



**2016**  
**HOWARD COUNTY**  
**ADA TRANSITION**  
**PLAN**

**February 23, 2016**

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I. Statement/Mission

In 1990, the Federal Government enacted the Americans with Disabilities Act (“ADA”). Howard 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 Howard 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 Howard County are provided full access to the Howard County programs, services, and activities in a timely manner. The Howard County elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, the quality of life Howard County residents seek to enjoy and to effective governance. Title II of the ADA requires that each of the Howard County services, programs and activities, when viewed in their entirety, be readily accessible and usable by individuals with disabilities.

II. Non-Discrimination Notice

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

**Employment:** Howard 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:** Howard 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 Howard 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:** Howard 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 Howard 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 Howard County, should contact Ted L. Cain, ADA Coordinator, 625 S. Berkley Rd., Kokomo, IN 46901, (765) 456-2802, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require Howard 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 Howard County is not accessible to persons with disabilities should be directed to Ted L. Cain, ADA Coordinator, 625 S. Berkley Rd., Kokomo, IN 46901, (765) 456-2802.

Howard 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.

### **III. Designation of ADA Coordinator**

December 19, 2011, the Board of Commissioners for the County of Howard appointed Ted L. Cain to serve as the ADA Coordinator. Resolution No. 2011-BCCR-42 was approved by the Board of Commissioners. (See attached)

Ted L. Cain holds such position concurrently with his appointment as the Highway Engineer and is responsible for overseeing compliance with the ADA.

Ted L. Cain  
625 S. Berkley Rd.  
Kokomo, IN 46901  
(765) 456-2802  
ted.cain@co.howard.in.us

### **IV. Howard County, Indiana Grievance Procedure under The Americans with Disabilities Act**

Howard County has adopted a grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II 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."

Complaints should be addressed to the ADA Coordinator, Ted L. Cain, 625 S. Berkley Rd., Kokomo, IN 46901, who is the designated ADA Coordinator for Howard County Government.

#### **Filing Procedures:**

1. A complaint should be submitted by the grievant and/or his/her designee as soon as possible in writing and contain the name, address, phone number of the person filing the complaint and the location, date, and description of the alleged violation of the regulations. Alternative means of filing complaints, such as a personal interview or a tape recording of the complaint, will be made available for persons with disabilities upon request.
2. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be conducted by the ADA Coordinator. These rules contemplate informal but thorough investigations, affording all interested persons or their representatives, if any, an opportunity to submit evidence relevant to a complaint.
3. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator and a copy forwarded of the complainant no later than twenty (20) work days after its filing and in a format accessible to the complainant.
4. The ADA Coordinator shall maintain the files and records of Howard County relating to the complaints filed for a period of three (3) years.
5. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within five (5) work days to the Howard County Personnel Administrator, Debbie Lorenz, 220 N. Main St., Kokomo, IN 46901.
6. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of the grievance is not a prerequisite to the pursuit of other remedies.
7. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that Howard County complies with the ADA and implementing regulations.

**V. 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.

Ted L. Cain  
625 S. Berkley Rd.  
Kokomo, IN 46901  
(765) 456-2802  
ted.cain@co.howard.in.us

The Howard County Transition Plan will be posted on the Howard County website. It will also be available in the following Howard County offices for viewing: Board of Commissioners and Howard County Personnel office, located at 220 N. Main St., Room 220, Kokomo, IN 46901. A copy of the Transition Plan will also be available at the Kokomo Howard County Public Library, located at 220 N. Union St., Kokomo, IN 46901. Anyone that would like to comment on the Transition Plan can submit their comments in these offices or can contact the ADA Coordinator.

**VI. Design Standards**

**Sidewalks:** Sidewalk and ramps constructed as part of planned development, sidewalk and ramps replaced by or for Howard County, or sidewalk and ramps replaced by or for a property owner 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 Howard County owned buildings that are constructed, remodeled or updated shall be constructed in accordance with the most current ADAAG (Accessibility Guideline for Buildings and Facilities) regulations and standards.

**VII. Inventory**

Howard County currently has only one (1) sub-division with sidewalks in its jurisdiction. These sidewalks only serve the citizens of this sub-division and do not lead to any school, post office, or other place of business. All curb/ramps have been identified and will be replaced in a timely matter if requested. Any future curbs/ramps will be built using the latest guidelines.

HOWARD COUNTY  
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PLAN  
APPENDIX A

