

Resolution 2021- 4

**Short Title: A Resolution of the Adams County Commissioners  
Which Establishes: (1) Policy regarding ADA; (2) Grievance Policy; (3) an ADA  
Coordinator for Adams County, Indiana**

**WHEREAS**, Adams County, Indiana recognizes its obligation to comply with the requirements of the Americans With Disabilities Act ("ADA"); and


**Whereas**, said 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**, that Adams County Highway Engineer, Tim Barkey, be and is hereby appointed the ADA Coordinator of Adams County, Indiana, who shall serve in such capacity at the discretion of the County Commissioners.

**BE IT FURTHER RESOLVED**, that the ADA Coordinator shall be responsible for coordinating the efforts of Adams 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 grievance is lodged, the complaining party shall be obligated to give Adams County, Indiana written notice of the alleged discrimination by delivering such written complaint in person, or by first class US mail, to the ADA coordinator in care of the Adams County Auditor at 313 West Jefferson Street, Decatur, Indiana 46733. Alternative means of filing, such as personal interview or a tape recording of the complaint, will be made available, upon request to people with disabilities who require such an alternative. The complaint should contain information about the alleged discrimination such as name, address phone number of complainant and location, date, and description of the problem. A complaint should be filed by the grievant and/or his/her designee as soon as possible but no later than sixty (60) calendar days after the alleged violation. Thereupon, the ADA Coordinator shall be obligated to investigate such alleged discrimination and, within fifteen (15) calendar days, meet with the complainant to discuss the complaint and the possible resolutions. Within fifteen (15) calendar days thereafter, the ADA Coordinator shall respond in writing to the complainant, or in such other format accessible to complainant, explaining the position of Adams County and offering options for substantive resolution of the complaint. If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/ or his/her designee may appeal the decision within fifteen (15) calendar days after receipt of the ADA Coordinator's response to the Adams County Commissioners, at the Auditor's Office located at the Adams County Service Complex, 313 W. Jefferson Street, Decatur, Indiana 46733. Within fifteen (15) calendar days after receipt of the appeal, the Adams County Commissioners or its designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the Adams County Commissioners shall respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the matter. All written complaints received by the ADA Coordinator, appeals to the Adams County Commissioners, and their responses, shall be retained by Adams County, Indiana, for three (3) years.

**BE IT FUTHER RESOLVED**, that the ADA Coordinator be and is hereby directed to review County facilities and improvements to assess compliance with the ADA; to 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 Adams County, Indiana; to seek public input regarding the needs of citizens with disabilities; and to 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.


**DULLY PASSED, ADOPTED AND RESOLVED** by the Adams County Board of Commissioners on this 26<sup>th</sup> day of January, 2021.

  
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Rex Moore, President

  
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Stan Stoppenhagen, Commissioner

  
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Steve Kuhn, Commissioner

ATTEST:

  
\_\_\_\_\_  
Tony Mellencamp, Adams County Auditor

**ADAMS COUNTY, INDIANA**

**ADA TRANSITION PLAN**

**Adopted: January 26<sup>th</sup>, 2021**

## INDEX

Page 1	ADA Non-discriminatory Policy
Page 2	ADA Coordinator
Page 3-4	Complaint/Grievance Process
Page 5	Design Standards- Buildings/Sidewalks
Page 6	Public Involvement Opportunities
Page 7	Identification of Barriers to Access
Page 8	Plan to Remove Barriers
Page 8	Review and Evaluation
Page 9	Inventory for Compliance Action

## ADA Non-discriminatory Policy

Adams County, Indian 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, and rules and regulations promulgated as a result thereof, 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, address and meet access needs, and by establishing periodic reviews of the plan to monitor progress and compliance.

## ADA Coordinator

Pursuant to Resolution adopted by the Adams County Commissioners, the position of ADA Coordinator for Adams County, Indiana was created. The following individual was appointed to serve such capacity:

Tim Barkey, Adams County Highway Engineer

Mr. Barkey holds such position concurrently with his appointment as Adams County Highway Engineer and is responsible for overseeing compliance with ADA. Mr. Barkey may be contacted in person or by mail at:

Tim Barkey  
Adams County Highway Engineer  
201 N. Polk Street  
Monroe, IN 46772  
Phone: 692-6222

Mr. Barkey may be contacted by email at:

[tbarkey@co.adams.in.us](mailto:tbarkey@co.adams.in.us)

## Complaint/Grievance Process

Pursuant to Resolution of the Adams County Commissioners, the following procedure was established to investigate complaints and address grievances filed with Adams County, Indiana.

