



**MEETING DATE:** [CLICK OR TAP TO ENTER A DATE.](#)

# REQUEST FOR DECISION - TO COUNCIL

## SUBJECT

**TWP 522 TEXAS GATE RESOLUTION**

## RECOMMENDATION

THAT the County of Vermilion River accept the report as information and direct administration to \_\_\_\_\_.

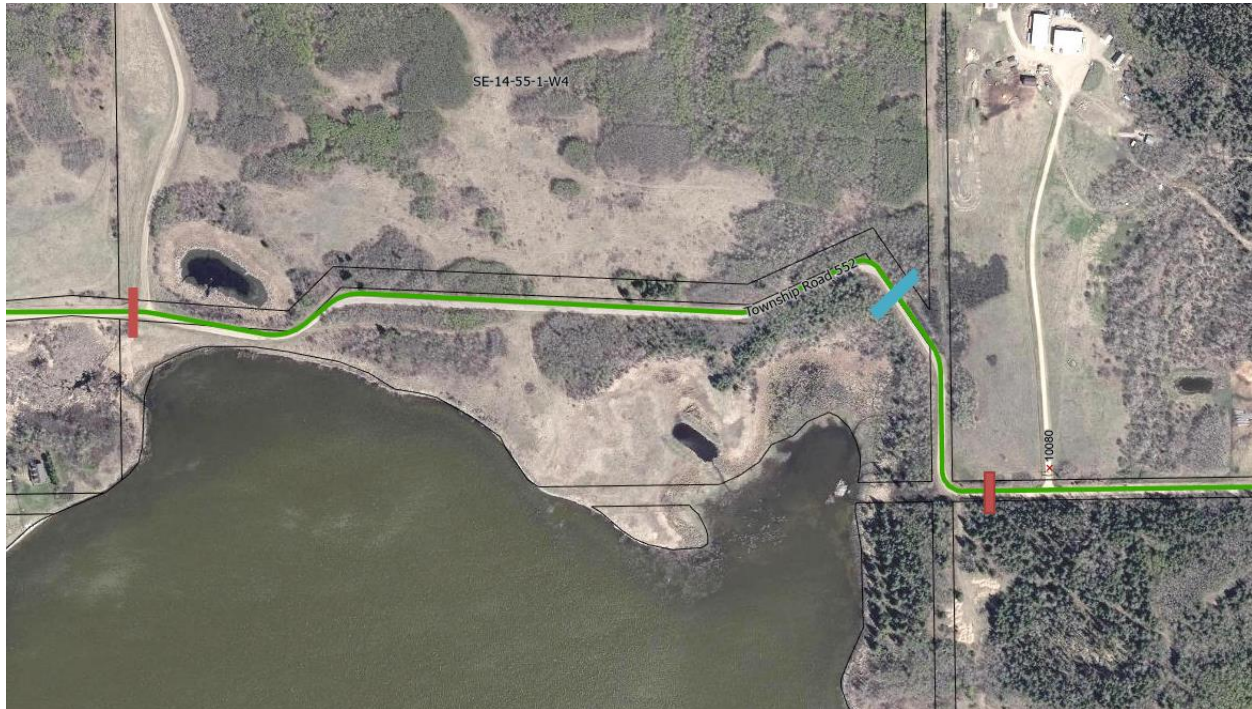
## DETAILS

Background:

At the September 24 Council meeting, an application for the installation of a Texas gate was brought forward with the recommendation to deny the application. The circumstances surrounding the application is summarized in the following way:

- Texas gate was installed at the end of August by a property owner without consent of the County of Vermilion River.
- The County of Vermilion River received a complaint regarding the installed gate and engaged with the property owner that installed it, and requested the process be followed and an application be submitted.
- Property owner complied with the request and the item was brought forth at September 24 Regular Meeting of Council.
- The old Texas gate at the furthest East location is planned to be removed with new one being installed.
- The new gate itself meets the material requirements for the standard.
- With the gate being installed in a developed road allowance, it does not meet the requirements for approval as per policy PW 011 Texas Gate Standards and Procedures Policy.
- The bus driver has expressed safety concerns with the location of the new Texas gate.
- Council requested further engagement with the Burke Lake Cattle Association and the property owner that installed the Texas gate.

There were three gates now in this section of roadway. The two red lines are the older gates, and the blue line being the newly installed gate.



Public Works has had discussions with Burke Lake Cattle Association regarding the Texas gates. Their main points of discussion are:

- Access to the Lake at the South is needed for their cattle.
- This quarter section is primarily used as a holding quarter in the Fall before moving the cattle out from the area.
- They are indifferent to the location of the east Texas gate.
- They are wanting to avoid fencing the road right of way and prefers the Texas gates to be in place.
- The association is willing to take ownership of both Texas gates at the end of the process.

Property Owner:

- Property Owner has expressed desire of where the new gate is installed.
- Property Owner is willing to remove the old gate and restore the road.



Public Works also met with Buffalo Trail School Transportation Division on October 9, 2024. Buffalo Trails completed a safety assessment of the Texas gate and road access. During this discussion it was agreed between Lorne and the school division that the Property Owner would drive the kids further down the road and the bus would not be required to go down the road.

- After these consultations, Public Works recommends following PW 011 Texas Gate Standards and Procedures Policy.

