



Public Health
Prevent. Promote. Protect.

Board of Health Sidney-Shelby County

202 W. Poplar Street, Sidney, OH 45365

Phone: (937) 498-7249
Fax: (937) 498-7013
sschd@shelbycountyhealthdept.org

The regular meeting of the Sidney-Shelby County Board of Health was called to order by Dr. Aaron Sargeant at 7:00 p.m. on April 19, 2023. The meeting was held at the health department located at 202 West Poplar Street, Sidney, Ohio.

ROLL CALL

Other Board of Health members present and answered to roll call: Ted Holthaus and Dr. Matthew Vasko. Bill Ankney was absent.

Health Department staff in attendance: Kent Topp, REHS, Director of Environmental, Tia Toner, HR Manager, Kimberly Deloye, Fiscal Officer, Erica Lentz, MSN, RN, Interim Health Commissioner/Director of Nursing, Ted Wuebker, REHS, and Mike McClain, REHS.

Also in attendance: Robert Allen, Salem Township, and Scott Maschke.

ADOPTION OF AGENDA

Dr. Vasko moved, seconded by Mr. Holthaus to approve the agenda. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

APPROVAL OF MARCH 15, 2023 MEETING MINUTES

Dr. Vasko moved, seconded by Dr. Sargeant to approve the March 15, 2023 meeting minutes. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

ENVIRONMENTAL HEALTH REPORT

Timothy Campbell, 10995 Little Turtle Way, Sidney- Condemnation Order Confirmation by the Board of Health

Ted Wuebker presented this agenda item.

Owner: Timothy Campbell
Location: 10995 Little Turtle Way, Sidney

Situation: Condemnation Order

Mr. Campbell's property located at 10995 Little Turtle Way has extensive fire damage and is not fit for human habitation.

Mr. Holthaus moved, seconded by Dr. Vasko to approve the condemnation order. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Scott and Christen Maschke, 10901 West Mason Road, Sidney- Request to Replace Sewage Treatment System on Own Property

Kent Topp Presented this agenda item.

Owner: Scott & Christen Masche
Location: 10901 West Mason Road, Sidney

Situation: Request to Replace Sewage Treatment System on Own Property

Mr. Masche requests to replace his sewage treatment system on his existing property, where he resides. He is requesting the Board of Health to approve a waiver for liability insurance and the surety bond.

Additional Information: Mr. Masche was present and informed the board that he completed and passed the Sewage Treatment System Contractor Test.

Staff Recommendation: The staff recommends granting the waivers for the surety bond and the liability insurance which is allowed in the rules for a homeowner installing their own sewage system

Mr. Holthaus moved, seconded by Dr. Vasko to grant the waivers for the surety bond and liability insurance. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Tyler Guyette, 17373 State Route 47 East, Sidney – Failure to Abate Solid Waste Nuisance- Approval to Hire Contractor to Abate the Nuisance

Mike McClain presented this agenda item.

Owner: Tyler Guyette
Location: 17373 State Route 47 East, Sidney

Situation: Failure to Abate Solid Waste Nuisance

1. The property was investigated on February 13, 2023 due to a complaint of trash and other solid waste piled in the backyard and in vehicles. A Notice To Abate Nuisance was mailed to Mr. Guyette on February 13, 2023.
2. The property was reinspected and no action had been taken to clean up the trash and solid waste. An Administrative Hearing letter was mailed to Mr. Guyette on March 1, 2023, with a hearing date of March 9, 2023. Mr. Guyette failed to show up to the meeting.
3. A letter was mailed on March 10, 2023 to Mr. Guyett requesting his presence at the April 19, 2023 Board of Health Meeting to discuss abatement options. Mr. Guyette was not present at the meeting.

Additional Information: Robert Allen mentioned that the township will also be having an Administrative Meeting with Mr. Guyette.

Staff Recommendations: The staff recommends getting quotes and hiring a contractor to clean up the trash and solid waste and assess it to Mr. Guyette's taxes.

Mr. Holthaus moved, seconded by Dr. Sargeant to hire a contractor to abate the nuisance and assess to Mr. Guyette's taxes. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Dionne Kinninger Co Trustees Etal, 404 South Miami Ave., Sidney- Order to Remain Vacant

Kent Topp presented this agenda item.

