

## RESOLUTION 2021-6

### A RESOLUTION ADOPTING THE NOTICE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT IN THE TOWN OF WESTPORT

WHEREAS, the Town of Westport receives Federal Funds for many uses and projects; and

WHEREAS, the receipt of such funds requires compliance with Federal laws and policies; and

WHEREAS, it is the wish of the U.S. Equal Employment Opportunity Commission that Municipal entities such as Town Westport formally enact and adopt policies and procedures demonstrating compliance with the Americans With Disabilities Act (ADA); and

WHEREAS, the Town of Westport, by its town council wishes to formally adopt and implement the following policy and procedure for the benefit of all Town of Westport Citizens; and

NOW, THEREFOR BE IT RESOLVED, by the Westport Town Council of the Town of Westport that the following declaration become a written policy of the Town of Westport and be posted in all Municipal Buildings upon passage.

#### NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)

The Town of Westport adopts the 2010 American with Disabilities Act Standards for Accessible Design and the 2005 Guidelines for Accessible Public Rights. In accordance with the requirements of title II of the American with Disabilities Act of 1990 ("ADA"), the Town of Westport, Indiana will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** The Town of Westport, Indiana 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:** The Town of Westport, Indiana will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town of Westport's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing or vision impairments.

**Modifications to Policies and Procedures:** The Town of Westport 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. For example, individuals with service animals are welcomed in Westport town offices, even where pets are generally prohibited.



Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Westport should contact the ADA Coordinator at the Westport Town Hall, 812-591-3500, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Westport 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 the Town of Westport is not accessible to persons with disabilities should be directed to the ADA Coordinator at the Westport Town Hall, 812-591-3500. The Town of Westport 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 person who use wheelchairs.

## **TOWN OF WESTPORT**

### **Grievance Procedure under The American with Disabilities Act**

The Grievance Procedure established below is intended to adhere to the standards outlined in the ADA. The procedure must be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provisions of services, activities, programs, or benefits provided by the Town of Westport. The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complaint and location, date, and description of the problem. Grievance Forms must be used to lodge a complaint, please make reference to Appendix A. Alternative means of filing complaints, such as personal interviews or recording of the complaint will be made available for persons with disabilities upon request. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 180 calendar days after the alleged violation to:

ADA Coordinator – Damon Land  
207 E Johnson Ave  
PO Box 579  
Westport, IN 47283

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or their designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, ADA Coordinator or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Westport and offer options for substantive resolution of the complaint.

If the response by ADA Coordinator or his designee does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the ADA Coordinator or his designee. Within 15 calendar days after receipt of the appeal, the ADA Coordinator or his designee will meet again with the complainant to discuss the appeal and possible



resolutions. Within 15 calendar days after the meeting, the ADA Coordinator or his designee will respond in writing, and, where appropriate, in a format described above that is accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or their designee, appeals to the ADA Coordinator or their designee, and responses from their office will be retained by the Town of Westport for at least three (3) years.

ADOPTED AND PASSED by the Town Council of the Town of Westport, Indiana, this 8<sup>th</sup> day of November, 2021.

Ayes

Nays

Harry Proy III  
Joseph Brundley  
John C. [Signature]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Presented to me by the Town Council of Westport, Indiana on this 8<sup>th</sup> day of November, 2021.

[Signature]  
Gloria Alumbaugh  
Clerk-Treasurer





Town of Westport  
Phone: (812) 591-3500  
Fax: (812) 591-3953  
E-mail: [townofwestport@comcast.net](mailto:townofwestport@comcast.net)

## Appendix A: Complaint/Grievance Form

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### Grievant Information

Grievant Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Alternate Phone #: \_\_\_\_\_

Person Preparing Complaint Relationship to Grievant (If different from Grievant): \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Alternate Phone #: \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please state what you think should be done to resolve the complaint or grievance:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Please attach additional pages as needed.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\*\*\*\*\*  
**Please Return to Town of Westport ADA Coordinator, 207 Johnson Ave, PO Box 579, Westport, Indiana or  
fax (812) 591-3953 or e-mail [townofwestport@comcast.net](mailto:townofwestport@comcast.net)**

Upon request, reasonable accommodation will be provided in completing this form or copies of the form will be provided in alternative formats. Contact the ADA Coordinator at the address listed above or via telephone (812) 591-3500.

