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Inside this issue:

Firm Participating in Delaware County's Small Business Assistance Program	1
Firm Attorney is Guest Instructor for Business Students at Ohio Wesleyan University	1
Uptick in Renegotiations, Buy-Out Offers on Cell Tower Leases and Tower-Related Construction Activity	2
Other COVID-19 Updates	2
Firm Face Mask/Covering Policy	2
Alpha Group Duck Races	2

Client Bulletin



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Firm Participating in Delaware County's Small Business Assistance Program

An application for Delaware County's Small Business Assistance Program is now available online. The program, which is underwritten by a \$30,000 grant from Delaware County's Economic Development Department and the Delaware County Finance Authority, provides up to three hours of free business counseling for the owners of Delaware County businesses up to 50 employees in size. The application form can be accessed at: <http://economicdevelopment.co.delaware.oh.us/delaware-county-small-business-assistance-program/>.

Counseling is available from a variety of financial, legal and human resource advisors based in Delaware County. The firms providing service include accounting firm Maloney + Novotny LLC, consulting firm The Montrose Group LLC, and law firms Taft Stettinius & Hollister LLP and Manos, Martin & Pergram Co., LPA.

The Small Business Assistance Program is part of Delaware County's first phase of economic assistance to its business community during the COVID-19 crisis. For more information and contact information for members of the Delaware County Economic Development Department, please go to: <https://economicdevelopment.co.delaware.oh.us/covid-19/>.

"The attorneys and staff at Manos, Martin & Pergram appreciate being part of the community in Delaware County. We are client-focused. Instead of just selling time, we work to solve problems and preserve and create value," attorney Andrew Wecker told [ThisWeek Community News](#). "Accountants and community bankers in particular have been hard at work helping the county's locally-owned businesses make their way through the applications for Economic Injury Disaster Loans or Paycheck Protection Loans. Attorneys can serve businesses, landlords and lenders in working through and documenting forbearance and deferral agreements, among other things," Wecker said.

"Local business owners are the heart of a community, and every big business was once a small business. In addition to the people they employ and the goods and services they provide to the rest of us, they are the ones who support our kids by hiring them part-time, sponsoring athletic programs and bidding on and buying junior fair market projects."

(Sourced in part from Jane Hawes, Director of Communications, Delaware County)

Firm Attorney is Guest Instructor for Business Students at Ohio Wesleyan University

Atomic Habits, Range, Late-Bloomers and Dark Horse was the title of a talk Andrew Wecker gave on April 15 to Ohio Wesleyan University students in an Entrepreneurial Seminar Course taught by professors Glenn Bryan and Dan Charna.

"Most of us probably shouldn't start our own companies, but all of us could probably stand to start thinking more like an owner if for no other reason than to be a better employee and co-worker," Wecker said. "I wrote my slide deck around four books I happened to read in the last year with those titles, [Atomic Habits](#) by James Clear, [Range](#) by David Epstein, [Late-Bloomers](#) by Richard Karlgaard and [Dark Horse](#) by Todd Rose and Ogi Ogas."

"I wanted the students to be thinking about what sorts of problems they want to be solving for what sorts of people, whether they were in a big corporation or a small company," Wecker continued. "If they could figure it out, their highest point of contribution would be where their talents, passion and market demand overlapped."

"Individuality counts," Wecker said. "On one hand, with COVID-19, it might be hard finding work in their fields. On the other hand, through things like GitHub and Fiverr, they have a great chance to find opportunities that Xers like me did not have."

Andy worked with Professor Charna and then represented Ohio Wesleyan University when it created the Delaware Entrepreneurial Center with the City of Delaware and Delaware County.

Uptick in Renegotiations, Buy-Out Offers on Cell Tower Leases and Tower-Related Construction Activity

Anecdotally, for any client with a cell tower on their property, there seems to be uptick in third-party companies working on behalf of the major carriers to reduce rents. If anyone wants help in dealing with either lease renegotiations or buy-out offers, the firm has worked on referral through the Ohio Farm Bureau, and the Ohio Township Association has asked Andrew Wecker to speak to a group of township administrators in July after speaking two days at its annual winter conference in February on developments related to 5G.

With COVID-19, there is a greater awareness of the digital divide in urban and rural areas. Fiber optic to the home may be the gold standard for connectivity, but for many Americans, whether by choice or necessity, wireless broadband options are more and more important for work, education and telemedicine.

Manos, Martin & Pergram's utility, right-of-way and real estate practices are natural fits with wireless infrastructure, from buried and aerial installations of fiber optic lines to long-term ground leases and perpetual easements for towers.

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Other COVID-19 Updates

Accountants and community bankers in particular have been hard at work helping the county's locally-owned businesses make their way through the applications for Economic Injury Disaster Loans or Paycheck Protection Loans. The first \$350 billion in those two programs ran out as of April 16.

On April 23, 2020, the Treasury Department and the SBA issued this guidance: "... all borrowers must assess their economic need for a PPP loan under the standard established by the CARES Act and the PPP regulations at the time of the loan application. Although the CARES Act suspends the ordinary requirement that borrowers must be unable to obtain credit elsewhere... **borrowers must still certify in good faith that their PPP loan request is necessary.** Specifically, before submitting a PPP application, all borrowers should review carefully the required certification [under CARES Act Section 1102(a)(1)(G)] that **'[c]urrent economic uncertainty makes this loan request necessary to support the ongoing operations of the Applicant.'** Borrowers must make this certification in good faith, taking into account their current business activity and their ability to access other sources of liquidity sufficient to support their ongoing operations in a manner that is not significantly detrimental to the business" (emphasis added)."

Congress has since sent the White House another stimulus package, \$320 billion to small businesses with \$60 billion being set aside for community-based lenders to help businesses without established banking relationships.

In a statement of the obvious, if you opted for a PPP loan, you should be working with your financial team to see that you maintain your eligibility for loan forgiveness.

If you are wondering about the status of your economic impact payment from the Internal Revenue Service, you can check at <https://www.irs.gov/coronavirus/get-my-payment>

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Firm Face Mask/Covering Policy

In an effort to keep our employees and visitors safe, all persons entering our buildings in both Delaware and Galena must wear a face covering/mask. Disposable face masks will be available for those who do not have a face mask/covering. Thank you.

Alpha Group Duck Races

As with many events in the United States, changes to dates and locations have become commonplace, and the Alpha Group's annual Duck Derby is no exception. This year's event has been rescheduled to July 26, 2020. All the fun and festivities will take place at Zoombezi Bay, with the duck race starting at 8:30 a.m. For information on tickets, sponsorship opportunities or to make a donation to this great organization, please visit their website: <https://www.alphagroup.net/>

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.