

LUMPKIN COUNTY RESOLUTION No. 2011 -75

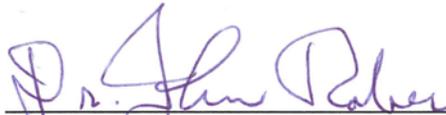
A RESOLUTION TO ADOPT THE ADA TRANSITION PLAN UPDATE FOR LUMPKIN COUNTY

Whereas, the governing authority of Lumpkin County, in compliance with Title II of the Americans with Disabilities Act (ADA) is required to address the subject of ensuring that Lumpkin County services and facilities are accessible to those with disabilities; and,

Whereas, the governing authority of Lumpkin County now desires to adopt the "ADA Transition Plan Update" attached hereto as Exhibit "A" and including any attachments thereto, said exhibit being by reference fully included in this resolution as if specifically set out herein;

Now therefore, it is hereby resolved that the said ADA Transition Plan Update is hereby adopted,

Resolved, adopted and effective this 29th day of November, 2011.



John Raber, Chairman
Lumpkin County Board of Commissioners

Attest:



Clerk, Lumpkin County



**Lumpkin County Georgia
Americans with Disabilities Act
Transition Plan Update**

November 8, 2011

INTRODUCTION

The Americans with Disabilities Act (ADA) of 1990 is a civil rights statute that prohibits discrimination against people who have disabilities. Title II of the ADA specifically addresses the subject of making Lumpkin County (County) services and County facilities accessible to those with disabilities. With the advent of the Act, designing and constructing facilities for public use that are not accessible by people with disabilities constitutes discrimination.

The Act applies to all facilities, including both facilities built before and after 1990. As a necessary step to a program access plan to provide accessibility under the ADA, state and local governments, public entities or agencies are required to perform self-evaluations of their current facilities, relative to the accessibility requirements of the ADA. The agencies are then required to develop a Program Access Plan, which can be called a Transition Plan, to address any deficiencies. The Plan is intended to achieve the following:

- (1) Identify physical obstacles that limit the accessibility of facilities to individuals with disabilities,
- (2) Describe the methods to be used to make the facilities accessible,
- (3) Provide a schedule for making the access modifications, and
- (4) Identify the public officials responsible for implementation of the Transition Plan.

The Plan is required to be updated periodically until all accessibility barriers are removed.

PURPOSE

The purpose of this plan is to ensure that the citizens of the County are provided full access to County programs and facilities in as timely a fashion as is reasonably possible. The County 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.

This Plan has been prepared after careful study of the County's programs and facilities. The County, in preparing this document, has received input from individuals at public meetings as well as from the Lumpkin County Board of Commissioners and County Staff. The responsibility for the implementation of this plan will be the County ADA Coordinator.

STATEMENT OF ACCESSIBILITY

The County shall make reasonable modifications in programs and facilities when the modifications are necessary to avoid discrimination on the basis of disability, unless the County can demonstrate that making the modifications would fundamentally alter the

nature of the service, program, or activity. The County will not place surcharges on individuals with disabilities to cover the cost involved in making programs accessible.

IDENTIFY PHYSICAL OBSTACLES

Each of the County facilities will be 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; and
5. Access to related amenities.

Below is a list of County facilities. An assessment of each of the County's physical facilities will be conducted in conjunction with the execution of this Plan. Deficiencies in the County's physical features of facilities that diminish the ability of disabled persons to benefit from the County's services and facilities 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 in the Action Log.

Facility	Yr Built	Square Footage	Address
Administration Building	1965	24,160	99 Courthouse Hill
Adult Learning Center & Mental Health	2002	11,808	150A&B Johnson Street
Airport Hangar	1970	1,638	1682 Camp Wahsega Rd.
Airport Office	1970	512	1682 Camp Wahsega Rd.
Animal Shelter	2003	3,549	1363 Red Oak Flat Rd.
Annex Building (Annex A & B)	1965	7,300	194 Courthouse Hill
Blackburn Pavilion	2001	9,240	Blackburn Road
Candler Concrete Building			376 Riley Rd.
Cannery Building	1884	1,940	61 Enota Street
Classic Cleaners	1946	2,790	235 E Main Street
Community Center	1994	24,282	365 Riley Road
Community House	1942	4,320	11 N Park Street
Concession Building Fields 1,2&3	2007	1,024	1104 Capt McDonald Rd
Concession Building Fields 4,5&6	1992	352	300 Mechanicsville Rd
Detention Center	2003	24,160	385 East Main St.
Fire Station #1 (Fire/EMS/E911)	1993	11,520	57 Pinetree Way
Fire Station #2 (Hwy 52 E)	1986	2,400	34 Pleasant Brook Drive
Fire Station #3 (Yahoola Work Center)	1964	2,624	1016 Yahoola Rd
Fire Station #4	2006	9,249	125 Chesterra Dr
Fire Station #5	2000	3,750	125 Little Mountain Rd
Fire Station #6	2001	3,750	5446 Highway 52 W
Head Start	1990	12,872	126 Mechanicsville Road
Health Department (New)	2010	9,899	60 Mechanicsville Rd.
Health Dept. OLD	1983	5,614	56 Short Street

