



# Board of County Commissioners Agenda Request

LOA

Agenda Item #

**Requested Meeting Date:** 7-14-20

**Title of Item:** ADA Transition Plan for Public Rights of Way

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	<b>Action Requested:</b> <input type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input checked="" type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
<b>Submitted by:</b> John Welle		<b>Department:</b> Highway Department
<b>Presenter (Name and Title):</b> John Welle, Aitkin County Engineer		<b>Estimated Time Needed:</b> 10 minutes
<b>Summary of Issue:</b> As the recipient of federal highway funding, we are required to have in place by September, 2000 an ADA Transition Plan for pedestrian facilities within our county highway right of way. As part of developing this plan, we are also required to offer the opportunity for public input.  Attached is the draft Aitkin County ADA Transition Plan for review and discussion prior to making it available to the public.		
<b>Alternatives, Options, Effects on Others/Comments:</b>		
<b>Recommended Action/Motion:</b> Recommendation is to establish a time to hear public input regarding the draft plan at an upcoming regularly scheduled Board of Commissioners Meeting.		
<b>Financial Impact:</b> Is there a cost associated with this request? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No What is the total cost, with tax and shipping? \$ Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

Legally binding agreements must have County Attorney approval prior to submission.

# Aitkin County ADA Transition Plan For Public Rights of Way

July 8, 2020

## Introduction

### Transition Plan Need and Purpose

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

1. Employment
2. State and local government services
3. Public accommodations
4. Telecommunications
5. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As a provider of public transportation services and programs, Aitkin County must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." (42 USC. Sec. 12132; 28 CFR. Sec. 35.130)

As required by Title II of ADA, 28 CFR, Part 35 Sec. 35.105 and Sec. 35.150, Aitkin County has conducted a self-evaluation of its facilities within public rights of way and has developed this Transition Plan detailing how the organization will ensure that all of those facilities are accessible to all individuals.

### ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the Architectural Barriers Acts of 1968 and Section 504 of the Rehabilitation Act of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law

apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

## Agency Requirements

Under Title II, Aitkin County must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities (28 C.F.R. Sec. 35.150).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability (28 C.F.R. Sec. 35.130 (a)).
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result (28 C.F.R. Sec. 35.130(b) (7)).
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective (28 C.F.R. Sec. 35.130(b)(iv) & (d)).
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others (29 C.F.R. Sec. 35.160(a)).
- Must designate at least one responsible employee to coordinate ADA compliance [28 CFR Sec. 35.107(a)]. This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [28 CFR Sec. 35.107(a)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [28 CFR Sec. 35,106]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [28 CFR Sec. 104.8(a)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [28 CFR Sec. 35.107(b)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

This document has been created to specifically cover accessibility within the public rights of way and does not include information on Aitkin County's programs, practices, or building facilities not related to public rights of way.

## **Self-Evaluation**

### **Overview**

Aitkin County is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current transportation infrastructure policies, practices, and programs. The goal of the self-evaluation is to verify that, in implementing the County's policies and practices, the department is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The self-evaluation also examines the condition of the County's Pedestrian Circulation Route/Pedestrian Access Route) (PCR/PAR) and identifies potential need for PCR/PAR infrastructure improvements. This will include the sidewalks and curb ramps that are located within the County rights of way. Aitkin County has no trails, traffic control signals or transit facilities that are located within the County rights of way. Any barriers to accessibility identified in the self-evaluation and the remedy to the identified barrier are set out in this transition plan.

### **Summary**

In 2020, Aitkin County conducted an inventory of pedestrian facilities within its public right of way consisting of the evaluation of the following facilities:

- Sidewalks
- Pedestrian Curb Ramps

An evaluation on how these facilities relate to ADA standards is found in Appendix A.

## **Policies and Practices**

### **Previous Practices**

Since the adoption of the ADA, Aitkin County has included upgrades to accessible pedestrian features when it was feasible to do so as part of the County's capital improvement projects.

### **Policy**

Aitkin County's goal is to continue to provide accessible pedestrian design features as part of the County's Capital Improvement Program. The County has established ADA design standards as listed in Appendix B.

Aitkin County will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed reasonable will be scheduled consistent with transportation priorities. The County will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the County jurisdiction are ADA compliant to the maximum extent feasible.

Maintenance of pedestrian facilities within the public right of way will continue to follow the maintenance policies set forth by the County.

Requests for accessibility improvements can be submitted by the public to the Aitkin County ADA Coordinator.

