

September 4, 2025
Dickinson City Commission
Scott Decker, President of City Commission
Dr. Robert Baer, Vice President
Jason Fridrich, Commissioner
Joe Ridl, Commissioner
Russ Murphy, Commissioner
38 1st St W
Dickinson, ND 58601

Re: United Way appeal, relating to Application for a Special Use Permit (SUP-002-2025)

Dear Members of Dickinson City Commission,

One can acknowledge this is perhaps a noble idea and possibly a project for the North Dakota state legislature to consider and discuss in much more detail, as it involves the entire state, not just the city of Dickinson. One may also have compassion for individuals, yet use common sense and wisdom in their decision making and personal interactions. One can also surmise much more comprehensive and extensive conversation should possibly take place; with a great deal more public involvement before the city rushes forward with an approval of this type of a facility project and very likely creates a greater problem.

The public has recently been given information which seems to somewhat mislead one into believing this is simply a "Transitional Facility". Transitional facility is understandably a more politically correct and marketable or palatable name; yet the original (Special Use Permit SUP-002-2025) proposal presented at the two Planning and Zoning meetings included so much more than simply a transitional facility. The understanding was, the proposal included but was not limited to; Inpatient Treatment and Outpatient Treatment for Alcohol Addiction, Inpatient Treatment and Outpatient Treatment for Drug Addiction, Inpatient Treatment and Outpatient Treatment for Mental Health Issues, a Homeless Shelter, and plans to relocate the House of Manna from across town to provide jobs for those individuals living within this facility.

One must focus major attention on the fact that this matter is simply about the overwhelming public concerns related to the proposed physical location of this facility and the negative impact on the overall Public Health, Safety and Welfare for the residents and businesses within the city. This appeal is not about potential real or imagined economic benefits of utilizing the building currently situated on this property. Rather it is all about the type of usage of the actual proposed physical location of the property. For numerous reasons and multiple risks involved, common sense reveals this is simply not the correct or a proper neighborhood location within the city of Dickinson, for this type of a group living facility; involving individuals with mental health problems, drug addiction, alcohol addiction, homelessness issues and possibly including sexual predators..

For City Commission leaders of this community to purposely relocate individuals with mental health problems, drug addiction, alcohol addiction, and homelessness issues; into a

residential area where children live is not good leadership. Families and all residential occupants expect and require protection from the City Commission, not exposure to these known dangers. No one wants to live where they are continuously exposed to the possibility of opening their front door, back door or a garage door and letting someone into their home they do not know.

For City Commission leaders of this community to purposely relocate individuals with mental health problems, drug addiction, alcohol addiction, and homelessness issues; into a neighborhood where many businesses including the Prairie Hills Mall exist is not good leadership. Business owners, occupants, employees and customers require protection from the City Commission, not exposure to these known dangers. No one wants to work or shop where they are not safe.

The number of reasons this is not the proper location; at minimum is equal to the number of individuals including many small children that actually do live on the north side of the City of Dickinson. Whatever that amount is; it is far too many individuals to place at risk. In addition, one must also add to that number the amount of people that often come to the north side of Dickinson for their employment, shopping and services. All such individuals will automatically become vulnerable if this project is approved by the city leaders, for this specific location. If this project is approved in this area, immediately all Grandfathers, Grandmothers, Fathers, Mothers, Sons and Daughters; will consequently and innocently all become targets. Please be encouraged to take everyone into consideration; and how this would affect the majority of residents and stakeholders in the community.

I respectfully submit pertinent information within this letter. Please understand, the following is only a partial list of additional concerns and information for all to consider; as to why this specific property is not the right location for such a group living facility:

- 21st Street West is a main transportation artery within the city of Dickinson. At times experiencing a great deal of traffic; including but not limited to Ambulance, Law Enforcement, Fire Department, and Emergency Management vehicles. With existing landscape and/or layout of the streets, and a normal day's traffic flow can now be difficult at times to get on and off 21st Street West, from various side streets. At certain times of the day, there is currently a lack of easy access to the proposed property being considered in this matter; previously known as Evergreen Assisted Living Facility. Making it somewhat dangerous and difficult to travel in any weather conditions including a nasty North Dakota Winter. Semi-trucks trying to maneuver to get close to the facility for their necessary unloading of needed food and supplies into the building has always been a challenge for the best of truck drivers, due to limited space and access. For Semi-trucks to get as close as possible to the premises, drivers must access this facility via the east/west frontage road and park on the frontage road, as they do not drive onto the actual property. This type of facility will need food and supplies too, most likely delivered by semi-trucks, smaller trucks, vans, etc. Please understand this property and building is located directly off of the frontage road mentioned with a dead end. This frontage road is not conducive to, nor was it ever designed for heavy traffic flow or Semi-trucks. This type of facility will indeed increase traffic attempting to get both on and off 21st Street West in this entire area. Again, traffic cannot flow in or out of the frontage road on the East end as it now dead ends. With any type of

emergency situation that may arise, this community is going to have even greater traffic congestion and very serious problems maneuvering.

- The proposed property being considered in this matter; experienced in the past extremely limited parking for all employees, contractors, service providers, family and friends that were visiting the facility residents. The existing amount of parking will certainly not be adequate for the amount of activity planned and/or for what is currently being proposed regarding this type of a facility. According to United Way original plans also include moving into this facility the House of Manna. Frontage road parking is not conducive for high volume activity. Not to block the cluster mailbox unit along the South side of the frontage road is also of importance and will become a problem with an increase in frontage road parking.

- There is currently no existing security fencing in place and no adequate plan to completely secure the community or fence in this type of group living facility. Although, it has previously been mentioned and acknowledged the need for security and fencing. Will current laws, rules and regulations even allow for the properly needed Security Fence? Security fencing should typically stand at least 8 feet tall to provide adequate protection. However, fencing contractors will say the best practices for your fence's height will vary based on your specific situation. Can an 8ft, 10ft, or 12ft security fencing be installed in this location within the city of Dickinson? The one existing fence on the west side of this potential facility property is not a security fence, and is also not constructed on the United Way proposed premises or grounds. For all practical purposes, this fence should not now be considered a part of the overall facility plans as it would not belong to the owner of the proposed location or the United Way group living facility. It has previously been stated; there is a plan to install fence on the north and south sides of this facility property. However, nothing has been mentioned about the east side. Common sense indicates; if constructing security fencing is indeed necessary for this project (which it is); and the plan is to fence only 2 or 3 of 4 sides of the property, the outside public or the surrounding community is not actually protected from danger. As everyone concurs there is a serious need for security with this type of facility project, then there is also likely a need for a locked security fencing on all 4 sides of this type of group living facility; and potentially the need for security guards stationed at each of the premises gates. It has been stated United Way plans to allow some individuals struggling with mental health issues, drug addiction, alcohol addiction and homelessness issues, to randomly and voluntarily enter and/or leave their premises. No one truly knows what is being brought in or out of the premises by the occupants as such occupants are not actually being monitored or searched. We were told the occupants will also not be required to have an ID, so the possibility of sexual predators occupying the facility and in the neighborhood exists. If they can randomly come and go on and off this location premises into the neighborhood; an unlocked, unguarded fence alone will not make the public, local residents and businesses surrounding this group living facility safe and secure.

- Prioritizing the wellbeing and interests of the children in this community is vital. United Way plans to house residents dealing with a variety of problems, including mental health issues, drug and alcohol addiction, and homelessness. It has been mentioned that some of the residents of this facility will be able to come and go at will. United Way has also mentioned; some of their residents may also be evicted from the group living facility for not following

rules, and they will be released directly into the neighborhood for whatever the various reasons. Such evictions and release of individuals happen without any public notice or protections in place for the community; that alone is going to be alarming and difficult to accept for most parents, residents and stakeholders. Decision makers must honestly ask them self: Would I desire this type of facility located next to my personal home or business? Decision makers must also honestly ask them self: Would I want my unsupervised minor aged children or any other unsupervised minor aged children, potentially interacting with residents of this facility? Children in the neighborhood and surrounding area can and will be exposed; they will unfortunately become the most vulnerable potential victim to tragedy. There are two schools and also families that homeschool nearby. There are residential daycare/preschool facilities in the community as well. Children need to be well protected and be able to feel safe in their environment, wherever that may be; in their back yard or the school yard. Common sense alone brings to light; simply protecting all small children in the area must be a city wide objective and a major priority.