Public Works will be reviewing and updating the Texas Gate policy over the next few months and it will come back to Council.

Further at the October 15 Policy and Priorities meeting to discuss the above information, it was requested to be postponed for decision until a later date while Burke Lake completed a meeting with Councilor Clinton Murray.

At the November 12 P&P meeting, the committee voted to have the property owner remove the newly installed Texas gate, and request that Burke Lake Cattle Association take responsibility for the westerly and easterly Texas gates. Public Works is to work with Burke Lake Cattle Association to ensure the existing gates be brought to current standards.

#### Discussion:

From the previous meeting, Public Works has worked with both property owners to get the eastern Texas Gate upgraded, however; the issue remained for both parties with the gate being there and uncertainty of the gate for the future impacts to all parties.

After further discussions with the association, they have agreed to fence the road right of way, and have the Texas Gates removed. This is an ideal situation as it brings this section of roadway within policy. This requires several aspects to be completed to achieve this as well as a few requests from the association.

1. The association has requested a cost share of the fence. 880m of Centerline of road.  $880 \times 2 = 1,760\text{m}$  of fencing. Cost of the fence per meter is approximately \$12/m. Total Cost of \$21,120.
2. There is a requirement for mulching to be completed along the right of way. This cost will be on the association of approximately \$8,000.00.
3. The road is currently not within the road right of way. The association acknowledges this, and so does Public Works. Both parties agree that the right of way should be

shifted to the actual road location. This cost will be on the County as it resolves a previous issue.

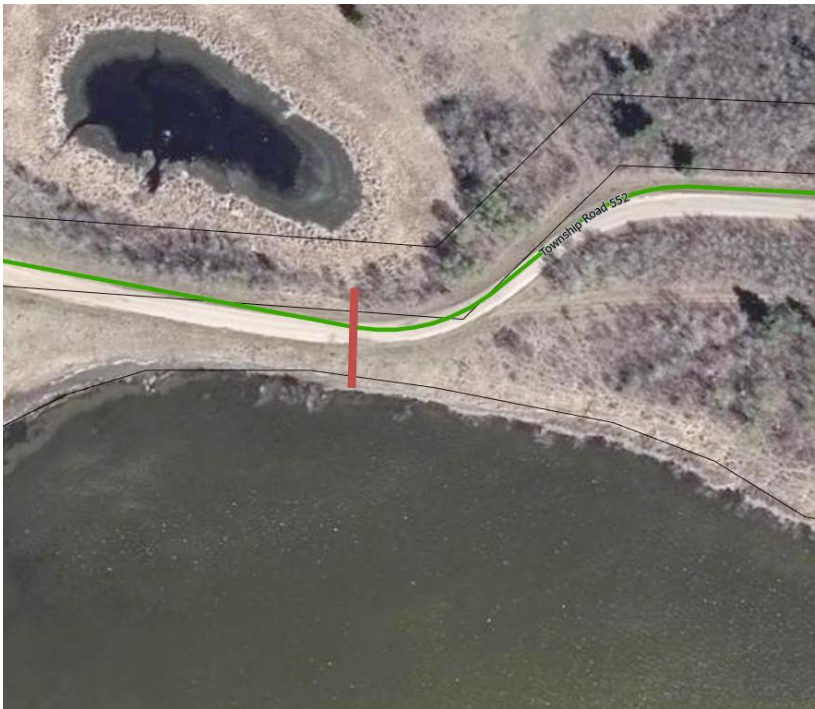


4. The association has requested that the fence at the curve closest to the lake be closer to the road to allow for passage of cattle and a vehicle to have herding capabilities. This is acceptable to Public Works as it is strictly a side slope to the lake and snow could be bladed to the North for this small section.



5. With the fence being installed, there is a need for access to water for the cattle. A resolution to this is to have a culvert through the road between the lake and the

wetland to the north. It would not be to fill the wetland directly from the lake naturally, it would be to allow for a suction hose to be ran through the culvert to provide water to the north via a pump. Public Works thinks there is a culvert that is existing in that section already (to be confirmed in the spring), and if not the cost to install one is minimal and can be covered under the normal operating budget.



6. The final request for this re-work is the tie into the existing fence along the eastern fence of this quarter section. It is acknowledged that the existing fence in this area is **not** on property line, and has been there for a long time. In discussions with the association, they are willing to install a fence on the west side of the road right of way in the future if/when the road is developed. In the meantime, they are requesting to tie into the existing fence as shown with the blue line below. There is an existing cross-fence in this section as well. Public Works does not recommend fencing off with no potential opening. In lieu of the existing circumstances a potential suggestion could be to require a 20' wire, or steel gate be installed.



Relevant Policy/Legislation Practices:

PW011 – Texas Gate Standards and Procedures

Desired Outcome (s):

To accept the proposal as presented with direction to administration regarding a cost share in the fence.

## IMPLICATIONS OF RECOMMENDATION

Organizational: N/A

Financial: Potential expense regarding cost share

Communication Required: To adjacent landowners regarding the work.

Implementation: Upon Council approval.



## ATTACHMENTS

PW011 – Texas Gates Standards and Procedures

PREPARED BY: Ben McPhee

DATE: Feb 18, 2025