



David Voegele
Judge Executive
dvoegele@oldhamcountyky.gov

Kevin Nuss
Deputy Judge Executive
knuss@oldhamcountyky.gov

OLDHAM COUNTY FISCAL COURT ADA TRANSITION PLAN

INTRODUCTION

The Americans with Disabilities Act (ADA) of 1990 is a civil rights statute (hereinafter referred to as the Act) that prohibits discrimination against people who have disabilities. As a local government, Oldham County Fiscal Court (OCFC) is regulated under Title II of the Act relating to Public Services - prohibition of discrimination on the basis of disability in all services, programs and activities provided or made available by local or state governments and their affiliate agencies.

Title II specifically addresses the subject of making public services and public transportation 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 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 Transition Plan, to address any deficiencies.

The Transition Plan is intended to achieve the following:

- Identify the public officials responsible for implementation of the Transition Plan
- Identify physical obstacles/barriers that limit the accessibility of facilities to individuals with disabilities
- Describe the methods to be used to make the facilities accessible
- Provide a schedule for making the access modifications

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

The requirements of the ADA apply to all public entities or agencies, no matter the size. The obligation to have some planning method to make facilities ADA-accessible is required for all public entities.

DESIGNATING AN ADA COORDINATOR

OCFC will designate at least one responsible, full-time employee to coordinate ADA compliance (although the ADA Coordinator may have additional duties in their job description outside of his/her role as ADA Coordinator). The ADA Coordinator will also respond to complaints filed by the public. The name and contact information for the responsible person is required to be publicly advertised.

PROVIDING NOTICE TO THE PUBLIC ABOUT ADA REQUIREMENTS

OCFC will provide ongoing public notice about the rights of the public and the responsibility of OCFC under the ADA via multiple mediums such as the OCFC website,

public announcements during OCFC meetings, posted notices and announcements on the OCFC public access cable channel. The notice will include the name and contact information of the ADA Coordinator. ***Please see the attached Notice to the Public document.***

ESTABLISHING A GRIEVANCE PROCEDURE

OCFC will publish procedures for resolving grievances arising under Title II of the ADA. The procedures are intended to set out a system for resolving complaints of disability discrimination in a prompt and fair manner. Complaints should be directed to the ADA Coordinator. ***Please see the attached Grievance Procedure document.***

SELF-EVALUATION

As required by the ADA, OCFC will undergo a self-evaluation of its programs, services and activities to insure that all public buildings, parking lots, and accessible routes are accessible to and useable by persons with disabilities.

An action plan to remove identified barriers to accessibility will be completed listing specific modifications needed and target dates by which those changes are to be made. Any new construction and or major repairs will be required to meet these ADA standards for accessibility.

Self-Evaluation of Public Facilities

For public buildings, the exterior of the facility will be examined for: an accessible route into the building; accessible parking; appropriate signage; accessible sidewalks and/or ramps; and an accessible building entrance. The following interior elements will also be evaluated: doorways and door hardware; vertical circulation elements including ramps, elevators and stairs; plumbing fixtures, including drinking fountains, sinks, toilets and urinals; service counters; and interior signage.

Element	Deficiency
Parking Space	Appropriate Number, Location, Width, Length, Vertical Clearance, Access Aisle
Van Parking Space	Appropriate Number, Location, Width, Length, Vertical Clearance, Access Aisle
Parking Signage	Missing, Height, Van Accessible
Sidewalk/Ramp	Missing, Width, Handrails, Slope, Cross-slope, Obstructions, Gratings
Curb Ramp	Missing, Slope, Landings, Detectable Warnings, Obstructions, Gratings
Entrance to Facility	Ramps, Marked Entrance, Width and Clearance, Door Opening Force, Threshold, Door Hardware
Elevator	Missing, Controls, Signals
Stairs	Risers, Treads, Nosings, Non-Slip Surface, Handrail Dimensions and Locations
Restroom	Signage, Dimensions, Accessible Fixtures, Grab Bars
Interior Signage	Missing, Height

Corridors	Width, Turning Radius
Door/Doorway	Width, Hardware, Opening Force, Approach Space
Counter	Height, Width, Writing Surface
Exercise Equipment	Clear Floor Area
Pool	Access (Lift/Ramp)
Golf Course	Cart Path Width, Accessible Shelter and Restroom
Playground	Entrance, Play Equipment, Surface

Sample Self-Evaluation Documentation

Location	Deficiency Type	Date	Remediation Plan

Once identified as a deficiency to accessibility, the item will be assessed and priority ranked on a scale of 1-3 (high-low) as follows:

1. Barriers that make reasonable use of the facility impossible, or extremely difficult without assistance.
2. Barriers that make unassisted use of the facility difficult, but that can be overcome.
3. Items that are considered necessary for full accessibility, but do not constitute a physical barrier.

Priority	Element	Deficiency
1	Door/Doorway	Width, Hardware, Opening Force, Approach Space
1	Curb Ramp	Missing, Slope, Landings, Detectable Warnings, Obstructions, Gratings
1	Restroom	Signage, Dimensions, Accessible Fixtures, Grab Bars
1	Sidewalk/Ramp	Missing, Width, Handrails, Slope, Cross-slope, Obstructions, Gratings
1	Elevator	Missing, Controls, Signals
1	Pool	Access (Lift/Ramp)
2	Parking Signage	Missing, Height, Van Accessible
2	Van Parking Space	Appropriate Number, Location, Width, Length, Vertical Clearance, Access Aisle
2	Counter	Height, Width, Writing Surface
2	Playground	Entrance, Play Equipment, Surface
2	Golf Course	Cart Path Width, Accessible Shelter and Restroom
2	Corridors	Width, Turning Radius
3	Interior Signage	Missing, Height
3	Parking Signage	Missing, Height, Van Accessible
3	Exercise Equipment	Clear Floor Area

Self-Evaluation of Public Right-of-Way

An assessment of OCFC maintained pedestrian access routes (curb ramps and sidewalks) will be performed. The evaluation will utilize a standard of at least 5 feet wide with a maximum cross slope of 2% with transition markings to ensure accessibility in public right-of-way. Pedestrian access routes and curb ramps will be evaluated visually for potential accessibility deficiencies.

