

Commissioner Minutes

October 16, 2025 – 2:28 p.m. to 4:58 p.m.

**PUBLIC HEARING TO CONSIDER AREA OF IMPACT ORDINANCES - CITY OF MIDDLETON
(OR2025-0010)**

Commissioners Leslie Van Beek, Brad Holton and Zach Brooks

Deputy P.A. Zach Wesley

Deputy P.A. Trent McRae

Deputy P.A. Ben Cramer

Director of Constituent Services Aaron Williams

DSD Director Jay Gibbons

Assistant DSD Director Dan Lister

Principal Planner Michelle Barron

Associate Planner Amber Lewter

Associate Planner Araby Mberwa

Roberta Stewart with the City of Middleton

Engineer Amy Woodruff with the City of Middleton

Ron Saunders, Justin Walker, Theresa Denham, James Shores, Carol Styles, Shawnte Lewis, Sandra Hansen, Veronica Flores, Denise Rhodes, Hank Ashby, Rachelle Osberg, Cheryl Palange, Brent Bunger, Terry McCoy, Kassie Strohmeier, Jeff Creamer, Brandon Lindauer, Jack Alvord, Julie Claus, Richard Sims, Kirsten Alvord, Darlene Biar, Nancy Balbutin, Mark Press, John Biar, Carl Nadeay, Ron Amarel, Rebecca Smith, Katy Vilhen, Melissa Mitchell, Kia Romano, Betsy Byerly, Matt Strohmeier, Lance Pomerleau, Rachel Sontaf, Randy Waite, Bryce Anderson, Vera Waite, Steve Hansen, Keri Smith, and Steven Caster

Deputy Clerk Jenen Ross_____

PUBLIC HEARING TO CONSIDER AREA OF IMPACT ORDINANCES - CITY OF MIDDLETON
(OR2025-0010)

The Board met today at 2:28 p.m. for a public hearing to consider the area of impact ordinance for the City of Middleton, Case no. OR 2025-0010. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, Deputy P.A. Ben Cramer, Director of Constituent Services Aaron Williams, DSD Director Jay Gibbons, Assistant DSD Director Dan Lister, Principal Planner Michelle Barron, Associate Planner Amber Lewter, Associate Planner Araby Mberwa, Roberta Stewart with the City of

Middleton, Engineer Amy Woodruff with the City of Middleton, Ron Saunders, Justin Walker, Theresa Denham, James Shores, Carol Styles, Shawnte Lewis, Sandra Hansen, Veronica Flores, Denise Rhodes, Hank Ashby, Rachelle Osberg, Cheryl Palange, Brent Bunger, Terry McCoy, Kassie Strohmeyer, Jeff Creamer, Brandon Lindauer, Jack Alvord, Julie Claus, Richard Sims, Kirsten Alvord, Darlene Biar, Nancy Balbutin, Mark Press, John Biar, Carl Nadeay, Ron Amarel, Rebecca Smith, Katy Vilhen, Melissa Mitchell, Kia Romano, Betsy Byerly, Matt Strohmeyer, Lance Pomerleau, Rachel Sontaf, Randy Waite, Bryce Anderson, Vera Waite, Steve Hansen, Keri Smith, Steven Caster, and Deputy Clerk Jenen Ross.

Amber Lewter gave the staff report as follows:

