

ADA TRANSITION PLAN

WARREN COUNTY, INDIANA

BARCE & REDLIN, P.C.
ATTORNEYS AT LAW

ADA TRANSITION PLAN

FOR WARREN COUNTY, INDIANA

INTRODUCTION

This plan is a living document that shall be updated and modified to reflect current ADA compliance efforts for Warren County. Warren County is governed by the following parties who all endorse the policies outlined in the plan:

Warren County Commissioners: President Clay Andrews
Adam Hanthorne
D Craig Geenwood

ADA Coordinator: Jill Wilson

OVERVIEW & MISSION

The Americans with Disabilities Act of 1990 (ADA) is a law enacted by the U.S. Congress in 1990. It was signed into law on July 26, 1990 by President George H.W. Bush, and later amended with changes effective January 1, 2009. As written and implemented, the ADA provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunication. The ADA is companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. In order to be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA, however, does not specifically name all of the impairments that are covered. The ADA is divided into five sections covering the following topics:

- Title I: Employment
- Title II: Public Services (and Transportation)
- Title III: Public Accommodations (and Commercial Facilities)
- Title IV: Telecommunications

- Title V: Miscellaneous Provisions

Title II of the ADA requires that services, programs, and activities be accessible to individuals with disabilities. Warren County, Indiana recognizes its legal obligation to comply with Title II of the ADA and hereby establishes a transition plan to ensure compliance of this federal law, rules, and regulation. Therefore, Warren County will attempt to identify barriers, a means to address complaints of discrimination, encourage public input to assess, address, and meet access needs, and establish a periodic review of the plan to monitor progress and compliance. The purpose of the plan is that the residents of Warren County are provided full access to County programs, services, and activities in a safe and timely manner. The County elected officials and staff believe the ability to accommodate disabled persons is essential to the quality of life in Warren County and effective governance.

NON-DISCRIMINATION NOTICE

The ADA notice is attached in Appendix A as part of this Plan. It will be posted at the County Court House, on the County website, and published in a local newspaper on an annual basis.

DESIGNATION OF ADA COORDINATOR

Effective communication is essential to address all the complaints or concerns of all individuals. In order to keep the lines of communication open, and thereby ensure effective communication between all parties, the County has designated Brian Jordan as the ADA coordinator. The ADA coordinator shall coordinate the County's efforts to comply with and carry out its responsibilities under Title II of the ADA, including any investigation of any complaint communicated to the ADA Coordinator. Such complaints may take the form of alleging noncompliance with ADA mandates or alleging any actions that would be prohibited under the ADA. The County shall make available to all interested individuals the names, office address, and telephone number of the employee so designated and has adopted procedures for the prompt and equitable resolution of complaints. Every complaint must be directed in writing to the County Auditor.

ADA COORDINATOR CONTACT INFORMATION

**Jill Wilson ADA Coordinator 125 N.
Monroe St., Suite 7 Williamsport,
IN 47993
hr@warrencounty.in.gov**

GRIEVANCE PROCEDURE

The Grievance Procedure, attached as Appendix B and made a part of this Plan, is intended to adhere to the standards outlined in the ADA. The procedure must be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the services, activities, programs, or benefits provided by the County. The complaint should be in writing and contain information about the alleged discrimination: such as name, address, phone number of complainant and location, date and description of the problem. The Grievance Form, attached in Appendix B and made a part of this Plan, must be used to lodge a complaint and will be made accessible to those seeking to lodge a complaint.

DESIGN STANDARDS FOR ACCESSIBILITY

The standards listed below are intended to apply to all construction undertaken within the County. The Indiana Department of Transportation design guidelines and standards drawings will serve as the primary standards and guidelines for this plan with regard to streets and sidewalks. The U.S. Department of Justice guidelines and standards drawings will serve as the primary standards and guidelines for this Plan with regard to buildings and other public places owned by the County. Other standards, if necessary, will be applied at the discretion of the ADA Coordinator.

