

2020

Kandiyohi County Americans with Disabilities Act Transition Plan

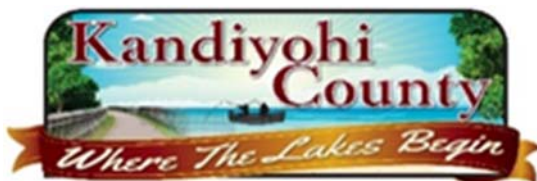


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Introduction

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, Kandiyohi 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, Kandiyohi County has conducted a self-evaluation of its highway 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. **This document has been created to specifically cover accessibility within the public rights of way and does not include information on County programs, practices, or building facilities not related to public rights of way.**

ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the Architectural Barriers Act 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, Kandiyohi 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 C.F.R. 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 C.F.R 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 C.F.R. 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 C.F.R 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 C.F.R 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.

Self-Evaluation

Overview

Kandiyohi County is required, under Title II of the Americans with Disabilities Act (ADA) and 28 C.F.R 35.105, to perform a self-evaluation of its current transportation infrastructure policies, practices and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the County implements these policies. 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 curb ramps and traffic control signals that are located within the County rights of way.

Summary

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

- Pedestrian ramps at intersections that include trail or sidewalk facilities
- Traffic control signals

Pedestrian ramps at sidewalks, intersections and trails were assessed and categorized into three condition rating tiers:

- Tier 0, Largely or fully compliant (320 or 52%)
- Tier 1, Substantially compliant (270 or 44%)
- Tier 2, Several elements are not compliant (27 or 4%)

A detailed evaluation on how these facilities relate to ADA standards is found in Appendix A and will be updated periodically.

Policies and Practices

Previous Practices

Since the adoption of the Americans with Disabilities Act, Kandiyohi County has strived to provide accessible pedestrian features as part of the County's capital improvement projects. As additional information was made available as to the methods of providing accessible pedestrian features, the County updated their procedures to accommodate these methods.

Policy

Kandiyohi County's goal is to continue to provide accessible pedestrian design features as part of the County's capital improvement projects by following established ADA design standards and procedures as listed in Appendix F. These procedures and standards will be kept up to date with nationwide and local best management practices.

The County will consider and respond to all accessibility improvement requests in a reasonable and responsible manner. 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 policies set forth by the County.

New Construction:

- All County new construction projects with pedestrian accommodations will be designed and constructed to conform with the most current ADA design practices to the extent feasible.

Reconstruction:

- All County reconstruction projects will be designed and constructed in accordance with the most current ADA design practices to the extent feasible.

Rehabilitation/Resurfacing projects:

- Accessible curb cuts and ramps will be added as needed to provide access to existing pedestrian facilities (i.e. walks/trails) at intersections where they do not currently exist.
- Improvements to existing pedestrian ramps will be addressed on a case by case basis. High priority areas such as those in close proximity to specific land uses (i.e. schools, government offices, and medical facilities) will be given additional consideration. Improvements will be undertaken at the discretion of the County Engineer.

Public Request projects:

- Accessibility improvements requested by the public will be evaluated by County staff. Evaluation criteria will include pedestrian volumes, traffic volumes, condition of existing infrastructure, impacts to future projects, and public safety.

Requests for accessibility improvements can be submitted to the ADA Coordinator. Contact information for the ADA Coordinator is located in Appendix E.

Stand Alone projects:

- If time and funding is available, independent ADA projects may be undertaken by the County. Candidate sites will be evaluated on facility condition, pedestrian volumes, public safety, public benefit and improvement costs as well as the ability to provide alternative barrier removal options.

External Agency Coordination

Many other agencies are responsible for pedestrian facilities within the jurisdiction of Kandiyohi County. The County will cooperate with those agencies to assist in the facilitation of the elimination of accessibility barriers as necessary.

Improvement Schedule

Schedule

Kandiyohi County has set the following schedule goals for improving the accessibility of its pedestrian facilities within the County's jurisdiction:

- By 2030, Kandiyohi County is expected to have 70% of all pedestrian facilities at Tier 0.
- By 2040, Kandiyohi County is expected to have 90% of all pedestrian facilities at Tier 0.

Additional priority will be given to any location where an improvement project or alteration was constructed after January 26, 1991, and accessibility features were omitted.

Improvement Methods

Kandiyohi County will utilize two methods for upgrading pedestrian facilities to current ADA standards.

The first and most comprehensive of the two methods are the scheduled roadway reconstruction/resurfacing projects. Pedestrian facilities along these corridors will be upgraded to current recommended accessibility standards to the extent feasible.

The second method includes standalone sidewalk and ADA accessibility improvement projects. These projects will be addressed on a case by case basis as determined by Kandiyohi County staff and most often would be completed by the Kandiyohi County Public Works Department.

A copy of the five year Kandiyohi County Capital Improvement Projects list is available upon request.

Public Outreach

Kandiyohi County recognizes that public participation is an important component in the development of this document. Input from the community has been gathered and used to help define priority areas for improvements within Kandiyohi County.

Public outreach for the creation of this document consisted of the following activities:

- ADA Transition Plan Open House
September 16, 2020

- ADA Transition Plan Website:
www.kcmn.us/departments/public_works/ada_transition_plan.php
- Formal Open Comment Period
September 16, 2020 – September 30, 2020
- County Board Approval
November 3, 2020

The County's ADA Coordinator will continue to be available for questions or discussion.

Information presented at the open house is located in Appendix D.

Grievance Procedure

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities in regards to the ADA. A draft of this public notice is provided in Appendix E. If users of Kandiyohi 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 Kandiyohi County Public Works Department has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizen's grievances, concerns, comments and other grievances. This grievance procedure is outlined in Appendix E.

ADA Coordinator

In accordance with 28 CFR 35.107(a), Kandiyohi County has appointed the Public Works Director as the ADA Title II Coordinator and will oversee the County's ADA policies and procedures in its right of way. The Kandiyohi County Public Works Director is Melvin W. Odens, P.E. He can be reached at ADACoordinator@kcmn.us. More contact information is located in Appendix E.

Monitor the Progress

This document, including the Appendices, will continue to be updated as conditions within the County evolve. The County will track its progress and adjust their strategies when appropriate.

Appendices

Appendix A - Glossary of Terms

Appendix B - Self Evaluation

Appendix C - Schedule and Budget

Appendix D - Public Outreach

Appendix E - Grievance Procedures and Contacts

Appendix F – Agency ADA Design Procedures and Standards

Appendix G – Kandiyohi County Board Resolution

Appendix A – Glossary of Terms

ADA: See Americans with Disabilities Act.

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

Accessible Pedestrian Signal (APS): A device that communicates information about pedestrian timing in nonvisual format such as audible tones, speech messages, and/or vibrating surfaces. (Minnesota Manual on Uniform Traffic Control Devices December 2011, Section 1A, page 14).

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.

APS: See Accessible Pedestrian Signal.

DOJ: See United States Department of Justice.

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.

Transportation Improvement Program (TIP): The Transportation Improvement Program (TIP) is a ten-year program for transportation construction in the county. It implements policies, strategies and investment levels identified in the Transportation Plan. The TIP identifies funding for the reconstruction and improvement of highways, bridges, trails, transit facilities and other projects that increase safety along County Highways.

United States Department of Justice (DOJ): The United States Department of Justice (often referred to as the Justice Department or DOJ), is the United States federal executive department responsible for the enforcement of the law and administration of justice.

Appendix B – Self-Evaluation

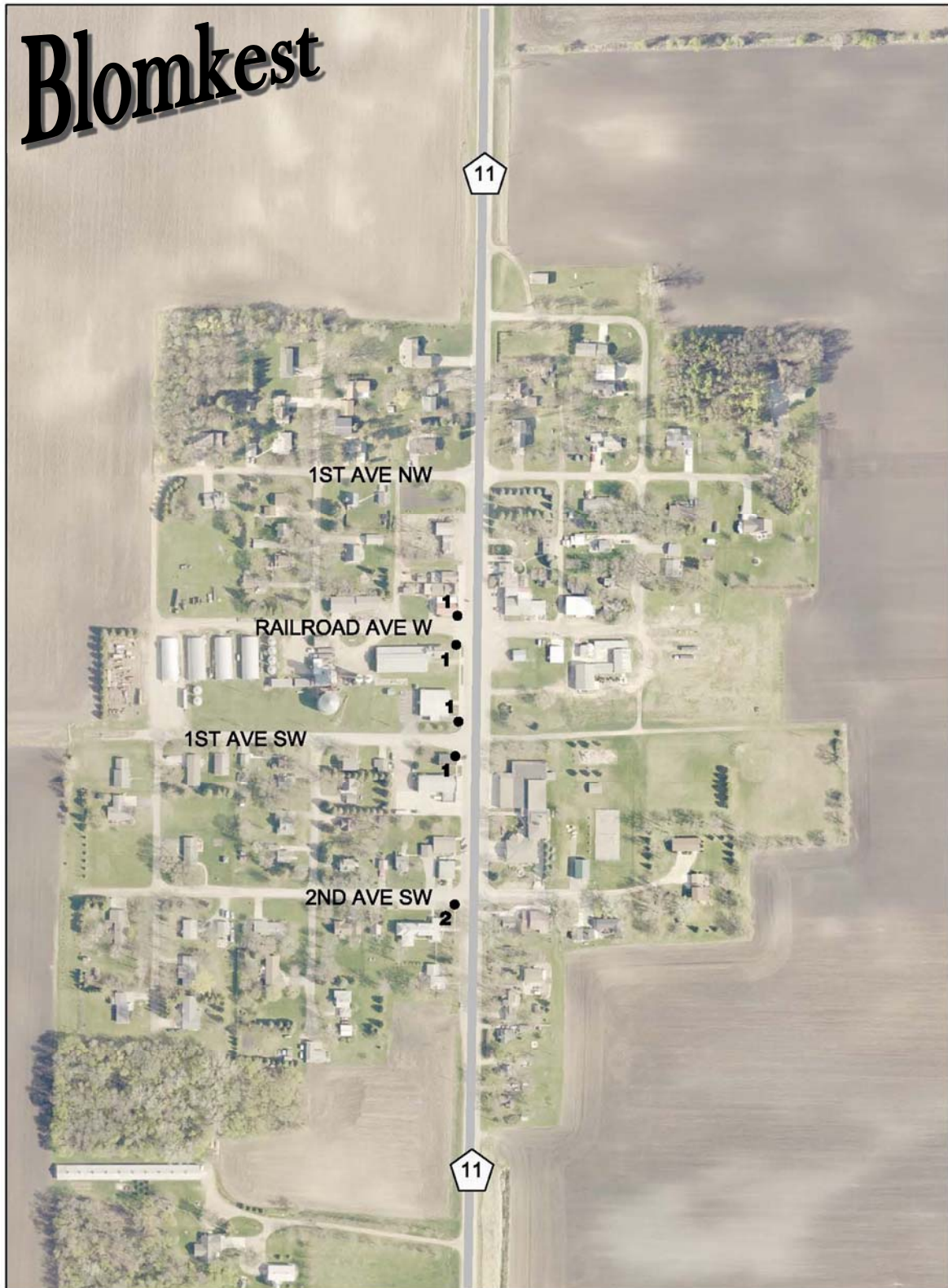
Overview

The following maps and tables display the intersections and curb ramps as reviewed as part of the evaluation.

