

January 13<sup>th</sup>, 2025

Department of Land Conservation & Development  
635 Capitol Street NE  
Suite 150  
Salem, OR 97301

Attn: Periodic Review Specialist

Hello.

I am in receipt of the "Notice of Decision (Urban Growth Boundary Amendment, Annexation, Rezone) Planning File No's. PA-24-1, ZC-24-1 and AX-24-1 dated 01/07/25 from the City of Madras regarding Jefferson County and the City of Madras decision rezone 198 acres of EFU to LLI and annex said land into the City's UGB.

While I am not qualified to point to "specific" legal & regulatory deficiencies in this proposal, if any exist, I'm certain the staff at DLCD are more than qualified to find them. I can, however, point to manipulations made and preferential treatment received by the participating parties during the selection process and development of Sub Area 9.

The Justifications & Findings Report, dated September 2024, prepared by ECONorthwest was completed more than a year after the acquisition of 10-13-28-100 (aka 2019 NW Dogwood Ln) and is bias toward selecting Sub Area 9 for re-zoning, annexation and participation in the COIC LLI Program. Jefferson County acquired AP# 10-13-28-100 for \$840,000, on February 1<sup>st</sup>, 2023. The RMV for that parcel as of March 21, 2023 was \$650,370.

At the September 18, 2024 joint City and County Planning Commissioners meeting, Jefferson County officials were asked why they acquired that specific farm for much more than the market value, we were told by Scott Edelman, Jefferson County Community Development Director, "*The purchase of 2019 NW Dogwood Lane was ALL about 'Location, location, location...'*" However, I find it curious they felt they needed this farm, at all, being Jefferson County has owned "Sub Area 8" for over 20 years (which also meets the requirements for COIC LLI Program).

At the October 9, 2024 City Planning Commissioner's meeting, the City objected strenuously against Sub Area 8 (137 acres) due the developable ground being less than Sub Area 9 (196 acres). However, in reading through the Intergovernmental Agreement between the COIC, Deschutes, Crook and Jefferson Counties (created in 2012) the only the stipulation is the site be at least 50 acres. Both Sub Area 8 & 9 meet this requirement. When this was brought to the attention of the City Planning Administration and Commissioners at the October 9th meeting the counseling offered by Nick Snead, Community Development Director for the City of Madras, to his Planning Commissioner's, was "We want the biggest lot available, right??" However, this does not appear to be a requirement within the COIC LLI Program Agreement or within any City Zoning Ordinance that I could find on the City of Madras zoning website. This appears to be a personal preference or possibly a marketing strategy?

While I realize Oregon State Planning, Goal 3 does not apply to this proposal, due to a municipality expanding their UGB, I would hope common sense might still prevail. Why remove Sub Area 9 from active farm production and promote the creation of traffic congestion that will impact the farming operations on nearby farms, when Sub Area 8 has been (and continues to be) fallow for the past 20 years? When this argument was brought up, Mr. Snead's retort was "there's very little farming going on out there (on NW Dogwood Ln)..." I live on NW Dogwood Lane. There is actually a LOT of farming occurring in this area. Our neighbor, Stan Sullivan (Willow Tree Farms) is farming approximately 2000 acres on The Agency Plains. His home and repair shop are located at the end of NW Dogwood Lane and his equipment must commute back and forth between leased farm ground and his shop for service. Our own farmer, David

Rydman (Ryen Farms), farms approximately the same amount of farm ground, his equipment also traverses NW Dogwood Lane from other farms on The Agency Plains & Culver. With the population growth occurring here, it's already a pretty dangerous endeavor, adding a couple thousand workers automobiles to NW Dogwood Lane, isn't exactly going to help the farmers, that's for certain.

The fact is, the City of Madras appears to be bound and determined to have Sub Area 9 be the selected site regardless of public concern and/or objections. My own suspicions say this must have something to do with Jefferson County's re-allocation of federal funds (received to build our new Courthouse) to buy a farm. Buying a farm doesn't sound like it would meet the requirements that the funds given, must be used for the betterment of the community as a whole. It's apparent, to me, the County & City had already made up their minds that this parcel completed the 198 acres they planned to use for the COIC LLI Program, prior to purchasing 2019 NW Dogwood Lane in February 2023. All that was necessary, *afterward*, was to create the documentation to support that decision. Citizen's concerns and objections that arose at the, legally required, public meetings held almost 2 years later... were of no consequence to them.

I am in possession and am providing you a copy of a letter, dated 10/23/24, written by Central Oregon Landwatch, addressed to the City of Madras and Jefferson County (Exhibit R) This document appears to support my theory Sub Area 9 has been "preordained" by Jefferson County and the City of Madras, for participation in the COIC LLI Program.

#### City of Madras Timeline:

February 2023	Jefferson County buys 2019 NW Dogwood Lane.
April 2023	Letters of support were obtained, from City and County staff, supporting Area 9 approval.
May 2023	A summary on the development of Sub Area 9 being inclusive of four agricultural tax lots was completed.
April - May 2023	Letters of support and summary of development are included with the Application to COIC, requesting approval Sub Area 9 to participate in the LLI Program. (Note: No other Sub Area's were submitted for consideration)
February 2024	A memo was composed, identifying 5 potential sites that would meet the need for the LLI Program. The memo states the owners of each potential site were contacted to find out if any would be interested in participating and that correspondence from each, indicating they were not interested, had been received. (Note: Williams, Petersen & Sullivan, "Property Owners Interest" statements are dated June - July 2024 & <u>all</u> were received after Sub Area 9 had already been submitted for COIC LLI Program approval 10 months earlier)
August - September 2024	Kittleson Associates & ECONorthwest prepare reports and commentary regarding all sites being considered and confirm the City of Madras proposal to annex Sub Area 9 to the UBG and the best available site for the COIC LLI program.

