

SRI GANESHA HINDU TEMPLE OF UTAH  
BY-LAWS R201410-Ver1.0.2  
(Approved on Oct 26, 2014)



## 1. Objectives

- 1.1 The objectives and purpose of Sri Ganesha Hindu Temple of Utah (herein also referred to as Mandir/Temple or the SGHT), a non-profit organization, shall be as described in the Articles of Incorporation. All statements in the Articles of Incorporation shall be deemed to be part of the Bylaws.
- 1.2 The Constitution of the Sri Ganesha Hindu Temple of Utah consists of the Articles of Incorporation and the Bylaws.

## 2. Membership

- 2.1 Any person who follows the Hindu religion, has an interest in learning about the Hindu religion, or respects the Hindu Code of Conduct with no restrictions as to race, sex, religious affiliation, creed or nationality is eligible to participate in the activities of the Sri Ganesha Hindu Temple of Utah and the India Cultural Center of Utah (herein also referred to as ICC), a wholly owned subsidiary of the Sri Ganesha Hindu Temple of Utah.
- 2.2 All adult Hindus (18 years or older) willing to uphold the objectives described in the Articles of Incorporation are eligible to become **voting members** of the SGHT. The voting membership of the SGHT shall be on an annual basis. Children of voting members shall be eligible and are welcome to participate in all activities of the Temple without any voting privileges.
- 2.3 Voting members are those who are granted voting privileges by the Board of Trustees of the SGHT. The Board of Trustees shall pass a resolution approving the voting membership list prior to the annual elections.
- 2.4 Voting membership is based on either (a) \$200/family or \$100/individual annual membership donation to the SGHT or the ICC or (b) donation to the SGHT or the ICC towards membership as individual Life Member, Donor Member, Sponsor Member, Patron Member, or Benefactor Member. In accordance with applicable Internal Revenue Service (IRS) and Generally Accepted Accounting Practices (GAAP) guidelines, donations in kind, such as property, volunteer time, and goods that are required by the Temple, may be considered towards membership payment requirement when requested by the donor. All current Life Members, Donor Members, Sponsors, Patrons and Benefactors of the Temple are deemed as voting members. All lifetime members can add their spouses as voting members. The members are classified based on the cumulative donation of individual or family in the following categories as of year 2002 (this may be amended later by the Board of Trustees):
  1. \$ 1000 to \$4999 Life Members
  2. \$ 5000 to \$9999 Donor Members
  3. \$ 10000 to \$19999 Sponsor Members
  4. \$20000 to \$ 99999 Patron Members
  5. \$100000 and above Benefactor Members
- 2.5 Each individual membership will get one vote and each family membership two votes.
- 2.6 Donations towards membership to the SGHT or the ICC paid at least three months prior to the Board of Trustees resolution approving the voting membership are valid for voting membership.

The Board of Trustees shall ratify by September 30 every year, the current list of voting members eligible to vote in the annual elections for that year.

- 2.7 The dollar amount for voting membership donation can be amended by a simple majority of the Board of Trustees of the SGHT.
- 2.8 Voting membership shall cease if the member moves away from the geographical locality (the State of Utah) without specifically requesting in writing to retain his/her voting rights. Voting membership may be granted to individuals or families outside the geographical locality by a resolution of the Board of Trustees.
- 2.9 Any donation, including property, time, money, or membership dues, given to SGHT/ICC will be non-refundable.
- 2.10 No annual donations to retain voting membership will be required from individuals or families who have already qualified as a Life Member, Donor Member, Sponsor, Patron, or Benefactor by a cumulative contribution at different specified levels.

### **3. Organizational Structure**

- 3.1 The management of the affairs of the SGHT shall be vested in the Board of Trustees of SGHT, who shall strive to fulfill the objectives and purposes of SGHT as stated in the Articles of Incorporation and these Bylaws.
- 3.2 The Board of Trustees of SGHT shall consist of the following seven elected persons and the working group of lifetime trustees comprising of 9 lifetime trustees.
  - A President
  - 2 Vice-Presidents
  - A Treasurer
  - A Joint Treasurer
  - A Secretary
  - A Joint Secretary

The above seven elected persons shall constitute the Executive Board of the SGHT.

- 3.3 Management of the affairs of the ICC shall be vested in the Board of Trustees of the ICC, who shall strive to fulfill the objectives and purposes of the ICC as stated in the Articles of Incorporation and the bylaws pertaining to the ICC.
- 3.4 The Board of Trustees of the ICC shall consist of the following seven elected persons and the working group of lifetime trustees comprising of 9 lifetime trustees.
  - A President
  - 2 Vice-Presidents

- A Treasurer
- A Joint Treasurer
- A Secretary
- A Joint Secretary

The above seven elected persons shall constitute the Executive Board of the ICC.

