



County of Grant

AMERICANS WITH DISABILITIES ACT (ADA)

TRANSITION PLAN For SIDEWALKS, ROADWAYS, AND STRUCTURE ACCESSIBILITY

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INTRODUCTION:

Grant County wants all of its citizens to participate in the programs, services, and activities offered by the government. Therefore, it is our policy to create a comprehensive plan as outlined in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA). Grant County is committed to empowering persons with disabilities to participate in the social and economic life of the community by eliminating physical and attitudinal barriers.

In 1990, the Federal Government enacted the Americans with Disabilities Act ("ADA"). Title II of the ADA requires public entities that employ 50 or more people to develop a transition plan, which outlines the steps and schedule for making facilities accessible to individuals. Grant County has developed this tool to chart significant changes made by the County and establish action steps in-line with the County's commitment to eliminate physical and attitudinal barriers.

PURPOSE:

The purpose of the Plan is to ensure that the citizens of Grant County are provided full access to the County's programs, services and activities in as timely a fashion as is reasonably possible.

Grant County's elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, the quality of life County residents seek to enjoy and to effective governance.

Title II of the ADA requires that each of the County services, programs and activities, when viewed in their entirety, be readily accessible and usable by individuals with disabilities.

This Plan identifies **two (2) forms of barriers**: physical barriers and programmatic barriers.

Physical Barriers include physical features such as, but not limited to, the following:

1. Parking
2. Paths of entry/travel
3. Doorways
4. Restrooms
5. Service counters
6. Stairways
7. Curb ramps
8. Signals

Programmatic Barriers include, but are not limited to, the following:

1. Building signage
2. Customer communications and interaction
3. Access to public telephones
4. Emergency notifications, alarms, visible signals
5. Communications (via internet, public meetings, telephone)
6. Participation opportunities for events sponsored by the County

Grant County facilities, programs, services, policies, practices and procedures will continue to be surveyed on an on-going basis, and the Plan may be revised from time to time to account for changes to County activities.

This Plan will be posted to the County's web site for review and consideration by the general public. Any individual may submit comments on the accessibility of County programs and facilities by contacting the Public Works Director, Justin Reese.

The purpose of this Transition Plan is for Grant County to have a plan as to how Americans with Disabilities Act (ADA) issues are currently being addressed and how they will be addressed in the future. This plan takes into account areas of new construction and reconstruction, by Grant County as well as by private contractors doing business for Grant County and as independents for themselves or other developers.

As per the Americans with Disabilities Act Title II Guidelines for transition plans, section 2.3.1:

2.3.1 Transition Plan

Where structural modifications are necessary to achieve program accessibility – as in the addition of curb ramps – the DOJ regulation requires State and local governments that employ 50 or more staff members to develop a transition plan that provides for the removal of the barriers at issue. With respect to pedestrian facilities, the DOJ regulation imposes a specific construction requirement. This requirement directs each jurisdiction to include in its transition plan a schedule for providing curb ramps where pedestrian walkways cross curbs and specifies a priority for locating them at:

- State and local government offices and facilities;
- Transportation;
- Places of public accommodation (private sector facilities covered by title III);
- Places of employment; and
- Other locations (for instance, along routes used by residents with disabilities).

EXISTING CODES AND ORDINANCES:

The County currently doesn't have any existing codes or ordinances that address sidewalk and ADA issues at County facilities and roadways. The County currently has no recent or pending projects that require ADA guidelines or restrictions.

COUNTY STRUCTURES AND PHYSICAL BARRIERS:

The majority of County properties owned by the County are fully utilized with programs, activities, and services. This condition complicates the corrective action of relocation of programs or services without the significant costs associated with new construction. These facilities are as follows:

1. Grant County Administration Center, 1400 Hwy 180 E., Silver City, New Mexico 88061
2. Grant County Detention Center, 320 S. Ridge Rd., Silver City, NM 88061
3. Grant County Business and Conference Center, 3031 Hwy. 180, Silver City, New Mexico 88061
4. Grant County Silver St. Complex, 2610 N. Silver St., Silver City, New Mexico 88061
5. Grant County Airport, 188 Airport Rd., Silver City, New Mexico 88061
6. Grant County Road Department, 2207 Fairway Dr., Silver City, New Mexico 88061

7. Grant County Regional Dispatch, 2606 N. Silver St., Silver City, New Mexico 88061
8. Grant County Transit Corre Caminos, 3031 Hwy. 180, Silver City, New Mexico 88061
9. Grant County Senior Center, 205 W. Victoria St., Silver City, New Mexico 88061
10. Gila Senior Center, 403 Hwy. 211, Gila, NM
11. Mimbres Senior Center, 2620 Hwy. 35, Mimbres, NM
12. Santa Clara Senior Center, 107 N. East St., Santa Clara, New Mexico 88026
13. Grant County Courthouse, 201 N. Cooper St., Silver City, New Mexico 88061
14. Grant County Health Council, 214 N. Black St., Silver City, New Mexico 88061
15. Battan Park, 3 Old Ft. Bayard Rd., Santa Clara, NM 88026

A self-evaluation/assessment of each of the County's physical facilities will be conducted in conjunction with the preparation of this Plan. Summaries of these evaluations will be included as attached hereto and by this reference incorporated herein. Deficiencies in the physical features of facilities that diminish the ability of disabled persons to benefit from the County's programs, services and activities will be identified. A correction plan or other course of action will be noted for each deficiency, along with a schedule for completion of the correction.

