

ALLEN COUNTY ADA TRANSITION PLAN

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I. ADA Policy Statement

In accordance with the requirements of Title II of the Americans with Disability Act of 1990, as amended (ADA), and Section 504 of the Rehabilitation Act of 1973, as amended, and implementing regulations found in 28 CFR 35 and 49 CFR 27, the Board of Commissioners of the County of Allen and its independent Elected Officers and Appointed Boards that serve the residents of Allen County (“Allen County”) will not discriminate against qualified individuals with disabilities on the basis of disability in County programs, services, and activities. Allen County further commits to identifying barriers that exist for individuals with disabilities and to eliminating those barriers, so all citizens have an equal opportunity to participate in programs, services, and activities. Allen County believes the ability to accommodate individuals with disabilities is essential to the quality of life Allen County residents seek to enjoy, receipt of good customer service, and overall effective governance. Accordingly, upon request Allen County will make reasonable modifications to its policies, programs, and procedures to ensure that qualified individuals with disabilities have an equal opportunity to participate in its programs, services, and activities.

II. Americans With Disabilities Transition Plan Mission Statement

In 1990, the Federal Government enacted the Americans with Disabilities Act. Title II of the ADA requires that each of the Allen County services, programs and activities, when viewed in their entirety, be readily accessible and usable by individuals with disabilities. Allen County, Indiana recognizes its legal obligation to comply with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973, and hereby establishes a transition plan to ensure compliance of these federal laws, rules, regulations, and all related directives. Therefore, Allen County will work to identify barriers that exist and state how and when any discovered 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 Allen County are provided full access to the Allen County programs, services and activities, and in a timely manner.

III. Non-Discrimination Notice

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

Employment: Allen 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: Allen County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified individuals with disabilities so they can participate equally in Allen County programs, services, and activities. These services include,

but are not limited to, 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: Allen County will make all reasonable modifications to policies and programs to ensure that individuals with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

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 Allen County, should contact Laura Maser, Title VI/ADA Coordinator, 200 E. Berry Street, Suite 410, Fort Wayne, Indiana 46835, (260) 449-7555, as soon as possible, but no later than 72 hours before the scheduled event.

Complaints that a program, service, or activity of Allen County is not accessible to persons with disabilities or recommendations for accessibility improvement should be directed to Laura Maser, Title VI/ADA Coordinator, 200 E. Berry Street, Suite 410, Fort Wayne, Indiana 46835, (260) 449-7555, or sent via email to laura.maser@allencounty.us. A copy of the Allen County Title VI/ ADA Complaint Form can be found on the Allen County website at www.allencounty.in.gov.

Allen 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.

IV. Designation of ADA Coordinator

Laura Maser has been appointed to act as the County's ADA and Title VI Coordinator, and is responsible for overseeing compliance with the ADA and other non-discrimination laws, rules, regulations, and directives. She may be reached as follows:

Laura Maser
200 E. Berry Street, Suite 410
Fort Wayne, IN 46802
Phone: (260) 449-7555
Email: laura.maser@allencounty.us

V. Allen County, Indiana Grievance Procedure under The Americans with Disabilities Act

Title II of the ADA states, in part, that, "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied benefits of, or be subjected to discrimination in programs or activities sponsored by a public entity." Any person, or

his or her representative, who believes that he or she, as a member of a protected class, has been discriminated against or harassed based on his or her status as a person with a disability may submit a grievance form in conformance with the procedures set forth below. Allen County will conduct a prompt and impartial investigation of all allegations and will take prompt corrective action if a claim is substantiated.

The complainant should submit, either verbally or in writing, his or her complaint within 90 days of the alleged discrimination or harassment. Complaint forms may be found on the Allen County website at www.allencounty.in.gov.

The complaint form is intended to be an aid for the complainant. However, individuals are not required to use the designated complaint form. Additionally, the ADA/Title VI Coordinator will help the complainant reduce his or her complaint to writing if assistance is needed.

Generally, a complaint should include the name, address, telephone number of the complainant, as well as a detailed description of the alleged discriminatory conduct, including the date that such conduct occurred. When possible, the complainant should also identify the name and contact information for any individual who witnessed the incident or conduct.

