

AMENDMENTS TO HCC CONSTITUTION (Effective January 1, 2020)

ARTICLE III - OBJECTIVES

Add - H: Facilitate discourses of saints and religious leaders to promote teachings of Hindu scriptures and Vedic Philosophy.

ARTICLE IV - MEMBERSHIP

Section 4.1

D: Replace - shall support the activities of HCC, work in the interest of HCC and promote social harmony and goodwill.

E: Add - Members of HCC and especially the employees and members of the Executive Committee & Board of Trustees shall become familiar with the HCC Constitution and Bylaws and must abide by the same.

Section 4.2

B: Replace - If application for the membership is not approved by the Executive Committee (EC), the applicant will be notified in writing as soon as a decision is made. However, the applicant may appeal to the Board of Trustees in writing. After review, the Board of Trustees will notify the decision in writing and the decision of the Board will be final and binding.

C: Deleted

Section 4.3

B: Replace - Each member shall be required to pay annual membership dues to HCC as set forth in the bylaws.

Section 4.4

Replace - The resignation or termination of the membership of a member shall, unless specifically notified otherwise, include both husband and wife.

ARTICLE V - FINANCE

HCC shall have a two tier accounting structure:

1. Trustee Bank Accounts: shall have a regular checking account called "Trustees Account", a Reserve account and an account to manage donations from Trade Shows, Indiafest, etc.
2. Executive Committee Bank account: shall have only one account called " Executive Account".

Section 5.1- Replace

- A. All monies received by HCC, including cash, donations from any source, bank checks, bank transfers, etc. shall be deposited in the Trustees account. All payments made by cash, bank checks and bank transfers/ drafts will be from the Trustees account.
- B. Treasurer of the Board of Trustees shall be responsible for collecting donations from HCC donation boxes and all other sources on a weekly basis (more frequently during HCC events) and shall deposit all cash, checks and monies received from all sources in the Trustees Account.

- C. Money received from HCC from the donation boxes and all other sources shall be counted by the Treasurer or an HCC member authorized by him and recorded in the Donation Register immediately after opening the donation boxes at HCC. Donation Register must be signed and dated by the person collecting the money and HCC Priest or HCC Administrator. This requirement of recording in the Donation Register also applies to the cash and checks received by HCC employees for HCC provided food and rentals, etc.
- D. The Donation Register shall be maintained by the HCC Administrator under the supervision of Treasurer of the Board of Trustees.
- E. The Treasurer of the Board of Trustees shall give a check for Cash to the HCC Administrator for petty cash expenses, accounting of which shall be provided to the Trustee Treasurer at least on a monthly basis.
- F. The amount required for one years expense of HCC shall be maintained in the Trustees Account and any extra funds shall be transferred to the Reserve account. The amounts in the Trustee accounts shall be reviewed quarterly and adjusted, as required.
- G. Board of Trustees shall decide if the amount in the Reserve account shall be deposited in a Money Market account or Certificate of Deposit.
- H. Payments to the Executive Committee account based on approved budget, capital projects, major repairs/ replacements, property additions/ modifications/ renovations, property taxes, insurance, and all expenses of a major nature shall be made from the Trustees Account.
- I. The Chairman, Treasurer and Secretary of the Board of Trustees shall be authorized to carry out transactions of the Trustee accounts. Only one authorized Trustee will be required to sign checks up to an amount of \$10,000.
- J. All expenses of more than \$10,000 and additions/ modifications to the HCC property shall be approved by 2/3rd majority of the Board of Trustees. The checks of more than \$10,000 shall be signed by two authorized Trustees.
- K. The Trustee Treasurer will be responsible for maintaining and operating all Trustee accounts.
- L. The Trustee Treasurer shall provide copies of bank statements of all Trustee accounts and information from the Donation Register to the Bookkeeper on a monthly basis.
- M. The Trustee Treasurer shall ensure that a quarterly Income & Expense Statement and Annual Balance Sheet is prepared. The Income & Expense statements shall be sent to all members by email or postal mail quarterly.
- N. The Chairman and Treasurer shall ensure that all IRS requirements related to handling of financial matters of a Charitable Organization are met.

Section 5.2 - Replace

- A. The Executive Committee shall maintain and operate the Executive Account. The President and the Treasurer of EC will be authorized to sign checks from the Executive Account. Checks will need only one signature.
- B. Payments for payroll, payroll taxes, utility bills, regular maintenance & inspection expenses, housekeeping expenses, kitchen and other supplies, and other routine operating expenses for HCC shall be made from the Executive Account.
- C. All payments with the exception of minor expenses shall be made by checks.
- D. HCC shall cancel all current credit cards. A new Credit Card account shall be set up for use by the Priest for HCC expenses. The Priest must obtain approval of the Executive Committee

President or Treasurer before charging any amount greater than \$500 on the Credit Card. Executive Committee shall be responsible for managing credit card account.

