

**NOTICE UNDER THE AMERICANS
WITH DISABILITIES ACT**

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

Employment: The Town of Ferdinand 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: The Town of Ferdinand will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town of Ferdinand's programs, services, and activities, including ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The Town of Ferdinand 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 Town of Ferdinand 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 the Town of Ferdinand, should contact the Ferdinand ADA Coordinator, 2065 Main Street, Ferdinand, Indiana, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Ferdinand 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 the Town of Ferdinand is not accessible to persons with disabilities should be in writing on the Town's "Discrimination Complaint/Grievance Form", directed to the Ferdinand ADA Coordinator, 2065 Main Street, Ferdinand, Indiana. This form can be obtained from the Town. The Town has a Grievance Procedure, a copy of which can be obtained from the Town.

The Town of Ferdinand 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.

Tamara M. Miller
Clerk-Treasurer

TOWN OF FERDINAND, INDIANA
ADA TRANSITION PLAN

INTRODUCTION

The Americans with Disabilities Act (ADA) was enacted on July 26, 1990, and later amended effective January 1, 2009. As written and implemented, the ADA provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunication. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. In order to be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA, however, does not specifically name all of the impairments that are covered. The ADA is divided into five sections covering the following topics:

Title I: Employment

Title II: Public Services (and Transportation)

Title III: Public Accommodations (and Commercial Facilities)

Title IV: Telecommunications

Title V: Miscellaneous Provisions

Title II specifically prohibits state and local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of programs, services, or activities to persons with disabilities. It is under this title that this transition plan has been prepared. This transition plan is intended to outline the methods by which the Town will implement the non-discrimination policies described in Title II.

TRANSITION PLAN DEVELOPMENT

To ensure program accessibility for people with disability in the community, the Town has developed a Transition Plan, which is to be considered good practice.

A. ADA Coordinator:

Effective communication is essential to address all the complaints or concerns of all individuals. In order to keep maintaining the lines of communication open, and thereby ensuring effective communication between all parties, the Town has designated the Property Manager as the ADA coordinator. The ADA coordinator shall coordinate the Town's efforts to comply with and carry out its responsibilities under Title II of the ADA, including any investigation of any complaint communicated to the ADA coordinator. Such complaints may take the form of alleging noncompliance with ADA mandates or alleging any actions that would be prohibited under the ADA. The Town shall make available to all interested individuals the names, office address, and telephone number of the employee so designated and has adopted procedures for the prompt and equitable resolution of complaints. Every complaint must be directed in writing to the Clerk/Treasurer.

B. Notice / Grievance Procedure:

The Grievance Procedure, attached hereto and made a part of this Plan, is intended to adhere to the standards outlined in the ADA. The procedure must be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provisions of services, activities, programs, or benefits provided by the Town. 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. The Discrimination Complaint/Grievance Form, attached hereto and made a part of this Plan, must be used to lodge a complaint.

The ADA notice attached hereto and made a part of this Plan, will be posted at the Town Hall, on the Town website, and published in the Ferdinand News on an annual basis.

C. Self - Evaluation / Commitment / Schedule

The Town of Ferdinand has conducted an evaluation of curb ramps and sidewalks using a Trimble GPS device recording conditions along with a picture in order to create an inventory of needed ADA repairs. The majority of curb ramps and sidewalks do not meet ADA requirements. The Town is committed to making all sidewalks and curb ramp areas accessible to all pedestrians including those with disabilities. The Town has conducted an evaluation of public buildings, and other public places owned by the Town for their compliance with ADA requirements in order to create an inventory of needed ADA repairs. The Town is committed to making structural changes to existing facilities to meet ADA program accessibility requirements, undertaking readily achievable barrier removal. The Town is further committed to retaining necessary professional services to provide sufficient technical expertise to properly assess the above-noted facilities. The Town is using a priority list in order to focus its scarce funding resources in a manner which balances costs, considers the potential immediate or long term benefits to disabled persons, and considers the benefit to the greatest number of disable persons. The Town Council states that it must use its discretion to allocate scarce resources to its ADA commitments along with its other budget needs. This will be accomplished through the following programs:

The Town has completed its ADA assessment, remediation cost estimate and priority list for curb ramps, sidewalks and facilities accessibility needs.

The Town has prepared design and engineering for 2018 projects and will complete construction of 2018 projects by December 31, 2018.

Based on available funds, subsequent design, engineering, and construction will take place in future years, as funding is available.

