

MEEKER COUNTY PUBLIC WORKS

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ADA TRANSITION PLAN FOR PUBLIC RIGHT OF WAY ADOPTED: February 18, 2020

Meeker County's ADA Transition Plan for Public Right of Way is a document that will detail the transition from non-compliant pedestrian sidewalks to becoming compliant with the Americans with Disabilities Act (ADA). The Public Right of Way Access Guidelines (PROWAG) will be used to help direct efforts to meet the needs of the disabled community.

Meeker County completed a self-assessment of sidewalk curb ramps in the early 2000's. A more detailed survey of sidewalk and curb ramp facilities adjacent to County State Aid Highways (CSAH) was completed in 2013 and will be used as a basis for the transition plan. A public hearing was held on February 18, 2020 to gather input and identify concerns from Meeker County residents.

Policy

Meeker County's goal is to continue to work with communities to provide accessible pedestrian design features as part of major County capital improvement projects. The County recognizes PROWAG as its design standard for these improvements.

The County has established ADA design standards and procedures as follows:

Intersection Corners

The County will attempt to reconstruct or upgrade curb ramps to achieve compliance within all major reconstruction projects. Limitations may exist at some locations which make it technically infeasible for an intersection corner to achieve full accessibility within the scope of the project. These limitations will be identified and noted in the transition plan as they are discovered. As future projects arise, these limited intersections will continue to be incorporated into future work. Regardless if full compliance can be achieved, each intersection corner shall be made as compliant as practical in accordance with the judgement of County staff.

Sidewalks & Trails

The County will attempt to reconstruct or upgrade sidewalks & trails to achieve compliance within all major reconstruction projects. Limitations may exist at some locations which make it technically infeasible for a sidewalk or trail to achieve full accessibility within the scope of the

project. These limitations will be identified and noted in the transition plan as they are discovered. As future projects arise, these limited sidewalks & trails will continue to be incorporated into future work. Regardless if full compliance can be achieved, sidewalks & trails shall be made as compliant as practical in accordance with the judgement of County staff.

Other policies, practices and programs

Policies, practices and programs not identified in this document will follow the applicable ADA standards.

Meeker County recognizes PROWAG as its design standard. These standards and procedures will be kept up to date with nationwide and local best management practices.

The County will consider and respond to all accessibility improvement requests. Proposed improvements that have been deemed reasonable will be scheduled consistent with transportation priorities. The County will work to 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.

Construction and maintenance of pedestrian facilities within the county road right of way will continue to follow the policies adopted by the County. Requests for accessibility improvements can be submitted to the County Administrator or County Engineer.

Improvement Schedule

Meeker County understands that reconstruction of the non-compliant pedestrian curb ramps, sidewalks, and trails will be a considerable financial investment and improvements must be balanced with other infrastructure needs and work on the County highway system.

The County will primarily address improvements to pedestrian facilities in coordination with County highway construction projects. Minor highway projects such as pavement overlays may include pedestrian facility improvements to current ADA standards when practical. Major highway projects such as a full reconstruction will include pedestrian facility upgrades in compliance with current ADA standards when feasible.

External Agency Coordination

Many other agencies are responsible for pedestrian facilities within the jurisdiction of Meeker County and county road right of way. The County will coordinate with those agencies to assist in the improvement of pedestrian facilities as situations arise.

Grievance Procedure

Anyone with a potential grievance is encouraged to make contact with the County's ADA Title II Coordinator or the County's ADA Coordinator for Public Right of Way to discuss concerns. However, the public may file a formal grievance by submitting the following in writing.

- Name, address, and phone number of the person filing the grievance
- Name, address, and phone number of the person alleging the ADA violation if other than the person filing the grievance
- A description and location of the alleged violation and the remedy sought
- Information regarding whether a complaint has been filed with the Department of Justice or other federal or state civil rights agency or court
- If a complaint has been filed, the name of the agency or court where the complaint was filed, and the date the complaint was filed

The grievance will be responded to or acknowledged within 10 working days of receipt. If the grievance filed does not concern Meeker County, the grievant will be notified.

