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Levy County CARES Program And Guidance

Please read the entire document before submitting an application

The State of Florida has a broad public records law. Applications and supporting documents are public records which Levy County may be required to provide to the public pursuant to a request for documents. There are only limited exceptions to the requirement to provide public records. Financial documents and other documents with personal or business information required and provided as part of this application may not qualify for an exception. By submitting an application, you acknowledge, understand, and agree that if the County receives a request for public records for your application, then your application and supporting documents will be disclosed without notice to you.

Introduction

The Levy County CARES Program is a grant program funded by an allocation to Levy County from the federal Coronavirus Aid, Relief, and Economic Security Act (“CARES ACT”), through the State of Florida Division of Emergency Management, to be used in assisting local governments in the recovery process from the COVID-19 pandemic.

Levy County created the Levy County CARES Program to distribute the majority of the County’s initial award of CARES Act funds. Awards through the initial funding of the Levy County CARES Program will be used to assist businesses whose principal address is located within the boundaries of Levy County (unincorporated and incorporated areas), as reported to the Florida Department of State, Division of Corporations (“Florida Division of Corporations”) or other credible source documentation, in recouping costs associated with business interruption or expenses caused by required closures, suspensions of business, voluntary closures or decreased customer demand due to the COVID-19 public health emergency or related Executive Orders issued by Florida Governor Ron DeSantis or other federal, state or local agencies (“Executive Orders”). These funds must be allocated completely on or before December 30, 2020. A small portion of the initial award of CARES Act funds to the County may be used to fund County costs for administration of the Levy County CARES Program and other COVID-19 related County costs. Additional CARES Act funding may be distributed to Levy County at a future date.

Program Overview

As part of the CARES Act, the Levy County Board of County Commissioners (“BOCC”), in partnership with the State of Florida Division of Emergency Management, is proud to provide direct funds through the Levy County CARES Program to local businesses who have suffered from business interruptions, closures, suspensions, reduced customer demand, or increased expenditures or other hardships resulting from the COVID-19 public health emergency or related Executive Orders.

The Levy County CARES Program consists of one-time fixed-amount grants to qualifying Levy County based small businesses with up to 50 employees to aid in their recovery from the COVID-19 pandemic and related business interruptions, closures, suspensions, reduced customer demand or increased expenditures. The grants are targeted specifically to help local for-profit businesses with their principal address located within the boundaries of Levy County, as reported to the Florida Division of Corporations or other credible source documentation.

The fixed grant amounts will be based on number of an applicant’s employees as of February 29, 2020. The definition of employee includes the owner of the business, plus any person that is employed full-time, part-time, or on a seasonal basis by the grant applicant. The grant amounts, based on number of employees, are as follows:

- Self-Employed: \$1,500
- 2 to 10 employees: \$5,000
- 11-25 employees: \$10,000
- 26-50 employees: \$15,000

Application Process

Online Application

- Levy County businesses that meet the minimum requirements must submit an online application by email at CARES@levycounty.org by 4:00 pm on August 28, 2020. The online application can be found at www.LevyCARES.org.
- Applicants must submit all information and documentation required or referenced in the online application. Failure to provide the proper required documentation may significantly delay review of an application, and may result in denial of an application. Additional information may be requested by Levy County staff after submittal of an application.

Levy County highly encourages applicants to apply online. Submission of paper applications could delay the review of your application.

Paper Application

Paper applications may be picked up Monday through Friday between 9:00 am and 4:00 pm at the Levy County BOCC office at 310 School Street, Bronson, FL 32621. Paper applications must contain copies of all required documentation at the time of submittal. Failure to provide the proper required documentation may significantly delay the review of an application, and may result in denial of the application. Additional information may be requested by Levy County staff after submittal of an application.

Completed paper applications must be received by 4:00 pm on August 28, 2020 at the BOCC office at 310 School Street, Bronson, FL 32621, ATTN: Ali Tretheway.

Funds will be offered on a first-come, first-serve basis, until the amount for the Levy County CARES Program from the initial award of the Levy County CARES Act allocation is gone. The time of submittal of an application will be based on the date and time that a COMPLETED application with all proper and any additional requested, supporting documentation is received by the County. No additional applications will be funded once the initial award of the Levy County CARES Act allocation is exhausted.

