

Grady County RWD 3
Special Meeting and Election
April 18, 2025 at 7:00PM
Bradley Community Building
322 McKee in Bradley, OK

Agenda

1. Call the Meeting to Order
2. Roll Call
3. Read the Petition for Removal of Directors James Mainka and Cheryl Newton
4. Vote to remove Directors
5. Election of new Directors
6. Sign Board Member Pledges
7. Member Comments

Anyone having an item of business to present to the Grady County RWD 3 Board of Directors is requested to sign in prior to the meeting and will be required to limit their presentation to three (3) minutes. Additionally, if more than one individual would like to speak on the same topic, the Board may request that a spokesperson be chosen to speak on behalf of the group. To ensure compliance with the Open Meeting Act, no action will be taken on information received from Member Comments by the Board.

8. Adjourn

Signed and authorized this 7th day of April, 2025.


Secretary

JILL LOCKE COUNTY CLERK
GRADY COUNTY OKLAHOMA
BY 

25-114
ORIGINAL FILED
AT 10:41 O'CLOCK A.M.
JILL LOCKE, COUNTY CLERK

APR - 7 2025

Posted by  Date 4-7-25
at the Community Building, Post Office and bradley-ok.us/water.html

Time 4 P.M.

**Request for Special Meeting to Address Concerns
Before the Annual Meeting for 2026**

UNDER ARTICLE VII of the Bylaws that Govern the Grady County Rural 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.

Article VIII Directors and Officers, Section 7: states "Officers and Directors may be removed from office in the following manner: **Any member, officer, or director may present charges against a director or officers by filing them in writing with the secretary of the Corporation. If presented by a member, the charges must be accompanied by a petition signed by ten percent of the members of the Corporation. Such removal shall be voted on at the next regular or special meeting of the members and shall be effective if approved by a majority vote of the members.** The Director or Officer against whom such charges have been presented shall be informed, in writing, of such charges five days prior to the meeting, and shall have the opportunity at such meeting to be heard in person or by counsel and to present witnesses; and the person or persons presenting such charges against him shall have the same opportunity. If the removal of a director is approved, such action shall also vacate any other office held by the removed director in the Corporation. **A vacancy on the Board thus created shall immediately be filled by a vote of the majority of the members present and voting at such meeting.**

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.

The purpose of this special meeting is to address the following concerns:

We demand the immediate removal of James Mainka from the Board of Directors for the following crimes and offenses under Oklahoma law:

- James wrote checks to himself on February 14 for \$77.01, March 10 for \$41.00 and on March 18, 2025 for \$1,600 without Board approval in violation of 21 OS §§ 341, 1451 and 82 O.S. § 1324.18.

JILL LOCKE, COUNTY CLERK
GRADY COUNTY, OKLAHOMA
BY *[Signature]*

APR - 7 2025

25-113
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GRADY COUNTY, OKLAHOMA
BY *[Signature]*

- James spent money at Walmart without Board approval and did not submit receipts or a purchase order in violation of 21 OS §§ 341, 1451 (A)(1)(4) and 75 O.S. 85 et. seq.
- James wrote a check to WSS Equipment Rental, a business owned by his sister's boyfriend for a track hoe rental without Board approval in violation of 82 O.S. 1281.
- James is using the District's lawyer to advise and represent him in a private matter against the Secretary in violation of 21 OS §§ 341 and 1451 (A)(1)(4), and 82 O.S. 1281.
- James has not submitted travel logs for the RWD truck.
- Unlawful termination of Operators with no prior disciplinary action or paperwork. James paid employees a final paycheck without Board approval.
- James hired or appointed his wife Vicky to be the bookkeeper and his son Edwin to be the meter reader. Edwin is not on the District's insurance.
- There were no meter readings on some of the bills sent on April 01. There have been overcharges and late fees on bills during the last two billing cycles for February and March. Members have a right to sue under 82 O.S. § 1273.
- James entered into contracts with Gizmo storage and AT&T without Board approval in violation of 82 O.S. § 1324.18. James will not submit the AT&T contract.
- James violated the Governmental Entity Resolution that requires two signatures on checks.
- James has posted two illegal meeting agendas and changed the date on one agenda after he posted it in violation of 25 O.S. 311(3)(8).
- James and Cheryl are always together in violation of 25 O.S. 304(2).
- James refused to accept certified mail from the Secretary containing 26 record requests in violation of 51 O.S. § 24A.17.
- James refused to give the Secretary a copy of his meeting minutes after the illegal special meeting on April 01 in violation of 25 O.S. § 312A, 51 O.S. § 24A.17 and the District's bylaws.