## HOWARD COUNTY OWNED BUILDING

| <b>Building Name</b>          | <b>Address</b>                         |
|-------------------------------|--|
| Courthouse                    | 104 N. Buckeye St. Kokomo, IN 46901    |
| Administration Center         | 224 N. Main St. Kokomo, IN 46901       |
| Government Center             | 120 E. Mulberry St. Kokomo, IN 46901   |
| Criminal Justice Center       | 1800 W. Markland Ave. Kokomo, IN 46901 |
| Kinsey Youth Center           | 701 S. Berkley Rd. Kokomo, IN 46901    |
| EMA                           | 627 S. Berkley Rd. Kokomo, IN 46901    |
| Highway Department            | 625 S. Berkley Rd. Kokomo, IN 46901    |
| Highway Pole Barn #1          | 625.1 S. Berkley Rd. Kokomo, IN 46901  |
| Highway Pole Barn #2          | 625.2 S. Berkley Rd. Kokomo, IN 46901  |
| Highway Pole Barn #3          | 625.3 S. Berkley Rd. Kokomo, IN 46901  |
| Highway Pole Barn #4          | 625.4 S. Berkley Rd. Kokomo, IN 46901  |
| Highway Tower Shed            | 625.5 S. Berkley Rd. Kokomo, IN 46901  |
| Academy                       | 623 S. Berkley Rd. Kokomo, IN 46901    |
| Academy Maintenance Pole Barn | 623 ½ S. Berkley Rd. Kokomo, IN 46901  |
| Academy Sheriff Pole Barn     | 623 ¼ S. Berkley Rd. Kokomo, IN 46901  |
| Howard Haven                  | 3600 W. Boulevard Kokomo, IN 46902     |
| Howard Haven Pole Barn        | 3600 ½ W. Boulevard Kokomo, IN 46902   |

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING DECEMBER 19, 2011**

Expires December 31, 2011 and included all aspects of 911. Mr. Murrell completed his review of the contract. A motion was made by Mr. Wyman to approve the Communication Equipment Service Agreement with WMS Electronics LLC, in the amount of \$1,104.00 monthly, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried. Mr. Capozzoli will be submitting a new recording contract with Word Systems, in January, 2012.

### **KINSEY YOUTH CENTER:**

Director Brent Kelley submitted a contract with the Indiana Department of Child Services for Residential Treatment Care at Kinsey Youth Center. The contract has been reviewed by Attorney Murrell and he gives a positive recommendation with his usual reservations. A motion was made by Mr. Wyman to approve the contract with the Indiana Department of Child Services for Residential and Shelter Care Treatment at Kinsey Youth Center, with the usual reservations, and authorize President Moore to sign on behalf of the Board of Commissioners.

### **INFORMATION SYSTEMS:**

1) Mr. Tribby submitted a three year contract with A T & T for Long Distance service. The consultant group we are currently working with helped to negotiate the contract at a lower rate, matching the State's QPA rate with Quest. Howard County should see a savings of close to \$7,000.00 annually in basic rates and discounts. Mr. Tribby reviewed the contract with the Board, and at its conclusion, a motion was made by Mr. Wyman to approve the three years Long Distance Contract with A T & T, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried. Mr. Tribby thanked a group of people for their "due diligence" in the process of reviewing communications contracts. It has helped Howard County Government see a savings of over \$30,000.00 this year.

2) Mr. Tribby offered project updates as follows

**Data Center Project** – waiting for one piece of information, then project will be complete.

**HIPPA Contract** – this has been a challenge; will be putting Health Department Nursing on their own server, set up a virtual private network, in order to attain HIPPA requirements. Making progress to have completed by the first of 2012.

**Congratulations** to IS Department employee who completed this semester of his continuing education classes at IUK. He made straight A's and is on the Dean's list. He is working towards his Bachelor's Degree in Technology.

### **IN THE MATTER OF RESOLUTION NO. 2011-BCCR-42:**

Mr. Murrell submitted Resolution No. 2011-BCCR-42, a resolution that establishes a grievance procedure under the Americans with Disabilities Act. This resolution also names a Coordinator (Mr. Ted L. Cain, Highway Department Engineer) and identifies the President of the Board of Commissioners as the person who will handle any appeal of the Coordinator's decision. Resolution No. 2011-BCCR-42 was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

### **IN THE MATTER OF THE HOWARD HAVEN GENERATOR PURCHASE:**

Buildings & Grounds Superintendent Scott Reed has asked for a second quote for a generator for Howard Haven, from Huston Electric (*please refer to page two, "Maintenance", of the Regular Meeting minutes dated December 5, 2011*) That quote could not be ready for today's meeting but Mr. Reed can submit it at the January 3, 2012 meeting. Mr. Reed informed the Board that once the generator is purchased it will take four to five days to install it. It is Commissioner Thompson's recommendation to authorize Mr. Reed to choose the most responsive quote that best fits the needs for Howard Haven. A motion was made by Mr. Wyman to authorize Mr. Reed to choose the

This ADA Transition Plan has been approved this 20th day of October 2014.

HOWARD COUNTY BOARD OF COMMISSIONERS:

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PAUL G. WYMAN, PRESIDENT

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TYLER O. MOORE, VICE PRESIDENT

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ROBERT B. BRAY, MEMBER

ATTEST:

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MARTHA J. LAKE, AUDITOR  
Howard County Commissioner Meeting October 20, 2014



## **Howard County 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 **Howard County Government**. The **County's** 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 60 calendar days after the alleged violation to:

**Ted Cain**  
**ADA Coordinator, Highway Engineer**  
**625 S. Berkley Kokomo, IN 46901**

Within 15 calendar days after receipt of the complaint, *ADA Coordinator, Ted Cain* or *his* designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting 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 **Howard County Government** and offer options for substantive resolution of the complaint.

If the response by *ADA Coordinator, Ted Cain* or *his* designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the **Howard County Commissioners**.

Within 15 calendar days after receipt of the appeal, the **Howard County Commissioners** will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **Howard County Commissioners** 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 by *ADA Coordinator, Ted Cain* or *his* designee, appeals to the **Howard County Commissioners** and responses from these two offices will be retained by the **Howard County Government** for at least three years.