Complaints should be directed to:

**Laura Maser
ADA / Title VI Coordinator
200 E. Berry St., Suite 410
Fort Wayne, IN 46802
P: (260) 449- 7555 F: (260) 449-7568
Email: laura.maser@allencounty.us**

Within 30 days of the receipt of the complaint, the ADA/Title VI Coordinator will conduct an investigation of the allegation(s) based on the information provided. The ADA/Title VI Coordinator will issue a written report of his or her findings to the complainant in a format accessible to the complainant. The Title VI/ADA Coordinator shall maintain a complaint log of all ADA complaints submitted for a period of three years.

These procedures do not deny the right of any individual to file a formal complaint with any government agency or affect an individual's right to seek private counsel. No one may intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone because they have taken action or participated in an action to secure rights protected by civil rights laws. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate Due Process standards and to assure that Allen County complies with the ADA and implementing regulations.

VI. Public Involvement Opportunities

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

Laura Maser
ADA / Title VI Coordinator
200 E. Berry St., Suite 410
Fort Wayne, IN 46802
P: (260) 449- 7555 F: (260) 449-7568
Email: laura.maser@allencounty.us

The Allen County Transition Plan is posted on the Allen County website. It will also be available in the following Allen County office for viewing: the Board of Commissioners of the County of Allen located at Suite 410, 200 E. Berry Street, Fort Wayne, Indiana.

VII. Design Standards

Sidewalks: Sidewalks and ramps intended for public use, constructed or replaced as part of planned development, by or for a developer, by or for Allen County, or by or for a property owner, and subject to County review and approval shall be constructed in accordance with the proposed Public Right-of-Way Accessibility Guidelines (PROWAG) design standards.

Buildings: Any Allen County owned buildings that are constructed, remodeled, or updated shall be constructed in accordance with the most current ADA Accessibility Guideline (ADAAG) regulations and standards for buildings and facilities.

VIII. Inventory

Sidewalks/Ramps: In an effort to remove barriers and improve pedestrian access to county streets and sidewalks, it has been Allen County’s goal to develop and maintain an inventory of all curb ramps within the County’s jurisdiction, and to identify and correct any that are found to be non-compliant with ADA standards. When the County initiated its inventory of curb ramps in 2006, approximately 350 curb ramps were found to be non-compliant. An annual program was started that year with a dedicated budget for curb ramp modifications and repairs to bring those ramps into compliance over time. Since that time, ADA standards have been revised and the list of ramps needing modifications has evolved correspondingly. Since the start of the program, from 2006 to 2021, almost 700 county curb ramps have been modified and brought up to ADA standards. At present, most of the county’s curb ramps are in compliance. There are still some “generally in compliance” but needing minor adjustments, and occasionally unaddressed ramps are discovered, and these will be addressed in the coming years. ADA standards will continue to evolve, and older ramps that were compliant will eventually need attention due to aging and deterioration. These will also be addressed through the curb ramp modification and repair program or as part of other roadway improvement projects. Attached as Appendix A is a Curb Ramp Repair Progress Report of annual repairs made by the County from 2006 to 2021, listed by neighborhood and year.

The County’s inventory process has undergone some modifications from that described in the initial transition plan. The updated process now comprises the following steps:

- Locating Sidewalks and Curb Ramps Through County Maps & Plan Reviews

Allen County aerial maps were initially reviewed to locate existing sidewalks and curb ramps located on the County's transportation system. Recent additions to the sidewalk and ramp inventories typically occur as components of new development, driveway or site improvements, or roadway improvement projects. These additions are identified as new development plans and project drawings are reviewed and approved, then constructed.

- Field Evaluations

As additions to the inventory are identified, field inspections are conducted to assess their condition and compliance. Older inventory items will also be inspected periodically to assess their condition and level of compliance with current ADA standards.

- Modification, Reconstruction, & Repair

Inventory items found to be in non-compliance or in poor condition will be addressed in one of the following ways:

- When new construction that is added through new development or the County's permit review and approval process is found to be non-compliant, the contractor or developer is ordered to make appropriate corrections. The County does a follow-up inspection when the contractor has completed the corrections. A construction bond is required by the County to facilitate the process.
- Existing county inventory found to be non-compliant or needing repair will be addressed by the County through the annual modification and repair program or as part of other system improvement projects.

- Inventory Report and Map Updates

The initial map showing the inventory of curb ramps under the County's jurisdiction was generated in 2013. That map may be viewed on the Allen County website: allencounty.us.

In more recent years, a systemwide field inventory and update of county sidewalks and curb ramps has been initiated and is planned for completion in 2022 which will include map updates. Additionally, steps are being taken to ensure continuous and ongoing updates to the map as additions and modifications to the inventory occur, whether through new development or transportation system improvement projects.

