

**RESOLUTION 2023-134**

In the Matter of Resolution to Enter Into Contracts ) Office of County Commissioners,  
2023-37 through 2023-45 for 2023 Ditch Maintenance ) Fulton County, Ohio  
Projects on Behalf of the County Engineer ) February 9, 2023

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 9, 2023 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Jon Rupp  
Jeff Rupp  
Joe Short

Commissioner Jeff Rupp moved for the adoption of the following resolution:

**WHEREAS,** bids were awarded on February 7, 2023 for 2023 Ditch Maintenance Projects on behalf of the County Engineer; and

**THEREFORE, BE IT RESOLVED,** the Fulton County Board of Commissioners hereby enters into Contracts 2023-37 through 2023-45 for the 2023 Ditch Maintenance Projects:

- 2023-37 Dave's Services Excavating LLC
- 2023-38 State Highway Clearing LLC
- 2023-39 Fritch Excavating LLC
- 2023-40 Zenz Farms Inc.
- 2023-41 Heer Excavating Inc.
- 2023-42 Countryside Farms Excavation LLC
- 2023-43 Troy Parsons
- 2023-44 LA King Excavating LLC
- 2023-45 Wagner Excavation

**BE IT FURTHER RESOLVED,** that purchases be made through purchase orders and determined by the unit price of the material, the location of the job site, the type of gradation of the materials required, the compatibility of the products, the quality of the material and the availability; and

**BE IT FURTHER RESOLVED,** that it is found and determined that all formal actions of this Board of County Commissioners, County of Fulton, State of Ohio concerning the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Commissioner Joe Short seconded the resolution and upon calling the roll, the following vote was taken:

Voting Aye thereon:	Voting Nay thereon:	Abstain:
<u>Jon Rupp</u> Jon Rupp	_____ Jon Rupp	_____ Jon Rupp
<u>Jeff Rupp</u> Jeff Rupp	_____ Jeff Rupp	_____ Jeff Rupp
<u>Joe Short</u> Joe Short	_____ Joe Short	_____ Joe Short

**BOARD OF COUNTY COMMISSIONERS  
FULTON COUNTY, OHIO**

Attest: Jessica Schuette  
Jessica Schuette, Clerk

**CONTRACT NO. 2023-37**

This Contract, is made this 9th day of February A.D. 2023  
between the BOARD OF FULTON COUNTY COMMISSIONERS, hereinafter called "Board"  
and David Service Excavating L.L.C. 8857-14 Wauseon Ohio 43567  
(Bidding Company Name and Address)

herein after called "Contractor".

WITNESSETH: That for and in consideration of the Hourly Rate prices contained herein, and used as the basis of payment to be made by the Board, Contractor agrees to furnish all labor and equipment to perform ditch maintenance work as bid herein, according to the specifications and conditions stated to the satisfaction and acceptance of the Board for the 2023 calendar year.

The Contractor further covenants and agrees that the following shall be an essential and binding part of this Contract: the Legal Notice, Proposal, Specifications, Bid Form, Non-Collusion Affidavit and Contract.

In consideration of the premises, the Board, on the basis of the Hourly Rates contained herein, agrees to pay the Contractor the appropriate sum according to the terms described on the Proposal.

IN WITNESS WHEREOF, the parties have hereunto affixed their names.

**BOARD OF COMMISSIONERS**

By [Signature]  
[Signature]

Contract approved:

By [Signature]  
Date 2/3/23

**CONTRACTOR**

David Service Excavating L.L.C.  
Company Name  
8857-14  
Address  
Wauseon OH. 43567

By David Dick  
Title member

**CONTRACT NO. 2023-38**

This Contract, is made this 9<sup>th</sup> day of February A.D. 2023  
between the BOARD OF FULTON COUNTY COMMISSIONERS, hereinafter called "Board"  
and State Highway Clearing LLC 19782 Co Rd D Archbold, OH  
(Bidding Company Name and Address)

herein after called "Contractor".

WITNESSETH: That for and in consideration of the Hourly Rate prices contained herein, and used as the basis of payment to be made by the Board, Contractor agrees to furnish all labor and equipment to perform ditch maintenance work as bid herein, according to the specifications and conditions stated to the satisfaction and acceptance of the Board for the 2023 calendar year.

The Contractor further covenants and agrees that the following shall be an essential and binding part of this Contract: the Legal Notice, Proposal, Specifications, Bid Form, Non-Collusion Affidavit and Contract.

In consideration of the premises, the Board, on the basis of the Hourly Rates contained herein, agrees to pay the Contractor the appropriate sum according to the terms described on the Proposal.

IN WITNESS WHEREOF, the parties have hereunto affixed their names.