Within 60 calendar days of receipt, the ADA Title II Coordinator will conduct the investigation necessary to determine the validity of the alleged violation. If appropriate, the ADA Title II Coordinator will arrange a meeting with the grievant to discuss the matter and attempt to reach a resolution to the grievance. Any resolution of the grievance will be documented.

If a resolution of the grievance is not reached, a written determination as to the validity of the complaint and description of the resolution will be issued by the ADA Title II Coordinator and a copy forwarded to the grievant no later than 90 days from the receipt of the grievance.

The grievant may appeal the written determination. The request for reconsideration shall be in writing and submitted to the ADA Title II Coordinator within 30 days of the initial determination. A final determination will be made within 90 days of the filing of the appeal.

ADA Coordinator

Meeker County has designated:

Paul Virnig, Meeker County Administrator as Meeker County's ADA Title II Coordinator. The office for the County Administrator is located at the Meeker County Courthouse at 325 North Sibley Ave, Litchfield, MN 55355. Phone 320-693-5200.

Phil Schmalz, Meeker County Public Works Director/Highway Engineer as Meeker County's ADA Coordinator for Public Right of Way. The office for the Highway Engineer is located at the Meeker County Highway Department at 422 South Johnson Drive, Litchfield, MN 55355. Phone 320-693-5362.

In accordance with 28 CFR 35.107(a), Meeker County has identified an ADA Title II Coordinator to oversee the County policies and procedures. Contact information for this individual is stated above.

Appendices

ADA Grievance Form

Self-Evaluation Results

Glossary of Terms

Appendix A – ADA Grievance Form

Meeker County ADA Grievance Form

ADA Title II Coordinator

Meeker County Administrator
Meeker County Courthouse
325 North Sibley Ave, Litchfield, MN 55355

ADA Coordinator for Public ROW

Meeker County Highway Engineer
Meeker County Highway Department
422 South Johnson Drive, Litchfield, MN 55355

Instructions: Please fill out this form completely, in black ink or type. Sign and return the form to the ADA Title II Coordinator listed above.

Name: _____

Address: _____

City, State and Zip Code: _____

Telephone: _____

Person ADA Violation is against (if different from above): _____

Address: _____

City, State, and Zip Code: _____

Telephone: _____

Government or organization which you believe has caused the ADA Violation:

Name: _____

Address: _____

County: _____

City, State, and Zip Code: _____

Telephone Number: _____

When did the alleged ADA violation occur? _____

Description and location of the alleged ADA Violation:

Has the complaint been filed with another bureau of the Department of Justice or any other Federal, State, or local civil rights agency or court?

Yes _____ No _____

If yes:

Agency or Court: _____

Contact Person: _____

Address: _____

City, State, and Zip Code: _____

Telephone Number: _____

Date Filed: _____

Signature: _____

Date: _____

Appendix B – Self-Evaluation Results

This initial self-evaluation of pedestrian facilities yielded the following results:

- Approximately 18,700 linear feet of sidewalk and 21,825 linear feet of asphalt bike trail are present within County State Aid Highway right of way in various municipalities
- 19 of the 74 existing curb ramps met accessibility criteria
- 151 intersection quadrants had no curb ramps
 - o 143 of these intersection quadrants had no sidewalks
- Approximately 74% of existing curb ramps do not meet accessibility criteria and 12 intersection quadrants with sidewalks had no curb ramps

See the attached self-evaluation:

Appendix C – Glossary of Terms

ADA Transition Plan: MnDOT'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.

Americans with Disabilities Act (ADA): 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.

Detectable Warning: A surface feature of truncated domes built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

Federal Highway Administration (FHWA): A branch of the US Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

PROWAG: An acronym for the *Public Rights-of-Way Access Guidelines* 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 the 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.

Statewide Transportation Improvement Program (STIP): Statewide planning and budgeting system for construction of transportation and accessibility facilities.

United States Access Board: An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

United States Department of Justice (DOJ): The United States federal executive department responsible for the enforcement of the law and administration of justice.