

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Tuesday, May 13, 2014**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**7:30 p.m.**

**Town Council:**

Present: Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Allen Kitselman; Mary Daniel; David Tollett

Absent: Douglas Shaffer

**Staff:** Keith Dalton, Town Manager; Desiree Moreland; Assistant Town Manager/Treasurer; Christy Dunkle, Assistant Town Manager/Planner; Neal White, Chief of Police; Celeste Heath, Town Clerk

**Press:** Val Van Meter, Winchester Star

**1. Call to Order:** Wilson Kirby, Mayor  
 Mayor Kirby called the regular meeting to order at 7:30 p.m.

**2. Pledge of Allegiance**

**3. Public Hearings**

Mayor Kirby opened the following Public Hearing at 7:30 p.m.:

**Proposed Fiscal Year 2014-2015 Budget as follows:**

<b><u>Resources and Revenues</u></b>	<b>APPROVED FY 13-14</b>	<b>DRAFT FY 14-15</b>
<b>GENERAL FUND</b>		
Fund Balance	\$ 704,806.45	\$ 386,940.60
Revenue from Local Sources	\$ 1,700,250.00	\$ 1,923,450.00
Revenue from State Sources	\$ 895,968.00	\$ 905,968.00
<b>Total</b>	<b>\$ 3,301,024.45</b>	<b>\$ 3,216,358.60</b>
<b>WATER FUND</b>		
Fund Balance	\$ 33,283.75	\$ -
Revenue from Local Sources	\$ 710,100.00	\$ 790,725.00
Availability Fees	\$ 11,150.00	\$ 26,250.00
<b>Total</b>	<b>\$ 754,533.75</b>	<b>\$ 816,975.00</b>
<b>SEWER FUND</b>		
Fund Balance	\$ 74,406.75	\$ -
Revenue from Local Sources	\$ 1,554,100.00	\$ 1,494,100.00
Availability Fees	\$ 45,500.00	\$ 113,750.00
Revenue from WQIF Grant	\$ 500,000.00	\$ -
Revenue from VRA Loan	\$ 500,000.00	\$ -
<b>Total</b>	<b>\$ 2,674,006.75</b>	<b>\$ 1,607,850.00</b>
<b>TOTAL RESOURCES AND REVENUES</b>	<b>\$ 6,729,564.95</b>	<b>\$ 5,641,183.60</b>

**Expenses and Reserves**

**GENERAL FUND**

Maintenance and Operational	\$	2,905,857.00	\$	2,863,510.00
Debt Service	\$	133,627.60	\$	133,627.60
Capital Reserves and Expenses	\$	116,247.00	\$	76,045.50
Contingency	\$	145,292.85	\$	143,175.50
<b>Total</b>	<b>\$</b>	<b>3,301,024.45</b>	<b>\$</b>	<b>3,216,358.60</b>

**WATER FUND**

Maintenance and Operational	\$	647,175.00	\$	645,585.00
Debt Service				
Capital Reserves and Expenses	\$	75,000.00	\$	139,110.75
Contingency	\$	32,358.75	\$	32,279.25
<b>Total</b>	<b>\$</b>	<b>754,533.75</b>	<b>\$</b>	<b>816,975.00</b>

**SEWER FUND**

Maintenance and Operational	\$	1,051,435.00	\$	942,100.00
Debt Service	\$	470,000.00	\$	470,000.00
Capital Reserves and Expenses	\$	1,100,000.00	\$	148,645.00
Contingency	\$	52,571.75	\$	47,105.00
<b>Total</b>	<b>\$</b>	<b>2,674,006.75</b>	<b>\$</b>	<b>1,607,850.00</b>

<b>TOTAL EXPENSES AND RESERVES</b>	<b>\$</b>	<b>6,729,564.95</b>	<b>\$</b>	<b>5,641,183.60</b>
------------------------------------	-----------	---------------------	-----------	---------------------

There was no public comment. Upon motion by Recorder Arnold, seconded by Council member Daniel the Public Hearing was closed at 7:32 p.m.

**4. Approval of Minutes**

April 8, 2014

Upon motion by Recorder Arnold, seconded by Council member Kitselman, the minutes of the April 8, 2014 meeting were unanimously approved.

**5. Citizens Forum**

Kevin Rooney, 405 Cobbler Drive, said that he recently e-mailed the Town Manager about tenant/landlord rules. He spoke about a neighbor's problem with a landlord regarding a water leak. He said he spoke to the County Building Official about the matter and was informed that he could not take action since the Town has not adopted State Code regarding this issue. He said that the Town Manager mentioned that there are costs involved in adopting this Code and asked why the Town couldn't adopt their own rules.

Mr. Rooney then spoke about fluoride in the Town's water stating that he asked Mr. Tyrrell if there is a doctor or dentist on the committee approving this and if not it is forced medication of citizens. He said that if he were going to drop something into the water he would be prosecuted and that citizens should have a choice.

Mr. Dalton said that he talked to the County Building Official about the Property Maintenance Code after he received Mr. Rooney's e-mail. He said that the Building Official is new and is still in training but he thought that towns with populations under 5,000 are not authorized to adopt Volume 2 of the Code. He said that he is awaiting confirmation of this fact. He noted that there would be cost involved with adoption and enforcement of this Code including significant staff cost. He said that this doesn't mean that the Property Maintenance Code should not be considered but that we should be aware of the cost.

Bryant Condrey, 203 West Main Street, said he was appearing before Council to talk about the chicken issue. He said that he agrees that the initial draft of a code got really bloated, complex and confusing. He said that he thought that it would increase complaints and decrease compliance. He said that some Council members were not in favor of moving forward on the issue because they had not heard from many people who were in favor of it. He then discussed an online petition in support of allowing chickens in Berryville stating that 37 Berryville residents and 21 Clarke County residents have signed it. He read the text of the online petition:

We, the citizens of Berryville, Virginia, petition the Council of Berryville to lift the ban on chicken hens. We affirm that every residence in Berryville should not be prohibited from keeping at least 5 chicken hens. We accept that the town may have an interest in not allowing roosters. We affirm that it is the responsibility of the owner of the chickens to care for the chickens properly just as the owner would care for a dog, cat, or other animal under the owner's care. We affirm that it is the responsibility of the owner of the chickens to keep them on the owner's property. We affirm that a permit for such a limited number of hens should not be required. A permitting process would serve no purpose but to add unnecessary bureaucracy and unnecessary work for Town staff.

Mr. Condrey said that the second objection to moving forward was the cost of a public hearing. He said that since a public hearing is not required the Town Council should move forward without one and instead post notices on Facebook and in water bills. He suggested that the Town Council move forward with a simple code and an inexpensive public hearing.