### **ADA Coordinator**

In accordance with 28 CFR 35.107(a), Aitkin County has identified an ADA Title II Coordinator to oversee the County policies and procedures. Contact information for this individual is located in Appendix C.

### **Priority Areas**

As part of its annual Capital Improvement Program update, Aitkin County will identify specific locations for planned accessibility improvement projects. To the extent feasible, all new and reconstruction projects with pedestrian accommodations will be constructed to meet current ADA design standards. For resurfacing projects, ramps will be modified or added on a case by case basis. High priority areas such as those in close proximity to schools, government offices

and medical facilities and those identified from public comments will be given additional consideration.

## **Public Outreach**

Aitkin County recognizes that public participation is an important component in the development of this document. In addition to this document being made available for public comment, public participation was encouraged through the following activities:

- A public input meeting was held on ?????, 2020 as part of the regular Aitkin County Board meeting.

## **Grievance Procedure**

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities in regards to the ADA. If users of Aitkin County facilities and services believe the County has not provided reasonable accommodation, they have the right to file a grievance.

In accordance with 28 CFR 35.107(b), the Aitkin County has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances. This grievance procedure is outlined in Appendix D.

## **Monitor the Progress**

This document will continue to be updated as conditions within the County evolve. The appendices in this document will be updated periodically, while the main body of the document will be updated when major revisions are required. With each main body update, a public comment period will be established to continue the public outreach.

## **Appendices**

- A. Self-Evaluation**
- B. Agency ADA Design Standards and Procedures**
- C. Contact Information**
- D. Grievance Procedure**
- E. Glossary of Terms**

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# Appendix A - Self Evaluation

## Aitkin County Pedestrian Facilities - Sidewalks Page 1 of 3

City	Highway	From	To	Location	Length	Construction Year	Compliant (Y for yes, N for No)		
							Slope	Width	Joints
Aitkin	CSAH 1	2nd Street	3rd Street	Left	335	2005	N	Y	N
Aitkin	CSAH 1	2nd Street	3rd Street	Right	334	2005	N	Y	N
Aitkin	CSAH 1	3rd Street	4th Street	Left	345	2005	N	Y	N
Aitkin	CSAH 1	3rd Street	4th Street	Right	337	2005	N	Y	N
Aitkin	CSAH 1	4th Street	5th Street	Left	336	2005	N	Y	N
Aitkin	CSAH 1	4th Street	5th Street	Right	336	2005	N	Y	N
Aitkin	CSAH 1	5th Street	Mississippi River Bridge	Left	1185	2005	N	Y	N
Aitkin	CSAH 1	5th Street	Airpark Drive	Right	177	2005	Y	Y	N
Aitkin	CSAH 1	Airpark Drive	Fairgrounds Entrance	Right	132	2005	Y	Y	N
Aitkin	CSAH 15	6th Avenue	5th Avenue	Left	345	1997	Y	Y	N
Aitkin	CSAH 15	6th Avenue	5th Avenue	Right	345		Y	Y	N
Aitkin	CSAH 15	5th Avenue	4th Avenue	Left	335	1997	N	Y	N
Aitkin	CSAH 15	5th Avenue	4th Avenue	Right	337		Y	Y	N
Aitkin	CSAH 15	4th Avenue	2nd Avenue	Left	665	1997	N	Y	N
Aitkin	CSAH 15	4th Avenue	3rd Avenue	Right	330	1997	Y	Y	N
Aitkin	CSAH 15	3rd Avenue	2nd Avenue	Right	337		Y	Y	N
Aitkin	CSAH 15	2nd Avenue	Minnesota Avenue	Left	755	1997	N	Y	N
Aitkin	CSAH 41	1st Street	2nd Street	Right	330	2019	Y	Y	Y
Hill City	CSAH 33	Gill Street	Main Street	Left	280	2010	Y	Y	N
Hill City	CSAH 33	Gill Street	Main Street	Right	324		Y	Y	N
Hill City	CSAH 33	Main Street	Cedar Street	Left	324	2010	Y	Y	N
Hill City	CSAH 33	Main Street	Cedar Street	Right	327		Y	Y	N
Hill City	CSAH 33	Cedar Street	Water Street	Right	692	2010	Y	Y	N
Hill City	CR 74	US Hwy 169	High School Entrance	Left	1085	2017	Y	Y	Y
McGregor	CSAH 8	1st Street	Albert Avenue	Right	800	2002	N	N	N
McGregor	CSAH 8	Andrew Street	Wiltet Avenue	Left	110	2002	N	N	N
McGregor	CSAH 8	Wiltet Avenue	Center Avenue	Left	627	2002	N	N	N
McGregor	CSAH 8	Albert Avenue	Center Avenue	Right	315	2002	N	Y	N
McGregor	CSAH 8	Center Avenue	Delling Avenue	Left	572	2002	N	Y	N
McGregor	CSAH 8	Center Avenue	1st Avenue	Right	264	2002	N	Y	N
McGregor	CSAH 8	1st Avenue	Delling Avenue	Right	150	2002	N	Y	N
McGregor	CSAH 8	Delling Avenue	RR crossing	Left	200	2002	N	N	N
McGregor	CSAH 8	Delling Avenue	Country House Lane	Right	200	2002	N	N	N
McGregor	CSAH 8	Country House Lane	Mable Street	Right	675	2002	N	N	N
McGregor	CSAH 8	Mable Street	TH 210	Right	1433	2002	N	N	N
Palisade	CSAH 3	2nd Avenue	3rd Avenue	Left	310	2012	Y	Y	N
Palisade	CSAH 3	2nd Avenue	3rd Avenue	Right	300	2012	Y	Y	N
Palisade	CSAH 3	3rd Avenue	4th Avenue	Left	325	2012	Y	Y	N
Palisade	CSAH 3	3rd Avenue	4th Avenue	Right	330	2012	N 2.3%	Y	N
Palisade	CSAH 3	4th Avenue	5th Avenue	Left	317	2012	Y	Y	N
Palisade	CSAH 3	4th Avenue	5th Avenue	Right	307	2012	N	Y	N
Palisade	CSAH 3	5th Avenue	Nature Avenue	Left	526	2012	Y	Y	N
Tamarack	CSAH 6	TH 210	Nelson Avenue	Left	580	2011	N	Y	N
Tamarack	CSAH 6	TH 210	Nelson Avenue	Right	565	2011	N	Y	N
Tamarack	CSAH 6	Nelson Avenue	Front Street	Left	471	2011	N	Y	N
Tamarack	CSAH 6	Nelson Avenue	Orvis Avenue	Right	507	2011	N	Y	N

