



Date: November 2, 2026

Department: Clerk's Office

Presenter: Sarah Greenwald, Deputy Clerk

Subject: Turley Hearing Rescheduling and Annexation Notice Procedures

Purpose

Staff recommends that Council reschedule the Turley Annexation Public Hearing for December 16, 2026, and adopt the hearing rules. Staff also requests separate direction to Attorney Jim Sanderson to prepare amendments to the Uniform Annexation Process Ordinance addressing responsibility for public notices, cost recovery, and mailing methods.

Background

Alpine Property Holdings Group, LLC, Premier Realty Investments, LLC, and Steve Turley petitioned to annex approximately 45.10 acres adjacent to the Town. The petition was filed July 29, 2026, and certified complete by the Town Clerk on July 31, 2026. Council adopted Resolution No. 2026-034 on August 18, 2026, certifying procedural sufficiency. The public hearing was subsequently scheduled for October 28, 2026.

On Friday, October 23, 2026, the Town received confirmation that the petitioners had not sent all required notices by certified mail to owners of property adjacent to or within 500 feet of the proposed annexation area. This did not meet Section 4.1 of Town Ordinance No. 2024-001. The deficiency concerned the Town's additional certified-mail requirement for surrounding property owners. State law permits first-class mail for the surrounding owners covered by its notice provision.

After receiving this confirmation, staff contacted the attorney, who advised cancelling the October 28 hearing. A subsequent review identified that the staff email transmitting the notices, annexation report, and mailing materials to the applicants did not outline the Town's requirement to send these surrounding property-owner notices by certified mail. This clerical omission did not change the ordinance's requirements, but it identified a need to clarify responsibility and improve the notice process.

W.S. § 15-1-405(a) requires the hearing to occur between 30 and 180 calendar days after the petition is certified complete. Based on the July 31 certification, the deadline is January 27, 2027, provided that certification remains operative. Counsel should confirm the petition's procedural status under Section 4.1 before Council acts on rescheduling.

Staff recommends rescheduling the hearing for Wednesday, December 16, 2026, at 7:00 p.m. at the Alpine Civic Center, 121 US Highway 89. January 6, 13, or 20, 2027, are alternative dates. Each is before January 27. Retain the prior format of 30 minutes for the applicants' presentation and Council questions and responses, followed by 75 minutes of public comment with three minutes per speaker and the speaker procedures in the draft resolution.

For December 16, certified mailings must be completed by November 16. Proposed SVI publication dates are November 18 and 25, subject to confirmation with SVI. Property posting must also be updated. These dates account for weekends and identified Town closures; any additional closure requires recalculation

Recommended Ordinance Amendments:

To strengthen the integrity and consistency of the notice process, staff recommends directing Attorney Sanderson to prepare amendments to Town Ordinance No. 2024-001 (Uniform Annexation Ordinance) that:

1. Assign Town staff responsibility for completing required annexation notices, including mailing, newspaper publication, and property posting.
2. Authorize the Town to deduct documented notice costs from the applicant's annexation deposit.
3. Retain the Town's 500-foot notification area but allow first-class mailing to surrounding property owners instead of requiring certified mail, except where certified mail is required by state law (landowners and affected public utilities).

The proposed approach would replace reliance on petitioners' mailing receipts with a notice record maintained directly by staff. State-required certified mailing to landowners and affected public utilities within the annexation territory would remain. Council's direction would authorize preparation of amendments for later consideration; it would not amend the ordinance or waive current notice requirements for the rescheduled hearing.

Alternatives

- A. Option A: Approve the recommended hearing date and rules, and separately direct preparation of the ordinance amendments. This provides a hearing schedule and addresses the process weakness identified during review.
- B. Option B: Select another available hearing date, modify the hearing rules, or narrow the requested amendments. Revised dates must satisfy the applicable hearing and notice deadlines.
- C. Option C: Reschedule the hearing but retain the current ordinance or defer either action for additional information. Deferring rescheduling reduces the time available before the hearing deadline.

Fiscal Impact

The petitioner remains responsible for applicable notice costs under the current ordinance. The proposed amendment would provide for payment of documented notice costs from the annexation deposit.

Staff coordination and attorney drafting will require time; the associated costs have not been quantified.

Strategic or Community Impact

Clear responsibility for notices and Town-maintained records would improve consistency, accountability, and public confidence in the annexation process. Rescheduling allows notice requirements to be met and the public to participate without deciding the merits of the annexation.

Key Questions

1. Does Council support December 16 and the proposed hearing rules, or prefer an alternative date or format?
 2. Should staff manage annexation notices, recover costs from the deposit, and use first-class mail for surrounding owners where state law permits?
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Suggested Motions:

- **Motion 1:** Motion to adopt Resolution No. 2026-038, establishing the Turley Annexation Public Hearing for December 16, 2026, at 7:00 p.m. at the Alpine Civic Center, directing public notice, and adopting the hearing procedures set forth in the resolution.
 - **Motion 2:** Motion to direct Attorney Sanderson to prepare amendments to Town Ordinance No. 2024-001 assigning annexation notice duties to Town staff, authorizing deduction of documented notice costs from the annexation deposit, and allowing first-class mail to adjacent property owners and owners within 500 feet while retaining all certified-mail requirements imposed by state law, for Council's consideration.
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Attachment

Resolution 2026-038 establishing the hearing date and procedures.