## **6. Report of the Mayor**

### Cooperation with Clarke County on Economic Development Matters

The Mayor said that at last month's meeting, John Staelin from the Clarke County Board of Supervisors discussed the idea of the Town and County entering into a Memorandum of Understanding (MOU) concerning Economic Development. At that time, Mr. Staelin suggested that the Town Council and the County Board of Supervisors each appoint one elected official and one staff person to a committee that would develop the MOU. Recorder Arnold then agreed to serve on the committee along with Ms. Dunkle.

Upon motion by Council member Tollett, seconded by Council member Daniel the Council of the Town of Berryville appointed Recorder Arnold and Christy Dunkle to a committee with a member of the Board of Supervisors and a member of County staff to

formulate a Memorandum of Understanding between the Town of Berryville and the County of Clarke regarding cooperation in economic development efforts. The Council of the Town of Berryville further moved that the Memorandum of Understanding created by this committee shall be forwarded to both the Town Council and the Board of Supervisors for review and approval.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Allen Kitselman David Tollett Mary Daniel
Nays:	None
Absent:	Douglas Shaffer
Abstain:	None

#### Barns of Rose Hill Request

The Mayor spoke about the Barns of Rose Hill's request for waiver of the rental fee for the Smithy House that was presented by Diana Kincannon at the last Town Council meeting. He said that he personally feels that we have put a significant amount of money into the house to make it suitable for a tenant and that Town crews mow and maintain the grounds of the house so the Town Council should not waive the entire amount.

Council member Daniel said that she is a big fan of the Barns of Rose Hill and that she likes their Strategic Plan and believes that they have been fiscally responsible. She said that after voting at last month's meeting to raise the Real Estate tax and the Meals tax she has a hard time waiving the rent at this time.

Recorder Arnold said that when the renovation work was done on the house, a rent was established and the property could have been rented to another tenant. He said that he is not in favor of waiving the rent.

Council member Kitselman said that the Barns of Rose Hill is admirably trying to create an endowment but agreed that after raising taxes it is hard to waive the rent. He suggested that the Town Council could donate \$1500 toward the endowment and not specifically link it to the rent. He said he wishes that the Town Council could waive the rent for a year.

Recorder Arnold said that he is not inclined to make a donation at this time but feels like the Barns is on the right fiscal track. He said that he is concerned that there may be an emergency repair needed on the property and suggested waiting until 6 months into the year to see what the expenses for maintaining the house are before contemplating a donation.

Council member Daniel said that the members of the Town Council all individually support the Barns and that she is very impressed with their plan to create an endowment.

She said that they are great caretakers of an asset that the Town owns. Mayor Kirby said that the Town has other rental properties and would be concerned that waiving this rent would set a precedent for other tenants.

Upon motion by Recorder Arnold, seconded by Council Member Daniel the Council of the Town of Berryville denied the request to waive the rent on the Smithy House.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder David Tollett Mary Daniel
Nays:	Allen Kitselman
Absent:	Douglas Shaffer
Abstain:	None

## **7. Report of the Town Manager**

### Street Work Priorities FY14

Mr. Dalton reported on street work that has been completed. He then outlined ongoing street projects and also spoke about previous and upcoming work on Mosby Boulevard. He said that the Town has purchased a machine that can seal road cracks and that it will be utilized on Mosby Boulevard as well as in other areas.

Mr. Dalton then gave the Town Council an update about Jack Enders Boulevard. He said that he is currently having a conversation with the County, who are the developers of the project, about reviewing and completing their punch list. He said that staff is hesitant to spend a great deal of money paving the public portion of the road before the County completes their work because the County's work will involve heavy truck traffic.

Mr. Dalton said that there has been some discussion about the sale and subsequent development of the property at the end of Battletown Drive which would result in more traffic.

He said that Public Works is doing three water projects to upgrade the size of the lines on Dorsey and Rice Streets and Battletown Drive in advance of VDOT paving Main Street. He said that Public Works is working on Battletown Drive now and would like to extend the upgraded line to Bel Voi farm and get a fire hydrant there.

He said that Academy Street between Church and Buckmarsh Streets took quite a beating this winter and could use some work. He said that he spoke to the Postmistress today and it appears that Sunday would be the least disruptive day for the work to take place.

He then asked the Town Council to authorize the Streets and Utilities Committee to work with staff to re-prioritize the FY14 Street Work Priorities to take these and other street issues into consideration.

Upon motion by Council member Tollett, seconded by Council Member Kitselman the Council of the Town of Berryville unanimously authorized the Streets and Utilities Committee to work with staff to re-prioritize the FY14 Street Work Priorities.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Allen Kitselman David Tollett Mary Daniel
Nays:	None
Absent:	Douglas Shaffer
Abstain:	None

Refuse and Recycling Collection Contract

Mr. Dalton reported that the Town of Berryville has utilized Republic Services Inc. since July 1, 2008 for collection of refuse and recycling. He said that the current contract provided for an initial three-year term and up to three one-year extensions. He said that the Town Council exercised the extensions with the last extension expiring on June 30, 2014.

Mr. Dalton said that an Invitation for Bids was issued for refuse and recycling collection and that two bids were received. He presented the bid tabulation and the proposed contract to the Town Council. He said that Republic Services, Inc. was the low bidder and that staff has reviewed the bid submissions and recommends that the Town Council authorize the Town Manager to execute the contract and other necessary instruments with Republic Services, Inc. He noted that the contract provides for an initial term of three years and up to three one-year extensions.

Council member Daniel asked why the numbers we used for budget planning were higher than the actual bid. Mr. Dalton said that he assumes it is because the company wanted to keep the contract. He said that staff had anticipated prices rising because of gas costs.

Mr. Dalton said that staff does not receive many complaints about the service provided by Republic Services and that they have been very good to work with. Council member Daniel said that her personal experience is that the employees and drivers are courteous. She said that they have taken care of several complaints in Ward 3 that weren't even their fault.

Upon motion by Council member Daniel, seconded by Council Member Kitselman the Council of the Town of Berryville unanimously approved the attached contract (ATTACHMENT 1) with Republic Services Incorporated for refuse collection services and authorized Keith R. Dalton, Town Manager to sign the contract and other required documents related to the offering and the contract.

VOTE:

Recorded Vote:

Ayes: Wilson Kirby, Mayor  
Harry Lee Arnold, Jr., Recorder  
Allen Kitselman  
David Tollett  
Mary Daniel  
Nays: None  
Absent: Douglas Shaffer  
Abstain: None

Other

Mr. Dalton said that he found out yesterday that VDOT will be paving Main Street in early June. He said that he will share more details when he gets them. There was a general discussion of these projects as well as other street issues including crosswalks.

