely

Tommy Haws
President
Greater Gallup Economic Development Corporation

Tommy Haws
Senior Vice President
Pinnacle Bank, Gallup
107 E. Aztec
Gallup, NM 87301
(505) 722-4411
NMLS# 681395



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0347-18

Adam Kennedy <akennedy@kennedymgt.com>

Fri 10/26/2018 1:11 PM

To: comments <comments@navajo-nsn.gov>;

That is excellent that they are building rubber glove factory on Navajo Territory. It will bring much needed jobs to the area.

Adam Q. Kennedy

Virus-free. www.avast.com

RE: 0347-18

Adam Kennedy <akennedy@kennedymgt.com>

Tue 10/30/2018 6:44 AM

To: comments <comments@navajo-nsn.gov>;

I wanted to add that my children are Navajo Nation members and this is great that the Navajo Nation will be taking steps to bring investments to the area. I was the original builder of the Fire Rock casino and seen first hand how the project employed over 200 Navajo tradesman at a 75% for the project. I support Rhino Glove LLC I the grant for the new business in Church Rock Chapter.

Thank you,

Adam Q. Kennedy
KMS
716.265.2433

From: Adam Kennedy


Sent: Friday, October 26, 2018 3:11 PM

To: comments@navajo-nsn.gov

Subject: 0347-18

That is excellent that they are building rubber glove factory on Navajo Territory. It will bring much needed jobs to the area.

Adam Q. Kennedy

 <https://ipmcdn.avast.com/images/icons/icon-envelope-tick-round-orange-animated-no-repeat-v1.gif> Virus-free. www.avast.com

Legislation #03471-18

Stark, Mike <mstark@sjcounty.net>

Fri 10/26/2018 4:15 PM

To: comments <comments@navajo-nsn.gov>;

To whom it may concern,

Please accept this email as a personal letter of support regarding the proposed development of the Rhino Health manufacturing facility on the Navajo Nation in Churchrock, NM. An opportunity to add economic base jobs and outside capital investment to our regional area is of benefit to everyone.

In addition, this type of development will provide additional diversification to our economic base. With challenges continuing to loom regarding the long term continuation of generating coal fired power, these types of manufacturing jobs are much needed for our area.

Sincerely,

Mike Stark
County Operations Officer
County Executive Office
Phone: 505-334-4582
Cell: 505-320-1848
mstark@sjcounty.net



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0347-18 Rhino

Denise Williams Monaghan <denisew@newmexicomep.org>

Sat 10/27/2018 4:32 AM

To: comments <comments@navajo-nsn.gov>;

Cc: Mlee@rhinohealth.net <Mlee@rhinohealth.net>; mlee@smcgroupinc.com <mlee@smcgroupinc.com>;

Dear Navajo Nation -

Mark Lee, Rhino has been working in the Gallup, NM area for at least 3 years developing relationships and understanding the community to bring glove manufacturing to the area. Mr. Lee has connected with many business resources including NM Manufacturing Extension Partnership on skills training, equipment and ISO. Gloves are used in many industry besides medical, food, energy, office, R&D and does include manufacturing processes. This is a new industry to NM and the NTU Incubator is an asset and wealth of business information for Mr. Lee and the community. Please let me know what the Navajo Nation needs from MEP to move Mr. Lee forward in manufacturing.

Thanks for allowing input.

Denise Williams Monaghan
Innovation Director, NW NMMEP
505-860-9961 or denisew@newmexicomep.org

Sent from Mail for Windows 10

support for Rhino Health

Michael Kozeliski <mikeakoz@gmail.com>

Sun 10/28/2018 8:33 PM

to comments <comments@navajo-nsn.gov>;

Sir or Ma'am,

The commitment by Rhino health to build their new business in New Mexico on Navajo Nation Land in Gallup/McKinley county is significant. Any and all support to ensure success of the project will benefit all involved.

I recommend approval.

Respectfully,

Michael Kozeliski
Local business owner

Legislation 0347-18

M Tommy <m.tommy.1144@gmail.com>

Mon 10/29/2018 12:10 PM

To: comments <comments@navajo-nsn.gov>;

Good morning Shi Dineh,

I am writing on behalf of Legislation 0347-18 sponsored by Mr. Seth Damon approving and adopting The Church Rock Industrial Park Project Fund Expenditure Plan Pursuant 12 N.N.C §§ 2501 - 2508. My name is Myron Tommy, registered voter of Bahastl'ah (Twin Lake)Chapter. I current reside in Window Rock, AZ but am active with my chapter. My mailing address is P.O. Box 1174, Window Rock, AZ.

Legislation 0347-18 is a key piece of legislation that provide funds for a Nitrile Glove Manufacturing Plant located at the Church Rock Industrial Park in Church Rock, NM. The manufacturing plant will employ an all Navajo Work Force of 300 employees when fully operational. The plant will also lay the foundation for several additional manufacturers, deciding to relocate overseas manufacturing domestically, thus creating and supporting local job growth for the Dineh.

Contracts are being developed and executed to sell the gloves manufactured domestically on Navajo Land to government agencies and private customers. These contracts will support the manufacturing plant for decades and providing stable employment.

The Navajo Nation President and Vice President have endorsed the manufacturing plant and recognized its value to the Navajo Nation and its members.

Thank you

Respectfully

Myron Tommy, Member

Legislation No: 0347-18

Namjoo Hastiin-Nez <Namjoo@silenthawkenvironmental.com>

Tue 10/30/2018 8:13 AM

To: comments <comments@navajo-nsn.gov>;

To whom it may concern,

Silent Hawk Environmental LLC from Gallup, NM support Rhino Health LLC with setting up medical glove manufacturing in Gallup, NM. The factory will bring many jobs to natives and locals, as well as consumers will receive quality medical gloves manufactured right in the USA.

Please let me know if you have any questions.

Thank you,

Namjoo Hastiin-Nez

President

Silent Hawk Environmental LLC

Cell: (505) 716-1280

namjoo@silenthawkenvironmental.com

Rubber Glove Resolution 0347-18

Waymon Kennedy <supersteve701@gmail.com>

Tue 10/30/2018 5:04 PM

To: comments <comments@navajo-nsn.gov>;

To whom it may concern;

It a good idea to bring a business to New Mexico and the Navajo Nation. I like there will be Navajo Nation jobs for our families. I support Rhino Health LLC grant and to me it a positive opportunity and help boost our economy.

Thank you,

Waymon Kennedy

UFC Chapter Member

Rhino Health LLC

Nizhoni Kennedy <nizhonikennedy@gmail.com>

Tue 10/30/2018 5:05 PM

To: comments <comments@navajo-nsn.gov>;

As an enrolled member of the Navajo Nation, I believe this project is a marvelous idea. I support the Navajo Nation's funding for Rhino Health LLC. This could potentially bring more job opportunities to our reservation and open the door for more outsider enterprises.

Sincerely,
Nizhoni Kennedy
Upper Fruitland Chapter House

Comments 0347-18. No. 2-step LLC Scam. Rhino Health & Church Rock Development Created recently. No experience.

