

**BYLAWS  
OF  
THE HINDU TEMPLE SOCIETY, INC.  
AUGUSTA, GEORGIA  
INCORPORATED UNDER THE LAWS OF THE STATE OF GEORGIA**

**PREFACE**

The constitution was first adopted on Diwali Day, November 3, 1985. First amendment came on January 19, 1986. The second amendment was passed on February 15, 1987. The third amendment was passed on September 17, 1989. The fourth amendment was passed on August 20, 1995, in a General Body meeting, which did not meet the quorum requirement. The Fifth Amendment was proposed in 1996, but for various reasons, the General Body meeting scheduled for October 20, 1996, was postponed indefinitely.

A couple of years ago the Board of Trustees decided that a comprehensive revision was necessary to bring the document in line with the usual legal and operational practices. A Constitution Committee was formed to review and update the Constitution. The Hindu Temple Society, Inc., has evolved greatly and increased in size during the last twenty-five years of its existence, beyond what the dedicated founding fathers envisioned when they prepared the original document. The Committee was charged to streamline the content of the documents, but the work should proceed in strict accordance with the original guiding principles, namely the changes were in no way to violate the intent of the original document. The committee prepared a new document that is organized in a logical manner without apparent inconsistencies between sections. According to the laws of the State of Georgia, the Article of Incorporation is the main document the Secretary of State of Georgia recognizes. The *Constitution*, as we know now, is treated as Bylaws by the State. As such, the name of the document is changed to Bylaws to comply with the laws of the State of Georgia. The document was also simplified, original bylaws were deleted and the relevant sections added in the Article, thereby avoiding repetitions.

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## ARTICLE I

### NAME AND LOCATION

The Hindu Temple Society, Inc., hereinafter referred as "HTS" is a non-profit Corporation organized and existing under the laws of the State of Georgia and has its principal place of business and worship at 1421 Luke Road, Augusta, Georgia. It will be known as The Hindu Temple Society (HTS), Augusta, GA.

## ARTICLE II

### GENERAL OBJECTIVES

The General objectives are as follows:

- A. To provide a place of worship and a center for the study of the Hindu religion and philosophy.
- B. To support and strengthen the moral, spiritual, physical and cultural well being of its members.
- C. To foster friendship, goodwill, and understanding among all people.
- D. To support charitable causes with personnel (volunteer) and/or financial help.

## ARTICLE III

### THE GENERAL BODY

**Section I – Authority and Responsibility.** Perpetual Donors, Plus Members, General Members, and Life Members (see Article IV for definition all categories of memberships) constitute the General Body. The General Body shall have the authority to prescribe and regulate, through General Body meetings, the activities of the Board of Trustees (BOT), the Executive Committee (EC), the Endowment Trust Fund Committee (ETFC), and all other committees appointed by the BOT or the EC.

**Section II – Meetings and Quorum.** The General Body shall convene at least annually on Diwali Celebration Day for the purpose of consideration of such matters as may be proposed by the EC or the BOT. The membership present on the Diwali Celebration Day will form a valid quorum on that day only for voting on all matters.

Special meetings of the General Body may be called at any time by the President or by a petition signed by twenty five percent (25%) of the General Body, or 100 members, whichever is greater. At least thirty (30) days' notice shall be given to all of the members for a General Body meeting. The purpose of any special meeting shall be stated in the notice.

Diwali Celebration Day, being a festive day, all serious and special issues shall be approved by Special General Body meetings, other than the Diwali Celebration Day meeting.

No matter acted upon by the General Body other than the General Body meeting shall be valid.

Voting by mail is the preferred method of resolution of any issue, or election of the Trustees. Two thirds (2/3) of the eligible mail ballot or two thirds (2/3) attendances of the eligible members, except at the Diwali Celebration Day meeting, constitute a quorum. Except for the election of the Trustees, two thirds (2/3) majority vote is required to pass a motion. The President of the EC shall, with the consent of the Membership present, decide whether the voting shall be by secret ballot or open count. For election of Trustees, see Article VIII.

The General Body meeting shall be chaired by the President of the Executive Committee (EC).

The Secretary of EC shall record the minutes of meetings.

## ARTICLE IV

### MEMBERSHIP

**Section I – Membership Requirements.** Any person of good moral character, subscribing to the objectives of the HTS and paying the necessary membership dues and/or donations as set forth herein, shall be eligible for membership, provided the person (1) is at least 21 years of age, (2) agrees to abide by and uphold this Bylaws, and (3) the membership application is supported by an existing HTS member. Spouses of members are automatic members of HTS.

**Section II – Categories of Members.** The categories of members are defined below :

**A. Perpetual Donors :** Any person, fulfilling the membership requirements, and paying the dues set forth for Perpetual Donorship, is a Perpetual Donor. All other categories of members have the right to upgrade to Perpetual Donors, by paying the differences in the dues. The BOT from time to time may extend additional privileges to the Perpetual Donors<sup>1</sup>.

**B. Plus Members :** Any person, fulfilling the membership requirements, and paying the dues set forth for Membership Plus, is a Plus Member. Plus members have the right to attend HTS sponsored or supported cultural programs at no additional or reduced cost. General members have the right to upgrade to Plus members, by paying the differences in the dues.

**C. General Members :** Any person, fulfilling the membership requirements, and paying the dues set forth for General Members is a General Member.

**D. Honorary Members :** Honorary Membership may be offered to scholars, spiritual leaders, and visiting dignitaries, who are recognized experts on the Hindu religion and philosophy. Honorary Membership requires the approval of the BOT. The BOT may also

<sup>1</sup> On Diwali 2000, BOT granted the Perpetual Donors the right to attend any HTS sponsored /supported cultural programs without paying any additional dues, or at a reduced rate.

confer Honorary Membership for services to the HTS. Spouses, unless approved by the BOT, do not automatically become Honorary Members. Honorary Members are not eligible to vote on any matters up for consideration by the General Body. Once elected, they remain Honorary Members for life.

