

# ADA Transition PLAN

*Webster County*



*Prepared by*



Southwest Missouri  
COUNCIL OF GOVERNMENTS

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## Introduction

The purpose of the Webster County Americans with Disabilities Act (ADA) Transition Plan is to ensure that Webster County creates reasonable and accessible pedestrian paths of travel for everyone, including people with disabilities. Federal law requires “all State and local governments and all departments, agencies, special purpose districts, and other instrumentalities of State or local government (‘public entities’)” to responsibilities under Title II of the ADA, which specifies in equal treatment for those with disabilities. Unlike the section 504 of the Rehabilitation Act of 1973 (as shown in text box on right), ADA requirements include all activities of State and local governments, whether or not they receive federal funding.

The 2010 ADA Standards for Accessible Design, the most recent ADA standards, require that “Each facility or part of a facility constructed by, on behalf of, or for the use of a public entity shall be designed and constructed in such manner that the

facility or part of the facility is readily accessible to and usable by individuals with disabilities, if the construction was commenced after January 26, 1992.” Webster County has made a significant and long-term commitment to improving the accessibility of their pedestrian facilities. This Transition Plan describes the existing policies and programs that enhance overall pedestrian accessibility, identifies physical barriers, and prioritizes improvements that should to be made to remedy these barriers. Adopting and enforcing ADA compliant standards within a community holds a high importance for its residents. Webster County has created this plan in order to comply with ADA standards and demonstrate the importance of adhering to the ADA.

Identified non-compliant issues should be corrected when funds become available. In the interim, the development of an ADA Transition Plan demonstrates to the ADA board and to the citizens the recognition of issues and desire to fix them. Or, in terms of the ADA, “...Such a plan...could serve as evidence of a good faith effort to comply...” Additionally, violation of (or lack of) an ADA Transition Plan could lead to the termination of federal funds to programs (“The Americans with Disabilities Act Checklist for Readily Achievable Barrier Removal,” 1995).

### Rehabilitation Act of 1973

#### *Section 504 (a)*

No otherwise qualified individual with a disability in the United States, as defined by section 705 (2) of this title, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service. The head of each such agency shall promulgate such regulations as may be necessary to carry out the amendments to this section made by the Rehabilitation, Comprehensive Services, and Development Disabilities Act of 1978

## Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) was passed into law in 1990. “The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law, along with the Rehabilitation Act of 1973, is to make sure that people with disabilities have the same rights and opportunities as everyone else” (“What is the Americans with Disabilities Act (ADA)?,” n.d.).

The federal legislation of the Americans with Disabilities Act provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications. It encompasses five titles:

- 1) Employment
- 2) State and Local Government
- 3) Public Accommodations (retail, commercial, sports complexes, movie theaters, etc.)
- 4) Telecommunications
- 5) Miscellaneous, including requirements for the U.S. Access Board to develop design guidelines

## Legal Requirements

Title II of the Americans with Disabilities Act specifically applies to “public entities” (state and local governments) and the programs, services, and activities it delivers. Title II Article 8 requires public entities to take several steps designed to achieve compliance (“Americans with Disabilities Act Transition Plan: Pedestrian Facilities in the Public Right-of-Way,” (2012). The plan shall include:

1. A list of the physical barriers in a public entity’s facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities.
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible.
3. The schedule for taking the necessary steps to achieve compliance with Title II.
4. The name of the official responsible for the plan’s implementation.

## Responsibilities of State & Local Governments

U.S. Department of Justice: Disability Rights Section (2015) concluded state and local governments:

- May not refuse a person with disability to participate in a service, program, or activity simply because the person has a disability.
- Must provide programs and services in an integrated setting, unless separate or different measures are necessary, to ensure equal opportunity.
- Must eliminate unnecessary eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy their services, programs, or activities unless “necessary” for the provisions of the service, program, or activity.
- Must furnish auxiliary aids and services when necessary to ensure effective communication, unless an undue burden or fundamental alteration would result.
- May provide special benefits, beyond those required by the regulation, to individuals with disabilities.
- May not place special charges on individuals with disabilities to cover the costs of measures necessary to ensure nondiscriminatory treatment, such as making modifications required to provide program accessibility or providing qualified interpreters.
- Shall operate their programs so that, when viewed in their entirety, they are readily accessible to and usable by individuals with disabilities.