The full Idaho State statute 67-6526 can be found in ExhibitB1 of the staff report. The City of Middleton is requesting to reduce the established boundaries on the east and west boundaries and expand the north boundaries for the proposed area of impact. The City of Middleton's proposed area of impact is 14923.68 acres, which is 2852.73 acres increase from the City of Middleton's current area of impact. Per Idaho State statute 67-6526(4)(A). There are five criteria that a city wishing to either establish, confirm, or modify the area of impact must provide evidence to support. I'll cover each criterion and how the City of Middleton has met the criterion. According to the data from COMPASS, the average growth in the City of Middleton has been 8.4% for the past three years. If the growth continues, the projected growth for the year 2030 will be 19,024. The City of Middleton's letter of intent states the city has been refining the city code, comprehensive plan, and policies to support and enhance commercial growth. Numerous national companies have already established a presence or are in the process of doing so in the City of Middleton. The City of Middleton provided several geographical factors in the letter of intent. There are nitrate priority areas located in the northwest quadrant of the proposed area of impact. Having municipal sewer and water in the nitrate priority areas will minimize the nitrates and other contaminants in the groundwater. The City of Middleton's proposed area of impact has some significant slopes in the northeast and northwest corners. The City of Middleton is surrounded by principal arterials, minor arterials, and collectors to support growth and connectivity to the City of Middleton and surrounding cities. According to the City of Middleton, they collaborated with COMPASS and Highway District no. 4 in 2023 and 2024 to align the functional classification map with surrounding agencies. The functional classification map outlines the extension of collector and arterial roads to the outer boundaries of the proposed area of impact. The parks and recreation map identifies planned parks in all four quadrants of the proposed area of impact and includes connectivity of pathways and bike

lanes. The City of Middleton's 2023 water facility plan, and water rights master plan show a system that will support the growth in the proposed area of impact, which can be seen in Exhibit A8. The City of Middleton has completed multiple projects to prepare for future growth, including the addition of Falcon Valley booster station, construction of well 10, replacement and upsizing of critical water mains, and rehabilitation of a storage tank. In regard to the City of Middleton sewer, the city will be constructing a new treatment plant as outlined in the approved 2022 wastewater facility plan and a wastewater plan upgrade is planned for 2026 through 2028 to be constructed in phases. The City of Middleton has several public service district boundaries that are addressed in the staff report. I want to quickly discuss the City of Middleton schools, which have had an overcapacity issue. The City of Middleton passed an ordinance in May 2024 that slowed down the annexation project due to the overcapacity issues. You can see the City of Middleton's moratorium ordinance 693 in exhibit A5. However, once the capacity issue is resolved, the city anticipates to immediately process large annexation projects. The City of Middleton school district has received funding to be applied towards a new elementary school and other upgrades. The comment from the Middleton school district supports the city's proposal to Canyon County for the modification and confirmation of the area of impact as seen in Exhibit C5. Per state law, 67-6526, in addition to the five criteria for the cities to establish an area of impact, there are three additional requirements. According to staff's analysis, the requested confirmation does exceed the two mile distance from the city jurisdiction for parcels R38050010 and R38050010A. The City of Middleton amended the area of impact to remove the parcels and exhibit A2.1. The City of Middleton has enough evidence to suggest annexation is possible within the next five years in the proposed area of impact. The proposed impact area for the City of Middleton does not cross any county boundary lines. The proposed impact area does overlap parcel R34115 between the City of Caldwell and the City of Middleton. The City of Middleton amended the area of impact to remove the parcel from the proposed area of impact as seen in exhibit A2.2 of the staff report. The City of Middleton's proposed area of impact above the area of impact for the City of Caldwell, City of Star, and the City of Nampa, with the amendment, none of the three cities are proposing to overlap their area of impact with the City of Middleton. Notification was done as required by code. Staff received 79 total written public comments and one petition with 188 signatures by the materials deadline of September 26th, 2025. There were three additional written public comments and one petition with 160 signatures received after the materials deadline but received by 10 days before the hearing date. All public comments received were in opposition. The comments received from agencies, and the public can be seen in exhibit C, D, and E of the staff report. The staff is recommending approval of the City of Middleton's proposed area of impact with

removal of parcels R38050010, R38050010A and R34115. The Board has the option to approve, deny, or table the decision for case OR2025-0010 Middleton's proposed area of impact.

