

RESOLUTION 2012- 05

**A RESOLUTION OF THE COUNTY COMMISSIONERS OF THE COUNTY OF CASS,  
INDIANA, ADOPTING THE AMERICANS WITH DISABILITIES ACT (ADA),  
DESIGNATING THE ADA COORDINATORS, AND ADOPTING PROCEDURES**

WHEREAS, the Federal Government enacted the Americans with Disabilities Act of 1990 (ADA), to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

WHEREAS, Cass County, by and through its County Commissioners, shall divide the responsibilities of the ADA Coordinator by naming an ADA Compliance Coordinator and an ADA Transition Plan Coordinator, and

WHEREAS, in compliance with Title II of the ADA, Cass County shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA, and

WHEREAS, in compliance with Title II of the ADA, Cass County shall publish notice to the public regarding the ADA; and

WHEREAS, in compliance with Title II of the ADA, Cass County shall post the ADA Compliance Coordinator's name, office address, and telephone number along with the ADA Notice and ADA Grievance Procedure on its website.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE COUNTY OF CASS, INDIANA as follows:

SECTION I. The County Government Building Superintendent, Eli Smith (and his future successors), is designated as the ADA Compliance Coordinator and the County Highway Project Coordinator, Ray Eber (and his future successors) is designated as the ADA Transition Plan Coordinator.

SECTION II. The Notice under the Americans with Disabilities Act, a copy of which is attached hereto as Exhibit "A", is adopted as the Cass County Notice under the Americans with Disabilities Act (ADA).

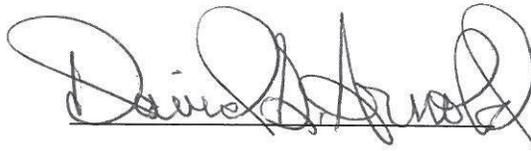
SECTION III. The Cass County Grievance Procedure under the ADA, a copy of which is attached as Exhibit "B", is adopted as the grievance procedure for addressing complaints alleging

discrimination on the basis of disability in the provision of services, activities, programs, or benefits by Cass County.

SECTION IV. In compliance with the Federal Laws as set forth above, Cass County, by and through its County Commissioners, resolves to post the required information regarding the ADA Coordinators, Notice under the ADA, and the Cass County Grievance Procedure under the ADA on its website and at such other locations as may be determined from time to time.

Adopted by the Board of Commissioners of the County of Cass, Indiana, this 5 day of November, 2012.

CASS COUNTY COMMISSIONERS

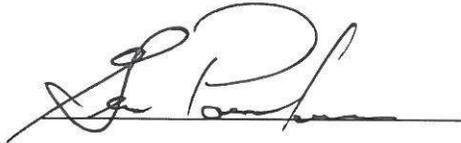


David Arnold, Cass County

Commissioner President



James Sailors



Gene Powlen

**ATTEST:**



Vaneen Ide

Cass County Auditor

## NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

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

**Employment:** Cass 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 ADA.

**Effective Communication:** Cass 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 Cass County's programs, services, and activities

**Modifications to Policies and Procedures:** Cass 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 Cass County, should contact Eli Smith (and his future successors), the County Government Building Superintendent and the designated ADA Compliance Coordinator, 200 Court Park Room 304, Logansport, IN 46947, (574) 753-7824, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require Cass County to take any action 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 Cass County is not accessible to persons with disabilities should be directed to Eli Smith (and his future successors), the County Government Building Superintendent and the designated ADA Compliance Coordinator, 200 Court Park Room #304 , Logansport, IN 46947, (574) 753-7824. See Cass County's Grievance Procedure.

Cass 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.

**CASS COUNTY GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH  
DISABILITIES ACT (ADA)**

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 Cass County. Employment related claims of disability discrimination are governed by the county's Personnel Policies Handbook.

The complaint should be in writing and on the County's ADA Complaint Form with the filing being **no later than 60 calendar days after the date of the alleged violation**. Alternative means of filing complaints, such as personal interviews or a tape recording of the complainant, will be made available for persons with disabilities upon request. The complaint should be submitted to:

ADA Compliance Coordinator, Cass County Government Building Superintendent

200 Court Park Room #304

Logansport, IN 46947

Within 15 days after receipt of the complaint, the County's ADA Compliance Coordinator, or designee, will meet with the complainant to discuss the complaint and to explore possible resolutions. Within 15 calendar days of that meeting, the county's ADA Compliance Coordinator, of designee, will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print or audio tape.

If the ADA Compliance Coordinator's, or designee's, response does not satisfactorily resolve the issue, the complainant may appeal that decision to the Board of Commissioners. The appeal request must be made in writing and filed with the County Highway Superintendent within 15 days after the receipt of the response from the ADA Compliance Coordinator, or designee.

The President of the Board of County Commissioners, or designee, shall meet with the complainant within 15 days after receipt of the appeal to discuss the complaint and possible resolutions.

Within 15 days after that meeting, the President of the Board of County Commissioners, or 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, appeals, and County responses will be retained by the County Highway Superintendent for a period of three years.

Appendix A: Complaint/Grievance Form

Grievant Information:

Grievant Name:			
Address:	City:	State:	Zip Code:
Phone: (    )    -	Email:		
Alternate Phone: (    )    -			

Person Preparing Complaint Relationship to Grievant (if different from Grievant):

Grievant Name:			
Address:	City:	State:	Zip Code:
Phone: (    )    -	Email:		
Alternate Phone: (    )    -			

Please specify any location(s) related to the complaint or grievance (if applicable):

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Please provide a complete description of the specific complaint or grievance:

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