- 3.5 No two members of the immediate family may serve on either of the Boards of Trustees of the SGHT and the ICC simultaneously. Immediate family is defined as spouse, child, parent, brother or sister of an individual.
- 3.6 Temple priests shall be ex-officio members of the Executive Board of the SGHT without voting privileges.
- 3.7 If and when the new bylaws come into force, the governing structure shall follow the new bylaws.
- 3.8 The working group of lifetime trustees comprising of 9 lifetime trustees shall be common to both the Board of Trustees of SGHT and the Board of Trustees of ICC.

#### 4. Terms of Office and Eligibility

##### 4.1 Lifetime Trustees

- 4.1.1 Lifetime Trustees are recognized from among those who are current voting members, have served as a Board member or an Advisory Committee member of the SGHT or the ICC for at least three (3) years, have contributed over \$25,000 to the SGHT *and/or the ICC*, and are willing to serve as a Lifetime Trustee and actively participate in the advancement of the mission of the Temple *and the ICC*. Active participation constitutes a marked involvement and interest in the activities, development, and nourishment of the SGHT and the ICC
- 4.1.2 If any individual who meets the criteria for becoming a Lifetime Trustee and requests to be considered for the position, the Board of Trustees shall propose his/her name in the next annual General Body meeting. The Board of Trustees shall not withhold proposing any such individual. By a simple majority vote in a secret ballot of those present in the General Body meeting or vote in absentia, such individual shall be appointed as a Lifetime Trustee. In order to facilitate absentee voting, the name of the proposed Lifetime Trustee shall be publicized as for all the elections of office bearers of the Temple.
- 4.1.3 There can be only one Lifetime Trustee per immediate family. Immediate family is defined as spouse, child, parent, brother or sister of an individual.
- 4.1.4 An individual shall not be a Lifetime Trustee and a member of the Executive Board of either the SGHT or the ICC simultaneously. In the event that a Lifetime Trustee wishes to serve on the Executive Board of the SGHT or the ICC, that person shall step down from the Lifetime Trusteeship and contest in the elections. That Lifetime Trustee shall resume the duties of the Lifetime Trustee after he/she has served the term as an Elected

Executive Board member. If that Lifetime Trustee loses the election to the Executive Board, he/she could resume the duties of the Lifetime Trustee after the duration of the term for which he/she contested.

- 4.1.5 A Lifetime Trustee shall hold the position for life unless he/she resigns or is removed from the position.
- 4.1.6 There shall be no limit to the number of Lifetime Trustees of the SGHT.
- 4.1.7 For voting purposes, the Lifetime Trustees shall constitute a working group of nine (9) lifetime trustees with a one-year term. The working group shall be constituted as follows:
  - 4.1.7.1 Self-nomination or nomination by another Lifetime Trustee
  - 4.1.7.2 In the event of more than nine (9) Lifetime Trustees being nominated for the working group, all existing Lifetime Trustees shall cast votes to choose the working group by a simple majority vote using a secret ballot. Two rounds of voting may be conducted to allow for sufficient members being selected
  - 4.1.7.3 In the event of less than nine (9) Lifetime Trustees being nominated for or voted to be on the working group, a random selection of Lifetime Trustees will be made by the Priests in the sanctum sanctorum of the SGHT to constitute the remainder of the working group of nine members.
  - 4.1.7.4 All decisions made by the working group of Lifetime Trustees shall be by simple majority of all nine (9) members

#### 4.2 Executive Board

The following applies to Executive Boards of both the SGHT and the ICC:

- 4.2.1 The Executive Board shall be elected for a two-year term. The President must have attained Life Member status. The Vice-Presidents, Treasurer and Joint Treasurer, and Secretary and Joint Secretary, must have been voting members for a minimum of two consecutive years immediately prior to the start of the person's term.
- 4.2.2 No Executive Board member shall continue in the same position for more than three (3) consecutive terms. No Executive Board member shall continue for more than (six) 6 years continuously as an Executive Board member in the same position.
- 4.2.3 Every member of the Executive Board shall donate in good faith a minimum of **\$300** or raise **\$1000** for that calendar year for the SGHT or the ICC.

### 5. Resignations

- 5.1 Any Executive Board or an Advisory Committee member can resign at any time by submitting a written resignation letter to the President of the SGHT or the ICC as appropriate). If the resigning Executive Board member is the President, the resignation letter must be sent to all members of the Executive Board. The resignation shall become effective only after the Executive Board has met, discussed, and passed a resolution accepting the resignation of the member.