Vincent Yazzie <vinceyazzie@yahoo.com>

Sat 10/27/2018 12:06 AM

To: comments <comments@navajo-nsn.gov>;

Cc: Ed Becenti <rezztone@yahoo.com>; Marley Shebala <mshebala@gmail.com>; Noel Smith <nsmith1013@gmail.com>; Walter Phelps <nakaidinee@yahoo.com>; Amber K. Crotty <acrotty@navajo-nsn.gov>; Alton Joe Shepherd <alton.shepherd72@gmail.com>; Dwight Witherspoon <dwright.witherspoon@gmail.com>;

11 attachments

rhino_health_llc_01.JPG; rhino_health_llc_02.JPG; rhino_health_llc_03.JPG; church_rock_development_llc_01.JPG; church_rock_development_llc_02.JPG; church_rock_development_llc_03.JPG; church_rock_development_llc_03a.JPG; mark_m_lee_60a_w_harwood.JPG; mark_m_lee.JPG; mark_m_lee_former_prosecutor.pdf; 0347-18.pdf;

October 26, 2018

Vincent H. Yazzie
10080 Palomino Road
Flagstaff, AZ 86004
e-mail: vinceyazzie@yahoo.com
(928) 380-3198

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Subject: No on 0347-18. Rhino Health, LLC & Church Rock Development LLC Incorporated recently.

Dear Delegates,

Rhino Health, LLC date of Organization in NM is 9/12/17. Organizer is Mark Lee. See attached images. Church Rock Development, LL date of organization in NM is 4/6/18. Mark Lee address is 60A W. Harwood Ter., Palisades Park, NJ 07650. Searching for Mark Lee and to the address goes to Mark M. Lee at the same address. Searching in PACER leads to a criminal lawyer. A guess that needs to be investigated further.

<https://njparcels.com/property/0245/610/8.01/C0001>

Guessing if this is the correct Mark M. Lee, the criminal lawyer.
<https://www.blankrome.com/people/mark-m-lee/pdf>

Another possible person for Navajo Special Prosecutor.

Usually a subsidiary is created first, so unusual that Church Rock Development, LLC is created last.

Google search reveals the creation of the Nevada 2-Step or Texas 2-Step. Hattie Dizmond describes the LLC 2-step as a form of asset protection and only created when one LLC achieves wealth for the protection of the gold. Looks like the Navajo Nation money is deposited then later transferred to a holding company. Later the operating LLC can sink and Mark Lee runs off with the money. Sounds like a scam. Rhino Health LLC and Church Rock Development, LLC were created recently and have no experience. Trying to get the money back will be impossible. Definitely a scam. No to 0347-18. Due Diligence and feasibility study must be done.

Vincent H. Yazzie

<https://www.biggerpockets.com/forums/51/topics/147899-two-company-llc-structure-as-asset-protection-strategy>.

Hattie Dizmond

Investor from Dallas, Texas

replied about 4 years ago

@Nick B.

Lone Star Land Law is an excellent resource, but they naturally are trying to generate business. What you are describing is commonly referred to as either the Texas 2-Step or the Nevada 2-Step. Some companies will incorporate one of their LLC's in Nevada, which has similar business friendly protection to Texas. Splitting the LLC's into different states creates an additional layer for people to work through. This isn't a "guru" thing. This is a valid, proven legal approach to asset protection.

1. Anyone can create an Anonymous Trust. You can find the forms online. The benefit of this trust is that the only named entity is the Trustee. The Trustee has a fiduciary duty to the beneficiaries of the trust, who are not named. Part of that duty is to protect the identity of the beneficiary. A Trustee, except in certain federal &/or criminal matters - not civil cases, cannot be forced - even under oath - to reveal the beneficiaries of the trust.
2. One LLC doesn't own the other. One LLC is the "holding company" and owns all the assets. The other LLC is the operating entity and actually conducts all the business. The holding company name never appears on any document, other than the original LLC filing and the DBA papers.
3. The DBA doesn't prevent a lawsuit from involving the LLC that is doing business in a different name. What it does is make the process of determining what assets could be attached in a lawsuit difficult. Imaging someone trying to get a lawyer to take on a frivolous suit. That lawyer is not getting paid, unless he wins a settlement. He takes on all the costs of the suit, in hopes of getting his % of the settlement. He's going to do an initial, cursory check of what assets the company has. If he can't find anything and the case has little merit, there's a good chance he's not even going to be willing to pursue a cause of action.
4. Assets and revenue are 2 entirely different things. The holding company holds the assets. The operating company conducts business and generates revenue. How the profits from that revenue is distributed will depend on what tax structure you have chosen for your LLC. For instance, my LLC is taxed as an S-Corp with pass through taxation, so there is a direct distribution of profits to the LLC members. Without access to the tax filings, which are not matters of public record, there is no way for anyone to know what was distributed. Remember, you are talking about a privately held corporation, so there is no public disclosure requirement.
5. The holding company owns and holds the property. The operating company manages the property. The holding company pays the operating company a management fee that essentially covers it's expenses. Do you have to have a contract between the 2? No. However, I like things neat, so I would, just in case the IRS came calling later. :)
6. An individuals name will always appear somewhere, for a period of time, if they have to personally guarantee a loan. Once all the closing and funding has occurred, the property is transferred into an anonymous trust, with the guarantor or an LLC in which they are a member listed as a beneficiary. The only thing that is really lost in this process is that the LLC member is not protected from the liability of this property. However, asset protection is much more about protection from lawsuits than from creditors. If you've personally guaranteed a full-recourse loan, you're on the hook for that. The only way you get around that is to work to establish credit in the name of your LLC, which then protects the members from personal liability.
7. This is defined by the LLC Operating Agreement. Generally, any Member (owner) of an LLC can sign on behalf of the LLC. The Members can also name a "Manager", which can be a non-Member, who can conduct business on behalf of the LLC. It's important to note that nothing can prevent an individual from being named as a party to a lawsuit. CEO's of public companies get named all the time. Many times lawyers will name every single person they can find a name for in a lawsuit, with the hope that someone will settle, which starts to create pressure for the other defendants. The reality is that the plaintiff will have to prove that a Member of an LLC willingly & knowingly engaged in fraud or other illegal activity in order to proceed with that person as a party to the suit. Otherwise, individual members are protected from personal liability based upon the actions of the corporation. It's called the corporate veil and is only "pierced" by intentional wrongdoing.
8. You don't need the double LLC, until you have either a significant portfolio or net worth. Start with an LLC and designate it as a Series LLC. That will allow you to separate the assets from the management and provide protection for both. When you are ready to add the next level, it is easier to separate.

Disclaimer...I'm not a lawyer, and this should not be considered legal advice. Please consult your attorney. :)

However, I hope that helps. I'm sure there will be - as usual - a string of naysayers and chicken littles who will now rain down upon this post. I love to talk asset protection. Feel free to PM me if you'd like.