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GRADY COUNTY, OKLAHOMA
BY *[Signature]*

- Any action taken in willful violation of the Open Meeting Act shall be invalid according to 25 O.S. § 313.
- James has obtained new memberships, terminated memberships and removed water meters without submitting work orders in violation of 82 O.S. § 1324.18.
- James refused service for a medical emergency without Board approval in violation of 82 O.S. § 1324.18 and the Americans with Disabilities Act.
- James wrote a refund check to a member without Board approval in violation of 82 O.S. § 1324.18.
- James has refused to present bills, receipts, purchase orders and work orders to the Board of Directors during regular meetings.
- During the Special Meeting on January 29, bills and purchase receipts were not reviewed or accepted.
- During the regular meeting on February 10, bills and purchase receipts were not reviewed or accepted. James disrupted the Board's ability to conduct business in concert with Nataline Harrington.
- James did not attend the regular meeting on March 10. Therefore, business could not be conducted because he has the bills.
- James held an illegal meeting on April 01.
- Meeting minutes have not been approved since the special meeting on February 10.
- James has blocked the Secretary's phone number and refuses to accept certified mail from the Secretary, refusing to receive and/or approve meeting agendas and minutes from the Secretary.
- No business has been conducted since the election on January 21.
- James and Vicky have refused to answer calls from members about their water service or bills.

We demand the immediate removal of Cheryl Newton for Accessory to Embezzlement, Violating the Open Meeting Act and Breach of Fiduciary Duty.

- Cheryl stated during the illegal special meeting on April 01 that she told James he deserved to be paid for being the Operator, thereby giving James permission to write himself a paycheck.
- Cheryl ignores text messages and phone calls from the Secretary, refusing to receive and/or approve meeting agendas and minutes from the Secretary.
- Cheryl did not attend the regular meeting on March 10. Therefore, the Board did not have a quorum.

• James and Cheryl are always together in violation of 25 O.S. 304(2). We the Members of the District, allege that James Mainka and Cheryl Newton are guilty of Public Corruption, Breach of Fiduciary Duty, Abuse of Power and Unprofessionalism.

We need your signature to achieve the 10% of members required to call this special meeting so we may be informed prior to our Annual Meeting on January 20, 2026.

The proposed date and time of the Special Meeting is Monday, April 18, 2025 at 7pm.

Signed and Notarized Petition submitted to the Secretary of the Board on April 04, 2025.


Secretary

JILL LOCKE, COUNTY CLERK
GRADY COUNTY, OKLAHOMA
BY 

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25-113



A PROCLAMATION SETTING FORTH THE REMOVAL OF
DIRECTORS OF THE BOARD OF THE GRADY COUNTY RURAL
WATER DISTRICT 3

Voting will be held on April 18, 2025 at 7:30 pm for two Directors of the Grady County Rural Water District 3.