- 5.2 Any Lifetime Trustee can resign at any time by submitting a signed resignation letter to the working group of lifetime trustees. The resignation shall become effective only after the working group of lifetime trustees has met, discussed, and passed a resolution accepting the resignation of the Lifetime Trustee.

## 6. Vacancies

- 6.1 If the office of any working group of lifetime trustees member becomes vacant, the remaining lifetime trustees may by a simple majority elect or select another lifetime trustee to fill that position for the remaining non-expired term till that position can be filled by due procedure in the next cycle.
- 6.2 If the office of any Executive Board member becomes vacant, the remaining officers of that Board (SGHT or ICC) may by a simple majority elect or select another eligible voting member to fill that position for the remaining non-expired term till that position can be filled by due procedure in the next election cycle.

## 7. Removal

- 7.1 Any member of the Board of Trustees of the SGHT or the ICC or any lifetime trustee not serving on either of the boards can be removed at any time by the affirmative vote of the two thirds of the quorum of voting members at a special General Body meeting called for that purpose following the procedures outlined. Pending the vote of the General Body meeting, the SGHT and the ICC Boards of Trustees together by a simple majority vote shall suspend the officer with written notice describing the cause. This suspension shall be for three months only without any further extensions. The suspension will be revoked if either the General Body disapproves the removal or in the absence of such vote at the end of three months.
- 7.2 The Advisory Committees serve at the discretion of the Board of Trustees and the entire committee can be terminated or an individual committee member can be removed from the committee at any time by a simple majority resolution of the Board of Trustees.
- 7.3 Any individual member can be removed, suspended, or terminated from membership if the Board of Trustees deems it advisable on basis of due cause and if the member is deemed to have acted against the spirit and objectives of the SGHT and/or the ICC.
- 7.4 The procedure to call and conduct the meeting for such purpose shall follow the general rules stated in the Bylaws later herein, provided however, that not withstanding anything contained in these Bylaws to the contrary:
- 7.4.1 The Board of Trustees shall provide to the member to be removed no less than fifteen (15) days written notice of said member's pending removal, suspension, or termination the reasons for such pending removal, suspension, or termination; and
- 7.4.2 Not less than five (5) days before the effective date of such pending removal, suspension, or termination the opportunity to be heard by the Board of Trustees either in writing or orally.
- 7.5 The services of any employee of the SGHT or the ICC may be terminated by a simple majority of the respective Board of Trustees.



## 8. Compensation

- 8.1 No Lifetime Trustee, Executive Board member, or Advisory committee member shall receive any compensation whatsoever in terms of salary for serving as a Lifetime Trustee, a lifetime trustee in the working group of lifetime trustees, an Executive Board member, or as an advisory committee member appointed by the working group of trustees.

## 9. Duties and Responsibilities

### 9.1 The Lifetime Trustees

- 9.1.1 The Lifetime Trustees' role shall be advisory and guardian-like for the general welfare of the SGHT and the ICC. They will provide the Executive Boards with a vision on the long-term implications of the decisions of the Boards. The working group of lifetime trustees along with the executive boards of the SGHT and the ICC shall be responsible for adjudicating any conflicts between the Executive Boards of SGHT and the ICC.
- 9.1.2 Annual budgets of the SGHT and the ICC shall be considered passed only if the working group of lifetime trustees approves the budgets by a simple majority vote.
- 9.1.3 All capital expenses or commitments over \$7,500 shall be carried out only if the working group of lifetime trustees approves the expenses or commitments by a simple majority vote. This amount shall be updated from time to time by a simple majority vote of the working group of lifetime trustees.
- 9.1.4 The working group of lifetime trustees shall approve by a simple majority any sale/disposal of assets in excess of \$2,500 of the SGHT and the ICC.
- 9.1.5 The working group of lifetime trustees shall approve the reviewed financial statements of the SGHT and the ICC after they have been approved by the respective Boards of Trustees (SGHT and ICC).
- 9.1.6 The working group of lifetime trustees will designate one among them as the Chief Trustee, who shall be responsible for calling the working group meetings, issuing meeting minutes, and documenting all resolutions of the meetings. The Chief Trustee shall hold the position for a one-year term
- 9.1.7 The working group of Lifetime Trustees shall donate in good faith a minimum of \$500/year and/or raise \$1000/ year for the SGHT or the ICC.
- 9.1.8 The working group of lifetime trustees shall, in consultation with the Presidents of the SGHT and ICC Executive Boards, coordinate meetings to approve the annual budget and any other matters that require Lifetime Trustees' approval.
- 9.1.9 The working group of lifetime trustees shall be responsible for appointing the Election Officer/Committee overseeing the conduct of the annual elections to the Board of Trustees of the SGHT and the ICC.