Entity Details

Business ID#: 5526191
Entity Name: RHINO HEALTH, LLC
DBA Name: Not Applicable

Status: Active
Standing: Good Standing

Entity Type and State of Domicile

Entity Type: Domestic Limited Liability Company
Statute Law Code: 53-19-1 to 53-19-74

Domestic State: New Mexico

Formation Dates

Date of Incorporation in NM: Not Applicable
Date of Formation in State of Domicile: Not Applicable
Date of Registration in NM: Not Applicable

Date of Organization in NM: 08/12/2017
Date of Authority in NM: Not Applicable
Management Type: Manager Managed

Reporting Information

Report Due Date: Not Applicable

Next Annual Meeting Date: Not Applicable

Period of Existence and Purpose and Character of Affairs

Period of Duration: Perpetual
Business Purpose:
Character Of Affairs:

Outstanding Items

Outstanding Items

Not Applicable

Registered Agent:

Records Found:

Notice:

Records Found:

Contact Information

Mailing Address: 104 E Aztec Ave, Gallup, NM 87301

Principal Place of Business Anywhere: 104 E Aztec Ave, Gallup, NM 87301

Secondary Principal Place of Business Anywhere:

Principal Office Outside of New Mexico: Not Applicable

Registered Office in State of Incorporation:

Principal Place of Business in Domestic State/Country: Not Applicable

Principal Office Location in NM: Not Applicable

Registered Agent Information

Name: Patrick T Mason

Geographical Location Address:

Physical Address: 104 E Aztec Ave, Gallup, NM 87301

Date of Appointment: 09/12/2017

Mailing Address: 104 E Aztec Ave, Gallup, NM 87301

Effective Date of Resignation:

Director Information

Not Applicable

Officer Information

Not Applicable

Manager Information

Records to View:

anager Information

› Records to View.

ember Information

› Records to View.

rganizer Information

itle

rganizer

Name
Mark Lee

Address
NONE

orporator Information

xt Applicable

ustee Information

xt Applicable

ing History

Filing Date

09/12/2017

Filing Type

Business Formation

Fiscal Year End Date

12/31/2017

Post Mark

Survivor/ Re-Domesticated Entity

Instrument Text

Processed Date

09/26/2017

Filing #

1787891

ence History

Filing Date

Filing Number

License Start Date

License End Date

No records to view.

Back

Entity Name History

Return to Search

Entity Information

Entity Details

Business ID#: 5646081
Entity Name: CHURCHROCK DEVELOPMENT, LLC
DBA Name: Not Applicable

Status: Active
Standing: Good Standing

Entity Type and State of Domicile

Entity Type: Domestic Limited Liability Company
Statute Law Code: 53-19-1 to 53-19-74

Domestic State: New Mexico

Incorporation Dates

Date of Incorporation in NM: Not Applicable
Date of Formation in State of Domicile: Not Applicable
Date of Registration in NM: Not Applicable

Date of Organization in NM: 04/06/2018
Date of Authority in NM: Not Applicable
Management Type: Manager Managed

Reporting Information

Report Due Date: Not Applicable

Next Annual Meeting Date: Not Applicable

Method of Existence and Purpose and Character of Affairs

Outstanding Items

Applicable

Registered Agent

Records Found

N/A

Records Found

Address Information

Mailing Address: 104 E AZTEC AVE, Gallup, NM 87301
Principal Place of Business Anywhere: 104 E AZTEC AVE, Gallup, NM 87301

ntact Information

Mailing Address: 104 E. AZTEC AVE., Gallup, NM 87301
Principal Place of Business Anywhere: 104 E. AZTEC AVE., Gallup, NM 87301
Secondary Principal Place of Business Anywhere:
Principal Office Outside of New Mexico: Not Applicable
Registered Office in State of Incorporation:
Principal Place of Business in Domestic State/ Country: Not Applicable
Principal Office Location in NM: Not Applicable

gistered Agent Information

Name: PATRICK T. MASON
Geographical Location Address:
Physical Address: 104 E. AZTEC AVE., Gallup, NM 87301
Date of Appointment: 04/06/2018

Mailing Address: 104 E. AZTEC AVE., Gallup, NM 87301
Effective Date of Resignation:

ector Information
t Applicable

icer Information
Applicable

anager Information
Records to View.

umber Information
Records to View.

rganizer Information
Name
Address
60A W. HARWOOD TER., Palisades Park, NJ 07650

Physical Address: 104 E. AZTEC AVE., Gallup, NM 87301
Date of Appointment: 04/06/2018

Mailing Address: 104 E. AZTEC AVE., Gallup, NM 87301
Effective Date of Resignation:

Director Information
Not Applicable

Officer Information
Not Applicable

Manager Information
Records to View:

Member Information
Records to View:

Organizer Information	Name	Address
Organizer	MARK LEE	60A W. HARWOOD TER., Palisades Park, NJ 07650

Operator Information
Not Applicable

Witness Information
Not Applicable

Sign History

Witness History

Back Entity Name History Return to Search



Officer Information
x Applicable

Manager Information
Records to View

Member Information
Records to View

Organizer Information

Name			Address		
MARK LEE					

Corporate Information
x Applicable

License Information
x Applicable

Filing History

Filing Date	Filing Type	Fiscal Year End Date	Post Mark	Survivor/ Re-Domesticated Entity	Instrument Text	Processed Date	Filing #
04/06/2018	Business Formation	12/31/2018				04/06/2018	1832603

License History

Filing Date	Filing Number	License Start Date	License End Date
No records to view.			

Back Entity Name History Return to Search

60A W. HARWOOD TERRACE

New Jersey Palisades Park Boro 610 8.01

60A W. HARWOOD TERRACE is Block 610, Lot 8.01 in Palisades Park Boro, Bergen County.



Owner Information

LEE, MARK M.
60A W. HARWOOD TERRACE
PALISADES PARK, NJ, 07650

Explore Data

Q Search

Comparable Report

Download Data to Excel

Data on 60A W. Harwood Terrace, Palisades Park Boro

Type residential

This property was assessed for \$581,200.00. The land was assessed at \$220,000.00 and the improvements to the property were assessed at \$361,200.00.

60A W. Harwood Terrace costs LEE, MARK M. \$11,385.71 annually in taxes.

Broadband Providers

No broadband provider information available.



U.S. District Court
District of New Jersey [LIVE] (Camden)
CIVIL DOCKET FOR CASE #: 1:11-cv-05764-RMB-JS

INSON v. NEW JERSEY DEPARTMENT OF CORRECTIONS et al
signed to: Judge Renee Marie Bomb
ferred to: Magistrate Judge Joel Schneider
use: 42:1983 Prisoner Civil Rights

Date Filed: 10/03/2011
Date Terminated: 01/29/2016
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

intiff

FFREY JOHNSON

represented by **LISA J. RODRIGUEZ**
Schneider Harrison Segal & Lewis LLP
Woodland Falls Corporate Park
220 Lake Drive East
Suite 200
Cherry Hill, NJ 08002-1165
856-482-5222
Fax: 856-482-6980
Email: ljrodriguez@schneider.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

MARK M. LEE
SCHNADER HARRISON SEGAL & LEWIS LLP
1600 MARKET STREET
SUITE 3600
PHILADELPHIA, PA 19103
215-751-2136
Email: mlee@schneider.com
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856-482-5222
Fax: 856-482-6980
TERMINATED: 07/10/2015
BY: PLO, SCHE

BLANKROME

Mark M. Lee | Partner
White Collar Defense &
Investigations

One Logan Square
Philadelphia, PA 19103
+1.215.569.5536
mmlee@blankrome.com



Mark M. Lee, a trial lawyer and former federal prosecutor, is a partner in the Firm's white collar defense & investigations practice group. Mark specializes in defending corporations and executives against investigations and prosecutions conducted by the federal government. Mark also helps his clients manage and avoid risk by conducting internal investigations and corporate compliance assessments on their behalf. Clients turn to Mark to provide solutions that advance their business objectives and to navigate crises that present substantial reputational risks.