Roberta Stewart offered comment on behalf on the City of Middleton as follows: She stated they pulled their western boundary back from I-84 because it's outside the 2-mile requirement and better follows the natural sewer shed and they wanted to match their long-term sewer planning. They've increased the northern boundary one mile from Purple Sage to Galloway; this is the city's northern growth pattern and where they are feeling pressure from developers. She believes the biggest controversy is the city's inability to grow to the perimeter of the proposed AOI within the five years due to the sewer capacity and the schools being overcapacity. Ms. Stewart said they recently went out for judicial confirmation for \$78M for their sewer treatment plant. The plant is already designed and if they get funding they anticipate starting to build in 2026. She spoke about the ordinance that was passed by city council last year which temporarily stopped residential annexations, however, she believes this ordinance is very likely to be reversed or revoked in the next few weeks. City council stated on the record that they are doing their part to slow growth, but the citizens need to do their part to fix the school capacity problem by passing the new school bond. She spoke about some of the options the school district is working on to help alleviate the overcapacity issue, things such as realigning school boundaries, refurbishing a vacant building for use as a school, and using portable classrooms. Additionally, there is \$18M where a portion should be allocated for a new school on Kingsbury, and there is also a lot on Meadow Park that has been designated as a school site. With the sewer and school issue addressed, she anticipates the gate being opened again and with so many large parcels, especially to the north, they would quickly reach the outer boundaries of the AOI. Currently there is a subdivision called Daybreak sitting on her desk, it is 230 acres and 687 homes which could be entitled in 2026 once the gates are opened again. Daybreak alone takes up half a mile from Purple Sage to Galloway, that is half the distance to their outer boundary; after that it will only take one lot, either the Farmer Farms LLC lot or the lot owned by Virginia Heger, to get to the outer perimeter of their boundary which could start within the next year. ITD has started a study group to evaluate the possibility of making either Galloway or Goodson a state highway extending to Hwy 16. Generally, the creation of a state highway brings growth to the area.

In response to a question from Commissioner Van Beek, Ms. Stewart spoke about the impact fees that have been collected and where those funds have been used – traffic signals at Hartley Rd., and at Hwy 44 and Cemetery Rd. Although the intersection of Hwy 44 and Duff Lane is a

Highway District 4 intersection, the City of Middleton is taking first charge and Ms. Stewart is working on development agreements with two developers who she hopes will help build out that intersection.

Amy Woodruff is the contracted engineer for the City of Caldwell and offered the following comments: *Middleton has been planning for expansion of city utilities to serve new developments in the area of impact for well over a decade, but planning is focused primarily on sewer and water availability. There have been a tremendous number of simple main extensions as the city has expanded out, that's an actual classification by DEQ, but there has also been very ambitious and large scale planning for capital improvement projects to serve development in the area of impact.* What's before you here is the west planning area. This west planning area has seen a tremendous amount of transition. This is the area that the city loosely defines as the area west of Emmett to I-84 and from the Boise River to Galloway. The city's planning took a deep and extensive look at this area; it basically could be summed up to say that the area drains via gullies and the like from north to south toward the Boise River. This means that the City of Middleton is uniquely positioned to serve the west planning area. The wastewater treatment plant is at the end of Hartly Lane, at a low spot where Willow Creek meets the Boise River and the city's planning shows that the west area can be served by the City of Middleton. Basically, that whole area there with the strategic construction of collection mains and two regional lift stations. This is the south area, basically south of the Boise River to Lincoln Road, planned by the city, there's been a recent large annexation west of Middleton Road. The city has looked at sewer service for the area east of Middleton Road to the east limits of the proposed AOI and the sewer will basically flow east to west, as the river flows. The city has a significant upgrade planned for its wastewater treatment plant. They'll be getting a new discharge permit, maybe yet this year for discharge to the Boise River, which means the existing plant will be basically reconstructed to meet the new discharge parameters. The city is in the process of getting the \$80 million worth of funding, I think we touched on that and we'll talk a little bit more about it, in place to construct the new plant with construction anticipated to start in 26 and go through 27, possibly 28. And finally, staff touched on this prior, but the area around Middleton is a designated nitrate priority area in that northwest area. What this means is nitrate is already elevated in area groundwater so each septic system that's created has the potential to add incrementally more nutrients. Developments that come on and are required to connect to a municipal sewer system actually protect groundwater from additional nutrient loading by having the sewage treated by a centralized mechanical system. I'm going to go to water now; the city's water system is very robust. The city's done extensive planning with the