9.2 The President of SGHT

- 9.2.1 The President shall be the chief executive officer of the SGHT and fulfill the purpose and mandate of the Temple.
- 9.2.2 The President shall preside at all meetings of the Board of Trustees of the SGHT.
- 9.2.3 The President of SGHT, together with the President of ICC, shall preside at the General Body meetings.
- 9.2.4 Except when otherwise indicated by the Board of Trustees of the SGHT, the President or his/her designated officer shall attest and execute bonds, mortgages, purchases, and contracts to conduct Board approved business on behalf of the SGHT.
- 9.2.5 The President has the power to affix the Seal/Stamp of the SGHT to any document or item as well as use the letterhead of the Temple to conduct Board approved business. The Treasurer or one of the members of the Board of Trustees may attest this.
- 9.2.6 The President shall have the authority to sign on documents of cash disbursements such as checks as long as it is co-signed by the Treasurer, financial officer or one of the lifetime trustees from the working group of lifetime trustees to conduct Board approved business.
- 9.2.7 The President shall be the supervisor of all the employees of the SGHT.

9.3 The Vice- Presidents of SGHT

- 9.3.1 The Vice-Presidents shall have such powers and perform duties as assigned to the Vice-Presidents by the President and the working group of lifetime trustees. In particular, the Vice-Presidents shall be responsible for maintaining and updating the membership list, particularly the voting membership of the SGHT.
- 9.3.2 The Vice-President designated by the President of the SGHT shall assume the responsibility of the President in the latter's absence.
- 9.3.3 The Vice-Presidents shall be responsible for maintaining the membership list and mailing list; issuing certificates for voting members, and maintaining a register of regarding membership.
- 9.3.4 The Vice-Presidents shall lead efforts to increase the voting membership of the SGHT.
- 9.3.5 The Vice-Presidents shall be responsible for timely publication of newsletters and other publications.

9.4 The Treasurer of SGHT

- 9.4.1 The Treasurer shall have the custody of the SGHT funds, income, securities, and other assets. The Treasurer shall keep full and accurate account of receipts and disbursements in books belonging to the SGHT. The Treasurer shall deposit in such depositories as may be designated by the working group of lifetime trustees all moneys and valuables in the name and to the credit of the SGHT.



- 9.4.2 The Treasurer may disburse funds of the SGHT as ordered by the Board of Trustees of SGHT taking proper vouchers/receipts for the same. The Treasurer shall render to the President and the Board of Trustees of SGHT at regular meetings of the Board of Trustees of SGHT, or whenever the Board of Trustees of SGHT requests it, an account of all transactions and of the financial condition of the Temple.
- 9.4.3 If required, the Treasurer may be asked to execute a bond of surety for the discharge of the Treasurer's duties in a sum designated by the Board of Trustees of SGHT.
- 9.4.5 The Treasurer or the Treasurer's designated Board of Trustee shall be responsible for proper counting, recording, and disposal of the collection of the SGHT's donations.
- 9.4.6 The Treasurer shall help in the conduct of a proper audit of the accounts. The account books shall be maintained in order. The Financial/ Treasurer's report shall be presented at least once a year to the General Body.
- 9.4.7 Role of the Joint Treasurer of SGHT is identical to that of the Treasure of the SGHT.
- 9.5 The Secretary of SGHT
- 9.5.1 The Secretary shall be responsible for giving notice of all meetings of the Board of Trustees of SGHT, the annual General Body meeting, and any special meeting of the General Body. He/She shall also be responsible to give all other notices required by law and the Bylaws of the SGHT in due time and with proper broadcast.
- 9.5.2 The Secretary shall record in the SGHT's books all proceedings and minutes of meetings of the Board of Trustees, Executive Board, Committees and Sub-Committees. If he/she is not present at any such meeting, he/she shall make arrangements to obtain the record of the meeting and file the same in the SGHT's books. The Secretary shall assist the President in keeping all legal paperwork, assist the Treasurer in preparing the IRS paperwork, and assist the Board of Trustees of SGHT in preparing the Annual Report.
- 9.5.3 The Secretary shall be responsible for maintaining property registers and physical verification of properties as required by GAAP.
- 9.5.4 Role of the Joint Secretary of SGHT is identical to that of the Secretary of SGHT.
- 9.6 The President of ICC
- 9.6.1 The President shall be the chief executive officer of ICC and fulfill the purpose and mandate of the ICC.
- 9.6.2 The President shall preside at all meetings of the Board of Trustees of the ICC.
- 9.6.3 The President of ICC, together with the President of SGHT, shall preside at the General Body meetings.
- 9.6.4 Except when otherwise indicated by the Board of Trustees of ICC, the President or his/her designated officer shall attest and execute bonds, mortgages, purchases, and contracts to conduct Board approved business on behalf of the ICC.

