

# **SUPPLEMENTAL PACKET**

**City of Afton  
Audit Presentation  
May 19, 2020**

**How the audit went:**

- **Much better than 2018, our first year.**
- **First year transition often is more difficult and takes longer.**
- **Audit opinion was unmodified (clean) as it was in 2018.**
- **Audit completed April 24<sup>th</sup>. Final State reports due June 30<sup>th</sup>.**

**How the accounting system is working:**

- **Ron, Tom and other City staff are doing a great job.**
- **We only had 6 adjusting journal entries vs. many more at some cities.**

**How the City's finances are being managed:**

- **Great, way better than most cities.**
- **Assets exceed liabilities by \$22M. That's \$7,275 per citizen at a population of 3,024 (est 2018).**
- **Unrestricted amounts are at \$3.9M. That's amounts not tied up in capital assets or with other restrictions.**
- **Budget vs. actual in the General Fund was over budget by \$67,000, but \$125,000 of that was capital outlay relating to Broadband Improvements.**
- **Capital grants and donations were up \$674,000 over 2018 and at 36% of budget vs. property taxes at 47% of budget. Many cities have no grant and donation revenue and need to make up for it with increased property taxes.**

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## Memorandum

To: Honorable Mayor and City Council, City of Afton

From: Jennifer Hildebrand, PE Services  
Klay Eckles, WSB

Date: May 19, 2020

Re: Afton Creek Preserve restoration progress report

The Afton Creek Preserve Development project although it is near completion, continues to have several outstanding issues that need attention. In the meantime, one building permit has been granted. The site is currently not meeting the requirements of the plans, developer's agreement, contingency plans, or the NPDES permit related to environmental protection. The developer has provided indications that they are making progress on stabilizing the site and are exploring corrective actions for two of the ponding areas that are not functioning according to the plans.

The most recent rain events this weekend delivered approximately 3" of precipitation to the site and has again demonstrated where the deficiencies exist. Additional rainfall could result in environmental and property damage if not addressed in a timely manner. In addition, Council should be aware that issuance of further building permits may inadvertently disturb the site and risk additional damage. The following is a list of specific issues that need to be addressed to bring the site into compliance:

- 1) Redesign or reconstruct pond 7 to meet the infiltration requirements. This pond has not functioned as intended; the developer requested additional time to see if the pond would function after the Spring thaw. This pond has had standing water in it for at least 4 weeks of zero precipitation received. This rain event demonstrated that it is not functioning. The pond should be dry 24 hours after a full event. As of 3 pm today (41 hours after the rain event) it still was full up to the control structure. This further demonstrates the non-performance of the infiltration.
- 2) Regrade the area around pond 5 to ensure water in the development drains to the pond as designed. During the recent event it was evident that there are significant amounts of water that is not reaching the pond, and instead draining directly into the overflow area and bypassing P5 and flowing directly onto the neighboring property. Developer reportedly made some changes in an attempt to address the issue, but it appears that it was unsuccessful.
- 3) Address all site stabilization items as presented on the Weekly Inspection Report prepared 5/19/20. In particular, these are the significant items:
  - a. Apply additional Blanketing to pond 3
  - b. Use Blanketing in all ditch and swale areas disturbed by utility companies (the hydro-mulching that was used is not appropriate or effective)
- 4) The site was seeded with a native plant mix, but to be successful a management plan for the upcoming growing season is critical for a successful establishment of the native mix and minimizing of weed crops.

- 5) The site was scarified last fall in the bottoms of P4 and P2. There is not substantial vegetation established at this time for these infiltration basins. During the drafting of this memo there is still standing water in P4 and P2. It should be noted that within 48 hours of a substantial rain event, these ponds are designed to fully drain.
- 6) Complete the tree planting requirements along the neighboring property. Trees were planted but did not meet the required screening. Developer has indicated that corrective actions will be taken, but it is incomplete.

This is not the final “punch list”, as the developer still has paving work and other activities, but it is a list of items that should be addressed in a short timeframe. Given the risk of additional damage and potential for more significant rain, it is imperative that the Developer meet the requirements of the Developers Agreement, NPDES Construction permit, as well as the requirements of the approved plans and specifications. The developer has indicated a willingness to deal with items related to the NPDES permit. The developer has been reluctant to address the other issues, but a firm timeline for addressing item 1 and 2 as well as a timeline and plan for item 4 and 5 are needed to avoid issues and meet the permit requirements.

#### **RECOMMENDATION**

It is recommended that the Council consider the information presented and consider establishing a specific timeline for completing the remaining items. This could include the Council providing the Developer written direction providing 15 days to complete a set of items that would be listed in the letter. This list should include the items on the weekly inspection report, and the items left outstanding from the 2019 Fall inspection for stormwater performance. These items which are described in item 3 above reflect the normal expectation.

The Developers Agreement indicates that in addition to a long term maintenance agreement for vegetation management; Prairie Restoration is required to perform the initial planting of all residential lots and the seeding of all disturbed areas is to be completed in the fall of 2019. Further, item #14 on the Developers Agreement indicates that Prairie Restoration is to provide 3 years of maintenance of this vegetation once planted. (2020, 2021, and 2022) This is the time of year when weed growth in areas of native planting needs to be addressed in a timely manner.

For the corrections related to all ponds as well as the native planting maintenance plan it is recommended the Developer be provided 15 days to supply a plan along with timelines for addressing all the remaining items (a July 1 completion date for these items would provide adequate time.) If sufficient progress is not made in the 15 days council may wish to meet in order to develop findings for taking more active steps to see the work is completed.



Pond 4 at 3 pm 5/19/20. This pond should be dry at 48 hours. This picture shows the water at the control elevation at 41 hours—very little infiltration as occurred.



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Pond 7 at 3pm 5/19/20. This pond should be dry after 24 hours. At 41 hours it is still at the control elevation—so virtually no infiltration has occurred.