**E. Life Members :** No more life membership will be awarded after July 2003. The current Life members shall continue to be Life members. Life members do not have Membership Plus privileges. They may acquire Membership Plus privileges by paying appropriate dues, as set forth by the BOT.

The BOT shall be empowered to add or delete different categories of membership, as and when required.

**Section III- Membership Dues .** Membership dues shall be determined by the BOT from time to Time<sup>2</sup>.

**Section IV- Voting rights.** All Members and their spouses (except Honorary Members), who have paid their dues by 31st March, shall have voting rights for that year. Donations from other organizations and benefactors will be accepted, but that does not confer any voting rights. Members are not entitled to vote by proxy. The official register of eligible voters shall be prepared by the Treasurer.

**Section V - Resignation.** Any member may resign by filing a written notice of resignation with the President of the EC. Any member tendering resignation will not have any claim to the dues and

donations already contributed to the HTS.

**Section VI. - Disqualification.** Upon recommendation of the Executive Committee and / or the BOT, and subsequent approval of the General Body, any member may be expelled from the General Body for activity demonstrated against the objectives of the HTS as defined in Article II. In such cases a certified letter, citing the reasons, from the Chairman of the BOT shall be sent to the member in writing, before the General Body meeting. The member has the right to appeal the decision to the BOT, and the BOT may form a separate independent committee for appropriate action. This disqualification shall be approved by a two-thirds (2/3) majority in an on site meeting (no mail voting for expulsion) of the General Body, provided the quorum is achieved. Spouse of the expelled member can continue to become members for the rest of the fiscal year, or continue to renew their membership by paying appropriate dues. Any member, so excommunicated from the General Body, may be reinstated to membership upon approval of the BOT.

<sup>2</sup> On Diwali day 2001, BOT fixed the dues for Perpetual Donors, Plus Members, and General Members, as \$250, \$150, and \$100 annually for the fiscal year from Diwali, 2001, to Diwali, 2002.

## ARTICLE V

### FACILITIES & MEMBERSHIP PRIVILEGES

**Section I.** The facilities include but not limited to all the buildings, outside area, and all furniture, audio-visual equipment, books, utensils, and all other objects owned by HTS.

**Section II.** The facilities of the HTS shall be used for religious, spiritual, educational and cultural activities by the members of the HTS. No activity shall be permitted if such an activity violates the religious and other objectives of the HTS, as stated in Article II. Activities that encroach upon the sanctity of the Temple are expressly prohibited. The EC/ BOT have the ultimate authority on the guidelines for activities inside the Temple boundaries.

**Section III.** Facilities may be rented by members for private functions by contacting the Vice President, or a designee of the EC, and by paying the rent, security deposit in advance, and by signing the facility rental agreement. Non-members, duly supported by a member and at the discretion of the EC, may use the facilities by paying additional charges as determined by the EC. The changes in policies regarding the rental process, charges and responsibilities of the renter will be approved by the BOT at the start of each year. Failure to follow these guidelines may result in penalties as determined by the EC, including fines and denial of future use of the facility. The renter is responsible for any damage caused to the Temple properties, audio system, kitchen appliances, etc., during their use by the renter. If an event is cancelled without 72 hours notice, a cancellation charge, as decided by the BOT/EC, may be levied.

**Section IV.** For private events, where admission fee is levied, and which are neither sponsored nor supported by the HTS<sup>3</sup>, the total charges will be the applicable rental charges plus a predetermined fee, as decided by the EC and approved by the BOT from time to time. Nobody shall be denied the privileges of 'darshana' of the deities during the event.

Community groups/subgroups may use the temple facilities for regional religious or cultural programs without any rental fees, provided all the following conditions are satisfied :

- The event is open to all persons outside the sponsoring community/subgroups, without any admission fee or donations;
- The event is communicated to all members through newsletter, website, or by public announcements in other HTS community sponsored or supported programs.
- Personal felicitation, such as birthdays, graduations, engagements, anniversaries, retirements, recognitions, etc. shall not take place inside the event. A simple announcement may be made, but decoration, cake cutting, extensive congratulatory speeches, slide shows, etc. will be considered personal events.
- Nobody shall be denied the privileges of 'darshana' of the deities during the event.

**Section V.** All activities organized by the EC shall have priority over activities organized by the individual membership. The EC shall have the right to cancel and/or re-arrange any existing reservation with a reasonable ' notice of cancellation.

3 Sponsored events – where HTS has financial stake, as in HTS sponsored cultural events;  
Supported events – where HTS has no financial stake, but encourages, (such as) regional programs, by providing the auditorium, audio system, etc. without any charge.

**Section VI.** Altar area shall not be rearranged without the express approval of the BOT. No Murthies shall be brought to the altar area without the express approval of the BOT. Unauthorized Murthies left in the altar area shall be removed to storage.

**Section VII.** Within the HTS facility and premises, obscenity, smoking, gambling, meat, and alcohol are strictly prohibited.

**Section VIII.** The Temple facilities can be used to conduct Hindu marriages, Upanayanam and memorial services.

**Section IX.** Antem- kriya (the last rituals of the deceased) shall not be performed within the HTS premises. Sradh ceremony and Mundon associated with sradh or memorial services shall not be held within the HTS premises. Memorial services, however, may be held.