- 9.6.5 The President has the power to affix the Seal/Stamp of ICC to any document or item as well as use the letterhead of the ICC to conduct Board approved business. The Treasurer or one of the members of the Board of Trustees may attest this.
- 9.6.6 The President shall have the authority to sign on documents of cash disbursements such as checks as long as it is co-signed by the Treasurer, financial officer or one of the lifetime trustees from the working group of lifetime trustees to conduct Board approved business.
- 9.6.7 The President shall be the supervisor of all the employees of ICC.
- 9.7 The Vice- Presidents of ICC
- 9.7.1 The Vice-Presidents shall have such powers and perform duties as assigned to the Vice-Presidents by the President and the working group of lifetime trustees.
- 9.7.2 The Vice-President designated by the President of the ICC shall assume the responsibility of the President in the latter's absence.
- 9.7.3 The Vice-Presidents, under the direction of the President or the Board of Trustees of the ICC shall lead efforts towards (i) fund raising, and (ii) organizing cultural programs.
- 9.7.4 The Vice-Presidents shall be responsible for timely publication of newsletters and other publications.
- 9.8 The Treasurer of ICC
- 9.8.1 The Treasurer shall have the custody of ICC funds, income, securities, and other assets. The Treasurer shall keep full and accurate account of receipts and disbursements in books belonging to the ICC. The Treasurer shall deposit in such depositories as may be designated by the working group of lifetime trustees all moneys and valuables in the name and to the credit of the ICC.
- 9.8.2 The Treasurer may disburse funds of ICC as ordered by the Board of Trustees of ICC taking proper vouchers/receipts for the same. The Treasurer shall render to the President and the Board of Trustees of ICC at regular meetings of the Board of Trustees of ICC, or whenever the Board of Trustees of ICC requests it, an account of all transactions and of the financial condition of the Temple.
- 9.8.3 If required, the Treasurer may be asked to execute a bond of surety for the discharge of the Treasurer's duties in a sum designated by the Board of Trustees of ICC.
- 9.8.4 The Treasurer or the Treasurer's designated Board of Trustee shall be responsible for proper counting, recording, and disposal of the collection of ICC's donations.
- 9.8.5 The Treasurer shall help in the conduct of a proper audit of the accounts. The account books shall be maintained in order. The Financial/ Treasurer's report shall be presented at least once a year to the General Body.
- 9.8.6 Role of the Joint Treasurer of ICC is identical to that of the Treasure of the ICC.

9.9 The Secretary of ICC

9.9.1 The Secretary shall be responsible for giving notice of all meetings of the Board of Trustees of ICC, the annual General Body meeting, and any special meeting of the General Body. He/She shall also be responsible to give all other notices required by law and the Bylaws of the SGHT pertaining to the ICC in due time and with proper broadcast.

9.9.2 The Secretary shall record in the ICC's books all proceedings and minutes of meetings of the Board of Trustees, Committees and Sub-Committees. If he/she is not present at any such meeting, he/she shall make arrangements to obtain the record of the meeting and file the same in the ICC's books. The Secretary shall assist the President in keeping all legal paperwork, assist the Treasurer in preparing the IRS paperwork, and assist the Board of Trustees of ICC in preparing the Annual Report.

9.9.3 The Secretary shall be responsible for maintaining property registers and physical verification of properties as required by GAAP.

9.9.4 Role of the Joint Secretary of ICC is identical to that of the Secretary of ICC.

## 10. Advisory Committees

10.1 The Presidents of SGHT and ICC, with a simple majority vote of Boards of Trustees of SGHT and ICC, shall appoint the following Advisory Committees to aid the activities of the SGHT and the ICC: Religious Committee, Development Committee, Fund Raising Committee, and Cultural Committee. Additional committees may be appointed by the Presidents with a simple majority vote of the Boards of Trustees of SGHT and ICC to aid in the activities of the Temple and the ICC.

10.2 The Advisory Committees, if these consist of more than one individual, shall be chaired by a member designated by the Presidents of the SGHT and the ICC, in consultation with the working group of lifetime trustees.