water system, both in the existing service area and the proposed area of impact. The city also has an ambitious capital improvement plan; staff touched on this. The city finalized a water system facility plan in 2023. The city has a water rights master plan being finalized at IDWR; that's the RAFN or reasonably anticipated future need reservation of water rights. The city constructed the Falcon Valley Booster Station to serve the area east of Kingsbury and the city's undertaking a rehabilitation project to update their 2 million gallon reservoir that provides pressure and storage for the service area. The area around Middleton is very blessed with an excellent water resource. What this means is the groundwater wells in the area are big volume producers and new municipal wells are planned to meet the water needs for development in the impact area as development comes on. And we do know that what gets measured gets managed. And in terms of water systems, we know that water use year over year from a municipal system is decreased significantly from water use by individual wells because it's metered. So, in very real terms, developments connecting to the municipal system and the AOI act to save and preserve the people's water resource because folks just aren't using as much water and in most cases they use far less water. Modeling and projections show that the city's municipal water system has sufficient source, storage, and capacity to serve the near term development in the proposed AOI.

Ms. Woodruff addressed several clarifying questions from Commissioner Van Beek and Commissioner Holton's questions about the standards that may be implemented for the mechanical plant and the \$78M for the cost. Ms. Woodruff stated that they know the discharge parameters will be significantly similar to municipalities that have been permitted upstream. The city has been in close contact with DEQ regarding IDPES permit.

Ms. Stewart noted that if the northern area from Purple Sage to Galloway is not granted to the City of Middleton, it will become a vacuum area where there could be voluntary annexations from both Caldwell from the west and Star from the east. And of all three cities, the City of Middleton's zoning code is far more rural and better suited for that area than either Caldwell or Star.

Justin Walker offered comments stating that he lives in the county but appreciates having a vibrant and healthy City of Middleton as those services are used by county residents. His concerns are centered on the mile block from Purple Sage to Galloway and Duff Lane to Lansing Lane, stating that from what he can tell this area is in a floodway and development doesn't seem prudent.

Theresa Denham stated that she feels there is a lot of speculation especially in regard to roads, sewer, and schools. She feels that the city comp plan already indicates that it cannot support what it's already managing. She has submitted a table which outlines the city's capital improvement timeline (exhibit D32) which indicates there are significant deficits including fire safety and water leakage. She noted that on page 18 of the staff report, the sewer expansion will be done by using a \$78M loan to supply service to the whole proposed impact area which was not done by a vote of the citizens but through the judicial process. Ms. Denham attended the judicial hearing where the city answered, under oath to Judge Whiting, that the \$78M would not provide future capacity, it would not provide excess capacity, it would only be used to comply with the EPA in order to get the permits. Additionally, the cost of the loan would be covered by current citizens without the benefit of a vote.

James Shores spoke in opposition to the expansion of the area of impact with the following comments: *If this proposal passes, it could open the door to large high density housing developments on rural land. Some parcels as big as two to one, 100 to 200 acres. That can mean hundreds of homes per project have potentially doubled the city's footprint in only a few years, our roads, schools, and emergency services are already stretched. I think they can't absorb that much growth that quickly. The city's own documents identify nitrate priority areas inside the proposed boundaries, yet the new wastewater treatment plant won't be complete until 2028, pushing the development before the sewer capacity is ready, risk ground contamination, and infrastructure overload. There's also a major financial risk. The city plans to take on a \$78 million debt for a sewer plant. If growth slows or costs rise, existing residents like me could face higher property taxes and utility bills to cover the shortfall. I'm not against growth, but it must be responsible, phased and supported by infrastructure first. Please don't approve this AOI expansion until independent studies confirm the wastewater, sewer, and roads, and schools can justify it and sustain it. Let's protect Middleton's rural character, our natural resources and the financial stability of homeowners before expanding any further. Thank you for your time and have a nice afternoon*

Shawnte Lewis spoke in opposition stating she would like to see growth slowed in this area. She asked the Board to keep the boundaries as they are. She said that none of the farmers in this area want this growth.