- This area already has busy intersections with numerous pedestrians walking by this property from all directions. In the event of approval of this application, with temporary occupants having ability to come and go; also comes additional pedestrian traffic. So many more walking in this area will automatically become innocently exposed to accidents and potential unforeseen harm. The majority of the east and west traffic flow on 21st Street West in this specific area is not normally going to be traveling at a slower 1-5 miles per hour rate of speed; which may be survivable for a pedestrian.

- Approval of this Application for a Special Use Permit (SUP-002-2025) really means; one would be jeopardizing the health, safety, security, wellbeing for all individuals and/or families, living adjacent to, or working in the local neighborhood next to the proposed property being considered in this matter. One would be jeopardizing the health, safety, security, wellbeing for all of the retail and service businesses in this area. One would be jeopardizing the health, safety, security, wellbeing for all schools in this area. In addition, one would be jeopardizing the health, safety, security, wellbeing for all outside visitors and customers coming to this area. If approved, no human can mitigate all of the potential risks within the neighborhood and community for this type of a group living facility project.

- There will be an immediate negative impact upon all small family owned and corporate businesses in the north Dickinson area. All businesses that occupy the Prairie Hills Mall alone become vulnerable due to the proximity of opening this type of group living facility at this proposed location. Most of these businesses will not be properly equipped to deal with all of the issues involved as it relates to individuals experiencing mental health problems, drug addiction, alcohol addiction, homelessness, and who really knows what more issues. Law enforcement personnel are certainly not looking forward to dealing with additional crime or potential negative impact within the community. This type of group living facility placed at this location could very easily overwhelm and devastate the business community and law enforcement.

- A Community Petition Opposing Special Use Permit #SUP-002-2025 briefly circulated in the area; and at the time of the Planning & Zoning Commission meeting held on June 11, 2025; the petition had around 400 signatures in opposition. Obviously, proving there is

strong indication as to the amount of public opposition in the community, for this specific location to be used as a group living facility including a homeless shelter. If the Special Use Permit SUP-002-2025 is approved for this location, there are many legitimate concerns by residents and stakeholders in the community. Concerns relating to the very real possibility of an increase in all types of crime, including but not limited to; increase in drug trafficking, increase in alcohol trafficking, increase in human/child trafficking and exploitation, increase in injuries, increase in attempted murder and an increase in actual numerous types of homicide. Also concerns about increasing the homeless population in the community. All of which could easily be potentially activated and more so encouraged to come to the north side of the City of Dickinson. These are unfortunately real concerns affecting many areas of our nation which have existing group living facilities including homeless shelters. On June 24, 2025 less than two weeks after the Dickinson Planning & Zoning Commission rightfully voted down this Special Use Permit for this property location; there was a shooting involving attempted murder in the city of Bismarck, ND that occurred. Where in Bismarck did this happen? It happened in the 1100 block of South 12th Street, the area United Way's (1140 S 12th St, Bismarck, ND) homeless shelter is located. Here is one media headline: ***"Bismarck PD arrest suspect in downtown shelter shooting"***. That certainly will bring no comfort to anyone including existing residents and stakeholders in Dickinson. How that shooting incident relates to this appeal is extremely significant. Please also understand, the proposed group living facility for Dickinson is not just for local residents of Dickinson. Homeless individuals are not considered a resident of the city they currently occupy. In the Planning & Zoning Commission meeting held on May 14, 2025, a member of the Commission asked a good question regarding room occupancy. The question asked was; "Would this allow individuals from other areas within the state to be brought here, based upon your open room occupancy?" The answer given by Dakota Gant, Executive Director of United Way Dickinson, was essentially: *If we have an open bed available and this individual is struggling with substance abuse, it doesn't matter if they are from a different side of the state we are going to provide services to them.* As previously stated, we have already been told that United Way is not requiring physical Id's from occupants in this facility...so no one realistically knows who the occupants are or where they come from. Does that sound wise, prudent or safe? A real question could be asked; will the opening of this facility also be encouraging or inviting individuals experiencing mental health problems, drug addiction, alcohol addiction, sexual predators, homelessness, and other serious issues from out of state, to relocate to the Dickinson UW facility? Unfortunately, that has certainly been known to happen in many cities and states all over our nation. At the June 11, 2025 Planning & Zoning Commission meeting; extensive statistical truth and proof was presented (by a current resident and landowner in Dickinson) from real studies completed and real statistics gathered, regarding real increases in crime as it relates to these types of group living facilities being established into neighborhoods. If approved, it would appear this facility would potentially and very likely create even a larger problem than the city currently may have; just like the increase in crime experienced throughout every other city within our nation, involving a similar type of group living facility. Realistically, overall results and success of these types of government and privately funded projects located in cities all over the nation has not at all been satisfactorily proven, results are very questionable at best. In fact we are living in a time where funding for many of these types of projects is diminishing because the truth is; desired results are not there.

