

662 21st Street West
Dickinson, ND 58601
September 9, 2025

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SEP 10 2025

FINANCE DEPT.

Dickinson City Commission
38 1st Street West
Dickinson, ND 58601

RE: SUP-002-2025

Dear Mayor Decker and Commissioners Baer, Fridrich, Murphy, and Ridl,

The Special Use Permit submitted by applicant/owner Tracy Tooz and applicant Dakota Gant, executive director at United Way Dickinson, has generated a lot of discussion. As homeowners immediately adjacent to the former Evergreen Assisted Living Facility, this SUP application has raised some questions and a number of concerns.

One concern is the financial sustainability of the proposed facility. The funding for acquisition and development and ongoing operational costs will come entirely from government grants, as shown in the minutes of the Planning and Zoning Commission meeting of May 14, 2025. Grant programs are being decreased or eliminated entirely on a regular basis. As of June 2025, North Dakota has seen funding cuts totaling \$100 million. North Dakota lawmakers are also preparing for additional impact from the "big, beautiful bill" currently under consideration in Congress. I have attached supporting documents and noted cuts to programs specifically referenced in this SUP application, including, but not limited to, ARPA, SAMHSA, Medicaid and Medicaid HCBS grants, and Free Through Recovery/Community Connect. These are not ongoing grants. Applications must be resubmitted annually within a certain time frame and funds are not awarded until they are reviewed. The application periods are all closed for 2025, so these funds will not be available for over a year from now. Additionally, I have talked to the North Dakota Housing Finance Agency, who administer the ARPA grant (\$1 million cited in the application) and learned that grant will not be awarded until United Way has met certain milestones, as is the case with most of the funding sources.

The largest single source of grant funding in the application is \$3.5 million dollars sourced through the Federal Home Loan Bank of Des Moines. In conversation with a relationship manager at that bank, at this time there is no assurance as to how much, if any, funding will be available or when for 2026. The application period for FHLBDM funding has closed for 2025. If the timeline for 2026 follows that of 2025, grant applications will be accepted April 1, 2026 through May 1, 2026, with awards announced December, 2026. This is all contingent on funds availability and United Way's meeting all of the criteria for the grant.

As shown in the Planning and Zoning Commission minutes of June 11, 2025, none of the above mentioned funds have been secured with commitment letters and no timeline was presented for when that might occur.

The application does not include any expenses for ongoing operational costs, such as overhead (taxes, insurance, and utilities), building or yard maintenance, food costs, or even the purchase of the building itself. Insurance requirements alone are, understandably, stringent. Operational costs are not an

allowed usage for grant funds sourced from the Federal Home Loan Bank of Des Moines (\$3.5 million) or ARPA (\$1 million). The Commission also questioned those expenses, particularly during the first year, prior to any funds being awarded or allocated. All of these expenses will significantly reduce the estimated annual profit cited in the application. The business plan put forth is not complete, viable, or sustainable.

Another concern is the staffing for this facility. A search of CHI St. Alexius, Sanford Health, Heartview, and Sunrise Youth Bureau in Dickinson shows listings of 100+ job openings. This United Way facility will be competing with these facilities and numerous other businesses in Dickinson for clinical, medical, security, maintenance, kitchen, and administrative support, at the very least. I also have concerns about the staffing numbers presented in the application. According to North Dakota regulation and policy for behavioral health treatment, high intensity inpatient (Level 3.5) facilities must provide onsite twenty-four hour per day clinical staffing (document attached). No overnight clinical staff is scheduled or budgeted for in the application. The application projects 32 inpatients at Level 3.5 at full capacity. The North Dakota Department of Health and Human Services Community Connect, which is listed as a funding source in the application, states that a full-time care coordinator can serve 20-25 participants per day (document attached). This business plan does not include staffing in the numbers or of the qualifications required by state regulations. The application proposes 1 overnight staff at half capacity and 2 overnight staff at full capacity. Those numbers are not adequate to provide security and intake staff alone. There is also no medical staffing whatsoever listed in the application. There will be a need for medical staff to administer medication and to handle any medical emergencies twenty-four hours per day. Again, this application is not complete, viable, or sustainable as presented.

All of this leads to the crux of this matter, which is the safety of the Dickinson community. The application references a perimeter fence to provide some security. We have since been told that the plan now is to place a security fence on the north side of the property and to utilize an existing fence to the west as a security measure. Fencing two sides of a four-sided area does not provide security, and the west fence is not on the Evergreen property, but on ours, and is a privacy fence much like what most of you have at your residences. It does not provide a secure barrier between the properties. Dickinson Municipal Code requires a 20-foot landscape barrier between properties when one property has a higher zoning classification. The application does not address that requirement.