Justice Center	2009	55,000	325 Riley Road
LARC Building	1990	15,680	67 Ethan Allen Dr.
Library	1982	11,233	342 Courthouse Hill
Maintenance Shop	2005	7,500	1646 Red Oak Flat Road
NOA Shelter	1956	1,918	120 Riley Rd
Old Historical Jail (9th District)	1884	3,444	75 Enota St
Old Voting House Auraria		435	4111 Auraria Road
Park and Rec Lawnmower Shop		224	870 Mechanicsville Rd
Park and Rec Maintenance Building		820	870 Mechanicsville Rd
Planning & Tax Assessor Building	1983	5,940	25 Short Street
Pool Concession Building	1999	1,050	56 Mechanicsville Rd
Pool Pump House	1999	300	56 Mechanicsville Rd
Rainbow Children's Home	1932	1,336	247 E Main Street
Rainbow Children's Home Garage		480	E Main Street
Rainbow Children's Home Office Bldg	1940	762	269 E Main Street
Recycle Center	2005	5,832	1646 Red Oak Flat Road
Scale House	1999	396	490 Barlow Rd.
Senior Center	1990	10,800	266 Mechanicsville Road
Softball Complex	2004	1,800	1325 Mechanicsville Rd.
Timken Pavilion	2007	2,250	1166 Capt McDonald Rd.
Transfer Station	1999	2,912	490 Barlow Rd.
Welcome Center			13 S. Park Street
Yahoola Work Center Equipment Shed	1964	1,533	1016 Yahoola Rd.
Yahoola Work Center Utility Building	1964	476	1016 Yahoola Rd.

In March of 2011 the Department of Justice, Disability Rights Section, conducted an ADA compliance survey of several facilities including the following:

- Administration Building
- Community Center
- Community House
- Concession Building Fields 1,2&3
- Fire Station #1 (Fire/EMS/E911)
- Fire Station #2 (Hwy 52 E)
- Fire Station #5
- Health Department (New)
- Justice Center
- Library
- Old Historical Jail (9th District)
- Planning & Tax Assessor Building
- Pool Concession Building
- Pool Pump House
- Rainbow Children's Home
- Softball Complex
- Timken Pavilion

Results from this survey were not available to the County at the time of this update. Any physical obstacles noted in the final survey results that require modification will be

included in the Action Log (attached) along with a method used to make the facility accessible and a scheduled time to complete the modifications. The remaining facilities will be inspected for deficiencies by County personnel at the direction of the ADA Coordinator. Any additional deficiencies will be noted and included in the County action log.

Criteria established to determine whether corrective action needs to be taken at a particular facility and the time line for scheduling the action includes, but is not limited to:

1. The nature of unique programs or services.
2. Current state of accessibility of the facility
3. Cost of corrective action versus value of program
4. The population served