WHITE COLLAR CRIMINAL DEFENSE

Mark routinely acts as an interface with government prosecutorial and regulatory agencies on behalf of both business and individuals, and has successfully negotiated favorable outcomes for clients facing the threat of prosecution. Mark has defended clients pre-indictment in connection with criminal prosecutions and grand jury investigations involving antitrust, securities, public corruption, FCPA, RICO, and money laundering. However, as not all matters result in prosecution declinations, he is prepared to aggressively represent his clients inside the courtroom should the need arise. He is a skilled trial lawyer, having tried cases to verdict before juries in both the United States District Court for the District of Delaware and the United States District Court for the Eastern District of Pennsylvania.

INTERNAL INVESTIGATIONS

Mark has extensive experience organizing and directing complex investigations for both private and public sector entities. While serving as an Assistant United States Attorney for the District of Delaware, he led numerous federal grand jury investigations and subsequent prosecutions into a wide variety of white collar

criminal activity, including into matters such as financial institution fraud, theft of government funds, aggravated identity theft, ERISA theft, corporate tax evasion, public corruption, money laundering, and mortgage fraud. In addition, he has directed several federal investigations involving various technologies, including peer-to-peer software applications, social networking websites, and wireless and mobile networks and devices. While in private practice, he has performed internal investigations and compliance assessments covering a wide variety of subject matters such as the Foreign Corrupt Practices Act ("FCPA"), money laundering, and data privacy.

CORPORATE COMPLIANCE COUNSELING

Mark partners with businesses to uncover regulatory issues by developing and strengthening ethics, compliance, and training programs. He has counseled clients in relation to corporate compliance assessments for companies in numerous industries, including financial services, pharmaceutical, healthcare, and software. He also advises clients concerning cyber security and data privacy issues, such as assessments of policies and procedures, data breach preparation, and breach response and remediation. Mark also lends his expertise to M&A and joint-venture transactions and has worked with deal teams to conduct FCPA and AML due diligence.

Outside The Firm

Mark is a proud father of two. He enjoys spending time mentoring youth, and volunteers as a youth club soccer coach during his spare time.

Select Engagements

- Trial counsel in the defense of a sitting U.S. congressman facing multiple federal criminal charges, including RICO, bank fraud, wire fraud, bribery, obstruction of justice, and money laundering.
- Conducted a FCPA due diligence review of a multimillion dollar equity investment involving a U.S.-based offshore equipment provider and a multinational investment group.
- Retained by a county solicitor's office to conduct an internal investigation into allegations of ethics violations by local elected officials.
- Represented a former employee witness in a SEC and DOJ investigation involving a United Kingdom company acquired by a leading Silicon Valley technology company.
- Representations of individuals in federal public corruption and campaign finance investigations.
- Represented a global waste-management corporation during a Pennsylvania state grand jury investigation.
- Represented a federally-funded government agency during an Office Inspector General audit and regulatory investigation.
- Successfully represented a Pittsburgh-based slot machine license applicant

before the Pennsylvania Gaming Control Board.

Admissions

- Pennsylvania
- New Jersey
- United States Court of Appeals for the Third Circuit
- U.S. District Court - Eastern District of Pennsylvania
- U.S. District Court - New Jersey
- Supreme Court of New Jersey
- Supreme Court of Pennsylvania

Memberships

- American Bar Association
- Philadelphia Bar Association
- Federal Bar Association
- Pennsylvania Association of Criminal Defense Lawyers
- Pennsylvania Bar Association

Education

- University of North Carolina at Chapel Hill, BA
- Temple University Beasley School of Law, JD

Recognitions

2018–2019, Criminal Defense: White Collar, Philadelphia, listed in *Best Lawyers in America*®

Professional Activities

Mark is actively committed to pro bono and community service. He is on the Board of Directors of the National Black Child Development Institute, a national education nonprofit organization, and is also a member of numerous professional associations, including the American Bar Association, Pennsylvania Bar Association, Philadelphia Bar Association, Pennsylvania Association of Criminal Defense Lawyers, and the Temple American Inn of Court.

Mark began his legal career as a law clerk for the Honorable Petrese B. Tucker, former Chief Judge of the United States District Court for the Eastern District of Pennsylvania.

Re: Comments 0347-18. No. 2-step LLC Scam. Rhino Health & Church Rock Development Created recently. No experience.

Vincent Yazzie <vinceyazzie@yahoo.com>

Mon 10/29/2018 10:48 PM

To: comments <comments@navajo-nsn.gov>;

Cc: Ed Becenti <reztone@yahoo.com>; Marley Shebala <mshebala@gmail.com>; Noel Smith <nsmith1013@gmail.com>; Walter Phelps <nakaidinee@yahoo.com>; Amber K. Crotty <acrotty@navajo-nsn.gov>; Alton Joe Shepherd <alton.shepherd72@gmail.com>; Dwight Witherspoon <dwright.witherspoon@gmail.com>;

Additional Comments. A loan-collateral chain scam where one part of the chain ends up with the collateral then disappears when losses appear. People in the chain have no money to pay loans they have taken out.

<https://fcn2017.wordpress.com/feature-2005-16/>

http://www.ltadvisors.net/Info/research/SIPC_dt.pdf

On Friday, October 26, 2018, 11:06:05 PM MST, Vincent Yazzie <vinceyazzie@yahoo.com> wrote:

October 26, 2018

Vincent H. Yazzie
10080 Palomino Road
Flagstaff, AZ 86004
e-mail: vinceyazzie@yahoo.com
(928) 380-3198

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Subject: No on 0347-18. Rhino Health, LLC & Church Rock Development LLC Incorporated recently.

Dear Delegates,

Rhino Health, LLC date of Organization in NM is 9/12/17. Organizer is Mark Lee. See attached images. Church Rock Development, LL date of organization in NM is 4/6/18. Mark Lee address is 60A W. Harwood Ter., Palisades Park, NJ 07650. Searching for Mark Lee and to the address goes to Mark M. Lee at the same address. Searching in PACER leads to a criminal lawyer. A guess that needs to be investigated further.

<https://njparcels.com/property/0245/610/8.01/C0001>

Guessing if this is the correct Mark M. Lee, the criminal lawyer.
<https://www.blankrome.com/people/mark-m-lee/pdf>

Another possible person for Navajo Special Prosecutor.

Usually a subsidiary is created first, so unusual that Church Rock Development, LLC is created last.

Google search reveals the creation of the Nevada 2-Step or Texas 2-Step. Hattie Dizmond describes the LLC 2-step as a form of asset protection and only created when one LLC achieves wealth for the protection of the gold. Looks like the Navajo Nation money is deposited then later transferred to a holding company. Later the operating LLC can sink and Mark Lee runs off with the money. Sounds like a scam. Rhino Health LLC and Church Rock Development, LLC were created recently and have no experience. Trying to get the money back will be impossible. Definitely a scam. No to 0347-18. Due Diligence and feasibility study must be done.