Mr. Dalton said that has talked to VDOT about the need to complete work on Buckmarsh Street.

**8. Planning and Zoning Matters**

Planner's Report

Ms. Dunkle reported that there was no Planning Commission meeting in April. She said that the BADA met and looked at modifications to sub areas and discussed undeveloped properties still in the County including the property at the end of Battletown Drive.

**9. Standing Committee Reports**

a) BADA Liaison – Allen Kitselman  
The BADA met on April 23, 2014.

b) Budget Finance / CIP – Jay Arnold

Mr. Dalton said that action on the budget will take place at next month's meeting. He said that with the lower cost for trash collection staff suggests that the remainder of the original appropriation number in the budget is put into contingency so the bottom line on the budget will remain the same. There was no objection from the Town Council on this matter.

Council member Daniel asked Ms. Moreland if there were any changes to County assessment figures. Ms. Moreland said that there have been no changes.

c) Community Improvements – Allen Kitselman

Council member Kitselman reported that the Farmers Market is up and running, the Bike/Ped Plan Open House is May 15 and the CDBG grant meeting for Josephine Street will be on May 22. He said that a Tourism Committee meeting was held this afternoon and that the meeting was well attended and productive. Ms. Dunkle reported that the Appalachian Trail Community application will be handled by the Clarke County Recreation Plan Committee.

d) Planning Commission – Doug Shaffer  
Absent.

e) Police and Security – Mary Daniel  
Council member Daniel reported that the Committee met on April 30 and continues to review the Town Code. She said the committee will meet again on July 2.

Approval of Minutes

Upon motion by Council member Tollett, seconded by Council Member Daniel the Minutes of the April 30, 2014 Police and Security Committee meeting were approved.

f) Streets and Utilities – Wilson Kirby  
Mayor Kirby said that the committee will meet to address the street work priorities.

g) Personnel/Appointments – Jay Arnold

Approval of Minutes

Upon motion by Recorder Arnold, seconded by Mayor Kirby the Minutes of the April 7, 2014 Personnel Committee were approved.

**10. Other**

Memorial Day

Mayor Kirby reported that a Memorial Day Service will take place at Rose Hill Park on May 25.

Water Leak Adjustment Requests

Mayor Kirby then reported on the Streets and Utilities Committee’s findings regarding several water and sewer adjustment requests. He said that the Committee found that in all three cases the leaks were within the owners’ jurisdictions, therefore the committee recommended upholding the Town Manager’s decision to not grant an adjustment.

Upon motion by Recorder Arnold, seconded by Council Member Daniel the Council of the Town of Berryville accepted the Streets and Utilities Committee decision not to grant an adjustment for water leaks in the cases of the American Legion, Bettencourt and Fenton applications for adjustments.

VOTE:

Recorded Vote:

Ayes:	Wilson Kirby, Mayor Harry Lee Arnold, Jr., Recorder Allen Kitselman David Tollett Mary Daniel
Nays:	None
Absent:	Douglas Shaffer
Abstain:	None

**11. Adjourn**

Upon motion by Council member Daniel, seconded by Recorder Arnold and passed, the Council meeting was adjourned at 8:26 p.m.

---

Wilson Kirby, Mayor

---

Harry Lee Arnold, Jr., Recorder

## Cover Letter



May 1, 2014

Town of Berryville  
Attention Keith Dalton, Town Manager  
101 Chalmers Court  
Suite A  
Berryville, VA 22611

To: Mr. Dalton,

BFI Waste Services, LLC d.b.a Allied Waste Services of Winchester-Republic-Services of Winchester (RSG) would like to thank the Town for the opportunity to respond to the IFB-**"Garbage and Refuse Collection/Disposal and Curbside Recycling Collection Service."** As your current hauler and leader in the United State's waste industry, Republic Services offers expertise and professionalism in waste collection, recycling and disposal services. Our company pledges to successfully meet the Town's requests as outlined in the IFB. Please note that Proposal's contained within this IFB are open for further clarifications and discussions anytime during the selection process with the Town.

Republic Services is proud to have an established, well respected track record of being a dependable partner with many communities in the surrounding area for over 15 years. We have an excellent relationship with over 2,800 municipalities we service around the nation. Republic Services is positioned to provide the Town with a well-defined, efficient and effective program designed to meet your solid waste and recycling collection needs; presenting the most cost effective approach available. Enclosed in this proposal is our plan to provide the Town with solid waste, yard waste and recycling collection services that are safe and efficient at competitive rates for the Town. As a result of our local team's experience servicing and supporting numerous customers and communities in the area, we fully understand the expectations of the Town and are prepared to meet those obligations. Republic Services is excited about the opportunity to participate in the Town's IFB process and is confident in our ability to meet the needs of the community now and in the future.

Republic Services of Winchester pledges that the contents of this proposal are valid for 60 days from the submittal date of May 1, 2014. We look forward to discussing any additional information or requests regarding this proposal.

Sincerely,

Drew Isenhour, Area President  
Republic Services Authorized Signature  
1220 Commerce St. SW  
Box 1  
Conover, NC 28613

SECTION IV: BID PROPOSAL FORM

TO: THE TOWN OF BERRYVILLE, VIRGINIA

The undersigned, having carefully examined the bid documents for the Town of Berryville's invitation to bid for the collection and disposal of garbage and refuse from within the town for thirty-six months beginning July 1, 2014, does hereby propose to furnish the service described in said documents for the Town of Berryville, Virginia and to furnish all labor, equipment, facilities, superintendents, mechanics, tools, material and all utilities, transportation, and all other services necessary to perform and complete all said work and work incidental thereto in a satisfactory and acceptable manner in accordance with all the specifications and provisions of the contract documents, including any addenda and exhibits thereto, for the price set forth below.

The undersigned certify that they have carefully examined and inspected field conditions and are familiar with all local conditions affecting the cost of collection of and disposal of garbage and refuse for the Town of Berryville, Virginia and that they understand the conditions under which the work is to be performed and that they waive all right to plead any misunderstanding regarding the work required or conditions peculiar to the same. The undersigned specifically understand that the term "garbage and refuse" includes discarded household effects and other debris as defined in the General Specifications.

In submitting this bid, it is understood that the right is reserved by the Town of Berryville, Virginia, to reject any or all bids. The right is further reserved by the town to award the contract to the bidder who, in the sole opinion of the town, is the lowest and best bidder for the services described and to waive all informalities in the bidding.

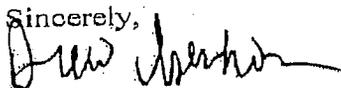
The undersigned proposed and agrees to execute and deliver the contract in the prescribed form within ten days after the award of the contract by the town and to provide the required insurance policies in force.