ARTICLE VIII

Directors and Officers

Section 7. Officers and directors may be removed from office in the following manner: Any member, officer, or director may present charges against a director or officers by filing them in writing with the secretary of the Corporation. If presented by a member, the charges must be accompanied by a petition signed by ten percent of the members of the Corporation. Such removal shall be voted on at the next regular or special meeting of the members and shall be effective if approved by a majority vote of the members. The director or officer against whom such charges have been presented shall be informed, in writing, of such charges five days prior to the meeting, and shall have the opportunity at such meeting to be heard in person or by counsel and to present witnesses; and the person or persons presenting such charges against him shall have the same opportunity. If the removal of a director is approved, such action shall also vacate any other office held by the removed director in the Corporation. **A vacancy on the Board thus created shall immediately be filled by a vote of the majority of the members present and voting at such meeting.** A vacancy in any office thus created shall be filled by the directors from among their number so constituted after the vacancy in the Board has been filled.

WHEREAS, a Petition to call for a Special Meeting of the Board of Directors of Grady County RWD 3 has been accepted by the Secretary of the Board and filed with the County Clerk to remove *for cause* by a vote of the majority of the members present as such meeting, Directors James Mainka and Cheryl Newton.

Anyone eligible to vote shall receive a ballot immediately before voting commences.

Eligible voters must have their water bill paid in full on the day of the election no later than 6 pm.

Each participating member shall be entitled to a single vote, regardless of the number of benefit units to which the member has subscribed (82 O.S. § 1324.16(A)(3)).

The Mayor or the Town Clerk may vote as a representative of the Town Board of Trustees who is a participating corporate member (82 O.S. § 1324.12).

Approved this 7th day of April, 2025


Secretary

President (Removed by Petition)

Posted at the Post Office and the Community Building on April 14, 2025 at 9:45PM by Vera Baker



A PROCLAMATION SETTING FORTH THE 2025 EMERGENCY ELECTION FOR THE
OFFICES OF DIRECTORS OF THE BOARD OF THE GRADY COUNTY RURAL
WATER DISTRICT 3

Election will be held on April 18, 2025 at 8 pm for two Directors of the Grady County Rural Water District 3.

Each Director serves three years in staggered terms, but the successor elections were confused for the original election that occurred in 1968.

ARTICLE VIII

Directors and Officers

Section 1. The Board of Directors of this Corporation shall consist of three members, all of whom shall be members of the Corporation. The Directors named in the Articles of Incorporation shall serve as the Board of Directors until the first meeting of the members at which time their successors will be elected. Within 180 days from the date of incorporation, the initial Board of Directors will call a special meeting of the members, in accordance with Article VII hereof, to review the bylaws and elect a permanent Board of Directors. One director shall be elected for a term of one year, 1 director for a term of two years, and 1 director for a term of three years. At each annual meeting thereafter the members shall elect **for a term of three years** the number of directors whose terms have expired.

One Director will serve until the Regular Election on January 20, 2026 when this Director will be re-elected or a new Director will be elected for a term of three years.

The other Director will serve until the Regular Election on January 19, 2027 when this Director will be re-elected or a new Director will be elected for a term of three years.

The remaining Director position will be re-elected or a new Director will be elected on January 18, 2028 for a term of three years.

Qualified Electors of the District shall be nominated from the floor immediately preceding the election.

Anyone eligible to vote shall receive a ballot immediately before voting commences.

Eligible voters must have their water bill paid in full on the day of the election no later than 6 pm.

Each participating member shall be entitled to a single vote, regardless of the number of benefit units to which the member has subscribed (82 O.S. § 1324.16(A)(3)).

The Mayor or the Town Clerk may vote as a representative of the Town Board of Trustees who is a participating corporate member (82 O.S. § 1324.12).