Owner: Dionne Kinninger Co-Trustees Etal
Location: 404 South Miami Ave., Sidney

Dr. Vasko moved, seconded by Dr. Sargeant to approve the order to remain vacant. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

William Freytag, 4662 Hardin-Wapak Rd., Sidney, Ohio and 11977 State Rte. 362, Minster, Ohio- Approval to Hire a Contractor to Abate the Nuisance

Ted Wuebker presented this agenda item.

Owner: William Freytag
Location 1: 4662 Hardin-Wapak Rd., Sidney
Location 2: 11977 State Rte. 362, Minster

Situation: Public Health Nuisance

1. Mr. Freytag's property located at 4622 Hardin-Wapak Rd. contains construction and demolition debris, unsealed and improperly removed well and septic system.
2. Mr. Freytag's property located at 11977 State Rte. 362 contains construction and demolition debris and an unsealed and improperly removed well.

Additional Information:

The property on Hardin-Wapak Rd has been under a health order since October 5, 2022. The property located on State Rte. 362 has been under health order since December 13, 2022. Mr. Freytag has not complied with orders or Administrative hearings.

The County Prosecutors Office filed charges for the Board of Health in Common Pleas Court against Mr. Freytag. Mr. Freytag is currently in jail in Florida and is awaiting extradition to Ohio. Once Mr. Freytag is served, he will have 28 days to show the judge he is not in violation of Ohio Law/Code. The Board of Health has been advised by Assistant Prosecutor Andy Venters to allow the court proceedings to follow the course to ensure a strong case against Mr. Freytag.

Property located at 4662 Hardin-Wapak Rd., Sidney

Mr. Freytag dug a moat around the property and there is currently a large amount of water on the property. The water would need to be removed before work can begin. The health department has been working with Washington Township to abate the nuisance. The health department attended a Washington Township meeting on April 6, 2023 to seek funding for cleanup. At that time, Washington Township was not going to fund the well and septic and was considering doing the C&DD themselves.

Property located at 11977 State Rte. 362, Minster

The health department has been working with McLean Township to abate the nuisance. The health department attended McLean Township's April 12, 2023 meeting seeking funding to clean up the above property. McLean Township agreed to fund \$20,000 to the health department for cleanup. The health department would hire a contractor, oversee the work, pay the contractor, place the cost on Mr. Freytag's property taxes, and reimburse McLean Township when the taxes are paid. When the project is completed the well would be sealed and the ground would be grated.

Staff Recommendations:

Property located at 4662 Hardin-Wapak Rd., Sidney- Receive a clear answer from Washington Township on funding and their intentions to proceed. If funds are not received externally, internal funds may need to be used. Get a quote to test the water on the site to determine if it meets quality standards. If quality standards are met, it could be discharged to a nearby natural waterway. Work with the County Prosecutor's Office and follow the court procedure. Then with the Judge's approval, initiate cleanup and coordinate with the contractors involved. All costs incurred would then be put on Mr. Freytag's property taxes and reimbursement would occur when taxes are paid.

Property located at 11977 State Rte. 362, Minster- Staff recommends working with the County Prosecutor's Office and follow Court procedure, with the Judge's approval initiate cleanup, use Township funds to pay contractors, put the cost on Mr. Freytag's property taxes, and reimburse when taxes are paid.

The Board of Health made the following motions for Mr. Freytag's properties:

Mr. Holthaus moved, seconded by Dr. Sargeant to work with the County Prosecutor's Office and follow court procedure, with the judge's approval initiate and oversee cleanup on the property located at 11977 State Rte. 362, Minster, use McLean Township's funds to pay contractors, put the cost on Mr. Freytag's property taxes, and reimburse McLean Township if and/or when taxes are paid.

Mr. Holthaus moved, seconded by Dr. Sargeant to fund the sealing of the well and to approve Brookside to complete a water sample on the standing water at the property located at 4662 Hardin-Wapak Rd, Sidney, accept any Township funding to clean up solid waste. Initiate work with the judge's approval, pay contractors, put on Mr. Freytag's taxes, and reimburse the funds if/when taxes are paid. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Dr. Sargeant moved, seconded by Dr. Vasko for the health department to work with the County Prosecutor's Office and follow the Court procedure. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Resolution 23-2, Environmental Health Division – Changes in Fee Schedule, Declare an Emergency

A cost methodology was conducted and the new fees were presented to the Board. Kent Topp discussed the need to update fees, some have not been updated since 2009.

