



Board of Health Sidney-Shelby County

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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 July 16, 2025. 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, Ted Holthaus, Shelby Pence, and Dr. Matt Vasko. Also in attendance were Erica Lentz, Health Commissioner, Kent Topp, Environmental Health Director, Eileen Ferree, Accreditation Coordinator, Teri Heath, Director of Nursing, Kevin Horvath, Eileen Vantilburgh, and Kyle Zimmerman.

ADOPTION OF REVISED AGENDA

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

APPROVAL OF JUNE 18, 2025 MEETING MINUTES

Dr. Vasko moved, seconded by Mr. Ankney to approve the June 18, 2025 meeting minutes. Motion approved.

ENVIRONMENTAL HEALTH REPORT

James VanTilburgh, Trustee/Eileen VanTilburgh, 1955 Fair Rd., Sidney – Private Water System Variance

Kent Topp presented this agenda item.

Situation:

The VanTilburghs have lived at 1955 Fair Rd since its construction in 1959. The well on the property (located in a small, shallow pit in the back concrete patio) was used for many years for both human consumption and as part of their geothermal heating and cooling system. In March of this year, the pump stopped working and it was believed by a contractor at the time that the casing was collapsing and that the pump could not be removed from the well. It was at this time that the VanTilburghs connected to the City of Sidney public water system and had the intentions of drilling a new agricultural well for the geothermal system. After the city water connection was made, it was determined by another contractor that the well casing was *not* collapsing and the pump was eventually removed from the existing casing and a new pump installed. The existing well now serves only as a water source for the geothermal system.

OAC 37-1-28-17(D) requires that when a connection is made to a public water system, any private water system that is not providing the primary source of water shall be sealed pursuant to the provisions of OAC 3701-28 within 30 days unless certain conditions can be met. These include (1) demonstrating to the satisfaction of the Board that the private water system will not cause or contribute to contamination of the ground water supply, present a safety hazard, or present a public health nuisance, (2) maintaining the well in compliance with OAC 3701-28 (except as cited in the rule), and (3) maintaining an operational pumping system, obtaining a safe water sample, and demonstrating compliance with OAC 3701-28 through a well log, down-hole camera survey, dye test, or an assessment by either a private water systems contractor or the Board of Health.

After an inspection by this office, in order to bring this particular well into compliance with OAC 3701-28, an alteration permit must be obtained (which was done on 7-1-25) and the following activities performed:

- 1) Extending the well casing to at least 12 inches above ground level and installing a vermin-proof well cap, and
- 2) Obtaining a safe water sample

The VanTilburghs are requesting a variance from the requirement of extending the well casing above the patio. In addition, they are requesting a variance from obtaining a water sample due to the fact that the well only serves the geothermal system and has no potential for human consumption.

Additional Information:

Sidney Utility Director, Brian Clark, has informed me that they will be verifying that there are no cross-connection hazards between the well and the public water supply.

EH Staff Recommendation:

The variance request should be granted. We have been informed by Quinter Well Drilling that a water-tight cap can be installed to prevent vermin and water infiltration. In addition, we believe that a water sample is not necessary due to the fact that it only serves the geothermal system.

Mr. Holthaus moved, seconded by Mr. Ankney to approve the Private Water System Variance. Motion approved.

Randy & Deb Lewis, 4349 Tawawa-Maplewood Rd., Sidney – Private Water System Variance

Kent Topp presented this agenda item.

Situation:

Randy and Deb Lewis would like to build a garage within 36 inches of the existing well casing.

Additional Information:

The Board of Health has only approved similar variances for a distance to an existing well as close as 5 feet from the structure to the well casing.

EH Staff Recommendation

To deny the requested 36-inch variance.

Mr. Holthaus moved, seconded by Mr. Ankney to approve a variance for the structure to be 5 feet from the well casing. Motion approved.

Spayde Realty LLC, 827-827 ½ E. Court St., Sidney – Order to Remain Vacant

Kent Topp presented this agenda item.

Situation:

An order for the above property was issued on October 11, 2023 for numerous violations. All items have been corrected except a small section of the gutter and fascia board on the Northeast side of the dwelling. A letter was mailed to the owners with a compliance date of July 14, 2025 for the items to be fixed. A reinspection was completed on July 15, 2025 and the issue was not fixed.