## ADA Compliance

Being ADA compliant requires all government buildings, paths, and public rights-of-ways to comply with ADA standards as set forth by the 2010 ADA Standards for Accessible Design (Appendix E).

Completing an ADA transition plan is the first step in becoming ADA compliant. The ADA Standards apply to commercial and public entities that have “places of accommodation” which includes, even, the internet.

As based on “ADA Compliance” (n.d.), ADA laws affect:

- Americans with disabilities and their friends, families, and caregivers
- Private employers with 15 or more employees
- Business operating for the benefit of the public
- All state and local government agencies

Webster County is working with a private company in ensuring compliance of their county website. This company recognizes that currently there may be some ADA issues with the county’s website, but will be working toward solving these issues in the future.

The United States Census Bureau published an article in 2012 which states that nearly 1 in 5 people have a disability in the United States based on a survey completed in 2010. This results in approximately 56.7 million people, or 19% of the population. Since

a similar survey done in 2005, this was an increase of 2.2 million people (Bernstein, 2012).

Webster County alone has a 10.3% disability rate of residents under 65, as of 2012-2016 ("QuickFacts: Webster County, Missouri," n.d.). Persons without health insurance under age 65 account for 14.2% of the population, and combined with a substantial elderly population (15.2%), a high majority of residents can be assumed in requiring disability accommodation. With a significant percentage of the population having a disability or requiring assistance in daily life, it is critical that communities update facilities and maintain ADA compliance.

The ADA is a complaint-driven law. Therefore, anyone with a disability (or someone on their behalf) who feels they have been unfairly discriminated against can file a complaint against a facility with the U.S. Department of Justice or directly in Federal Court. Not only are there both financial and remedial penalties, but defending against a complaint is also costly. The County may be exposed to a higher risk if an accident occurs from a non-compliant issue.

The ADA has no "grandfathering provisions." Existing facilities were to start the process of "readily-achievable barrier removal" as of January 26, 1992, which should now be ongoing.

Additionally, new construction should be inspected for ADA compliance throughout the entire process. As ADA compliance is not written as a "building code," some architects in reality, may not be designing to ADA standards. Constructing a building correctly the first time is much less expensive than retrofitting it later ("What does it mean to be 'ADA Compliant'?", n.d.).

The ADA understands that coming into compliance takes time and money. Therefore, updates to sections are encouraged as funds become available.

## Background

ADA upgrades made in Webster County have not been documented. However, it is estimated the County has spent approximately \$40,000 on accessibility within the past 10 years. Webster County made a substantial improvement to the Courthouse in the early 1990's by installing an elevator to assist with accessibility.

The County also participated in a Transportation Alternative Program (TAP) grant received by the City of Marshfield in 2014 to make storm-water and ADA improvements to and around Marshfield's town square. This grant was envisioned to be a multi-phase endeavor, and while Phase 1 was implemented, it was mostly expended for small improvements, with relatively little expenditure for ADA. Sidewalks adjacent to the Courthouse are owned and maintained by the County. The current condition of those

sidewalks is “Good,” as deemed by the “Good, Fair, Poor” scale, but the remaining sidewalks surrounding square need to be improved.

The application for Phase 2, which focused more on ADA improvement, was not funded. However, the County is presently working on a new application for Phase 2, which would provide considerable improvements to accessibility around both sides of the town square, including: outer and inner sidewalks, street lighting, bike racks, adjusting of pavement heights, and the corrections to former ADA sidewalk issues. This is in an attempt to make the downtown area a more accessible, pedestrian-friendly cultural center.

Looking forward, the County has many goals for improved accessibility and connectivity. New sidewalks are planned from the Webster County courthouse to the new Webster County Justice Center. The County is also focused on adding sidewalks from the Webster County Courthouse to the Marshfield Senior Center, as well as adding an accessible parking lot near the new Webster County Justice Center. Eventually, there is a desire to connect sidewalks throughout the city and county to create a more pedestrian- and bike-friendly, active community. The hope is that through the adoption of this Transition Plan in conjunction with the recently completed Marshfield Sidewalk Inventory, the County is demonstrating a goodwill effort to make a more accessible design for all.