- E. In the first meeting of EC after elections, the President shall decide monthly and annual budget of EC and present to Board of Trustees for approval. Board of Trustees shall approve the EC budget in a joint meeting with EC based on 2/3rd majority.
- F. The Chairman and the President shall review the Executive Account on a quarterly basis and any adjustments to the EC budget shall be made by a 2/3rd majority vote jointly by Executive Committee and Board of Trustees.

Section 5.4 - Replace

- A. The Board of Trustees shall appoint a Bookkeeper and a CPA (Chartered Public Accountant) to ensure accurate bookkeeping of HCC income & expenses and to prepare Annual Financial Reports..
- B. Both Treasurers shall provide copies of bank statements and other income & expense information to the Bookkeeper on a monthly basis.
- C. The Bookkeeper shall provide a quarterly Statement of Income & Expenses to the Board of Trustees.
- D. CPA shall provide a consolidated Certified Annual Income & Expense Statement and Balance Sheet to the Board of Trustees.
- E. An Audit Committee consisting of 2 HCC members will be appointed by the Board of Trustees. Trustees and members of EC shall not be appointed to the Audit Committee.
- F. The Audit Committee shall review the annual HCC financial statements for compliance with the HCC constitution and with the Federal requirements and provide their comments and recommendations to the Board of Trustees by March 15 of the following year.
- G. Assets of HCC shall not be used as a collateral.
- H. In extraordinary situations, HCC may borrow money from HCC members subjected to the following sequential process of approval.
 - a. The borrowed money shall be for addition of assets or major repairs only.
 - b. The borrowed amount shall not exceed 25% of the total required amount.
 - c. The money shall be borrowed based on no interest and no guarantee basis.
 - d. The borrowed amount should be returned in 12 months.
 - e. The decision of borrowing money must be made by the Board of Trustees by 2/3rd majority vote.
 - f. The amount received shall be by a check drawn on a local US bank only.
 - g. HCC has no obligation of paying back any money borrowed by any member of HCC Executive Committee or Board of Trustees without following the above process.
 - h. The Lender shall provide a written statement to HCC that he would not file a lien on any HCC property.

ARTICLE VI - BOARD OF TRUSTEES

Section 6.2 - Replace

All eleven members of the Board of Trustees shall annually elect their own Chairman, Vice Chairman, Secretary and Treasurer before 31st December.

Section 6.5 - Replace

The Board of Trustees shall meet at least once every quarter to discuss and review the activities of the HCC, and such other times as may be called by the Chairman of the Board of Trustees.

Section 6.6

- A. Replace - Promote and participate in raising funds for use in HCC improvements and finding sponsors for various events.
- B. Delete “keeping of Executive Committee minutes of meeting” and add, “Maintain documents in electronic format, where possible”. Change, “plans” to “Building and Devasthan Plans”.
- H. Change “priest or priests” to “priests and other employees”.
- I. Add: The Board of Trustees shall work closely with the Executive Committee and will provide guidance to EC but not direct day to day operations of the HCC.
- J. Add: The Trustee Chairman shall ensure that the HCC Annual Report with the state of Tennessee is filed in a timely manner.
- K. The Trustee Treasurer shall maintain an up to date list of HCC members with membership categories.
- L. Add: The Trustee Treasurer shall send receipts of all donations received by HCC.

Section 6.7

- B. Delete “but excluding President”.
- C. Add: Only legal residents of the USA shall be eligible to become Trustees.

ARTICLE VII - EXECUTIVE COMMITTEE & ADMINISTRATION

Section 7.2

- 2) Change to, “Vice President”.

Section 7.5

- B. Add: “If any of the elected EC members is unable to perform the responsibilities, he/she should resign from the position and the EC shall appoint another elected member for that position based on a majority vote of the EC. If no EC member is willing, the Board of Trustees may appoint someone from the HCC members for the remainder of the term based on a majority vote of the Trustees.
- C. Replace “Member at large” with “Executive Member”.