Buildings: Allen County owns several properties. Beginning in 2006, Allen County began efforts to ensure access to buildings, programs, services and activities in accordance with the Americans with Disabilities Act Title II requirements. Those efforts were completed in 2009 and continue to be evaluated to ensure compliance.

IX. Assessment Procedures

The assessment procedure is intended to determine the relative importance or priority of inventory items or segments that might be considered for modification or repair.

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

- 0 point = Rating of A (ADA-compliant, and new or 'like new' condition)
- 1 point = Rating of B
- 2 points = Rating of C
- 3 points = Rating of D or F

Vicinity of Common Pedestrian Destinations

Examples of Common Pedestrian Destinations include commercial businesses, schools, parks, government buildings and offices, libraries, churches, and posted bus stops.

- 0 point = location with no common pedestrian destinations nearby
- 1 point = location within 1 block of a common pedestrian destination
- 2 points = location within 1 block of multiple common pedestrian destinations
- 3 points = location within 300 feet of a park, school, government building or library

Public Interest

- 0 point = no valid comments received
- 1 point = valid public comments received
- 2 point = multiple valid public comments received
- 3 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 11, with the lowest being zero. 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.

X. Funding and Scheduling

Allen County Commissioners and Allen County Highway Department are jointly committed to funding repairs, modifications, or reconstruction of sidewalk and curbs/ramps. Allen County

intends to dedicate funds annually to repair, modify, or reconstruct sidewalk and curbs/ramps to meet current ADA standards. All other Elected Officials and Boards have committed to making repairs, modifications, or reconstructions to existing buildings or facilities as required by the ADA.

XI. Review and Evaluation

The ADA Coordinator will annually review ADA projects completed by the Allen County Highway Department for modification of existing and construction of new curb ramps and pedestrian crossings, and the Allen County Building Maintenance Department regarding building modifications that were completed the previous year to comply with the ADA. At that time an update to the Transition Plan, or attached appendices, will be made. 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 Allen County Commissioners and ADA Coordinator shall review the prioritization of repairs, modifications, or replacement of sidewalks and curbs for the upcoming year. The review and evaluation will continue annually until all sidewalks, ramps, and pedestrian crossings are ADA compliant, at which time the Transition Plan will be considered completed. However, Allen County will continue to report on its progress in requiring builders and developers to comply with the ADA on all new public infrastructure.

This ADA Transition Plan has been approved this _____ day of _____.

**Board of Commissioners of
the County of Allen, Indiana**

Richard E. Beck, Commissioner

Therese M. Brown, Commissioner

F. Nelson Peters, Commissioner

ATTEST:

Chris Cloud, Allen County Deputy Auditor

APPENDIX 'A'

CURB RAMP REPAIR PROGRESS REPORT

APPENDIX 'A'

Year	Subdivision(s) or General Location	Ramp Count
2022	Ashton Pointe, Chapel Creek & Watersong	(2022 numbers not included yet)
2021	Amber Highlands, Chestnut Hills & Winchester Ridge.....	37
2020	Autumn Ridge & Autumn Ridge Villas	32
2019	Chestnut Hills & Villas of Chestnut Hills	33
2018	Shadow Ridge & Walnut Creek	54
2017	Johnathan's Landing & Bridgewater	46
2016	LaCabreah Subdivision	28
2015	Oak Crossing, The Oaks, Oak Point, Pheasant Run	45
2014	Cottonwood Subdivision	37
2013	Havenwood Forest, Mariners Ridge, Chestnut Hills, Cloverfield	42
2012	Willow Run Addition	14
2011	Wescott, Brenton Glens, & Winchester Ridge	65
2010	Bridgewater, Old Auburn Place, & Chestnut Plaza	27
2009	Sorrento, Hawthorne Pk, Cornerstone Pointe, Cedar Creek, Prairie Meadows, Hawks Nest	51
2008	Oak Crossing Sec III, The Oaks, Autumn Ridge, West Autumn, Holly Ridge, Corbin Place	56
2007	Autumn Chase, Hunters Glen, Cedar Glens, Chapel Crk, Falcon Crk, Walnut Crk, Shadow Ridge	69
2006	Perry Lakes, River Bend Bluffs, Bridgewater, & Chestnut Hills	59
TOTAL		695

These numbers do not represent all of the curb ramps in the County's system, only those repaired or modified by the county to bring the structures into compliance with ADA and PROWAG standards.