**BOARD OF COMMISSIONERS**

By [Signature]  
[Signature]

Contract approved:

By [Signature]

Date 2/3/23

**CONTRACTOR**

State Highway Clearing, LLC  
Company Name  
19782 County Road D  
Address  
Archbold, Ohio 43502

By Nate Meyer

Title Project Manager

**CONTRACT NO.** 2023-39

This Contract, is made this 9<sup>th</sup> day of February A.D. 2023  
between the BOARD OF FULTON COUNTY COMMISSIONERS, hereinafter called "Board"  
and Fritch Excavating, LLC  
(Bidding Company Name and Address)

herein after called "Contractor".

WITNESSETH: That for and in consideration of the Hourly Rate prices contained herein, and used as the basis of payment to be made by the Board, Contractor agrees to furnish all labor and equipment to perform ditch maintenance work as bid herein, according to the specifications and conditions stated to the satisfaction and acceptance of the Board for the 2023 calendar year.

The Contractor further covenants and agrees that the following shall be an essential and binding part of this Contract: the Legal Notice, Proposal, Specifications, Bid Form, Non-Collusion Affidavit and Contract.

In consideration of the premises, the Board, on the basis of the Hourly Rates contained herein, agrees to pay the Contractor the appropriate sum according to the terms described on the Proposal.

IN WITNESS WHEREOF, the parties have hereunto affixed their names.

**BOARD OF COMMISSIONERS**

By [Signature]  
[Signature]  
[Signature]

Contract approved:

By [Signature]

Date 2/3/23

**CONTRACTOR**

Fritch Excavating, LLC  
Company Name  
111 N Michigan St Box 578  
Address  
Edon, OH 43518

By Austin Fritch

Title Member

**CONTRACT NO. 2023-40**

This Contract, is made this 9<sup>th</sup> day of February A.D. 2023  
between the BOARD OF FULTON COUNTY COMMISSIONERS, hereinafter called "Board"  
and Zenz Farms, Inc. 12563 Co. Rd. 8 Delta, OH 43515  
(Bidding Company Name and Address)

herein after called "Contractor".

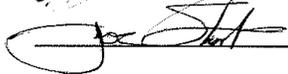
WITNESSETH: That for and in consideration of the Hourly Rate prices contained herein, and used as the basis of payment to be made by the Board, Contractor agrees to furnish all labor and equipment to perform ditch maintenance work as bid herein, according to the specifications and conditions stated to the satisfaction and acceptance of the Board for the 2023 calendar year.

The Contractor further covenants and agrees that the following shall be an essential and binding part of this Contract: the Legal Notice, Proposal, Specifications, Bid Form, Non-Collusion Affidavit and Contract.

In consideration of the premises, the Board, on the basis of the Hourly Rates contained herein, agrees to pay the Contractor the appropriate sum according to the terms described on the Proposal.

IN WITNESS WHEREOF, the parties have hereunto affixed their names.

**BOARD OF COMMISSIONERS**

By   


Contract approved:

By   
Date 2/3/23

**CONTRACTOR**

Zenz Farms Inc.  
Company Name  
12563 Co. Rd. 8  
Address  
Delta, OH 43515

By Andrea Falor  
Title Secretary

CONTRACT NO. 2023-41

This Contract, is made this 9th day of February A.D. 2023  
between the BOARD OF FULTON COUNTY COMMISSIONERS, hereinafter called "Board"  
and Heer Excavating, Inc., 7381 County Road 23, Archbold, OH 43502

(Bidding Company Name and Address)

herein after called "Contractor".

WITNESSETH: That for and in consideration of the Hourly Rate prices contained herein, and used as the basis of payment to be made by the Board, Contractor agrees to furnish all labor and equipment to perform ditch maintenance work as bid herein, according to the specifications and conditions stated to the satisfaction and acceptance of the Board for the 2023 calendar year.

The Contractor further covenants and agrees that the following shall be an essential and binding part of this Contract: the Legal Notice, Proposal, Specifications, Bid Form, Non-Collusion Affidavit and Contract.

In consideration of the premises, the Board, on the basis of the Hourly Rates contained herein, agrees to pay the Contractor the appropriate sum according to the terms described on the Proposal.

IN WITNESS WHEREOF, the parties have hereunto affixed their names.

**BOARD OF COMMISSIONERS**

By [Signature]  
[Signature]

Contract approved:

By [Signature]

Date 2/3/23

**CONTRACTOR**

Heer Excavating, Inc.  
Company Name  
7381 County Road 23  
Address  
Archbold, OH 43502

By [Signature]  
Daniel E. Heer, President

Title \_\_\_\_\_

**CONTRACT NO. 2023-42**

This Contract, is made this 9<sup>th</sup> day of Jan February A.D. 2023

between the BOARD OF FULTON COUNTY COMMISSIONERS, hereinafter called "Board"

and Countryside FARMS EXCAVATION LLC 16520 Co Rd 12

(Bidding Company Name and Address) Lyons, Ohio 43533

herein after called "Contractor".

WITNESSETH: That for and in consideration of the Hourly Rate prices contained herein, and used as the basis of payment to be made by the Board, Contractor agrees to furnish all labor and equipment to perform ditch maintenance work as bid herein, according to the specifications and conditions stated to the satisfaction and acceptance of the Board for the 2023 calendar year.