The Town Council currently commits at least \$29,000 dollars annually into its Sidewalk/Curb Replacement Program, specifically to address ADA remediation. A commitment was made to make 126 ramps compliant beginning 2014. As of the end of 2017, 56 are compliant. Estimated completion will be 2030 using 2018 costs estimates exclusive of design and engineering costs. (Estimated construction cost for 2018 is \$1,660.00 per ramp) The Town has an inventory list for sidewalks with a total of (3.655 mile or 19,298 feet) with an estimated cost \$6.50 per square foot using 2018

costs exclusive of design and engineering costs. The Town Council's goal, contingent on available funds, is to complete sidewalk requirements by 2030. The Town has already made structural changes to existing facilities' entrances along with needed parking spaces to meet accessibility requirements.

The Town will, as part of its Plan, also will seek to make third parties responsible for ADA compliance with respect to any new construction prior to acceptance by the Town.

The Town anticipates that the Indiana Department of Transportation will be responsible for the assessment and remediation of any ADA deficiencies within State rights-of-way located within the Town.

D. Self - Evaluation / Commitment / Schedule / Attachments

Attachments #1 & #2 Ramp and Sidewalk Locations Compliant Updated 2017

Attachment # 1 ADA Ramp Locations

Attachment # 2 Sidewalk Locations Blue marked Sidewalks that are Compliant. Red marked Sidewalks are Non Compliant.

Attachments #3-#8 Completed 2014 ADA projects

The requirements were made in 2014 we changed door swing and frame style, place concrete parking slab in front of Town Manager and Street Department offices to meet ADA standards for accessible design stripped with a symbol of accessibility and access loading zone (Funded by EDIT and CCI) estimate cost \$4,967, Place concrete parking slab by the west side entrance door on Fire Station #1 with a stripped symbol of accessibility and access loading zone (Funded by EDIT) estimate cost \$3,764, Remove existing concrete sidewalk and ramp by the Senior Citizens center activity room at 9th and Missouri street (Funded by EDIT) estimate cost \$3,940, Drafting and Engineering costs \$2,000.

Attachments #6 #7 #8 Sidewalk and Curb Ramps 2014 replacement projects for ADA compliance West Main and 8th Street (Funded by Sidewalk/Curb Replacement Program) estimate cost \$7,764, Sidewalk and Curb Ramps replacement West Main and 6th Street (Funded by Sidewalk/Curb Replacement Program) cost estimate \$5,565, Sidewalk and Curb Ramps replacement East Main and 5th Street (Funded 50/50 Replacement Program Town percentage EDIT) estimate cost \$6,718, Drafting and Engineering costs \$7,500.

Attachments #9 #10 #11 #12 #13 Completed 2015 ADA projects and Professional services.

#9 Sidewalks and ADA ramps 9th and Maryland estimate cost \$9,729.00

#10 Sidewalks and ADA ramps 400 block of Main Street estimate cost \$5,034.00

#11 Sidewalks and ramps 900 block of Missouri estimate cost \$5,500.00

#12 Three pages engineering and drawing services \$3,800.00

#13 Two pages Six ADA Drinking Fountains at Town Parks estimate \$29,000.00

Attachments #14 #15 #16#17 #18 were completed 2017 ADA projects and Professional services.

- #14 Sidewalks and ADA ramps west side Virginia St. 8thto9th estimate cost \$14,800.00
- #15 Sidewalks and ADA ramps west side Virginia St. 9thto10th estimate cost \$3,400.00
- #16 Sidewalks and ADA ramps west side Virginia St. 10thto11 estimate cost \$7,600.00
- #17 Sidewalks and ADA ramps west side Virginia St. 11thto12 estimate cost \$9,500.00
- #18 Invoice for engineering and drawing services \$4,900.00

Attachments #19 #20 #21 #22 #23 were completed in 2016 due to the addition of ramps and sidewalks at 16th Street Virginia to State Road 162.

- #19 Sidewalks and ADA ramps west side Virginia St. 12thto13 estimate cost \$9,500.00
- #20 Sidewalks and ADA ramps west side Virginia St. 13thto14 estimate cost \$5,500.00
- #21 Sidewalks west side Virginia St. between 14th and16th estimate cost \$4,700.00
- #22 Sidewalks west side Virginia St. between 14th and16th estimate cost \$4,500.00
- #23 Sidewalks and ADA ramps west side Virginia St. between 14th to16th
Estimate cost \$8,200.00

Attachments #14 #15 #16 #17#18 were completed 2017 ADA projects and Professional services. If funds are available the alternate projects will be connect West 5th and Virginia to the 5th Street Park where new ADA ramps and sidewalk were installed. Park project attachments #26 and #27

- #14 Sidewalks and ADA ramps west side Virginia St. 8thto9th estimate cost \$14,800.00
- #15 Sidewalks and ADA ramps west side Virginia St. 9thto10th estimate cost \$3,400.00
- #16 Sidewalks and ADA ramps west side Virginia St. 10thto11 estimate cost \$7,600.00
- #17 Sidewalks and ADA ramps west side Virginia St. 11thto12 estimate cost \$9,500.00
- #18 Invoice for engineering and drawing services \$4,900.00

The funds were available to complete all attachments through #27 in 2017 Attachments #28 #29 #30 #31 #32 Proposed 2018 ADA projects and Professional services.

