

TOP AGGREGATE PRODUCING MUNICIPALITIES IN ONTARIO

TERMS OF REFERENCE

ARTICLE I Definitions

- 1.1 **Aggregate Industry or Aggregates** shall encompass the broad spectrum of producers in the Stone, Sand and Gravel commodities.
- 1.2 **Associate Member Municipality** means a member of Council of any municipality in the Province of Ontario that is not a Member Municipality
- 1.3 **Member** means the Mayor of a Member Municipality or a member of Council appointed by Resolution of their Council.
- 1.4 **Member Municipality** shall mean a lower tier and/or single tier municipality in Ontario that has paid its annual financial commitment to TAPMO and is deemed to be a member in good standing.
- 1.5 **TAPMO** shall mean the Top Aggregate Producing Municipalities in Ontario.

ARTICLE II Purpose

- 2.1 TAPMO is committed to working with the Ontario Government, Municipalities and the Aggregate Industry to achieve a collaborative process in terms of the approval and/or expansion of licensed sites, and, in the continued safe, community respectful and environmentally sustainable operation of aggregate production.
- 2.2 TAPMO believes that local municipalities have a vital role to play in ensuring a sustainable aggregate industry for Ontario and, as a Provincial Association representing aggregate rich communities. TAPMO members seek to develop long-term best practices and constructive, sustainable solutions that will ultimately benefit all stakeholders.
- 2.3 Working with its partners, TAPMO will develop practical, long-term initiatives, solutions and actions to promote and protect the sustainability of aggregate

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production in Ontario while being mindful of the well-being of Member Municipalities.

- 2.4 Working with its partners, TAPMO will encourage and promote efforts to assess and quantify the cumulative social, environmental and health impacts of multiple sites within an aggregate producing area in the short, medium and long term periods. The promotion of activities shall include, , but not limited to: quarrying below the water table, infrastructure maintenance and repair, dust and noise assessment, traffic, baseflow contributions to area watercourses and environmentally sensitive features, haul routes and progressive site rehabilitation practices.

Article III Strategic Goals

- 3.1 Monitoring & Participation – TAPMO will monitor Federal, Provincial and other regulatory agencies, boards and commissions as well as industry associations to determine, assess and respond to initiatives which may impact upon its Member Municipalities as it relates to the aggregate industry.
- 3.2 Advocacy – TAPMO will vigorously advocate for change to aggregate policies, legislative initiatives, programs or industry plans which impact upon the economic, social and /or cultural well-being of its Member Municipalities.
- 3.3 Communication – TAPMO will work to ensure timely and accurate communications with its membership, and where appropriate, the Council of its Member Municipalities.
- 3.4 Awareness – TAPMO will work to foster awareness of issues of concerns to its membership with Federal and Provincial decision-makers, leaders of industry associations, and others who may be operating in or have jurisdiction in TAPMO communities associated with the production of aggregates.
- 3.5 Sharing Best Practices – Members of TAPMO will research, assess and recommend, where appropriate, best practices for the benefit of the Member Municipalities as it pertains to aggregate production.

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Article IV Membership

- 4.1 On an annual basis TAPMO shall establish an Operating Budget and by Resolution adopted by the Member Municipalities the annual levy to be paid to TAPMO will be established. A Member Municipality in good standing shall be current within that calendar year in terms of its annual payment to TAPMO.
- 4.2 Only a Member is eligible to vote on any Resolution or Motion introduced at a TAPMO meeting.
- 4.3 Only a Member Municipality can introduce an item for New & Other Business or the consideration of a Resolution / Motion at a meeting.

Article V Officers and Meetings

- 5.1 Elections for the Chair, Vice-Chair and the Executive Committee shall be held at an advertised meeting of TAPMO as a listed Agenda item. Nominations for each of the positions shall be made at the advertised meeting and the candidates will be afforded an opportunity to make a brief statement before the vote is called.
- 5.2 The election of the Chair, Vice-Chair and the Executive Committee shall be administered by the Secretary-Treasurer of TAPMO.
- 5.3 Voting for the position of the Chair, Vice-Chair and the Executive Committee shall be completed by a ballot with each Member Municipality being afforded one vote. The majority vote through the ballot process shall determine the Chair, Vice-Chair and Executive Committee.
- 5.4 In the event of a tied ballot for one or more of the positions, the following run-off process shall be implemented:
 - i) If there are three or more candidates vying for a position, only the top two candidates will advance forward. A repeat of a ballot election will immediately take place to determine the winner;
 - ii) If there are two candidates tied vying for the position, the Secretary-Treasurer will flip a coin with the winner declared as a result of the coin toss.