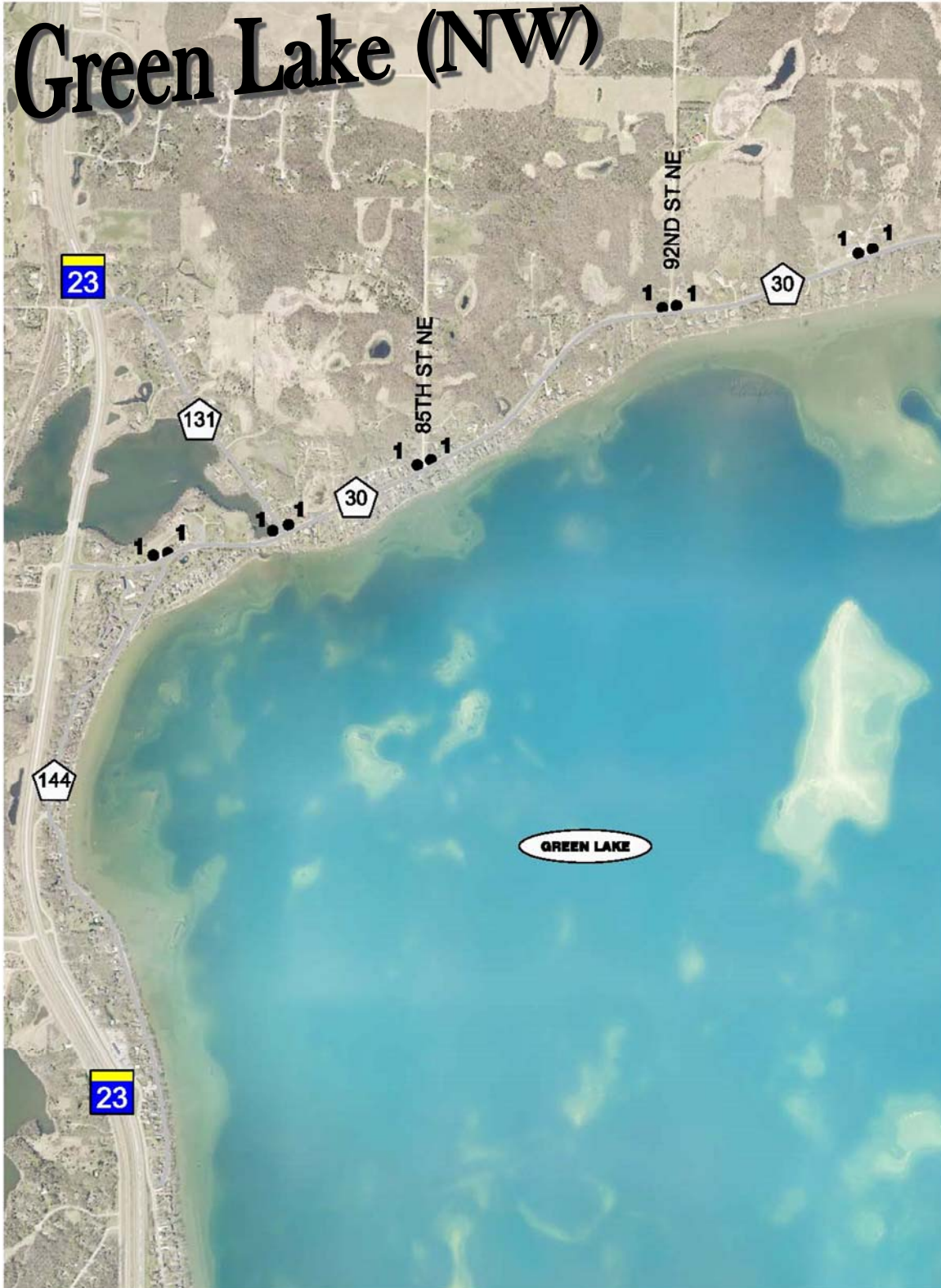


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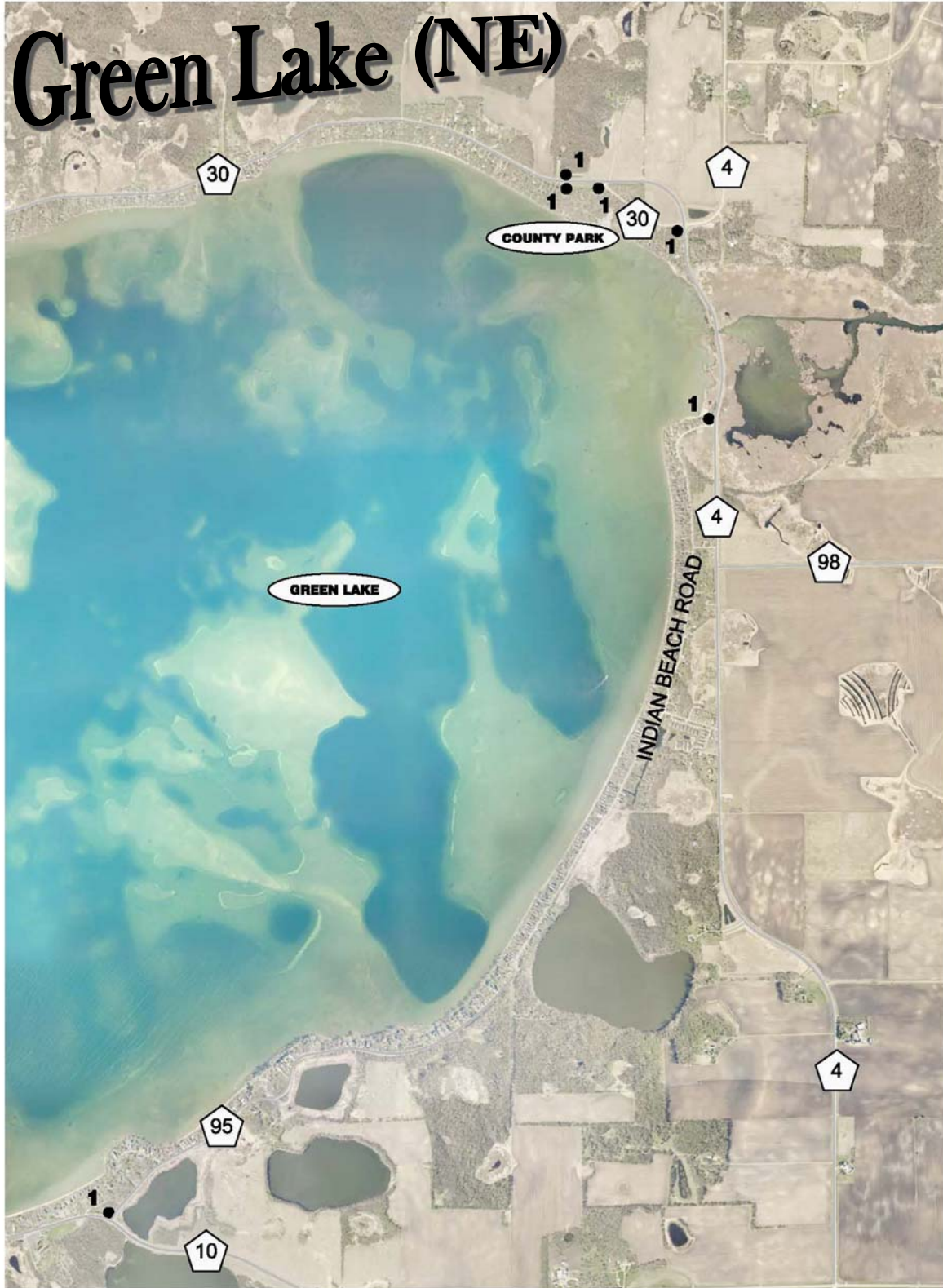
Blomkest