Mr. Holthaus moved, seconded by Ms. Pence to take no further legal action and authorize the health department to send a letter to the owner acknowledging the broken gutter and fascia board. Motion approved.

Shelby County Closed Landfill

Kent Topp presented this agenda item.

Situation:

There is an 8.18-acre tract for sale for \$500,000 within 1000 feet of the explosive gas migration zone of the Shelby County Closed Landfill owned by Riverview Park, Inc. The property is currently being brokered by Red 1 Realty. There is a proposed housing development included currently in the for sale listing.

Per the Ohio Administrative Code 3745-27-12, exceedances of methane by volume at or above 1.25 percent in occupied structures or 5 percent methane by volume at the facility boundary shall constitute a threat to human health, safety, and the environment.

The Shelby County Closed Landfill is managed by Dan Bensman, an Estate Attorney.

The health department received a call from Aaron Florea, an Environmental Specialist with the Ohio EPA on July 16, 2025 regarding the property for sale and advised the health department to communicate with the realtor the need for them to disclose that the property was within the 1000-foot explosive gas migration zone of the closed landfill.

Additional Information:

The 8.18-acre tract sold for \$80,000 in 2024 to A2 Property Solutions LLC.

The Ohio Environmental Protection Agency (EPA) has been monitoring the property and is providing the health department with results from the eighteen punch bar locations. The punches currently indicate high levels of Methane gas at 4 of the punch sites. (See attached report)

After discussion, the Board of Health noted health and safety concerns the Shelby County Closed Landfill poses to individuals near the landfill. The following will be reviewed with the Shelby County Prosecutor in order to protect the health of individuals who live in the surrounding area of the closed landfill;

1. Write a letter to Red 1 Realty and A2 Property Solutions LLC, the current owner, notifying them that the property they are selling is within the 1000 feet of the explosive gas migration zone of the Shelby County Closed Landfill, and include the letter from the Ohio EPA and test results.
2. Notify all residents living within 1000-foot of the explosive gas migration zone of the Shelby County Closed Landfill.
3. Contact Dan Bensman, the Estate Attorney for the Shelby County Closed Landfill informing him of the health department's intentions of notifying the residents, Red 1 Realty, and A2 Property Solutions LLC.

Dr. Vasko moved, seconded by Mr. Holthaus to discuss the following with the Shelby County Prosecutor and move forward with the above notifications. Motion approved.

Environmental Health Updates

Kent Topp shared information on a dismissed court case.

STRATEGIC PLANNING

Eileen Ferree gave updates on accreditation. The Public Health Accreditation Board approved the Annual Report on June 18, 2025. The SWOT Analysis and Strategic Priorities were reviewed and discussed.

Dr. Vasko moved, seconded by Ms. Pence to approve the SWOT Analysis and Strategic Priorities as presented. Motion approved.

APPROVAL OF BILLS

Mr. Ankney moved, seconded by Mr. Holthaus to approve bills. Motion approved.

FINANCIAL REPORT

Erica Lentz presented the June 2025 financial report.

PUBLIC HEALTH NURSING REPORT

Monthly Report

Teri Heath presented the June 2025 nursing report and infectious disease report. Teri shared outreach events and gave an update on the Harm Reduction Grant.

FAMILY AND CHILDREN FIRST COUNCIL INVOICE

Dr. Vasko moved, seconded by Ms. Pence to pay the invoice received by the Family and Children First Council. Motion approved.

HEALTH COMMISSIONER REPORT

Erica Lentz shared the following;

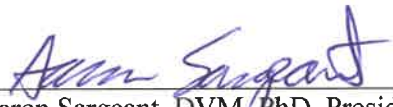
Newsletter from AOHC regarding House Bill 96

Judgment entry for a pending court case.

Next Board of Health Meeting- August 20, 2025 at 7:00 p.m.

ADJOURNMENT


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



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

17 Sep 2025

Date



Erica Lentz, MSN, RN
Health Commissioner/Board Secretary

9-17-2025

Date