## Complaint Process

### ADA Coordinator Contact Information

*Stanley Whitehurst*

*Email:*

clerk@webstercountymo.gov

*Phone:* (417) 859-8683

*Fax:* (417) 468-5307

*Street Address:*

101 S. Crittenden, Room 12

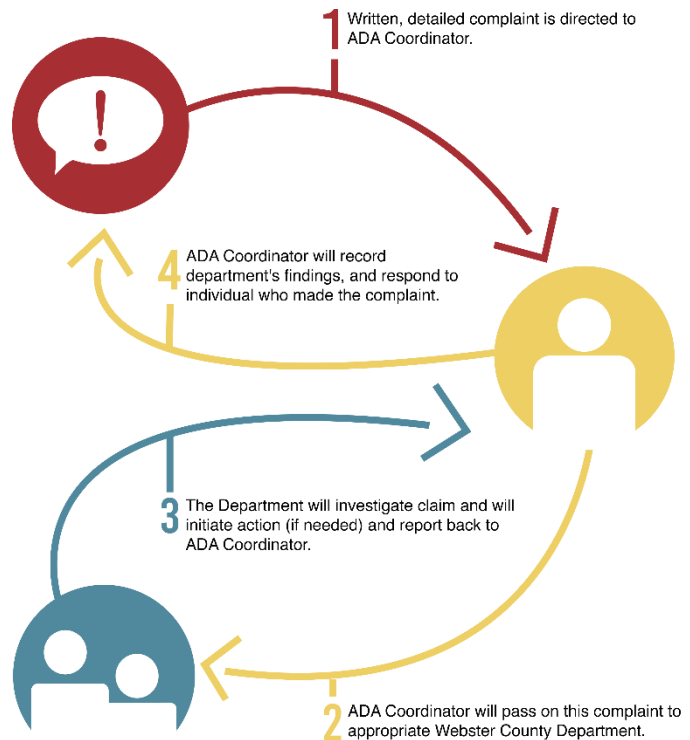
Marshfield, MO 65706

The public complaint process is an integral part of the Transition Plan. Public complaints may often drive the prioritization of improvements. Complaints regarding accessibility of a county facility, sidewalk, or curb ramp may be directed to the ADA Coordinator in writing and describe the issue in detail, including the location, and, if possible, photo(s) of the issue. The ADA Coordinator will give this information to the appropriate Webster County department for inspection and possible action. That department will then respond to the ADA Coordinator with its findings, and the ADA Coordinator will record the formal response and reply to the complainant/requestor.



For clarification, reference the graphic to the right. All complaints or requests will be kept on file and will include the response. Appendix A contains a copy of Webster County's public grievance procedure for government buildings and pedestrian facilities in the public rights-of-way. The online complaint form with the United States Department of Justice is located in Appendix B.

The official responsible for the implementation of the Webster County ADA Transition Plan and for administering the complaint process is the Webster County Clerk, whose information is shown on the previous page.



## Planning Process

Transition plans provide a method for a public entity to schedule and implement ADA required improvements to existing streets, sidewalks, and facilities. Before a transition plan can be developed, there is an inventory and assessment of existing conditions.

The process was as follows:

1. Data Collection:

SMCOG employees gathered a list of facilities and properties to be evaluated, policies that were currently in place to support ADA, and reviewed sample transition plans.

2. Research:

Employees used the ADA Checklist to evaluate facilities and properties as well as begun drafting the document.

3. Public Input:

After a draft on the document was complete, SMCOG employees met with the Webster County Commission on January 8, 2019 to provide an opportunity for additional comment and input.

## Conditions Evaluation

Identifying non-compliant ADA facilities and paths follows a two-step process. First, an evaluation of all public facilities, rights-of-way, and sidewalks was conducted by the Southwest Missouri Council of Governments (SMCOG) in August and September of 2018. Second, a detailed evaluation was made. The detailed evaluation of the facilities and sidewalks (featured in the Marshfield Sidewalk Assessment) that are owned by Webster County required fieldwork of measuring physical attributes such as width, running slope, and counter height, etc. This is to determine compliance to the identified ADA standards. The result from this evaluation is a detailed understanding of the ADA barriers in Webster County facilities.