- Important aspects and pertinent questions related to this project is the overall financial sustainability, as well as the hiring and retaining of necessary professional employees and staff. The City of Dickinson is obviously struggling financially; as an additional one percent sales tax for Public Safety Funding is currently being considered. How ironic it is; that if the City Commission would now approve this Application for a Special Use Permit (SUP-002-2025) they would also knowingly be jeopardizing the Public Health, Safety and Welfare of the residents and businesses within the city. What happens, if/when the United Way grants and financing falls off and they cannot continue to fully fund their project? Right now many Federal Government Programs are being cut, and overall Federal spending across our Nation is being cut. This is very likely just the beginning of funding cuts. Taxpayers and the City of Dickinson should never be forced to financially bail the United Way organization out and is currently not in any position including a financial position to operate this type of a risky venture being proposed. The guarantee for adequate staffing also needs to be properly addressed. The need for multiple 24/7 Security employees located both inside and outside is of utmost concern. Staffing also includes but is not limited to needed:

- Medical Professionals, Counselors and staff related to Alcohol Addiction Treatment.
- Medical Professionals, Counselors and staff related to Drug Addiction Treatment.
- Medical Professionals, Counselors and staff related to Mental Health Treatment.
- Medical Professionals, Counselors and staff related to Homelessness Issues.
- Medical Professionals, Counselors and staff related to Sexual predators.

These are specialized fields of behavioral interest, so having one Medical Professional and/or one Counselor on staff each day (as currently planned and stated) is simply not adequate. All of these employees must be properly trained and hold the proper credentials to deal with all of these serious, separate and specific issues.

- The Dickinson City Commission established a Planning and Zoning Commission for the purpose to consider details involved in these types of matters. If the existing Dickinson City Commission is now willing, easily persuaded or prepared to overrule the decision by the Planning and Zoning Commission which was to protect the health, safety, security and wellbeing of residents, businesses and stakeholders; that would be a serious tragedy for the community. Please be respectfully reminded and note; after two separate Planning & Zoning Commission meetings involving this subject matter, and both included lengthy periods of serious questions and discussion, better informing the Commission and some of the public. The Planning & Zoning Commission (on June 11, 2025) decisively and overwhelmingly opposed and voted down the Special Use Permit SUP-002-2025 for this specifically proposed location. As should be appreciated and respected by the City Commission; the Planning & Zoning Commission members asked good questions on behalf of the "Public at large" and they made a decision. "Public at large" refers to the general population or community as a whole, rather than a specific group within it. The decision resulted in; the majority 6 votes (*approximately 85.7%*) opposing this proposed location for a Special Use Permit SUP-002-2025, and 1 vote (*approximately 14.3%*) in favor. This was obviously, not a close vote and it should not be overturned easily. One of the NO votes came from a sitting Stark County Commissioner. Please also note; one of the Commission members before he had to leave the May14, 2025 meeting early; voiced his real concerns about this type of facility being located on one of the busiest streets in Dickinson. He clearly indicated that when this matter is voted upon, he would not be in favor or in support of the proposed location for this group living facility. Unfortunately, that Commission member was not in