- #28 Sidewalk along 9th street from Virginia to the east for 99 ft. estimate cost \$5,842.75
- #29 Sidewalk along 9th street from Virginia street west to Missouri street estimate cost \$7,332.00
- #30 Sidewalk along 9th street Virginia street 140 ft. east estimate cost \$ 7,120.00
- # 31 Sidewalk along Missouri street from 7th to 8th street estimate cost \$ 9,820.00
- # 32 Invoice for engineering and drawing services \$680.00

Some ADA Project Upgrades that Indicates the Towns commitment to be Compliant

Project	Year	Estimate Cost
Removed old and constructed new Restrooms at 18 th street Park	2013	\$76,456.39
Entrance Doors Town Hall	2013	\$10,740.17
Sidewalk/Curb replacement between west 7 th and 8 th street	2012	\$10,860.00
Town Hall Parking Lot Renovation	2012	\$111,827.23

Police Station Renovation	2012	\$115,433.73
Automated Entrance Door openers-senior center	2010	\$1,500.00
Access Road to Football/Soccer field 5 th street Park	2012	\$25,000.00
Wireless Scoreboards at 5 th street Park	2011	\$6,000.00
Play System at 5 th street Park	2004	\$124,197.00
Lighted Sidewalks to access play areas, shelter house, restrooms, concession and ball fields at 5 th street Park	2005	\$20,077.00
Removed old and constructed new Shelter house at 18 th street Park	2001	\$34,370.00
Play System at 18 th street Park	2002	\$110,336.70
Lighted Sidewalks to access play areas, shelter house, restrooms, concession and ball field at 18 th street Park	2003	\$29,465.00
Restrooms and shelter house upgrade for accessibility at 5 th street Park	2001	\$6,305.00
Installed new sidewalks around the 5 th street park football concession building for ADA accessibility	2015	\$2,488.88
Made a portable ADA ramp to use at fests or wherever it may be needed.	2015	\$308.23
Added Sidewalks and ADA ramps along the south side of the park property on west 5 th street.	2016	\$34,125.00
Added Sidewalks and ADA ramps along the south side of 16 th street Virginia to State Road 162	2016	\$11,940.00

E. ADA Standards / Guidelines

The standards are intended to apply to all construction undertaken within the Town. The Indiana Department of Transportation design guidelines and standards drawings will serve as the primary standards and guidelines for this plan with regard to streets and sidewalks. U.S. Department of Justice guidelines and standards drawings will serve as the primary standards and guidelines for this Plan with regard to buildings and other public places owned by the Town. Other standards, if necessary, will be applied at the discretion of the ADA coordinator.

IMPLEMENTATION

The Town intends to implement this Transition Plan effective the date of this document. Not only does the Town commit to following the guidelines set forth in this Transition Plan but it also commits to actively revising and amending this document as new information is discovered.

Town of Ferdinand
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 Town of Ferdinand. The Town of Ferdinand's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing on the Town's "Discrimination Complaint/Grievance Form", 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:

Ferdinand ADA Coordinator
2065 Main Street
Ferdinand, IN 47532

Within 15 calendar days after receipt of the complaint, the Ferdinand 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 audiotape. The response will explain the position of the Town of Ferdinand and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision to the Ferdinand ADA Grievance Committee within 30 calendar days after receipt of the response, by notifying the Ferdinand Clerk-Treasurer or his/her designee.

Within 15 calendar days after receipt of the appeal, the Ferdinand ADA Grievance Committee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Clerk-Treasurer 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.

If the response of the ADA Grievance Committee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision to the Ferdinand Town Council within 30 calendar days after receipt of the response, by notifying the Ferdinand Clerk-Treasurer or his/her designee.


Within 15 calendar days after receipt of appeal, the Ferdinand Town Council will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Clerk-Treasurer 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 ADA Grievance Committee, and Town Council and responses from these two officials will be retained by the Town of Ferdinand for at least three years.

Duly adopted this 10 day of April, 2018.

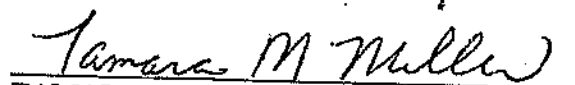
FERDINAND TOWN COUNCIL


KENNETH J. SIGARD, President


RONALD J. WEYER, Member


DEBRA JOHNSON, Member

ATTEST:


TAMARA M. MILLER, Clerk-Treasurer