Date Received (Office Use only): \_\_\_\_\_





## Town of Westport

207 Johnson Ave  
PO Box 579  
Westport, In 47283  
812-591-3500

December 13, 2021

Title VI/ADA Program  
Indiana Department of Transportation  
Indiana Government Center North, Room 750  
100 N. Senate Ave.  
Indianapolis, IN 46204

### **RE: Town of Westport's Nondiscrimination & Accessibility Letter of Commitment to INDOT**

To Whom It May Concern;

The Town of Westport is submitting this correspondence to INDOT as a good faith representation that it intends to improve it's compliance with those nondiscrimination & accessibility requirements which are conditions of receiving federal funds. INDOT has reviewed Westport's compliance efforts and identified the following potential deficiencies:

1. *ADA Transition Plan (Including Self-Evaluation)*
2. *ADA Grievance Procedure*
3. *ADA Nondiscrimination Notice*
4. *Title VI Implementation Plan*
5. *U.S. DOT Title VI Assurances*
6. *Title VI Complaint Procedure/Form/Log*
7. *External Complaint Policy*
8. *Organizational Chart*
9. *LEP Services*
10. *Title VI Staff Training*
11. *Voluntary Public Involvement Survey, and*
12. *I-speak Cards (Language Identification Flashcards)*



The Town of Westport has enclosed documents to know compliance with the following:

<b>List potential deficiency identified by INDOT</b>	<b>List item enclosed that demonstrates compliance</b>
ADA Transition Plan (Including Self-Evaluation	Town Of Westport ADA Transition Plan, October 2021
ADA Grievance Procedure	Included in Transition Plan – Resolution 2021-6
ADA Nondiscrimination Notice	Included in Resolution and Transition Plan
Title VI Implementation Plan	Included in ADA Transition Plan
U.S. DOT Title VI Assurances	Included in Resolution 2021-6
Title VI Complaint Procedure/Form/Log	Included in Resolution 2021-6
External Complaint Policy	Included in Resolution 2021-6
Organizational Chart	Included Document
I-Speak Cards (Language Identification Flashcards	Copy included

The Town of Westport commits to address the remaining deficiencies as follows:

- I. LEP Services  
 In 2022 the Town of Westport plans to take the following steps toward resolving this deficiency:
  - a. By May 1<sup>st</sup>, 2022 the Town of Westport will adopt LEP Services.
  
- II. Title VI Staff Training  
 In 2022 the Town of Westport plans to take the following steps toward resolving this deficiency:
  - a. By May 1<sup>st</sup>, 2022 the Town of Westport will hold Title VI Staff Training to meet INDOT requirements.
  
- III. Voluntary Public Survey  
 In 2022 the Town of Westport plans to take the following steps toward resolving this deficiency:
  - a. By May 1<sup>st</sup>, 2022 the Town of Westport will hold a Voluntary Public Survey to assist with implementation of Title VI/ADA Transition Plan.

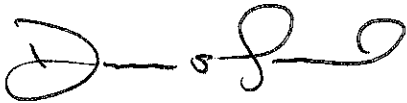
The Town of Westport represents that the above representation is made in good faith and represent its commitment toward achieving compliance with all nondiscrimination and accessibility requirements. The Town of Westport represents that the undersigned individual is authorized to make these commitments on behalf of The Town of Westport understands that INDOT may monitor The Town of Westport’s progress toward achieving its goals as represented herein.



This Letter of Commitment is being submitted by:

Damon Land/ ADA Coordinator  
207 Johnson Ave  
PO Box 579  
Westport, In 47283  
townofwestport@comcast.net  
812-591-3500  
812-591-3953

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Land', with a decorative flourish at the end.

Damon Land  
ADA Coordinator



INDIANA MEDIA GROUP  
PO BOX 607  
GREENSBURG IN 47240-0607  
(877)253-7755  
Fax (765)648-4229

ORDER CONFIRMATION

Salesperson: JENNIFER HENSLEY

Printed at 10/21/21 14:38 by jhen1

Acct #: 15509

Ad #: 1740115

Status: New

TOWN OF WESTPORT  
PO BOX 579  
WESTPORT IN 47283

Start: 10/23/2021 Stop: 10/23/2021  
Times Ord: 1 Times Run: \*\*\*  
LEG 2.00 X 28.00 Words: 184  
Total LEG 56.00  
Class: 105 PUBLIC NOTICES  
Rate: LGOVT Cost: 43.09

