



**A resolution of the County of Scott, Indiana
Adopting the Americans with Disabilities Act (ADA)
Coordinator and Procedures**

WHEREAS, the federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mentally disabled in relation to employment and access to public facilities; and

WHEREAS, incompliance with Title II of the ADA the County of Scott shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA and publish notice regarding the ADA requirements and accommodations; and

WHEREAS, in compliance with Title II of the ADA the County shall name ADA Coordinator; and

WHEREAS, the County has previously named an ADA Coordinator but desires to update and revise the name ADA Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of the County of Scott, Indiana

SECTION I

Tammy Stout Johnson, Scott County Auditor is designated as the ADA Coordinator for the County.

SECTION II

The notice under the Americans with Disabilities Act, a copy of which is attached hereto, is adopted as the Notice of the County under the Americans with Disabilities Act.

SECTION III

The ADA Grievance Procedure under the Americans with Disabilities Act, a copy of which is attached hereto, is adopted by the County as the grievance procedure for addressing complaints alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the County.

SECTION IV

In compliance with Federal and State laws as set forth above, the Board of Commissioners resolves to post the required information regarding the ADA coordinator, Notice under the Americans with Disabilities Act, and County of Scott. Grievance Procedure under the Americans with Disabilities Act on its website and at such other locations as may be determined from time to time.

SECTION V

The express or implied repeal or amendment by this Resolution of any other Resolution or part of any other Resolution does not affect any rights or liabilities accrued, penalties incurred, or procedures begun prior to the effective date of this Resolution. Those rights liabilities, and proceeding are continued, and penalties shall be imposed and enforced under the repealed or amended Resolution as if this Resolution had not been adopted.

SECTION VI

No part of the Resolution shall be interpreted to conflict with any local, state or federal laws, and all reasonable efforts should be made to harmonize same. Should any section or part thereof this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Resolution as a whole, or any other portion thereof other than that portion so declared to be invalid, and for this purpose the provisions of this Resolution are hereby declared to be servable.

SECTION VII

This resolution shall become effective upon promulgation according to law.

RESOLUTION ADOPTED by the County Commissioners of the County of Scott, Indiana this 18th day of July, 2018.


County of Scott Commissioners:




Robert Tobias, President



Mike Jones, Vice President



Jean Robbins, Member

Attest: 

Tammy Stout Johnson, Auditor

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

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

Employment: "Scott 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 the Title I of the ADA.

Effective Communication: "Scott 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 Scott County's programs, services and activities.

Modifications to Policies and Procedures: "Scott 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.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies and programs to participate in a program, service, or activity of Scott County Government, should contact:

Tammy Stout Johnson

Scott County ADA/Title VI Coordinator

1 E McClain Avenue, Suite 130 Courthouse

Scottsburg, IN 47170

Phone #812-752-8408; email: tammy.johnson@scottcounty.in.gov

As soon as possible, but no later than 48 hours before the scheduled event.

The ADA does not require Scott County Government to take any actions 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 Scott County Government is not accessible to persons with disabilities should be directed to:

Tammy Stout Johnson

Scott County ADA/Title VI Coordinator

1 E McClain Ave, Suite 130 Courthouse

Scottsburg, IN 47170

Phone #812-752-8408; email: tammy.johnson@scottcounty.in.gov

See Scott County Government's Grievance Procedure.

Scott County Government 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.



ORDINANCE NUMBER 2018- 006

**AND ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF SCOTT, INDIANA,
ADOPTING THE NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT AND THE GRIEVANCE
PROCEDURE**

Whereas, it is required of the County of Scott under the Americans with Disabilities Act to establish a Grievance Procedure and separate Notice under the Americans with Disabilities Act which shall be on file for public inspections at the court house, 1 E McClain Ave Scottsburg, Indiana, and on the County of Scott Website (www.scottcounty.in.gov). That additionally anyone shall be provided copies of the Notice and Grievance Procedure free of charge at that person's request. Request for alternate formats of either document should be provided to the County of Scott. All reasonable requests will be accommodated.

Whereas, The County of Scott also believes that it is in the best interest of its citizens to establish a Grievance Procedure and separate Notice under the Americans with Disabilities Act.

Now, therefore, the Board of Commissioners of the County of Scott states as follows:

1. The County of Scott Grievance Procedure and separate Notice under the Americans with Disabilities Act are hereby established effective immediately upon the passage of this Ordinance. The County of Scott adopts the 2010 Americans with Disabilities Act Standards for Accessible Design and the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way dated July 26, 2011, including any future updates to either document enforceable by the U.S. Department of Justice or other Federal agency with jurisdiction.
2. The County of Scott shall have on file for public inspection the Grievance Procedure and Notice in the Courthouse, Scottsburg, IN and shall post them on the County of Scott, IN Website. That additionally anyone shall be provided copies of the Notice and Grievance Procedure free of charge at that person's request, including copies in alternate formats.

SEVERABILITY OF PROVISIONS: If any provision of this Ordinance or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of the Ordinance and the application of its provisions to other persons not similarly situated or to the other circumstances shall not be affected thereby.

REPEAL OF PREVIOUS ORDINANCES: Any and all ordinances in conflict herewith shall be repealed.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF SCOTT, INDIANA this Ordinance will be in full force and effect from and after its passage and signature by the Board of Commissioners of the County of Scott, Indiana, and as provided by law, and upon any further requirements under Indiana law.

DULY ORDERED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF SCOTT this 18th
day of July, 2018.

BOARD OF COMMISSIONERS, COUNTY OF SCOTT



Robert C. Tobias, Commissioner



Mike Jones Commissioner



Jean Robbins, Commissioner

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 provisions of services, activities, programs, or benefits by the County of Scott, Indiana. The County of Scott'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 include location, date, and description of the problem. Alternative means of filing a complaint, 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:

Tammy Stout Johnson
Scott County ADA/Title VI Coordinator
1 E McClain Avenue, Suite 130 Courthouse, Scottsburg, IN 47170
Phone #812-752-8408; email: tammy.johnson@scottcounty.in.gov

Within 15 calendar days after receipt of the complaint, Tammy Stout Johnson, or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Tammy Stout Johnson, or 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 Scott, Indiana and offer options for substantive resolution of the complaint.

If the response by Tammy Stout Johnson or 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 Board of Commissioners or their designee.

Within 15 calendar days after receipt of the appeal, the Board of Commissioners or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Board of Commissioners or their 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 Tammy Stout Johnson, or her designee, appeals to the Board of Commissioners or their designee, and responses from these two offices will be retained by the County of Scott, Indiana for at least three (3) years.