A certified or cashier's check, or bid bond, in the sum of \$1,000.00 is submitted herewith, in accordance with the instruction to bidders.

If awarded a contract under this proposal, the undersigned proposes to start work on July 1, 2014, after the execution of the contract by both parties.

The undersigned hereby certifies that no person interested in this bid proposal is directly or indirectly interested in or connected with any other bid or proposal for the said work and no officer or employee of the Town of Berryville, Virginia, is directly or indirectly interested therein, or in any portion thereof, and as evidence they will, if required by the town, execute any non-collusion affidavits as may be provided.

Sincerely,



Drew Isenhour, Area President  
Republic Services/Allied Waste

SECTION IV: BID PROPOSAL

1. PART A1 BID PROPOSAL: GARBAGE AND REFUSE COLLECTION/DISPOSAL

(a) Contract Year One: the undersigned bids

Eight dollars and fifty cents (\$8.50)  
(dollars and cents)

per month as the unit charge for each residential property;

Eight dollars and fifty cents (\$8.50)  
(dollars and cents)

per month as the unit charge for each commercial property served with once weekly collection service; and

Seventeen dollars and zero cents (\$17.00)  
(dollars and cents)

for each commercial property served with twice-weekly collection service

during Contract Year One beginning July 1, 2014 and ending June 30, 2015.

Based on these unit prices, the total monthly contract sum is:

<u>1387</u> Residences	@ <u>\$8.50</u>	= <u>\$11,789.50</u>
<u>24</u> Multi-Family Residential	@ <u>\$8.50</u>	= <u>\$204.00</u>
<u>91</u> Once-weekly commercial	@ <u>\$8.50</u>	= <u>\$773.50</u>
<u>61</u> Twice-weekly commercial	@ <u>\$17.00</u>	= <u>\$1,037.00</u>
<u>12</u> Town litter containers	@ <u>\$17.00</u>	= <u>\$204.00</u>
<u>7</u> Churches	@ <u>\$8.50</u>	= <u>\$59.50</u>

Total monthly contract sum for contract year \$14,067.50

Contract sum for contract year one \$168,810.00

(b) Contract Year One, the undersigned bids

Eight dollars and fifty cents (\$8.50)  
(dollars and cents)

as the per unit charge for each additional residential properties served;

Eight dollars and fifty cents (\$8.50)  
(dollars and cents)

for each additional commercial property served with once-weekly collection service; and

Seventeen dollars and zero cents (\$17.00)  
(dollars and cents)

as the per unit charge for each additional commercial property served with twice-weekly collection service.

(c) the undersigned bids

Twenty-Five dollars and zero cents (\$25.00)  
(dollars and cents)

as the unit charge for separate and alternative collection and disposal of water heaters, ranges, dishwashers, clothes dryers or other similar household items or appliances which are prohibited from disposal at the Frederick-Winchester-Clarke Regional Landfill.

(d) the undersigned bids

Forty dollars and zero cents (\$40.00)  
(dollars and cents)

as the unit charge for separate and alternative collection and disposal of electronics, refrigerators, air conditioners or other similar household items or appliances which are prohibited from disposal at the Frederick-Winchester-Clarke Regional Landfill.

(d) Contract Years Two and Three: The undersigned bids the unit charges set out in (a) and (b) above for units served during contract year two beginning July 1, 2015 and ending June 30, 2016 and for contract year three beginning July 1, 2016 and ending June 30, 2017 ADJUSTED, however, as provided below:

The monthly contract sum and the unit prices for additional residential and commercial units shall be increased or decreased by one hundred percent (100 %) of the net percentage change in the Gross National Product Implicit Deflator most recently published by the United States Department of Commerce, or the Consumer Price Index for

Urban Wage Earners and Clerical Employees as most recently published by the Bureau of Labor Statistics, whichever is smaller.

(e) The above bids include the collection and disposal of all garbage and refuse, as defined in the Bid/Contract Documents.

(f) Dumpster Service to Apartments, Condominiums, Townhouses and Commercial Establishments: The town, at its option at any time during the contract period may require contractor to provide dumpster service to certain apartments, condominium townhouses and commercial establishments for the remainder of the contract term at the rate bid herein. The undersigned bids the following monthly charges applicable in Contract Year One beginning July 1, 2014 and ending June 30, 2015 for dumpstered garbage and refuse removal service to apartments, condominium townhouses and commercial establishments to which the contractor would provide and maintain suitable, durable, sanitary covered dumpsters to be placed at locations within the premises served accessible to contractor's collection vehicles:

Dumpster Service Bid for Contract Year One

<u>Dumpster Size</u>	<u>Collected</u>	<u>Monthly Charge per container</u>
1 cubic yard	2 times weekly	\$ <u>50.00</u>
2 cubic yards	2 times weekly	\$ <u>76.00</u>
3 cubic yards	2 times weekly	\$ <u>94.00</u>
4 cubic yards	2 times weekly	\$ <u>120.00</u>

In the event more than one dumpster is located within the same premises, a discount of

zero percentage ( 0 %) shall apply to the above charges.  
(here insert % amount)

**\*NOTE:** Bidders may revise the designated dumpster sizes to match existing equipment. The bid, however, to be responsive, should include dumpsters of sizes in common use in small and large establishments. The charges set out above shall be increased or decreased for contract years two and three by the same adjustments provided in paragraph (c) above.

2. Part A2 Bid Proposal: Curbside Recycling Collection Service

a. Contract Year One: the undersigned bids the sum of

Three dollars and zero cents (\$3.00)  
(dollars and cents)

per residential unit times 1411 units, or

Fifty Thousand Seven Hundred Ninety-six and zero cents (\$50,796.00) per year  
(dollars and cents)

prorated in equal monthly installments of

Four Thousand Two Hundred Thirty-three and zero cents (\$4,233.0), less amounts retained as  
(dollars and cents)

performance guarantee, if applicable, for services performed pursuant to Part A2 of the Bid/Contract Documents.

b. A per unit charge of

Three dollars and zero cents (\$3.00)  
(dollars and cents)

shall apply to each additional residential property served pursuant to the adjustment provisions for the number of residential properties served as set forth in the Bid/Contract documents.

c. Contract Years Two and Three: The undersigned bids the unit charges set out in (a)

and (b) above for units served during contract year two beginning July 1, 2015 and ending

June 30, 2016 and for contract year three beginning July 1, 2016 and ending June 30, 2017

ADJUSTED, however, as provided below:

- (1) The monthly contract sum and the unit prices shall be increased or decreased by one hundred percent (100%) of the net percentage change in the Gross National Product Implicit Deflator most recently published by the United States Department of Commerce, or the Consumer Price Index for Urban Wage Earners and Clerical Employees as most recently published by the Bureau of Labor Statistics, whichever is smaller.