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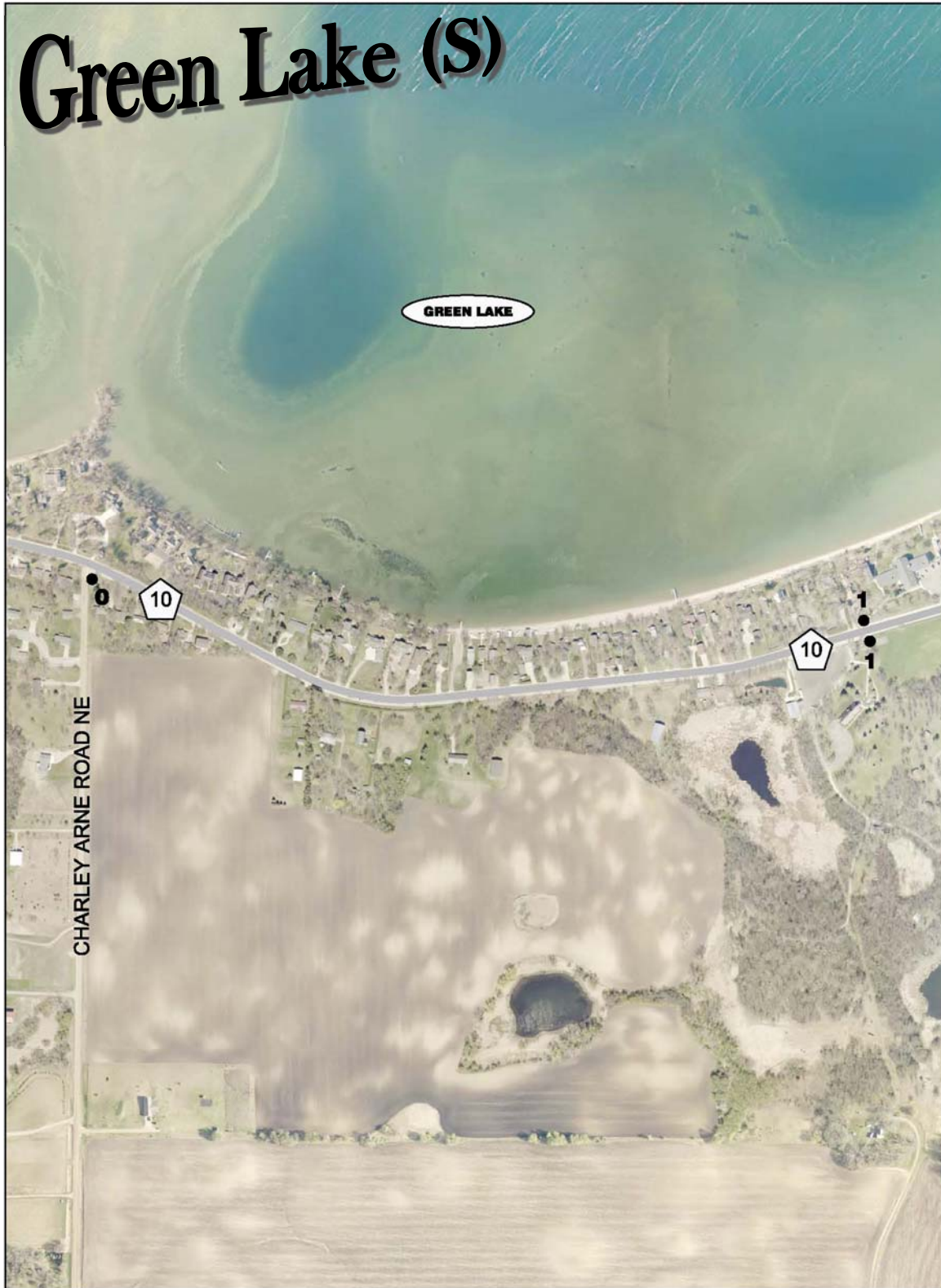


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Green Lake (S)



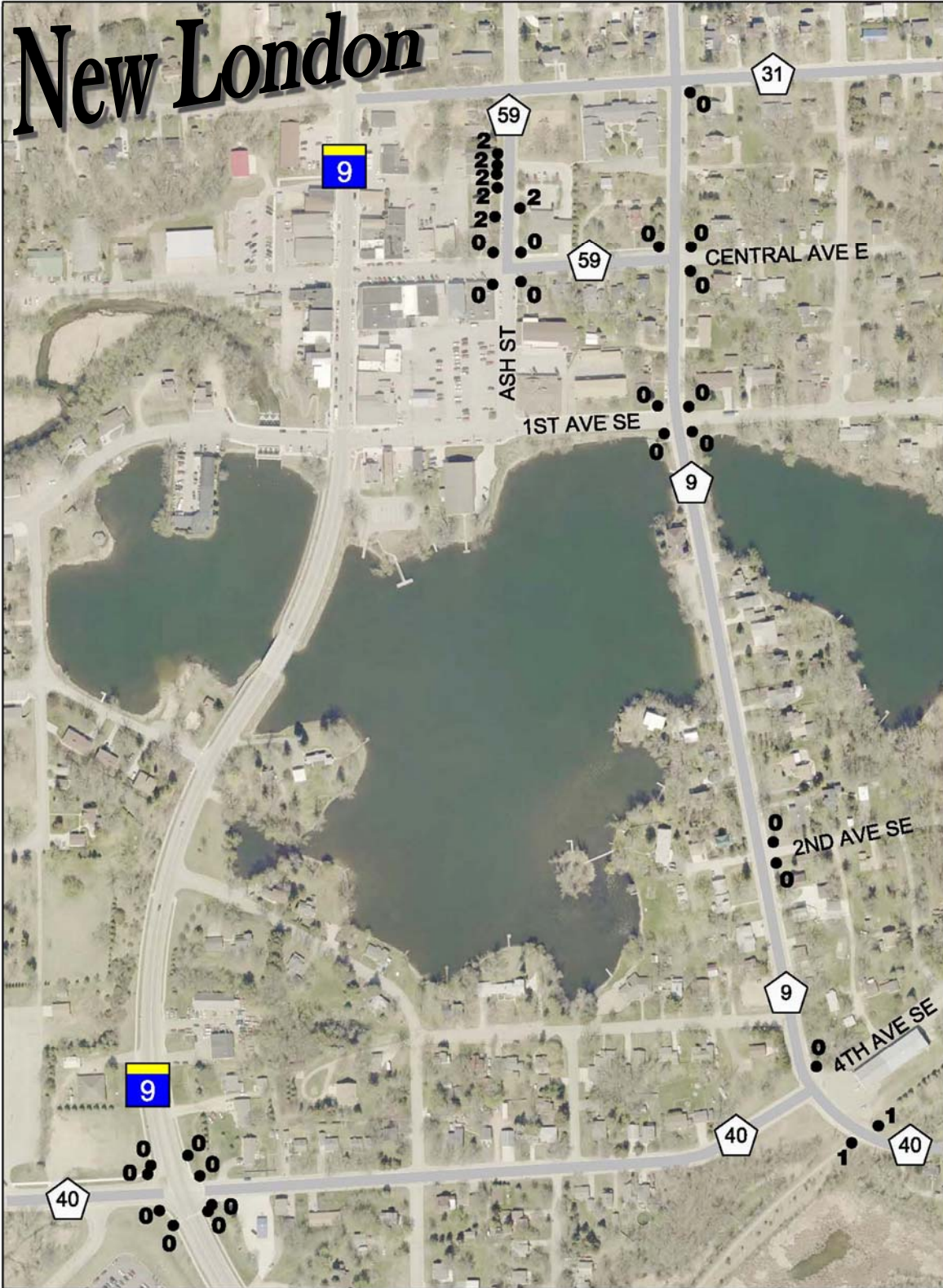
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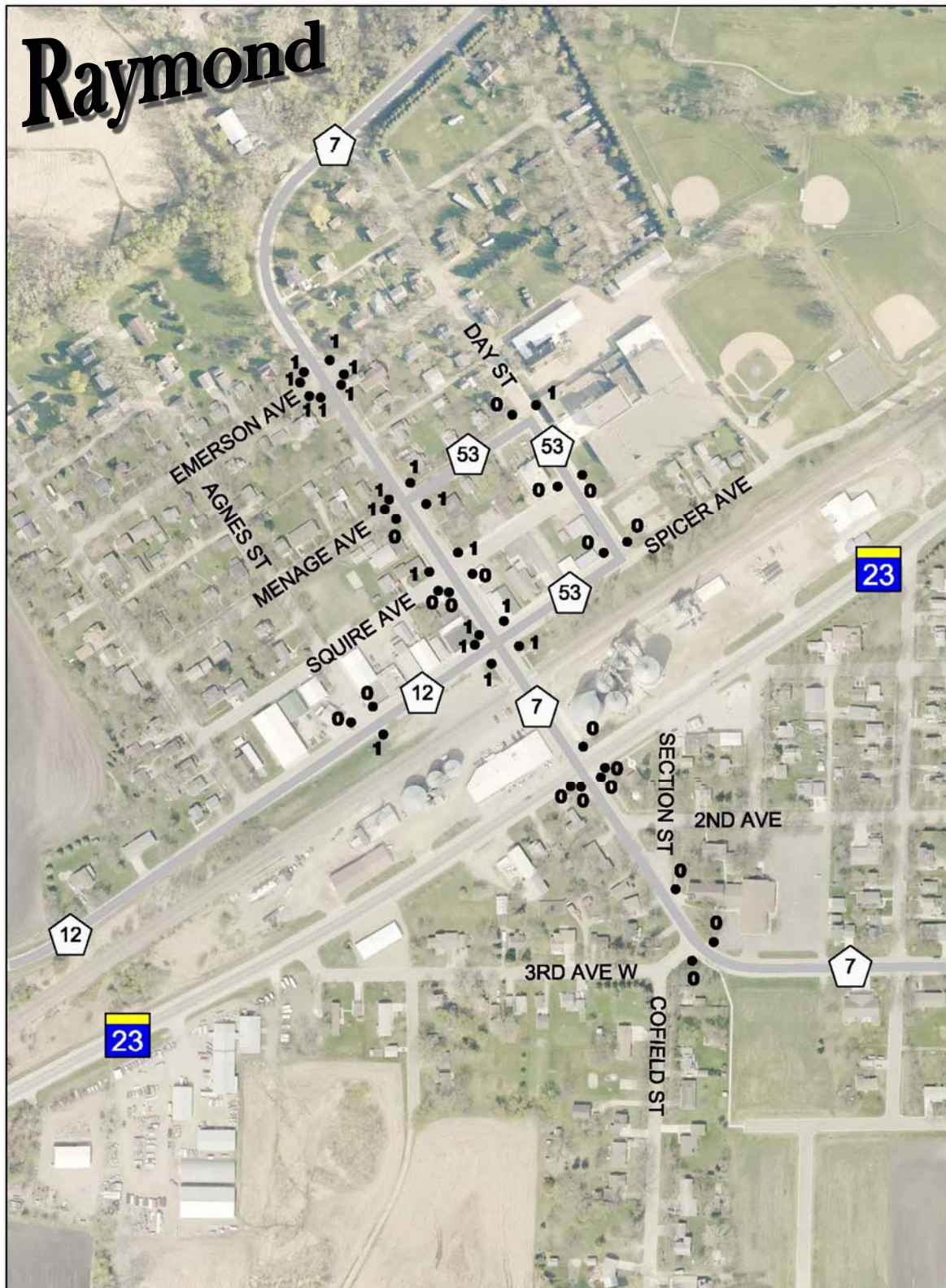


