



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **ADA Transition Plan**

Board Meeting Date: **May 22, 2023**

Prepared By: **Alissa Fender – Town Clerk**

Overview: Final deliverables for the Towns ADA Transition Plan have been received and are ready for adoption. Harrison Wenchell of Stewart will give a summarization presentation.

Background Attachment(s):

1. Expanded Overview
2. [ADA Transition Plan](#) (click to view document)

Recommended Action: Motion to adopt the ADA Transition Plan.

Action: _____

Expanded Overview:

In early August 2018, the Town of Swansboro, along with another 196 towns and municipalities throughout North Carolina, were notified of the requirement to do an ADA Transition Plan pursuant to the Code of Federal Regulation. In lieu of Hurricane Florence, the State of North Carolina delayed communication with communities over implementation status. Hearing concerns from communities' abilities to quickly develop said plan and subsequent compliance, a workshop was held in Kinston on December 12, 2018. Based on direction from the workshop, Swansboro acted, adopting the following three items on January 8, 2019, and/or amended on July 25, 2022.

1. Select and name an ADA Coordinator. (Name & Contact) information be provided on the website, for those inquiring about ADA activities, etc. Assistant Manager/Town Clerk Paula Webb was selected as the ADA Coordinator and the Town Manager (now Chris Seaberg) was named as the ADA Implementation Coordinator. On July 25, 2022, the ADA Coordinator was changed to Town Clerk Alissa Fender and ADA Implementation Coordinator was changed to Town Manager Paula Webb.

2. ADA Policy Statement. An example statement was provided by NCDOT for the Town's consideration and adopted which included a general statement prohibiting the discrimination based on a disability, defining disability and the town's commitment to providing reasonable accommodation, providing access to persons with disabilities and ensuring communications with the disabled are as effective as communications with others. The statement is posted to the Town website.

3. Grievance Complaint Information. Provision for making all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy all Town programs, services, and activities. The ADA does not require the Town to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden. As a result, the Town has developed an internal procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice. The grievance complaint information is posted to the Town website.

In brief, such procedure would be documented on complaint forms provided by the Town and as such consult with our legal team to include the HR function associated with our legal team Ward & Smith. Investigations of said complaint and resolution will be carried out as outlined in the grievance procedure.