



**Bulloch County
Board of
Commissioners
WORKSHOP**

**July 30, 2013
Estimated Time: 1 Hour & 30 Minutes
North Main Annex Community Room
Statesboro, Georgia
9:00 AM**

Meeting Function: **Board of Commissioners** Type of Meeting: **Workshop**

Meeting Chair: **Chairman, Garrett Nevil
(Presiding)** Recorder: **Clerk of the Board, Christy Strickland**

Parliamentarian: **County Attorney, Jeff Akins** Ex-Officio: **Tom Couch, County Manager; Harry Starling,
Chief Financial Officer; Kirk Tatum, County
Engineer; Dink Butler, Transportation
Director; and Andy Welch, Development
Services Director.**

General Agenda

ITEM	RESOURCE PERSON/FACILITATOR	TIME	REFER
Call to Order; Welcome Media and Visitors	Chairman Nevil	9:00 AM	
Invocation and Pledge of Allegiance	Vice-Chairman Gibson	9:02 AM	
Roll Call	Clerk of the Board	9:04 AM	
Approval of General Agenda	Chairman Nevil	9:07 AM	
New Business	Chairman		
Discussion/Action: To adopt a ADA Transition Plan	County Attorney	9:09 AM	
Discussion: Road Issues	County Manager/County Engineer/Transportation Director	9:15 AM	
Commission and Staff Comments	Chairman Nevil, et al.	10:20 AM	
Adjourn	Chairman	10:30 AM	

Additional Information

Handouts will be provided to the Board.

**BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY**

DEPARTMENT MAKING REQUEST (Box 1)		MEETING DATE (Box 2) July 30, 2013					
Legal		RESOLUTION ATTACHED? (Box 3)		YES	X		
				NO			
REQUESTED MOTION OR ITEM TITLE (Box 4)							
Adoption of ADA Transition Plan							
SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)							
<p>The Americans with Disabilities Act (ADA) requires local governments to adopt a "transition plan" for bringing facilities and programs into compliance with the ADA. The Georgia Department of Transportation (GDOT) is requiring all local governments to provide GDOT with a copy of their ADA Transition Plan no later than July 31, 2013. Many local governments did not have a transition plan in place or had not updated their transition plan as required by the ADA. Bulloch County needs to adopt the attached ADA Transition Plan to be in compliance with this requirement. The Plan basically consists of two components: (1) a grievance procedure for those who may have a complaint based on alleged disability discrimination; and (2) identification of needed upgrades in facilities and transportation infrastructure for ADA compliance. Approval is recommended.</p>							
AGENDA CATEGORY (CHECK ONE) (Box 6)		FINANCIAL IMPACT STATEMENT (Box 7)					
PRESENTATION (6a)		BUDGETED ITEM? (7a)	YES	AMENDMENT REQUIRED? (7b)	YES		
			NO		NO		
PUBLIC HEARING (6b)		ATTACH DETAILED ANALYSIS, IF NEEDED (7c)					
CONSENT (6c)							
NEW BUSINESS (6d)						X	
OLD BUSINESS (6e)							
OTHER (6f)							
APPROVED FOR AGENDA (Box 8)							
DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER			
COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER			
YES		YES		YES			
NO		NO		NO			
INITIAL		INITIAL		INITIAL			
DATE		DATE		DATE			
COMMISSION ACTION AND REFERRAL (Box 9)							
APPROVED		DATE TO BE RETURNED TO AGENDA					
DENIED							
DEFERRED		NOTES					
OTHER							

**STATE OF GEORGIA
COUNTY OF BULLOCH**

THE BULLOCH COUNTY BOARD OF COMMISSIONERS

RESOLUTION # 2013 - ____

WHEREAS, the Bulloch County Board of Commissioners as the governing authority of Bulloch County, in compliance with Title II of the Americans with Disabilities Act (ADA), is required to address the subject of ensuring that Bulloch County services and facilities are accessible to those with disabilities; and

WHEREAS, the Bulloch County Board of Commissioners desires to adopt the ADA Transition Plan attached hereto as Exhibit A, including any attachments thereto, said exhibit being by reference fully included in this resolution as if specifically set out herein;

NOW THEREFORE, BE IT RESOLVED that the ADA Transition Plan attached hereto as Exhibit A is hereby adopted by the Bulloch County Board of Commissioners.

Resolution approved and adopted this 30th day of July, 2013.

**BOARD OF COMMISSIONERS OF
BULLOCH COUNTY, GEORGIA**

By: _____
J. Garrett Nevil, Chairman

Attest: _____
Christy A. Strickland, Clerk

EXHIBIT A

**Bulloch County
Board of County Commissioners**

**AMERICANS WITH DISABILITIES ACT
(ADA)
TRANSITION PLAN**

Bulloch County Board of Commissioners
AMERICANS WITH DISABILITIES ACT (ADA)
TRANSITION PLAN

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Appendix B: Bulloch County Action Plan for ADA Compliance	

Section 1: Purpose

The Bulloch County Board of Commissioners has prepared the subject Transition Plan to comply with the Americans with Disabilities Act (ADA) of 1990 and the Rehabilitation Act of 1973 as amended.

