

BELMONT COUNTY CARES ACT SMALL BUSINESS ASSISTANCE GRANT AGREEMENT

Sample Grant Agreement – 8-17-2020

This GRANT AGREEMENT is entered into by and between the Board of County Commissioners of Belmont County, Ohio (“BELMONT COUNTY”), and *Insert Name* (“GRANTEE”), with a mailing address of _____ . BELMONT COUNTY and GRANTEE are sometimes collectively referred to in this AGREEMENT as “Parties.”

WITNESSETH THAT:

WHEREAS, in 2020, the United States began addressing problems and issues associated with the worldwide COVID-19 public health emergency (“Pandemic”); and

WHEREAS, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law by the President of the United States on March 27, 2020, providing \$2 trillion economic relief packages to workers and families, small business, and state and local governments; and

WHEREAS, the COVID-19 pandemic has been detrimental for many local small businesses and workers, and BELMONT COUNTY is desirous of creating the Belmont County Small Business Relief Program to lessen the economic damage caused by the pandemic; and

WHEREAS, BELMONT COUNTY, in partnership with the Belmont County Auditor, Belmont County CIC, Belmont County Port Authority, Belmont County Tourism, Barnesville Chamber of Commerce, Bellaire Chamber of Commerce, Bridgeport Chamber of Commerce, Martins Ferry Chamber of Commerce, Shadyside Chamber of Commerce, and Saint Clairsville Chamber of Commerce have developed a Small Business Relief Program (“Program”) to provide Belmont County small businesses with some monetary relief of the business interruption costs caused by the Pandemic in the form of grants of CARES Act funding; and

WHEREAS, BELMONT COUNTY has engaged the Belmont County Auditor, Belmont County CIC, Belmont County Port Authority, Belmont County Tourism, Barnesville Chamber of Commerce, Bellaire Chamber of Commerce, Bridgeport Chamber of Commerce, Martins Ferry Chamber of Commerce, Shadyside Chamber of Commerce, and Saint Clairsville Chamber of Commerce to assist in the administration of the Program, which includes, the solicitation and review of applications, distribution of pass-through grant funds to approved businesses and, in partnership with BELMONT COUNTY, follow up activities to ensure grantees comply with the requirements and obligations of the grant award; and

WHEREAS, GRANTEE submitted an application (“Grant Application”) for the reimbursement of certain costs of business interruption caused by required closures, such Grant Application is attached hereto and incorporated herein by reference as Exhibit A; and

WHEREAS, in accordance with the terms and conditions of this Grant Agreement, BELMONT COUNTY desires to distribute to GRANTEE a one-time payment in the amount of _____ (“Grant Funds”) to reimburse GRANTEE for certain costs that it incurred in relation to the interruption of its business due to required closures occurring as a result of the Pandemic.

NOW THEREFORE, in consideration of the mutual covenants by and between the Parties hereto, the Parties agree as follows:

1. BELMONT COUNTY hereby awards to GRANTEE, a grant in the amount of \$_____ for the purpose of reimbursing costs of business interruption caused by required closures arising from the Pandemic. The specific uses for the Grant Funds are detailed in the Grant Application, attached hereto as Exhibit A and incorporated herein by reference.
2. GRANTEE warrants and represents that by accepting the Grant Funds at the time it submitted its Grant Application that it met the eligibility requirements of the Program set forth on Exhibit B, attached hereto and incorporated herein by reference. If at any time, it is determined that GRANTEE did not meet the eligibility requirements at the time it submitted its Grant Application, all of the Grant Funding shall be immediately repaid to BELMONT COUNTY by GRANTEE.
3. GRANTEE understands and agrees that the Grant Funds provided to the GRANTEE shall be used for only the expenses identified in the Grant Application. Any other use of Grant Funds, without prior written approval of BELMONT COUNTY, shall be considered a non-allowable expenditure. If at any time, it is determined that Grant Funds were used to pay for any non-allowable expenditure, all or a part of the Grant Funding (as determined by BELMONT COUNTY in its sole discretion) shall be immediately repaid to BELMONT COUNTY by GRANTEE.
4. GRANTEE understands and agrees that it shall not use Grant Funds to reimburse ineligible expenses identified on Exhibit C, attached hereto and incorporated herein by reference. If at any time, it is determined that Grant Funds were used to pay for ineligible expenses, all or a part of the Grant Funding (as determined by BELMONT COUNTY in its sole discretion) shall be immediately repaid to BELMONT COUNTY by GRANTEE.
5. GRANTEE warrants and represents that all statements, records and information submitted to BELMONT COUNTY in relation to this Grant are true and accurate. GRANTEE understands and agrees that if at any time it is determined that such statements, records and information were not true and accurate, all of the Grant Funding shall be immediately repaid to BELMONT COUNTY by GRANTEE.
6. The GRANTEE agrees to submit a Grant Close-Out Report no later than November 30, 2020, in the form of Exhibit D, attached hereto and incorporated herein by reference, which will include, but is not limited to, the following: (a) the number of jobs retained and/or created; (b) summary of the impact the funds had on the business and its operations; and (c) documentation of expenses reimbursed with Grant Funds. If it determined that the GRANTEE cannot properly substantiate all or a part of its Eligible Expenses, all or a part of the Grant Funding (as determined by BELMONT COUNTY in its sole discretion) must immediately be repaid to BELMONT COUNTY by GRANTEE.
7. GRANTEE shall keep all records, financial or otherwise, relating to use of Grant Funds received pursuant to this Grant Agreement for at least five (5) calendar year following receipt of such funds. BELMONT COUNTY shall at any reasonable time have the right of access to and right to review or audit any and all such records pertinent to the administration and operation of the Grant and that said

records shall be maintained in a manner to facilitate such reviews and audits.

8. GRANTEE may, at any time after execution of this GRANT AGREEMENT, terminate the Grant, in whole or in part, upon written notification to BELMONT COUNTY. In the event of such termination, any Grant Funds that have not been used to reimburse expenditures in a manner provided for herein shall be immediately repaid to BELMONT COUNTY by GRANTEE.

9. GRANTEE certifies it is an equal opportunity employer and shall remain in compliance with state and federal civil rights and nondiscrimination laws and regulations including but not limited to Title VI, and Title VII of the Civil Rights Act of 1964 as amended, the Rehabilitation Act of 1973, the Americans with Disabilities Act, the Age Discrimination Act of 1975, the Age Discrimination in Employment Act, as amended, and the Ohio Civil Rights Law.

10. GRANTEE agrees to comply with all pertinent provisions of the Drug Free Workplace Act.

11. GRANTEE shall comply with the requirements of all applicable laws and regulations governing the performance of its duties under this GRANT AGREEMENT.

12. This GRANT AGREEMENT shall be interpreted in its entirety in accordance with the laws of the State of Ohio.

13. This GRANT AGREEMENT, including all exhibits, is the complete and exclusive statement of the mutual understanding of the parties and supersedes and cancels all previous and contemporaneous written and oral agreements and communications relating to the subject matter of this GRANT AGREEMENT.

14. This GRANT AGREEMENT shall terminate November 30, 2020, unless extended by written agreement of the parties before that date or otherwise terminated as provided herein. Those provisions of the GRANT AGREEMENT which by their very nature are incapable of being performed or enforced prior to expiration or termination of this GRANT AGREEMENT or which suggest at least partial performance or enforcement following such expiration or termination, shall survive any such expiration or termination.

15. This GRANT AGREEMENT may be amended at any time, or any provision hereof may be waived, by written consent of BELMONT COUNTY and GRANTEE.

16. GRANTEE shall sign and return this GRANT AGREEMENT within ten (10) calendar days of receipt or the Grant Funding may be forfeited, and provide its bank account routing number for grant fund payment (see attachment) or an authorized representative can pick-up the check, or the Grant Funding may be forfeited.

IN WITNESS WHEREOF, this GRANT AGREEMENT is effective upon the date of the last signature.

I have the authority to sign this GRANT AGREEMENT and do so in my respective capacity.

