

RESOLUTION

**Haven Township
Sherburne County, Minnesota**

R-3-3

WHEREAS, on April 19, 1993, the Haven Town Board passed a "Resolution Supporting the Preservation of the 33rd Street South Roadway Corridor."

WHEREAS, on May 30, 1992, the Haven Town Board passed a Resolution endorsing a "St. Cloud Metropolitan Area Mississippi River Crossing South of 10th Street Memorandum of Understanding." This Memorandum was subsequently endorsed by the Sherburne County Commissioners, the City of St. Cloud and Stearns County Commissioners.

WHEREAS, the Haven Township Board believes the Memorandum accurately sets forth the current position of the Haven Town Board. The Board also believes that provisions in the April 19, 1993 Resolution may be in conflict with the Memorandum and are no longer supported by the Haven Board.

NOW, THEREFORE, BE IT RESOLVED, that the Haven Town Board hereby rescinds, in all respects, its April 19, 1993 Resolution.

This Resolution was adopted at the September 15, 2003 Haven Town Board Meeting.

Dated: 9-15, 2003

HAVEN TOWN BOARD

By LeRoy N. Pauley
LeRoy N. Pauley
Its Chair

RESOLUTION SUPPORTING THE PRESERVATION OF THE 33RD ST SOUTH ROADWAY
CORRIDOR

WHEREAS:

The 2010 Land Use and Transportation Plan for the St. Cloud Metropolitan Area has identified the future need for an arterial roadway connecting County State Aid Highway (CSAH) #75 in Stearns County to CSAH #8 in Sherburne County within the 33rd Street South corridor, and

WHEREAS:

This corridor is located in a area where urban growth is now occurring or is anticipated to occur in the near future, and

WHEREAS:

This urban growth may threaten the amicable public acquisition of needed right-of-way for roadway purposes within this corridor, and

WHEREAS:

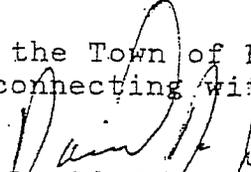
It has been acknowledged to be in the common interest of Haven Township, Sherburne County, the City of St. Cloud, St. Cloud Township, and Stearns County to jointly initiate actions immediately for the preservation of this corridor in order to preclude acquisition involving hardship, inconvenience and/or prohibitive costs at a later date,

THEREFORE, NOW BE IT RESOLVED that Town of Haven hereby agrees to cooperate with other affected jurisdictions to use all appropriate legal means consistent with State Statutes to preserve the necessary right-of-way for public roadway purposes within the 33rd Street South Corridor.

BE IT FURTHER RESOLVED that Town of Haven hereby agrees to participate in the costs associated with the determination of a preferred alignment, the preparation of an environmental assessment and the filing of an official map to accomplish this right-of-way preservation.

BE IT FURTHER RESOLVED that the Town of Haven recommends the southern option-eventually connecting with Sherburne County Road #65.

Date: 4/19/93


David Johnson
Clerk

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**St. Cloud Metropolitan Area
Mississippi River Crossing
South of 10th Street
Memorandum of Understanding**

For the purposes of these provisions, the City of St. Cloud shall be referred to as the "City", and Haven Township shall be referred to as the "Township". The term "stakeholders" shall include Haven Township, Sherburne County, City of St. Cloud, Stearns County, Minnesota Department of Transportation (MNDOT) and the Minnesota Department of Natural Resources (MNDNR).

Agreement

Whereas, the City and the Township agree to suspend participation in the Mississippi River Crossing Study south of 10th Street beyond the preparation and completion of the "Scoping Document" pending the outcome of the Highway 10 Study and the outcome of the I-94/ T.H. 10 Regional River Crossing Study.

Whereas, the City and the Township agree that consideration needs to be given to the "no build" alternative.

Whereas, the City and Township agree that if a bridge were to be built, based upon all information available today, the best location of the bridge would be at the 33rd Street Corridor. The APO and Stearns County have ongoing studies of the 33rd Street Roadway Corridor and agree that consideration of a bridge at the 33rd Street crossing is consistent with their studies.

Whereas, the land east of the 33rd Street Corridor in Haven Township, Sherburne County, is currently zoned as Wild and Scenic River and Agricultural Use Districts, which limits residential development. Haven Township and Sherburne County agree to use their best efforts to maintain the current zoning in this area to limit development until such time as the road right-of-way for the 33rd Street corridor extension is preserved.