Sidewalks & Curb Ramps: Sidewalks and curb ramps constructed as part of a planned development, replaced by or for the County, or replaced by or for a property owner shall be constructed in accordance with the PROWAG (Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right of Way) regulations and standards as well as the Indiana Department of Transportation design standards and specifications. Current links are provided below:

PROWAG: <https://www.access-board.gov/attachments/article/743/nprm.pdf>

INDOT: <https://www.in.gov/dot/contracts/standards/drawings/sep12/e/sep600.htm>

Buildings & Public Facilities: Access to public facilities will be evaluated and documented. ADA accessible interiors of these facilities shall meet with compliance standards listed in the Americans with Disabilities Act Accessibility Guidelines (ADAAG). Any further improvements, developments, or alterations shall be required to meet ADAAG standards as outlined in the link below:

ADAAG: <http://www.access-board.gov/adaag/html/adaag.htm>

PUBLIC INVOLVEMENT OPPORTUNITIES

The general public is encouraged to participate in identifying needs or barriers to accessibility. This may be done by contacting the ADA Coordinator.

The Transition Plan shall be available in the County Courthouse for viewing. Anyone that would like to comment on the Transition Plan can submit their comments in these offices or can contact the ADA Coordinator.

Every two (2) years, the County will include ADA as an official agenda item for a county meeting, to ensure the public and officials may be updated and learn more about the progress at making our community easier to access.

INVENTORY AND ASSESSMENT PROCEDURES

Public Buildings: The County is in the process of upgrading buildings and facilities. A brief field survey was conducted for public buildings.

PUBLIC BUILDING	NEEDED REPAIR

FUNDING AND SCHEDULING

The County intends to implement this Transition Plan effective the date of this document. Not only does the County commit to following the guidelines set forth in this Transition Plan but it also commits to actively revising and amending this document as new information is discovered.

Warren County will use the following sources to repair, modify, or reconstruct sidewalks and ramps to meet current ADA standards. The County intends to spend up to \$ _____ annually of local funds to repair from the _____ funds. Grant funding as available will also be used to address ADA upgrades.

REVIEW AND EVALUATION

Every two years the Warren County Commissioners and ADA Coordinator will review the County's efforts put forth to comply with the ADA and implementation of the Transition Plan. At this time, the County will continue to address buildings that are non-compliant and make needed upgrades as funding is available.

2019
RESOLUTION NO. 11-18 A

**A RESOLUTION ADOPTING THE WARREN COUNTY TITLE VI PLAN AND
NON-DISCRIMINATION AGREEMENT FOR WARREN COUNTY**

WHEREAS, Warren County receives Federal funds for many uses and projects;

WHEREAS, the receipt of such funds requires compliance with Federal laws and policies;

WHEREAS, it is the wish of the U.S. Department of Transportation that Municipal entities such as Warren County formally enact and adopt policies and procedures demonstrating compliance with the Title VI of the Civil Rights Act of 1964;

WHEREAS, Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance (23 CFR 200.9 Title 49 CFR 21);


WHEREAS, Warren County, in recognition of Presidential Executive Order 13672 (4-8-15) recognizes the term "sex" to include "sexual orientation and gender identity" as well as the biological state of being male or female;

WHEREAS, Warren County, by its Board of Commissioners wishes to formally adopt and implement the following attached policy and procedure for the benefit of all Warren County Citizens including members of the LGBT population of this County; and

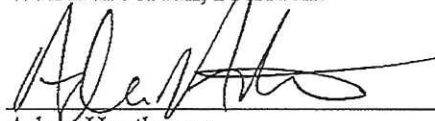
NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Warren County that the following Implementation Plan, attached as "WARREN COUNTY TITLE VI IMPLEMENTATION PLAN" become a written policy of Warren County and be available to the public upon passage.

RESOLVED this 18th day of November, 2019.


BOARD OF COMMISSIONERS OF
WARREN COUNTY



W. Brian Jordan, President




Adam Hanthorne



Clay Andrews

ATTEST:



Robin Weston-Hubner

Warren County Auditor