Application Requirements

Applications will require the following, at a minimum:

- A copy or picture of applicant's State-issued driver license or photo ID
- Documentation showing an active status/registration as a corporation, limited liability company, partnership or fictitious name, and the business' principal address from the Florida Division of Corporations.
 - Obtain a Certificate of Good Standing from the Florida Division of Corporations and attach to application, or go to this website <https://dos.myflorida.com/sunbiz/search/>, search by Entity Name using full legal business name, select listing with "active" status and attach most recent filing.
 - For businesses not required by law to register or not registered with the Florida Division of Corporations, attach documentation showing the business was operating with its principal location in Levy County prior to February 29, 2020.
- Any business licenses issued by the state or a local government (if applicable). NOTE: Levy County does not issue business licenses; however operation of certain businesses require state licenses and municipalities may require business licenses.
- A completed and signed IRS W-9 form. The mailing address on the W-9 must match the principal location of the business shown in the Florida Division of Corporations website (if applicable) and the business address entry in the Business Information section of the Levy County CARES Program Application form.
 - You may obtain a blank IRS W-9 form on the IRS website: <https://www.irs.gov/pub/irs-pdf/fw9.pdf>.
- For businesses with two or more employees, a copy of a 2019 IRS Form W-3 AND IRS Form 941 from the 4th quarter of 2019 (December 31, 2019) **AND** 1st quarter of 2020 (March 31, 2020) (Check with your payroll processor).
- 2019 IRS tax returns showing income and expenses of business
- Documents supporting the negative impacts of COVID-19 on the business

Eligible Applicants

Eligible applicants will need to meet the following minimum requirements:

- Must have had 50 or fewer employees, including the owner, as of February 29, 2020.
- Must have suffered negative financial impacts from the COVID-19 emergency due to business closure, business interruption, reduced demand from business' customers, or increased expenditures.

- Must have a principal business location in Levy County, as reported to the State of Florida Division of Corporations that was legally operating within Levy County prior to February 29, 2020.
- Must expect and commit to resume normal operations after the COVID-19 public health emergency and related Executive Orders and any related guidelines are lifted.
- Must not be delinquent on any local, state, or federal taxes, code enforcement liens, or active code enforcement cases.

Ineligible Applicants

The following businesses will be considered ineligible to receive funds:

- Businesses with more than 50 total employees. Total employees include the owner and all full-time, part-time and seasonal employees as of February 29, 2020.
- Publicly traded companies.
- Home-based businesses or sole proprietors that are not registered with Florida Division of Corporations or that cannot provide any business licenses or certifications showing that they are a current operating business, or that do not have 2019 IRS income tax return showing business income and expenses.
- Any business that was not operating prior to February 29, 2020.
- Any business with the same owner as another business that has applied for the Levy CARES Program funds, i.e. someone who owns more than one business may only apply for a grant for one of the businesses.
- Any business that is delinquent on any local, state, or federal taxes, or has a code enforcement lien, or an active code enforcement case.
- Any business that cannot demonstrate negative financial impacts on the business due to the COVID-19 public emergency resulting in business closure, business interruption, reduced customer demand, or increased expenditures.

Eligible Grant Expenditures

This is a grant program. No payback will be required, provided that the business is eligible for receipt of grant funds and the monies are used only for legitimate business expenses resulting from business closure, business interruptions, reduced demand or increased expenditures, any of which must be necessary as the result of the COVID-19 public health emergency or any related Executive Orders. In addition, grant funds under the Levy County CARES Program may not be used to pay expenses that have been or will be reimbursed or paid from insurance, or under any local, state, or federal program, including but not limited to CARES Act funds for payroll protection, loans, or other programs, or CARES Act funds received from another local government entity. Funds that are used for personal expenses not related to the business may be a violation of state or federal law and could result in penalties up to and including criminal charges.

Examples of legitimate business expenses include:

- Commercial lease, mortgage, or rent expenses
- Inventory expenses or inventory destruction
- Other expenses to comply with new safety and sanitation precautions or guidelines
- Utility expenses
- Payroll expenses

Application Submittal and Review Process

Upon receipt by the County of a complete application with all required supporting documentation, the following process will take place:

- Levy County staff will notify the applicant by email of receipt of the application.
- Levy County staff will request any additional documentation needed from the applicant.
- Levy County staff will review the completed application and notify applicant whether applicant qualifies for grant funds under the Levy County CARES Program, or if the application was denied.
- Upon approval of an application, the application will be sent to the Levy County Clerk of Court for funding.
- The Levy County Clerk of Court will have the right to request additional documentation as necessary before releasing funds.
- The Levy County Clerk of Court will have the right to refuse funds if the Clerk determines that an application or applicant demonstrates that any illegal, untruthful, or otherwise incorrect information has been submitted as part of the application process.