GRANTEE - NAME:

Signature: _____

Print Name: _____

Title: _____

Date Signed: _____

BOARD OF COUNTY COMMISSIONERS, BELMONT COUNTY, OHIO

Signature: _____

J.P. Dutton

Signature: _____

Jerry Echemann

Signature: _____

Josh Meyer

Date Signed: _____

BELMONT COUNTY

SMALL BUSINESS RELIEF PROGRAM

The Small Business Relief Program will provide Belmont County small businesses with some monetary relief from business interruption costs caused by the COVID-19 pandemic. Eligible small businesses can apply for Grant Funds to be used for the reimbursement of certain Eligible Expenses, as defined below.

For questions regarding the program, please email arocchio@belmontcountyohio.org

ELIGIBILITY REQUIREMENTS

In order to be eligible to apply for Grant Funds under the Belmont County Small Business Relief Program, a business must meet the following criteria

1. Must be a for-profit entity with a location in Belmont County.
2. Have been operational since January of 2019. This can be evidenced, at a minimum, by: a) filing(s) with the Ohio Secretary of State, such as articles of incorporation or other registration documents along with an Ohio Secretary of State Certificate of Good Standing; b) an Ohio vendor's license; c) Federal Schedule C – Profit or Loss from Business (Sole Proprietorship); or any other documents that demonstrate that the business has been in operation as a for-profit entity since January 2019.
3. Have less than \$1 million in gross revenue/receipts on an annual basis. This can be evidenced by records such as the business' 2018 and 2019 federal income tax return or financial statements.
4. Must have experienced a decrease in gross revenue/receipts of 35% or more due to COVID-19 when comparing March 1 – May 31, 2019 revenue/receipts to revenue/receipts for March 1 – May 31, 2020. This can be evidenced by financial information/records, including, at a minimum, bank statements.
5. Have 30 or fewer employees or 1099 workers as of March 1, 2020. This can be demonstrated by forms such as 2019 Form W-3 (Transmittal of Wage and Tax Statement) or 2019 Form 1096 (Annual Summary and Transmittal of U.S. Information Returns) and payroll reports or checks that evidence number of workers as of March 1, 2020 or statement attesting/certifying that your business has no employees or 1099 workers.
6. Must not have already received any federal assistance (SBA Economic Injury Disaster Loan, Paycheck Protection Program, or any other program funded by the federal CARES Act).
7. Business location in Belmont County, Ohio and the grant funding will be used for expenses for that business. This can be evidenced by records such as a mortgage statement, utility bill, and insurance premium statement.
8. Must be able to attest that it is in compliance with federal, state, or county and local requirements applicable to its type of business.
9. Must be able to attest that it is current with all federal, state, county and local taxes and fees.

ELIGIBLE EXPENSES

Grant Funds provided by Belmont County's Small Business Relief Program can only be used to pay the expenses of the business: a) related to the costs of business interruption caused by required closures; or b) that the business faces due to its uncertainty as to its ability to pay due to the pandemic. Eligible expenses include, but are not limited to:

1. Mortgage costs. Mortgage costs for businesses that are located in or operated out of a personal residence are not an eligible expense.
2. Rent or lease costs. Rent or lease costs for businesses that are located in or operated out of a personal residence are not an eligible expense.
3. Expenses for utilities, such as electric, gas, sewer, water, trash removal. Utility costs for businesses that are located in or operated out of personal residence are not an eligible expense.
4. Salaries, wages or compensation paid to employees or 1099 workers.
5. Materials and supplies related to interruption of the business caused by required closures.
6. Personal Protective Equipment or other COVID-19 related costs such as expenses related to compliance with Responsible RestartOhio.
7. Sole proprietors can use grant funding as income replacement by providing documentation on lost revenue from March 1, 2020 through May 31, 2020 due to COVID-19 so long as no unemployment benefits are being received or are expected to be received by the applicant. If not already submitted, upload the most recent filed Schedule C - Profit or Loss from Business (Sole Proprietorship).