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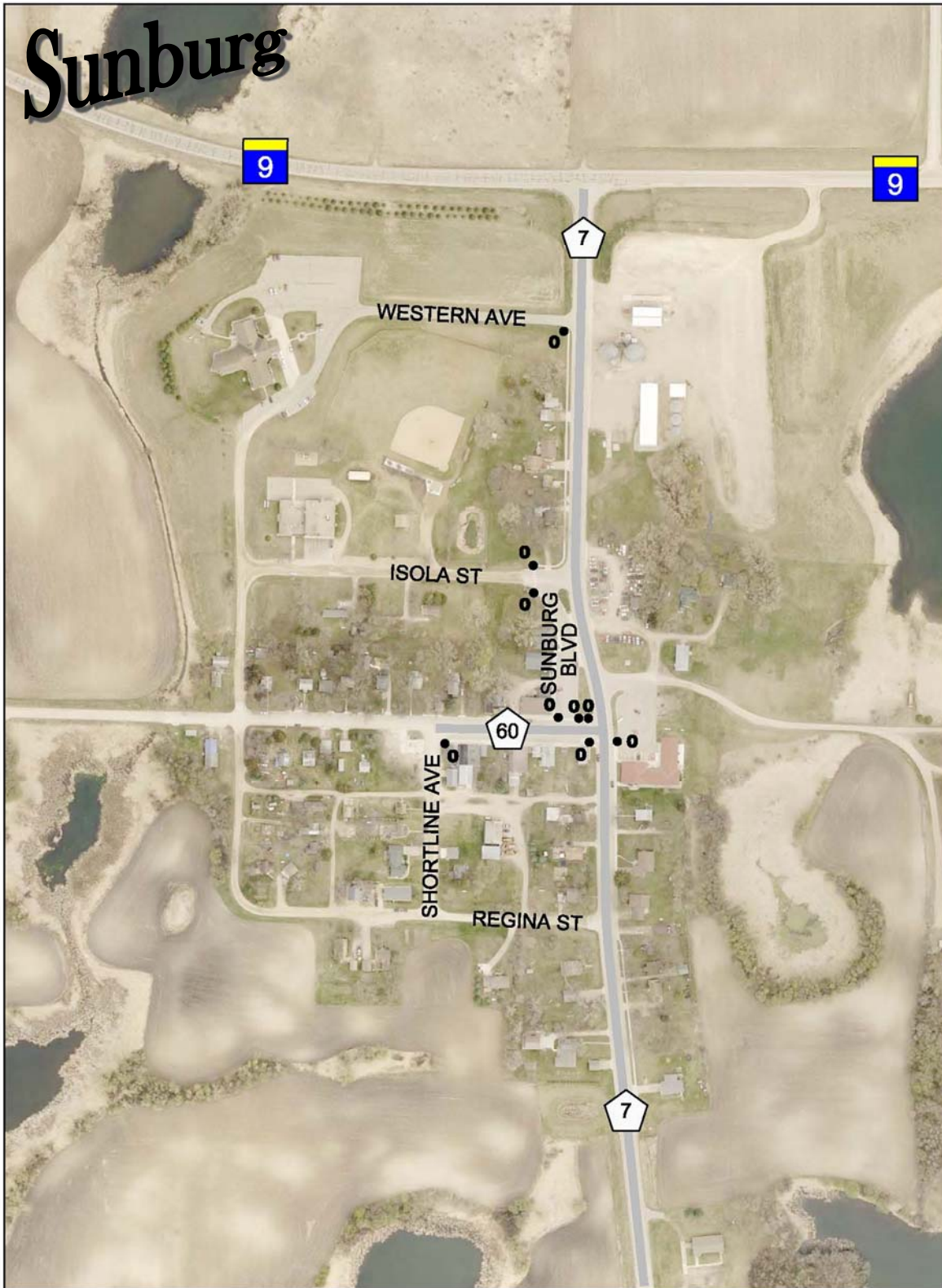
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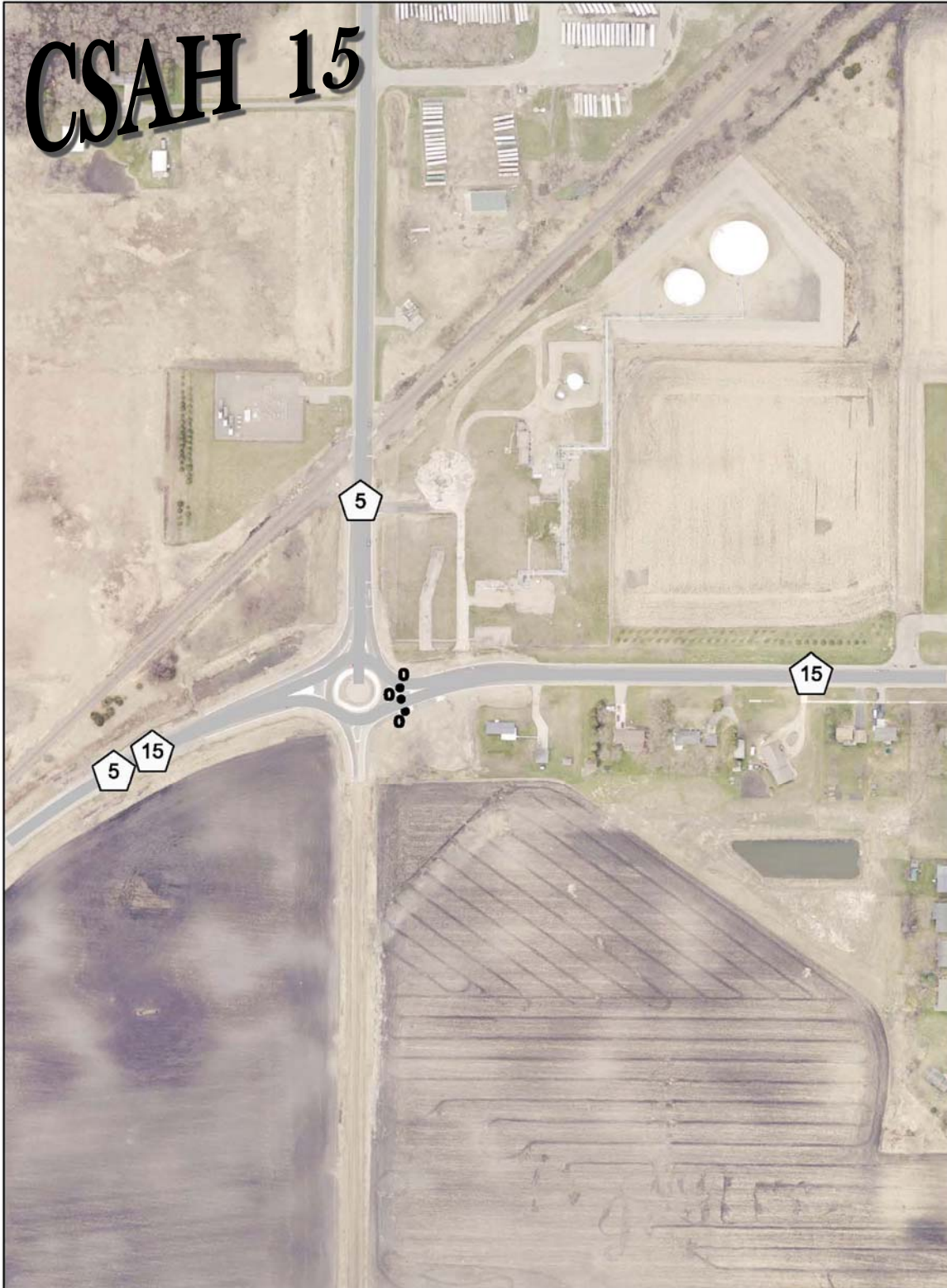


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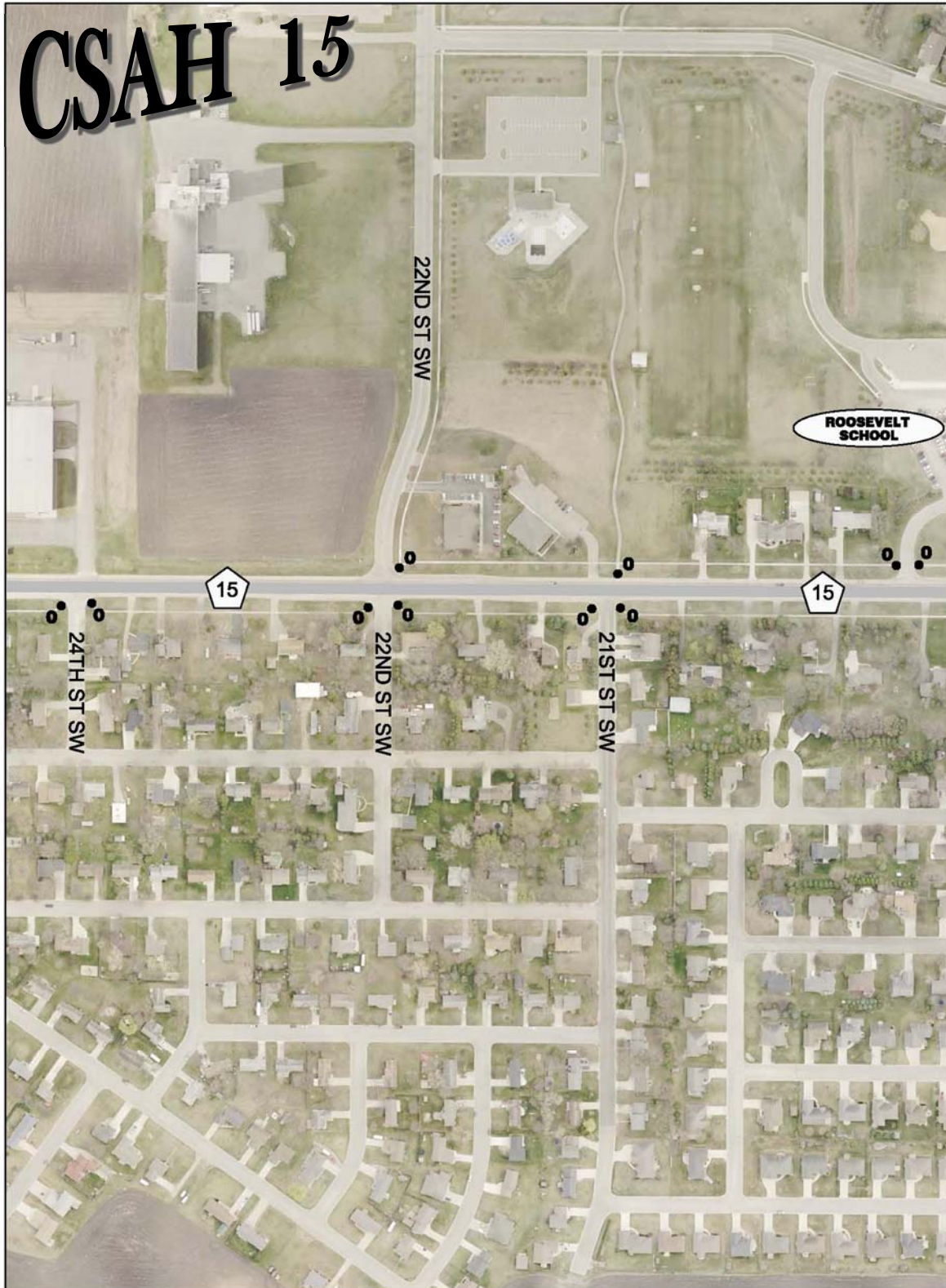
CSAH 4 (Diamond)