- (2) The contract sum and unit charges to be paid in equal monthly installments for services performed may be further adjusted as of July 1 of Contract Year 2 (July 1, 2015) and Contract Year Three (July 1, 2016) upon successful negotiation and agreement by the contractor and the town. The adjusted contract sum and unit charges may be increased or decreased in such amount as the contractor is able to demonstrate is necessary for the contractor to recoup the per unit costs for services provided.

3. Part B Bid Proposal: Additional Bid Items

This section addresses specific tasks that are not a part of the base bid, which may or may not be adopted as a part of an initial contract.

Successful bidder shall, within 60 days of bid award, complete any necessary survey of the town's downtown businesses (not to include industrial uses) to determine the amount and nature of recyclable materials produced by each business. Said survey shall be submitted to the Town Manager upon its completion.

If the town determines that it wants to have the successful bidder complete one or more of the tasks listed below, then the contractor would be contacted in writing and shall begin providing such service within 60 days of said notice. Said collections would occur on Fridays between the hours of 7:00 a.m. and 11:00 a.m.

The town is under no obligation to have the services listed below performed unless requested as required above.

1. Commercial Curbside Recycling Collection Service

- (a) Contractor to provide Weekly Commercial Curbside Recycling Collection Service for the contract sum of \$3.00 per commercial stop in accordance with Part A2.

D. QUALIFICATIONS AND EXPERIENCE

A. IDENTITY

- 1. Name of bidder: BFI Waste Services, LLC d/b/a Allied Waste and Republic Services of Winchester
- 2. Address of bidder: 403 Lenoir Dr. Winchester, Va. 22603
- 3. Names, telephone numbers, and email addresses of Principals to whom inquiries should be made; (one additional sheet may be attached)

Jerry Wilson, 540-667-7474, jwilson6@republicservices.com; David Langas, 301-223-4610, dlangas@republicservices.com; Shawn Brady, 828-695-2062, sbrady@republicservices.com

ORGANIZATIONAL STRUCTURE

4. Bidder is
- |  |   |
|--|---|
| <input type="checkbox"/> A Sole Proprietorship | <input type="checkbox"/> A General Partnership                  |
| <input type="checkbox"/> A Corporation         | <input checked="" type="checkbox"/> A Limited Liability Company |
| <input type="checkbox"/> A Joint Venture       | <input type="checkbox"/> Unincorporated Association             |

IF BIDDER IS A SOLE PROPRIETORSHIP - List below trade name, (if any), business address and telephone number, email address, residence address and telephone number (list zip codes and telephone area codes).

Trade name: \_\_\_\_\_

Business address: \_\_\_\_\_

Telephone - Business ( \_\_\_\_\_ ) \_\_\_\_\_ Residence ( \_\_\_\_\_ ) \_\_\_\_\_

Email: \_\_\_\_\_

IF BIDDER IS A GENERAL OR LIMITED PARTNERSHIP - List below name of partnership (including trade name, if any), business address, email address, and telephone number (list zip codes and telephone area codes).

\_\_\_\_\_

\_\_\_\_\_

Name each partner, including in parenthesis ( ) the percent (%) interest of each. Also list business addresses and telephone numbers of each.

1. \_\_\_\_\_ ( )%

2. \_\_\_\_\_ ( )%

3. \_\_\_\_\_ ( )%

IF BIDDER IS LIMITED PARTNERSHIP, name the managing partner or partners.

1 .

2 .

IF GENERAL OR LIMITED PARTNERSHIP, has partnership certificate been recorded in any court of record?

If so indicate where and when

Identify instrument by book and page no. Book \_\_\_\_\_ Page \_\_\_\_\_

If recorded or registered elsewhere, please indicate location and identification:

(Submit as exhibits executed copies of partnership agreement and the certificate of partnership)

IF BIDDER IS A LIMITED LIABILITY COMPANY- Note: Section edited based on Company type

Name of Company: BFI Waste Services, LLC

Trade name (if any): D.B.A. Allied Waste and Republic Services of Winchester  
Address (include zip code): 18500 N. Allied Way, Phoenix, Az. 85054

Telephone (include area code) 480-627-2700 or 301-223-4612  
Email: jwilson6@republicservices.com

Corporation was organized 10/10/2000 under laws of Delaware.  
(date) (State)

List ALL corporate officers indicating percent (%) of common stock held. (List name, held, address and percentage(%).(one additional sheet may be attached)

**See Corporate Qualifications/Financials/Data Sheet Report**

List ALL stockholders\* holding as much as 10% of the voting stock of the corporation. If the corporation is a "shell", list all persons whom it is contemplated will hold 10% or more of the common stock. Indicate names, addresses and percent held. (one additional sheet may be attached)

**See Corporate Qualifications/Financials/Data Sheet Report**

(submit as Exhibit, one executed copy of articles of incorporation)

\*If any of the above names are organizations or corporations, complete a new form on separate sheet for each until all ownership interests (individuals) are identified.

CORPORATE APPLICANTS ONLY

**Note: Information below is based on the Parent Company of BFI Waste Services, LLC.**

INSTRUCTION: If bidder is a LLC, answer the following:

Bidder: BFI Waste Services, LLC

- 1) Stock of corporation N/A  
Class of Stock \_\_\_\_\_ Par Value \_\_\_\_\_ Vote Per Share \_\_\_\_\_  
No. Shares Authorized \_\_\_\_\_ No. Shares Issued \_\_\_\_\_  
No. Shares Subscribed \_\_\_\_\_ Total Number Stockholders \_\_\_\_\_
- 2) Has bidder any other obligations or securities authorized or outstanding which bear voting rights either absolutely or upon any contingency? yes \_\_\_\_\_ no X

If so, submit as an Exhibit, a statement of (a) the nature of such securities, (b) the face value or par value, (c) the number of units authorized, (d) the number of units issued and outstanding, (e) the number of units, if any, proposed to be issued, (f) the conditions or contingency upon which such securities may be voted.

- 3) Is bidder corporation, directly or indirectly, controlled by Another corporation or legal entity? Yes X No \_\_\_\_\_
- 4) Is 5 percent or more of the stock of bidder corporation owned By another corporation or legal entity? Yes X No \_\_\_\_\_
- 5) If the answer to questions 3 or 4 above is "yes", state below the names of such other corporation or legal entity, and submit as Exhibits, (a) a statement of how such control, if any, exists and the extent thereof, and (b) with respect to such other corporation or legal entity, a statement giving the same information as required for question 1 above.

Name of Corporation or entity: Allied Waste North America, Inc.