attendance during the June 11, 2025 meeting when the actual voting took place, so obviously his vote was not recorded; but his viewpoint was made well known on May 14th. The point being; the vote could have very likely been 7 votes opposing this proposed location and 1 vote in favor. Just imagine the final results, when or if all of the public, residents and stakeholders of Dickinson are properly given the information and are truly informed on all of the details and issues involving this type of a group living facility (proposed for this specific location). When We the People are given proper information and true knowledge, it is predictable and understandable how the same percentage of opposition will hold throughout all of the residents and stakeholders of Dickinson; just like it did within the Planning & Zoning Commission (made up of residents and stakeholders of Dickinson). After given the proper facts and all the true details, one can easily project how and why the majority of individuals using their common sense; will think, act, and be opposed to the Special Use Permit SUP-002-2025 for this proposed location.

- It is important to point out; No Special Use Permit has ever been issued in Dickinson for a group living facility.
- This type of group living facility being located in this specific property, in the City of Dickinson will not benefit or enhance the Public Health, Safety and Welfare for the majority of adults or children living within the city. It also will not promote Health, Safety and Welfare for any of the schools or businesses on the north side of Dickinson. Common sense clearly indicates it will not enhance the health, safety and welfare of the public at large (referring to the general population or community as a whole, rather than a specific group within it). There is no way to avoid the facts or that truth.
- There is public concern of an obvious Conflict of Interest issue; as Dr. Robert Baer previously served as Executive Director of United Way Dickinson. It is public understanding; Dr. Baer while serving as Executive Director and working with United Way, was also actively involved with working on preliminary details and the potential submission of this project. Ethically, Dr. Baer must not vote on any City of Dickinson matters relating to this project or the United Way Dickinson.
- It would appear that anyone involved in this specific location decision making process, related to the Special Use Permit; SUP-002-2025 for the United Way group living facility; and so chooses to approve such location and permit, knowingly and potentially opens themselves up for negligence of their Oath of Office, the formal promise made to the City of Dickinson and to the public at large. This concern was also mentioned by Commission members prior to the vote held during the June 11, 2025 Planning & Zoning Commission meeting. Public officials know they are expected on behalf of citizens in the community, to take their oath seriously; uphold their promise and honor their Oath of Office.
- Knowing in advance the serious potential risks involved, potential harm to residents and stakeholders and all of the public opposition to this type of a group living facility project being positioned at this specific location; if the Special Use Permit were to be approved by the Members of Dickinson City Commission, the City of Dickinson seemingly becomes wide open to an excessive amount of liability exposure. Residents, businesses and stakeholders in Dickinson all need assurances for health, safety, security and wellbeing. You likely will

agree; City government failing to protect their community should not be an option. Many of the crimes, killing and shooting events committed across the nation are continuously attributed to individuals dealing with alcohol addiction issues, drug addiction issues, mental health issues, homelessness issues, and sexual predator issues. With that in mind; you may have read or heard about recent articles by various news media, with the headline; "***Almost a dozen North Dakota children, teens have disappeared in 17 days***". The truth is Human and Child trafficking is a real concern. Unfortunately, the truth is many of the missing children across our nation are never found. With the approval of this application one would be deliberately and knowingly putting children in more danger. We also have many conversations and headlines referring to the National Guard currently going into cities across America helping to clean up the crime issues within these cities. Many if not all of these cities fighting serious crime problems have very similar types of facilities as the one being proposed in this United Way application. Purposely bringing to this neighborhood a greater concentration of individuals struggling with alcohol addiction issues, drug addiction issues, mental health issues, homelessness issues; as well as possible sexual predators; is not prudent, wise, or safe. There is simply nothing about this United Way facility being located in the Evergreen property neighborhood (one of the busiest, most active areas within the city) that will enhance or improve the overall Public Health, Safety and Welfare for the residents and businesses within the city.

I pray common sense and truth prevails and that you as individuals and City Commissioners; approach this matter circumspectly (considering all circumstances and possible consequences) for the good of this City, the residents, businesses, and the surrounding community. Please do emphasize the importance of considering all circumstances before making your decision. Keeping in your thoughts; it is much better for the City and the Public to be safe than sorry! Thank you for seriously contemplating all of the above mentioned during the decision making process.

Sincerely,
Scott Biggs

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