- Upon final approval of the Levy County Clerk of Court, Levy County staff will contact the applicant with instructions on how the applicant will receive the funds.

Grant Compliance

After receiving funds through the Levy County CARES Program, grant recipients must retain all documents applicable to the expenditures of the grant funds and submit any additional documentation required during the grant compliance period. **The grant compliance period is currently unknown and will be set by state and federal agencies, and may last for an extended period of time.** Any documentation or information required must be provided by the grant recipient within ten (10) business days after notification from Levy County staff, unless a longer period is reasonably required. Failure to provide requested or required documents or information may result in the recipient being in noncompliance with the terms of the grant agreement. Noncompliance with the grant agreement may require a grant recipient to return all funds provided through the Levy County CARES Program to Levy County.

Levy County CARES Program Questions

How is the Levy County CARES Program business grant amounts determined?

Grant amounts are determined by the number of employees of a qualifying business based on a 40-hour work week. Grants will be awarded on a first-come/first-serve basis to qualified, eligible applicants who submit complete applications, and all requested additional documentation, until the grant funds are spent. The number of employees and the related grant awards are as follows:

- Self-Employed: \$1,500
- 2 to 10 employees: \$5,000
- 11-25 employees: \$10,000
- 26-50 employees: \$15,000

What is the definition of “employee” for this program?

An employee is defined as the owner of the business (applicant) and an individual who receives a paid wage or salary from which employment taxes (e.g. FICA, FUTA) and income taxes are withdrawn and remitted to the IRS, as evidenced by business tax returns filed. “Employee” includes the owner and any full-time, part-time and seasonal employees if they received a wage or salary from which employment and income taxes are withdrawn. A business that uses only independent contractors to provide services to the business qualifies as a self-employed applicant for this program.

How do I show how many employees are in my business?

The employee count is based upon the number of employees that you had as of February 29, 2020, as shown by payroll records and what your business reported to the IRS via 2019 Form 941 and Form W-3 as of December 31, 2019 and March 31, 2020. In addition, you will have to confirm the number of employees as of February 29, 2020, on your application.

Where do I apply?

Apply online at www.LevyCares.org. You may also download a paper application at www.LevyCounty.org or pick one up at the Levy County BOCC office at 310 School Street, Bronson, FL, Monday through Friday 9:00 am to 4:00 pm, excluding County-observed holidays. If you use a paper application, deliver it to the Levy County BOCC office during the same business hours. The deadline for submitting either on-line or paper application is August 28, 2020.

Do I need to pay the money back?

No. This is a grant program not a loan; therefore the funds do not need to be paid back. If you violate any of the terms of the grant agreement (included in the application), you may be required to pay back all or a portion of the grant funds.

What is the timeline to apply?

Applications will be available and the program will start on July 27, 2020. The deadline for all application submittals is August 28, 2020. Applications will continue to be funded until all qualified applicants have been paid or until the grant funds set aside for the Levy County CARES Program are exhausted, whichever is sooner.

What expenses are allowed to pay with the Levy County CARES Program grant funds?

The program is designed to help businesses cover any legitimate business expenses that were necessary as the result of the COVID-19 public health emergency. Examples include:

- Commercial lease, mortgage, or rent expenses
- Inventory expenses or inventory destruction
- Other expenses to comply with new safety or sanitation precautions or guidelines
- Utility expenses
- Payroll expenses

What expenses are not allowed to be paid with Levy County CARES Program grant funds?

Expenses that are not allowed to be paid with grant funds include:

- Personal expenses.
- Expenses that were not necessary as a result of the COVID-19 public health emergency or any related Executive Orders issued by the Florida Governor or another state agency.
- Expenses that did not arise from business closure, suspension, business interruption, reduced demand or increased expenditures, arising from the COVID-19 public health emergency or any related Executive Orders.
- Expenses that have been or will be reimbursed or paid by insurance or under any local, state, or federal program, including but not limited to other CARES Act funds for payroll protection or loans.
- Any expenses incurred prior to March 1, 2020 or after December 30, 2020.

How do I get assistance to fill out an application for the Levy County CARES Program grant?

If you have any questions about the grant process, you can email CARES@levycounty.org.

Will there be a paper application?

Yes, a printable application can be found on the Levy County website at www.LevyCounty.org or they may be picked up in person Monday through Friday between 9:00 am and 4:00 pm at the Levy County BOCC Office at 310 School Street, Bronson, FL. Please note, however, that using a paper application instead of filing on-line may delay the review of your application.