Vincent H. Yazzie

<https://www.biggerpockets.com/forums/51/topics/147899-two-company-llc-structure-as-asset-protection-strategy>.

Hattie Dizmond **Investor from Dallas, Texas**

replied about 4 years ago

@Nick B.

Lone Star Land Law is an excellent resource, but they naturally are trying to generate business. What you are describing is commonly referred to as either the Texas 2-Step or the Nevada 2-Step. Some companies will incorporate one of their LLC's in Nevada, which has similar business friendly protection to Texas. Splitting the LLC's into different states creates an additional layer for people to work through. This isn't a "guru" thing. This is a valid, proven legal approach to asset protection.

1. Anyone can create an Anonymous Trust. You can find the forms online. The benefit of this trust is that the only named entity is the Trustee. The Trustee has a fiduciary duty to the beneficiaries of the trust, who are not named. Part of that duty is to protect the identity of the beneficiary. A Trustee, except in certain federal &/or criminal matters - not civil cases, cannot be forced - even under oath - to reveal the beneficiaries of the trust.

2. One LLC doesn't own the other. One LLC is the "holding company" and owns all the assets. The other LLC is the operating entity and actually conducts all the business. The holding company name never appears on any document, other than the original LLC filing and the DBA papers.

3. The DBA doesn't prevent a lawsuit from involving the LLC that is doing business in a different name. What it does is make the process of determining what assets could be attached in a lawsuit difficult. Imaging someone trying to get a lawyer to take on a frivolous suit. That lawyer is not getting paid, unless he wins a settlement. He takes on all the costs of the suit, in hopes of getting his % of the settlement. He's going to do an initial, cursory check of what assets the company has. If he can't find anything and the case has little merit, there's a good chance he's not even going to be willing to pursue a cause of action.

4. Assets and revenue are 2 entirely different things. The holding company holds the assets. The operating company conducts business and generates revenue. How the profits from that revenue is distributed will depend on what tax structure you have chosen for your LLC. For instance, my LLC is taxed as an S-Corp with pass through taxation, so there is a direct distribution of profits to the LLC members. Without access to the tax filings, which are not matters of public record, there is no way for anyone to know what was distributed. Remember, you are talking about a privately held corporation, so there is no public disclosure requirement.

5. The holding company owns and holds the property. The operating company manages the property. The holding company pays the operating company a management fee that essentially covers it's expenses. Do you have to have a contract between the 2? No. However, I like things neat, so I would, just in case the IRS came calling later. :)

6. An individuals name will always appear somewhere, for a period of time, if they have to personally guarantee a loan. Once all the closing and funding has occurred, the property is transferred into an anonymous trust, with the guarantor or an LLC in which they are a member listed as a beneficiary. The only thing that is really lost in this process is that the LLC member is not protected from the liability of this property. However, asset protection is much more about protection from lawsuits than from creditors. If you've personally guaranteed a full-recourse loan, you're on the hook for that. The only way you get around that is to work to establish credit in the name of your LLC, which then protects the members from personal liability.

7. This is defined by the LLC Operating Agreement. Generally, any Member (owner) of an LLC can sign on behalf of the LLC. The Members can also name a "Manager", which can be a non-Member, who can conduct business on behalf of the LLC. It's

important to note that nothing can prevent an individual from being named as a party to a lawsuit. CEO's of public companies get named all the time. Many times lawyers will name every single person they can find a name for in a lawsuit, with the hope that someone will settle, which starts to create pressure for the other defendants. The reality is that the plaintiff will have to prove that a Member of an LLC willingly & knowingly engaged in fraud or other illegal activity in order to proceed with that person as a party to the suit. Otherwise, individual members are protected from personal liability based upon the actions of the corporation. It's called the corporate veil and is only "pierced" by intentional wrongdoing.

8. You don't need the double LLC, until you have either a significant portfolio or net worth. Start with an LLC and designate it as a Series LLC. That will allow you to separate the assets from the management and provide protection for both. When you are ready to add the next level, it is easier to separate.

Disclaimer...I'm not a lawyer, and this should not be considered legal advice. Please consult your attorney. :)

However, I hope that helps. I'm sure there will be - as usual - a string of naysayers and chicken littles who will now rain down upon this post. I love to talk asset protection. Feel free to PM me if you'd like.

0347-18

Gerri L. Thomas <Gerri.Thomas@sjhsyr.org>

Wed 10/31/2018 5:28 AM

To: comments <comments@navajo-nsn.gov>;

Hello - I think it's a good idea to put a rubber glove manufacturing plant in Church Rock New Mexico -

Gerri Thomas

Account Executive

Franciscan Companies, Member of St. Joseph's Health

Gerri.Thomas@sjhsyr.org

W 315.458-3200 ext 89191

F 315.458-6300

300 Gateway Park Drive
North Syracuse NY 13212

franciscancompanies.com | sjhsyr.org | [Facebook](#)



Confidentiality Notice:

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**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0347-18

SPONSOR: Honorable Seth Damon

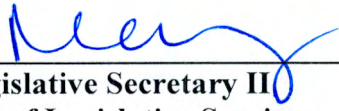
TITLE: An Action Relating To Law And Order, Budget And Finance, NAABIK'IYATI' Committees, And Navajo Nation Council; Approving And Adopting The Church Rock Industrial Park Project Fund Expenditure Plan Pursuant 12 N.N.C §§ 2501 - 2508

Posted: October 25, 2018 at 3:30 PM

5 DAY Comment Period Ended: October 30, 2018

Digital Comments received:

Comments Supporting (11)	1. Sharlene Begay-Platero, Navajo Nation Project Development Department 2. Karen Johns 3. RaNaye M. Badonie 4. Lucinda Shepherd 5. Victor Pascual 6. Tamarah Begay 7. Cheyenne Moore 8. Nathan Wero 9. Sinclair Norris 10. Theodore Edaakie 11. Patty Lundstrom, CEcD, Executive Director Greater Gallup Economic Development Corporation
Comments Opposing	<i>None</i>
Inconclusive Comment	<i>None</i>



Legislative Secretary II
Office of Legislative Services

12/7/18 5:02pm

Date/Time

0347-18

Sharlene Begay-Platero <srbp@navajoadvantage.com>

Wed 10/31/2018 11:40 AM

To: comments <comments@navajo-nsn.gov>;

Cc: Anthony Perry <tperrynded12@gmail.com>;

Importance: High

Dear Delegates:

Your support of YES for this project is greatly appreciated.

Our office has worked with this company for almost two years to locate their business on our Reservation. The owner has been in business for over 40 years in this industry and now wants to manufacture in the United States. The location of Church Rock is ideal for them to meet their market demands which our Nation will benefit with the job creation for our people.

This request is for Phase II construction funds to provide more manufacturing space for 12 lines of production when the plant is fully operated. The number of jobs in Phase II is planned for 200 – 250 people. Currently this company has a permit for the glove factory at the industrial park in CR which is Phase I and has ordered their equipment to be assembled the later part of January 2019. The company plans to employ 30 people in this Phase.

This is a great opportunity for the Nation.