The “ADA Checklist for Existing Facilities” (2016) was used to identify if facilities and right-of-ways are ADA compliant. The checklist followed four priorities that are listed in the Department of Justice ADA Title II regulations. The priorities, as stated by the ADA Checklist for Existing Facilities are:

1. Accessible approach and entrance
2. Access to goods and services
3. Access to public toilet rooms
4. Access to other items such as water fountains and public telephones

After completing the checklist for each of the available facilities, SMCOG then developed a list of non-compliant items and necessary improvements.

## Evaluated Facilities & Rights-of-way

SMCOG staff evaluated all Webster County-owned facilities and rights-of-way. [Table 1](#) displays the properties and locations. While there are 13 sites listed, SMCOG evaluated only five of the facilities for ADA compliance. [Table 2](#) displays the properties not evaluated and the reason for not doing so.

Other compliance concerns that are not noted in [Table 3](#) are listed below. These items should be considered low-priority because of location, significance, or lack of public interaction. A more thorough list of non-compliance issues are recorded in the respective ADA Checklists for each location evaluated and were provided to the County. A blank checklist is provided in Appendix C.

### *Old Ambulance Station:*

- No public parking
- Door hardware not accessible without tight grasping, pinching, or twisting
- Interior doorways need to be expanded from 30” openings to at least 32”
- Interior door hardware not accessible without tight grasping, pinching, or twisting

Table 1: Webster County Owned Buildings and Property

Property	Location
Courthouse & Square	101 S. Crittenden St., Marshfield, MO
Future Judicial Facility	203 E. Jefferson St., Marshfield, MO
General Maintenance Building	226 N. Marshall St., Marshfield, MO
Records Storage/Evidence	108 W. Madison St., Marshfield, MO
Main Road Depot	1106 South White Oak Rd., Marshfield, MO
Emergency Management	433 E. Commercial St., Marshfield, MO
Fordland Road Shed	1099 Brentlinger Dr., Fordland, MO
Former Diggins Road Depot	3916 Normandy Rd., Seymour, MO
Former Landfill: Includes Sheriff Firing Range	478 Sumac Lane, Marshfield, MO
Former Rogersville Road Depot	Junction of Scissortail & White Oak Rd., Rogersville, MO
Ambulance Station	610 W. Steel St., Seymour, MO
Hunt Memorial	Short Y Rd.
Lunar Lane	State Hwy M, Niangua, MO

Table 2: Properties Not Evaluated

Property	Reason
Future Judicial Facility	As it is still under construction, SMCOG staff was not allowed on site to measure compliancy. Being a new construction, it is assumed it will be built up to ADA code, as is required of new constructions. It should be monitored throughout the construction process to ensure ADA compliancy.
Fordland Road Shed	Has no public access and therefore found no need to evaluate.
Former Diggins Road Depot	Has no public access and no entrance available, therefore found no need to evaluate.
Former Landfill and Sheriff Firing Range	Building is small shed and can only be accessed by the sheriff. Has no bathroom, only an outhouse.
Former Rogersville Road Depot	Vacant land.
Ambulance Station	Webster County is the deed title holder, but Cox Medical maintains building itself. No public money goes towards it.

## Public Engagement

Webster County provided opportunities for individuals to comment on this Transition Plan, which included:

- Document copies available and notices sent to local public newspapers
- Document made available on the Webster County website
- Presentation by SMCOG staff at a Webster County Commission meeting on January 8, 2019

Webster County published legal notices in the major newspaper, Marshfield Mail and the Webster County Citizen, on January 16, 2019. The legal notices announced the availability of the Transition Plan draft at the local public facilities with easy public access. These notices also provided instructions regarding the timetable for comments and where to send them. Public comments were accepted for a period of no less than 30 days, ending February 15, 2019.