Section 7.6: Deleted (included in amended Article V)

Section 7.8

- A. Add: Elected Executive members and nominated Committees shall be assigned responsibilities for at least the following functions:
 - i. Religious
 - ii. Cleanliness of HCC facilities
 - iii. Kitchen
 - iv. Ordering of supplies
 - v. Repair & Maintenance
 - vi. Parking & Security
 - vii. Building rentals
 - viii. Volunteers & Coordination of major events

- B. Replace with the following: EC President shall ensure that the HCC facilities are maintained in a neat and clean condition; regular maintenance and inspections are carried out of all appliances, HVAC units, Fire Extinguishers & Fire detection & suppression systems, electrical lights, security alarm systems, digital data devices & phone lines, etc. Kitchen, including Refrigerators, Cold Storage, gas lines and other appliances, storage of food, including all accessories and other areas are maintained in good clean and organized condition in accordance with the City/County Health & Sanitation guidelines.
- C. Deleted (included in amended Article V)

Section 7.9 Deleted (included in amended Article V)

Section 7.10 Deleted (included in amended Article V)

Section 7.11 - Replace

- A. EC Treasurer shall work with the Bookkeeper and CPA to ensure that all requirements of payroll taxes and issuing IRS Form 1099 to all hired help and individual contractors engaged by EC are met in a timely manner.
- B. HCC mailing list (postal and e-mail) shall be maintained by EC Secretary.
- C. EC President and Secretary shall be responsible for maintaining HCC website. The website shall always include the names & phone numbers of the elected EC & Board of Trustee members and various HCC committees. It should be regularly updated with the details of HCC events and other pertinent information.
- D. EC President, Secretary or their designated HCC members only shall handle HCC related WhatsApp messages .

Section 7.16 Indemnification

Replace with: The HCC, HCC employees and the office bearers shall not be liable for any damage or loss of property or personal injury resulting at HCC premises.

ARTICLE VIII - ELECTION

Section 8.1

- A. Add: Only legal residents of the USA can be elected to the HCC Executive Committee and the Board of Trustees. The HCC member filing for nomination for an elected position must furnish a proof of his/her legal residency (e.g., a copy of US Passport, Green Card, etc.) valid for at least the term of the position to the Election Committee. Appointed members to the Board of Trustees and the EC shall also be required to furnish proof of their legal residency to the Trustee Chairman or EC President, as applicable.

Section 8.3

Change notification of election date to 30 days from 60 days. Announcement may be made by e-mail to members..

Section 8.5

Replace second para with the following:

Members interested in proxy ballots should register with the Election Committee at least two weeks before the election date and proxy ballots should be made available to such members. Proxy ballots should be received at least one day prior to the election day by mail or in person and shall be opened on the election day.

Section 8.9

- A. Change submittal of nominations to at least 15 days from 30 days.
- E. Change nomination withdrawal time to 48 hours from 72 hours.

Section 8.12

Change: Election shall be held in the month of November instead of December.

ARTICLE-IX - AMENDMENTS

Add: Board of Trustees may also propose changes to the HCC Constitution and Bylaws.

Change the notification period to the membership to 30 days from 60 days.

Replace the second para with: An amendment shall become effective upon approval by the 2/3rd majority of the voting members present, provided that at least 1/3rd of the total HCC members are present.

ARTICLE X - SUSPENSION AND EXPULSION

Replace the last paragraph related to the removal of members of EC and Board of Trustees with the following:

“In order to remove a member of the HCC Executive Committee or Board of Trustees from their elected or nominated position, a no-confidence petition signed by 2/3rd majority of the EC for the EC member and by 2/3rd majority of the Board of Trustees is required. After expulsion of the member of EC or Board of Trustees, his position may be filled-in by the Board of Trustees for the remainder of his term. The selection shall be made by a majority vote of the Board of Trustees.”

Add: Expelled individual must be notified in writing within one week of the decision made for expulsion. EC President will be responsible for notifying the member and the Trustee Chairman will notify an EC member or a Trustee.

Add: Members of the EC and the Board of Trustees shall lose their position due to inappropriate behavior with others based on 2/3rd majority vote of the EC or Trustees, as applicable.

Add: The following situations will form the basis of immediate expulsion of an HCC member, HCC employee or an elected/nominated member of the Executive Committee or Board of Trustees. Such determination will be made on a majority vote in a joint meeting of the Executive Committee and the Board of Trustees.