Sincerely,

Sharlene Begay-Platero
Navajo Nation -Project Development Department
505-905-6414
srbp@navajoadvantage.com

Rhino Health Grant

Karen Johns <yataheeh71@gmail.com>

Wed 10/31/2018 12:10 PM

To: comments <comments@navajo-nsn.gov>;

To whom it may concern,

My name is Karen Johns. I'm an enrolled member of the Diné Nation from Fruitland, NM. The opportunity of Rhino Health LLC potentially opening a manufacturing company on the Navajo Nation Reservation would be a great economic boost for the area. Jobs are hard to come by. With this opportunity, many Diné and other people will have a chance to provide for their families. I strongly support the Navajo Nation's funding for the Rhino Health LLC.

Sincerely,
Karen Johns
Upper Fruitland Chapter, NM

0347-18

RaNaye M. Badonie <rbadonie@navajo-nsn.gov>

Wed 10/31/2018 2:37 PM

To: comments <comments@navajo-nsn.gov>;

Name: RaNaye M. Badonie

Position Title: ASO

E-mail: rbadonie@navajo-nsn.gov

This comment is in support of this legislation to approve funding from the Sihasin Fund to Rhino Health, LLC for construction of facility to manufacture nitrile gloves. This would be most beneficial for the Navajo people.

Thank you.

RaNaye M. Badonie

Support of Legislation 0347-18

Lou Shphrd <loushphrd@hotmail.com>

Wed 10/31/2018 2:42 PM

To: comments <comments@navajo-nsn.gov>;

As a member of the Navajo Tribe, I support this legislation as it will provide employment opportunities for our Diné people and provide economic development to the Navajo Nation. With the employment rate so high on the Navajo Nation and many of our talented and educated Diné people moving off the reservation, this would a great investment to the nation and to keep our people from leaving and working out in the metropolitan areas to work.

Lucinda Shepherd, Registered Voter and Community Member of Ganado Chapter
Ganado, Arizona 86505

RE: Legislation No: 0347-18

Executive Director
Office of Legislative Services
PO Box 3390
Window Rock, AZ 86515

To Whom It May Concern,

I fully support this initiative. However, In Section One, Page 2, Line 6, Part F: Does Navajo Nation also require any new development of infrastructure to include sustainable and environmentally responsible considerations? If not, please consider.

Thank you,

Victor Pascual
Intern Architect – Indigenous Design Studio + Architecture
vpascual@ids-a.com

Legislation NO: _0347-18_

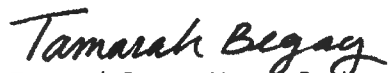
Date: 10-31-2018

RE: TITLE: An Action Relating To Law And Order, Budget And Finance, NAABIK'IYATI' Committees, And Navajo Nation Council; Approving And Adopting The Church Rock Industrial Park Project Fund Expenditure Plan Pursuant 12 N.N.C §§ 2501 – 2508

To Whom It May Concern:

I am writing in support of the Church Rock Industrial Park project for the Rhino Health facility, which will be a first of its kind for the Navajo Nation and the first facility in the United States. Support for this type of project(s), should be considered a priority for employment for the Navajo people. Navajo will be facing job loss due to the closing of the coal mines and it's going to be essential that leadership look for other avenues for job creation and economic development across Navajo.

Thanks



Tamarah Begay, Navajo Business Owner

106A Turtle Butte Circle
Ft. Wingate, NM 87316

Email: tbegay@hotmail.com

October 31, 2018

Executive Director
Office of Legislative Services
PO Box 3390
Window Rock, AZ 86515
928.871.7586

RE: *Legislation No. 0347-18, An Action Relating To Law And Order, Budget And Finance, NAABIK'IYATI' Committees, And Navajo Nation Council; Approving And Adopting The Church Rock Industrial Park Project Fund Expenditure Plan Pursuant 12 N.N.C §§ 2501 – 2508*

My name is Cheyenne Moore and I am an Intern Architect at Indigenous Design Studio + Architecture in Albuquerque, NM. I am originally from the small town of Crystal, NM on the Navajo Nation approximately one hour northwest of the Church Rock Industrial Park Project.

I am writing this letter in support of Rhino Health, LLC for the construction of a facility to manufacture nitrile gloves. I believe the Sihasin Fund should approve this project as it will support the economic and community development in the Church Rock area. I am in agreement with the statement that this project will *"create an environment that is conducive to promote and develop businesses...to enhance the creation of jobs and business opportunities."* This is especially important for the Navajo Nation economy and how it will provide employment opportunities for Navajo people as well as promoting and bringing awareness to what the Navajo Nation is doing to better its infrastructure, economy, and community.

Sincerely,

Cheyenne Moore
3737 Princeton Dr NE, Suite 130
Albuquerque, NM 87107
Intern Architect
cmoore@ids-a.com

To: Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

From: Nathan Wero, Project Manager
Indigenous Design Studio + Architecture, LLC
P.O. Box 16657
Albuquerque, NM 87191
Email: nwero@ids-a.com

Re: In-Support in the following: Approving and Adopting the Church Rock
Industrial Park Project Fund Expenditure Plan

To Whom it May Concern:

Living and growing up in the Church Rock community and with family members that are still living in the area I am in total support of the Church Rock Industrial Park Project Fund Expenditure Plan. The need for economic development and local jobs in the Church Rock have been non-existence for many years. Most community members have to travel long distances to Gallup or other developed communities to find work and having transportation issues.

Typically most rural development only provide a minimal work force with demanding technical experiences that leaves local members no chance of getting an opportunity to work in their own community. With the economy thriving in the United States, the Navajo Nation has the opportunity to use the industrial development for a larger companies and a work force to benefit the local Native American individuals in a good working environment.

This is an opportunity for the Navajo Nation and other local governmental agencies in showing what possibilities are achieved when governmental entities work together to re-vitalize a community and with growth in a high tech modern era can bring to a rural community.

Again, I am in full support of development in the Church Rock Industrial Park and truly believe this will bring great prosperity and potential future developments to Indian County and along with business locally or across the oceans ready to do business. It is exciting and thankful that our leaders are looking out for forgotten communities best interests.

Thank you.

Nathan Wero.

October 31, 2018

Executive Director

Office of Legislative Services

P.O. Box 3390 Window Rock, AZ 86515

(928) 871-7586

RE: An Action Relating To Law And Order, Budget And Finance, NAABIK'IYATI' Committees, And Navajo Nation Council; Approving And Adopting The Church Rock Industrial Park Project Fund Expenditure Plan Pursuant 12 N.N.C §§ 2501 - 2508

Dear Executive Director,

My name is Sinclair Norris, I am an intern architect at Indigenous Design Studio + Architecture. I am writing you today in support of the Approval and Adoption of the Church Rock Industrial Park Project Fund Expenditure Plan Pursuant.

It is the first of its kind on the Navajo Nation; it will bring a lot of benefits in the form of jobs and opportunities - as well as a stronger sense of community amongst not only the people who reside in the Navajo Nation, but also, the economic growth will attract outside businesses – which will, in turn, get rid of the isolationist attitude that many of the Natives have, due to the being boxed in on a reservation. More economic growth is needed on the Navajo Nation not only to help the Natives' finances, but also to preserve their culture from gentrification. Thank you for your time.