Based on the timeline above it appears the County and City may have painted themselves into a corner by attempting to create a paper trail after a decision was made, that in hindsight, may not have been the best. I would think, the purchase of 2019 NW Dogwood Lane should have occurred AFTER a full study and report of all available sites was completed and found Sub Area 9 the only suitable location. Especially when they're paying almost \$200,000 over market value. I mean think about it... if this was your money, EIGHT HUNDRED AND FORTY THOUSAND DOLLARS... would you just hand it over if you weren't 100% positive it would provide an ROI? It wasn't their money, it was "our" money... federal tax payer money... which is *so much less painful* to spend. There was no struggle to save up this money... no consequences for making a bad investment... and besides *they were 100% certain* they'd get this proposal through.

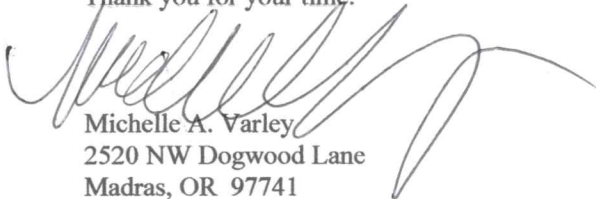
If all applicable laws or regulations were complied with, while coercing this approval of Sub Area 9 for the COIC LLI program... at the very least, to the layperson's eyes... there "appears" to have been some serious manipulation occurring to make this proposal work. I would be curious to see what terms were offered the property owners of the other Sub Area's supposedly considered for this proposal. Were the sellers offered the same benefits given to the City of Madras? Such as grandfathered use of farm ground until a developer stepped forward? Not being required to pay real estate taxes, as is the case with all City owned real estate? Waiving the recapture (of up to 10 years) of real estate taxes, due to the zoning change from farm deferral to industrial? The City receives all of these benefits, were they offered to the potential seller's of Sub Area 1-7 and 9-15 in order to level the playing field? Doubtful.

I'd really like to believe writing this letter will come to something but after months of protest, I feel rather defeated. Initially, I felt the use of Sub Area 8 a better selection due to it being located, basically, in the same area but away from residences, had already been fallow for many years and abuts active industrial property, in use by Hooker Creek Construction Materials. Currently, I just feel like this is simply a bad decision. Every single needed service (power, water, sewer, traffic mitigation, piping irrigations canals, etc.), that would be needed for the development of these LLI lots, are all "To Be Determined" There's no idea or plan on how or when any of these services will become available... but the City wants to push this through anyway. It's a good thing this proposal requires a 10 year commitment from the City to the COIC LLI program, because I don't foresee sufficient power coming to this area much sooner than then. Our 8,000 population is hardly a draw for any large corporation to invest heavily in our area. Our small employment pool was listed as a negative factor, in the 2012 Intergovernmental Agreement.

Additionally, this proposal sets a very dangerous precedence for The Agency Plains. Once re-zoning EFU to Industrial is established, more will occur because the precedence will have been established with this proposal. It's how it happened in California and how the farm ground of Central Oregon will follow suit. Did you know "The Silicon Valley" used to be thousands of acres of orchards, farms and dairy's? Now they're all paved over. Yep, I'm almost ashamed to say, I grew up in the San Francisco Bay Area. This is why my husband and I moved to Oregon in 2005, to get away from their crazy policies. Why any other State would want to *emulate California*, to my mind, is truly unbelievable. Due to this proposal my husband and I are now looking toward moving out of Oregon... sadly, for the same reason we left California.

My hope is this letter will somehow help my neighbors, friends & farmers who will remain here. Our community recently had to close our local animal shelter due to lack of funding, residences now have to travel 70 miles to find assistance for abandoned, abused and neglected animals. Our community pool has a \$200,000+ shortfall in funds, needed for repairs and maintenance. Our fire department and EMS are always in chronic need of funding. The police department lacks funding needed to retain police officers and what about Bridges High School asbestos mitigation issues, that we don't have funds to address? To my mind, that \$840,000 sure could've been useful in other areas, for the betterment of the community as a whole. Instead it was used to buy a farm, in an attempt to fulfill personal goals of obtaining "the last available COIC LLI lot being offered under this program!" and a promise of jobs in 10 years time. Well, whoop-dee-doo. If anything, this matter really does need to be looked into further by people who know more than me... and are in a position to do something about it. The resident's of Jefferson County and the City of Madras really deserve better than this.

Thank you for your time.



Michelle A. Varley  
2520 NW Dogwood Lane  
Madras, OR 97741

CC: City of Madras Community Development Department  
Jefferson County Community Development Department  
Senator Jeff Merkley  
Senator Ron Wyden  
Representative Cliff Bentz  
Representative Greg Smith  
Representative Vikki Breese-Iverson