Denise Rhodes is in opposition and feels that Middleton has not been a good neighbor. She believes the city has made a series of bad decisions going back 20 years and everyone is suffering the consequences in not addressing roads, infrastructure, schools, etc. She stated that Middleton is 95% residential, with no commercial planned to increase tax revenue. She asked the Board to either reduce or keep the boundaries the same. In response to questions from the Board, Ms. Rhodes confirmed she does not have documentation to support her claim of the city being mainly residential with no commercial plans, it is just what she's heard/understands from attending city council meetings but did confirm she is a realtor and does have a feel for the area.

Rochelle Osberg spoke about how they moved to this area in order to have open space, her own drinking well, and to be able to grow her own food. She is opposed to this expansion and has concerns about the effects it will have on dairies in the area, and how new housing will impact generation homeowners potentially increasing their property taxes.

Cheryl Palange offer the following comments: *I'm here today to urge you to deny the City of Middleton's request to expand its area of impact. My opposition is not based on being anti-growth, it's based on advocating for smart growth, and we need your help with this. And while you appear to be really lovely, hardworking, and dedicated civil servants, we've seen more of you in the last two and a half years than we would've ever expected. But one thing about my time here that stuck with me is the commissioners expressing frustration, time and time again over not understanding what Middleton is doing. And this AOI application continues that pattern, failing the test of responsible planning. And while the city paints a rosy picture of sufficiency and stability, I think they've misled you. I too was at the October 1st hearing, and hopefully I can close that loop for your Commissioner Holton - in addition to testifying that it had no excess capacity, or no future capacity, it was only going to serve the current residents, that wastewater treatment plant. It was only the city limits. So, if it's, if it's spending \$78 million simply to service an existing population, it demonstrates a complete lack of capacity to grow to the proposed AOI that's quite a bit larger. The City minutes also tell a story of an aging water system struggling for years. They often mention emergency, the purchase of leak detection equipment, Theresa [Denham] spoke on this seepage issues fighting infiltration into its sewer lines from leaks and cracks, causing hundreds and thousands of gallons of water to leak into the septic system. And then there's a regulatory requirement, and this simply says, this is a reactive repair, not capacity planning. Moving onto the water supply, while the city's application claims the groundwater source is excellent and abundant, the minutes indicate otherwise. Just this past June that we're talking*

about boring, another boring project across, the Boise River in the future, described as an incredibly ambitious and costly project on top of \$78 million needed to serve a known vulnerability of the current water supply line that could be compromised by a single failure. The bore, it was going to be tied to a subdivision phase they weren't sure would even happen, would fully loop the water system and make the existing wells active. So, this shows the current system is not optimally reliable or fully active. So, if the city's already misleading about wastewater capacity and wells, what else do we not know about? Over the last week or, or just this last week, I had lunch with the mayor. She says there's no way they can reach that area of impact in five years, and that the main reason for it was the encroaching by Star and City of Calwell. On the school subject you asked questions about, don't forget, there's also that 841 subdivision in Star that will also fill into the schools, and they are entirely impacted minus 25 students of Purple Sage. Every school is impacted except for...and 25 students in Purple Sage is there too, so we've got a whole lot. We've got those 3000 homes not yet built. We've got 841 over there at Kingsbury and a school with only 20-25% potentially funding. Our schools are still struggling.

Brent Bunger is opposed with his main concern is the school system being way over capacity. He is asking the Board to protect the students and the property owners. He feels there has been a series of bad decisions made by the City of Middleton and referenced the traffic issues experienced there.

Terry McCoy suggested removing the area west of Emmett from Highway 44 at least through Purple Sage, and maybe Galloway from the area of impact. He feels the topography in this area would make it hard for the City of Middleton to deliver services. Additionally, he has concerns about the schools and traffic. The city has been objecting to development, and he feels it would be a misuse of money to build septic and water to the area west of Emmett.

Jeff Creamer moved to the area north of Purple Sage about 8 years ago for the large open lots. He feels with the proposed change of 1/4 to 1/3 acre lots it will change the character of the area. He would like to see the city focus on the area within the current city limits that has not yet been planned. He said that there has been mismanagement for several years and that ITD has tried to work with the city to improve the Highway 44 corridor, and the city has basically ignored those conversations and continued to approve subdivisions. He requested the Board not allow the City of Middleton to expand their AOI past Purple Sage.

