

**RESOLUTION OF THE BOARD OF THE INDUSTRIAL DEVELOPMENT
AUTHORITY OF DINWIDDIE COUNTY, VIRGINIA TO MAKE AWARDS FOR
COVID-19 SMALL BUSINESS GRANT PROGRAM**

WHEREAS, the COVID-19 pandemic has spread worldwide, causing significant illness, loss of life, and economic disruption; and

WHEREAS, pursuant to Virginia Code Section 15.2-4901, the intent of the legislature in authorizing the creation of industrial development authorities was so “that such authorities may be able to promote industry and develop trade by inducing manufacturing, industrial, governmental, nonprofit, and commercial enterprises and institutions of higher education to locate in or remain in the Commonwealth and further the use of its agricultural products and natural resources, and to vest such authorities with all powers that may be necessary to enable them to accomplish such purposes, which powers shall be exercised for the benefit of the inhabitants of the Commonwealth, either through the increase of their commerce, or through the promotion of their safety, health, welfare, and convenience or prosperity”; and

WHEREAS, pursuant to Virginia Code Section 15.2-4905(13), the Industrial Development Authority of Dinwiddie County, Virginia (the “IDA”) has the authority “to make . . . grants to any person, partnership, association, corporation, business, or governmental entity in furtherance of the purposes of this chapter including for the purposes of promoting economic development”; and

WHEREAS, the IDA Board found on April 30, 2020 that local businesses have been adversely impacted by COVID-19, resulting in a business climate that is arguably more difficult than any that has been seen in decades; and

WHEREAS, the IDA Board found on April 30, 2020 that the creation of a Small Business COVID-19 Disaster Grant Fund in the amount of \$100,000 to commercial and non-profit enterprises within Dinwiddie County so that local small businesses and non-profits may remain in existence or otherwise support the economy during the pandemic was for the benefit of the inhabitants of the Commonwealth, either through the increase of their commerce, or the promotion of their prosperity; and

WHEREAS, on April 30, 2020, the IDA Board authorized and directed that that the marketing materials and grant application for the Small Business COVID-19 Disaster Grant Fund be published and that applications be accepted with a submission deadline of 5 p.m. on May 12, 2020; and

WHEREAS, on April 30, 2020, pursuant to Virginia Code Section 2.2-3109(B) (ii), the Chairman of the IDA was authorized to find in writing as the administrative head of the IDA that the purposes of the grant program cause competitive bidding or negotiation to be contrary to the best interest of the public, and the Chairman of the IDA made such finding in writing; and

WHEREAS, the IDA directed in its resolution on April 30, 2020 that each grant application certify that (x) the application is not made by or for the financial benefit of any of the following persons or their immediate family members (where immediate family members includes a spouse and any other person who resides in the same household of such person or is a dependent of such person): (i) any IDA board member, (ii) any officer or employee of Dinwiddie County (including, but not limited to, the Board of Supervisors and the Planning Commission), or (iii) any constitutional officer of Dinwiddie County or any employee of a constitutional officer and (y) the award of an IDA COVID-19 grant to the applicant would not violate the Virginia State and Local Government Conflict of Interest Act; and

WHEREAS, the IDA Board directed the Deputy County Administrator for Planning and Community Development and the Director of Economic Development to screen the applications with any necessary legal advice from the County Attorney's Office to provide a recommendation on grant awards for the IDA at its regular May meeting; and

WHEREAS, after reviewing the applications that were provided by the deadline, the Deputy County Administrator for Planning and Community Development and the Director of Economic Development have made a recommendation for the award of \$132,500 to 38 small businesses; and

WHEREAS, the United States Congress approved, and the President of the United States signed, the CARES Act, and the Secretary of Finance for the Commonwealth of Virginia has advised the County of Dinwiddie that the County of Dinwiddie is being provided with \$2,490,354 of federal CARES Act funds from the Commonwealth of Virginia; and

WHEREAS, each successful applicant for the grant program is a small business; and

WHEREAS, in furtherance of the governmental powers of the IDA as a political subdivision of the Commonwealth of Virginia and a component unit of the County of Dinwiddie, Virginia and its aforesaid mission, the IDA is desirous of (1) making awards to small businesses as a measure of economic support in connection with the COVID-19 public health emergency and (2) determining that its expenses on the COVID-19 Small Business Grant Program are necessary;

BE IT RESOLVED THAT the IDA finds that (1) the expenses associated with the IDA's COVID-19 Small Business Grant Program are for the provision of economic support in connection with the COVID-19 public health emergency and (2) the IDA's expenses on the COVID-19 Small Business Grant Program are necessary.

BE IT FURTHER RESOLVED THAT the IDA increases the size of the COVID-19 Small Business Grant Program to \$132,500.

BE IT FURTHER RESOLVED THAT upon receipt of (1) a business expense or other valid expense by the IDA (which shall not include a tax receipt or tax bill) (which expense shall be used as a evidence of operation of the business and shall not necessarily be the expense paid for with the IDA COVID-19 Small Business Grant Program funds) and (2) a certification that the receipt and use of the IDA COVID-19 Small Business Grant Program funds will not conflict with any other funds received by the business, each of the following small businesses shall be awarded \$5,000:

[Insert list of small businesses read at the meeting]

BE IT FURTHER RESOLVED THAT upon receipt of (1) a business expense or other valid expense by the IDA (which shall not include a tax receipt or tax bill) (which expense shall be used as a evidence of operation of the business and shall not necessarily be the expense paid for with the IDA COVID-19 Small Business Grant Program funds) and (2) a certification that the receipt and use of the IDA COVID-19 Small Business Grant Program funds will not conflict with any other funds received by the business, each of the following small businesses shall be awarded \$2,500:

[Insert list of small businesses read at the meeting]

BE IT FURTHER RESOLVED that the IDA requests reimbursement from the Board of Supervisors through the CARES Act funding provided to Dinwiddie County for the IDA COVID-19 Small Business Grant Program for the \$32,500 of additional grant funds awarded today above the initial \$100,000 and any amount of the initial \$100,000 as the Board of Supervisors finds appropriate.

BE IT FURTHER RESOLVED that the officers of the IDA, the Deputy County Administrator of Planning and Community Development, and the Director of Economic Development be authorized to take any and all actions in furtherance of the intent of this resolution.