Whereas, the Township and Sherburne County agree to use their best efforts, under current laws, and to preserve from development the land in the Township between the Mississippi River and Highway 10. This means that the Township and Sherburne County will use their best efforts to maintain the existing Wild and

Scenic River and Agricultural Use District Zoning in Haven Township until such time as the road right-of-way for the 33rd Street corridor extension is preserved. Haven Township and Sherburne County agree to notify the City of any zoning requests for development in this area and to take into consideration the views of the City when making decisions on any request.

Whereas, the "Historical Background Concerning the Bridge Study" shall serve as support document to this Memorandum of Understanding.

Dated: 5-30, 2002

HAVEN TOWN BOARD

By L. N. Pauley
Its _____

Dated: 6-18, 2002

SHERBURNE COUNTY COMMISSIONERS

By Jay Mazur
Its Chair

Dated: June 10, 2002

ST. CLOUD CITY COUNCIL

By Mr. [Signature]
Its President

Dated: 8-13, 2002

STEARNS COUNTY COMMISSIONERS

By Donald Rott
Its Chair of the Board

HISTORICAL BACKGROUND CONCERNING THE BRIDGE STUDY

1. In the summer of 2001, the St. Cloud Area Planning Organization ("APO") re-initiated a study which began circa early 1990's of bridge crossings of the Mississippi River south of the 10th Street Bridge in St. Cloud. The need for the study was premised on the potential future land development in Haven Township identified in the St. Cloud Comprehensive Plan, Sherburne County Plan, the APO Plan and the Joint Planning District Board's Plan. The primary participants were representatives from the Haven Town Board, St. Cloud City Council, Stearns and Sherburne County Commissioners, and staff members.

2. After a couple of meetings of this Committee and citizen meetings in St. Cloud and Haven Township discussing the six (6) potential corridors across the river, it has become apparent that there was and is strong opposition in Sherburne County and Haven Township to the study and construction of a bridge. For example, over 100 Haven Township citizens signed a Petition requesting that the study be stopped. Also, in a February 2002 Township Survey, over 77% (482 out of 621) of the people who responded were either opposed or strongly opposed to the bridge study.

3. In response to the citizen Petition and concerns of the Board Members, on August 20, 2001, the Haven Town Board unanimously passed a resolution asking that the study stop.

4. At its September 11, 2001, meeting, the Sherburne County Commissioners voted unanimously to support Haven Township's position.

5. On October 1, 2001, the St. Cloud City Council adopted a resolution asking the Sherburne County Commissioners to withdraw their Petition for discontinuance of the bridge study and to meet.

6. On October 9, 2001, the Stearns County Commissioners sent a letter stating that they shared the concerns of the St. Cloud City Council regarding Sherburne County and Haven

Township's request to discontinue the bridge study and asked for a meeting.

7. The APO staff, members of the St. Cloud City Council, Sherburne and Stearns County Commissioners and Haven Town Board have met to discuss their positions. Haven Town Board Members and Sherburne County Commissioners expressed their concern over protecting the Wild and Scenic River Corridor and questioned the need for a bridge. St. Cloud City Council and Stearns County Commissioners agreed with the environmental concerns, but believed that due to the forecasted land development in Haven Township that prudent planning required the jurisdictions to at least agree on a corridor and desirably an alignment for a crossing. All parties agreed that the actual construction of any bridge would be 10 to 20 years in the future and would need to overcome significant environmental, financial and regulatory hurdles.

8. All parties recognized that there are already ongoing studies by MnDOT for a Highway 10-194 connection, including a bridge, other river crossing studies, and a cumulative study of environmental impacts for all river crossings between St. Cloud and Anoka. All parties acknowledge that it is not possible to construct a river crossing without the approval of the DNR and a variety of federal and state agencies.

9. All parties recognize that the APO supports a "local bridge" and the MnDOT 10/94 connection through Haven Township.

10. All jurisdictions recognize the need to continue to work together on several other projects in the region. While all jurisdictions understand their respective differences on this bridge study, each understands the need to find a compromise solution.

11. Based, in part, upon a Joint Resolution adopted by both Haven Township and the City of St. Cloud, in May 1996, Sherburne County rezoned much of Haven Township to the Agricultural Use District as defined in the Sherburne County Zoning Ordinances. As a result, there has been almost no residential development in the proposed study area between the Mississippi River and Highway 10.

12. In April of 2002, Haven Township and the City of St. Cloud representatives drafted a memorandum of understanding and agreed to suspend participation in the Mississippi River Crossing Study south of 10th Street beyond the "scoping document" pending the outcome of the I-94/T.H. 10 Regional River Crossing Study. The memorandum of understanding has been submitted to Haven Township, the City of St. Cloud, Sherburne County and Stearns County for official adoption.