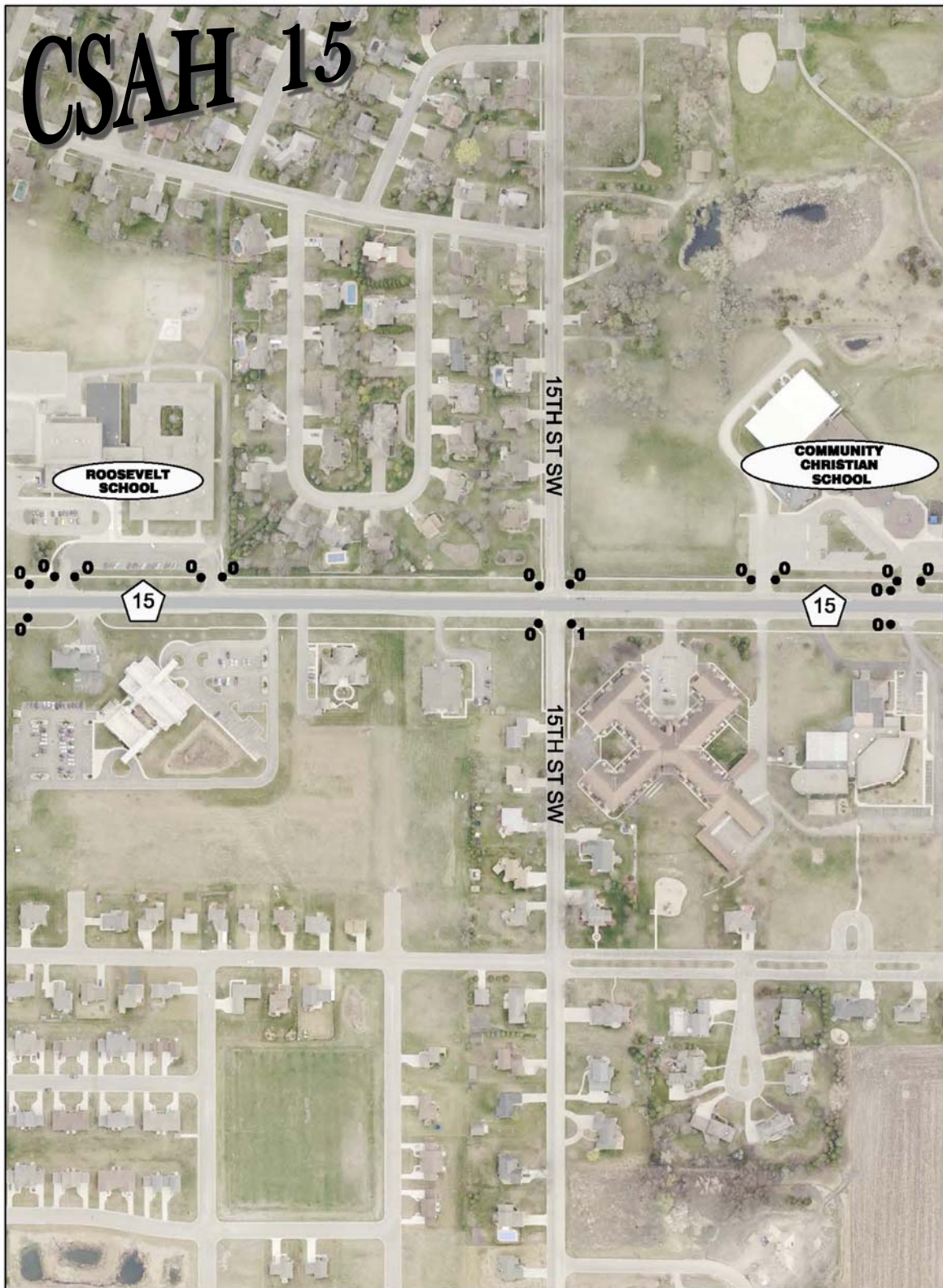
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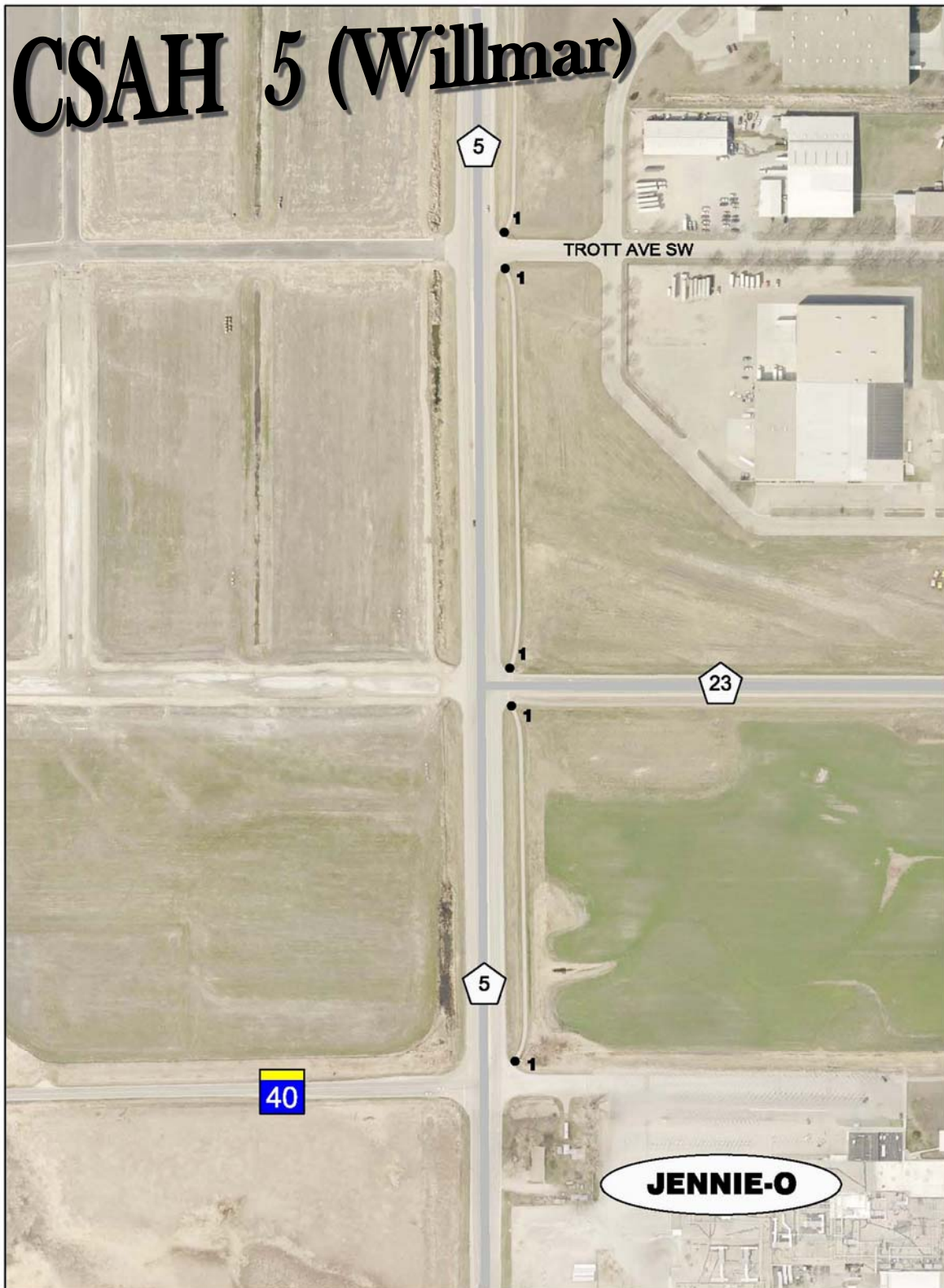


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CSAH 5 (Willmar)



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CSAH 5 / 24



Tier 0 -Fully Compliant | Tier 1 - Substantially Compliant | Tier 2 - Non-Compliant



Tier 0 -Fully Compliant | Tier 1 - Substantially Compliant | Tier 2 - Non-Compliant