**Section X.** The use of HTS premises is a privilege and not a right. HTS, the BOT, and the EC are not responsible for any accidents, damages, loss, or any other liability

## ARTICLE VI

### FINANCIAL POLICY

**Section I – Tax Exempt Status.** The HTS is recognized as a tax exempt charitable organization under Internal Revenue Code 501(c)(3), and affairs of HTS shall always be conducted so as not to jeopardize this status. Any part of these Bylaws which causes to jeopardize the qualified charitable organization status under IRS Section 501(c)(3) code, or any successor of this code, shall be considered null and void.

**Section II – Governing Instruments.** HTS shall be governed by its Articles of Incorporation and its Bylaws. If there is a conflict between them, Articles of Incorporation shall govern.

**Section III – Fiscal year.** The fiscal year for the Hindu Temple Society shall be from Diwali through next Diwali. The number designation refers to the following year, e.g., the fiscal year from Diwali 2000 to Diwali 2001, is known as fiscal year 2001.

**Section IV – Membership Dues.** Membership dues, as set forth by the BOT, are due in advance on each Diwali day. Any revision to the membership dues shall be made only once in a fiscal year, before Diwali, for the following year. This is the responsibility of the incoming BOT, but preferably should be done in a joint meeting with the outgoing Trustees. Membership year starts from Diwali day and ends on the following Diwali day, no matter when membership dues are paid. The extra dues for Membership Plus over general membership are primarily for cultural programs and the amount shall be decided by the EC and approved by the BOT. All Members and their spouses (except Honorary Members), who have paid their dues by 31st March, shall have voting rights and other privileges for that year. Members, who have not paid their dues by 31st March, shall be considered delinquent, and shall lose their voting rights, rights to serve on the standing committees, or rights to serve on the EC, or on the BOT, or any other membership privileges until they have paid their dues and late fees. A late fee of \$10 shall be charged for all delinquent

persons. Persons becoming members for the first time shall not be charged any late fees.

**Section V – Records.** All records of the financial transactions shall be maintained by the Treasurer at the Temple office and kept in order. The Treasurer shall prepare an annual account statement for approval of the President and the EC. Upon approval, the account statement shall be submitted to the BOT.

After the incoming BOT and the EC takes over, the outgoing Chairman and the President shall hand over the annual report, the minutes of meetings, unpaid bills, outstanding liabilities, facility issues, vendor information and warranties, and other important papers to their incoming counterpart. Similarly, the outgoing Treasurer will also hand over the accounts to the incoming Treasurer. It is expected that the Chairpersons of the other subcommittees will also do the same. These transactions shall take place within four weeks of the new fiscal year.

The database containing the names and addresses of the members and community at large are confidential and proprietary. It shall be used only for HTS official events. It shall not be distributed or shared with anybody.

All past records shall be kept in the Temple office.

**Section VI - Audit.** Accounts of the Hindu Temple Society may be audited by an accountant and the audited report shall be made available to the General Body. In addition, each year soon after the new BOT is formed, the incoming BOT shall appoint two members of the BOT to conduct a good faith review of the accounts.

A complete inventory of the Temple properties shall be done and verified with the previous inventory once a year by the EC. The discrepancies shall be presented to BOT and published in the newsletter and/or website. All Temple properties shall be clearly marked by a distinct symbol or logo.

**Section VII - Budget.** The President of the EC shall submit annual budget proposal within six weeks of the new fiscal year. In preparation of the budget proposal the President may consult the immediate past President/Treasurer/Chairman. The BOT must approve the budget, with modifications, if required, within two weeks of submittal. The President may seek approval from BOT for supplemental budget proposal during the year, if required.

Any expenditure between \$1,000 and \$5,000 must be approved by a majority vote of BOT or EC in an on-site meeting. Expenditure between \$5,000 and \$25,000 must be approved by a majority vote of a joint on-site meeting of BOT and EC. Approval of the General Body must be sought for expenditure over \$25,000. Respective quorum<sup>4</sup> for each type of meeting must be maintained. Approval is given by a simple majority<sup>5</sup> vote. Approval of the General Body, at the discretion of BOT & EC, may be sought by a soft ballot, where only the negative ballots are invited and reconciled, non responding ballots are considered affirmative.

<sup>4</sup> Quorum for BOT meeting is 7, for EC meeting is 9, joint BOT/EC meeting is 16; for General Body quorum see Article III.

<sup>5</sup> Majority vote for BOT is 6, for EC is 7, joint BOT/EC meeting is 13; for General Body see Article III.

**Section VIII – Ethics.** All work for the HTS by the members shall be done on a voluntary basis and no remuneration shall be made. No part of the net assets of the HTS shall, under any circumstances, inure to the direct benefit of any member or individual. Payments in advance for services and goods to be received shall only be made if unavoidable and, further, only on obtaining written receipt of the transaction and with reasonably adequate guarantees. Good business judgment should prevail and there shall be no personal bias or preferential considerations while entering into contracts for goods and services. In the event any advance payments towards salaries, a written approval of the BOT shall be obtained.

If a donation certificate is sought for a non-cash contribution of material and services, the certificate shall describe the type of material and services.

**Section IX – Political campaign.** The HTS shall not engage in political campaigns or otherwise attempt to influence any legislation.

**Section X – Dissolution.** Upon dissolution of the HTS, all assets shall be distributed to such other

non-profit Hindu organizations possessing tax exempt status under the appropriate Internal Revenue Code, as may be selected by the BOT, the EC, and approved by the General Body. This Section is intended to be irrevocable in order for the HTS to maintain its tax-exempt status under Federal and State laws.