The Contractor further covenants and agrees that the following shall be an essential and binding part of this Contract: the Legal Notice, Proposal, Specifications, Bid Form, Non-Collusion Affidavit and Contract.

In consideration of the premises, the Board, on the basis of the Hourly Rates contained herein, agrees to pay the Contractor the appropriate sum according to the terms described on the Proposal.

IN WITNESS WHEREOF, the parties have hereunto affixed their names.

**BOARD OF COMMISSIONERS**

By [Signature]  
[Signature]

Contract approved:

By [Signature]

Date 2/3/23

**CONTRACTOR**

Countryside FARMS EXCAVATION  
Company Name  
16520 Co Rd 12  
Address

Lyons, OH, 43533

By William P. Schust

Title OWNER

CONTRACT NO. 2023-43

This Contract, is made this 10 day of January A.D. 2023  
between the BOARD OF FULTON COUNTY COMMISSIONERS, hereinafter called "Board"  
and Troy Parsons 12519 G Rd S Delta, OH 43515  
(Bidding Company Name and Address)

herein after called "Contractor".

WITNESSETH: That for and in consideration of the Hourly Rate prices contained herein, and used as the basis of payment to be made by the Board, Contractor agrees to furnish all labor and equipment to perform ditch maintenance work as bid herein, according to the specifications and conditions stated to the satisfaction and acceptance of the Board for the 2023 calendar year.

The Contractor further covenants and agrees that the following shall be an essential and binding part of this Contract: the Legal Notice, Proposal, Specifications, Bid Form, Non-Collusion Affidavit and Contract.

In consideration of the premises, the Board, on the basis of the Hourly Rates contained herein, agrees to pay the Contractor the appropriate sum according to the terms described on the Proposal.

IN WITNESS WHEREOF, the parties have hereunto affixed their names.

**BOARD OF COMMISSIONERS**

By [Signature]  
[Signature]

Contract approved:

By [Signature]

Date 2/3/23

**CONTRACTOR**

Troy Parsons  
Company Name  
12519 G Rd S  
Address  
Delta OH 43515

By Troy Parsons

Title OWNER

CONTRACT NO. 2023-44

This Contract, is made this 31<sup>st</sup> day of January A.D. 2023  
between the BOARD OF FULTON COUNTY COMMISSIONERS, hereinafter called "Board"  
and LA KING EXCAVATING LLC  
(Bidding Company Name and Address)

herein after called "Contractor".

WITNESSETH: That for and in consideration of the Hourly Rate prices contained herein, and used as the basis of payment to be made by the Board, Contractor agrees to furnish all labor and equipment to perform ditch maintenance work as bid herein, according to the specifications and conditions stated to the satisfaction and acceptance of the Board for the 2023 calendar year.

The Contractor further covenants and agrees that the following shall be an essential and binding part of this Contract: the Legal Notice, Proposal, Specifications, Bid Form, Non-Collusion Affidavit and Contract.

In consideration of the premises, the Board, on the basis of the Hourly Rates contained herein, agrees to pay the Contractor the appropriate sum according to the terms described on the Proposal.

IN WITNESS WHEREOF, the parties have hereunto affixed their names.

**BOARD OF COMMISSIONERS**

By [Signature]  
[Signature]

Contract approved:

By [Signature]  
Date 2/3/23

**CONTRACTOR**

LA KING EXCAVATING LLC  
Company Name  
7581 Co Rd. 18-1 Waverton  
Address  
Ohio 43567

By Aaron King  
Title Co owner

**CONTRACT NO. 2023-45**

This Contract, is made this 9<sup>th</sup> day of February A.D. 2023  
between the BOARD OF FULTON COUNTY COMMISSIONERS, hereinafter called "Board"  
and Wagner Excavation, 9481 Co. Rd. B Wauscon, OH 43567  
(Bidding Company Name and Address)

herein after called "Contractor".

WITNESSETH: That for and in consideration of the Hourly Rate prices contained herein, and used as the basis of payment to be made by the Board, Contractor agrees to furnish all labor and equipment to perform ditch maintenance work as bid herein, according to the specifications and conditions stated to the satisfaction and acceptance of the Board for the 2023 calendar year.

The Contractor further covenants and agrees that the following shall be an essential and binding part of this Contract: the Legal Notice, Proposal, Specifications, Bid Form, Non-Collusion Affidavit and Contract.

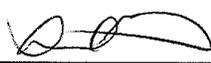
In consideration of the premises, the Board, on the basis of the Hourly Rates contained herein, agrees to pay the Contractor the appropriate sum according to the terms described on the Proposal.

IN WITNESS WHEREOF, the parties have hereunto affixed their names.

**BOARD OF COMMISSIONERS**

By   


Contract approved:

By 

Date 2/3/23

**CONTRACTOR**

Wagner Excavation  
Company Name  
9481 County Road B  
Address  
Wauscon, OH 43567

By Austin Wagner

Title Owner