Owns 100% of the interest in BFI Waste Services, LLC

If the corporation or legal entity named in question 5 is a subsidiary, state the name of such other parent corporation or legal entity, and submit a statement for each such corporation or legal entity in answers to questions 1 through 5, to and including the organization having final control.

**Allied Waste North America, Inc. ("AWNA")**

- 1) Stock of corporation.

Class of Stock Common Par Value \$0.01 Vote Per Share 1

No. Shares Authorized 1,000 No. Shares Issued 1,000

No. Shares Subscribed N/A Total Number Stockholders 1

- 2) Has AWNA any other obligations or securities authorized or outstanding which bear voting rights either absolutely or upon any contingency? yes \_\_\_\_\_ no X

If so, submit as an Exhibit, a statement of (a) the nature of such securities, (b) the face value or par value, (c) the number of units authorized, (d) the number of units issued and outstanding, (e) the number of units, if any, proposed to be issued, (f) the conditions or contingency upon which such securities may be voted.

- 3) Is AWNA, directly or indirectly, controlled by Another corporation or legal entity? Yes X No \_\_\_\_\_
- 4) Is 5 percent or more of the stock of AWNA owned By another corporation or legal entity? Yes X No \_\_\_\_\_
- 5) If the answer to questions 3 or 4 above is "yes", state below the names of such other corporation or legal entity, and submit as Exhibits, (a) a statement of how such control, if any, exists and the extent thereof, and (b) with respect to such other corporation or legal

entity, a statement giving the same information as required for question 1 above.  
Name of Corporation or entity: Allied Waste Industries, LLC

Owns 100% of the stock of Allied Waste North America, Inc.

If the corporation or legal entity named in question 5 is a subsidiary, state the name of such other parent corporation or legal entity, and submit a statement for each such corporation or legal entity in answers to questions 1 through 5, to and including the organization having final control.

Allied Waste Industries, LLC ("AWI")

1) Stock of corporation. N/A

Class of Stock \_\_\_\_\_ Par Value \_\_\_\_\_ Vote Per Share \_\_\_\_\_

No. Shares Authorized \_\_\_\_\_ No. Shares Issued \_\_\_\_\_

No. Shares Subscribed \_\_\_\_\_ Total Number Stockholders \_\_\_\_\_

2) Has AWI any other obligations or securities authorized or outstanding which bear voting rights either absolutely or upon any contingency? yes \_\_\_\_\_ no X

If so, submit as an Exhibit, a statement of (a) the nature of such securities, (b) the face value or par value, (c) the number of units authorized, (d) the number of units issued and outstanding, (e) the number of units, if any, proposed to be issued, (f) the conditions or contingency upon which such securities may be voted.

3) Is AWI, directly or indirectly, controlled by Another corporation or legal entity? Yes X No \_\_\_\_\_

4) Is 5 percent or more of the stock of AWI owned By another corporation or legal entity? Yes X No \_\_\_\_\_

5) If the answer to questions 3 or 4 above is "yes", state below the names of such other corporation or legal entity, and submit as Exhibits, (a) a statement of how such control, if any, exists and the extent thereof, and (b) with respect to such other corporation or legal entity, a statement giving the same information as required for question 1 above.

Name of Corporation or entity: Republic Services, Inc.

Owns 100% of the interest of Allied Waste Industries, LLC

If the corporation or legal entity named in question 5 is a subsidiary, state the name of such other parent corporation or legal entity, and submit a statement for each such corporation or legal entity in answers to questions 1 through 5, to and including the organization having final control.

**Republic Services, Inc. ("RSI")**

1) Stock of corporation.

Class of Stock Common Par Value \$0.01 Vote Per Share 1

No. Shares Authorized 750,000,000 No. Shares Issued 411,824,260 (issued and outstanding as of 3/31/2014)

No. Shares Subscribed \_\_\_\_\_ Total Number Stockholders 737 shareholders of record as of 3/31/2014

Class of Stock Preferred Par Value \$0.01 Vote Per Share \_\_\_\_\_

No. Shares Authorized 50,000,000 No. Shares Issued 0

No. Shares Subscribed \_\_\_\_\_ Total Number Stockholders 0

- 2) Has RSI any other obligations or securities authorized or outstanding which bear voting rights either absolutely or upon any contingency? yes \_\_\_\_\_ no X

If so, submit as an Exhibit, a statement of (a) the nature of such securities, (b) the face value or par value, (c) the number of units authorized, (d) the number of units issued and outstanding, (e) the number of units, if any, proposed to be issued, (f) the conditions or contingency upon which such securities may be voted.

- 3) Is RSI, directly or indirectly, controlled by Another corporation or legal entity? Yes \_\_\_\_\_ No X

- 4) Is 5 percent or more of the stock of RSI owned By another corporation or legal entity? Yes X No \_\_\_\_\_

- 5) If the answer to questions 3 or 4 above is "yes", state below the names of such other corporation or legal entity, and submit as Exhibits, (a) a statement of how such control, if any, exists and the extent thereof, and (b) with respect to such other corporation or legal entity, a statement giving the same information as required for question 1 above.

If the corporation or legal entity named in question 5 is a subsidiary, state the name of such other parent corporation or legal entity, and submit a statement for each such corporation or legal entity in answers to questions 1 through 5, to and including the organization having final control.

Republic Services, Inc.\*

The following table shows certain information as of March 11, 2014 with respect to the beneficial ownership of common stock by each of our stockholders who we know is a beneficial owner of more than 5% of our outstanding common stock:

Name of Beneficial Owner	Shares Beneficially Owned	
	Number	Percent(1)
William H. Gates III	90,984,760(2)	25.4%
Cascade Investment, L.L.C.		
2365 Carillon Point Kirkland, WA 98033		

- (1) Calculated in accordance with Rule 13d-3 under the Exchange Act, based on 358,603,053 shares outstanding at the close of business on March 11, 2014.
- (2) Based on a Schedule 13D/A and Form 4s filed with the SEC by Mr. Gates and Cascade Investment, L.L.C. ("Cascade") to date, the number of shares beneficially owned by Mr. Gates includes 89,634,760 held by Cascade and 1,350,000 shares held by the Bill & Melinda Gates Foundation Trust (the "Trust"). All shares of our common stock held by Cascade and the Trust may be deemed to be beneficially owned by Mr. Gates as the sole member of Cascade and co-Trustee of the Trust. Mr. Gates' address is One Microsoft Way, Redmond, WA 98052.