## ARTICLE VII

### THE BOARD OF PATRONS

**Section I – Authority and Responsibility.** The Board of Patrons, hereinafter referred to as the “BOP” shall serve as advisors to BOT. The recommendations by BOP to BOT are non-binding. Each year BOP shall elect two Patrons to serve as members of BOT with full voting powers

**Section II – Composition.** The BOP shall be comprised of designated Patrons, as defined below:

**Initial List of Patrons** will be finalized by the BOT, President and the Treasurer, before Diwali, 2003.

The requirements for the initial list are :

- Any member who has donated an accumulated amount of \$30,000.00 since the inception of the Temple,
- Or**
- an accumulated amount of \$15,000.00 since 1995.

BOT may designate certain persons, who do not qualify under above rules, initially as Patrons. They must be outstanding volunteers over an extended period of time, not less than seven years, who may have not quite reached the threshold of donations stipulated above, but have donated substantially over the years.

After the initial list is finalized, and these bylaws are approved by the General Body, the minimum requirements to qualify as **patrons in the future** are;

- A donation of \$15,000.00 in three years or less,
- Or**
- An active and outstanding volunteer for at least five years and donation of at least \$10,000.00 over the same period.

Membership dues shall not be counted toward the qualification of Patrons. Spouses of Patrons automatically qualify as Patrons.

Each year the Trustees may designate only one special Patron, who had donated substantially, and had been an active and outstanding volunteer for a minimum of five years. The BOT reserves the right not to nominate any special Patron in any year.

**Section III - Term.** Once elected the Patrons remain Patrons for life.

## ARTICLE VIII

### THE BOARD OF TRUSTEES

**Section I – Authority and Responsibility.** The Board of Trustees, hereinafter referred to as the “BOT” shall be the policy making body of the HTS. The management of the assets and liabilities of the HTS, shall be vested in the BOT, and the BOT shall serve as counsel to the EC. The BOT

shall adopt Rules and Regulations, Guidelines and a Code of Conduct consistent with the Bylaws for the guidance of the officers, committees, and members. Only the BOT, with 2/3 majority approval of the General Body, shall have the power to amend the Bylaws.

The members of the BOT

- a) shall be an active donor and volunteer;
- b) shall attend at least 50% of the meetings of the BOT – failure to attend a minimum of 50% of the meetings may result in the removal from BOT;
- c) shall attend pujas and programs of the HTS on a regular basis;

**Section II – Composition.** The BOT shall be composed of eleven elected members, nine elected by the General Body and two elected by BOP. The immediate past Chairman of the BOT, the immediate past President, and the current President serve as ex officio members. The ex-officio members have no voting rights<sup>6</sup>.

<sup>6</sup>The immediate past Chairman of the BOT may still have unexpired term as a Trustee. In that case he retains the voting right as a Trustee.

**Section III - Term.** The nine members of the BOT, elected by the General Body, shall serve a term of three years. The current Trustees, elected by the General Body, will continue as usual<sup>7</sup>. Three Trustees shall retire each year after serving their full term on Diwali day, and three new Trustees are elected. Two trustees from the BOP, each for a term of one year, will be elected for the first time a month before Diwali in the year the revised Bylaws is adopted by the General Body. At the end of their respective term, they will retire, and two new trustees shall be elected by BOP to serve for a term of one year.

Any member of BOT, elected by the General Body, may serve two consecutive terms of three years, if duly nominated and elected. After serving two consecutive terms of three years, he can serve again after a gap of three years. Trustees elected By BOP may serve any number of terms, if duly elected by BOP. A member may not serve in both BOT and EC at the same time. Any Trustee may resign after giving a written notice to the Chairman. If a Trustee resigns before completing his or her full term, a new Trustee may be elected (*see Election later*) to serve the remaining term, after which he or she shall retire.

**Section IV - Election.** The new Trustees shall be elected approximately a month before Diwali. The Nomination Committee will seek nomination in a timely manner, and depending on the number of candidates, an election may have to be held, see Article IX for details. In case of a vacancy created by resignation, the Nomination Committee in consultation with the Chairman of BOT shall determine the date of election for a replacement. Members and their spouses, membership confirmed by the Treasurer, have the right to vote. Only the Treasurer is authorized to confirm the membership status.

**Section V – Qualification.**

### § Trustees from General Body

The nomination shall be based on dedication of the candidate to the cause and objectives of the HTS and upon the candidates' previous record of service to the HTS, as specified below:

**A.** A past President or a past Chairman is automatically qualified.

**B.** Others shall satisfy at least three of the following five criteria :

- A perpetual donor for three years, or a member for seven years;
- A voting member of the BOT or EC for two years, or an officer of the BOT or EC for three years;
- Active participant in organizing religious, social, and/or cultural affairs of the Temple for three years;
- Active participant in the maintenance or improvements of the Temple facilities for three years;
- Periodic and substantial donations of at least \$5,000 to the Temple over three years.

<sup>7</sup>The first nine Trustees were elected by the General Body on Diwali day, 1985. Three Trustees rotated off during the second year, in October (Diwali) 1986, replaced by three newly elected Trustees to serve a full term of three years. In the



third year (Diwali 1987) three of the remaining six were replaced by three new Trustees. Thereafter, three new members were elected each year to serve a full term of three years.

## **§ Trustees from BOP**

Nominees need to qualify as Patrons only (See Article VII).

**Section VI - Duties.** Upon election, the new BOT shall meet and elect, either by voice or secret vote, (A) Chairman, (B) Vice Chairman, and (C) Secretary. The Chairman is the presiding officer of the BOT; The Vice Chairman shall take over the Chairman's duties and responsibilities in the absence or during incapacitation of the Chairman; the Secretary shall record the minutes of the meetings and shall keep a record of the BOT activities, including attendance at the meetings. All records shall be kept at the office of the HTS. The Secretary shall notify the Chairman if any trustee attends less than 50% of the meetings. The Chairman has the authority to approve an unbudgeted expenditure up to \$1000 without convening a full BOT meeting.