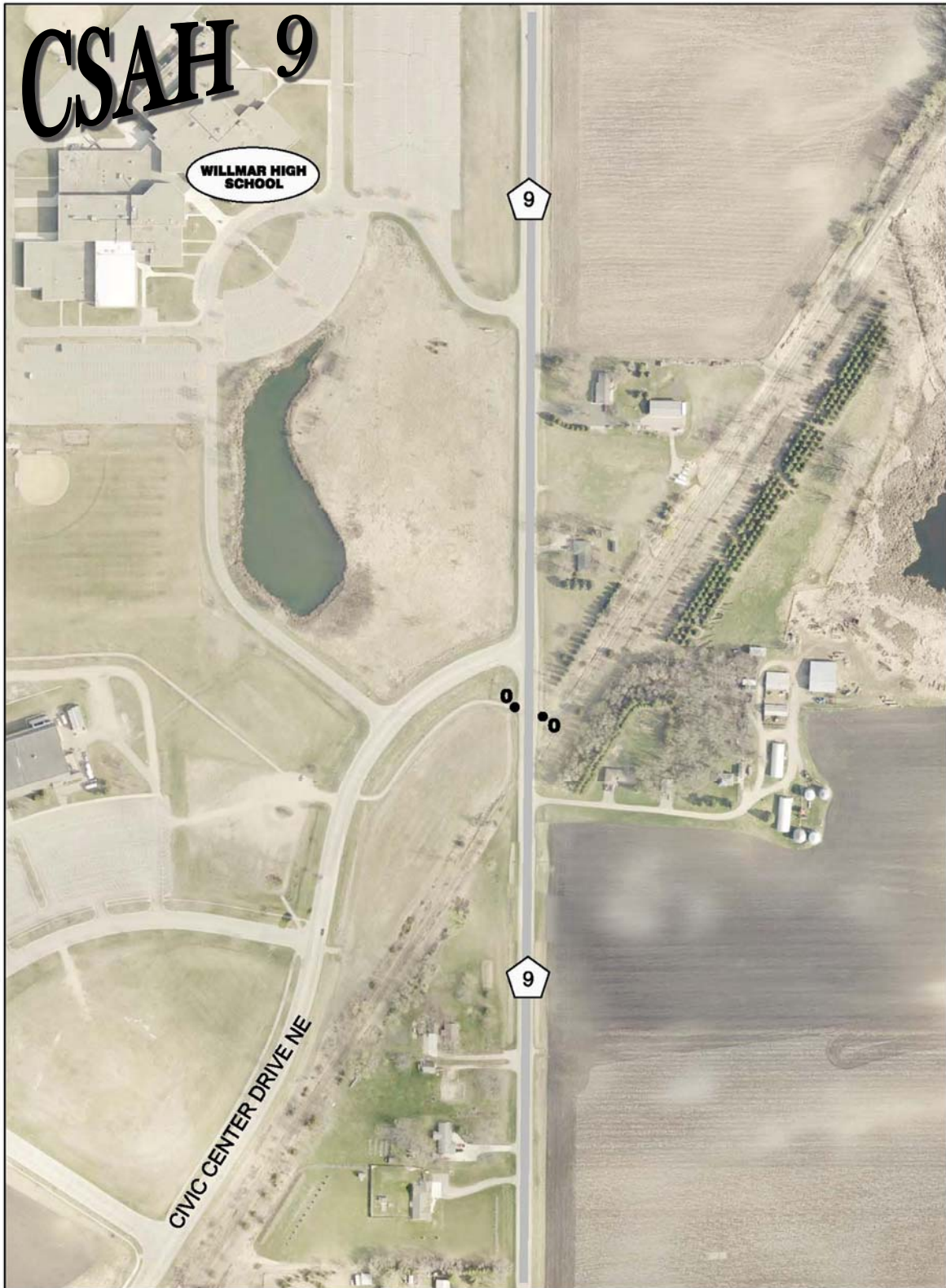
CSAH 5 (Games)



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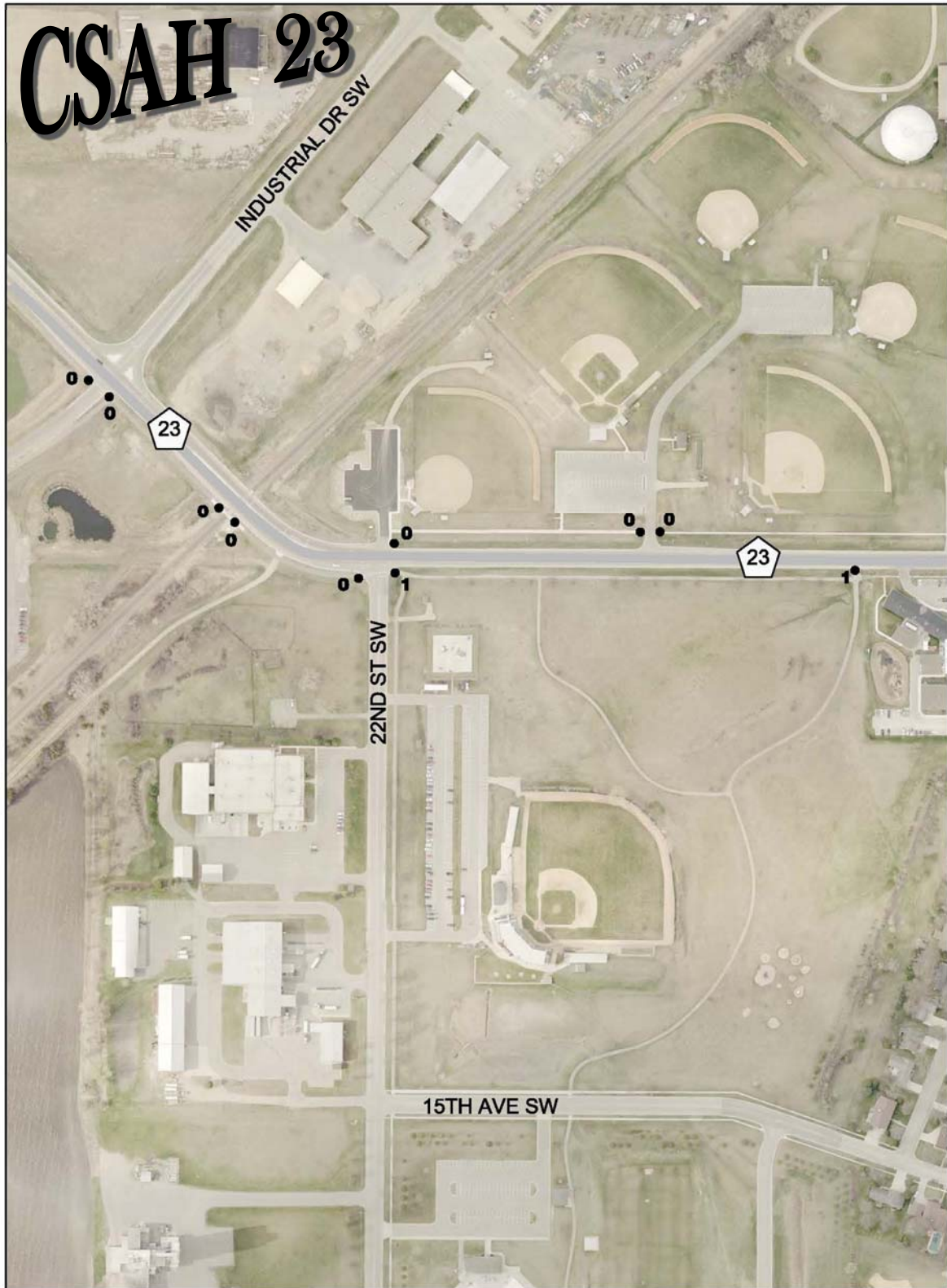
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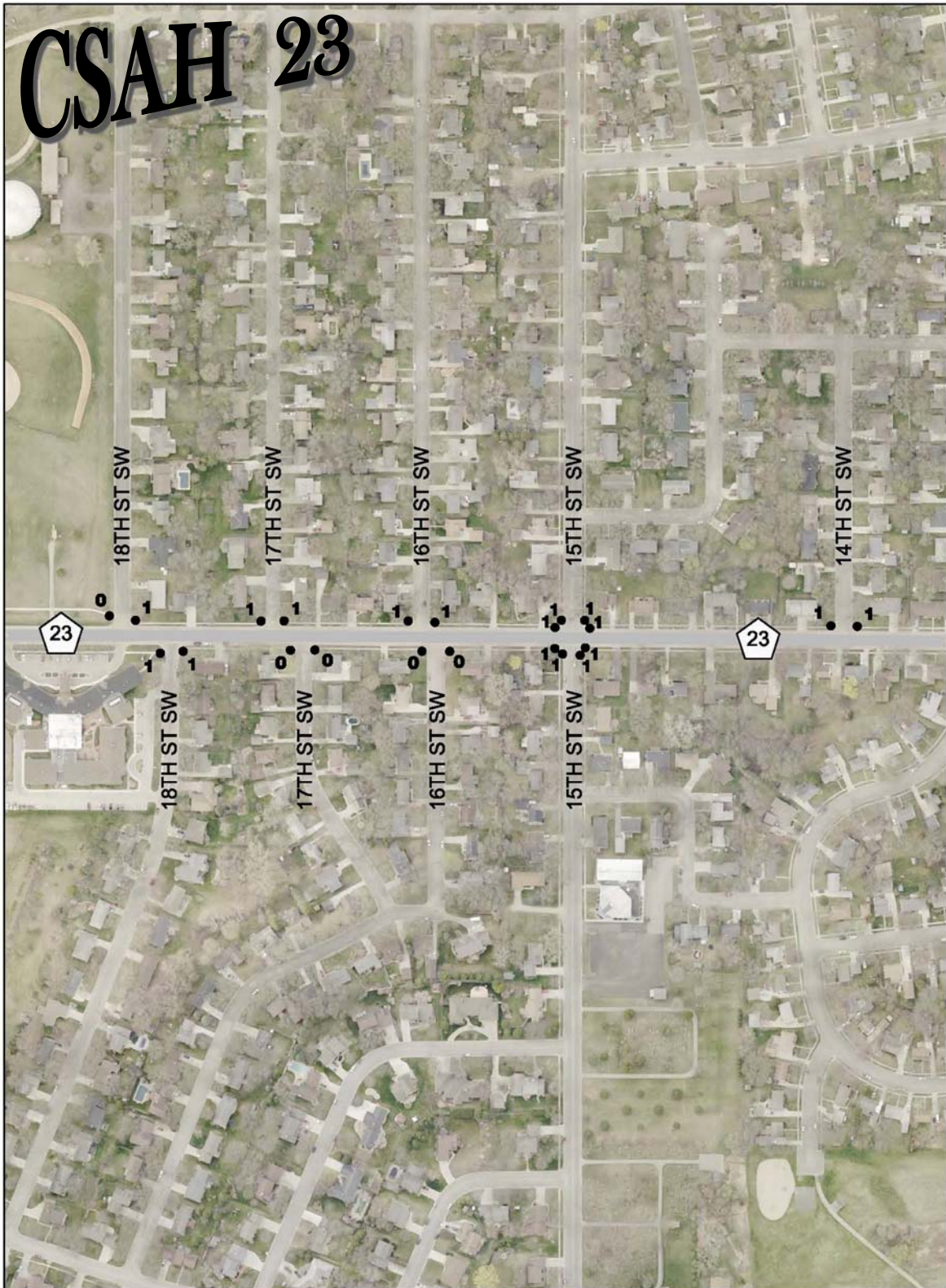
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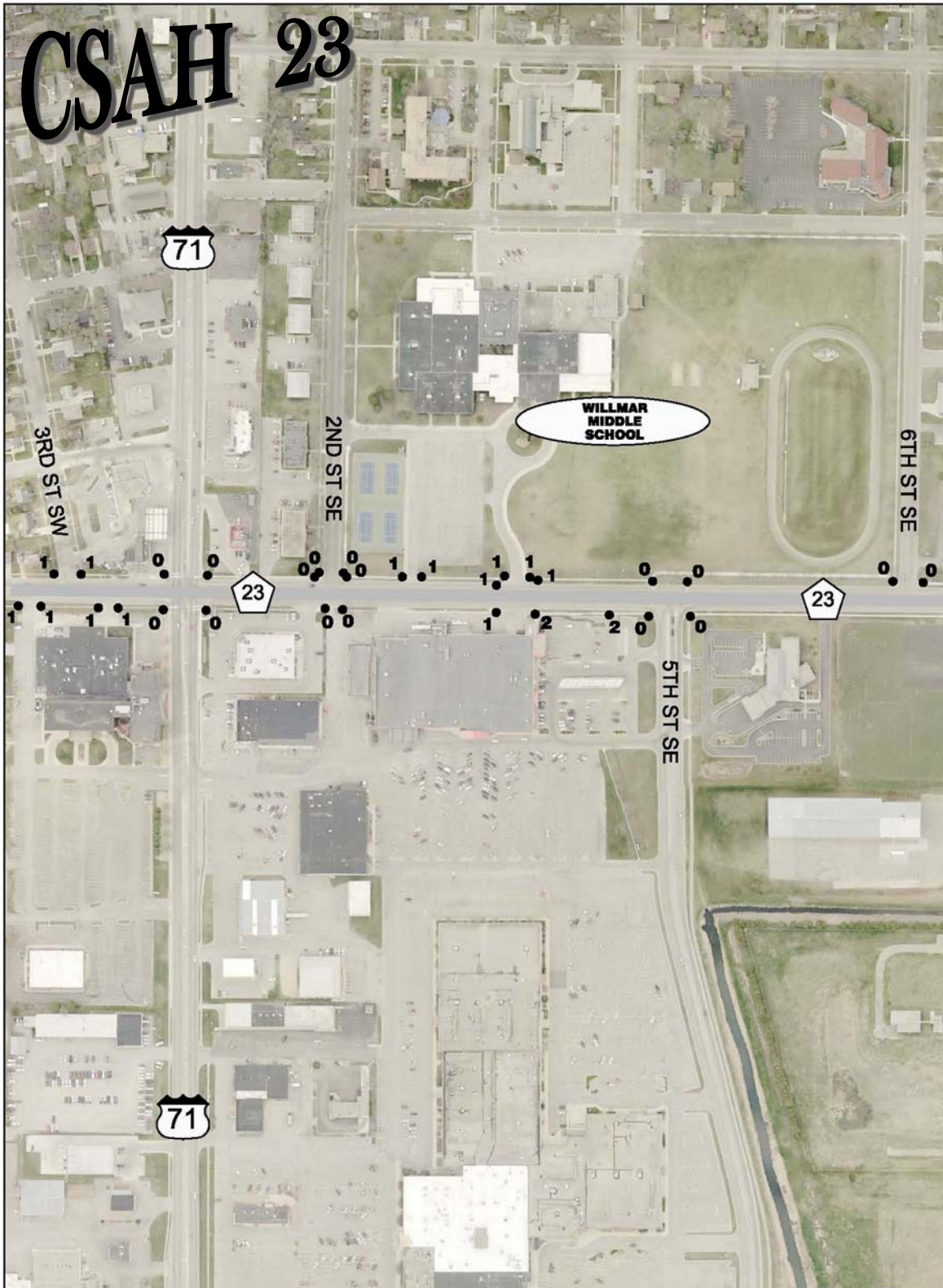
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Appendix C – Budget