**Aitkin County Pedestrian Facilities - Pedestrian Ramps**      **Page 2 of 3**

City	Highway	Location	Quadrant	Construction Year	Compliant (Y for yes, N for No)		
					Truncated Domes	Landing	Slopes
Aitkin	CSAH 1	3rd Street	SE	2005	Y-CONCRETE	N	N
Aitkin	CSAH 1	3rd Street	SW	2005	Y-CONCRETE	N	N
Aitkin	CSAH 1	3rd Street	NW	2005	Y-CONCRETE	N	N
Aitkin	CSAH 1	3rd Street	NE	2005	Y-CONCRETE	N	N
Aitkin	CSAH 1	4th Street	SE	2005	Y-CONCRETE	Y	N
Aitkin	CSAH 1	4th Street	SW	2005	Y-CONCRETE	N	N
Aitkin	CSAH 1	4th Street	NW	2005	Y-CONCRETE	N	N
Aitkin	CSAH 1	4th Street	NE	2005	Y-CONCRETE	N	N
Aitkin	CSAH 1	5th Street	SE	2005	Y-CONCRETE	N	N
Aitkin	CSAH 1	5th Street	SW	2005	Y-CONCRETE	N	N
Aitkin	CSAH 1	5th Street	NW	2005	Y-CONCRETE	N	N
Aitkin	CSAH 1	5th Street	NE	2005	Y-CONCRETE	N	N
Aitkin	CSAH 1	Airpark Drive	SE	2005	Y-CONCRETE	N	N
Aitkin	CSAH 1	Airpark Drive	NE	2005	Y-CONCRETE	N	N
Aitkin	CSAH 15	6th Avenue	SE	1997	N	N	N
Aitkin	CSAH 15	6th Avenue	NE	1997	N	N	N
Aitkin	CSAH 15	5th Avenue	SE	1997	N	Y	N
Aitkin	CSAH 15	5th Avenue	SW	1997	N	N	N
Aitkin	CSAH 15	5th Avenue	NW	1997	N	N	N
Aitkin	CSAH 15	5th Avenue	NE	1997	N	N	N
Aitkin	CSAH 15	4th Avenue	SE	1997	N	Y	N
Aitkin	CSAH 15	4th Avenue	SW	1997	N	Y	N
Aitkin	CSAH 15	4th Avenue	NW	1997	N	N	N
Aitkin	CSAH 15	4th Avenue	NE	1997	N	N	N
Aitkin	CSAH 15	3rd Avenue	SE	1997	N	N	N
Aitkin	CSAH 15	3rd Avenue	SW	1997	N	N	N
Aitkin	CSAH 15	2nd Avenue	SW	1997	N	N	N
Aitkin	CSAH 15	2nd Avenue	NW	1997	N	N	N
Aitkin	CSAH 15	2nd Avenue	NE	1997	N	N	N
Aitkin	CSAH 41	1st Street	SE	2019	Y	Y	Y
Aitkin	CSAH 41	1st Street	NE	2019	Y	Y	Y
Hill City	CSAH 33	Gill Street	SE	2010	Y-CONCRETE	N	N
Hill City	CSAH 33	Gill Street	NE	2010	Y-CONCRETE	Y	N
Hill City	CSAH 33	Main Street	SE	2010	Y-CONCRETE	N	N
Hill City	CSAH 33	Main Street	SW	2010	Y-CONCRETE	N	N
Hill City	CSAH 33	Main Street	NW	2010	Y-CONCRETE	Y	N
Hill City	CSAH 33	Main Street	NE	2010	Y-CONCRETE	Y	N
Hill City	CSAH 33	Cedar Street	SE	2010	Y-CONCRETE	N	N
Hill City	CSAH 33	Cedar Street	SW	2010	Y-CONCRETE	Y	N
Hill City	CSAH 33	Cedar Street	NW	2010	Y-CONCRETE	Y	N
Hill City	CSAH 33	Cedar Street	NE	2010	Y-CONCRETE	N	N
Hill City	CSAH 33	Water Street	SE	2010	Y-CONCRETE	Y	N
Hill City	CR 66	Main Street	SE	2006	Y-CONCRETE	N	N
Hill City	CR 66	Main Street	NW	2006	Y-CONCRETE	N	N