The Public Comment Form is available in Appendix A. This form is available for submittal at any time when an issue is discovered. It can be found online or as a printed copy at the Webster County Courthouse, where it can also be submitted to the ADA Coordinator.

Formal adoption of the Transition Plan took place on February 26, 2019. It will be available on the Webster County website and by written formal request to the ADA coordinator.

Webster County recognizes the importance of continued public input throughout the implementation of this Plan and beyond. It understands that community input ensures an accessible community for everyone, and therefore encourages all public input.

## Compliance

[Table 3](#) below, “ADA Non-Compliant Evaluation,” displays the ADA compliance concerns noted during the evaluation stage. Pictures are included from the Webster County Courthouse, Webster County Records Storage, and the Emergency Management Building. The table includes the identification number for which section in the ADA Checklist for Existing Facilities the issue was identified. The Guidelines are divided into four sections:

1. Approach and Entrance
2. Access to Goods & Services
3. Toilet Rooms
4. Additional Access

For example, I.D. # 3.19 references Section 3 (Toilet Rooms) and sub-section 19.

[Table 3](#) also includes prioritization as discussed in the next section, “Prioritization” and in the section “Implementation,” on page 27, for which items need the most attention in the timeliest manner.

The prioritization and implementation numbers assigned to each project are suggestions made by SMCOG staff and are not direct representations of Webster County’s prioritization and implementation timeline.

## Prioritization

Prioritization was based on:

1. Major inconvenience or safety hazard to the public
2. Inconvenience with realistic ability to fix
3. Minor inconvenience or not easily fixable

It should be noted: Webster County Courthouse, being a center for public interaction in Webster County, should take prioritization over other buildings. While other buildings may have a “1” or “2” prioritization, the Courthouse as a whole has higher priority.

Table 3: ADA Non-Compliant Evaluation




PHOTO	ISSUE	SOLUTION	LOCATION	I.D. #	PRIORITIZATION
	No access aisle for parking spot on right.	Install an access aisle or move spot to another space that allows for access aisle.	Webster County Courthouse-- Parking on North side (police parking lot)	1.4	1
	No clear indicators that handicap parking is allowed.	Install clear indicator for handicap parking in this lot as well as handicap accessible signs directing handicap to north side of building for accessible entrance.	Webster County Courthouse-- Parking on North side (police parking lot)	1.39	1
	Area rug is not secure.	Secure edges of rug.	Webster County Courthouse-- Handicap Accessible Entrance	1.49	1




PHOTO	ISSUE	SOLUTION	LOCATION	I.D. #	PRIORITIZATION
	Sign is not easily accessible, too high, and does not have raised letters or braille.	Install sign with braille and raised characters between 48" of lowest character and 60" highest character above floor.	Webster County Courthouse-- 3rd Floor	2.38	2
	Sign is placed too high above ground (63").	Lower sign to between 48" from lowest character and 60" highest character. However, if built before 2012, relocation not required.	Webster County Courthouse-- 3rd Floor	2.31	3
	Sign does not have raised letters, braille, and is not placed on the correct side of the entrance (near the latch side). This applies to most door signs in building.	Move (or add additional) signs with appropriate braille, contrast, and letters, to the latch side of door on wall beside it, between 48" from lowest character and 60" highest character. Can keep decorative lettering on door.	Webster County Courthouse-- Main Floor	2.38	3






PHOTO	Issue	Solution	Location	I.D. #	Prioritization
	Placed too high above ground.	Lower sign to between 48" from lowest character and 60" highest character.	Webster County Courthouse-- Main Floor	2.38	2
	Sign placed too high. The arrow below is not raised and has no braille. Tripping hazard to someone who believes the restroom is directly to the right.	Lower sign to between 48" from lowest character and 60" highest character. Relocate sign to a less hazardous area.	Webster County Courthouse-- Main Floor	2.38	2
	Knobs are not preferred for ADA compliance; cannot operate without tight grasping and turning or closed fist.	Replace with lever handles.	Webster County Courthouse-- Main Floor	2.43	3