Brandon Lindauer is in opposition to Middleton's proposed AOI. He lives off Emmett Road north of Purple Sage and south of Galloway. And although the city has outlined the benefits to the city and its existing residents, he doesn't feel they've detailed any benefits to those that will be added to the area. He believes this is the first step in government overreach; the city will first extend the boundary line and then will be able to annex adjacent properties. The city voters have already said no to additional taxing for schools and fire, and he feels that for the Board to approve this, it would be handing the citizens over to the decisions of the City of Middleton, including taxes and fees. He requested that the Commissioners vote no on the modification and expansion of the Middleton area of impact.

Jack Alvord spoke about how they have a 32 acre farm in the area of Cemetery and Purple Sage. He feels this is the first step in changing. He is opposed to the City of Middleton's proposal.

Julie Clause offered the following comments: *This should be denied as it fails to meet Idaho Code 67-6526(4)(b) and 67-6508 (e). The area of impact includes farmland of state significance shown by the American Farmland Trust and codified in the Canyon County comprehensive plan map as an area of prime agriculture, therefore should not be developed within the next five years, and additionally, should be removed from the city area of impact because it is in conflict with the county plan G4.04.00 by failing to recognize the county identified extensive agricultural region. I also want to state that 30 years ago I moved out to Middleton, a native Idahoan. I have four children, one left in school. She does not currently go to the Middleton School district, but I do know kids that do, and I know they're sitting three across in their seats. They're sitting in the aisles of the bus. There's no room. We have no room for more children to be able to go to the schools, to be safely on the buses. And that's a key thing – safe. Three kids in one seat and kids sitting in the aisles, that's not fair. That's not what we do with our children and that's not how we protect them. We have more kids, we don't have the busing, we don't have the schools. What are we supposed to do with our children?*

Richard Simms provided the Board with his professional work experience in agriculture, and natural resources conservation. His comments were as follows: *I have 1300 [corrected from 13000] acres between Purple Sage and Galloway Road that appears to me to be in direct conflict with the Canyon County Commissions 2030 comprehensive plan. The plan identifies this area as intensive agriculture, so it seems counterintuitive to me to have an area identified as intensive agriculture and then included into an area of impact to attract development. Also, there's 3300*

acres plus farmland north of Purple Sage Road, including the 1300 acres I just talked about. And between Lansing and Kingsbury Drive, approximately 65% of the acres are irrigated capability class two and three. Okay, so what does irrigated capability class soils mean? The higher the number, the lower the physical soil restrictions. So, capability class two is the most productive soil that we have in our county and 65% of those 3,300 acres is class two and class three. What is class three? Class three has some restrictions, but by applying good conservation appropriate practices, it's very productive for Canyon County soils. What are some of the restrictions that I referred to? Could be the present a slope, could be the texture of the soil, could be the gravel in the soil profile, could be the high amounts of calcium. These are things that inhibit the growth of plants. So, class two and class three are the best productive soils that we have in our county. My information came from the USDA NRCS web soil survey, and this is open to everybody and it's on the internet, so that's where I went to get this information I shared with you. The staff report identified the existing AOI, protects agricultural land for long term agricultural production from encroachment of incompatible uses. There are dairies in the AOI, several people have talked about that. Dairy farm, hundreds of acres, placing subdivisions next to a dairy creates community conflict, especially when organic fertilizer is applied. Under the topic of services, by vote this year, the community rejected a bond for the fire department and the ambulance service. The bonds were brought to the voters because the district saw the need that they were behind in providing these services. Last week I received a letter and this flyer from the Middleton Rural Fire Department about an upcoming 2025 proposed budget levy increase and encourage everyone to get out and vote on November 14th, and I'd like to see everybody get out and vote on November 14th also. If it's not passed, it says that Station 54 will not be staffed, and increased demands will continue to increase response times. If the rural district is not able to respond to existing conditions, how would they be able to service an additional 3,300 acres? The AOI was supposed to clearly document and explain how it would make and provide services over the next five years to address the growth. The plan is lacking of this documentation. It's lacking this explanation. In closing, the AOI should not be allowed to expand north of Purple Sage Road and significantly reduce the agricultural land areas between Lansing and Kingsbury. Middleton can grow and can address the needs of most families and houses and businesses if they concentrate their efforts on in-filling and not urban sprawl.