I am a sole proprietor business and the only person working in my business. Does that disqualify me from this grant?

Self-employed individuals are still eligible, provided that they are properly registered with the State of Florida Division of Corporations as a corporation, partnership, limited liability company, or fictitious name, or have proof of their business, such as copies of applicable licenses or certifications, or can show business income/expenses through income tax forms.

My small business operates a franchise. Do I qualify for the grant program?

Your small business operating a franchise qualifies as long as all other criteria are met. However, corporate franchise sites do not qualify unless their principal place of business (headquarters) is in Levy County and all other qualifications are met.

I own several small businesses, are all my businesses eligible for the grant program?

Owners or applicants with more than one business may only apply for one grant. Branches or other businesses that are physically located in another county will not qualify. Sole proprietors may only apply for one entity, if they use their social security number as their business tax ID.

How do I indicate that my business was negatively impacted by the COVID-19 emergency?

If your business was closed or not determined to be essential by an Executive Order issued by the Florida Governor or another state agency, you automatically qualify as long as you meet all other requirements. If your business remained open but suffered a negative impact (closure, interruption, reduced demand by customers, increased expenses), you are required to write a brief certification on the application describing the negative impact. You will be required to provide back-up documentation to support the financial impacts.

What type of payroll information is required?

The following three forms are sufficient proof of employee count: 2019 IRS Form W-3 (Transmittal of Wage and Tax Statement) AND IRS Form 941 (Employer's Quarterly Federal Tax Return) from the 4th quarter of 2019 (December 31, 2019) AND the 1st quarter of 2020 (March 31, 2020).

I have received funding from the Paycheck Protection Program (PPP), Economic Injury Disaster Loan (EIDL) or other stimulus program, or any other state or federal funding. Do I qualify for this grant?

Yes, your business is still eligible. However, you may not use the Levy County CARES Program grant funds to pay for any expenses that have been or will be reimbursed by any other local, state, or federal program such as PPP, EIDL, another COVID-19 or CARES Act related program, unemployment assistance funds, or any other local, state, or federal program, or insurance.

One of the stipulations is that we have to resume normal business operations after the Executive Orders issued as the result of COVID-19 or other COVID-19-related guidelines are lifted. Although I intend for my business to be open again, the doors are currently closed. Does this disqualify me for the Levy County CARES Program grant?

Having your doors closed currently does not disqualify you for the Levy County CARES Program, so long as your business can resume normal operations after the Executive Orders issued by the Governor or other state agencies or other emergency guidelines related to COVID-19 are lifted.

What documents are required for self-employed applicants?

Our intent is to minimize the application and processing time. Your ability to provide complete and accurate information will help expedite your application. With that in mind, we have developed a brief application and minimum business requirements to ensure a quick turnaround.

- A scanned copy or picture of your State-issued driver's license or photo ID (may be a .pdf or a .jpeg file)
- Completed and signed IRS Form W-9
- Certificate of Good Standing from Florida Division of Corporations or current Florida Division of Corporations most recent registration/filing for business See the "My business is not required to have a State of Florida Business Filing" below for other options. (May be a screenshot, .jpeg, or .pdf), or 2019 IRS tax returns showing that you reported business income/expenses
- 2019 IRS tax forms showing income and expenses for the business
- All other applicable licenses or certifications for business
- Documents supporting negative financial impact from COVID-19. Examples include but are not limited to:
 - For businesses required to close by Executive Order, copies of invoices for monthly expenses (rent, utilities, payroll, etc.), balance sheet or other documents showing comparison of 2020 months' income/expenses (after March 1) compared to corresponding months for 2019, etc.;
 - For businesses not required to close by Executive Order, , balance sheet or other documents showing comparison of 2020 months' income/expenses (after March 1) compared to corresponding months for 2019, correspondence about inability to get or delayed shipments of supplies, receipts for personal protective equipment, cleaning supplies, etc.

What documents are required for businesses with employees?