Approved this 7th day of April, 2025


Secretary

President (Removed by Petition)

Posted at the Post Office and the Community Building on April 14, 2025 at 9:45PM by Vera Baker



REMOVAL RESULTS

GRADY COUNTY RWD 3

☐ ANNUAL OR ☒ SPECIAL MEETING

Meeting Place Bradley Community Building

322 McKee, Bradley, OK 73011

18th day of April, 20 25

We, the undersigned, do hereby certify that the removal results are as follows:

Director 1: James Mainka

Votes tallied: 4 YES 1 NO

Director 2: Cheryl Newton

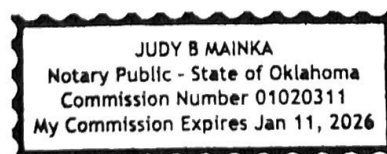
Votes tallied: 5 YES 0 NO

[Signature]
Secretary

Secretary's Designee

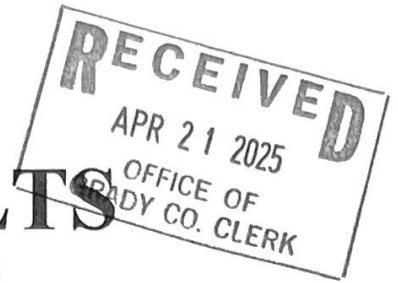
Subscribed and sworn before me this 18th day of April 2025,
20 .

Judy B Mainka
Notary Public



ELECTION RESULTS

GRADY COUNTY RWD 3



☐ ANNUAL OR ☒ SPECIAL MEETING

Meeting Place Bradley Community Building
322 McKee, Bradley, OK 73011

18th day of April, 20 25

We, the undersigned, do hereby certify that the election results are as follows:

Director 1: Debbie Selzer-Owen Votes tallied: 5 6

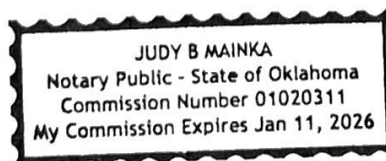
Director 2: Cody Beverly Votes tallied: 5 7

[Signature]
Secretary

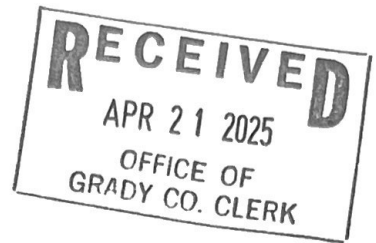
Secretary's Designee

Subscribed and sworn before me this 18th day of April 2025,
20 .

Judy B Mainka
Notary Public



BOARD MEMBER PLEDGE



I, Debbie Owen, duly elected to serve as a board member of the Grady County Rural Water District No. 3, on April 18, 2025 hereby pledge to attend a minimum of six (6) hours of approved workshop training within twelve (12) months following election to said board for the purpose of receiving instruction in the areas of district financing, law, and the ethics and duties and responsibilities of district board members pursuant to Title 82 of the Oklahoma Statutes Section 1324.16. I also agree to continue any education by attending a minimum of six (6) hours approved workshop training every three years thereafter, as long as I serve on this board.

Signed this 18 day of April

Board Member Signature Debbie Owen

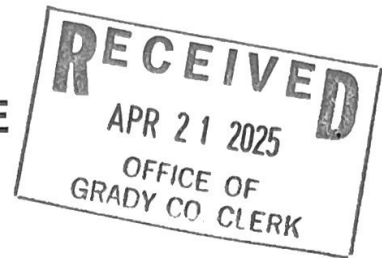
Witness by Notary Public:

Judy B Mainka

JUDY B MAINKA
Notary Public - State of Oklahoma
Commission Number 01020311
My Commission Expires Jan 11, 2026



BOARD MEMBER PLEDGE



I, Cody D. Bevan, duly elected to serve as a board member of the Grady County Rural Water District No. 3, on April 18, 2025 hereby pledge to attend a minimum of six (6) hours of approved workshop training within twelve (12) months following election to said board for the purpose of receiving instruction in the areas of district financing, law, and the ethics and duties and responsibilities of district board members pursuant to Title 82 of the Oklahoma Statutes Section 1324.16. I also agree to continue any education by attending a minimum of six (6) hours approved workshop training every three years thereafter, as long as I serve on this board.

Signed this _____ day of Apr 18

Board Member Signature Cody D. Bevan

Witness by Notary Public: Judy B Mainka