**Section VII – Meetings and Quorum.** The BOT shall meet at least quarterly. Seven (7) members of the BOT shall constitute the quorum of the BOT. Proxy vote and ex-officio member's vote shall not be allowed to satisfy the requirement of quorum. The meeting is open to all members, but if a member wants to address the BOT, prior notice to the Secretary of the BOT must be given. The agenda set forth by the BOT shall be followed, before any unplanned agenda is discussed. Six (6) votes are required to carry any motion, unless otherwise specified in these Bylaws.

**Section VIII – Appointments.** The BOT shall select a President within fifteen (15) days of their election to form the new EC. The President then submits the slate of officers of the Executive Committee (EC) for the BOT's approval. The BOT shall approve the Executive Committee (EC), Nomination Committee, Endowment Trust Fund Committee (ETFC), Facility Development Committee, Fund Raising Committee, Bylaws Committee, and the annual budget for the upcoming year. The BOT shall appoint two of its members to make a good faith review of the Temple accounts, and another to act as a liaison between the BOT and the EC. The BOT may create any ad hoc Committee for any special purpose. The BOT is authorized to employ such person or persons, including a temple manager, attorneys, accountants, as it deems necessary for the administration and management of the HTS, and to pay reasonable compensation to non-members for the services performed and expenses incurred. The BOT is solely responsible for the assignment of duties and determining the remuneration of the Temple priest.

**Section IX – Removal of Trustees.** No confidence resolutions can be moved against any member or members of the BOT with written endorsement of at least twenty five percent (25%) of the General Body, or 100 members, whichever is greater. The approval of two thirds of the members present, in a duly convened on site meeting of the General Body with valid quorum, is required for the removal of a trustee. In case a resolution is passed, and the position of a trustee(s) becomes vacant, an election shall take place in accordance with the procedures for elections to fill the vacancy(ies)

## **ARTICLE IX**

### **THE EXECUTIVE COMMITTEE**

**Section I – Authority and Responsibility.** The President with the help of the Executive Committee (EC) will manage day to day affairs of the HTS. The President shall be the Chief Executive Officer. Members of the EC and all subcommittees are expected to attend at least 50% of all their meetings and other Temple activities on a regular basis.

**Section II – Composition.** The Committee will consist of thirteen voting members, other nonvoting

members as required, and a non-voting youth's representative.

***The voting members are:***

- A. President
- B. Vice President
- C. Secretary
- D. Joint Secretaries (3 positions)
- E. Treasurer
- F. Joint Treasurer
- G. Chairperson of the Prasad Committee
- H. Chairperson of the Cultural Committee
- I. Chairperson of the Publication Committee
- J. Chairperson of the Balshala Committee
- K. Lead Coordinator of the Puja Committee

Chairpersons and members of other committees may attend the EC meetings, but have no voting rights. All officers of the EC report to the President.

**Section III – Term.** The EC is appointed for a minimum of one year and a maximum of two years, or until successors are appointed.

**Section IV - Duties.**

**The President :** The President is selected by the BOT, and he or she selects the members of the EC in consultation with the BOT. The President, as the chief executive, shall have the responsibility of overseeing the details of the activities and functions of the HTS and to ensure that the activities and functions comply with the Bylaws and policies formulated by the BOT. The president shall have the powers to delegate the responsibility to individual committees to facilitate the progress. The President will preside over all EC meetings, HTS functions and programs, and shall be an ex officio member of all Committees. The President is responsible for presenting an annual operating budget for the ensuing fiscal year to the BOT by 15th of December. The President has the authority of approving unbudgeted expenditures not exceeding \$1000. The President, in conjunction with the Treasurer, shall present quarterly financial reports of the HTS to the BOT, or upon request.

**The Vice President :** The Vice President will assume the responsibilities of the President in the event of absence, resignation, or incapacitation of the President. The Vice President maintains the temple log for puja schedules and rental activities. He or another designee of the EC is responsible for obtaining a signed rental agreement and deposit from the renter prior to the use of the facilities. The Vice President is authorized to implement the rental policy. The Vice President may undertake additional assignments delegated to him/her by the President.

**The Secretary :** The Secretary shall be responsible to maintain and preserve written minutes of all meetings of the EC and the General Body, together with all corporate books and records of the HTS. The Secretary is responsible for setting the agenda in consultation with the President, and timely notification of all the meetings. Additionally, the Secretary shall maintain and retain all correspondence of the HTS at the office of the HTS.

**The Joint Secretaries (3 no.):** The Joint Secretaries shall assist the Secretary in all duties of the Secretary and those other responsibilities delegated to them by the President. In the event of incapacitation of the Secretary, the President shall nominate one of the Joint Secretaries to assume the responsibility of the Secretary, for the period of incapacitation. One joint secretary is responsible for the maintenance of the outside of the facilities, another one for the inside of the facilities, and the third one is responsible for updating the inventories of the temple properties. The joint secretaries may undertake additional assignments delegated by the President.

**The Treasurer** : The Treasurer shall be in charge of all financial matters of the HTS. The President, Treasurer, and the Joint Treasurer shall maintain a joint “either/or” checking account in the name of the Hindu Temple Society in a bank. The treasurer shall be responsible for all financial records of the HTS and shall present financial reports of the HTS to the President each quarter, or upon request. Annual financial report with appropriate and salient details shall be presented to the General Body at Diwali function, complete accounts shall be handed over to the incoming Treasurer by 31st December, and a summary shall be published in the following month’s newsletter. No financial report shall be published until it is reviewed and approved by the President and the EC, and confirmed by the BOT. The treasurer shall retain all financial records at the office of the HTS.