If awarded, all Grant funding distributed as a part of this program must be spent within 60 calendar days of receipt. Grant funds can be used to reimburse eligible expenses incurred from March 1, 2020 through 60 calendar days from receipt of grant funds. At the end of the grant term, the business shall submit an itemized list of all expenditures along with all supporting documentation. Documentation shall be in the form of paid invoices and canceled checks, bank statements, or similar documentation showing payment of Eligible Expenses. If the business cannot properly substantiate its eligible expenses, the business will be required to repay the undocumented grant funds.

INELIGIBLE EXPENSES

1. Cost of vehicle or equipment leased or purchased after March 1, 2020, except if the purchase of equipment is to comply with Responsible RestartOhio.
2. Personal, non-business expenses of the business or its owner(s).
3. Construction costs.
4. Any tax, license or fee obligations payable to any governmental entity.

PROCESS

1. Application

A business that is interested in participating in the program must fill out the application and provide all documentation to determine if it meets all of the eligibility criteria set forth above. A business can choose to apply for up to a \$10,000 grant. If awarded, all Grant funding distributed as a part of this program must be spent within 60 calendar days of receipt. Grant funds can be used to reimburse Eligible Expenses incurred from March 1, 2020 and ends 60 calendar days from receipt of grant funds. Applications can be submitted beginning **on August 17 through September 18, 2020**

Applications can be submitted via email or dropped off at the County Auditor's Office during regular office hours. Due to the short application period, we do not recommend mailing the application.

- Email to arocchio@belmontcountyohio.org
- Drop off: Belmont County Auditor, 101 W. Main St., St. Clairsville

2. Use of Lottery to Allocate Funding

If applications exceed the amount of funding available for this program, all business that have met all of the eligibility criteria through the application will be entered into a lottery to determine which eligible businesses will receive funding.

3. Documentation Submission

A team consisting of Belmont County Board of Commissioners, Belmont County Auditor, Belmont County CIC, Belmont County Port Authority, Belmont County Tourism, Barnesville Chamber of Commerce, Bellaire Chamber of Commerce, Bridgeport Chamber of Commerce, Martins Ferry Chamber of Commerce, Shadyside Chamber of Commerce, and Saint Clairsville Chamber of Commerce will review and verify the documents. If the submitted information and documents do not demonstrate that the business has met the eligibility criteria, the next business chosen in the lottery will be contacted to submit the required documentation.

4. Payment and Signed Agreement

Once approved for a grant, shall sign and return the GRANT AGREEMENT within 10 calendar days of receipt, and provide its bank account routing number for grant fund payment (see attachment) or an authorized representative can pick-up the check.

5. Close Out Report

Businesses are required to submit a Close Out Report which is expected to include at minimum, jobs retained/created, proof of payment (paid invoices and cancelled checks, bank statements, or other documentation showing proof of payment of Eligible Expenses), and a summary of the impact the funds had on the business and its operations.

I certify that the foregoing charges are true and accurate to the best of my knowledge. These expenditures represent approved grant costs that have been previously paid by the grantee.

Print Name/Title

Authorized Signature

Title

Date

Application Form

Belmont County Small Business Relief Program

*Businesses will be required to provide documentation to verify data provided in order to be eligible for grant. Incorrect or incomplete information will result in disqualification of the business.

Applications will be accepted starting **August 17 through September 18, 2020**. Complete applications can be emailed to arocchio@belmontcountyohio.org or dropped off to the Belmont County Auditor, 101 W. Main St., St. Clairsville Monday – Friday.

Name of Business	
Street Address	
Apt/Suite	
City	
Zip	
Mailing Address (if different)	
Street Address	
Apt/Suite	
City	
Zip	
Business Owners	
Contact Person Information	
Name	
Phone	
Email	
Business Federal Tax ID Number	

1. Is your business a for-profit entity with a location in Belmont County?

Yes No

2. What type of business entity are you?

Sole Proprietor S Corporation Partnership C Corporation Limited Liability Company
 Other

3. Has your business been in operation since January 2019?

Yes No

4. Did your business have less than \$1,000,000 in gross revenues/receipts during 2019?

Yes No

5. Select the number of employees and/or 1099 workers (full time or part time) on March 1, 2020 from the options

below: NOTE: If you are a sole proprietor, count as 1.

