

VILLAGE OF WINDSOR
RESOLUTION 2024-105

APPROVING AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH THE
UNIVERSITY OF WISCONSIN MADISON, OFFICE OF RESEARCH AND SPONSORED PROGRAMS FOR
MONITORING WELLS IN TOKEN CREEK CONSERVANCY AT 3667 EGRE ROAD

WHEREAS, the Village of Windsor approved a Memorandum of Understanding, and an Addendum, with the University of Wisconsin-Madison, Office of Research and Sponsored Programs for the installation and monitoring of wells in the Token Creek Conservancy at 3667 Egge Road on February 19, 2018, attached hereto as Exhibit A; and

WHEREAS, the timeline for use of the wells has expired; and

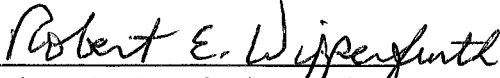
WHEREAS, the renewal of use of the wells, or abandonment of the wells, was supposed to occur before December 31, 2023; and

WHEREAS, the University of Wisconsin-Madison, Office of Research and Sponsored Programs would like to continue the Original Memorandum of Understanding by extending the timeline and well abandonment date, attached hereto as Exhibit B: Amendment #2.

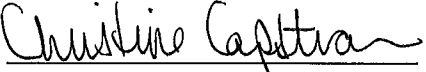
NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Windsor that the attached Amendment #2, Exhibit B, with the University of Wisconsin Madison, Office of Research and Sponsored Programs is hereby approved. The Village President is hereby authorized to execute Amendment #2 on behalf of the Village of Windsor.

The above and foregoing Resolution was duly adopted by the Village Board of the Village of Windsor, Dane County, Wisconsin at a meeting held on December 5, 2024, by a vote of 4 in favor and 0 opposed.

VILLAGE OF WINDSOR


Robert E. Wipperfurth, President

Attested by:


Christine Capstran, Clerk

Incorporated by reference:

Exhibit A: Original Memorandum of Understanding, with Addendum

Exhibit B: Amendment #2

Memorandum of Understanding (MOU)
Between
The Village of Windsor / Token Creek Conservancy
Point of contact: Kadie Jo Butteris, Deputy Clerk-Deputy Treasurer
kadie@windsorwi.gov; 608-888-0066
And
University of Wisconsin-Madison, Office of Research and Sponsored Programs
Point of contact: Michael Cardiff, Assistant Professor, UW-Madison
cardiff@wisc.edu, 208-484-4361

Context: The purpose of this MOU is to define expectations and guidelines for the installation and use of wells in the Culver Springs area of the Token Creek Conservancy (henceforth, "Culver Springs"). Existing wells are located near the parking lot at the South end of Mill road. As described in this MOU, Dr. Cardiff, the Wisconsin Geological and Natural History Survey (WGNHS) and subcontracted drillers will work together to install up to four (4) additional wells near the existing wells. Once installed, Dr. Cardiff, his research group, and collaborators with Dr. Cardiff plan to perform hydrologic and geophysical tests at these wells during the summer months. The text below further describes the agreed upon parameters for installation of new wells at Culver Springs and the use of these wells for hydraulic and geophysical testing.

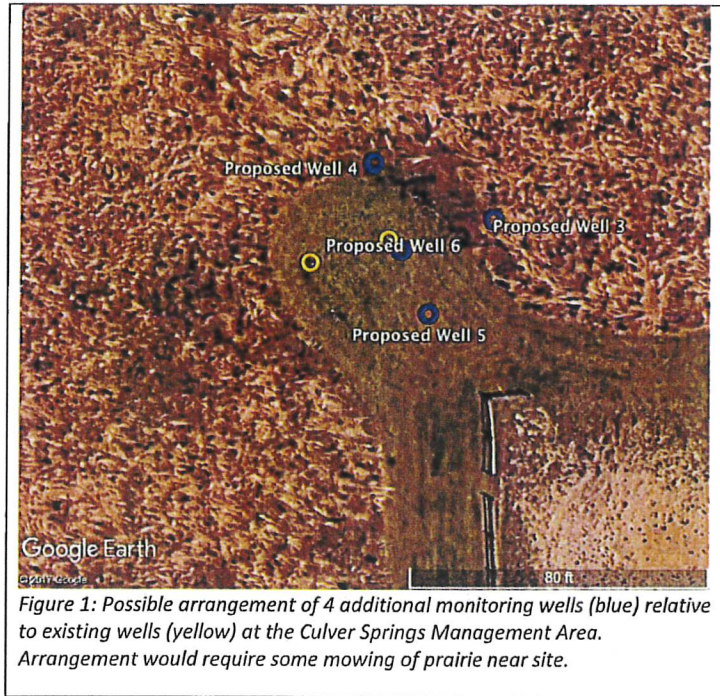
Well Installations:

Cardiff / UW-Madison and the Village of Windsor agree that additional wells may be installed at Culver Springs that meet the following guidelines:

- Up to four (4) additional wells may be installed in the vicinity of the existing wells at Culver Springs. The wells will be located not more than 60 feet from existing wells, and all will be located north of the northern edge of the existing parking lot / fence line.
- The wells will not exceed a total depth of 400 feet below land surface, and will be less than 12 inches (1 foot) in diameter.
- The wells will be installed such that they are "open" to the surrounding formation (i.e., uncased) throughout the majority of their length.
- Wellheads will have a height of not more than 4 feet above land surface. Access to the wellheads will be restricted through the installations of caps and locks that are keyed for access by WGNHS personnel.
- Wells will be installed during the Winter of 2018, preferably during periods of frozen ground to minimize disturbance by drilling rigs.
- Existing prairie grass may be "mowed back" to allow access for installation and use of the new wells. However, Cardiff and coworkers will seek to minimize removal or mowing of natural prairie grasses during well installation

Any modification to this plan will require additional approvals from the Village of Windsor.

An illustrative example of a plausible well installation is shown below in Figure 1 for context. Note that actual well installation locations may differ from this example.



Use of Wells and Site: Dr. Cardiff / UW-Madison and the Village of Windsor agree that hydrogeologic investigations may take place at the site according to the following, mutually agreed-upon guidelines. Work at the site performed by Dr. Cardiff, his research group, or collaborators will adhere to the following:

- **Timeframe:** Access to the site for testing will be allowed for Dr. Cardiff and colleagues until August 30, 2023 (renewable).
- **Annual Usage:** Dr. Cardiff and his group expect to use the site in focused summer campaigns, i.e. continuously for a period of up to 2 weeks, during summer months, as well as sporadic testing campaigns – up to 15 days annually, pack in-pack out daily – that would be smaller-scale and last no more than 1 day. Dr. Cardiff will obtain authorization from the Village of Windsor for any additional site time.
- **Testing protocols:** Allowable installations and testing within the wells are limited to the following, with approval from Village of Windsor required for any other actions:
 - Logging of boreholes with geophysical tools (e.g., optical borehole profiles, calipers, flowmeters, temperature sensors)
 - Installation of inflatable packers and in-well sensors (pressure / temperature / conductivity / solute measurements)
 - Pressurization of tested fractured intervals at low pressures (up to 60 PSI) to depress water levels via compressed air.

- Use of non-invasive geophysical surveys (e.g., electrical resistivity surveys or ground-penetrating radar) that do are not contributors to noise pollution.
- **Space usage:** All site testing equipment will be located in the mowed well-field area. For any additional use of space needed during testing, Dr. Cardiff will request authorization from Village of Windsor.
- **Site condition monitoring:** Dr. Cardiff or a member of his research group will be present during any testing, and will report documented site conditions before, during, and after experimentation to Village of Windsor, in an effort to monitor and limit any long-term disturbance to the site.

Well Abandonment

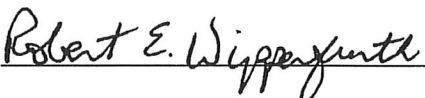
The wells described in this project will be used throughout the research project and may provide subsurface access for follow-on research projects. Unused wells, however, can provide conduits for undesired flows of water and contaminants if not monitored. For this reason, the wells installed are scheduled to be formally abandoned following DNR guidelines (<https://dnr.wi.gov/topic/wells/fillingsealing.html>) by December 31, 2023, with abandonment contracted by Dr. Cardiff. Any requests for continuing access to and maintenance of these wells for research will be submitted in advance of this date to the Village of Windsor, so that approval for continuing use can be obtained before December 31, 2023.