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- 5.5 Chair – The Chair of TAPMO will be elected from among the Members. The term of Office shall be for a two year period to be identified at the time of the vote. The Chair shall be responsible to:
- i) convene over meetings of TAPMO, including Executive Committee meetings;
 - ii) Act as the principal liaison with the Federal and Provincial Governments and the Ontario Stone, Sand & Gravel Association;
 - iii) Provide direction and input in the development of TAPMO and Executive Committee Meeting Agenda(s);
 - iv) Provide correspondence and updates to Member Municipalities on matters of interest to keep the membership current on trends, issues or matters associated with the aggregate industry;
 - v) Implement actions arising from TAPMO meetings that have been adopted by the Member Municipalities.
- 5.6 Vice-Chair – the Vice-Chair of TAPMO will be elected from among the Members. The term of Office shall be for a two year period to be identified at the time of the vote. In the absence of the Chair, the Vice-Chair shall assume all responsibilities of the Chair.
- 5.7 The election of the Chair and Vice-Chair shall take place every two (2) years at the TAPMO Annual General Meeting or in the event of a Municipal Election and the Chair and Vice-Chair not being re-elected, at the earliest possible advertised meeting of TAPMO.
- 5.8 The Secretary Treasurer of TAPMO shall be the Chief Administrative Officer and/ or the Chief Financial Officer of the Member Municipality of the Chair. The Secretary Treasurer will be responsible for the administrative activities of TAPMO including setting and preparing meeting agendas, recording minutes, resolutions and decisions of TAPMO and implementing any direction approved by TAPMO.

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Article VI Executive Committee

- 6.1 The general affairs of TAPMO shall be managed by the Executive Committee. The roles and actions of the Executive Committee shall be in a manner consistent with these Terms of Reference and to the Resolutions as adopted by the Member Municipalities,
- 6.2 The Executive Committee must communicate with TAPMO members in regards to exercising the powers and actions of the organization.
- 6.3 All members of the Executive Committee shall be from Member Municipalities of TAPMO. Directors elected to the Executive Committee shall serve a two year term.
- 6.4 The Executive Committee shall be comprised of a minimum of five (5) Directors but not more than seven (7) Directors and the Chair and Vice Chair.
- 6.5 The Directors of the Executive Committee shall be elected by the Member Municipalities at an advertised TAPMO Meeting as follows:
 - i) There will be one (1) Director elected representing the Districts comprised of Eastern, Central, Northern, Southwest, and, Greater Toronto Hamilton Area / Niagara. The Director must be from a Member Municipality in the identified District and more accurately defined as per Attachment No. 1 to these Terms of Reference;
 - ii) Two Directors elected at-large
- 6.6 Should a position on the Executive Committee become vacant, the remaining members of the Executive Committee shall appoint a person to fill the vacancy and that person shall hold office for the balance of the term. This individual shall be eligible for re-election when the term is over.
- 6.7 The office of an Executive Committee member shall become vacant if a member:
 - i) Resigns;
 - ii) Becomes unfit and/or is incapable of acting as such;
 - iii) Ceases to be a Member Municipality of TAPMO;

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- iv) Is removed by the Executive Committee by a resolution adopted by a minimum of two-thirds (2/3) of its members;
 - v) Misses 3 consecutive meetings without a Resolution from the Executive Committee granting an extension.
- 6.7 Meetings of the Executive Committee shall be convened by the Chair on not less than ten (10) days notice to members of the Committee
- 6.8 Quorum for meetings of the Executive Committee shall be a majority of the members of the Committee.
- 6.9 Whenever possible, meetings of the Executive Committee shall be by conference call or by videoconference. The Executive Committee shall meet a minimum of three times a calendar year.
- 6.10 The Secretary-Treasurer shall be responsible to provide administrative support and coordination to the Executive Committee.