\*Republic Services, Inc. is a publicly traded corporation and as such any person or entity may at any time purchase or sell stock of Republic Services, Inc. and become a 10% owner or cease to be a 10% owner. Republic Services, Inc. does not have control over when any person or entity may buy or sell its stock and such person or entity is not required to notify Republic Services, Inc. in advance of such purchase or sale. In addition, depending upon the exact circumstances, Republic Services, Inc. may or may not receive notice of such purchase or sale and such notice may not be received in timely manner from when the actual purchase or sale took place.

IF BIDDER IS A JOINT VENTURE - List below the trade name of the venture, business address, including zip code, telephone number, including area code).

Trade Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email \_\_\_\_\_

Principal participants in the venture (name, address & business or participant, percentage or each participant's commitment):

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

IF BIDDER IS AN UNINCORPORATED ASSOCIATION - List below the trade name of the association, participants and such details as will fully identify the applicant and the principals involved.

---

---

---

---

Indicate here total number of persons having any ownership interest

**(Submit as an Exhibit one copy of any agreements between or among the parties.)**

B. FINANCE

The following are the full names and addresses of each and every person (whether or not connected with bidder, including partners, shareholders, or subscribers to capital stock or the applicant) who has furnished or will furnish funds, property, service, credit, loans, donations, assurances, or other things of value, or will assist in any other manner in financing: ("Furnish" or "furnished" as herein used includes payments for capital stock or other securities, loans and other credits, gifts and any other contributions.)

- a. For each person who has agreed to furnish funds, purchase stock, extend credit, or guarantee loans, submit a copy of the agreement by which each person is so obligated, showing the amount, rate of interest, terms of repayment, and security, if any. If no security is required, so state.

**Not Applicable**

- b. For each such person (except financial institutions) who has agreed to furnish funds or purchase stock (equivalent to 10% of common equity) but who has not already done so, submit credible evidence of financial capability (in the form of liquid assets) to meet the proposed commitment. Such evidence must be authenticated and dated.

**Not Applicable**

- c. If bidder or any person named in the exhibit has pledged, hypothecated or otherwise encumbered any stocks or other securities for the purpose of providing applicant with funds for performance of the contract, submit a statement explaining each such transaction. **(Not Applicable)**
- d. For financial institutions who have agreed to make a loan, submit a copy of the document by which the institution has indicated its commitment to provide such loan or loans, showing the amount of loan, terms of payment or repayment of loan, collateral, security and down payment required and rate of interest to be charged. If there are any special requirements such as moratorium on principal or interest, or a waiver of collateral, etc., such must be shown on the document of credit. In the event such documents requires special endorsements or guarantees, a statement from the party or parties required to provide such endorsement or guarantee must be submitted with the document as supporting evidence of their willingness to so provide. **(Not Applicable)**
- e. Attach a current financial statement certified by the chief financial officer of the applicant. Attach a financial statement for corporation, individual or each party in joint venture or partnership, as appropriate. **(See Financials in Corporate Qualifications)**
- f. Provide a bank reference. **(See Financials in Corporate Qualifications)**

### C. MANAGEMENT

1. Name and describe the qualifications of all partners, officers and principal employees who will have significant managerial responsibilities for the service. Use separate sheets as necessary in this section. **(See Corporate Qualifications Section)**

2. Describe how refuse/recycling collection service in Berryville would be supervised.

Republic will have an Operations Supervisor, Ken Ross, who will supervise the route and check in with drivers too review work and provide guidance and additional resources as needed. As a secondary means of supervision the route will be monitored by Operations Manager, Jerry Wilson. The management team will be accessible at all times by email and cell phone.

3. Describe collection manpower and methods to be used.

Solid waste collection will be performed by Driver Jody Crouse in a manual/automated side loader collection vehicle.

Recycle will be collected by Driver George Forry in a manual side load vehicle with a hydraulic cart tipper.

Both collection vehicles come with state of the art safety features and have right side driving capabilities for driver safety.

4. Will your collectors be in uniform?

Yes- All operational employees are supplied uniforms and safety equipment for their job.

5. Describe office and repair facilities you operate.

Republic Services of Winchester office and a 4 bay maintenance facility are located at 400 Lenoir Dr. in Winchester, Va. We operate Front Load, Rear Load and Industrial routes out of the yard and we have a staff of dispatchers, mechanics, sales, management and support staff to handle all customer service issues from 8 A.M. to 5 P.M. Monday through Friday of each week excluding some holidays.

6. Wages and fringe benefits to be paid at start of contract:

a)	Collector:	Starting pay/hour	<u>\$ NA</u>
		Top pay/hour	<u>\$ NA</u>

b)	Driver:	Starting pay/hour	<u>\$ 18.00</u>
		Top pay/hour	<u>\$ 26.00</u>

c) Describe sick leave policies, if any  
Depending on years of service a minimum of 5 days per year and must call in at least one hour prior to shift.

d) Describe vacation leave policies, if any  
Depending on years of service a minimum of 2-4 weeks per year and must be requested at least 2 weeks in advance.

e) Describe paid employee group insurance, if any  
Cafeteria style plans which may include dependents and employees contribute partial payment out of each pay period to assist in costs.

f) How many drivers and collectors did you employ 30 hours per week or more during each of the months shown. (We do not hire collectors/helpers)

	<u>Drivers</u>
January	<u>20</u>
February	<u>20</u>



Roll Off	2012	MACK	GU813	U-10-174 / 60000 LBS
Residential Trash	2007	MACK MASL	LEU613	PYTHON
Residential Trash	2005	MACK MASL	LEU613	PYTHON
Residential Trash	2012	MACK MSAL	LEU613	TELEGRIP
Front Load Trash	2010	MACK	MRU613	4029
Front Load Trash	2002	MACK	MR688S	4029
Front Load Trash	2005	MACK	MR688S	4029
Front Load Recycle	2007	MACK	MR688S	4029
Front Load Trash	2007	MACK	MR688S	4029
Front Load Trash	2007	MACK	MR688S	4029
Front Load Trash	2009	MACK	MRU613	4029
Service Truck	1999	FORD	F450	12' BODY
Service Truck	2002	FORD	F450	12' BODY
Stake Body for Bulk Pickup	1994	FORD	F700	18' BODY
Cart Delivery	1995	FORD	F250	8' BED
Front Load Container Delivery	1999	FRGTLINE	FL60	TILT FRAME
Cart Delivery	2009	FORD	F150	8' BED
Tractor (Jockey)	1987	OTTAWA	30	NA
Tractor for bulk cart delivery	1995	MACK	CH613	NA

2. Do you intend to add equipment to serve Berryville if awarded the contract? If so, list under #1 above and indicate "To be acquired" in right hand column.

