



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

## DEPARTMENT OF NATURAL RESOURCES

[www.dnr.mo.gov](http://www.dnr.mo.gov)

**MAR 07 2013**

Mr. Gary Collins  
Route 1, Box 4030  
Dora, MO 65637

Dear Mr. Collins:

This letter is in follow-up to a February 27, 2013 e-mail received by the Solid Waste Management Program (SWMP) from Ms. Lynda Roehl, District Coordinator for the South Central Missouri Solid Waste Management District -- Region P related to the district's current administration and plans to delay bidding for administrative services (copy enclosed). The district's change in planned actions related to administrative services is unacceptable as this action results in continued non-compliance by the district.

Beginning on October 25, 2012, the SWMP received a series of documents from the district indicating plans to bid for contracted administrative services in January 2013 and that the district's executive board would review the Request for Proposal (RFP) during the Board's December 6, 2012 meeting (copies enclosed). The SWMP in our February 25, 2013 letter about the performance audit of Region P concurred with the district's planned procurement action as appropriate to resolve the outstanding issues related to the relationship existing between the district and its employees/ contractors and the employees/contractors' company, Backwoods, which has been providing payment services for goods and services obtained for the district in amounts in excess of the bid requirements.

In her e-mail Ms. Roehl says the executive board, during their December 6, 2012 meeting, stated "In light of the State audit and the legislative concerns that will need to be addressed this session, the board decided that they will table the issue of district administration until May 2013 when the fate of the districts will be better known. Linda Garrett moved and T.J. Lewis seconded that the board retain Lynda Roehl in her current position as District Coordinator with a \$300 per month decrease in pay. The decrease will come from retirement and health care benefits. Motion carried unanimously." The department's performance audit comment letter and resolution document were based upon the district's amended District Operations application approved on November 14,

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2012 which stated the District was bidding for administrative services and the process would be completed by March 1, 2013.

The district to fully resolve the findings in the performance audit related to administrative services must release an RFP no later than thirty calendar days from the date of this letter. Documentation that the RFP was released by the district must be submitted to SWMP within 7 calendar days of the publication of the notice of RFP availability. Additionally, the district must complete the bid process and provide documentation including affidavits of publication to show the bid process was completed appropriately and in compliance with the procurement standards included in the SWMP's General Terms and Conditions and 34.040 RSMo. The SWMP has approval authority over contracts awarded by the district, please ensure that prior to final execution of the contract that related documentation is provided to the SWMP for our action.

The procurement process must be completed timely and a new administrative contract awarded with an effective date of July 1, 2013 to coincide with the beginning of the new fiscal year. The district must include language in the contract, such as "The District and Administrative Contractor agree that funds for the purposes of this contract must be appropriated and made available by the Missouri General Assembly for each fiscal year included within the contract period, as well as being approved by the state agency supporting the project. The District and Administrative Contractor agree that should funds not be made available to the South Central Solid Waste Management District for administrative services then the contract or amendments thereto, shall automatically terminate without penalty or termination costs if such funds are not appropriated and/or made available." which should remedy any issues should a legislative change occur during the current session.

In regard to the district's non-compliance status related to administrative services, this communication serves as notice pursuant to 10 CSR 80-9.050(9)(B) that should the district fail to meet the conditions set forth in this letter within the required timeframes funding to the district will be withheld beginning on July 1, 2013 until compliance is achieved. The SWMP will reallocate any such funds withheld from Region P to other compliant districts as provided for in 10 CSR 80-9.050(9)(E).

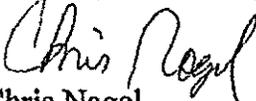
Region P's current District Operations approval does not include salary and fringe benefits effective March 1, 2013. The SWMP, as of March 5, has not received a request from Region P for further amendment of District Operations to include such costs. The district needs to take immediate action to address this issue.

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Please do not hesitate to contact Ms. Brenda Ardrey at (573) 751-5401 or by mail at P.O. Box 176, Jefferson City, MO 65102, if you have any questions or require further clarification. Thank you for your cooperation and assistance in this effort.

Sincerely,

**SOLID WASTE MANAGEMENT PROGRAM**

  
Chris Nagel  
Director

CN:bam

Enclosures

- c: Mr. Larry Pueppke, Presiding Commissioner, Douglas County
- Mr. Mark Collins, Presiding Commissioner, Howell County
- Mr. John Wrenfrow, Associate Commissioner, Oregon County
- Mr. David Morrison, Presiding Commissioner, Ozark County
- Mr. Dale Counts, Associate Commissioner, Shannon County
- Ms. Linda Garrett, Associate Commissioner, Texas County
- Mr. Mike Sherman, Associate Commissioner, Wright County
- Mr. Dennis Sloan, At-large Member
- Ms. Lynda Roehl, South Central SWMD, District Coordinator
- Ms. Linda Jaegers, Fiscal & Administrative Manager, Division of Environmental Quality
- Ms. Brenda Ardrey, Fiscal & Administrative Manager, Solid Waste Management Program

**From:** [South Central Solid Waste Management District](#)  
**To:** [Stansfield, Anita](#)  
**Cc:** [Nagel, Chris](#); [Ardrey, Brenda](#)  
**Subject:** District P Administration  
**Date:** Wednesday, February 27, 2013 11:08:48 AM  
**Attachments:** [Dec 6, 2012 Ex Bd mins.docx](#)

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I am again sending a copy of the minutes of the December 6, 2012 Executive Board minutes stating that the Executive Board of the District has extended my employment until May 2013.

“In light of the State audit and the legislative concerns that will need to be addressed this session, the board decided that they will table the issue of district administration until May 2013 when the fate of the districts will be better known. Linda Garrett moved and T.J. Lewis seconded that the board retain Lynda Roehl in her current position as District Coordinator with a \$300 per month decrease in pay. The decrease will come from retirement and health care benefits. Motion carried unanimously. “

Lynda Roehl, District Coordinator  
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