Kirsten Alvord lives on Cemetery Rd. about a mile north of Purple Sage and has a 30-acre farm. She expressed her concerns about annexation and the preservation of prime soils and ag operations. She expressed how the citizens are really relying on the Board to be the

enforcement of the comprehensive plan. She asked the Board to reject this plan, especially north of Purple Sage which is prime farmland.

Darlene Biar lives north of Purple Sage and offered the following comments:

We moved to our home in December of 2017. My husband and I worked for 40 years saving our money to build our dream home. The house was built specifically for when we got older, wide doors for wheelchairs have come in actually very handy right now, and other senior friendly items. We selected this area as we were moving off our small farm and this area was in the county and offered a long standing rural character in which we wanted to live in. We are now senior citizens on fixed incomes, and this area of impact could create significant and inequitable financial burdens on us. It is their understanding that the proposed expansion is in conflict with county's already approved and rectified comprehensive plan. Idaho Code 63-1311 governs utility rate structures and prohibits disproportionate charges unrelated to actual service uses. All homeowners threatened by this area of impact already have wells and septic systems on their property and would not need the services provided by this proposal. We already pride ourselves on the excellent water and sewer services, and this city cannot provide services for our area in the next five years. Seven years ago when we built our home, the county made us put in an expensive septic system, which is a mini sewer system plan called a BioBarrier BioMicrobiotic system, so we feel that we have already paid for our water and her sewer, and that it appears that the city wishes for us to pay for services that we are not going to be able to use. Have the city and the council members looked at any other alternatives? Why can't the home builders such as Hubble Homes, Cory Barton, Himes Homes, etc, just to name few, be made to shoulder some of this burden. Why did the city just arbitrarily draw a line on a map to see where they could get more funding that no one is supposed to talk about. In this proposal, if the area of impact occurs there will be more subdivisions and commercial properties built in the area, which further increases the traffic in our area, which would mean the need for more schools, more fire stations, more police, which means more levies, etc. It's a never ending battle and it just keeps hitting people, a lot of them who are on fixed incomes. In conclusion, we would ask the council to strongly reconsider the area of impact. That this area into the city limits, there must be other alternatives and areas to be evaluated. We are in opposition to this, and we thank you for your time and listening to us.

Ron Amarel said he agrees with most of what has already been stated today. He asked the Board to please preserve agriculture and expressed how this is a major area for seed crops.

Rebecca Smith is in opposition to the AOI. She expressed her concerns about not receiving notification from the county. She has a small farm in the northeast area which had been prime agricultural land. They've lived on their property for 38 years and until the last few years did not have any issue with development. Over the past few years, they've struggled find swathers and bailers because they are all going out of business.

Katy Vilhen also opposes the AOI boarder and agrees with everything everyone else has said. She expressed her concerns about infrastructure, traffic, and overcrowded schools. She represents the southeast area and doesn't feel they need municipal services in that area.

Melissa Mitchell expressed her concerns about infrastructure, traffic, nitrate contamination of wells, and wildlife corridors.

Kia Ramano offered the following statement in opposition:

I am here as a farmer, a homeowner, and a business owner in Middleton. I'm here to respectfully urge you to deny the proposed extension of town borders. I live north of Purple Sage on our family farm. This expansion would destroy valuable agricultural land that defines our town's character and supports our local rural economy. It would bring heavier traffic that creates new safety concerns. It's irresponsible of our city management to speculate that ITD, at some point, may expand to Galloway that does not resolve the dangerous roads that we are traveling on, especially those of us that are moving farm equipment in the area. Our overcrowding of schools are clearly an issue. And for our city management to state quote, positive actions for schools, quote are being taken is also irresponsible. As has been stated, we do not have bond approvals for new schools that continue to be overcrowded. This expansion would also strain our inadequate infrastructure, our roads, our water systems, and public services, which are not prepared for this level of growth. Ultimately, this expansion would erode the rural character that residents specifically chose when they purchased homes and lands here. For these reasons, I urge the board to protect the long-term wellbeing of our community and to refuse this request to extend the town borders past purple Sage.

