

RESOLUTION # 2012-85-12

A RESOLUTION OF THE WABASH COUNTY COMMISSIONERS ADOPTING AN ADA  
TRANSITION PLAN AND ESTABLISHING AN ADA COORDINATOR FOR WABASH  
COUNTY, INDIANA

Wabash County, Indiana recognizes its obligation to comply with the requirements of the Americans with Disabilities Act ("ADA").

The County desires to take necessary steps in order to insure such compliance within or upon public facilities and improvements, as well as its services, programs and activities.

NOW, THEREFORE, BE IT RESOLVED:

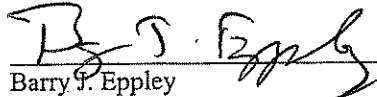
1. That the ADA Transition Plan attached hereto is adopted.
2. That the Wabash County Coordinator shall serve as the County's ADA Coordinator.
3. The ADA Coordinator is hereby directed to:
  - 3.1. Comply with the ADA Transition Plan,
  - 3.2. Review County facilities and improvements to assess compliance with the ADA,
  - 3.3. Notify the general public concerning relevant information regarding Title II of the ADA, and how it applies to the programs, services, facilities, improvements and activities of Wabash County, Indiana,
  - 3.4. Seek public input regarding the needs of citizens with disabilities, and
  - 3.5. Develop a reasonable transition plan or plans to be implemented to address issues of need or non-compliance, based upon prioritizing needs and the county's ability to finance such transition plan or plans.

Adopted this 30<sup>th</sup> day of December, 2012.

BOARD OF COMMISSIONERS OF WABASH COUNTY

  
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Brian K. Haupert, Chairman

  
\_\_\_\_\_  
Scott E. Givens

  
\_\_\_\_\_  
Barry J. Eppley

ATTEST:

  
\_\_\_\_\_  
Jane Ridgeway, Wabash County Auditor

**ADA TRANSITION PLAN**  
**WABASH COUNTY, INDIANA**  
**ADOPTED DECEMBER 3, 2012**

INTRODUCTION

Wabash County, Indiana, recognizes its legal obligation to comply with the federally enacted Americans with Disabilities Act of 1990, as amended ("ADA"), and herein establishes a transition plan to ensure compliance with Title II of this federal law to avoid discrimination against its citizens who have disabilities, by identifying barriers to access both physical and non-physical, by identifying how and when barriers are to be removed, by providing a means to address complaints of discrimination, by encouraging public input to assess, by addressing and meeting access needs, and by establishing periodic reviews of the plan to monitor progress and compliance.

COMPLAINT/GRIEVANCE PROCESS

The ADA Coordinator shall be responsible for coordinating the efforts of Wabash County, Indiana, to comply with Title II of the ADA and shall be responsible for investigating complaints that the County has violated Title II.

In the event such a complaint is lodged, the complaining party shall be obligated to give Wabash County, Indiana, written notice of the alleged discrimination by delivering such written complaint in person, or by first class U.S. mail, to the ADA Coordinator, Wabash County Courthouse, 1 W. Hill Street, Wabash, Indiana 46992.

The complaint should contain details related to the alleged discrimination, as well as the full legal name, address and telephone number of the complainant.

Any complaint should be filed as soon as possible after the incident giving rise to the complaint, but in no event later than sixty (60) calendar days after such incident.

Upon receipt of the complaint, the ADA Coordinator shall investigate the allegations contained therein, and, within fifteen (15) calendar days, meet with the complainant to discuss the complaint and possible resolution thereof. Within fifteen (15) calendar days thereafter, the ADA Coordinator shall issue his findings and recommendations to resolve the complaint in writing.

If the ADA Coordinator's findings and recommendations do not resolve the complaint to the complainant's satisfaction, the complainant may, within fifteen (15) calendar days after receipt of the ADA Coordinator's findings and recommendations, appeal to the Wabash County Commissioners, Wabash County Courthouse, 1 W. Hill Street, Room 102, Wabash, Indiana, 46992. Within fifteen (15) calendar days after receipt of the appeal, the Wabash County Commissioners, or their designee, shall meet with the complainant to discuss the complaint and possible resolution. Within fifteen (15) calendar days thereafter, the Wabash County Commissioners shall issue their findings and recommendations. All documents related to the complaint shall be retained by the Commissioners for not fewer than three (3) years after the complaint is resolved.

## DESIGN STANDARDS – BUILDINGS/SIDEWALKS

Buildings. Newly constructed County buildings or County buildings which are renovated shall meet the standards of handicap accessibility in accordance with the Indiana Building Code. This may include the use of street level entrances or graded sidewalks in lieu of steps to reach an entrance; shall require sufficiently wide doorways, hallways and bathrooms to accommodate individuals in wheelchairs; shall require automatic doors or electronic means of requesting assistance, if needed; shall require an elevator which allows the transportation of a person in a wheelchair from one floor level to another in a multi-story building; and shall require the use of tactile messages to assist those who are sight impaired. Reasonable accommodations shall also be made, as needed, to assist the hearing impaired or to assist citizens with other disabilities to ensure access to county offices and services.

Sidewalks. All sidewalk curbs shall, at street intersections, be constructed in accordance with INDOT regulations and standards to ensure color warning of an approach to a street, tactile warning of approach to a street and contouring of the curb to a flush level with the street pavement.

## PLAN TO REMOVE BARRIERS

In an effort to remove barriers to such things as buildings, offices, personnel, services, employment opportunities, housing and streets and sidewalks, the County shall rely upon the Indiana Building Code in the construction or renovation of buildings. In addition, the County encourages property owners who are not required to comply with ADA standards to voluntarily do so or make reasonable accommodations for individuals with handicaps.

The County shall make reasonable efforts to educate the public regarding rights under the ADA and shall encourage various local institutions and agencies to implement rules and regulations designed to prevent discrimination when performing services, when offering job opportunities or when offering housing.

## REVIEW AND EVALUATION

In January of each year, the Wabash County Commissioners shall meet with the ADA Coordinator to review the County's efforts to comply with the ADA and to implement the foregoing Plan. Progress shall be noted and the Plan shall be evaluated for the purpose of determining its effectiveness. Modifications to the Plan may be recommended by the Wabash County Commissioners. The Commissioners and the ADA Coordinator shall also review prioritization of repairs and modifications for the upcoming year, and shall review with the Council funding sources and availability of funding to determine the number of modification which can be brought into compliance with ADA 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, 1 W. Hill Street, Room 102, Wabash County Courthouse, Wabash, IN 46992; telephone number (260) 563-0661, extension 1290.

Notice of a need or barrier may be communicated in person or by mail. In addition, the general public is invited to attend any meeting of the Wabash County Commissioners to request a need to be addressed or to seek relief from a barrier to access. The Wabash County Commissioners are scheduled to meet each Monday at 9:00 a.m., Room 201, the Wabash County Courthouse, 1 W. Hill Street, Wabash, IN 46992.

Notice of this Plan and the Notice under The Americans with Disabilities Act created by the U.S. Department of Justice shall be published on the County's website, [www.wabashcounty.in.gov](http://www.wabashcounty.in.gov), and shall also be provided to local news media.