PHOTO	Issue	Solution	Location	I.D. #	Prioritization
	Water fountain not compliant with ADA Standards.	Refer to I.D. # sections.	Webster County Courthouse-- 2nd Floor	4.2-4.9	3
	Spout too high off of ground (39" currently) and must apply quite a lot of pressure to use buttons.	Lower spout to 36" off ground max. Adjust button sensitivities.	Webster County Courthouse-- Main Floor	4.5, 4.6, 4.9	3
	Signs cannot be located within the door swing. Door is also only 30" wide as compared to the necessary 32".	Relocate signs to right side of the wall next to the door (latch side). Expand doorway to minimum of 32" from face of the door and the stop.	Webster County Courthouse-- Main Floor	3.5, 3.6	2




PHOTO	Issue	Solution	Location	I.D. #	Prioritization
	Mirror is too high on wall (60") Lavatory is 35" tall instead of 34" or less.	Lower mirror to no more than 40" above floor. Minor adjustment of lavatory height from 35" to 34" or less from floor.	Webster County Courthouse-- Main Floor	3.19, 3.23	2
	Pipes are exposed.	Install insulation or cover panel to protect against contact.	Webster County Courthouse-- Main Floor	3.26	2
	Towel dispenser too high off of ground (54").	Lower towel dispenser to no more than 48" above floor.	Webster County Courthouse-- Main Floor	3.29	2




PHOTO	Issue	Solution	Location	I.D. #	Prioritization
	Centerline of toilet too far from side wall (22"). Side rail on right wall (looking at picture) is too close to back wall (44") and mounted too high (37").	Move toilet closer to wall (from 16" - 18"). Relocate side rail 54" from back wall and lower to no more than 36" above floor.	Webster County Courthouse-- Main Floor	3.30, 3.33	3
	Lock difficult to use; requires more than 5 pounds of force and cannot do without fine motor gasping, turning, and pushing. Cannot fit a closed fist through the handle.	Install a new lock that can be easily used with closed fist and without much force.	Webster County Courthouse-- Main Floor	3.45	1
	Fire extinguisher protrudes too far into path (7.5")	Set extinguisher 4" or less into wall or add tactile warning such as permanent planter or partial wall OR lower so leading edge is 27" or lower above floor.	Webster County Courthouse-- Main Floor	2.8	2




PHOTO	Issue	Solution	Location	I.D. #	Prioritization
	Customer service desk. Side desk could be considered ADA accessible desk, but is still too high off the ground (43").	Lower side desk to 36" above floor.	Webster County Courthouse-- Main Floor	2.76	2
	Another option for ADA accessible desk.	Would need to be lowered to 36" above floor.	Webster County Courthouse-- Main Floor	2.76	2
	Objects protruding into walkways.	Lay flat against wall or remove protruding objects.	Webster County Courthouse-- Basement	2.8	2




PHOTO	Issue	Solution	Location	I.D. #	Prioritization
	Sign too high and should not be located in the path of door swing.	Lower sign to allow baseline of lowest character on sign to be at least 48" above floor and no more than 60". Relocate to latch side of door.	Webster County Courthouse-- Basement	3.5	2
	Protruding objects into walkways.	Remove objects from walkway.	Webster County Courthouse-- Basement	2.8	2
	Signage too high, confusing, and does not have raised characters or braille.	Replace with clear directional signs and raised characters and braille, lower to baseline of lowest character at least 48" above floor and 60" highest above floor, and move bulletin board to allow for access.	Webster County Courthouse-- Basement	3.5	1






PHOTO	Issue	Solution	Location	I.D. #	Prioritization
	Threshold too high (1 3/4").	Reduce threshold height to maximum of 1/4".	Webster Records Storage	1.43	1
	Protruding objects. Table 1' out into walking path.	Relocate table to a less obtrusive location.	Webster Records Storage	2.8	2
	Protruding objects into pathway.	Relocate protruding objects to a less obtrusive location.	Webster Records Storage	2.8	2




PHOTO	Issue	Solution	Location	I.D. #	Prioritization
	Hose leaking water onto floor causing slip hazard.	Clean up water and re-direct hose to another location preferably outside of building.	Webster Records Storage	2.48	1
	Photo of "service counter." No longer in use. Would be non-compliant if in use because of blockage.		Webster Records Storage		3
	No designated handicapped parking, although most likely enough open space.	Install handicap accessible signs.	Marshfield Road Shed	1.2	3




