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Client Bulletin



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Good Funds in Ohio Residential Real Estate Law Changed Again

Although Ohio's law pertaining to "good funds" last changed in April 2017, it has changed again. Effective September 29, 2017, under the Ohio Good Funds Law, in residential transactions, funds in excess, in the aggregate, of \$10,000.00 must be by wire or ACH transfer (exceptions are checks from real estate broker trust accounts and governmental bodies) and must be immediately available for withdrawal and disbursement.

Ohio's Minimum Wage Rate to Change January 1, 2018

Based upon a constitutional amendment passed by voters in 2016, Ohio's minimum wage rates raise each year by the rate of inflation, using the change between September of year 1 and August of year 2, with the change to be effective January 1 of year 3. Based upon the 1.9 percent increase in the cost of living index from September 2016 to August 2017, Ohio's minimum wage will increase from \$8.15 per hour to \$8.30 per hour effective January 1, 2018. For tipped employees, the Ohio minimum wage rate will go from \$4.08 per hour for 2017 to \$4.15 per hour effective January 1, 2018. However, the Ohio minimum wage rate remains at \$7.25 per hour for employers with annual gross receipts of \$305,000 or less and for 14- and 15-year olds. The federal minimum wage remains at \$7.25 per hour, the same as it has been since 2009.

Delaware County Historical Society Capital Campaign

A few years ago the Delaware County Historical Society was gifted the property at 2690 Stratford Road, Delaware, Ohio with the historic Meeker Homestead from the 1820s and the Garth Oberlander barn from the 1840s. The first and second floors of the Meeker Homestead are furnished with furniture and artifacts from the Historical Society collection, while the Garth Oberlander barn's ground floor is used for meetings and events. For decades the Meeker Homestead was the residence of the owners of Garth's Auctions and the Garth Oberlander barn was the site of the auctions. Garth's current owners moved from the Meeker Homestead residence a number of years ago and relocated their offices a few years ago to Curtis Street in Delaware. Until Garth's Auctions relocates to the old City of Columbus municipal power plant on Nationwide Boulevard which is being renovated, live auctions conducted by Garth's will occur several times a year in the Garth Oberlander barn's ground floor, which is used by the Historical Society as a meeting and events venue. With this Client Bulletin is a copy of the Historical Society's Capital Campaign, which the law firm's Steve Martin and his spouse Deb are the Honorary Campaign Chairs.

Money Magazine's Best Places to Live List

Money Magazine recently published its best cities, with populations of 100,000 or under, in the United States. The list included four Ohio cities, two of which are in Delaware County – the City of Powell at number 66 and the City of Delaware at number 71. The two other Ohio cities were Wooster at number 37 and West Chester at number 56. In the Midwest ranking, the City of Powell was number 25 and the City of Delaware was number 29. The city ranked number 1 in the nation and in the Midwest was Fischers, Indiana near Indianapolis.

Union County Moratorium on End-of-the-Year Lot Splits/ Resurveys/Lot Combinations and Plats

In a recent letter to surveyors, attorneys, real estate agents, title examiners and other real estate professionals, the Union County Auditor's office announced that any lot splits, resurveys, lot combinations and plats (new or amended) presented to the Auditor's office after November 1 would be received but would be held until the end of calendar year 2017 (and entered in 2018 for taxes payable in 2019). Only regular conveyances and exempt transfers received during the months of November and December 2017 will be entered into the Auditor's system until the close of calendar year 2017. Any conveyance and/or exemption transfers containing lot splits, resurveys, lot combinations or plats will be received and transferred (for recording with the Recorder's office) but will be held and not entered until January 2018.

President Trump's Nine-Page "Unified Framework For Fixing Our Broken Tax Code" is available upon request from the law firm, either by email or regular mail. If you would like to receive a copy, just request it from Ms. Chris Herring by calling her at 740-363-1313 or emailing her at chris@mmpdlaw.com.