**The Joint Treasurer** : The Joint Treasurer shall assist the treasurer in all duties of the Treasurer and other responsibilities delegated by the President. In the event of the incapacitation of the Treasurer, the Joint Treasurer shall assume the responsibilities of the Treasurer.

**Other committees** : The President, on assuming duty, shall within a reasonable time appoint the Chairpersons and members of the following committees, in consultation with the BOT. The committees are:

Prasad Committee, Cultural Committee, Publications Committee, Art & Decorations Committee, Garland Committee, Puja Committee, Balshala Committee, Youth Committee, Youth Representatives, Community Outreach Committee, Sports Committee, Education Committee, Senior’s Committee, Audio Visual Committee, Membership Committee.

The President in consultation with the BOT may create other non-voting ad hoc committees or combine the non-voting committees, as and when necessary, for effective management of the affairs of the Temple. The ad hoc committees are temporary (usually for that fiscal year) to serve the remainder of the term.

**Section V – Meetings and Quorum.** The EC shall meet at least quarterly, but may be called as frequently as desired by the President. The meeting of the EC shall be open to the General Body. Nine (9) voting members shall constitute the quorum. Seven (7) votes are required to carry any motion, unless otherwise specified in these Bylaws. The minutes of the meetings of the EC shall be maintained at the office of the HTS, and shall be the responsibility of the secretary of the EC.

**Section VI – Removal of Members of the Executive Committee.** No confidence resolutions can be moved against any member or members of the EC with written endorsement of at least twenty five percent (25%) of the General Body, or 100 members, whichever is greater . The approval of two thirds of the members present, in a duly convened on site meeting of the General Body with valid quorum, is required for the removal of any member of the EC. In case a resolution is passed, a new appointment shall take place according to the original appointment criteria.

## ARTICLE X

### THE COMMITTEES

**Section I - Objective** . In order to achieve the objectives and smooth functioning of the Hindu Temple Society, the following committees shall be formed by BOT or the EC. The BOT or the EC may create any ad hoc committee or combine other committees, as and when necessary, for smooth operation of the Temple. All committees are created for one fiscal year, but may be continued for another year. The maximum term for any committee is two years.

***Committees appointed by and reportable to the Board of Trustees:***

Executive Committee, Fund Raising Committee, Endowment Trust Fund Committee, Facilities

Development Committee, Nomination Committee, and the Bylaws Committee. Some of the above committees may not be formed in a particular year at the discretion of BOT. The BOT may appoint a Chairperson of each Committee.

***Committees appointed by and reportable to the Executive Committee:***

Puja Committee, Prasad Committee, Cultural Committee, Youth Committee, Youth Representatives, Balshala Committee, Publications Committee, Community Outreach Committee, Sports Committee, Art and Decoration committee, Garland Committee, Education Committee, Senior's Committee, Audio Visual Committee, Membership Committee. The EC shall appoint a Chairperson of each committee.

**Section II - Functions.** The functions of the various Committees shall be as follows:

**Fund Raising Committee:** The Fund Raising Committee shall be composed of a minimum of five appointed members. The Chairman of BOT is an automatic member of the Committee. The other four members may be drawn from the General Body, the EC, or the BOT. This Committee shall be responsible for arranging special activities for fund raising. This committee shall be responsible for providing information related to fund raising to its members through the regularly published newsletter, and/or puja announcement.

**Facilities Development Committee:** The Facilities Development Committee is responsible for capital improvement projects above \$1000. The dollar amount of the threshold may be changed by BOT from time to time. Members may be drawn from the General Body depending upon the nature of the project. The day to day maintenance of the temple is the responsibility of the joint secretaries. This committee is responsible for the conception and development of capital projects, and shall be actively involved in cost analysis and bid evaluation, and selection of a contractor / sub-contractor. The Chairperson shall make presentation to the BOT as and when required.

**Nomination Committee:** The purpose of the Nomination Committee is to seek nominations, develop the guidelines, and conduct the election of the new Trustees. Election of new Trustees shall be concluded approximately thirty (30) days prior to Diwali. The Nomination Committee shall be composed of a minimum of three appointed members. The eligibility requirements for members of the Nominating Committee are: a) must be a valid member of the HTS, b) must have two years active service as a member of the BOT, or the EC. Current BOT members are not eligible to serve on this committee. The Chairperson of the BOT shall act as a liaison to this committee.

Nominations for incoming BOT will be invited from the General Body by announcements in the HTS, in the newsletter, in the website, or by sending separate announcements, or otherwise. The Trustees from the General Body are proposed, seconded, and elected by the General Body, whereas the Trustees from the BOP are elected by the Patrons only – see Article VII. Nominations for the BOT from the General Body must be supported by the written consent of the nominee and must be proposed by a member, and seconded by another member. The person proposing or seconding the nomination shall be somebody other than the nominee's spouse or children. Members of the Nominating Committee shall refrain from nominating or seconding any candidate for the BOT. Patrons retain the right to be nominated from the General Body as a trustee from the General Body, but may not be nominated both by the General Body and the BOP. No floor nomination shall be accepted on the Election Day.

The Nomination Committee shall compile the list of candidates, evaluate their qualifications – see Article VII and VIII. The Chairperson of the Nomination Committee shall inform all the candidates about their eligibility. Nomination Committee may meet with the candidates, to ensure an equitable representation of the diverse communities in the HTS families and a smooth transition . At least two members of the Nomination Committee shall always be present in any such meeting. Nomination Committee may ask the candidates to defer their candidature for future years. If sufficient nominations are not received, the Nomination Committee may recommend suitable

names to fill the vacant positions, with the written consent of the nominee(s) so recommended.

