

Request for Special Meeting to Appeal Termination of Membership

UNDER ARTICLE VII of the Bylaws that Govern the Grady County Rural Water District #3 (formerly known as the Bradley Water Company, Inc.), Titled **Meetings of Members, Section 2: Special Meetings** of the members may be called at any time by the action of the Board of Directors, and such meetings must be called whenever a petition requesting such meeting is signed by at least ten percent of the members and presented to the Secretary-Treasurer or to the Board of Directors. The purpose of every special meeting shall be stated in the notice thereof, and no business shall be transacted thereat except such as is specified in the notice.

Section 3: Notice of the meetings of members of the Corporation will be given by a notice mailed to each member of record, directed to the address shown upon the books of the Corporation, at least ten days prior to the meeting. Such notice shall state the nature, time, place and purpose of the meeting, but no failure or irregularity of notice of any annual meeting, regularly held, shall affect any proceedings taken thereat.

Article V: Membership Section 2: states "In case a member ceases to be eligible to hold membership as provided in Section 1, or willfully fails to comply with these Bylaws or the rules and regulations or other requirements, or willfully obstructs the purposes and proper activities of the Corporation, the Corporation through the Board of Directors may elect to terminate the membership certificate. **Any member whose membership is so terminated** for cause other than that 'of ceasing to be eligible' **may appeal the action of the Board of Directors to a vote of the members at the next regular meeting of members or special meeting called for such purpose.**"

The purpose of this special meeting is to discuss and vote to reverse the termination of _____ membership on the following grounds:

____ The Member is in the Aged, Blind, and Disabled category and is therefore protected by the Americans with Disabilities Act and the Anti-Discrimination Act.

____ The Member relies on assistive technology and/or a medical apparatus.

____ The Member requires medical assistance or living assistance from a home health care professional.

____ The Member receives Federal, and/or State assistance in the form of SSI, SSDI, VA, Medicare, Medicaid, LIHEAP or WLIHEAP.

____ The Member reserves the right to have a lawyer or advocate present at the meeting.

The proposed date of the Special Meeting is the _____ day of _____, 20____.

NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES

28 CFR 35, Subpart B, Section 35.130 (a): “No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.”

28 CFR 35, Subpart B, Section 35.130 (b)(7): “A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.”

28 CFR 35, Subpart B, Section 35.134(a): “No private or public entity shall discriminate against any individual because that individual has opposed any act or practice made unlawful by this part, or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the Act or this part.”

28 CFR 35, Subpart B, Section 35.134 (b): “No private or public entity shall coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of any right granted or protected by the Act or this part.”

28 CFR 35, Subpart B, Subpart E 35.160(a): “A public entity shall take steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.”

28 CFR 35, Section 35.104: “*Public entity* means (1) Any State or local government; (2) Any department, agency, **special purpose district**, or other instrumentality of a State or States or local government.”

28 CFR 35, Section 35.104: “*Qualified individual with a disability* means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.”

28 CFR 35, Section 35.108 (a): “*Definition of ‘disability’* is (i) A physical or mental impairment that substantially limits one or more of the major life activities of such individual; (ii) A record of such an impairment; or (iii) Being regarded as having such an impairment.”

28 CFR 35, Section 35.108 (b)(1): “*Physical or mental impairment* means (i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss

affecting one or more body systems, such as: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, urinary, immune, circulatory, hemic, lymphatic, skin and endocrine, or (ii) Any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability.

28 CFR 35, Section 35.108 (b)(2): “*Physical or mental impairment* includes, but is not limited to, contagious and non-contagious diseases and conditions such as the following: orthopedic, visual, speech, hearing, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability, emotional illness, dyslexia and other specific learning disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism, Human Immunodeficiency Virus infection (HIV/AIDS), tuberculosis, drug addiction and alcoholism.

28 CFR 35, Section 35.108 (c)(1): “*Major life activities* include, but are not limited to: (i) Caring for oneself, toileting, bathing, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, interacting with others, driving and working.

(ii) The operation of a major bodily function, such as the functions of the immune system, special sense organs and skin, normal cell growth, digestive, urinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive systems. The operation of a major bodily function includes the operation of an individual organ within a body system.

28 CFR 35, Section 35.105 Self-Evaluation: (a) “A public entity shall, within one year of the effective date (1991) of this part, evaluate its current services, policies, and practices, and the effects thereof, that do not or may not meet the requirements of this part and, to the extent modification of any such services, policies, and practices is required, the public entity shall proceed to make the necessary modifications.” The RWD is 33 years behind the law. They are not in compliance with the ADA.

28 CFR 35 Amendment 89 FR 31320: “establishes specific requirements, including the adoption of specific technical standards, for making accessible the services, programs, and activities offered by State and local government entities to the public through the web and mobile applications.” Effective June 24, 2024 (Public entities and special districts with a population less than 50,000 shall begin complying with this rule April 26, 2027.) The RWD has three years to offer an online payment option for disabled and/or homebound members.

**SIGNATURES OF THE MEMBERS OF
GRADY COUNTY RURAL WATER DISTRICT #3
OF BRADLEY, OKLAHOMA**

(Name, Address and Account Number should match your water bill)

	NAME	RESIDENTIAL ADDRESS	METER NO
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

State of Oklahoma,
County of _____

I, _____, being first duly sworn, say: That I am at least eighteen (18) years old and that all signatures on the signature sheet were signed in my presence; I believe that each has stated his or her name, residential address and meter number associated with his or her membership certificate, and that each signer is a member in good standing of the Grady County Rural Water District 3.

Signature of Affiant

Residential Address

Meter #

Subscribed and sworn to before me on this _____ day of _____, 20____.

Notary Public

Signature list must be printed and signed by hand. Submit petition and signature list to the Board of Directors during a regular meeting or mail to:

Attn: Secretary
Grady County RWD3
PO Box 87
Bradley, OK 73011

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OF BRADLEY, OKLAHOMA**

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	NAME	RESIDENTIAL ADDRESS	METER NO
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			

State of Oklahoma,
County of _____

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	NAME	RESIDENTIAL ADDRESS	METER NO
31			
32			
33			
34			
35			
36			
37			
38			
39			
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41			
42			
43			
44			
45			

State of Oklahoma,
County of _____

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	NAME	RESIDENTIAL ADDRESS	METER NO
46			
47			
48			
49			
50			
51			
52			
53			
54			
55			
56			
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58			
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60			

State of Oklahoma,
County of _____

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	NAME	RESIDENTIAL ADDRESS	METER NO
61			
62			
63			
64			
65			
66			
67			
68			
69			
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71			
72			
73			
74			
75			

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County of _____

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	NAME	RESIDENTIAL ADDRESS	METER NO
76			
77			
78			
79			
80			
81			
82			
83			
84			
85			
86			
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88			
89			
90			

State of Oklahoma,
County of _____

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	NAME	RESIDENTIAL ADDRESS	METER NO
91			
92			
93			
94			
95			
96			
97			
98			
99			
100			
101			
102			
103			
104			
105			

State of Oklahoma,
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