1-10 11-30 31 or more

6. Did your business experience a decrease in gross revenue/receipts/deposits of 35% or more due to COVID-19 as evidenced by comparing March 1 – May 31, 2019 revenue/receipts/deposits to March 1 – May 31, 2020 to revenue/receipts?

Yes No

7. How much funding is being requested? (Maximum of \$10,000) \$ _____

8. Please check all that apply on how the grant funds will be used? (Documentation to demonstrate proof of payment for use of these funds will be required at closeout.)

Payroll

Rent – not eligible for businesses that operate out of a personal residence

Utilities – not eligible for businesses that operate out of a personal residence

Materials and Supplies related to interruption of business caused by related closures

Personal Protective Equipment or other COVID-19 expenses related to compliance with Responsible RestartOhio

Mortgage – not eligible for businesses that operate out of a personal residence

Other:

Income Replacement – ONLY for Sole Proprietors that can document loss of revenue from March 1, 2020 – May 31, 2020 (SO LONG AS no unemployment benefits are being or are expected to be received)

9. Has your business received or been approved for other federal assistance for lost revenue or expenses arising from the pandemic, including Paycheck Protection Program or Emergency Disaster Loan?

Yes No

10. Has your business been approved for a business interruption insurance claim as a result of COVID-19?

Yes No

11. Is your business in compliance with all federal, state, county and local requirements applicable to its type of business?

Yes No

12. Is your business in the bankruptcy process?

Yes No

13. Are you a type of entity that is required to file with the Ohio Secretary of State?

Yes No

14. Is your business current with all federal, state, county and local taxes and fees taking into consideration any extended due dates due to COVID-19?

Yes No

15. Is your business in good standing with all applicable government regulations related to building code or property maintenance issues?

Yes No

18 Summarize the financial and operation impacts COVID-19 has had on your business.

The following questions are for monitoring purposes only and have no bearing on the lottery or grant approval.

19. Which municipality or township is your business located in?

20. Is your business a Minority Owned Business Enterprise (MBE)?

Yes No

21. Is your business a Woman Owned Business Enterprise (WBE)?

Yes No

22. Is your business Veteran Owned?

Yes No

23. Will this grant allow you to retain or create at least 1 job?

Yes No

APPLICANT STATEMENT

By checking this box, I hereby attest that the information on this form is complete and accurate. I hereby certify that the information on this form is complete and accurate. If selected through the lottery I will provide all supporting documentation required for verification.

If your business is selected in the lottery, you will need to provide the following documentation and other documentation as required:

1. Have been operational since January 2019. This can be evidenced, at a minimum, by: a) filing(s) with the Ohio Secretary of State, such as articles of incorporation or other registration documents along with an Ohio Secretary of State Certificate of Good Standing; b) an Ohio vendor’s license; c) Federal Schedule C – Profit or Loss from Business (Sole Proprietorship); or any other documents that demonstrate that the business has been in operation as a for-profit since January 2019.
2. Have less than \$1 million in gross revenue/receipts on an annual basis. This can be evidenced by records such as the business’ 2018 and 2019 federal income tax return or any other financial statements or records.
3. Must have experienced a decrease in gross revenue/receipts/deposits of 35% or more due to COVID-19 as evidenced when comparing March 1 – May 31, 2019 revenue/receipts/deposits to revenue/receipts/deposits for March 1 – May 31, 2020. This can be evidenced by financial information/records, including, at a minimum, bank statements. If applicant has or will receive any COVID Aid, applicant must disclose such. COVID Aid is defined as federal PPP, EIDL or a COVID-related insurance claim.

Please note that the total grant can not exceed the total revenue loss.

4. Have no more than 30 employees or 1099 workers as of March 1, 2020. This can be demonstrated by forms such as 2019 Form W-3 (Transmittal of Wage and Tax Statement) or 2019 Form 1096 (Annual Summary and Transmittal of U.S. Information Returns) and payroll reports or checks that evidence number of workers as of March 1, 2020.
5. Business location is in Belmont County, Ohio and the grant funding will be used for expenses for that business. This can be evidenced by records such as a mortgage statement, utility bill, insurance premium statement and property tax bills.

Signature:

Date:
