

**INTERLOCAL  
MEMORANDUM OF UNDERSTANDING  
FOR 2020 NELSON COUNTY CARES ACT SMALL BUSINESS GRANT  
ASSISTANCE**

THIS MEMORANDUM OF UNDERSTANDING (MOU) is entered into between Nelson County, a political subdivision of the Commonwealth of Virginia, (hereinafter "County") and the Thomas Jefferson Planning District Commission, a public body corporate (hereinafter "TJPDC"), for the purpose's hereafter mentioned.

WHEREAS, the County has been awarded \$2,605,170 in Coronavirus Aid, Relief and Economic Security (CARES) Act funds from the Commonwealth of Virginia for the protection from public health and economic impacts of COVID-19; and

WHEREAS, the CARES Act provides fast and direct economic assistance for workers, families, and small businesses, and preserves jobs for American industries; and

WHEREAS, the Nelson County Board of Supervisors has initially assigned \$350,000 of these funds to be utilized for a Nelson County Small Business Grant Assistance program to provide financial assistance to small businesses located in Nelson County who have endured economic hardships due to COVID-19; and

WHEREAS, the Thomas Jefferson Planning District has agreed to provide administrative assistance to Nelson County in developing and implementing a grant application, approval, disbursement, monitoring and auditing services for the Small Business Grant Assistance program; and

WHEREAS, on August 11, 2020 the Nelson County Board of Supervisors approved the attached NELSON CARES 2020 Small Business Grant Assistance program; and

WHEREAS, the County does not have the staffing resources to complete the required work in the time allowed; and

WHEREAS, the Thomas Jefferson Planning District Commission has the staff expertise and available staffing to perform both the initial development and implementation for the Nelson County Small Business Grant program; and

WHEREAS, the Virginia Public Procurement Act 2.2-4300 regulates the public policies pertaining to governmental procurement from nongovernmental sources but not pertaining to intergovernmental parties; and

WHEREAS, the TJPDC is authorized by the Regional Cooperation Act (Virginia Code § 15.2-4200, et seq.), to implement services upon request of member localities, and to provide technical assistance to State government and member localities; and

FOR AND IN CONSIDERATION OF the terms and conditions set forth below, the governmental parties agree as follows:

1. Purpose. The purpose of this Memorandum of Understanding (MOU) is to

provide a mechanism whereby the TJPDC may assist the County by providing grant management services in exchange for an established fee for actual and indirect overhead costs.

2. TJPDC to Provide Grant Program Services. TJPDC agrees to provide services to the County as required to meet requirements and objectives of the United States CARES Act and the Nelson Cares 2020 Small Business Grant Assistance program during the term of this MOU. As used in this MOU, TJPDC will assign one or more of its qualified planners to provide such business grant management services as required to meet the objectives of the CARES Act and grant program.
3. Duration of Scope of Work. This MOU shall be in effect from August 12, 2020 and shall continue in full force and effect through January 31, 2021 unless amended by both parties. Unless amended, no expenses may be paid for services performed after December 31, 2020.
4. Payment by County. County agrees to pay for all services provided by TJPDC grant management personnel and expenses in an amount not to exceed \$15,000 for the initial \$350,000 grant program development and implementation. This MOU may be amended to increase the program funding at which time the maximum TJPDC administrative and management fee would be 4% of the total program funding if total program funding exceeds \$500,000.

Upon execution of this MOU, the TJPDC will invoice Nelson County for the full Small Business Grant appropriation of \$350,000. The TJPDC shall set up a separate accounting for this program and provide monthly financial and programmatic reporting to the County to include administrative and management expenses. Should any funds be remaining and unencumbered on December 31, 2020, the TJPDC shall return the balance to Nelson County. The TJPDC understands that it is of utmost importance to expend all of the available funds prior to December 31, 2020 as unused balances must be returned to the US Treasury.

5. Equipment and Supplies. Except as may be otherwise agreed between the County and TJPDC, the TJPDC will furnish all equipment and supplies necessary for TJPDC's personnel to perform the services required by this MOU, including but not limited to, vehicles, office equipment, and other miscellaneous supplies.
6. Planning Personnel Remain TJPDC Employees. Nothing in this MOU shall make TJPDC's grant staff employees of County and such employees shall at all times remain employees of TJPDC.
7. Termination. Either Party may terminate this MOU upon immediate written notice of fifteen (15) days to the other Party.
8. Notices. Notices required by this MOU shall be provided in writing to the parties at the following addresses:

County  
Steve Carter  
County Administrator  
Nelson County  
84 Courthouse Square  
Lovingson, VA 22949

TJPDC  
Chip Boyles  
Executive Director  
TJPDC  
401 East Water Street  
Charlottesville, VA 22902

9. Entire Understanding. This MOU constitutes the entire agreement and understanding between the parties concerning the subject matter herein and supersedes all prior discussions and agreements, oral or otherwise. No modification or amendment of this MOU shall be valid or effective unless evidenced by a writing signed by both parties.

**PARTIES:**

**County of Nelson, Virginia**

**Thomas Jefferson Planning District Commission**



Steve Carter  
County Administrator



Charles P. Boyles, II  
Executive Director

8/18/2020

Date

8/18/2020

Date

**Attachment "A" NELSON CARES 2020 – Small Business Grant Assistance Program**

The Thomas Jefferson Planning District Commission proposes to assist Nelson County and possibly other counties, with creating and administering a small and home-based business grant program for businesses within Nelson County (or others) that have endured economic hardships due to COVID-19.

**NELSON CARES 2020**

**SMALL BUSINESS GRANT ASSISTANCE**

Recommended CARES Funding – 13.4% of County CARES Funds - \$2,605,170 = \$350,000

Working with Nelson County leadership, the TJPDC staff would:

- develop the eligibility requirements meeting CARES Act legislation
- develop a grant application checklist

- develop grant applications for businesses to complete and submit for consideration
- develop an approval process including an application approval committee to include application review, grant approval team management and notice of award
- create a web site for applications, information and frequently asked questions
- create a password protected online application process
- develop and distribute marketing materials of the grant program
- provide individual assistance to applicants during the application process
- develop a Grant Agreement between awarded businesses and TJPDC/Nelson County
- receive county funding to hold and distribute to awarded businesses
- receive and review receipts and other documentation for compliance
- develop a process and manage an appeal process for non-awarded applicants
- perform a close-out process and document for each grant
- monthly reports back to local government
- final report and accounting to county

#### Approval Process

- Weekly application review meeting with Grants Team
- Grants Team will include County Administrator, County Economic Development Director, County Finance Director, Appointed Board of Supervisor Member

#### Eligibility

- One or more business locations in Nelson County
- 1 to 100 FTE total employees
- In Operation on or before March 12, 2019
- Have a valid State business license / federal ein-tax id number
- For-profit business
- Current on County Taxes as of March 12, 2020
- Authority to apply for this grant on behalf of business
- Documented Business Revenue Loss as a result of COVID-19 to exceed grant amount
- Documented Financial hardships to include at least one, but are not limited to:
  - Employee furloughs and layoffs
  - Restricted access to capital
  - Revenue decline
  - Decreased or inability to serve customers
  - Increased operating costs
  - Limited or interrupted supply and deliveries from vendors
- Required Business Documents
  - Completed and signed W-9
  - Valid state issued photo ID
  - Copy of active state business registration from Commonwealth of Virginia or a Nelson County Business Tax Receipt
  - Current and valid Nelson County Business License
  - W3 Summary or IRS Form 941 prior to Feb. 15, 2020
  - Information to estimate your company's average monthly business expenses before Feb. 15, 2020

#### Non-eligible businesses and organizations

- Banks and financial institutions
- Home-based businesses
- Franchise businesses, except those that are locally owned and operated
- Non-profits

#### Priority industries

- Craft beverage (NAICS 312120, 312140, 312130, 424820)
- Hospitality (NAICS 722511, 581200)
- Retail (NAICS 452990)
- Recreation (NAICS 713910, 713990, 711310, 487210)
- Agriculture Business

#### Grant Maximum Allocation:

- 1 to 10 full time employees: up to \$5,000
- 11 to 25 full time employees: up to \$10,000
- 26 to 50 full time employees: up to \$20,000
- 51 to 100 full time employees: up to \$30,000
- \*fte = employed for a minimum of 35 hours over a minimum of 48 weeks per year, or 1680 hours per year
- part-time employees may be combined to meet full time employee equivalent based upon 1680 hours per year as fte.

#### Eligible Use of Funds: (Meeting CARES Act Requirements)

- Payroll
- Rent/Mortgage
- Insurance
- Equipment to include PPE and COVID-19 facility readiness
- Inventory
- Other business critical operating expenses
- Adaptive costs such as the purchase of e-commerce, equipment/website creation and/or upgrade of an online sales site

#### Eligible expenditures from March 1, 2020 through December 30, 2020

#### Disbursement Options

- TJPDC (with Review Committee Approval)
- Monthly or One Time

#### Estimated timeline:

- September 1 – October 15 | Applications accepted
- September 1 – October 15 | Applications reviewed Round 1
- October 1 | Awards
- October 15 | Applications reviewed Round 2
- November 1 | Awards Round 2
- Continue until funds exhausted or no applications

- 60 days to document receipts to TJPDC
- Report to County October 1, November 1, December 1

Management fees to TJPDC: Fund below \$500,000 = \$15,000  
 Fund \$500,000 to \$1,500,000 = 4%

**NELSON COUNTY CARES 2020  
 SMALL BUSINESS GRANT ASSISTANCE**

Qualified Nelson County small business owners may now apply online for financial assistance through Nelson County's portion of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act grant. The online application process will require business owners to fill out a form, and attach verifying documentation with the application.

Small businesses that can show they were impacted by COVID-19 may apply up to funding levels of:

- 1 to 10 full time employees: up to \$5,000
- 11 to 25 full time employees: up to \$10,000
- 26 to 50 full time employees: up to \$20,000
- 51 to 100 full time employees: up to \$30,000

Small business applicants must attest they:

- Were negatively impacted by COVID-19
- Have the authority to apply for this grant on behalf of the business
- Will use the grant funds for authorized business expenses only
- Plan to resume normal operations after emergency guidelines are lifted
- Shall cooperate with Nelson County or appropriate officials for grant auditing purposes

**Required Business Documents**

- Completed and signed W-9
- Valid state issued photo ID
- Copy of active state business registration from Commonwealth of Virginia
- W3 Summary or IRS Form 941 prior to Feb. 15, 2020
- Information to estimate your company's average monthly business expenses before Feb. 15, 2020

The county has until Dec. 30, 2020 to use this grant.