Sincerely,

Sinclair Norris

Intern Architect

3737 Princeton Dr. NE

Albuquerque NM, 87107

snorris@ids-a.com

THEODORE EDAAKIE

Architect

541 Creekside Ave. SW, Los Lunas, NM 87031 | edaakietj@gmail.com | 505.615.4279

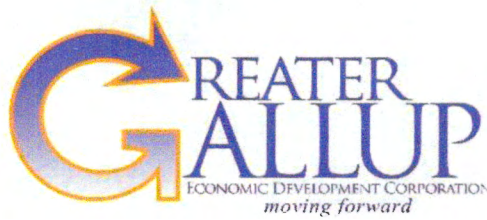
Executive Director
Office of Legislative Services
PO Box 3390
Window Rock, AZ 86515

I would like to express my support for the proposed legislation no. 0347-18 Approving and Adopting the Church Rock Industrial Park Project Fund Expenditure Plan. It is exciting to see companies and tribal leadership working together to introduce new growth to economic development in this community. A manufacturing facility of this magnitude will bring new infrastructure, construction opportunities, long term job opportunities, and infuse neighboring areas with positive economic growth. Substantiating these hopes, we can see similar projects thrive across the state as we see investing entities rediscovering the opportunities that our state and region have to offer. Albuquerque is embracing the introduction of Netflix and Los Lunas is now starting to boom from the effects of Facebook's Data Center as our cities are impacted by innovative projects that present immense potential.

I am eager to see the Church Rock Industrial Park grow and provide opportunities for families of the Navajo Nation, and also eager to see others inspired to follow these trailblazing efforts. For these reasons, I urge the respective committees and Navajo Nation Council to approve the proposed legislation. I thank you for your time in considering my support.

Respectfully,

Theodore Edaakie



Board of Directors

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President

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Vice-President

Patrick Mason
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Joe Mesich
Treasurer

Tony Tanner
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Kent Wilson
Member

Yogash Kumar
Ex-Officio

Jackie McKinney
Ex-Officio

Advisory Committee

BNSF Railway

*Continental Divide
Electric Cooperative*

Gallup Land Partners

*Marathon Petroleum
Corporation
(Andeavor)*

Patricia Lundstrom, CEcD
Executive Director

November 2, 2018

Executive Director
Office of Legislative Services
PO Box 3390
Window Rock, AZ 86515

To Whom It May Concern:

I am writing on behalf of Greater Gallup Economic Development Corporation (GGEDC) to express our full support for the proposed Legislation NO: 0347-18: Approving and adopting the Church Rock Industrial Park Project Fund Expenditure Plan.

GGEDC believes the business siting of Rhino Health in the Churchrock Industrial Park will meet the region's growing employment needs and provide both community and economic benefits to the Navajo community of Churchrock and McKinley County. Not only will the Rhino Health project ensure economic development but will provide environmental sustainability through state-of-the-art technology using recycled water, creating less water discharge.

Additionally, Rhino Health will provide employment opportunities to the region, including more than 300 jobs of direct employment and an estimated payroll exceeding \$12 million.

On behalf of GGEDC, I respectfully request that the Navajo Nation support Legislation NO: 0347-18.

Respectfully submitted,


Patricia Lundstrom, CEcD
Executive Director



23rd Navajo Nation Council

MEMORANDUM

TO: Tom Platero, Executive Director
Office of Legislative Services

FROM:

A handwritten signature in black ink, appearing to read "LoRenzo C. Bates", written over a horizontal line.

LoRenzo C. Bates, Speaker
Navajo Nation Council

DATE: November 19, 2018

SUBJECT: Legislation 0347-18 Committee Listing Correction

This memorandum shall serve as formal notification that legislation 0347-18 was originally intended to be referred to the Resources and Development Committee and not the Law and Order Committee. Please administratively correct the committee listing as follows:

1. Resources and Development Committee
2. Budget and Finance Committee
3. Naabik'íyáti' Committee
4. Navajo Nation Council

Should you have any questions, please contact Chief of Staff Pete Ken Atcitty at (928) 871-7160.

Cc 23rd Navajo Nation Council
Levon Henry, Chief Legislative Counsel
Pete K. Atcitty, OOS Chief of Staff

**RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL**

FOURTH YEAR 2018

**COMMITTEE REPORT
(Corrected)**

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

Legislation # 0347-18: An Action Relating to the Law and Order, Budget and Finance, Naabik'iyáti Committee, and Navajo Nation Council; Approving and Adopting the Church Rock Industrial Park Project Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501-2508. *Sponsor: Honorable Seth Damon, Co-Sponsors: Honorable Otto Tso and Honorable Herman M. Daniels*

Has had it under consideration and reports a DO PASS with the no amendment:

And thereafter the matter was referred to Budget and Finance Committee.

Respectfully submitted,



Benjamin Bennett, Vice Chairperson
Resource and Development Committee of
the 23rd Navajo Nation Council

Date: November 21, 2018 - Regular Meeting

Meeting Location: Navajo Nation Council Chambers, Window Rock, Arizona

MAIN MOTION: Davis Filfred S: Walter Phelps V: 5-0-1

YEAS: Davis Filfred, Jonathan Perry, Walter Phelps, Leonard Pete and Alton Joe Shepherd

NAYS: None

RESOURCES AND DEVELOPMENT COMMITTEE
Regular Meeting – November 21, 2018

ROLL CALL
VOTE TALLY SHEET:

Legislation # 0347-18: An Action Relating to the Law and Order, Budget and Finance, Naabik'iyáti Committee, and Navajo Nation Council; Approving and Adopting the Church Rock Industrial Park Project Fund Expenditure Plan Pursuant to 12 N.N.C. §§ 2501-2508.
Sponsor: Honorable Seth Damon, Co-Sponsors: Honorable Otto Tso and Honorable Herman M. Daniels

MAIN MOTION: Davis Filfred S: Walter Phelps V: 5-0-1

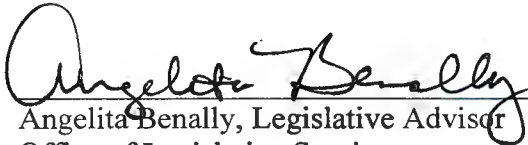
VOTE TALLY:

YEAS: Davis Filfred, Jonathan Perry, Walter Phelps, Leonard Pete and Alton Joe Shepherd

NAYS: None



Honorable Benjamin Bennett
Presiding Chairman
Resources and Development Committee



Angelita Benally, Legislative Advisor
Office of Legislative Services

23rd NAVAJO NATION COUNCIL

Fourth Year 2018

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

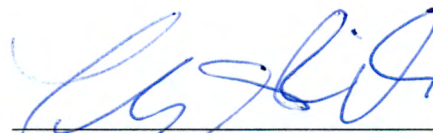
NAVAJO LEGISLATIVE BILL # 0347-18:

An Action Relating to Law and Order, Budget and Finance, Naabikiyati Committees and Navajo Nation Council; Approving and Adopting the Church Rock Industrial Park Project Fund Expenditure Plan Pursuant 12 N.N.C. §§ 2501-2508 *Sponsored by Seth A. Damon, Herman M. Daniels and Otto Tso, Council Delegates*

has had it under consideration and reports the same with the recommendation that It **Do Pass** without amendment.