Ohio Supreme Court Rules No Cause of Actions/Claim for Relief in Ohio for Negligent Misidentification

The circumstances surrounding negligent misidentification most frequently occurs when someone reporting an alleged criminal act to law enforcement officers accurately or semi-accurately reports the activity that occurred but misidentifies, usually by name, the alleged perpetrator. In Foley v. Univ. of Dayton, 150 Ohio St. 3d 252, 2016-Ohio-7591, the Ohio Supreme Court answered three certified questions of Ohio law submitted by the United States District Court for the Southern District of Ohio, Western Division: 1) the applicable statute of limitations for claims of negligent misidentification, 2) whether the doctrine of absolute privilege is applicable to claims of negligent misidentification and if so does it extend to statements made to law enforcement officers implicating another person in criminal activity, and 3) is the doctrine of qualified privilege applicable to claims of negligent misidentification. The Ohio Supreme Court did not directly answer those questions but effectively did by setting forth that no cause of action/claim for relief exists in the state of Ohio for the tort of negligent misidentification and that it would contravene public policy of the state of Ohio to allow such a claim. This holding by the Ohio Supreme Court does not preclude potential claims for malicious prosecution (where a prosecution is initiated or continued with malice and without probable cause), defamation (an intentional, known false statement of fact), or the tort of wrongful or false arrest or imprisonment (which requires an intentional knowing act). The decision was a 5-2 decision, with Justices O'Neill and Pfeifer dissenting.

Notice

This bulletin provides general information and is not legal advice. Please contact us if you need legal advice.

If you have friends or associates who you think would enjoy receiving a copy of this Client Bulletin, please feel free to forward it on. Thank you.

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PERGRAM CO., LPA**

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Preserving our history has never been so important...

... especially since Delaware County is one of the fastest growing counties in the state of Ohio. With that kind of growth, it is very easy to lose sight of our past. From farmers to presidents to people passing through on the underground railroad and Native American settlers, Delaware County has a tremendous history to showcase.

Education is Our Heartbeat

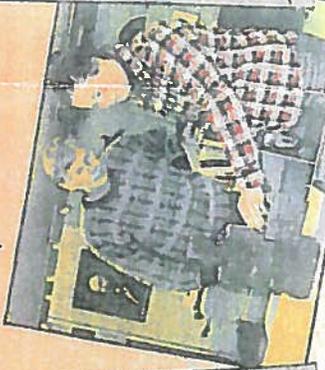
Adult education is an important part of our work and includes monthly programs, walking tours, seminars and more. We host at least ten special historical programs per year to audiences of hundreds of people.

We also serve thousands of school children who attend our educational presentations each year. These include walking tours of important historical buildings and locations, history talks focusing on the Underground Railroad, our role in the American Revolution, early settlers and Native Americans in Delaware County, scavenger hunts, demonstrations of historical artifacts, and more.



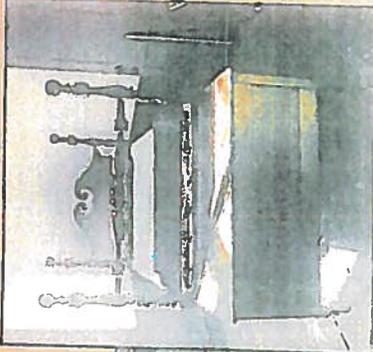
Capital Improvements are Critical
 The Delaware County Historical Society has embarked upon a two-year, \$300,000 campaign to provide the support needed for vital repairs on three of its four historically significant properties: the Barn at Stratford, the Meeker Homestead & Museum and the Cryder Research Library.

Improvements and repairs are needed on these properties to ensure their structural stability and functionality. For instance, the 1823 Meeker Homestead Museum needs lighting on the second floor. This greatly improves its use as a museum especially in the winter months. Critical updates are needed for the 1848 Barn at Stratford which has the added advantage of maintaining an earned income stream from events and facility rentals, such as weddings and corporate events.



