



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 January 17, 2024. The meeting was held at the health department located at 202 West Poplar Street, Sidney, Ohio.

Other Board of Health members present included; Bill Ankney, Shelby Pence, and Ted Holthaus. Also in attendance were Ted Wuebker, Registered Environmental Health Specialist, Rusty Schwepe, Registered Environmental Health Specialist, Teri Heath, Director of Nursing, Erica Lentz, Health Commissioner, Kimberly DeLoye, Fiscal Officer, Matt Low, Tom Guillozet, Deb Meyer, David Meyer, and Dave Haney.

ADOPTION OF REVISED AGENDA

Mr. Holthaus moved, seconded by Mr. Ankney to approve the revised agenda. Motion approved.

APPROVAL OF DECEMBER 20, 2023 MEETING MINUTES

Ms. Pence moved, seconded by Mr. Ankney to approve the December 20, 2023 meeting minutes. Motion approved.

ENVIRONMENTAL HEALTH REPORT

Anthony & Judy Mayer, 413 Michigan St., Sidney- Condemnation Order

Rusty Schwepe presented this agenda item.

Mr. Holthaus moved, seconded by Mr. Ankney to approve the condemnation order. Motion approved.

David & Deborah Meyer, 6781 Darke Shelby County Line Rd., Versailles- Sewage Treatment System Appeal

Ted Wuebker presented this agenda item. David and Deborah Meyer were present along with their attorney Tom Guillozet and their sewage contractor Dave Haney. They shared photographs and information with the Board.

Situation:

The Meyers and their attorney are appealing the Health Department Order to upgrade their sewage treatment system (STS). They will be given the opportunity to explain the reasons for their appeal after the summary below.

August 2, 2023 - A new building was discovered on the Meyer's 5.001-acre residential lot. The building was constructed without a Health Dept. Section C – STS Evaluation.

August 10, 2023 – A letter was sent to the Meyer's informing them of the requirement of the Section C – STS Evaluation, with a deadline of ten days.

August 16, 2023 – We received the Section C application in the mail, without the fee payment.

August 21-23, 2023 – A records search was done to try to find any county records on the STS, but none were found.

August & September 2023 – Mr. Meyer verbally disagreed with the Health Dept. Section C several times, stating the building was exempt by being agricultural, that the new building replaced an old existing barn, that the new building didn't have a restroom, that he wasn't having any problems with his sewage system, that the Darke County Health Dept. had approved his sewage system in the past, etc. It was verbally explained to Mr. Meyer several times that this had to do with the house's STS due to the construction/development on the same lot as the house/STS.

September 25, 2023 – Mr. Meyer did not comply, so an Administrative Hearing with the Health Commissioner was scheduled.

October 4, 2023 – At the Administrative Hearing Mr. Meyer paid Section C application fee. It was agreed upon that once the crops were off Mr. Meyer would dig up the components of his STS for our review.

October 6, 2023 – Mr. Meyer had his 5.001-acre residential lot turned into a 42+ acre residential lot.

October 11, 2023 – Mr. Meyer had his septic tank pumped out.

November 17, 2023 – Mr. Meyer had his septic tank and some trenches dug in his yard and the Health Dept. came out to inspect. An old slab lid septic tank was found on the edge of his patio, but no secondary treatment (such as a sandfilter or leachfield) was found. A dye test was run to try to help determine which direction sewage effluent was flowing, but this gave no further help locating the missing secondary component of the STS.

November 29, 2023 – Order to upgrade STS sent to the Meyers.

December 8, 2023 – The Meyer's attorney submitted a request to have this issue go before the Board of Health.

December 13, 2023 – Attorney Tom Guillozet requested this issue be rescheduled to the January 2024 Board Meeting.

December 20, 2023 – Photo from Meyer Farm Services LLC Facebook page, floor-drain/water-heater/water-softener.

December 21, 2023 – The Health Dept. spoke with the Ohio Dept. of Health and they confirmed we have jurisdiction and the situation requires a new sewage system. O.A.C. 3701-29-02-(C) and O.A.C. 3701-29-06-(E) and O.A.C. 3701-29-29-(A) & (C) and O.R.C. 3718.011(A)(1).