And therefore, referred to the **NAABIKIYATI** Committee

Respectfully submitted,



Tuchoney Shim Jr., Pro Tem Chairman

Adopted: 
Legislative Advisor

Not Adopted: _____
Legislative Advisor

21 November 2018

The vote was **3** in favor **0** opposed yeas: *Tom T. Chee, Lee Jack, Sr., Seth A. Damon*
Motion: *Tom T. Chee*
Second: *Lee Jack, Sr.*

BUDGET AND FINANCE COMMITTEE

21 November 2018

Special Meeting

VOTE TALLY SHEET:

Legislation No. 0347-18:

An Action Relating to Law and Order, Budget and Finance, Naabikiyati Committees and Navajo Nation Council; Approving and Adopting the Church Rock Industrial Park Project Fund Expenditure Plan Pursuant 12 N.N.C. §§ 2501-2508 *Sponsored by Seth A. Damon, Herman M. Daniels and Otto Tso, Council Delegates*

Motion: Tom T. Chee

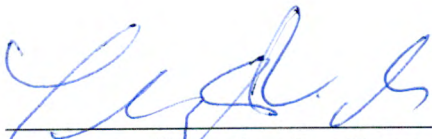
Second: Lee Jack, Sr.

Vote: 3-0, Pro Tempore Chairman not voting

Vote Tally:

Seth A. Damon	yay	
Tom T. Chee	yay	
Lee Jack, Sr.	yay	
Leonard Tsosie		
Tuchoney Slim, Jr.		

Absent: Leonard Tsosie



Tuchoney Slim, Jr., Pro Tempore Chairman
Budget & Finance Committee



Peggy Nakai, Legislative Advisor
Budget & Finance Committee

23rd NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Fourth Year 2018

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0347-18

An Action Relating to the Law and Order, Budget and Finance, Naabik'íyáti' Committees, and Navajo Nation Council; Approving and Adopting the Church Rock Industrial Park Project Fund Expenditure Plan pursuant to 12 N.N.C. §§ 2501-2508

Sponsored by: Honorable Seth Damon

Co-Sponsored by: Honorable Herman M. Daniels

Co-Sponsored by: Honorable Otto Tso

Has had it under consideration and reports the same that the legislation **WAS PASSED WITH ONE (1) AMENDMENT AND REFERRED BACK TO THE NAVAJO NATION COUNCIL**

Respectfully Submitted,



*Honorable Alton Joe Shepherd, Chairman Pro Tem
NAABIK'ÍYÁTI' COMMITTEE*

18 DECEMBER 2018

MAIN MOTION

Motioned by: Honorable Olin Kieyoomia

Seconded by: Honorable Nathaniel Brown

Vote: 17 in Favor, 02 Opposed (Chairman Pro Tem Shepherd Not Voting)

AMENDMENT #1

1. On page 1, line 13, before the word "CHURCH", insert "SÍHASIN FUND"; and after the word "PROJECT", delete "~~FUND~~".
2. On page 2, line 5, after the word "legislation", insert "or adoption of a Síhasin Fund Expenditure Plan".

3. On page 3, line 5, delete "LCC" and insert "LLC, which" and after the second "LLC", insert "L".
4. On page 3, line 8, insert the following new paragraph:

"B. As set forth in Exhibit 1, the Project Development Department within the Division of Economic Development is responsible for the operation, maintenance and management of projects within the industrial parks on the Navajo Nation, which includes construction of facilities for lease, and will be the department responsible for the Church Rock Industrial Park Project. See also Division of Economic Development, Master Plan of Operations, Section IV, set forth in Exhibit D."
5. On page 3, line 8, delete "~~letter of intent which is attached as Exhibit A~~" and insert "Letter of Intent, attached as Exhibit A, to develop an income generating nitrile glove manufacturing and distribution warehouse facility in the Church Rock Industrial Park".
6. On page 3, line 10, after "\$19,297,576.00", insert "for construction, including infrastructure, of a manufacturing and warehouse facility (124,000 square feet) in Church Rock Industrial Park" and delete "~~This request for funding is to be in the form of direct funding.~~"
7. On page 4, line 3, delete "~~direct~~"; then delete "~~Rhino Health LLC~~" and insert "Division of Economic Development, Project Development Department"; and then on line 5, after "Project", insert "as set forth in Exhibits 1, A, and B".
8. On page 4, line 16, delete "~~annual allocations from the total allocation~~".
9. On page 4, line 19, insert the following new paragraph:

"2. The funding to the Project Development Department shall be released pursuant to a drawdown schedule, approved by the Office of the Controller, reflecting the projected progress of the construction."
10. On page 4, line 27, delete "~~Crownpoint Chapter~~" and insert "Project Development Department".
11. On page 4, line 30, insert the following new paragraph:

"4. The Project Development Department shall report the status of the construction, including expenditures, to Executive Director of the Division of Economic Development and the Office of the Controller on a monthly basis."
12. On page 5, delete lines 1 through 15.
13. On page 5, line 22, after "Development", insert "and Rhino Health LLC".
14. On page 5, delete lines 25 through 28.
15. On page 4, line 12, insert a new paragraph as follows:

D. Former Navajo Nation Employees and officials shall not receive any payments, directly or indirectly, from this Síhasin Fund funding.
16. Renumber or re-letter succeeding paragraphs or sections accordingly, if necessary; and this amendment shall supersede inconsistent language contained in any other committee amendment, which shall be conformed to the intent or language of this amendment. The Office of Legislative Services, with notice to the sponsor(s) of the Legislation, is hereby authorized to make necessary grammatical changes.

Motioned by: Honorable Jonathan Perry

Seconded by: Honorable Olin Kieyoomia

Vote: 14 in Favor, 00 Opposed (Chairman ProTem Shepherd Not Voting)

NAVAJO NATION

RCS# 1147

12/18/2018

Naa'bik'iyati Committee

10:05:46 PM

Amd#1 to Amd#

PASSED

MOT Perry

On page 1, line 13 before the

SEC Kieyoomia

word "CHRUCH", insert "SIHASIN
FUND" and after the word....

Yea : 14

Nay : 0

Excused : 0

Not Voting : 10

Yea : 14

Bates

Damon

Jack

Phelps

Begay, K

Daniels

Perry

Slim

BeGaye, N

Filfred

Pete

Yellowhair

Brown

Hale

Nay : 0

Excused : 0

Not Voting : 10

Begay, NM

Crotty

Smith

Tsosie

Bennett

Kieyoomia

Tso

Yazzie

Chee

Shepherd

NAVAJO NATION

RCS# 1148

Naa'bik'iyati Committee

12/18/2018

10:11:03 PM

Amd# to Amd#

PASSED

MOT Kieyoomia

Legislation 0347-18 Approving
and Adopting the Church Rock
Industrial Park Project Fund...

SEC Brown

Yea : 17

Nay : 2

Excused : 0

Not Voting : 5

Yea : 17

Bates

Damon

Jack

Phelps

Begay, K

Daniels

Kieyoomia

Slim

BeGaye, N

Filfred

Perry

Tso

Bennett

Hale

Pete

Yellowhair

Brown

Nay : 2

Crotty

Smith

Excused : 0

Not Voting : 5

Begay, NM

Shepherd

Tsosie

Yazzie

Chee