1. Misappropriation of HCC funds
2. Willful damage to HCC property
3. Vandalism

4. Involvement in dealing with controlled substances on HCC property
5. Stealing of HCC property
6. Crimes against humanity as determined by a court of law

ARTICLE XII - MEETINGS

Section 12.1

Replace with the following:

- A. Unless specified otherwise, decisions in all meetings shall be made based on a majority vote.
- B. All members who have paid their annual dues, shall have voting rights.
- C. Trustee Chairman and the President of the Executive Committee together shall have right to call emergency or a special meeting of the general membership. Meeting notice shall be sent at least 15 days in advance.
- D. All meeting notices may be sent by postal mail or e-mail.
- E. Chairman or Secretary of the Board of Trustees can call for Trustee meetings. In general, one week's notice should be given for such meetings. Special meetings may be called on a shorter notice. The minutes of meetings shall be maintained by the Secretary.
- F. President or Secretary of EC can call for EC meetings. In general, one week's notice should be given for such meetings. Special meetings may be called on a shorter notice. Minutes of meetings shall be maintained by the Secretary.
- G. A member of the Executive Committee or the Board of Trustees may participate in a meeting by being on conference call or being on line with prior approval of the President or the Chairman.

Section 12.2

Change the number of days needed for adding an item on the Annual Meeting Agenda from 30 to 7.

Section 12.3

A special General Body Meeting must be called if 20% of the voting members submit a signed petition to the EC President.

Section 12.4

Correct: "Article I, Section I" to amended "Section 12.1B".

Add: Unmarried Children of HCC members will have membership rights, except for voting. Parents living in the same household with any income (earned or from US government) will not be considered HCC members. They must become HCC members to get member benefits. However, parents without any income living with HCC members will be considered HCC members for benefits, but without voting rights.

ARTICLE XIII - EFFECTIVE DATE: These amendments will be effective from January 1, 2020.

ARTICLE XIV - DEVASTHANA

Section 14.1

Change the number of Deities installed from 7 to 11.

Add the following to the list of Deities:

1. BALAJI PARIVAR
2. NAVGRAHAS

- 3. SHREENATHJI
- 4. UMIYA MATA

Section 14.2

Correct the reference of Section I to 14.1.

Section 14.3

Add: No picture or poster, including that of deities shall be posted on the walls of the Prayer Hall.

Amendments to HCC by laws:

ARTICLE XV - BYLAWS

Replace: Bylaws shall be amended by a 2/3rd majority vote of the Executive Committee and the Board of Trustees.

Section 15.2

1. Contribution:
 - (A) Change Annual contribution amount to \$251 instead of \$51.
 - (B) Replace: Annual membership dues shall be paid by March 31st.
 - (C) Replace the donors and categories by the Attachment, "General Donations."
2. (A) Delete - Addressed in Section 12.1
(B) Delete - Addressed in Section 12.1
3. (A) Delete - Addressed in Section 12.1
(B) Delete - Addressed in Section 12.1
4. Use of Cultural Hall
 - (A) Add: HCC members can reserve HCC halls only for their use.
 - (C) Replace: Requests for renting HCC halls should be made to HCC Administrator (Durgaji) in writing at least one week in advance.
 - (F) Replace with: Refer to the attached sheet for current rates.
 - (I) HCC Executive Committee and Board of Trustees may jointly change the Hall rental, Event and other HCC charges only once a year in the first quarter of the year by 2/3rd majority vote.
6. Add: The Executive Committee and Trustee Treasurers shall assign Expense and Income Group to All income and expenses as described in the attachment.
Add: A partial list of past HCC Volunteers is attached. These volunteers may be contacted by EC or Trustees for historical information or guidance.
7. Add: Timeline for various important HCC activities shall be as follows, unless stated otherwise:
 1. Notification of Election of the Executive Committee and Board of Trustees: latest by October 15.
 2. Election Date: Latest by November 15
 3. Last date for the withdrawal of nominations: one week before the election day
 4. Submittal of monthly bank statements by Treasurers to CPA: by 7th of every month
 5. Submittal of Income & Expense Statements of EC and Trustee accounts by the Bookkeeper: Latest by 15th of the first month of every quarter.

6. Submittal of audited Certified HCC Annual Asset Statement (Balance Sheet) and Annual Consolidated Income & Expense Statements by CPA: Latest by January 31.
7. Submittal of the Audit Report by the Audit Committee to a joint meeting of EC and Trustees: Latest by March 15
8. Appointment of HCC Audit Committee: Latest by January 15.
9. General Body Meeting: Before April 30.

The following Attachments are added:

1. Job description of Shri Permanand Mauni
2. Job description of Shri Durga Dutt Kandpal
3. Job description of Shri Rameshbhai Purohit
4. General Donations
5. HCC Rental Charges - June 2019
6. HCC Event Sponsorship -June 2019
7. Sponsorship for Temple Offerings -June 2019
8. HCC Expense and Income Groups
9. HCC Volunteers

These Amendments to the HCC Constitution and bylaws supersede all amendments to the Constitution and bylaws issued in past.