Type	Issue
Sidewalk Deficiency	Narrow, Below Guidelines
Sidewalk Deficiency	Steepness, Irregularity, Variability, Warping caused by Cross Slope
Sidewalk Deficiency	Obstruction (Signs, Mail Boxes, Fire Hydrants, Benches, Traffic Signal Poles, Traffic Signal Controller Boxes, Newspaper Boxes, Drainage Structures, Standing Water)
Sidewalk Deficiency	Surface Deterioration/Poor Markings, Gratings
Sidewalk Deficiency	Gaps, Drops, Steps, Missing Sections
Curb Ramp Deficiency	Missing Curb Ramp
Curb Ramp Deficiency	Misalignment of Crosswalk
Curb Ramp Deficiency	No Transition Warning Pad
Curb Ramp Deficiency	Steep Ramp
Curb Ramp Deficiency	Landing Less than 4'x4' / Steepness
Curb Ramp Deficiency	Warning System – Missing or Inoperable
Curb Ramp Deficiency	Traffic Signal System – Inoperable or Inaccessible Buttons
Curb Ramp Deficiency	Traffic Signal Not Equipped for Visually Impaired
Curb Ramp Deficiency	Traffic Signal Not Appropriately Timed
Curb Ramp Deficiency	Missing Curb Ramp Flares

Sample Self-Evaluation Documentation

Location	Deficiency Type	Date	Remediation Plan

Once identified as a deficiency to accessibility, the item will be assessed and priority ranked on a scale of 1-15 (high – low) as identified below.

Priority	Issue	Deficiency Type
1	Missing Curb Ramp	Curb Ramp Deficiency
2	No Transition Warning Pad	Curb Ramp Deficiency
3	Obstruction (Signs, Mail Boxes, Fire Hydrants, Benches, Traffic Signal Poles, Traffic Signal Controller Boxes, Newspaper Boxes, Drainage Structures, Standing Water)*	Sidewalk Deficiency

4	Steepness, Irregularity, Variability, Warping Caused by Cross Slope	Sidewalk Deficiency
5	Surface Deterioration / Poor Markings	Sidewalk Deficiency
6	Misalignment of Crosswalk	Curb Ramp Deficiency
7	Landing less than 4' x 4' / Steepness	Curb Ramp Deficiency
8	Gaps, Drops, Steps, Missing Sections	Sidewalk Deficiency
9	Warning System is Missing or Inoperable	Curb Ramp Deficiency
10	Steep Ramp	Curb Ramp Deficiency
11	Traffic Signal System – Inoperable or Inaccessible Buttons	Curb Ramp Deficiency
12	Does Not Meet Minimum Width Requirements	Sidewalk Deficiency
13	Traffic Signal Not Equipped for Visually Impaired	Curb Ramp Deficiency
14	Traffic Signal Not Appropriately Times	Curb Ramp Deficiency
15	Missing Curb Ramp Flares	Curb Ramp Deficiency

*There may be some situations where it is technically infeasible to remove obstructions.

BUDGET AND SCHEDULE

A budget and schedule detailing the prioritization of improvements will be undertaken after the self-evaluation is completed. Action will be based on a combination of the priority ranking, funding plan, the frequency of use of the individual facility by the public, and citizen requests or complaints regarding inaccessible locations.

Potential funding sources for funding the Transition Plan include, but are not limited to:

- OCFC Budget
- Congestion Mitigation & Air Quality Program (CMAQ)
- Surface Transportation Program (SLO)
- Transportation Alternatives Program (TAP)
- Public / Private / Non-Profit Partnerships

OCFC has committed to the following:

- All new construction and major repairs that impact OCFC facilities and right-of-way will be completed in compliance with ADA requirements for accessibility.
- Funds will be allocated (as approved by OCFC) each fiscal year to remove a portion of the existing barriers to accessibility until all identified barriers are removed with the goal of completion by 2030.
- Funds will be used to address removal of barriers based on priority as assigned during the self-evaluation process.

ANNUAL UPDATES

The Transition Plan will be used for yearly planning and funding decisions. The document will be reviewed annually for compliance and validity.

Commonwealth of Kentucky

Oldham County Fiscal Court

Resolution No. 03-05-15-18

**A RESOLUTION ADOPTING THE OLDHAM COUNTY FISCAL COURT
AMERICANS WITH DISABILITIES ACT TRANSITION PLAN**

Whereas, Title II of the Americans with Disabilities Act (ADA) prohibits discrimination on the basis of disability in all services, programs and activities provided or made available by local governments; and

Whereas, the ADA determined that public facilities which are not accessible to people with disabilities constitutes discrimination; and

Whereas, as a necessary step in providing accessibility under the ADA, local governments with 50 or more employees are required to perform self-evaluations of their current facilities and then develop a Transition Plan to address any deficiencies;

Now therefore it be resolved that the Oldham County Fiscal Court does hereby adopt the Oldham County Fiscal Court Americans with Disabilities Act Transition Plan.

Done this 15th day of May, 2018.

BY:


David Voegel, County Judge/Executive

ATTEST:


Sheila Faehr, Fiscal Court Clerk