10.3 The Presidents of SGHT and ICC with a simple majority vote of the Boards of Trustees of SGHT and ICC shall designate the duties, terms, and powers of the various Advisory Committees.

10.4 An independent **Finance Committee or an external audit/review firm** shall be appointed by the working group of lifetime trustees to review the accounts of the SGHT and ICC; this Finance Committee or audit/review firm shall complete its review and submit its report to the Boards of Trustees of SGHT and ICC by the end of May so that the reviewed Financial Report for the previous calendar year can be approved by the Boards of Trustees of SGHT and ICC. The completed review, formally approved by the Board of Trustees of SGHT and ICC, shall be published no later than June 30<sup>th</sup>. No member of the Board of Trustees of the SGHT or the ICC shall be a member of the Finance Committee.

10.5 The Advisory Committee members may be invited by the President of the SGHT or the ICC to attend any Board of Trustees' meetings or other meetings without any voting privileges.

## 11. Employees

- 11.1 The SGHT and the ICC may need to hire full-time and/or part-time employees to facilitate the conduct of their mission. Employees may include priests, office managers, accountants, etc.
- 11.2 Prior to hiring any employee, the position must be approved by a resolution of the Boards of Trustees of SGHT and ICC.
- 11.3 The Boards of Trustees shall appoint a Hiring Committee, headed by the Presidents of SGHT and ICC, consisting of two additional representatives from the Executive Boards (one each from the SGHT and the ICC Executive Boards), and two lifetime trustees from the working group of lifetime trustees. The Hiring Committee will be responsible for writing up the position description, advertising the position, evaluating the responses, interviewing, and recommending to the Board of Trustees of the SGHT or the ICC (as the case may be) the candidate for hiring.
- 11.4 An offer letter, signed by the President of SGHT or ICC, can only be sent out to the candidate after the Board of Trustees approves the hiring of the candidate and the terms of the offer, as stated in the offer letter.
- 11.5 The President of SGHT shall be the supervisor of all the employees of the SGHT. Similarly, the President of ICC shall be the supervisor of all the employees of ICC.
- 11.6 An employee of the SGHT or the ICC cannot be a member of the Boards of Trustees or a Lifetime Trustee of the SGHT/ICC. An employee cannot be in the immediate family of any member of the Boards of Trustees of the SGHT and the ICC. Immediate family is defined as spouse, child, parent, brother or sister of an individual.

## 12. Advisors

- 12.1 The Presidents of the SGHT and the ICC, with a simple majority of vote of the Boards of Trustees of the SGHT and the ICC, shall use the services of advisors, who may be selected or appointed, with regard to formulating policies and activities of the SGHT and the ICC. The advisors can be
  - Financial experts (tax consultants, accountants, etc.)
  - Legal experts (lawyers, attorneys, paralegals, etc.)
  - General experts (people experienced in non-profit organizations, former elected officials, etc.)
  - Religious experts (priests, religious trusts, etc.)
  - Specialists (architects, artisans, sculptors, builders etc.)
  - Medical professionals (physicians, mid-level providers, nurses, etc.)
- 12.2 The advisors may be invited by the President of the SGHT or the ICC to attend the meetings of the Board of Trustees or other meetings without any voting privileges.
- 12.3 If needed, the advisors may be compensated for their services after said compensation is approved by a resolution of the Boards of Trustees.

## 13. Elections

- 13.1 The responsibility for conducting the election of the Executive Boards of the SGHT and the ICC shall be vested in an Election Officer appointed by a majority of the working group of lifetime

