

Commissioner Minutes

October 29, 2025 – 4:00 p.m. to 4:46 p.m.

CONTINUED PUBLIC HEARING TO CONSIDER AREA OF IMPACT ORDINANCES – MIDDLETON

Commissioners Leslie Van Beek, Brad Holton and Zach Brooks

Deputy P.A. Zach Wesley

DSD Director Jay Gibbons

DSD Planning Supervisor Dan Lister

Principal Planner Michelle Barron

Associate Planner Arbay Mberwa

Associate Planner Amber Lewter

Director of Constituent Services Aaron Williams

Kate Dahl on behalf of the Cities of Melba and Wilder

Roberta Stewart on behalf of the City of Middleton

Other interested citizens

Deputy Clerk Jenen Ross_____

CONTINUED PUBLIC HEARING TO CONSIDER AREA OF IMPACT ORDINANCES – MIDDLETON

The Board met today at 4:00 p.m. for a continued public hearing to consider an area of impact ordinance for the City of Middleton. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, DSD Director Jay Gibbons, DSD Planning Supervisor Dan Lister, Principal Planner Michelle Barron, Associate Planner Arbay Mberwa, Associate Planner Amber Lewter, Director of Constituent Services Aaron Williams, Kate Dahl on behalf of the Cities of Melba and Wilder, Roberta Stewart on behalf of the City of Middleton, Other interested citizens, and Deputy Clerk Jenen Ross.

Ms. Lewter gave a recap from the previous hearing as follows: On October 16, 2025, we discussed the background per the Idaho State statute 67-6526 regarding the area of impact for the cities within the county. The case was first heard on October 16th, 2025, where staff and the applicant gave a presentation on how the city meets the criteria outlined in Idaho code 67-6526. Staff made a recommendation of approval subject to removing the parcels within city limits and the parcels past the two mile radius. The applicant was amenable to making those adjustments to the proposed area of impact. Public testimony was heard and closed. The case was continued to today, October 29th, 2025, to allow for deliberation and potentially a decision. Staff received the judgment and FCOs for their approval of the \$78,558,000 loan for the City of Middleton sewer system improvements. The FCOs are 10 pages, which staff can

provide to each commissioner, and we can then add them to the website for the record, staff can read the FCOs into the record, or we can move forward without the FCOs. The Board chose not to accept the document into the record. 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 current area of impact. As a reminder, 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. In addition to the five criteria for the cities to establish an area of impact, there are three additional requirements. The staff is recommending approval of the City of Middleton's proposed area of impact with the removal of parcels R38050010, R38050010A, and R34115.

Ms. Stewart addressed Commissioner Brooks' questions about the 'will-serve' capacity of the sewer system. At the last hearing it was represented that 50% of the 'will-serve' capacity is being used today but she corrected the record to note that is closer to 60%. She further explained that they have about 8000 planned EDUs and with the judge's confirmation of the \$78M the first phase will bring them up to EPA controls and also gives them 1800 EDUs according to the Public Works Director. Following that there are two phases of minor updates. The second phase is \$30M, which they already have funding for and will provide 2400 more EDUs. The third phase is \$18M and will provide another 1200 EDUs. In the next 3-4 years they intend to have another 5400 EDUs which added to the 8000 already planned they could service community growth of up to 40,000 people

Discussion ensued regarding entitlements, annexations, and the future of the sewer upgrade project.

Ms. Stewart clarified that the \$78M encompasses all three phases of the sewer upgrade. Additionally, she addressed Commissioner Van Beek's question about annexation stating that the city has a policy against forced annexation.

Commissioner Brooks would like to see a revised map that shows city limits, the committed 'will serve' area, and areas that will be reasonably filled in. Commissioner Van Beek concurs and would also like to see a map.

Commissioner Van Beek asked questions about transportation noting she doesn't want to do anything to add to the transportation load in Middleton. Additionally, she has concerns about the planned bypass going through what was once the proposed Crane Creek Plaza where

people have now built on the easements and entitlements. She feels the city is jeopardizing the urban renew district as this was not part of the approved plan in about 2019. Ms. Stewart said that following the Pell study, the southern bypass was the chosen route. The city council did send a letter of opposition, but it cannot stop ITD.

Board discussion ensued regarding the boundary lines.

Commissioner Brooks made a motion requesting The City of Middleton provide a new proposed area of impact map that is based upon Board comments today that includes the existing 'will-serve' area and projected future service of the remaining 5400 EDUs to be approved. The motion was seconded by Commissioner Van Beek and carried unanimously.

Commissioner Holton motioned to continue the hearing to November 17, 2025, at 10:00 a.m. in the Administration Building meeting room. The motion was seconded by Commissioner Van Beek and carried unanimously.

Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to adjourn the hearing. The hearing concluded at 4:46 p.m. and an audio recording is on file in the Commissioners' Office.