Article VII Annual Meetings

- 7.1 Whenever possible, the Meetings of TAPMO shall be held in conjunction with the Annual General Meeting of the Association of Municipalities of Ontario (AMO) and the Rural Ontario Municipalities Association (ROMA).
- 7.2 The Annual General Meeting of TAPMO shall be coincident with the AMO Meeting with the exception of the year of Municipal Elections. On the year immediately following the convening of the Municipal Elections, the Annual General Meeting will be held at the ROMA Conference.
- 7.3 TAPMO Meetings shall be convened by the Chair on not less than twenty-one (21) days' notice to all Member Municipalities. The notice shall state the date, time and place of the meeting and, in broad terms, the business to be transacted at the meeting through a published Agenda
- 7.4 The business of an Annual General Meeting shall include:
- i) The presentation and adoption of the Annual Report of the Chair.
 - ii) The consideration of the Annual Financial Statement for the preceding calendar year.

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- iii) The election of members to serve on the Executive Committee for the following year (if applicable).
- iv) Other matters as may be considered appropriate.

7.5 All voting at the TAPMO Meetings shall be by show of hands except for the election of members of the Executive Committee, Chair and Vice-Chair which shall be by ballot.

Article VIII Financial Matters

- 8.1 Membership fees will be established in each calendar year at the Annual General Meeting.
- 8.2 The Chair and Vice-Chair shall be responsible for authorizing payment of expenditures incurred.
- 8.3 Any expense that is not associated with the hosting of a meeting shall be authorized by the TAPMO Executive on a project by project basis and funded as determined by the Member Municipalities of TAPMO.
- 8.4 The Chair shall be responsible for monitoring and reporting on the expenditures occurred.
- 8.5 Signing Authority – The Member Municipality of the Chair shall be responsible for establishing a bank account and shall have financial signing authority upon receiving the necessary approvals.
- 8.6 The TAPMO financial year shall be the calendar year.
- 8.7 The Secretary Treasurer shall prepare an Annual Financial Statement for each financial year. The Annual Financial Statement shall include a statement of income and expenditures.
- 8.8 No portion of the income of TAPMO shall be paid to any person / business, Member Municipality, any member of TAPMO or the Executive Committee except:
 - i) Reasonable compensation for services actually rendered to the organization;

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- ii) Reimbursement of actual costs or expenses reasonably incurred on behalf of the organization;
 - iii) Recovery of the direct overhead (not including wages) for the administration by the Municipality that co-ordinates TAPMO deliverables
- 8.9 The Executive Committee shall recommend to the Member Municipalities the required annual membership fees.

Article IX Amendment of the Terms of Reference

- 9.1 These Terms of Reference may be amended by a Resolution adopted by a minimum of 2/3 of the Members present at any TAPMO Meeting.
- 9.2 At least twenty-one (21) days' notice prior to the TAPMO Meeting stating the nature of the Resolution being proposed to amend the Terms of Reference must be given to all Member Municipalities.
- 9.3 The Terms of Reference should be reviewed by the Executive Committee every three (3) years to ensure that they continue to represent the key interests and objectives of TAPMO.

DIRECTORS – COMPOSITION OF THE DISTRICTS

Listed below are the municipalities (Counties, Regions or Districts) that make up the five regions from which one (1) Director shall represent.

Eastern District

Hastings	Frontenac
Renfrew	Lanark
Lennox and Addington	Leeds and Grenville
Prince Edward	Ottawa
Stormont, Dundas and Glengarry	Prescott and Russel

Southwest District

Essex	Chatham-Kent
Lambton	Middlesex
Elgin	Norfolk
Haldimand	Brant
Oxford	Waterloo
Perth	Huron
Wellington	Bruce
Grey	

Greater Toronto Hamilton Area / Niagara District

Durham	York
Peel	Halton
Hamilton	Niagara

Central District

Dufferin	Simcoe
Kawartha Lakes	Northumberland
Peterborough	Haliburton
Muskoka	

Northern District

Nipissing
Manitoulin
Sudbury
Cochrane
Rainy River

Parry Sound
Timiskaming
Algoma
Thunder Bay
Kenora