The issue of increased traffic has been brought up at Planning and Zoning. According to figures I received from the City Engineering Department, traffic counts at the intersection of Highway 22 and 21st Street West, just one block from the Evergreen building, total 8,490 vehicles per day eastbound from 21st Street West. These are vehicles that pass by the Evergreen building daily. The counts for the rest of the intersection are 6,995 vehicles per day westbound from 21st Street West, 10,455 northbound on Highway 22, and 13,930 southbound on Highway 22. These counts will go up, as will the pedestrian traffic, if this facility goes forward. The pedestrian traffic will increase considerably. We were told at the Planning and Zoning Commission meeting May 14, 2025, that only about 10% of the residents will have motor vehicles. So, 90% of the inpatients, transitional housing residents, and homeless will add to the foot traffic at various times during the day and night. Add to this the motorized vehicles belonging to staff, outpatients, the House of Manna staff and those dropping off or picking up items, and staff from other agencies coming and going to provide services, and the potential for unsafe conditions increases, not only for our neighborhood, but for everyone in Dickinson who finds him/herself on 21st Street West, including emergency vehicles, which use this corridor on a daily basis now that the Public Safety Center is located at 21st Street West and State Avenue. Dickinson hopes to benefit through increased tourism from the opening of the Theodore Roosevelt Presidential Library July, 2026, which will come with increased traffic. Much of that new

traffic will end up on 21st Street West, since it is a main transportation corridor for Dickinson located near restaurants, hotels, and retail businesses. Dickinson can, and will, plan for that contingency, but should the added burden of pedestrian and foot traffic generated by this facility have to be an additional consideration? All of the residents in this facility cannot feasibly be confined 24/7. Dickinson residents and visitors coming from other parts of the state and country will pass by the Evergreen building daily. The image they get of our community should be considered.

We have been told, more than once, that there will be no sex offenders in the property. There is absolutely no way to monitor or to control that in the area designated as a homeless shelter, since no identification is required. That situation can certainly occur, even in a high-barrier access facility. There will be convicted criminals in other parts of the building. Both the application and testimony at the meetings have cited that this facility will provide an alternative to incarceration. Someone who would typically be sentenced to prison or jail will, instead, be housed in this building. In conversation with the Center for Opportunity, Bismarck United Way's homeless shelter, I learned that requirements for admission include a breathalyzer, drug test, and Covid test. Those admitted are searched for weapons, drugs, and alcohol. The only animals allowed are registered service animals. No one is allowed to bring in any bedding, due to concerns about lice and other parasites. Not one of these safety protocols is in place for the Dickinson shelter. The House Rules and Regulations for the homeless shelter, as outlined in the application, state that sobriety is not a prerequisite for entry. Possession of drugs or alcohol is not permitted, but such possession alone is not reason for involuntary exit. Pets are allowed, although there are no provisions for kenneling or grooming. I assume that the animal would be housed in the room with the resident and, depending on the temperament of the animal, could pose a threat to staff, visitors, and other residents, along with the neighborhood, if it is not contained. Testimony at Planning and Zoning indicated that visitors would not be allowed. However, the application states that visitors are, in fact, allowed in common areas between 9:00 a.m. and 9:00 p.m., so there is no way to project how many people will be in the facility at any one time and to, subsequently, provide adequate security. A considerable number of residents will be coming and going at all times, day or night. Once a resident steps foot off the property, there is no supervision, no rules or regulations, no behavioral consequences. Anyone can trespass, panhandle, verbally or physically accost another, or violate any city ordinances. This building is located less than two blocks from Kostelecky Park, so it is conceivable that residents will gravitate there, especially during temperate times of the year. A considerable number of children are present there throughout the day. I have accompanied my great niece there on numerous occasions. Having adult strangers there could certainly make those in the neighborhood uneasy and hesitant to use that area due to safety concerns.

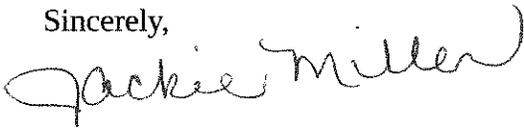
In light of so many recent tragedies, communities across the country, coast to coast, are expending considerable time, energy, and money to make their cities and neighborhoods safer. I am at a loss to understand why anyone would expose any citizen to even the remotest possibility that any neighborhood could become less safe. A sense of neighborhood, knowing that neighbors are watching out for each other, feeling safe gathering in backyards for a neighborhood event, or even just taking a walk around the block are reasons that Dickinson natives return, to raise families in a safe, neighborly environment. They also make for safe neighborhoods for all citizens in any community. This is the Dickinson I want to see preserved. I have been accused, both publicly and privately, of lacking compassion and of behaving in a non-Christian manner, both of which are untrue and unfounded. We have also been accused of NIMBYism. I can assure you that I would be as adamantly opposed to this facility in any other residential neighborhood in Dickinson. I am not opposed to treating alcohol and drug addiction or mental health issues or getting the homeless off the streets or providing a place for those in need to get clothing and supplies. I am opposed to placing this facility in a residential neighborhood, a fact that seems to be overlooked in much of the discussion. We have been told how

necessary this is for Dickinson, but not how this location has to be the be-all and end-all. Opposing this location will not kill this project. It can be located elsewhere. Placing it in this location will forever change the dynamics of this residential neighborhood, which cannot be located elsewhere.

I cannot speak to the demographics of our entire neighborhood, but I can tell you that among the 14 homeowners whose properties are immediately adjacent to the Evergreen building, we have vulnerable populations, including elderly, children, and combat veterans. I am confident that you will find many of the same populations throughout the rest of our neighborhood. These are our families, our friends, our neighbors and fellow veterans. I can't speak for every one of them, but I can advocate on behalf of them and for all of the citizens of Dickinson who will be impacted if this facility is allowed to operate at 2143 6th Avenue West. All of the puzzle pieces are interconnected. If any part of the financial sustainability fails, the staffing fails. If the staffing fails, the safety fails. If the safety fails, Dickinson fails. One of our neighbors likened this business plan to a "house of cards." Pull even one of those cards and the house comes down. This business plan is subject to that possibility on so many levels.

We respectfully ask that you deny this Special Use Permit.

Sincerely,

A handwritten signature in cursive script that reads "Jackie Miller". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Jackie Miller