The ADA Coordinator shall be responsible for coordinating the efforts of Adams County, Indiana to comply with Title II of the ADA and shall be responsible for investigating any complaints that the County has violated Title II. In the event such a grievance is lodged, the complaining party shall be obligated to give Adams County, Indiana written notice of the alleged discrimination by delivering such written complaint in person, or by first class US mail, to 313 West Jefferson Street, Decatur, Indiana 46733 Attention Tim Barkey, ADA Coordinator. Alternative means of filing, such as personal interviews or a tape recording of the complaint, will be made available, upon request, to people with disabilities who require such an alternative.

The complaint should contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. A complaint should be filed by the grievant and/or his/her designee as soon as possible but no later than sixty (60) calendar days after the alleged violation.

There upon, the ADA Coordinator shall be obligated to investigate such alleged discrimination and, within fifteen (15) calendar days, meet with the complainant to discuss the complaint and the possible resolutions.

Within fifteen (15) calendar days thereafter, the ADA Coordinator shall respond in writing to the complainant, or in such other format accessible to complainant, explaining the position of Adams County and offering options for substantive resolution of the complaint.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within fifteen (15) calendar days after receipt of the ADA Coordinator's response to the Adams County Commissioners at the Auditor's Office located at 313 W. Jefferson Street, Decatur, Indiana 46733. Within fifteen (15) calendar days after receipt of the appeal, the Adams County Commissioners or its designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after meeting, the Adams County Commissioners shall issue a final determination concerning the complaint in an appropriate format.

All written complaints received by the ADA Coordinator, appeals to the Adams County Commissioners, and their responses, shall be retained by Adams County, Indiana, for three (3) years.



## 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 wheel chairs; 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 wheel chair 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.

The County Building Code requires private developers and contractors to comply with the Indiana Building Code handicap accessibility standards, unless newly constructed or renovated structures are exempted under the Indiana Building Code.

### Sidewalks

Sidewalk curbs constructed as part of planned development, sidewalk curbs replaced by or for the county, or sidewalk curbs replaced by or for property owner through a County match funding program 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.

## 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, by contacting the Adams County Commissioners at (260) 724-5314, Auditor (260)724-5303, or the Highway Department at (260) 692-6222. Notice of a need or barrier may be communicated in person or by mail to the Adams County Commissioners at 313 W. Jefferson, Decatur, Indiana 46733. In addition, the general public is invited to attend any meeting of the Adams County Commissioners or Adams County Council to request a need to be addressed or to seek relief from a barrier to access. The Adams County Commissioners meet each Tuesday at 10:00 a.m. in room 233 of the Adams County Service Complex located at 313 West Jefferson Street in Decatur. The Adams County Council meets the 2<sup>nd</sup> Tuesday of each month at the same location generally beginning at 9:00 a.m.

Notice of this Plan and the Notice under The Americans With Disabilities Act created by the US Department of Justice shall be published on the County's website. Such notices shall also be provided to local news media. Copies shall be delivered to the Decatur Public Library, Parks and Recreation at Riverside Center, the Adams County Service Complex, the Decatur Post Office, the local Work Force Development Office and the Decatur Housing Authority with a request that such Notices be posted and/or delivered to individuals who makes use of services offered at such locations.

## Identification of Barriers to Access

Barriers to access may be physical and include:

Access to Buildings

Access to Offices or Personnel within Buildings

Access to Streets and Sidewalks

Barriers to access may be non-physical and include:

Access to Services

Access to Employment Opportunities

Access to Housing

## Plan to Remove Barriers

In an effort to remove barriers to buildings, or barriers within building, the County shall rely upon its Building Code and the Indiana Building Code to remove barriers 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.

Concerning non-physical barriers, 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, commencing in 2013, the Adams 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 Adams County Commissioners and the Adams County Council, if deemed necessary or appropriate. The Boards and ADA Coordinator shall also review prioritization of repairs, 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.

## 2021 INVENTORY FOR COMPLIANCE ACTION

The following inventory for ADA compliance action has been identified by the ADA coordinator for curb ramps to be replaced in Adams County.

All curb ramps are currently in compliance with ADA standards.