Contact:

Phone: (812)591-3500

Fax#:

Email: townofwestport@comcast.net;

Agency:

Ad Descrpt: NOTICE TO TAXPAYERS OF AD  
Given by: \*

P.O. #:

Created: jhen1 10/21/21 14:13

Last Changed: jhen1 10/21/21 14:38

PUB ZONE EDT TP RUN DATES  
GDN GDN 95 S 10/23  
GBOL GDN 95 S 10/23

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Gloria Alumbaugh  
Name (print or type)

[Signature]  
Name (signature)

**NOTICE TO TAXPAYERS OF ADDITIONAL APPROPRIATIONS**

Notice is hereby given the taxpayers of the Town of Westport, Decatur County, Indiana that the proper legal officers will consider the following additional appropriations in excess of the budget for the current year at their regular meeting place at:

Westport Town Hall, 207 Johnson Ave, at 6:30 p.m. on the 8th day of November 2021.

Fund Name: Cemetery Fund	Amount Requested	Amount Approved by Town Council
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Major Budget Classification:

10000: Salaries & Cemetery	\$5,000	\$5,000
TOTAL for Cemetery Fund:	\$5,000	\$5,000

Fund Name: General Fund	Amount Requested	Amount Approved by Town Council
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Major Budget Classification:

3000: PD Repairs & Maintenance	\$8,000	\$8,000
3000: Professional Services	\$5,000	\$5,000

Taxpayers appearing at the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the Department of Local Government Finance (DLGF). The DLGF will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a Certified Copy of the action taken.

Dated: 10/21/2021

Gloria Alumbaugh, Clerk-Treasurer

G-532 10/23 hspaxlp 1740115





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Major Budget Classification: 10000: Salaries & Cemetery	\$5,000	\$5,000
TOTAL for Cemetery Fund:	\$5,000	\$5,000

Fund Name: General Fund	Amount Requested	Amount Approved by Town Council
Major Budget Classification: 3000: PD Repair & Maintenance	\$8,000	\$8,000
8000: Professional Services	\$8,000	\$5,000

Taxpayers appearing at the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the Department of Local Government Finance (DLGF). The DLGF will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a Certified Copy of the action taken.

Dated: 10/21/2021  
Gloria Alumbaugh, Clerk-Treasurer  
G-532 10/23 hbpaxlp 1740115

Tax I.D. 82-2664009  
To: The Greensburg Daily News  
135 S Franklin St, Greensburg Indiana 47240

Town of Westport Additional Appropriations  
(Governmental Unit)  
Decatur County, Indiana

**PUBLISHER'S CLAIM**

G- 532

Ad # 1740115

**LINE COUNT**

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines \_\_\_\_\_

Head - number of lines \_\_\_\_\_

Body - number of lines \_\_\_\_\_

Tail - number of lines \_\_\_\_\_

Total number of lines in notice \_\_\_\_\_

**COMPUTATION OF CHARGES**

56 lines, \_\_\_\_\_ columns wide equals

\_\_\_\_\_ equivalent lines at 0.5130 cents per line ..... \$28.73

Additional charge for notices containing rule or tabular work  
(50 percent of above amount) ..... \$14.36

Charge for extra proofs of publication  
(\$1.00 for each proof in excess of two) ..... \_\_\_\_\_

**Total Amount of Claim** ..... \$43.09

**DATA FOR COMPUTING COST**

Width of single column in picas 9.9 Size of type 7 point.

Number of insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times. The dates of publication being as follows:

October 23, 2021

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, publish notice was posted on \_\_\_\_\_
- Newspaper has a Web site but refuses to post the public notice.

Date: October 23, 2021

Title: Legal Advertising Clerk

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LEGAL ADVERTISING

See table of legal rates in the applicable State Board of Accounts Bulletin

Claim No. \_\_\_\_\_ Warrant No. \_\_\_\_\_

I have examined the within claim and hereby certify as follows:

IN FAVOR OF

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon statutory authority.

\$ \_\_\_\_\_

That it is apparently

correct

incorrect

ON ACCOUNT OF APPROPRIATION FOR

I certify that the within claim is true and correct; that the services there in itemized and for which charge is made were ordered by me and were necessary to the public business

Appropriation No. \_\_\_\_\_

ALLOWED \_\_\_\_\_

IN THE SUM OF \$ \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Attest