Cost Information

Construction costs for upgrading facilities can vary depending on each individual improvement and conditions of each site. Costs can also vary on the type and size of project the improvements are associated with. Listed below are representative costs for some typical accessibility improvements based on if the improvements are included as part of a retrofit type project, or as part of a larger comprehensive capital improvement project.

Replace 270 Tier 1 ramps (from field evaluation) @ \$4,000 per ramp	\$1,080,000
Replace 27 Tier 2 ramps (from field evaluation) @ \$6,000 per ramp	\$ 162,000

Intersection corner ADA Push Button Activated Crosswalk System +/- \$8,000 per corner.

Entire Jurisdiction

Based on the results of the Self-Evaluation, estimated costs associated with bringing all intersections within all County Right of Ways to a Tier 0 level in 2020 would be \$1,242,000 not including ADA Push Button Activated Crosswalk Systems. The intersection ADA Push Button Activated Crosswalk Systems would be evaluated and County staff will make a determination on a case by case basis.

Kandiyohi County is committed to making a significant investment in the upcoming years. A systematic approach to providing accessibility will be taken in order to absorb the cost into the Kandiyohi County budget for improvements to the public right of way.

Appendix D – Public Outreach

The following pages include poster board, maps, and other materials that were used at public meetings or as part of other outreach activities.

ADA COORDINATOR



NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

ADA TRANSITION PLAN

Kandiyohi County Public Works has identified an ADA Coordinator to oversee the County policies and procedures:

Melvin W. Odens, P.E.
Kandiyohi County Public Works
Director
1801 East Highway 12
Willmar, MN 56201
Phone: 320-235-3266
ADA.Coordinator@kcmn.us

Kandiyohi County Public Works
Department web site
www.kcmn.us/departments/public_works/index.php



Complaints that a transportation related service or activity of Kandiyohi County is not accessible to persons with disabilities should be directed to Melvin W. Odens, Kandiyohi County ADA Coordinator.

Kandiyohi 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.

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

Kandiyohi County must meet these requirements for individuals with disabilities:

- Access to all programs and places
- Modification of policies that deny equal access
- Effective communication procedures
- An ADA Coordinator that coordinates ADA compliance
- Public notice of ADA requirements
- Grievance procedure for resolution of complaints



What is an ADA Transition Plan?

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.

As a provider of public transportation services and programs, Kandiyohi County Public Works must comply with this Act, and has developed a Transition Plan detailing how Kandiyohi County will ensure that all facilities are accessible to all individuals.

Kandiyohi County Public Works goal is to provide ADA accessible pedestrian design features as part of the County's capital improvement program.

Improvement Schedule

Maintenance of pedestrian facilities within the public right of way will continue to follow the policies set forth by the County and includes the following:

Reconstruction projects:

All County reconstruction projects will be designed and constructed in accordance with the most current ADA design practices to the extent feasible.

Rehabilitation/Resurfacing projects:

Accessible curb cuts and ramps will be added as needed to provide access to existing pedestrian facilities (i.e. walks/trails) at intersections where they do not currently exist. Improvements to existing pedestrian ramps will be addressed on a case by case basis.

Public Request projects:

Accessibility improvements requested by the public will be evaluated by County staff. Evaluation criteria will include pedestrian volumes, traffic volumes, condition of existing infrastructure, impacts to future projects, and public safety.

Stand Alone projects:

If time and funding is available, independent ADA projects may be undertaken by the County. Candidate sites will be evaluated on facility condition, pedestrian volumes, public safety, public benefit and improvement costs as well as the ability to provide alternative barrier removal options.

Ramp Elements

Curb ramps allow people with mobility impairments to gain access to the sidewalks and to pass through center islands in streets.



Example Tier 0, Fully Compliant



Example Tier 1, Substantially Compliant



Example Tier 2, Non-Compliant

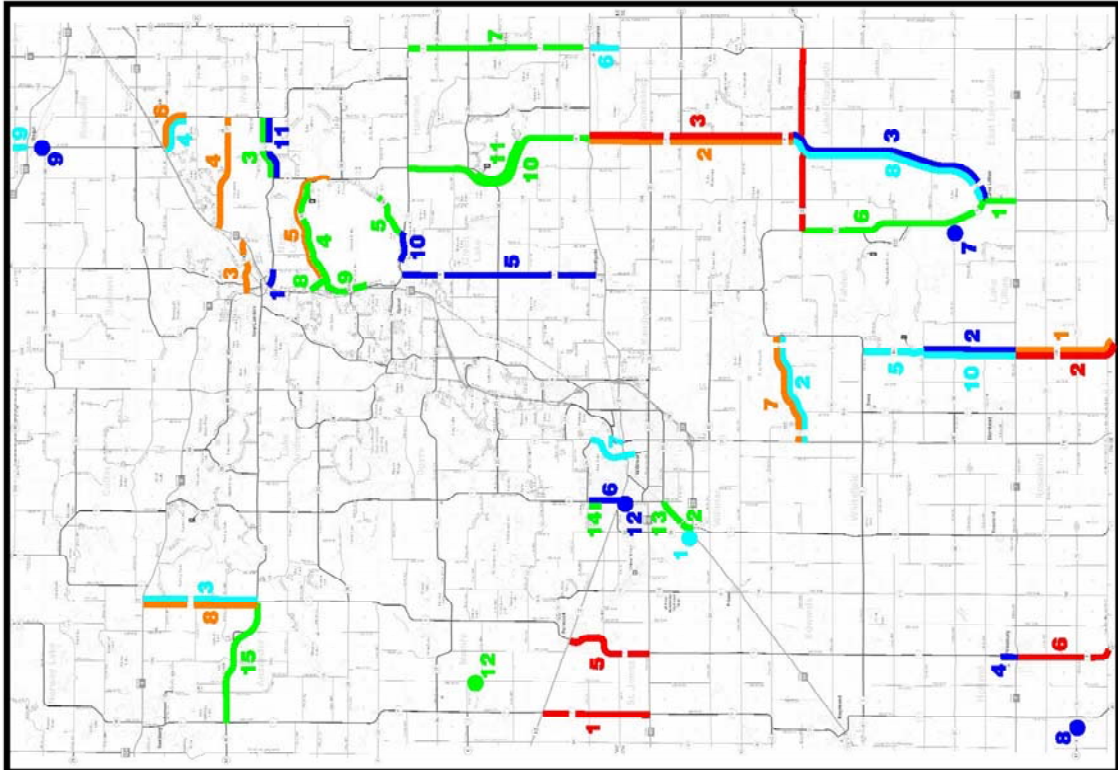


KANDIYOHI COUNTY PUBLIC WORKS CONSTRUCTION PROGRAM

2020	Route	Project Description	2021	Route	Project Description
1	CR 6	Grading & Aggregate Base	1	CR 40	Grading & Aggregate Base
2	CR 5	Grading & Aggregate Base	2	CR 44	Grading & Aggregate Base
3	CR 40	Grading & Aggregate Base	3	CR 4	Grading & Aggregate Base
4	CR 30	Bituminous Overlay	4	CR 1	Grading, Surfacing & Storm Sewer
5	CR 95	Bituminous Overlay	5	CR 8	Bituminous Overlay
6	CR 8	Bituminous Surfacing	6	CR 5	Bituminous Overlay
7	CR 2	Bituminous Overlay	7	CR 16	Bridge Replacement
8	CR 131	Bituminous Overlay	8	CR 14	Bridge Replacement
9	CR 144	Bituminous Overlay	9	CR 2	Bridge Replacement
10	CR 4-26-28	Bituminous Surfacing	10	CR 10	Bituminous Overlay
11	CR 4	Trail Construction	11	CR 40	Bituminous Surfacing
12	120 STNW	Maine Township Bridge Replacement	12	CR 5	Railroad Crossing
13	CR 15	Bituminous Overlay			
14	CR 5	Turn Lane Construction			
15	CR 40	Bituminous Surfacing			