Sustainability is Key
 We know that historical education is essential and that seeing historical buildings and artifacts first-hand is one of the best ways to tell the stories of our mutual past. These buildings are a vital part of our work, showcasing the people and stories that have come before us. The upgrades to the Barn will also provide an opportunity for continued facility rentals which, as capital updates are made, are expected to increase to cover operational expenses.

This capital campaign guarantees the LONG-TERM success of the Delaware County Historical Society and preserves our collective rich history for many years to come.



Did You Know?

Since 1990, the Barn has been listed on the National Register of Historic Places and earlier this year Ohio legislators unanimously passed a bill designating barns as the official historical architectural structure of Ohio. It is critical that we make the improvements to ensure long term preservation of the barn.





Please join us in ensuring the sustainability of our work.

These are our needs:

The Barn

- Structural preservation
- Kitchen renovation

Meeker Homestead & Museum

- HVAC for museum and display rooms
- Museum start-up costs including displays
- Electrical upgrades and lighting fixtures
- Visual digital displays

Meeker Landscaping

- Sound buffer from US23 plus additional landscaping
- Footbridge over Willis Run
- Pavilion for outdoor events/modification of flood-prone building

Cryder Research Library

- Gutters, downspouts, railings, windows, landscaping and other improvements

A detailed description of these needs is on the back panel.

DONOR RECOGNITION: Donors at all levels are needed and will be recognized in printed materials and on the campaign website.

Donors contributing \$500 or more will be added to a donor board which is an exact replica of an original Stratford grist millstone located in the Meeker Homestead Museum. Naming rights will also be available to areas within the buildings for certain levels of giving.

For questions contact Executive Director Donna Meyer, 740-369-3831, ext 3 or director@delawareohiohistory.org.

The Barn Improvements must be made to ensure the preservation of the 170-year-old barn. The structure needs reinforcing: connecting the frame to the stone-end walls, replacing damaged framing members, and adding braces between columns. Renovation of the kitchen is needed for weddings and other events to provide a more caterer-friendly facility.

The Meeker Homestead & Museum The Forrest Meeker House, one of the oldest and most prominent historic homesteads in Delaware County, is a two-story Federal I-Style brick house built in 1833. It is used as an educational museum of the early settlement period of the Ohio country. The Meeker house needs updates and enhancements to better accommodate and display artifacts. An HVAC system for areas of the house would enable displays and other artifacts to be added in that space. Protective display cases which complement the style of the home are needed to showcase items from that period and a visual interactive digital display will be purchased to add interest and engage young visitors. The museum is in need of pedestals, signage and other display materials as well. We are also seeking funding to provide electrical upgrades and fixtures.

Meeker Landscaping The grounds between the Meeker Homestead and Museum and the Barn are beautiful but with the increased traffic in the area off US Route 23, additional landscaping is needed to reduce the road noise and a footbridge will be added across Willis Run. A three-season outdoor party pavilion will also be created by using modest redesign and renovation of an existing large garage/shed.

Cryder Research Library Built in the 1970s, this building houses a Research Library and an Archives Repository. The Center adjoins the Nash House Museum which operates as a Victorian-era museum. This building needs weatherizing as well as new gutters, downspouts, railing, windows, landscaping and other improvements.



Our History, Our Heritage Capital Campaign

*We envision
a future where
we continue
to remember
and honor our
rich past.*



Delaware County
Historical Society

Our History, Our Heritage

Thank you for your support and belief in our mission! Your gift is tax deductible.

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Enclosed is my gift. (Please check the appropriate box.)

\$ _____ Other (no amount is too small.)

I/we pledge \$ _____ divided over _____

I am interested in learning about legacy giving.

I wish for my gift to remain anonymous.

Please charge my Visa MasterCard Discover

Card # _____ Exp. Date _____

3-digit Security Code _____ Signature _____

Email _____ Phone _____

Delaware County Historical Society/2690 Stratford Road/Delaware, OH 43015

Donations may be made on our website at DelawareOhioHistory.org.