

WELLS COUNTY

ADA

Transition Plan

June 30th 2016

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Statement/Mission

In 1990, the Federal Government enacted the Americans with Disabilities Act ("ADA"). Wells 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 regulations. Therefore Wells County will identify barriers that exist and state how and when the barriers are to be removed by providing a means to address complaints of discrimination, by encouraging public input to assess, address and meet access needs, and by establishing periodic reviews of the plan to monitor progress and compliance. The purpose of the Plan is to ensure that the citizens of Wells County are provided full access to the Wells County programs, services and activities in a timely manner. The Wells County elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, the quality of life Wells County residents seek to enjoy and to effective governance. Title II of the ADA requires that each of the Wells County services, programs and activities, when viewed in their entirety, be readily accessible and usable by individuals with disabilities.

Non-Discrimination Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), Wells County will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Wells County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: Wells County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Wells County programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Wells County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services and activities. For example, individuals with service animals are welcome in Wells County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Wells County, should contact the ADA Coordinator (**at 260-824-6430 or ADA@wellscounty.org**) as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require Wells County to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of Wells County is not accessible to persons with disabilities should be directed to **the ADA Coordinator (at 260-824-6430 or ADA@wellscounty.org)**.

Wells County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Designation of an ADA Coordinator

Pursuant to Resolution 2012-4 adopted on the 3rd day of December 2012, by the County Commissioners the position of ADA Coordinator for Wells County was created. The following individual was appointed to serve in such capacity:

Nate Rumschlag, PE
County Highway Engineer
1600 W. Washington St.
Bluffton, IN 46714
260-824-6430
ADA@wellscounty.org

The County Highway Engineer will hold this position concurrently with their position for the county and is responsible for overseeing compliance with the ADA transition plan and reporting to the County Commissioners. The ADA Coordinator shall document grievances, audits, public complaints, department head comments, transition plan updates or revisions and provide County Commissioners with status updates of any work performed in accordance with this plan. ADA Coordinator shall outline future projects during the year end transition plan review and evaluation. All potential projects are subject to approval and financing by the Commissioners and County Council.

**Wells County, Indiana
Grievance Procedure under
The Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Wells County. The Wells County Personnel Policy governs employment-related complaints of disability discrimination.

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. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 45 calendar days after the alleged violation to:

**Nate Rumschlag, PE
County Highway Engineer
1600 W. Washington St.
Bluffton, IN 46714
260-824-6430
ADA@wellscounty.org**

Within 30 calendar days after receipt of the complaint, the ADA Coordinator or their designee will meet with the complainant, at the Wells County Annex Commissioner Room, 223 W. Washington St., Room 211, Bluffton, IN 46714, or a location mutually agreed upon to discuss the complaint and the possible resolutions. Within 30 calendar days of the meeting The ADA Coordinator or their designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Wells County and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or their designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 30 calendar days after receipt of the response to the County Commissioners or designee.

Within 30 calendar days after receipt of the appeal, the County Commissioners or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 30 calendar days after the meeting, the County Commissioners or designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received the ADA Coordinator or their designee, appeals to the County Commissioners or designee, and responses from these two offices will be retained by Wells County for at least three years.

Appendix A contains the Grievance Form

Design Standards

Sidewalks: Sidewalk and ramps constructed as part of planned development, replaced by or for Wells County, replaced by or for a property owner through a Wells County match funding program shall be constructed in accordance with the PROWAG (Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way) regulations and standards.

Buildings: Any Wells County owned buildings that are constructed, remodeled or updated shall be constructed in accordance with the most

current ADAAG (Accessibility Guidelines for Buildings and Facilities) regulations and standards.

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 and/or submittal of a completed grievance form as outlined in this plan.

The Wells County Transition Plan has been posted on the Wells County website and is available from the home screen or other locations within the website. It will also be available in the Wells County Auditor's office, Area Plan Commission office for viewing. A copy of the Transition Plan may also be available at other Wells County offices to be determined.

Inventory

Sidewalks: In an effort to remove barriers to streets and sidewalks, the Wells County has inventoried all curbs and sidewalks within the Wells County's jurisdiction. The inventory procedure is intended to identify a comprehensive list or inventory of all curbs and sidewalks in the Wells County jurisdiction that are not ADA compliant. This is composed of an effort to both fully inventory the infrastructure that is present and then to identify those items in the system which are not compliant with ADA requirements.

Wells County has developed its inventory of the existing system in five steps:

Step 1: Aerial Maps

Aerial maps of Wells County were used to map the locations on the system that include sidewalks and/or curbs. In addition, Wells County staff assisted in this process to assure sidewalks and curbs were not missed.

Step 2: Field Evaluation and Inventory

Once the system of sidewalks and curbs had been mapped, a field investigation of each was completed to measure and/or evaluate the following characteristics of each segment of sidewalk and curb.

The following attributes were to be collected for sidewalks and ramps.