Reporting / Information Sharing

By December 31 of each testing year, Dr. Cardiff will produce a brief “annual report” (written or presentation) documenting testing performed at the site and data collected. Any data of use to Village of Windsor will be shared upon request within a reasonable timeframe (1 month).

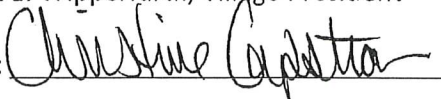
Signed: 
 Robert Gratzl, Managing Officer, RSP
 Office of Research and Sponsored Programs

Date: 1/16/2018

Signed: 

Date: 2-19-2018

Robert E. Wipperfurth, Village President

Attest: 

Date: 2-19-18

Christine Capstran, Clerk

**Addendum to:
DRAFT Memorandum of Understanding (MOU)
Between
The Village of Windsor / Token Creek Conservancy**

Addendum:

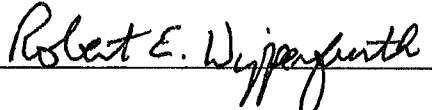
This addendum modifies the existing (signed) MOU between UW-Madison and the Village of Windsor / Token Creek Conservancy as follows:

1. A period "." is added at the end of the sentence of the last bullet point under "Well Installations", so that the sentence now reads "... of natural prairie grasses during well installation."
2. An additional bullet point is added under "Well Installations" to address well abandonment, as follows: "*Well Abandonment.* Dr. Cardiff / UW-Madison shall be responsible for the abandonment of all well installations in accordance with legal requirements, and at Dr. Cardiff's / UW-Madison's sole expense. Abandonment shall occur at the earlier of the conclusion of the Culver Springs project (August 30, 2023 unless extended by mutual agreement) or at such time as the well installation is no longer used for testing permitted under this MOU. Time is of the essence as is compliance with legal requirements for abandonment of wells."

Signed: 

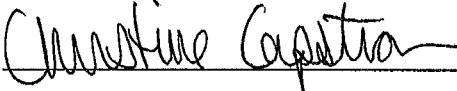
Date: 2/14/2018

Office of Research and Sponsored Programs, UW-Madison

Signed: 

Date: 2-19-2018

Robert E. Wipperfurth, Village President

Attest: 

Date: 2-19-18

Christine Capstran, Clerk

Amendment #2
Memorandum of Understanding (MOU)
Between
The Village of Windsor / Token Creek Conservancy
And
University of Wisconsin – Madison, Office of Research and Sponsored Programs

Amendment #2:

This amendment modifies the existing (signed) MOU between the University of Wisconsin – Madison, Office of Research and Sponsored Programs and the Village of Windsor/Token Creek Conservancy. The University of Wisconsin – Madison, Office of Research and Sponsored Programs desires to continue the MOU, signed by the Village of Windsor on February 19, 2018, attached hereto as Exhibit A ,except as follows:

1. The existing language in the bullet point “Timeframe” is struck and replaced by the following language “Timeframe: Access to the site for testing will be allowed for Dr. Cardiff and colleagues until August 30, 2028 (renewable).”

2. The existing language in the section “Well Abandonment” is struck and replaced by the following language. “Well Abandonment. The wells described in this project may continue to be used for follow-on research projects. Unused wells, however, can provide conduits for undesired flows of water and contaminants if not monitored. The wells installed are scheduled to be formally abandoned following Wisconsin Department of Natural Resources guidelines by December 31, 2028 with abandonment contracted by Dr. Cardiff. Any requests for continuing access to and maintenance of these wells for research will be submitted in advance of this date to the Village of Windsor, so that approval for continuing use can be obtained before December 31, 2028.”

All other terms, conditions and obligations set forth in the Memorandum of Understanding, and Addendum, shall remain as stated therein.

Signed: _____
Office of Research and Sponsored Programs, UW-Madison

Date: _____

Signed: Robert E. Wipperfurth
Robert E. Wipperfurth, Village of Windsor President

Date: 12-5-2024

Attest: Christine Capstran
Christine Capstran, Village of Windsor Clerk

Date: 12-5-2024