- trustees on or before August 30<sup>th</sup> of that year. Such trustees shall not be contestants in the election of the Executive Boards. The elections for the Executive Boards shall be held during the fourth (4<sup>th</sup>) quarter of each year.
- 13.2 The Election Officer must be a member of standing (Life Member or above) of SGHT. The Election Officer shall appoint a committee of not more than three members to assist in the conduct of elections. The Election Officer or the committee members cannot be candidates for any of the positions for which elections are being held. They cannot also be candidates for the working group of lifetime trustees.
- 13.3 The Election Officer shall have the final authority on all matters pertaining to the conduct of the elections.
- 13.4 By first Sunday of September, the Election Officer/Committee shall announce to the SGHT voting membership, by a prominent display at the Temple and the newsletter (mail/email), the positions on the Executive Boards for which elections are being held and seek nominations for the same. The Election Officer shall ensure that the nominations are entered in writing in the nomination book kept in the premises of the SGHT.
- 13.5 The nominations shall be closed on the date and time set by the Election Officer, usually last Sunday of September. The Election Officer shall be responsible for verifying that the nominees, proposers, and seconders meet all the requirements. Only a voting member can nominate or second a candidate. A voting member shall either nominate or second only one candidate. The slate shall be announced one month or four Sundays prior to the election in the SGHT gathering, a prominent display at SGHT, and newsletter (mail/email).
- 13.6 On the designated date of the election, which is also typically the day of Annual General Body meeting, the elections of all open positions on the Executive Boards will be conducted excepting those to fill an interim vacancy.
- 13.7 For both the SGHT and the ICC, the election of the President, one vice-president, the treasurer, and the secretary shall take place in the even numbered years. For both the SGHT and the ICC, the election of the second vice-president, the Joint Treasurer, and the Joint secretary shall take place in the odd numbered years.
- 13.7 The Election Officer/Committee shall be responsible for verifying and counting the ballots and submitting the results of the elections to the working group of lifetime trustees and the Executive Boards. The Election Officer/Committee can cast a ballot only in the event of a tie for any position.
- 13.8 The new in-coming Executive Boards take charge on January 1 of the calendar year. They are solely responsible for all the operations including budget of the calendar year. The Treasurers of the SGHT and the ICC shall be responsible for sending out year-end donation receipts and preparing the Annual Report.
- 13.9 **Absentee Voting Policy.** Any voting member is eligible to vote by absentee ballot. The Election Officer/Committee shall set the deadline for requesting and submitting absentee ballots for that particular year. Voting members must request in writing absentee ballots from the Election Officer/Committee before the deadline for requesting them and must send them in before the deadline set for voting by absentee ballots.



- 13.10 **If no nominations are received for any position by the deadline for nomination**, the working group of lifetime trustees shall nominate a qualified member for that position for the term, subject to ratification by the General Body. If the General Body rejects such a nominee, a member of the working group of lifetime trustees, chosen by the working group of lifetime trustees, shall assume those responsibilities till such time a suitable candidate is approved by the General Body. Sections 4.1.4 and 4.1.7 shall apply here.
- 13.11 The Election Officer/Committee shall oversee the formation of the working group of 9 lifetime trustees, as stated in Section 4.1.7, in the month of September every year. The Election Officer must ensure that this process is completed by the day of the Annual General Body Meeting. The Election officer must announce the names of the new working group of lifetime trustees at the Annual General Body Meeting.

#### **14 Meetings of the Board of Trustees (SGHT or ICC)**

- 14.1 The working group of lifetime trustees and the Executive Board shall meet together at least four (4) times per year. All references to voting, quorum and procedure in this Section 14 shall refer to such a collective meeting of the entire Board of Trustees.
- 14.2 The chairperson of the Board of Trustee meetings will be the President or the designate of the President from among the elected members of the Board.
- 14.3 The President can call special meetings of the Board of Trustees as and when necessary. Special meetings of the Board of Trustees can also be called by written request to the President from at least three members of the working group of lifetime trustees or the Executive Board. A meeting of the Board of Trustees should be held early (preferably in January) in the first Quarter of the Year to introduce the new working group of lifetime trustees and the Executive Board. All existing members of the Board of Trustees shall work toward facilitating a smooth transition from the outgoing Board of Trustees to the incoming Board of Trustees. In particular a meeting of the Board of Trustees shall be held in May or June to approve the audited Financial Report and Annual Report.
- 14.4 All actions/resolutions of the Board of Trustees shall be by a simple majority. The members of the Board of Trustees can vote in absentia by communicating in writing to the chairperson their votes in writing prior to the voting.
- 14.5 Any action or resolution permitted at any meeting of the Board of Trustees may be taken without a meeting if, prior to such action, a written consent is signed to the effect by all of the members of the Board of Trustees, and the consent is filed with the minutes of the meeting.
- 14.6 In all meetings of the Board of Trustees, two thirds of the members of the Board of Trustees shall constitute the **quorum**. (To explain, a quorum is present if eleven out of sixteen members of the Board of Trustees are present.).
- 14.7 The Executive Board is expected to meet once a month and the secretary in the Executive Board must share the minutes of these meetings with the entire Board of Trustees.

#### **15 General Body Meetings**

- 15.1 The ultimate authority shall be with the General Body. Following the procedures outlined herein, the General Body could pass a binding and final resolution even if such a resolution goes against



the decisions of the Lifetime Trustees or the Boards of Trustees. The annual General Body meeting shall be held preferably on the first Sunday of November.