A. BASELINE CONDITIONS

Each of the County's facilities was reviewed in light of several "baseline" conditions, including:

1. access to parking and entry into the facilities themselves;
2. access to a clear and distinct path of travel;
3. access to programs and services themselves;
4. access to public areas and restrooms.

B. CRITERIA FOR DETERMINING EXISTENCE OF IMPEDIMENT

Criteria were established to determine whether corrective action needs to be taken at a particular facility. The criteria include, but are not limited to:

1. *The nature of unique programs or services.* Some facilities and sites are the only location that a particular program or service may be provided;
2. *Facilities already in compliance with ADA accessibility guidelines.* Some of the County's facilities were constructed or underwent major renovations after the effective date of the ADA;
3. *Ability to relocate programs from one facility to another accessible facility.* Because the County offers special programs and services at more than one location, consideration was given to distribution of the special programs and services when viewed in their entirety;
4. *Community/staff input.* Input from members of the disabled community has been included in the process. Interviews and self-evaluation surveys will be conducted with department representatives to identify how programs and services are provided by each County department;
5. *Current state of accessibility.* The current condition of each facility in terms of barriers already removed, or planned to be removed, as identified by County administration;
6. *Cost.* The cost of alternatives to physical barrier removal versus the cost of an alternative corrective action plan; and
7. *Public use.* The population served by a particular program or service and whether the public can obtain service from an alternative County location.

COUNTY GRIEVANCE PROCEDURES:

Title II of the Americans with Disabilities Act extends the prohibition of discrimination to include all services, programs and activities provided or made available by state and local governments.

Grant County establishes this grievance procedure to ensure prompt and equitable resolution of complaints or grievances alleging any action, policy or program that is prohibited by the Americans with Disabilities Act. This grievance procedure is to be used by any concerned individual (with or without a disability), a class of concerned individuals (with or without disabilities) or an authorized representative. This notice and form is available at the Manager's office.

In an effort to be culturally sensitive to our community, this form is also available in Spanish.

Complaints should be sent to:

Renaë Calloway Phone: 575-574-0004 (voice)
Human Resources Manager
Grant County Administration Office 575-574-0008
1400 Hwy. 180 E
Silver City, NM 88061 E-mail: rcalloway@grantcountynm.com

STEP 1:

A grievance form is available, upon request. **Failure to utilize this form in no way compromises this grievance procedure.** The grievance should be filed, in writing, containing the name and address of the complainant, a brief description of the incident, policy or practice in violation and the accommodation sought to resolve this issue. The grievance should be filed within 180 working days after the individual becomes aware of the alleged incident. The Human Resources Manager shall acknowledge, in writing, receipt of the written grievance and notify the Grant County Manager of said grievance. The Human Resources Manager shall review the grievance for completeness of information, shall make all necessary parties aware of the grievance, investigate and/or obtain additional information related to the issue, if necessary, and shall attempt to resolve the grievance issue within 30 working days. Written notice to all parties of grievance status shall be given at that time.

STEP 2:

If the Human Resources Manager is unable to resolve the grievance issue, a copy of the grievance and any documentation generated as a result of the grievance shall be sent to the Grant County Attorney's office. A meeting shall be scheduled with the Grant County Manager and the aggrieved parties within 10 working days. (Although scheduled within 10 days, the meeting need not occur within 10 days.) The County Manager shall respond to the grievant, in writing, within 15 working days

STEP 3:

The Human Resources Manager shall forward a written report to the Advisory Committee upon completion of successful resolution of the stated grievance issue or, upon the completed time line, outlined in step 2. This report is for informational purposes only. The written report shall consist of #1 a copy of the written grievance issue; #2 any relevant documentation related to the grievance issue (unless laws of confidentiality apply to said issue); #3 a statement of resolution, or the attempted resolution, of the grievance issue; #4 County Manager's response to grievance issue.

ALTERNATIVE GRIEVANCE PROCEDURES:

Nothing in this procedure prevents any individual(s) who believes they have a grievance under Title II of the ADA from taking other legal action to seek resolution. Employees of Grant County may also use the Grievance Procedure established by the Human Resources Department for any ADA issues related to their specific employment.

WAIVERS:

Any time lines established in this procedure may be waived by written mutual consent.