LIST OF ATTACHMENTS

Action Log
ADA Policy Statement
ADA Grievances Procedure

Action Log

Updated 11/8/2011

Facility	Deficiencies	Method to make accessible	Scheduled completion date	status
Administration Building	Access to second floor	Install elevator	1995	complete
Administration Building	Access from parking area	Construct Curb ramps	1995	complete
Administration Building	Access to building	Construct H.C ramp to door	1995	complete
Administration Building	Non-ADA compliant restroom	Remodel restroom to comply	1995	complete
Administration Building	Non-ADA compliant restroom	New restroom upstairs	1995	complete
Administration Building	restroom door hardware	Replace with compliant knob	2009	complete
Adult Learning Center & Mental Health	No protective covers on faucets	Installed covers	4/11	complete
Airport Office	Parking Sign	Sign installed	6/14/07	complete
Airport Office	Threshold Ramp - 2 Int	2 ramps installed	9/18/07	complete
Airport Office	Threshold Ramp - 2 Ext	2 ramps installed	9/18/07	complete
Airport Office	Door Hardware - 2	2 door hardware replaced	6/29/07	complete
Airport Office	Parking Space	Parking space paved	10/06	complete
Airport Office	Parking/Access Striping	Parking and access striped	11/07	complete
Airport Office	Ramp	Ramp constructed	2/28-3/1/07	complete
Fire Station #2 (Hwy 52 E)	Parking Signage	Sign installed	6/12/07	complete
Fire Station #2 (Hwy 52 E)	Ramp	Ramp constructed	3/7/07	complete
Fire Station #2 (Hwy 52 E)	Parking/Access Striping	Parking and access striped	11/07	complete
Fire Station #2 (Hwy 52 E)	Door Hardware	Door hardware replaced	late 2007	complete
Fire Station #3 (Yahoola Work Center)	Parking Signage	Sign installed	6/12/07	complete
Fire Station #3 (Yahoola Work Center)	Threshold Ramp - 1 Int	Ramp installed	9/18/07	complete
Fire Station #3 (Yahoola Work Center)	Parking/Access Striping	Parking and access striped	11/07	complete
Fire Station #3 (Yahoola Work Center)	Ramp-ext	Ramp constructed	3/7/07	complete
Fire Station #5	Parking Signage	Sign installed	6/12/07	complete
Fire Station #5	Parking/Access Striping	Parking and access striped	11/07	complete
Fire Station #6	Parking Signage	Sign installed	6/12/07	complete
Fire Station #6	Parking/Access Striping	Parking and access striped	11/07	complete
Head Start	No access between floors	Installed elevator	1996	complete
LARC Building	protruding objects on walls	Relocated fire extinguishers	4/11	complete
Library	protruding objects on walls	Removed objects	4/11	complete
Old Historical Jail (9th District)	Non-ADA compliant thresholds	Replaced thresholds	1992	complete
Rainbow Children's Home	No accessible entry	Constructed H.C. ramp	1998	complete
Welcome center	No access between floors	Installed elevator	1998	complete
Health Dept. OLD	H.C. parking slope	Reconstruct H.C. parking area	4/12	in design
Health Dept. OLD	H.C. parking access to building	Construct new raised crosswalk	4/12	in design

LUMPKIN COUNTY RESOLUTION No. 2011 - 70

A RESOLUTION TO AMEND AND RE-ADOPT

ADA POLICIES FOR LUMPKIN COUNTY

Whereas, the governing authority of Lumpkin County, in compliance with Title II of the Americans with Disabilities Act (ADA) adopted by Lumpkin County Resolution 2010-56 a general policy on non-discrimination on the basis of disability by local government and to provide specific policies for the reporting and redress of any allegations of grievance from failure to follow said general policy; and,

Whereas, the governing authority of Lumpkin County now desires to re-adopt the "ADA Policy Statement" attached hereto as Exhibit "A," and the "ADA Grievance Policy" attached hereto as Exhibit "B," each of said exhibits being by reference fully included in this resolution as if specifically set out hereon, for the purpose of designating the staff position of "Community and Employee Services Director" as the "ADA Coordinator" for all purposes;

Now therefore, it is hereby resolved that the said ADA Policy Statement and the ADA Grievance Policy are hereby adopted,

Resolved, adopted and effective this 15th day of November , 2011.

ADA Policy Statement

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA") the Lumpkin County Board of Commissioners, as governing authority for Lumpkin County, will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Lumpkin 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 Communications: Lumpkin 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 Lumpkin County's programs, services, and activities, including qualified sign language interpreters, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Lumpkin 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 welcomed in Lumpkin County offices where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or modification of policies or procedures to participate in a program, service, or activity of Lumpkin County, should contact the "Community and Employee Services Director", who serves as the ADA Coordinator, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require Lumpkin 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 Lumpkin County is not accessible to persons with disabilities should be directed to ADA Coordinator.

Lumpkin County will not place a surcharge on a particular individual with a disability or any group of individuals to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.

Effective November 15, 2011

ADA Grievance Procedures
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 service, activities, programs, or benefits by the Lumpkin County Board of Commissioners. The Lumpkin County Civil Service Personnel Policies 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:

Community and Employee Services Director
ADA Coordinator
99 Courthouse Hill, Ste A
Dahlonega, GA 30533-0541

Within 15 calendar days after receipt of the complaint, The ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, The ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, or audio tape. The response will explain the position of the Lumpkin County Board of Commissioners and offer 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 15 calendar days after receipt of the response to the County Manager or his/her designee.

Within 15 calendar days after receipt of the appeal, the County Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 days after the meeting, the County Manager or his/her designee 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 the ADA Coordinator or his/her designee, appeals to the County Manager or his/her designee, and responses from these two offices will be retained by Lumpkin County for at least three years. The written complaint and responses will be retained in the Human Resources Office.

Effective November 15, 2011