Dr. Vasko moved, seconded by Mr. Holthaus a resolution to declare an emergency and change the fee schedule. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Resolution 23-3, Environmental Health Division – Changes in Fee Schedule, 1st reading

Dr. Vasko moved, seconded by Mr. Holthaus a resolution of the first reading of the fee schedule. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Environmental discussion topics

Staff inquired if the health department could issue fines. Dr. Sargeant will reach out to the Prosecutor's Office for more information.

Staff made suggestions to work with the Shelby County Sheriff's Department and inmates to assist with solid waste and trash cleanup.

FINANCIAL REPORTS

Kim Deloye reviewed financial reports, bills, and adjustments to the 2023 Budget.

Dr. Vasko moved, seconded by Dr. Sargeant to approve bills. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Dr. Sargeant moved, seconded by Dr. Vasko to approve adjustments to the 2023 Budget. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

PUBLIC HEALTH NURSING REPORT

Monthly Report

Erica Lentz presented the March 2023 nursing report and the infectious disease report.

HUMAN RESOURCE UPDATE

Tia Toner discussed Safe Communities upcoming events; Blessing of the Bikes on April 29, 2023 and Click it or Ticket on May 20, 2023. Also discussed was the program being implemented for online birth and death certificate requests.

INTERIM HEALTH COMMISSIONER UPDATE

Levy

Erica Lentz presented levy information and discussed the amount of funding needed to maintain the Health Department. The recommendation for the levy is a 0.3 mill renewal with an increase of 0.3 mill, for a total of 0.6 mill. Erica drafted a document to bring to the May 2023 board meeting, it is pending approval from the County Prosecutor.

Mr. Holthaus moved, seconded by Dr. Vasko approved the recommendation of a 0.3 mill renewal with an increase of 0.3 mill, for a total of 0.6 mill. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Vacation Policy

Erica Lentz presented information and a proposal to the Board to change the current vacation policy. The current policy allows for a maximum carryover of three years. Some staff has large amounts of vacation time saved up. This is a concern if staff were to retire or resign and the Health Department would have to pay out vacation time. Staff was present and expressed concerns and other options to consider, such as a tier system. The topic was tabled until the May 2023 Board Meeting. Staff to bring vacation balance and usage data and possible solutions to the May meeting.

Dr. Vasko moved, seconded by Mr. Holthaus to table the vacation policy change until the May 2023 meeting. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Mileage Rate

The current reimbursement for staff is at the IRS rate. To save money and plan the budget, Erica Lentz proposed to take mileage down to the grant-allowed amount of \$0.58. Staff were present and expressed concerns and suggested that the policy be reviewed annually.

Mr. Holthaus moved, seconded by Dr. Vasko to change the mileage rate to the grant-allowed amount of \$0.58, with a yearly reviewal. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

FYI

Discussion of vacant Board of Health member and process of replacement. Erica Lentz reached out to Bruce Metz and upon his approval, created a position posting for the open Board of Health position. The vacant position's term expires in 2024. The posting was mailed to villages, townships, the City of Sidney, the County Commissioners, and shared on the Health Department's website and Facebook page.

ADJOURN TO EXECUTIVE SESSION

Dr. Sargeant moved, seconded by Dr. Vasko to enter into executive session at 9:42 p.m. to discuss personnel matters. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Erica Lentz was included in a portion of the executive session.

RECONVENE PUBLIC MEETING

Dr. Sargeant moved, seconded by Mr. Holthaus to leave executive session at 10:39 p.m. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Dr. Sargeant offered the position of Health Commissioner to Erica Lentz, with a contract pending.


Dr. Vasko moved, seconded by Mr. Holthaus to offer the position of Health Commissioner to Erica Lentz, with contract pending. Motion carried with a roll call vote: Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Erica Lentz accepted the position of Health Commissioner.

ADJOURNMENT

Dr. Vasko moved, seconded by Dr. Sargeant to adjourn the meeting at 10:42 p.m. Motion carried with a roll call vote. Mr. Holthaus, yes; Dr. Sargeant, yes; Dr. Vasko, yes.

Next Board of Health meeting, May 17, 2023 at 7:00 p.m.



Aaron Sargeant, DVM, PhD, President
Sidney-Shelby County Board of Health



Erica Lentz, MSN, RN
Health Commissioner/Board Secretary