

# Elkhart County

## Americans with Disabilities Act Transition Plan: County Government Buildings



2014



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## INTRODUCTION

The purpose of this plan is to ensure that Elkhart County creates reasonable, accessible services for the public, including people with disabilities. The county has made a significant and long-term commitment to improving the accessibility of their buildings. The Transition Plan identifies physical barriers and prioritizes improvements that should to be made throughout the County. This Transition Plan describes the existing policies and programs to enhance the overall accessibility to County services and buildings.

### TRANSITION PLAN HISTORY AND OVERVIEW

Since the adoption of the American with Disabilities Act (ADA) in 1990, Elkhart County has incorporated accessibility standards into all new design and construction projects. Furthermore, Elkhart County has promoted the incorporation of sidewalks, curb ramps, and other pedestrian friendly facilities into their development standards for new subdivisions. Periodic inspection and upgrades of the facilities in place are completed as funds are available.

The plan included in this document is to demonstrate the continued progress by Elkhart County to make their services reasonably accessible for all persons.

## LEGAL REQUIREMENTS

The federal legislation known as the American with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protection to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications

Title II specifically applies to “public entities” (state and local governments) and the programs, services, and activities they deliver. Title II Article 8, requires public entities to take several steps designed to achieve compliance. The plan shall, at a minimum includes:

1. A list of the physical barriers in a public entity’s facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities.
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible.
3. The schedule for taking the necessary steps to achieve compliance with Title II.
4. The name of the official responsible for the plan’s implementation.

Transition plans provide a method for a public entity to schedule and implement ADA required improvements to existing county government buildings and services. Before a transition plan can be developed, an inventory of the county government buildings must be developed.

## EVALUATION

Elkhart County has developed a system to identify and assess potential barriers within the government buildings. *The Americans with Disabilities Act Checklist of Readily Achievable Barrier Removal* was used to complete the inventory. A copy of this checklist is available in Attachment A.

Over the course of a year, detailed evaluations of each building were conducted. A summary of each barrier identified was compiled and evaluated for compliance with the ADA. A spreadsheet was developed for each building.

The following are included on the inventory spreadsheet:

1. Location of the barrier (some with photo)
2. Structural Inconsistencies: Identified Issue and ADAAG Specification relating to the issue.
3. Recommended Corrections/Modifications to Provide Access
4. Technical Information: Priority Ranking/Justification, Improvement Cost, and Funding Source
5. Finalized Actions: Finalized Correction, Anticipated Date of Completion, and the Date of Completion

The Building Inventory is available in Attachment B.

## METHODS TO REMOVING BARRIERS – POLICIES & PRIORITIES

Elkhart County utilizes many different approaches in removing barriers within the government facilities, including proactively identifying and eliminating the barrier, responding to public complaints, and ensuring the appropriate design and build-out of new construction following the most recent design guidelines.

### BARRIER REMOVAL PRIORITIES

Elkhart County has rated each barrier with a removal priority based upon the services provided at the facility, the cost of barrier removal, the length of the project involved, and public input. The barriers are ranked with a L=Low, M=Medium, or H=High priority.

### PUBLIC INPUT PROCESS

The public input process is an integral part of the Transition Plan. Public input or requests may often drive the prioritization of improvements. To file a complaint or a request regarding accessibility of a County building, contact the ADA Coordinator in writing and describe the issue in detail, including the location. The ADA Coordinator will route this information to the appropriate county department for inspection and possible action. That department will then respond to the ADA Coordinator with its findings, and the ADA Coordinator will record the formal response and reply to the complainant/requestor. All

complaints or requests will be kept on file and will include the response. Attachment C is a copy of Elkhart County's Public Grievance Procedure.

#### **NEW CONSTRUCTION & ALTERATIONS**

All proposed building construction for the County will be reviewed for conformance with the ADA.

### **SCHEDULE**

As opportunity allows, the County will make efforts to improve the ADA Accessibility of the government buildings and services. Although, there will be times when it is infeasible to provide technical compliance. For example, certain structural aspects of the County Courthouse need to remain to maintain its historical significance. Altering these features for the ADA would reduce its historical significance. The inventory process may not account for such situations and could show a high-priority rating when all feasible actions have been taken.

During the implementation of the transition plan, Elkhart County will make reasonable efforts and provide reasonable accommodations to afford access to its services and facilities for those with disabilities even when/if barriers have not been removed and/or when necessary to comply with the accessibility standards.

At a minimum, the transition plan will be reviewed and updated as barriers are removed.

### **RESPONSIBLE INDIVIDUAL**

The official responsible for the implementation of the County's ADA Transition Plan for the county government buildings and facilities is:

Katie Niblock, PE  
Project Engineer & ADA Coordinator  
610 Steury Avenue  
Goshen, IN 46526

Email: [kniblock@elkcohw.org](mailto:kniblock@elkcohw.org)  
Phone: (574) 533-0538  
Fax: (574) 533-7103

To request auxiliary aid, services, or accommodations, please contact the ADA Coordinator. If possible, please make requests at least two weeks prior to a scheduled meeting or event where services will be needed.

## PUBLIC INPUT

Elkhart County provided opportunities for individuals to comment on this Transition Plan, which included:

- An advisory committee was formed and a meeting was held to discuss barriers and priorities
- Document copies available and notices sent to local public libraries
- Document made available on Elkhart County's website
- Open house and presentation at a public meeting on December 15, 2014

The County published legal notices in the major newspaper(s), Elkhart Truth and Goshen News starting on November 5, 2014. The legal notices announced the availability of the Transition Plan draft at the local public library with easy public access. These notices also provided instructions regarding the timetable for comments and where to send them. Public comments were accepted for a period of no less than 30 days, ending December 9, 2014. Public comment form is available on Attachment D.

Formal adoption of the Transition Plan took place on December 15, 2014. It will be available on the web and by written formal request to the ADA Coordinator.

# ATTACHMENT A

## EVALUATION FORM

# ATTACHMENT B

## BUILDING INVENTORY

## **ATTACHMENT C**

- 1. RESOLUTION ADOPTING ADA DESIGN GUIDELINES**
- 2. RESOLUTION APPOINTING ADA COORDINATOR**
- 3. ADA GRIEVANCE PROCEDURE**
- 4. RESOLUTION ADOPTING THE AMERICANS WITH  
DISABILITIES ACT TRANSITION PLAN: COUNTY  
GOVERNMENT FACILITIES**

## ATTACHMENT D

### PUBLIC COMMENT AND RESPONSE FORM

PUBLIC COMMENT AND RESPONSE FORM

**Date of Comment:** \_\_\_\_\_

**Name of Person:** \_\_\_\_\_

**Comment:** \_\_\_\_\_  
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**Response:** \_\_\_\_\_  
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