PHOTO	Issue	Solution	Location	I.D. #	Prioritization
	Entrance rug helps minimize slip of concrete floor, but rest of floor is still somewhat unstable.	Install non-slip rugs for remainder of walkway.	Marshfield Road Shed	2.3	1
	Grates on inside of road shed a possible safety hazard. Grates are not perpendicular to movement. Grate openings too large (1 1/4").	Replace grate with maximum openings of 1/2" and perpendicular to movement.	Marshfield Road Shed	1.16	2
	No floor space beneath drinking fountain.	Install fountain that allows for foot space and follows other compliant standards.	Marshfield Road Shed	4.1-4.9	3









PHOTO	Issue	Solution	Location	I.D. #	Prioritization
	Signs are too low to ground (45").	Raise sign height to 60" above ground.	Webster Emergency Management Building	1.1	3
	Accessibility limited because of patchwork bricks that do not slope to rest of parking area; not level.	Level area by replacing brick or maintain or alter them to level them. Create a continuous surface to threshold.	Webster Emergency Management Building	1.42	1
	Another photo of entrance. Threshold is 2" high when max height is 1/4"	Ensure threshold is no higher than 1/4".	Webster Emergency Management Building	1.43	1

PHOTO	Issue	Solution	Location	I.D. #	Prioritization
	Obstruction to light switch.	Relocate chairs to another location.	Webster Emergency Management Building	2.5	2
	No accessibility sign. Door closer closes too quickly (3 seconds). Mirror is too high above floor (44.5") (cont. on next section)	Add signs of accessibility to outside wall on latch side at appropriate height. Adjust door closer time length to 5 seconds. Lower mirror to 40" or above floor (cont.)	Webster Emergency Management Building	Section 3	2
	(cont.) Coat hook too high off floor (67"). Pipes are exposed underneath sink. Paper towel holder requires tight pinching/grasping. Grab bar too short (36").	Lower coat hook between 15"-48" above floor. Cover pipes under sink to avoid contact. Replace paper towel holder to one that does not require tight pinching/grasping. Install new grab bar of 42".	Webster Emergency Management Building	Section 3	2

## Methods for Removing Barriers

As a government entity, Webster County's main function is to serve the public. Because the function is public, the county is required through Title II of ADA to remove barriers if doing so is "readily achievable." This is in reference to an undertaking that is "easily accomplished and can be carried out without much difficulty or expense" (The Americans with Disabilities Act Checklist for Readily Achievable Barrier Removal," 1995). This obligation only applies to publicly-used areas. If a facility is only for employee use, it is not required by ADA to remove barriers. However, it may be necessary to remove barriers in response to a request for "reasonable accommodation" by a qualified employee or applicant as required by Title I of the ADA. The Checklist for Readily Achievable Barrier Removal is supplied in Appendix D.

Webster County utilizes many different approaches in removing barriers in public facilities and rights-of-way, including proactively identifying and eliminating the barrier, responding to public complaints, and ensuring the appropriate design and build-out of new construction follows the most recent design guidelines.

The County is required to provide reasonable accommodations for those with disabilities while waiting for funds to become available to fix a barrier(s). For example, the County may require employees to reach something on the top shelf for someone with a disability. The obligation to remove barriers is on-going, and once financial circumstances allow, the county must work towards that goal. Additionally, accessibility should be re-evaluated annually to determine whether an issue that was not feasible to fix in the past is now feasible ("Questions about Barrier Removal," n.d.).

Webster County recognizes there are locations where bringing facilities or features into compliance is "technically infeasible" due to physical site constraints, such as underlying terrain, right-of-way availability, underground structures, adjacent developed facilities, drainage, or the presence of a notable natural or historic feature.

## Implementation

Webster County will follow the concept of Program Access under Title II of the ADA. Program Access does not require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities, as long as the program as a whole is accessible. Under this concept, Webster County may choose not to install a sidewalk at some locations (or to install them as a lower priority later), as long as a reasonable path of travel is available without the sidewalk.