In case of an election, the Nomination Committee shall present all the candidates in the ballots. The Nomination Committee is responsible for conducting the election, counting of ballots, and declaration of results. All elections must be notified at least thirty days in advance. The election shall be held preferably by mail and separate ballots shall be mailed to each spouse. A form, to be mailed with the ballot forms, shall also be signed by the voter signifying his participation in the election. The standard method of double envelope shall be used for return of ballots. The inside envelope(s) shall contain only the ballot. The outer envelope shall have the name, the return address of the member, the mailing address of the HTS on the outside, and the duly signed form of participation and the inner envelop inside. Spouses may, at their discretion, use the same inner envelope or separate inner envelopes, but separate forms shall be signed and mailed. In case of an on site election, the General Body and the Patron Donors shall be informed of the date, time and place of the election. Two thirds (2/3) of the members must be present in a general body, or two thirds (2/3) of the ballots must be returned for a valid election. If two thirds members are not present, an alternate date for General Body shall be fixed. If two thirds ballots are not returned, Nomination Committee may extend the last day, or may hold alternate election.

Upon receipt of the ballots, the Nominating Committee will open the outer envelop, file the forms of participation after verifying the voting status, and put the sealed inner envelop in a separate bin. The inner envelopes shall be thoroughly mixed before opening them. The three persons getting the largest number of votes will be declared winners. If the margin is within ten votes a mandatory recount shall be held . Voting in absentia and proxy shall not be allowed.

Deliberations of this committee shall be restricted to the members of the committee and their decision shall be final. If an interpretation of election laws is required, Nomination Committee shall contact the Chairman of the BOT. The Chairman may conduct a joint meeting between the Trustees, Nomination Committee, and the Bylaws Committee for resolution. The election results shall be communicated to the Chairman of the BOT by the Nomination Committee in writing. It is the Chairman's duty to inform the General Body of the election results, either by publication in the newsletter and website, or by special announcement. All records of this committee shall be properly organized and deposited with the Chairman of the BOT at the conclusion of elections.

**Bylaws Committee:** Bylaws Committee is responsible for amendment and/or revision to the Bylaws. The proposal of amendment may come from the BOT, the EC, or a signed petition from at twenty five percent (25%) of the General Body, or 100 members, whichever is greater. It is the responsibility of the Chairman to discuss the merits of the proposal and inform the Bylaws Committee accordingly. If an amendment/revision is warranted, the ballots will be mailed by the Bylaws Committee. Alternatively, a General body meeting may be called. In any case at least 30 days notice shall be given for an amendment. Two thirds (2/3) of the members must be present in a general body, or two thirds (2/3) of the ballots must be returned for a valid amendment. A two thirds (2/3) majority of the ballots returned, or members present is required to pass an amendment/revision of the Bylaws.

**Puja Committee:** The committee, chaired by the President of the EC, shall be responsible for establishing religious procedures for smooth conduct of the regular pujas, arrangement of puja material and related activities. This committee is also responsible for special pujas and any pujas/havans required for fund raising. The committee shall be responsible for improving the religious training of the children, in conjunction with the Balshala Committee. The committee shall be responsible for inviting knowledgeable speakers on Hinduism and religious philosophies.

**Prasad Committee:** The Committee shall consist of a Chairperson to organize Mahaprasad for monthly pujas and other festivals. The Chairperson shall organize groups of families to take turns in preparing the prasad and nominate a leader for each group.

**Cultural Committee:** The Committee shall be responsible for arranging celebrations of major

Hindu cultural and religious festivals. The committee shall make arrangements for cultural programs, i.e. dances, dramas, and music for adults and children. The President shall preside over all cultural programs, and one member of the Cultural Committee shall conduct the program. This Committee is responsible for arranging special cultural programs with Membership Plus fund. The fund is generated from the extra amount paid by Plus members over the dues of regular membership, and a similar amount derived from the donations by Perpetual Donors. The cultural committee shall present a plan and budget to the President and the EC for approval and implementation. The amount raised for cultural programs should not be used for any other purpose without the approval of the BOT. Although the money is co-mingled in the general account, the Treasurer shall track the amount separately. All programs need not be of the same dollar value, and it is expected that they will be of different value and mix. Similarly no maximum limit is suggested, but it is expected that EC would use prudence and judgment so that the programs are of good quality at a reasonable cost. EC is in no way obligated to spend the total amount raised, and if sufficient good programs are not available in any year, they may leave the sums in the general fund. However, if the present EC needs to use surplus cultural funds from previous years, written approval from the current BOT is required.

**Education Committee:** The Committee shall be responsible for maintaining and operating a library at the Temple, and arrange educational events. This committee, in co-ordination with Puja Committee, shall arrange lectures of cultural and religious education during monthly puja, or as a separate event.

**Youth Committee:** It is expected that this committee will serve as mentor for the Youth representatives and other youths. The members shall be between 25 to 30 years of age.

**Youth Representatives:** The representatives shall be responsible for planning sports, cultural and religious activities of interest to the youth and shall provide input to the EC for the needs of the youth. The members shall coordinate their activities with the Youth Committee. It is expected that they will serve as volunteers and mentors for the Balshala kids. The members shall be between 15 to 21 years of age.

**Balshala Committee:** The committee shall be responsible for planning various educational and cultural activities for children.

**Publications Committee:** The Committee shall be responsible for regular and timely publication of monthly newsletter and other brochures and bulletins as necessary. This committee is also responsible for the development of the HTS web site and the publication of the Temple Directory.

**Community Outreach Committee.** The Committee shall be responsible for coordinating community relations, and participation in other community activities, which are not in conflict with the Objectives and Bylaws of HTS.

**Sports Committee:** The Committee shall be responsible to organize sports and athletic events from time to time. The committee is also responsible for the arrangement of the annual HTS picnic in conjunction with the Prasad Committee.

**Art & Decoration Committee:** This committee is responsible for the decoration of the Temple or other premises for major religious and cultural events, such as Diwali, Arts in the Hearts of Augusta Festival, etc..

**Garland Committee :** This committee is responsible for arranging the dresses and garlands for the deities. They shall work in conjunction with the Art & Decoration Committee.

**Senior's Committee:** This committee is responsible for arranging and coordinating events and functions for the senior citizen. The chairperson shall provide input to the EC on the special needs of the senior citizens that the Temple could address.

**Audio Visual Committee** : This Committee is responsible for all audio visual needs. They are responsible for the audio visual systems and they shall take care of the audio visual needs for all religious and cultural functions of the temple. Only the members of the audio visual committee or their designated representatives shall handle the temple audio visual equipment.

**Membership Committee** : This committee is responsible for increasing the membership base of the Temple. The President is the chairperson of this committee.

## ARTICLE XI

### THE ENDOWMENT TRUST FUND

**Section I – Authority and Responsibility.** The Endowment Trust Fund Committee (ETFC) supervises the Endowment Trust Fund, and disburses the fund for suitable causes that promote the perpetuation of the Temple as a holy sacrosanct institution and its objectives. Specific use of such funds shall be controlled by the Endowment Agreement(s).

**Section II – Composition.** The Committee shall be comprised of five persons. The Committee shall comprise of the Chairman or a member of BOT, a member of BOP, the President or a member of EC, a Perpetual Donor, and another member from outside the HTS community, who may be the lawyer or the financial planner of the Endowment Trust.

**Section III – Term.** The term of the members of the Committee is three years. After the second year of inception, two members shall retire, and new members selected. At the end of third year, the remaining three members shall retire. Thereafter, each trustee shall retire at the end of his or her term of three years. Each member may only serve two terms.

**Section IV - Qualification.** It is expected that the members will be versed in the affairs of the HTS and general investment principles.

**Section V - Duties.** The committee may receive, hold in trust, or sell such property, real or personal, as may be given, devised to or otherwise vested to the HTS, for such purposes as are consistent with the Bylaws of the HTS and the endowment agreement(s). It is the responsibility of the ETFC to properly invest the HTS Endowment Fund using the guidelines for non-profit organizations and the Endowment Agreements. The specific purpose and the amount of disbursement will be approved by two-thirds (2/3) majority of the BOT. The amount of disbursement from general Endowment Fund in any year shall not exceed seventy-five percent (75%) of the earned income from the fund in the previous year, except to meet the needs of the Temple caused by a catastrophic event. If income from the specific Endowment is transmitted to any organization other than HTS, at least 25% of the income shall go to HTS general Endowment Fund, and the principal shall revert to general Endowment Fund after the death of the Donor.

<sup>9</sup> Consent of 9 members is required.

Any agreement, investment or disbursement, which could jeopardize the status of HTS as a tax exempt charitable organization under Section 501(c)(3) of IRS, or any successor of this section, shall not be executed.

A percentage of HTS surplus Operating Fund may be transferred to the general Endowment Fund, if approved by two-thirds (2/3) majority of the BOT and ratified by two-thirds (2/3) member of the General Body.

Any encroachment of the principal of the Endowment Trust Fund shall require a three-quarter (3/4) majority approval<sup>9</sup> of BOT and two-third majority approval of the General Body.

**Section VI – Meetings and Quorum.** Members shall meet once every quarter. Attendance of

four persons constitutes the quorum, and votes of three members are required to carry the motion.

**Section VII – Removal of Committee Members.** Failure to attend two trust meetings out of four will be an automatic cause for removal. A no confidence vote may be passed against any member for just cause by the affirmative vote of three members of the ETFC. If the no confidence vote is ratified by two third (2/3) majority of the BOT, the member shall be removed.

**Section VIII – Dissolution.** The ETFC may be dissolved by three-quarter (3/4) majority<sup>10</sup> of the BOT, and ratified by two-thirds (2/3) majority of the General Body with a valid quorum. On dissolution, any remaining fund in the Endowment Trust will revert back to the general fund of the HTS.

## **ARTICLE XII**

### **AMENDMENTS**

**Section I.** The proposal of amendment may come from the BOT, the EC, or a signed petition from at least twenty five percent (25%) of the General Body, or 100 members, whichever is greater . All proposed amendments to these Bylaws shall be approved by a majority vote of the BOT. The BOT shall seek input from the EC.

**Section II.** All proposed amendments to the Bylaws, after being approved by the BOT as specified above, shall be mailed to the General Body, at least 30 days before voting. Voting, by mail or in a General Body meeting, as specified in Article X - General Body, shall be followed.

<sup>10</sup> Consent of 9 members is required for dissolution.

## **ARTICLE XIII**

### **INDEMNIFICATION**

The HTS shall indemnify any and all of its Trustees and Officers, current or former, against the expenses (including attorney fees) actually and necessarily incurred by them in connection with the defense or settlement of any action, suit, or proceeding in which they, or any of them, are made parties, or a party, by reason of being or having been a trustee or officer of the HTS, except in relation to matters as to which any such trustee or officer, current or former, shall be adjudged in such action, suit, or proceeding to be liable for willful misconduct in the performance of duty, and to such matters as shall be settled by agreement predicated on the existence of such liability.