Matt Stromeyer expressed his concerns about infrastructure specifically related to utilities that he doesn't feel have been maintained by the city and the capacity of irrigation canals that cannot be increased to accommodate capacity.

Randy Waite expressed his frustration in not receiving a notice. Additionally, he believes a lot of people will be put out of business by putting houses where there are pivots.

Bryce Anderson lives north of Purple Sage and west of Harvey Road. He moved here 5 years ago for the rural lifestyle. He feels this would be a great impact to their lifestyle and urged the board to vote no on this request.

Vera Waite said that they did not get a notification. They have a small farm on the south side of Purple Sage and is concerned they will be put out of business. She spoke about the overcrowding of schools.

Keri Smith supports Ms. Waite, stating that clearly Ms. Waite's property is not likely to be annexed in the next 5 years but has been included in the plan. She reiterated that the City of Middleton does not yet have the ability to provide sewer, nor schools. She spoke to the law that governs annexations, 50-22, which she said clearly states that all annexations have to be rezoned and be in compliance with section 67-6511(2)(a); she read the legal language into the record as follows: *"...ordinances establishing zoning district shall be amended as follows: Particular consideration shall be given to the effects of any proposed zone change upon the delivery of services by any political subdivision, including public services, school districts, and planning jurisdiction..."* Ms. Smith would like to see the entire impact area denied and the city can come back when they have the ability to serve the impact area.

Steve Caster lives in the area that will be part of the impact area if approved. He expressed his concerns about funding for schools and overcrowding. The community he lives in has their own water and sewer, maintain their own roads and have a good relationship with Idaho Power. Additionally, he has concerns about farmland being taken by developers and the lack of infrastructure to provide water and sewer to the proposed AOI. He is adamantly opposed to this request.

Roberta Stewart offered rebuttal testimony, addressing the following:

- Issues with the streets and schools has no impact on annexation.
- Today's discussion is simply about the parameter.
- Middleton, nor any city, can supplant an area of impact in five years
- Growth oftentimes happens in singular large parcels connected as a daisy chain; sometimes it only takes two parcels to reach the perimeter boundary.

- There are ordinances on their books that when anyone brings in a new subdivision, the developer must bring utilities to and through so that they continue on.
- The ITD PELL study is complete, and final alternatives have been chosen.
- Most commercial growth is already within city limits and as the city grows out, commercial growth will follow.
- The area from Purple Sage to Galloway will eventually be taken by a city, however, Caldwell and Star both have higher densities. Middleton can provide the most rural character.
- In regard to the schools being at capacity, the City of Middleton has an ordinance that annexation will only stop when the schools reach 110% of capacity. And although the city works in collaboration with the school district, it is not the responsibility of the city to solve the school district issues.
- The area north of Purple Sage to Galloway is intensive ag., this is also a nitrate priority area. Ms. Stewart said there will need to be a choice made between protecting prime soil, protecting against contamination by farming in the area, or protecting residences.

Ms. Woodruff addressed Commissioner Brooks's question about what the judge was told in regard to the wastewater treatment plant project. She said it is not a capacity project; it's a wastewater treatment plant project to remove constituents. There is a small incremental 10 to 12% of capacity in the project because it's not an exact fit. It is a 3-phase project, with the first phase being the nutrient removal, that is the \$78M phase. The second phase is temperature and phosphorus. And the third phase is much more capacity. The City of Middleton's connection fee right now has been raised, it's \$15,000. Currently the city is accumulating funds to prepare for phases 2 and 3. Ms. Stewart said that it will bring capacity, there will be new capacity in all 3 phases.

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to close public testimony.

Commissioner Brooks made a motion to continue the hearing to October 29, 2025, at 4:00 p.m. The motion was seconded by Commissioner Van Beek and carried unanimously.

Commissioner Holton motioned to adjourn the hearing. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 4:58 p.m. and an audio recording is on file in the Commissioners' Office.