- A scanned copy or picture of each owner's State-issued driver's license or photo ID (may be a .pdf or a .jpeg file)
- Completed and signed IRS Form W-9
- Copies of your 2019 IRS Form W-3 AND IRS Form 941 for the 4th quarter of 2019 (December 31, 2019) AND the 1st quarter of 2020 (March 31, 2020) and other payroll documents
- Certificate of Good Standing from Florida Division of Corporations or current Florida Division of Corporations most recent registration/filing for business. See the "My business is not required to have a State of Florida Business Filing" below for other options. (May be a screenshot, .jpeg, or .pdf)
- 2019 IRS tax returns showing income and expenses for the business
- All other applicable licenses or certifications for business
- Documents supporting negative financial impact from COVID-19. Examples include but are not limited to:
 - For businesses required to close by Executive Order, copies of invoices for monthly expenses (rent, utilities, payroll, etc.), balance sheet or other documents showing comparison of 2020 months' income/expenses (after March 1) compared to corresponding months for 2019, etc.;
 - For businesses not required to close by Executive Order, , balance sheet or other documents showing comparison of 2020 months' income/expenses (after March 1) compared to corresponding months for 2019, correspondence about inability to get or delayed shipments of supplies, receipts for personal protective equipment, cleaning supplies, etc.

My business is not required to register/file or is not registered/on file with the Florida Division of Corporations. How do I prove that I operate an active business?

This requirement is intended to provide proof that the business is active and in good standing. Sole proprietors operating under the owner's legal name may not be required to file with the Florida Division of Corporations, but all other entities/business structures (including those working under a DBA of fictitious name) are required to register/file with the Florida Division of Corporations. Sole proprietors may provide a copy of any required business license, any licenses or certifications necessary to operate your business, or any other proof of the business operation, including your 2019 tax returns showing income/expenses for the business.

What is the website for the State of Florida Division of Corporations?

The State of Florida Division of Corporations and related filing can be found [here](#).

What is the website for the IRS Form W-9?

You may download a blank IRS Form W-9 from this website [here](#).

Make sure to complete and sign the form before uploading or sending with your application.

What information do I have to fill out on the IRS Form W-9?

All businesses are required to fill out items 1, 3, 4, 5, and 6. Item 2 is required only when applicable. Item 7 is not required.

Is the amount of the grant enough to help our local businesses?

The program is meant to serve as temporary financial reprieve for small businesses that suffered as the result of the impacts of the COVID-19 public health emergency. The goal is to help as many small businesses in Levy County as possible. We will continue to work with state and federal partners to help local businesses.

Can non-profit organizations apply?

No. The program is only open to for-profit small businesses.

I work on the side and/or pay my employees “under the table” can I still apply?

No. Any “under the table” businesses would not only be an ineligible applicant, but may be in violation of state or federal law.

I am a County employee, officer or agent, or a family member or partner of a County employee, officer or agent. May I still apply?

Yes, as long as you are not a member of the Board of County Commissioners, or one of the County employees who developed the application and guidance document, or will be reviewing applications for grant awards, or will be monitoring grant awards for compliance, or in a contract or an employer of any one of them. Even if you are not in one of those categories, the State Department of Emergency Management (“DEM”), in conjunction with the U.S. Department of the Treasury (“Treasury”), may still determine that you do not qualify for grant funds because of a conflict of interest under Treasury rules. The County does not know at this time how DEM or Treasury will decide this question, unfortunately. If you otherwise qualify for the grant funds, it is suggested that you submit an application. If DEM and Treasury decide that you have a conflict, you will be notified at that time. If DEM and Treasury decide that you do not have a conflict, your application will be processed and completed like all other applications.

What happens if I do not include all of the required documents when I submit my application?

Your application will not be considered complete if you do not submit all the required documents or if you submit incorrect documents. Your application will not be considered submitted, and will not be considered for funding, until it is a complete application. Only submit your application when you are able to provide the required and correct documents. Applications will only be considered when they are submitted in their entirety. Incomplete submissions will delay the process and could result in your application being delayed or denied.

Is my application considered public record?

Yes. Under Chapter 119, Fla. Stat., information included in this application and any documentation submitted as part of the application or throughout the application process may be subject to public records requests.

Can I request that my application be exempt from public record?

No. All information, unless covered under an exemption to Chapter 119, Fla. Stat., is subject to public records requests.

Can I withdraw my application?

You can request that your application be withdrawn from consideration; however, once an application is submitted, it becomes public record and cannot be destroyed.

What happens if all of the money is given out before I receive money for my approved application?

Funds will be distributed until they are exhausted. If funds are exhausted before your application is funded, you will not receive funding under the current grant program. However, your application will be saved in the event additional funding becomes available

Will I have to pay taxes on the grant funds?

The answer to this question is unknown at this time. It is possible that the federal government may require taxes at some point. It is advised that you consult a financial advisor for clarification and assistance