Hill City	CR 66	City Bike Trail	NA	2006	PRESENT-NARROW	N	N

**Aitkin County Pedestrian Facilities - Pedestrian Ramps**      **Page 3 of 3**

City	Highway	Location	Quadrant	Construction Year	Compliant (Y for yes, N for No)		
					Truncated Domes	Landing	Slopes
Hill City	CR 74	School Entrance	SE	2017	N	Y	Y
McGregor	CSAH 8	1st Street	NW	2002	N	N	N
McGregor	CSAH 8	Wittet Avenue	SW	2002	N	N	N
McGregor	CSAH 8	Wittet Avenue	NW	2002	N	N	N
McGregor	CSAH 8	Albert Avenue	SE	2002	N	N	N
McGregor	CSAH 8	Albert Avenue	NE	2002	N	N	Y
McGregor	CSAH 8	Center Avenue	SE	2002	N	Y	N
McGregor	CSAH 8	Center Avenue	SW	2002	N	Y	N
McGregor	CSAH 8	Center Avenue	NW	2002	N	N	N
McGregor	CSAH 8	Center Avenue	NE	2002	N	N	N
McGregor	CSAH 8	1st Avenue	SE	2002	N	N	N
McGregor	CSAH 8	1st Avenue	NE	2002	N	N	N
McGregor	CSAH 8	Delling Avenue	SE	2002	N	N	N
McGregor	CSAH 8	Delling Avenue	SW	2002	N	Y	N
McGregor	CSAH 8	Delling Avenue	NW	2002	N	Y	N
McGregor	CSAH 8	Delling Avenue	NE	2002	N	N	N
McGregor	CSAH 8	Country House Lane	NW	2002	N	N	N
McGregor	CSAH 8	Country House Lane	NE	2002	N	N	N
McGregor	CSAH 8	Mable Street	SE	2002	NO SIDEWALK ON SOUTH		
McGregor	CSAH 8	Mable Street	SW	2002			
McGregor	CSAH 8	Mable Street	NW	2002	Y	N	Y
McGregor	CSAH 8	Mable Street	NE	2002	Y	N	N
McGregor	CSAH 8	Hespar Street	SE	2002	NO SIDEWALK ON SOUTH		
McGregor	CSAH 8	Hespar Street	SW	2002			
Palisade	CSAH 3	2nd Avenue	SE	2012	Y	N 2.3%	Y
Palisade	CSAH 3	2nd Avenue	NE	2012	Y	Y	Y
Palisade	CSAH 3	3rd Avenue	SE	2012	Y	Y	Y
Palisade	CSAH 3	3rd Avenue	SW	2012	Y	Y	Y
Palisade	CSAH 3	3rd Avenue	NW	2012	Y	Y	Y
Palisade	CSAH 3	3rd Avenue	NE	2012	Y	Y	Y
Palisade	CSAH 3	4th Avenue	SE	2012	Y	Y	Y
Palisade	CSAH 3	4th Avenue	SW	2012	Y	Y	Y
Palisade	CSAH 3	4th Avenue	NW	2012	Y	Y	Y
Palisade	CSAH 3	4th Avenue	NE	2012	Y	Y	Y
Palisade	CSAH 3	5th Avenue	SW	2012	Y	Y	Y
Palisade	CSAH 3	5th Avenue	NW	2012	Y	N	N
Palisade	CSAH 3	5th Avenue	NE	2012	Y	N	N
Palisade	CSAH 3	Nature Avenue	NW	2012	Y	Y	Y
Palisade	CSAH 3	Nature Avenue	NE	2012	Y	Y	Y
Tamarack	CSAH 6	Nelson Avenue	SE	2011	Y	Y	Y
Tamarack	CSAH 6	Nelson Avenue	SW	2011	Y	Y	N
Tamarack	CSAH 6	Nelson Avenue	NW	2011	Y	Y	N
Tamarack	CSAH 6	Nelson Avenue	NE	2011	Y	Y	Y
Tamarack	CSAH 6	Front Street	NW	2011	Y	Y	Y
Tamarack	CSAH 6	Orvis Avenue	NE	2011	Y	Y	Y