The timeline for the implementation of this Plan will be as follows:

- Priority 1: 1-3 years
- Priority 2: 3-5 years
- Priority 3: 5-10 years

These will coincide with Priority Rankings to determine which projects should be brought to the forefront and which can be more long-term. The County will implement changes based on the timeline suggested by SMCOG as closely as reasonably possible and how it deems fit.

The County should also take into consideration facilities not publicly-owned, but publicly-used, such as polling locations, training centers, or other places the public may come to for government-related reasons. While these facilities may not be government-owned, they must still be accessible.

At times the County may seek assistance or guidance on accessibility related issues. Resources available for information or reference include:

*Southwest Center for Independent Living*

2864 S Nettleton Ave  
Springfield, MO 65804  
Phone: 417-886-1188

*Governor's Council on Disability*

Truman State Office Building  
301 West High Street  
Room 840  
P.O. Box 1668  
Jefferson City, MO 65102  
1-800-877-8249 (v/tty)  
573-751-2600 (v/tty)  
573-526-4109 (fax)

*Great Plains ADA Center (Serves Iowa, Kansas, Missouri, and Nebraska)*

University of Missouri  
100 Corporate Lake Drive  
Columbia, MO 65203  
  
Phone: 573-882-3600 (V/TTY)\*  
Fax: 573-884-4925  
Email: [adacenter@missouri.edu](mailto:adacenter@missouri.edu)  
Website: <http://www.gpadacenter.org>

## Plan Maintenance

Input from the community is vital for the progress of ADA improvements. After the implementation of this Plan, it is important to ensure the needs of the community are still being met and that the community is staying engaged. The Transition Plan will be reviewed yearly to re-evaluate whether more improvements have become readily available. The County will continue to set aside funds to implement the Plan and to remove barriers. Through the County's example of coming into compliance with ADA standards, it hopes private companies will then follow and improve accessibility to create a more inclusive community.

## Conclusion

With many Americans living with disabilities, ADA compliance is vital to the accessibility of all towns, cities, and counties. Webster County recognizes the need for ADA compliance and therefore proposes this Plan in an attempt to evaluate non-compliant structures and set forth a schedule for correction. If funds are not presently available, Webster County will work towards improvements when resources become available. This Plan will be reviewed annually to determine if any improvements have become possible.

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## Appendix

### Appendix A: Public Complaint Form

Date of Comment:

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Name of Person:

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Phone:

Email:

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Location of Complaint: (Please provide photo evidence of complaint)

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Comment:

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Response: (FOR STAFF USE ONLY)

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Appendix B: Complaint Form for United States Department of Justice  
Below is the beginning of the complaint form for the Department of Justice. On their website you can continue the form. Website: <https://www.ada.gov/complaint/>

**ADA**.gov  
United States Department of Justice  
Civil Rights Division

**Information and Technical Assistance  
on the Americans with Disabilities Act**

Search ADA.gov

go

More Search Options

Law / RegulationsDesign StandardsTechnical Assistance MaterialsEnforcement

Other languages:  
Español

## Americans with Disabilities Act Discrimination Complaint Form

I wish to file a complaint about: \*

- ☐ Employment
- ☐ Housing (including issues with apartment buildings, condos, Homeowners Associations and mobile home parks)
- ☐ Airlines
- ☐ My complaint does not involve Employment, Housing, or Airlines

Submit

### Privacy Act Notice

The Disability Rights Section (DRS) will not disclose your name or other identifying information about you unless it is necessary for enforcement activities against an entity alleged to have violated federal law, or unless such information is required to be disclosed under the Freedom of Information Act, 5 U.S.C. § 552, or disclosure is allowed through the publication of a routine use in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a. To further the Department's enforcement activities, information DRS has about you may be given to: appropriate Federal, State, or local agencies; Members of Congress or staff; volunteer student workers within the Department of Justice so that they may perform their duties; the news media when release is made consistent with the Freedom of Information Act and 28 C.F.R. § 50.2; and the National Archives and Records Administration and General Services Administration to perform records management inspection functions in accordance with their legal responsibilities. You may view all of the published routine uses via this link <http://edocket.access.gpo.gov/2003/pdf/03-20342.pdf>