1. **Purpose** 
   1. The State of Utah has distributed a portion of its Coronavirus Relief Fund provided by the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) to Utah’s counties and municipalities through a population-based formula. CARES Act funds are intended to cover necessary expenditures and losses incurred due to the COVID-19 public health emergency.

* 1. Small businesses throughout Weber County have experienced severe economic hardship due to the impact of COVID-19. Providing economic support to those suffering from business interruptions is a necessary expenditure and permitted use of CARES Act funds under 601(d) of the Social Security Act.
  2. Weber County has established the Weber CARES Coronavirus Relief Fund (“Weber CARES”). Weber CARES will provide economic relief in the form of grants to small businesses that can demonstrate a negative impact due to the COVID-19 public health emergency. These grants are intended to provide economic support to small businesses and their owners and are not intended to reimburse businesses for specific expenditures.
  3. The purpose of this policy is to outline the process for receiving and objectively evaluating grant applications to ensure that any assistance provided under Weber CARES are necessary expenditures and satisfy the requirements of the CARES Act and any other applicable law.

1. **Participating Entities**
   1. Weber County has collaborated with the following municipalities through a separately written interlocal agreement: Farr West City, Huntsville Town, Hooper City, Marriott-Slaterville City, North Ogden City, Plain City, Pleasant View City, Riverdale City, Roy City, South Ogden City, Uintah City, Washington Terrace City, and West Haven City. These cities have contributed a portion of their CARES Act funds for Weber County to distribute to small businesses within their cities.

* 1. Businesses located in Ogden City or Harrisville City are not eligible to apply for Weber CARES funds as these cities have chosen to facilitate their own programs. However, the County has agreed to process the applications of Ogden City employees and council members to help Ogden City avoid potential conflicts of interest.

1. **Available Funds** 
   1. Approximately 11 million in CARES Act Funds will be available through Weber CARES, with anticipated grant amounts of up to $35,000.
2. **Definition**
   1. “Small business” means a business with no more than 99 employees and annual revenue of no more than $15,000,000.
3. **Eligibility Requirements:**
   1. In order to apply for Weber CARES funds, a small business must meet the following minimum eligibility requirements:

* + 1. Experienced a negative impact due to the COVID-19 public health emergency as described in Section VI below;
    2. Physical location within unincorporated Weber County or a partnering city;
    3. For-profit entity;
    4. Open as of the date of the grant application;
    5. Free and clear of any county, municipal, state, or federal tax liens or judgements;
    6. Owner must be eighteen (18) years or older and have a valid employer identification number (EIN), or if a sole proprietor, a valid social security number;
    7. Supply sufficient documentation to support the grant application;
    8. Meet the definition of small business; and
    9. Operating prior to January 1, 2020.

1. **Application and Funding Criteria**
   1. Weber County has contracted with ZoomGrants to provide an application platform for small businesses to apply for Weber CARES funds. Access to the application is available at webercares.com.
   2. Applications will be accepted on a rolling basis beginning July 6, 2020 and will be accepted until all available funds have been awarded or until the County determines to close the program.
   3. Applications will be reviewed according to the following two funding priorities:
      1. **First Priority**: Small businesses that were closed or directly impacted by a public health order as a result of the COVID-19 public health emergency. These include the following industries:
         1. Food service establishments (restaurants, bars, food trucks, convenience stores, etc.);
         2. Hospitality, tourism, and guest accommodation industries;
         3. Events, cultural arts, and entertainment (sporting events, concerts, rodeos, parades, convention centers, theaters, museums, indoor arenas, etc.);
         4. Personal services (barbers, cosmetologists, body artists, nail technicians, massage therapist, tanning salons, etc.);
         5. Gyms, fitness centers, indoor and outdoor recreational facilities;
         6. Childcare, and assisted living facilities; and
         7. Healthcare professionals.
      2. **Second Priority**: Small businesses that were significantly impacted by the COVID-19 public health emergency such as decreased customer demand, supplier interruptions, and voluntary closures.
   4. Grants will be based on the size of the business considering factors such as employee count and total revenues.
   5. Applicants will be required to disclose any other federal, state, or local economic assistance received related to the COVID-19 public health emergency. Receiving other assistance does not disqualify an applicant but may be considered in determining overall grant amounts.
2. **Required Documentation**
   1. Documents required to support an application will depend on the funding priority established for the business as set forth in Section VI.
   2. All applicants shall submit the following documents:
      1. Most recently filed business tax return, or for a sole proprietor, the most recently filed Federal Tax Schedule C;
      2. IRS Form 941 for 1st quarter of 2020 (not required if there are no employees); and
      3. IRS Form W-9.
   3. Small businesses that were significantly impacted by the COVID-19 public health emergency, as outlined in the second funding priority in Section VI, shall submit the following additional documents:
      1. Monthly profit and loss statements for 2019 or March, April, and May 2019;
      2. Monthly profit and loss statements for 2020 or March, April, and May 2020; and
      3. Any other documents necessary to support the claim of a negative impact on the business.
3. **Applicant Certification**
   1. In order to receive grant funds through Weber CARES, an owner/or authorized agent of the small business shall certify under criminal penalty that all information contained in the grant application is true and correct to the best of the applicant’s knowledge or belief, that funds will only be used to cover necessary expenditures and losses incurred due to the COVID-19 public health emergency, and that any acceptance of funds constitutes a binding legal commitment between Weber County and the small business.
   2. Applicants shall also agree to reimburse Weber County for the entire amount of the grant award (including costs to recover the funds and attorney’s fees) if it is determined that funds were improperly obtained or were used for an ineligible purpose.
4. **Approval Process and Distribution of Funds**
   1. An advisory committee shall be appointed by the Weber County Commission to review all completed applications and prioritize them according to the funding criteria set forth in Section VI.
   2. Prior to reviewing any application, members of the advisory committee and County Commission shall declare any known conflicts of interest. An individual that has a present or future financial interest, direct or indirect, in a small business that has applied for Weber CARES funds may participate in reviewing an application but shall abstain from voting on that matter.
   3. Prior to making a funding recommendation to the Weber County Commission, the advisory committee shall meet with assigned legal counsel to determine if the applications comply with applicable federal and state requirements. Applications not in compliance shall be removed and not considered.
   4. Upon receiving a recommendation from the advisory committee, the Weber County Commission shall approve, deny, or modify grant awards.
   5. The Weber County Treasurer shall issue checks in the amounts approved and shall coordinate with the applicants to deliver the funds.
5. **Records**
   1. All records created or received by Weber County in accordance with Weber CARES shall be County records and governed by Utah’s Government Records Access and Management Act. Applicants submitting financial records and other documents may choose to file a written claim of business confidentiality. A form template shall be made available as part of the application materials.
6. **Audit**
   1. The Weber County Clerk/Auditor’s Office will review the distribution of Weber CARES funds to ensure compliance with federal, state, and local reporting requirements. Any audits will be conducted pursuant to policies and procedures established by the Clerk/Auditor’s Office.

DATED this day of , 2020.

BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY:

Gage Froerer, Chair

ATTEST:

Ricky Hatch, CPA

Weber County Clerk/Auditor

Approved as to form and legality:

Christopher K. Crockett

Deputy County Attorney