15.2 The agenda of this annual General Body meeting shall include:

- Election of the Executive Boards.
- Presentation of the SGHT's and the ICC's Preliminary Fiscal Reports by the respective Treasurers.
- The Presidents' reports of activities of the past year and recommendations for the coming year.
- Discussion of membership dues/donations and other fees for the following year.
- Other items of importance deemed necessary.

15.3 Special General Body meetings. There shall be mechanisms for calling the special General Body meetings by voting members of the organization to decide on matters that affect the mission or result in significant changes in the physical or functional structure of the organization.

15.4 Procedures and quorum for special General Body meeting: The President of the SGHT or the ICC may call special meetings of the General Body as and when necessary. A special meeting may also be called to discuss a matter of immediate concern through a written petition to the Board signed by at least **15%** of the voting members. A special General Body meeting shall be held within 4 weeks of the request for the meeting. Any resolution in a special General Body meeting is considered passed only if at least two thirds of votes cast, including absentee ballots, approve that resolution.

15.5 A quorum for the special General Body meeting is considered present only if 33% of the voting members of the SGHT/ ICC are present or cast absentee ballots. The due procedure for calling such a meeting is considered fulfilled

- i. When it is called for with at least two-weeks notice that is prominently displayed at the SGHT and ICC (when that exists) and
- ii. Email or surface mail is sent to all the voting members with the available addresses providing a brief summary of the rationale for calling such a meeting.

15.6 If a quorum is not present, a second General Body meeting should be called for again following the above procedures within 4 weeks.

15.7 If a quorum is not present for the second general body meeting, a meeting of all members of the Boards of Trustees of both the SGHT and ICC, all Sub Committees of the SGHT and ICC should be called along with a notice displayed in the Temple and ICC inviting any willing voting member to participate and vote. A quorum is considered present if at least two-thirds of the members of each of the Board of Trustees, Boards of Trustees of SGHT and ICC, are present.

15.8 The by-laws can be changed by following the procedure below.

- The Boards of the Trustees of the SGHT and the ICC shall appoint a committee constituted with three members of the working group of lifetime trustees and four member of the executive boards.

- Proposed changes to the by-laws must be approved by a two-thirds majority of the Boards of Trustees of the SGHT and the ICC.
- The proposed changes shall be posted for public review and comments for a minimum period of four weeks in a prominent place in the temple and disseminated via e-mail, newsletters, or mailings.
- Based on the public comments, a final version shall be prepared by the committee that must be approved by two-thirds majority of the Board of Trustees of the SGHT and the ICC.
- The final version of the by-laws shall be presented for voting at the annual general body meeting or a special general body meeting.

## 16 Quorum

- 16.1 In all General Body meetings, one-third of the voting members of the SGHT shall constitute the **quorum**. (To explain, a quorum is present if one-third of all voting members cast their ballots either in person or in absentia.)
- 16.2 A vote, proposal, or resolution is said to pass if a simple majority votes in favor when a quorum is present.

## 17 Management of Meetings

- 17.1 The rules given in **Robert's Rule of Order, Newly Revised** (10 ed.) shall govern the manner in which the meetings of the SGHT and the ICC shall be given notice for, arranged, and carried out.
- 17.2 Minutes of all meetings shall be noted and made available to members.

## 18 Amendments

- 18.1 All of the activities of the SGHT/ICC shall be compliant with the relevant local, state and federal laws.
- 18.2 Any authority to make, alter, or repeal any of the Bylaws or Articles of Incorporation of the SGHT shall be vested in the working group of lifetime trustees and the Executive Broads of SGHT and ICC as long as a quorum of the voting members approve within six months any such addition, alteration, amendment, or repeal.
- 18.3 The Constitution of SGHT that consists of the Articles of Incorporation and the By-laws may be amended as necessary in accordance with the following procedure:
- a) An amendment to the By-laws or Articles of Incorporation may be proposed in writing by at least ten (10) percent of the voting members to the Presidents, or the working group of lifetime trustee;
  - b) The working group of lifetime trustees and the Executive Boards discuss and recommend action to the General Body on the proposed amendment;
  - c) Minor amendments are considered approved and effective if approved by a simple majority of the voting members at a General Body meeting. Major amendments are considered approved and effective if approved by a two-thirds majority of the voting

members at a General Body meeting. Major amendments are those related to changes in the Articles of Incorporation and overall organizational structure.

**19 The Calendar Year**

19.1 The calendar year for the Sri Ganesha Hindu Temple of Utah shall be the first day of January till last day of December every year. The Boards of Trustees shall approve the reviewed Financial Report and Annual Report for the previous calendar year by March 31<sup>st</sup> of each year.

\*\*\*\* End of Bylaws \*\*\*\*