- Measured width
- Cross slope observation (2% maximum)
- Heaving
- Continuity
- Joint condition
- Ramp width
- Ramp slope
- Ramp turning space
- Ramp clear space
- Detectable warnings

The above items were considered and a summary “Condition Rating” was given as follows:

- A – ADA Compliant, no concerns (green)
- B – Minor problem noted, but no immediate needs (orange)
- C – One major problem or multiple minor problems, needs some attention (yellow)
- D – Multiple major problems, possibly impassible for wheelchairs (pink)
- F – Broken, impassable by wheelchairs, difficult for pedestrians (red)

Examples of sidewalk and ramp ratings are provided on the following pages.

Currently there are 46 ramps in Wells County. The number of non-compliant ramps is 46. Of the 46 non-compliant ramps, 10 are rated a B, 3 are rated a C, 1 is rated a D, and 32 are rated a F.

Currently there are 46 sidewalks in Wells County. The number of non-compliant sidewalks is 44. Of the 44 non-compliant sidewalks, 6 are rated a B, 5 are rated a C, 3 are rated a D, and 30 are rated a F.

Step 3: Preparation of a Map of Compliant and Non-Compliant features

A map has been produced that identifies all the sidewalks and ramps and their rating. The map can sort by sidewalks or ramps.

Appendix B contains the inventory maps with the condition rating for all sidewalks and curbs.

Step 4: Request for Review and Public Input

As part of the Transition Planning process, the maps prepared in Step 3 will be made available for comment. The maps were posted on the Wells County website and on display at the Wells County Auditor's Office. The comment period was from December 21, 2012 to January 18, 2013.

Step 5: Update of the Inventory

After receiving input from the public review and staff the inventory will be updated on a minimum 5 year basis, and as frequently as annually depending upon the input received. This will provide a comprehensive list of the needs that exist in the system.

Assessment Procedures

The assessment procedure is intended to establish the relative importance or priority of the various obstacles that are identified in the Inventory Phase.

This procedure will use four different evaluation factors. Each factor will have a score, with higher values indicating greater importance. Scores are then to be totaled to assist in the identification of which facilities are highest in priority.

Condition of Sidewalk or Ramp

- 1 point = Rating of B
- 2 points = Rating of C
- 3 points = Rating of D or F

Vicinity of Pedestrian Destinations

Pedestrian Destination includes commercial businesses, schools, parks, government buildings/offices, libraries, churches

- 0 point = nothing nearby
- 1 point = within 1 block of pedestrian destination
- 2 points = with 1 block of multiple pedestrian destination
- 3 points = adjacent to a park, school, government building or library

Public Interest

- 0 point = no comments
- 1 point = multiple public comments received
- 2 points = subject of a formal ADA grievance filing

Local Priority

This is intended to be a local decision-makers tool to provide emphasis to a specific need based on a special concern, especially one of public safety, anticipated heavy pedestrian traffic, or special site condition.

- 0 point = no special concerns noted at or near location
- 1 point = some special concern exists at or near location
- 2 points = special local emphasis exists at or near location

By totaling these factors, the highest score achievable would be 10, with the lowest being at least a 1. Each obstacle identified in the Inventory phase will be evaluated under this procedure. A total score for each need can thus be provided, with higher scores revealing higher priority repairs and improvements.

Appendix C contains the assessment of the evaluation of the sidewalks and ramps.

Inventory

Buildings: Wells County owns a limited number of properties. These facilities are as follows:

- 1) **Wells County Courthouse**, 102 West Market Street, Bluffton, Indiana 46714
- 2) **Wells County Annex**, 223 West Washington Street, Bluffton, Indiana 46714
- 3) **Wells County Jail**, 1615 Western Avenue, Bluffton, Indiana 46714
- 4) **Wells County Highway Department**, 1600 West Washington Street, Bluffton, Indiana 46714

A self-evaluation/assessment of each of the Wells County's physical facilities has been conducted. The current ADAAG and PROWAG standards have been used to evaluate and collect the data on the buildings.

| *Appendix D* contains the evaluation of the buildings.

Funding & Scheduling

Wells County will use funding from the Highway Department to repair, modify or reconstruct sidewalk and ramps. Wells County intends to spend \$10,000 annually to repair, modify or reconstruct sidewalk and ramps to meet current ADA standards.

Review & Evaluation

In January of each year the County Commissioners will meet with the ADA Coordinator to review the Wells County efforts put forth the previous year to comply with the ADA and the implementation of the Transition Plan. At this time an update to the Transition Plan will be done. This shall include any adjustment to the number of sidewalks and ramps that are non-compliant, any changes to funding sources and changes to the schedule, if needed. The County Commissioners and ADA Coordinator shall review the prioritization of repairs, modifications or replacement of sidewalks and curbs for the upcoming year. During this meeting, the Commissioners and ADA Coordinator will determine the number of sidewalks and curbs that can be

brought into compliance with ADA standards (if different than previously stated in Transition Plan).

The review and evaluation will continue each year until all sidewalks, ramps and buildings are ADA compliant and the Transition Plan is completed.