## E. PRESENT BUSINESS ACTIVITY

1. Describe present business activity as follows:

### References

Customer: Frederick County Public Schools  
Location: Frederick County Virginia  
Contact: Dale Patton  
Phone#: 540- 667-4865  
Email address: [pattond@frederick.k12.va.us](mailto:pattond@frederick.k12.va.us)  
Contract start date: 7/1/2011  
Number of sites serviced: 22 schools

Customer: Warren County Public Schools  
Location: Warren County Virginia  
Contact: Michael Riley  
Phone #: 540-635-2171  
Email address: [mriley@wcps.k12.va.us](mailto:mriley@wcps.k12.va.us)  
Contract start date: 7/01/2010  
Number of sites serviced: 11 schools

Customer: Clarke County Public Schools  
Location: Clarke County Virginia  
Contact: Pat Wiley  
Phone #: 540-955-5148  
Phone #: [pwiley@clarkecounty.gov](mailto:pwiley@clarkecounty.gov)  
Contract start date: 7/1/2007  
Numbers of schools serviced: 10

Customer: County of Frederick  
Location: Frederick County Virginia  
Contact: Gloria Puffinburger  
Phone#: 540- 665-5643  
Email address: [gpuffinb@co.frederick.va.us](mailto:gpuffinb@co.frederick.va.us)  
Contract start date: 7/1/2011  
Number of sites serviced: 11 county drop off facilities.

Customer: Warren County  
Location: Warren County Virginia  
Contact: Michael Berry  
Phone #: 540-635- 4600  
Email address: [mberry@warrencountyva.net](mailto:mberry@warrencountyva.net)  
Contract start date: 7/01/2004  
Number of sites serviced: 5 county drop off facilities

2. List contracts with cities, towns, counties or homeowners associations and give name and phone of contract administrator.

**Note: Contact information and rates are deemed confidential. Republic Services is happy to share the information in a closed session if so desired by the Council and Town management.**

Customer	Service	Pick Up Day	House Count	Contract Effective	CA .48	BB .08	Contact	Phone number
Wakeland Manor	Trash	Wednesday	558	4/1/2012	558			
Chantilly	Recycling	Wednesday	558			558		
Winchester - 2 (Toters)	Trash	Thursday	193	7/1/2013	386			
Winchester	Recycling	Thursday	193			193		
Twin Lakes - 1	Trash	Thursday	37	1/1/2012	37			
Twin Lakes - 2	Trash	Thursday	54		408			
Winchester	Recycling	Tuesday	90			90		
Diamond Valley	Trash	Thursday	167	11/1/2012	167			
Chantilly	Recycling	Thursday	167			167		
Westminister	Trash	Wednesday	49	5/1/2006	49			
Winchester	Recycling	Wednesday	49			49		
Fieldstone	Trash	Thursday	35	3/1/2014	35			
Winchester	Recycle	Tuesday	35		35			
Meadows Edge	Trash	Tuesday	85	6/1/2008	85			
	Recycling	Wednesday	85			85		
Berryville Resi	Trash	Thursday	1412	7/1/2008	1422		Keith Dalton	540-533-9263
	Recycling	Thursday	1412			1412		
Berryville Comm - 1X	Trash	Friday	78		78			
Berryville Comm - 2X	Trash	Tues & Fri	52		52			
Berryville Comm	Recycling	Friday	39					
Ramie Corner	Trash	Thursday	10	11/19/2012	10			
Chantilly	Recycle	Thursday	10			10		
Cedar Meadows	Trash	Tuesday	11	12/8/2011	11			
Stephen City	Recycling	Wednesday	11			11		
Orchard Ridge	Trash	Friday	40	2/1/2013				
Winchester	Recycle	Friday	40			40		
Southern Hills	Trash	Tuesday	7	3/1/2013				
Stephen City	Recycle	Wednesday	7					
Brookland Manor	Trash	Thursday	69	6/1/2013	69			
Winchester	Recycle	Thursday	69			69		

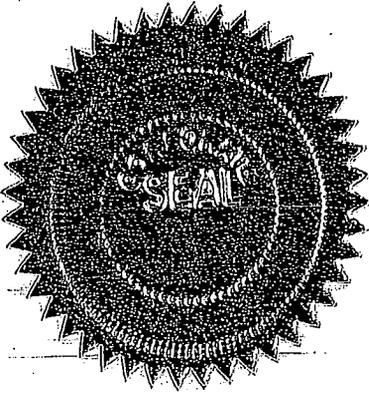
Bidder Signature Page

Attached Company Certificate of Secretary

Signed at Conover, North Carolina, this  
(City/Town) (State)

25<sup>th</sup> day of April, 2014.

SEAL:



BFI Waste Services, LLC  
(Bidder)

403 Lenoir Dr  
(Address)

Winchester, Virginia

Drew Isenhour, Area President  
(Name of Officer - Title)

Drew Isenhour  
(Authorized Signature)

Certificate of Secretary  
On  
Next Page

**CERTIFICATE OF SECRETARY**

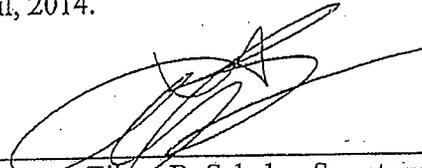
The undersigned, the Secretary of **BFI WASTE SERVICES, LLC**, a Delaware limited liability company (the "Company"), hereby certifies that the following is a true and correct copy of the resolution which was duly adopted by **ALLIED WASTE NORTH AMERICA, INC.**, a Delaware corporation, the sole member of the Company (the "Member") by written consent of the Member on July 15, 2011, that such resolution has not been rescinded, amended or modified in any respect, and is in full force and effect on the date hereof:

**RELATING TO THE BID OR PROPOSAL  
TO PROVIDE GARBAGE AND REFUSE COLLECTION/DISPOSAL  
AND CURBSIDE RECYCLING COLLECTION SERVICE  
FOR THE TOWN OF BERRYVILLE  
IN THE COMMONWEALTH OF VIRGINIA**

**RESOLVED**, that any individual at the time holding the position of Area President, Area Controller, or General Manager be, and each of them hereby is, appointed as an Authorized Agent to act in the name and on behalf of the Company, in connection with the day-to-day business activities of the Company, and further, in addition to the foregoing positions, any Municipal Services Director or Area Municipal Services Manager be, and each of them hereby is, appointed as an Authorized Agent to execute any bid and proposal, and if awarded, any related contract for services to be performed by the Company and any bond required by such bid, proposal or contract in accordance with the existing Levels of Authority.

I further certify that **DREW ISENHOUR** holds the title of Area President and in such capacity has full authority to act in the name and on behalf of the Company as set forth in the foregoing resolution.

**WITNESS MY HAND**, this 23<sup>rd</sup> day of April, 2014.

  
\_\_\_\_\_  
Eileen B. Schuler, Secretary