The Plan encompasses the County's buildings, facilities, and transportation infrastructure such as streets, roadways, sidewalks, signage, markings, signals, and vehicular pedestrian bridges.

The Bulloch County Board of Commissioners complies with the Americans with Disabilities Act of 1990, Public Law 101-336 (ADA). This Act prohibits discrimination on the basis of disability and requires that no qualified individual with a disability shall, on the basis of that disability, be denied the benefits of Bulloch County services, programs, activities or employment with Bulloch County.

In compliance with Section 35, 106 of the ADA's Title II regulations, all applicants, participants, beneficiaries and other interested individuals may obtain more information at www.ada.gov.

Bulloch County ADA Coordinator (appointed)
Bulloch County Board of Commissioners
P.O. Box 347
115 North Main Street
Statesboro, Georgia 30459

Section 2: Transition Plan Requirements

Access to civic life by people with disabilities is a fundamental goal of the Americans with Disabilities Act. To ensure that this goal is met, Title II of the ADA requires that local governments offer programs and services that are accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, but also to policy changes governmental entities must consider to ensure that people with disabilities can fully participate in available programs and services.

One important way to ensure that Title II's requirements are being met is through self-evaluations, as required by ADA regulations. The County conducted a self-evaluation to identify the modifications or re-locations needed to ensure compliance with the ADA, the results of which are included in Appendix B.

Periodic reviews and updates to the Plan will be conducted to ensure ongoing compliance with ADA requirements. Self-evaluation activities at that time would consist of reviewing the plan to determine the level of compliance, and to determine if any additional areas of upgrade are needed. If deficiencies are found, they will be catalogued and the Plan updated to detail how and when the deficiencies will be corrected.

Section 3: Address of Grievance

Any person with a disability or any parent or guardian who represents a minor person with a disability who believes that they have been the subject of disability-related discrimination on the basis of the denial of access to facilities, programs or services, may file a grievance.

In compliance with the above requirements, the Bulloch County Board of Commissioners has adopted and published the Bulloch County Grievance Policy and Procedure for Disabled Individuals, which is included herein as Appendix A.

Section 4: Action Plan

The Bulloch County Action Plan for ADA Compliance shall include an evaluation of County buildings, facilities, and transportation infrastructure such as streets, roadways, sidewalks, signage, markings, signals, and vehicle pedestrian bridges, and shall include actions needed for ADA compliance and estimated costs. The information is to be obtained by field inspection and/or citizen input. The Bulloch County Action Plan for ADA Compliance is included herein as Appendix B.

Section 5: Public Outreach

The opportunity for the disabled community and other interested parties to participate in the implementation of the Transition Plan is an integral part of an on-going process. Possible sources of input include activists, advocacy groups, general citizens, elected officials, or other agencies. The dissemination of information to these groups and requests for comments shall be handled via newsletters and/or the County website.

APPENDIX A

BULLOCH COUNTY GRIEVANCE POLICY AND PROCEDURE FOR DISABLED INDIVIDUALS

**BULLOCH COUNTY GRIEVANCE POLICY AND PROCEDURE FOR DISABLED INDIVIDUALS
ADOPTED PURSUANT TO THE AMERICANS WITH DISABILITIES
ACT, 42 U.S.C. 12101, ET SEQ.**

I. POLICY

In compliance with the Americans with Disabilities Act, 42 U.S.C. 12101, et seq, 1990, and 28 C.F.R. 35.107 (b), Bulloch County desires to establish a policy for providing disabled individuals a local grievance procedure for resolution of complaints lodged under the Act. It is the Board's stated intention that this policy is intended to assist disabled individuals by providing access to the programs, services and facilities of Bulloch County Government.

II. EQUAL OPPORTUNITY AND NON-DISCRIMINATION

All applicants for positions and employees of the county shall be assured of fair and equitable treatment in all aspects of personnel administration, including training, promotion, and disciplinary action, without regard to political affiliation, race, color, national origin, sex, age, disability, or religious creed and with proper regard for their privacy and constitutional rights as citizens. The Human Resources Director shall see that information about job opportunities and the equal employment policy of the county is readily available to all citizens of the county and especially to all potential job applicants. Any applicant or employee who believes that he or she has been discriminated against shall have the right to counsel with the Human Resources Director and to avail himself or herself of the Grievance Procedure outlined in Section IV.

III. ADMINISTRATION/ADA COORDINATOR

The Board as an official portion of this policy and procedure has authorized the County Manager to designate an individual to serve as ADA Coordinator until his or her successor is appointed. It shall be the duty and responsibility of this individual to maintain all files and records of Bulloch County relating to records, grievances and audits for the prescribed period pursuant to the Americans with Disabilities Act. In addition, the ADA Coordinator shall be responsible for insuring that the provisions of this Grievance Policy are implemented and conducted fairly under the terms of the Americans with Disabilities Act and 28 C.F.R. 35.107(b), and as these may be amended from time to time.