## **Appendix B – Agency ADA Design Standards**

### **Design Standards**

Aitkin County will use Public Right of Way Accessibility Guidelines (PROWAG) as adopted by the Minnesota Department of Transportation (MnDOT), as its design standard. A copy of this document is available online or upon request.

## **Appendix C – Contact Information**

### **ADA Title II Coordinator**

**Name:** John Welle  
**Address:** 1211 Airpark Drive  
Aitkin, MN 56431  
**Phone:** 218-927-7469  
**Fax:** 218-927-2356  
**E-mail:** [john.welle@co.aitkin.mn.us](mailto:john.welle@co.aitkin.mn.us)

## Appendix D – Grievance Procedure

As part of the ADA requirements the City/County has posted the following notice outlining its ADA requirements:

### **Public Notice**

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990, Aitkin County will not discriminate against qualified individuals with disabilities on the basis of disability in Aitkin County's services, programs, or activities.

**Employment:** The 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 Americans with Disabilities Act (ADA).

**Effective Communication:** The 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 the County's 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:** The County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all County programs, services, and activities.

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

The ADA does not require the County to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

The 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.

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 County of Aitkin. The County of Aitkin'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 the ADA Coordinator:

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, Braille, or audio tape. The response will explain the position of the County of Aitkin 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 within 15 calendar days after receipt of the response to the County Administrator or his/her designee.

Within 15 calendar days after receipt of the appeal, the County Administrator or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the County Administrator 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 Administrator or his/her designee, and responses from these two offices will be retained by the County of Aitkin for at least three years.

## Appendix E – Glossary of Terms

**ADA:** See Americans with Disabilities Act.

**ADA Transition Plan:** Mn/DOT's transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements into the Statewide Transportation Improvement Program (STIP), and ensures all transportation facilities, services, programs, and activities are accessible to all individuals.

**Accessible:** A facility that provides access to people with disabilities using the design requirements of the ADA.

**Alteration:** A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

**Americans with Disabilities Act (ADA):** The Americans with Disabilities Act; Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

**Capital Improvement Program (CIP):** The CIP for the Transportation Department includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the county's transportation system.

**Pedestrian Access Route (PAR):** A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

**Pedestrian Circulation Route (PCR):** A prepared exterior or interior way of passage provided for pedestrian travel.

**PROWAG:** An acronym for the *Guidelines for Accessible Public Rights-of-Way* issued in 2005 by the U. S. Access Board. This guidance addresses roadway design practices, slope, and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

**Right of Way:** A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks, and trails creating public pedestrian access within a public entity's jurisdictional limits.

**Section 504:** The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.