December 26, 2023 – The Ohio Dept. of Health shared a copy of a case law from Defiance County where a missing sewage system component is a health nuisance requiring the sewage system to be replaced, and the house vacated until fixed, and a fine of \$1,000 per day of violation.

January 2, 2024 – The Health Dept. checked with the Plbg. Dept. and there was no plumbing permit acquired by Mr. Meyer for the hot-water-heater/water-softener.

January 8, 2024 – The Health Dept. checked with the Bldg. Dept. and they will check if Mr. Meyer has filed the proper building/electrical paperwork for the new workshop.

Various Options:

1. The Board can confirm, modify, or dismiss the order.
2. The Board (with reason) can table this matter until a future meeting.
3. The Environmental Health staff recommends confirming the order to upgrade the STS.

Mr. Ankney moved, seconded by Ms. Pence to give the Meyers et al. the next 30 days to use a camera to help locate the secondary treatment component of their sewage system, and then return to the next board meeting after the results to discuss with the Board the next steps to be taken. Motion approved.

Matt Low, 6625 Stoker Rd., Houston- Cynthian Twp.- Variance Request

Ted Wuebker presented this agenda item. Matt Low was present and shared information with the Board.

Situation:

Matt Low owns a 37.4-acre tract at the above address, where he is building a residential barndominium for his personal use. This will require a private sewage treatment system (STS) to be installed. Matt would like to install his own system for his property. He is familiar with STS installation and excavating equipment and has helped others install STS. He took the state sewage installer test and passed it. Matt would like the Board to waive the requirement for installer: registration, insurance, and bond. He would still be required to submit a sewage application and get an installation permit and installation inspections.

EH Staff Recommendation:

The staff recommends granting the waiver of registration, insurance, and bond for this homeowner STS installer.

Mr. Holthaus moved, seconded by Mr. Ankney to approve the waiver of registration, insurance, and bond for this homeowner STS installer. Motion approved.

Stephen Cox, 1111 Forest St., Sidney- Condemnation Order

Rusty Schwepe presented this agenda item.

Mr. Holthaus moved, seconded by Mr. Ankney to approve the condemnation order. Motion approved.

APPROVAL OF BILLS

Dr. Sargeant moved, seconded by Ms. Pence to approve bills. Motion approved.

FINANCIAL REPORT

Kim DeLoye presented the December 31, 2023 financial report.

January 8, 2024 Letter to the Auditor

The Health Commissioner sent a letter to the Auditor on January 8, 2024 requesting the following changes: Increase appropriations in Health by \$33,000.00, increase appropriations in Solid Waste by \$4,913.10, and increase appropriations in Plumbing by \$48,732.40.

January 8, 2024 Letter to the Auditor

The Health Commissioner sent a letter to the Auditor on January 8, 2024 requesting the following changes: Transfer-out \$193,666.00 to Nursing, transfer-out \$4,913.10 to Environmental Health, and transfer-out \$48,732.40 to Environmental Health.

Mr. Ankney moved, seconded by Ms. Pence to approve both January 8, 2024 Letters to the Auditor. Motion approved.

PUBLIC HEALTH NURSING REPORT

Monthly Report

Teri Heath presented the December 2023 nursing report, infectious disease report, and nursing updates.

Resignation of Audrey Chisholm, RN, Public Health Nurse

Dr. Sargeant moved, seconded by Mr. Holthaus to accept the resignation letter of Audrey Chisholm. Motion approved.

HEALTH COMMISSIONER REPORT

The health department applied and was awarded the MRC Strong grant for \$289,913.00 (\$119,000.00 to pay salaries) to be used for Shelby County and partnering health departments.


Shelby County Help Me Grow received toys and a donation of \$500 from Leugers Insurance to help families with gifts. Erica shared a picture from the Sidney Daily News.

Community Needs Assessment was released and will be open to Shelby County residents to complete until the middle of February.

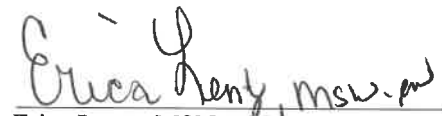
Next Board of Health Meeting- February 21, 2024 at 7:00 p.m.

ADJOURNMENT

Ms. Pence moved, seconded by Dr. Sargeant to adjourn the meeting. Motion approved.



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



Erica Lentz, MSN, RN
Health Commissioner/Board Secretary

21 Feb 2024
Date