IV. PROCEDURE FOR FILING AND CONSIDERING A GRIEVANCE

A. Any individual desiring to file a grievance shall complete one of the ADA grievance forms included at the end of this Appendix A. Current employees of the County should complete the "Bulloch County Employee Discrimination Complaint Form," and non-employees of the County should complete the

“Discrimination Complaint Form.” The completed form should be mailed or delivered to the ADA Coordinator at the address noted on the form.

- B. Upon receipt of a completed grievance form, the ADA Coordinator shall review and investigate the grievance, and shall meet with the complainant within ten (10) calendar days if possible. If the ADA Coordinator determines that the grievance is legitimate, the ADA Coordinator shall make every effort to resolve the grievance to the complainant’s satisfaction. The ADA Coordinator shall produce and deliver to the complainant a written memorandum documenting the resolution of the grievance or, if the ADA Coordinator determines that the grievance is not legitimate, the reasons for that determination. If the ADA Coordinator cannot resolve the grievance to the complainant’s satisfaction, or if the ADA Coordinator determines the grievance is not legitimate, the complainant shall have the right to appeal to the County Manager as provided below.

- C. If the complainant is not satisfied with the ADA Coordinator’s handling of his or her grievance, the complainant may appeal the ADA Coordinator’s determination to the County Manager. The notice of the appeal shall be in writing and shall be delivered to the County Manager no later than ten (10) calendar days after the complainant’s receipt of the ADA Coordinator’s written memorandum. After receipt of the complainant’s notice of appeal, the County Manager at his discretion may meet with the complainant or the ADA Coordinator, either together or individually, to discuss the grievance. The County Manager may also hold a hearing on the grievance, although he is under no obligation to do so, at which hearing he may receive testimony or other evidence from other persons who may have knowledge of facts concerning the grievance. Any such hearing shall be conducted informally and technical rules of evidence shall not apply. The complainant shall have the right to be present throughout any such hearing and testify on his or her own behalf, and the complainant shall also have the right to question any other witnesses. The County Manager shall render a decision on the grievance within a reasonable time after the conclusion of the hearing or, if the County Manager determines that a hearing would not be necessary or helpful, within a reasonable time after the County Manager has what he believes is sufficient information to render a decision. The County Manager’s decision shall be delivered to the complainant in writing and shall be final.

**Title II of the Americans with Disabilities Act
Section 504 of the Rehabilitation Act of 1973
Bulloch County Employee Discrimination Complaint Form**

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

Bulloch County ADA Coordinator
Bulloch County Board of Commissioners
PO Box 347
115 North Main
Statesboro, Georgia 30459
(912) 764-6245
(912) 764-8634 (FAX)

Complainant:

Address:

City, State, Zip Code:

Telephone Home: _____ Business: _____ Cell: _____

Complainant's Employment Position with Bulloch County:

Nature of Grievance: (If additional space is required, attach another sheet):

Signature: _____ Date: _____

**Title II of the Americans with Disabilities Act
Section 504 of the Rehabilitation Act of 1973
Bulloch County Discrimination Complaint Form**

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

Bulloch County ADA Coordinator
Bulloch County Board of Commissioners
PO Box 347
115 North Main
Statesboro, Georgia 30459
(912) 764-6245
(912) 764-8634 (FAX)

Complainant:

Address:

City, State, Zip Code:

Telephone Home: _____ Business: _____ Cell: _____

Nature of Grievance: (If additional space is required, attach another sheet):

Signature: _____ Date: _____

APPENDIX B

BULLOCH COUNTY ACTION PLAN FOR ADA COMPLIANCE

Bldg./Fac./Transp. Infr.	Action Needed	Estimated Cost
North Main Annex Bldg.	Braille Signs Scald Projection	\$100.00
Honey Bowen Bldg.	Braille Signs Scald Projection	\$100.00
Mill Creek Park 4,5 Field Bathrooms Multipurpose field and playground bathrooms	Braille Signs	\$250.00
Brooklet Recreation Dept. Bldg.	Braille Signs/Scald Guards Entrance Door Handle	\$175.00
Magistrate Court	Braille Signs/ Scald Guards Bathroom Door Handle	\$175.00
Probation Office	Bathroom Door Handles/ Scald Guards	\$125.00
Animal Shelter	Scald Guard	\$50.00
Airport	Parking lot Signs/ Scald Guards Brail Signs	\$250.00
Sidewalk on Langston Chapel Road	Add truncated domes for visually impaired at crosswalks	\$1,000.00
Sidewalk on Nevils- Groveland Road	Add handicap ramps	\$10,000.00
Sidewalk on Highway 67	Add truncated domes for visually impaired at crosswalks	\$1,000.00