2022	Route	Project Description	2023	Route	Project Description
1	CR 55	Bridge Overpass Construction	1	CR 44	Grading & Aggregate Base
2	CR 119	Grading & Aggregate Base	2	CR 4	Grading & Aggregate Base
3	CR 1	Grading & Aggregate Base	3	CR 31	Bituminous Overlay
4	CR 2	Grading & Aggregate Base	4	CR 31	Bituminous Overlay
5	CR 44	Bituminous Overlay	5	CR 30/4	Bituminous Trail Rehab
6	CR 2	Bituminous Overlay	6	CR 2	Bituminous Surfacing
7	CR 41	Bituminous Overlay	7	CR 119	Bituminous Surfacing
8	CR 4	Bituminous Surfacing	8	CR 1	Bituminous Surfacing
9	CR 2	Bituminous Overlay			
10	CR 44	Bituminous Surfacing			

2024	Route	Project Description
1	CR 7	Grading & Aggregate Base
2	CR 44	Bituminous Surfacing
3	CR 4	Bituminous Surfacing
4	CR 20	Grading & Aggregate Base
5	CR 1	Bituminous Overlay
6	CR 1	Bituminous Overlay



Appendix E – Grievance Procedure and Contacts

Prior to filing a grievance, the public is strongly encouraged to contact the ADA Coordinator to discuss any concerns regarding the County right of ways. The ADA Coordinator role is designed to provide a point of contact for the public to address concerns.

Contact Information

Kandiyohi County ADA Coordinator

Melvin W. Odens, P.E.

County Public Works Director

Office: (320) 235-3266

ADA.Coordinator@kcmn.us

1801 East Highway 12

Willmar, MN 56201

Kandiyohi County Grievance Procedure

This grievance procedure is established to meet the requirements of the Americans with Disabilities Act of 1990, Kandiyohi County will not discriminate against qualified individuals with disabilities on the basis of disability in the County's services, programs or activities.

Formal grievances should be in writing and contain information about the alleged discrimination such as name, address, and phone number of complainant, and location, date and description of the problem. Alternative means of filing grievances in order to accommodate persons with disabilities will be made available upon request.

The grievance should be submitted by the grievant and/or his/her designee as soon as possible. If the grievance filed does not concern a Kandiyohi County right of way, the County will work with the grievant to contact the agency that has jurisdiction.

Within 10 working days of receipt of the grievance, a Kandiyohi County employee will contact the complainant to acknowledge receipt of the grievance and gather more information. Within 60 working days of receipt of the grievance, a Kandiyohi County employee will conduct an investigation necessary to determine the validity of the alleged violation. An investigation will consider data collected and any information submitted by the complainant and use County resources including engineering polices and guidelines to determine the County's response. A

staff person will be available to meet with the complainant to discuss the matter as part of the investigation and resolution of the matter.

Kandiyohi County will consider all specific grievances within its particular context or setting. Furthermore, the County will consider many varying circumstances including:

1. The nature of the access to services, programs or facilities at issue
2. The specific nature of the disability
3. The essential eligibility requirements for participation
4. The health and safety of others
5. The degree to which an accommodation would constitute fundamental alterations to the program, service, or facility, or cause an undue hardship to the County.

Accordingly, a resolution by Kandiyohi County of any one grievance does not constitute a precedent upon which the County is bound or upon which other complaining parties may rely.

Those wishing to file a formal written grievance with Kandiyohi County may do so by one of the following methods:

E-MAIL

Kandiyohi County ADA Coordinator

Melvin W. Odens, P.E.

County Public Works Director

Office: (320) 235-3266

ADA.Coordinator@kcmn.us

1801 East Highway 12

Willmar, MN 56201

Telephone

Contact the ADA Coordinator to submit an oral grievance. A County employee will make reasonable accommodations when necessary for disabled residents seeking to file a grievance.

Paper Submittal

Contact the ADA Coordinator to request a paper copy of the County's grievance form. Complete the form and submit it to the ADA Coordinator in person or by mail at the address listed above.

The ADA Grievance Form will ask for the following information:

- The name, address, telephone number, and email address for the person filing the grievance.
- The name, address, telephone number, and email address for the person alleging an ADA violation (if different than the person filing the grievance).
- A description and location of the alleged violation and the nature of a remedy sought, if known by the complainant.
- If the complainant has filed the same grievance with the United States Department of Justice (DOJ), another federal or state civil rights agency, a court, or others, the name of the agency or court where the grievant filed it and the filing date.

Grievances of Title II violations may also be filed with the DOJ within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department of Justice (DOJ). The DOJ may bring a lawsuit where it has investigated a matter and has been unable to resolve violations. For more information, contact:

U.S. Department of Justice

Civil Rights Division

950 Pennsylvania Avenue, N.W.

Disability Rights Section - NYAV

Washington, D.C. 20530

www.ada.gov

(800) 514-0301 (voice - toll free)

(800) 514-0383 (TTY)

Title II may also be enforced through private lawsuits in Federal court. It is not necessary to file a grievance with the DOJ or any other Federal agency, or to receive a “right-to-sue” letter, before going to court.

Kandiyohi County ADA Grievance Form

Instructions: Please fill out this form completely and submit to:

Melvin W. Odens, P.E.

Kandiyohi County Public Works Director and ADA Coordinator

1801 East Highway 12

Willmar, MN 56201

Or email to: ADA.Coordinator@kcmn.us

Grievant - person filing grievance:

Name: _____ Date: _____

Address: _____ City, State, Zip Code: _____

Home: _____ Cell: _____

Work: _____ Email: _____

Representing - person claiming an accessibility issue or alleging an ADA violation (if not the grievant)

Name: _____ Date: _____

Address: _____ City, State, Zip Code: _____

Home: _____ Cell: _____

Work: _____ Email: _____

Description and location of the alleged violation and the nature of a remedy sought.

If the grievant has filed the same grievance with the United States Department of Justice (DOJ), another federal or state civil rights agency, a court, or others, the name of the agency or court where the grievant filed it and the filing date.

Agency: _____ Contact Person: _____

Address: _____ City, State, & Zip Code: _____

Telephone: _____ Date Filed: _____

Appendix F - Agency ADA Design Standards

Design Procedures

Intersection Corners and Traffic Control Signals

Curb ramps, blended transitions and traffic control signals will be constructed or upgraded to achieve ADA compliance within capital improvement projects. Physical limitations may make full ADA compliance technically infeasible for an intersection. When full ADA compliance is infeasible, limitations will be noted and noncompliant intersection corners will remain on the transition plan to be incorporated into future work.

Design Standards

Kandiyohi County uses Guidelines for Accessible Public Rights-of-Way (PROWAG as adopted by the Minnesota Department of Transportation as its design standard.

PROWAG and MnDOT guidance is available online at:

www.dot.state.mn.us/ada/tools.html

Other Policies, Practices and Programs

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

Appendix G – Kandiyohi County Board Resolution

**RESOLUTION 2020-48
ADOPTING THE KANDIYOHI COUNTY AMERICANS WITH DISABILITIES ACT
TRANSITION PLAN FOR PUBLIC HIGHWAY RIGHT-OF-WAYS**

WHEREAS, on July 26, 1990, President George H. W. Bush signed into law the Americans with Disabilities Act (ADA) providing a clear and comprehensive national mandate to eliminate the discrimination against individuals with disabilities; and

WHEREAS, on September 25, 2008, the ADA Amendments Act of 2008 (ADAAA) was enacted by the United States Senate and House of Representatives to restore the intent and protections of the 1990 ADA. The ADA Amendment Act of 2008 provides a clear, strong, consistent, enforceable standards addressing discrimination by reinstating a broad scope of protection to be available under the ADA; and

WHEREAS, Kandiyohi County is responsible for approximately 617 pedestrian ramps and over 20 miles of trails along county roads; and

WHEREAS, Kandiyohi County has made significant efforts to improve accessibility and remove barriers to ensure ADA compliance for the county highway system and county highway right-of-way; and

WHEREAS, Kandiyohi County has developed and ADA Transition Plan for public highway right-of-way; and

WHEREAS, Kandiyohi County held an open house on September 16, 2020, to inform the public on the ADA Transition Plan.

NOW THEREFORE BE IT RESOLVED that the Kandiyohi County Board of Commissioners in and for the County of Kandiyohi, Minnesota, adopt the Kandiyohi County Americans with Disabilities Act Transition Plan for Public Highway Right-of-Way and authorize the Kandiyohi County Public Works Department to implement the plan and provide periodic revisions to the documents as needed for non-policy related items.

Adopted this 3 day of November, 2020.

Attest:

Mark Thompson
Mark Thompson
Kandiyohi County Auditor

By the Board:

Harlan Madsen
Harlan Madsen, Chairman
Kandiyohi County Board of Commissioners

* * * * *

CERTIFICATION

State of Minnesota)
)ss
County of Kandiyohi)

I, Mark Thompson, County Auditor in and for said County of Kandiyohi, do hereby certify that the foregoing is a true and correct copy of the resolution unanimously adopted by the County Board of Kandiyohi County on the day of November 3, 2020.

Mark Thompson
Mark Thompson
Kandiyohi County Auditor

Subscribed and sworn to before me this 3rd day of

November 2020

Cathy J. Pederson
NOTARY PUBLIC

