

**ADA Program Access Plan  
General Self-Evaluation  
MCKENZIE COUNTY  
February 2022**



**TITLE VI COMPLIANCE & ADA COORDINATOR  
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MCKENZIE COUNTY

TITLE VI/NONDISCRIMINATION AND ADA POLICY STATEMENT

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin. Specifically, 42 USC 2000d states that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” In addition to Title VI, there are other Nondiscrimination statutes which include: Section 162(a) of the Federal-Aid Highway Act of 1973 (23 USC 324) (sex), Age Discrimination Act of 1975 (age), and Section 504 of the Rehabilitation Act of 1973/ADA of 1990 (disability). Taken together, these requirements define an overarching Title VI/Nondiscrimination and ADA Program. Title VI and the additional Nondiscrimination requirements are applicable to programs receiving federal financial assistance due to the Civil Rights Restoration Act of 1987.

There are two Presidential Executive Orders that place further emphasis upon the Title VI protections of race and national origin. Executive Order 12898 ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations. Executive Order 13166 directs recipients of Federal financial assistance that to ensure compliance with Title VI, they must take reasonable steps to ensure that limited English proficiency persons have meaningful access to their programs.

The Board of County Commissioners of McKenzie County is personally committed to and support taking all steps to ensure that no person or groups of persons shall, on the grounds of race, color, national origin, sex, age, disability, limited English proficiency, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by McKenzie County, its recipients, sub recipients, and contractors.

Jenna Norby, Human Resources Director is appointed as the Title VI Coordinator and ADA Coordinator per the Board of County Commissioners on January 3<sup>rd</sup>, 2022 and is granted the authority to develop, administer, and monitor the Title VI/Nondiscrimination and ADA Program as promulgated.

Further, I sub-delegate and charge the Human Resources Director with the responsibilities to ensure compliance with Title VI/Nondiscrimination and ADA Program requirements in their respective program areas.

Anyone who believes that he or she has been discriminated against should contact Jenna Norby, Title VI Coordinator and ADA Coordinator, McKenzie County, 201 5<sup>th</sup> ST NW, Ste 700, Watford City, ND 58854 at 701-444-7411. TTY users may call Relay North Dakota at 711 or 1-800-366-6888 (toll free).

  
\_\_\_\_\_  
Howdy Lawlar, Board of County Commissioners Chairman

02/01/2022  
Date

## **Introduction and Background**

The Americans with Disabilities Act (ADA) of 1990 is companion civil rights legislation with the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 that prohibits discrimination against people with disabilities. ADA implementing regulations for Title II of the act prohibit discrimination in the provision of services, programs, and activities by state and local governments such that, "...No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity." 28 CFR §35.130(a).

The Americans with Disabilities Act requires public agencies with more than 50 employees to create and maintain a transition plan. The transition plan must set forth the steps necessary to achieve program accessibility and... 28 CFR §35.150

- Identify physical obstacles in the public entity's facilities that limit accessibility.
- Describe the methods that will be used to make the facilities accessible.
- Specify the schedule for taking the steps necessary to achieve compliance.
- Indicate the official responsible for implementation of the plan.

## **Program Staffing**

A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities related to ADA, including any investigation of any complaint communicated to it alleging its noncompliance or prohibited actions. The public entity shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated. 28 CFR §35.107(a).

### **ADA Coordinator:**

Jenna Norby

Human Resources Director

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Watford City, ND

[jnorby@co.mckenzie.nd.us](mailto:jnorby@co.mckenzie.nd.us)

Appointed by the Board of County Commissioners: January 3, 2022

## **Existing Physical Facilities**

1. McKenzie County Courthouse  
201 5<sup>th</sup> ST NW  
Watford City, ND 58854
  - a. Handicap accessible, open to the public, ADA compliant
2. McKenzie County Public Works  
1300 12<sup>th</sup> ST SE  
Watford City, ND 58854
  - a. Handicap accessible, open to the public, ADA compliant
3. McKenzie County Shop  
812 Main Street  
Grassy Butte, ND 58634
  - a. Not accessible or used by the public

4. McKenzie County Shop  
309 Main Street  
Cartwright, ND 58838
  - a. Not accessible or used by the public
  
5. McKenzie County Landfill  
3240 25<sup>th</sup> ST NW  
Arnegard, ND 58835
  - a. Handicap accessible, open to the public, ADA compliant
  
6. McKenzie County Public Library  
112 2<sup>nd</sup> Ave NE  
Watford City, ND 58854
  - a. Handicap accessible, open to the public, ADA compliant
  
7. McKenzie County Shop  
2675 137<sup>th</sup> T NW Ave  
Rawson, ND
  - a. Not accessible or used by the public

**Accessibility of New and Newly Acquired Facilities**

The County ADA Coordinator, Jenna Norby, will work with the Facilities Administrator to review all construction plans for County buildings to ensure accessibility and that all ADA guidelines are met.

**Notification**

The elected officials and staff have been notified that all public hearings and activities must be held at an ADA compliant location. McKenzie County employees have been notified of the Title VI Non-Discrimination Standards and the ADA guidelines. All employees are required to complete annual training regarding non-discrimination and anti-harassment.

**McKenzie County assures that no person or groups(s) of persons shall, on the grounds of race, color, national origin, sex, age, disability/handicap, and income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by Mountrail County, regardless of whether those programs and activities are federally funded or not.**

The following is included on employment ads:

“Accessibility: If you need an accommodation as part of the employment process please contact Human Resources at:

Phone: 701-444-7495

Email: jobs@co.mckenzie.nd.us

Equal Opportunity Employer, including disabled and veterans.

If you want to view the EEO is the Law poster, please choose your language: English – Spanish – Arabic - Chinese

If you want to view the EEO is the Law Supplement poster, please choose your language: English – Spanish – Chinese

If you want to view the Pay Transparency Policy Statement, please click the link: [English](#)”

### **Eligibility and Admission Criteria**

Department heads review and update all job descriptions for each vacancy within their respective departments in conjunction with Human Resources. McKenzie County conducts reference and background checks on potential applicants as part of the selection process. All employees are required to acknowledge the Employee Handbook; pre-employment and random drug and/or alcohol testing is performed.

### **Use of Contractors**

McKenzie County ensure that all projects completed by contractors meet ADA requirements are Title VI compliant.

### **Transportation**

McKenzie County does not have a transportation system in place.

### **Undue Financial and Administrative Burden**

Any modifications necessary to meet ADA compliance on future properties acquired (or new construction) will be included in the County budget and should not cause any undue financial or administrative burden.

### **Telephone Communications**

McKenzie County 911 calls are routed through the State at this time. The State has hearing-impaired access and a call tracing system to locate the callers if they are unable to communicate.

McKenzie County has a Limited English Proficiency (LEP) plan in place, which includes telephone translation systems to communicate with LEP persons if needed.

### **Documents and Publications**

McKenzie County utilizes the McKenzie County Farmer newspaper to publish public hearing notices and other legal documents when necessary. All official County documents are available in alternate formats upon request from the McKenzie County Auditor’s office.

### **Meetings**

Majority of McKenzie County related meetings are held at the McKenzie County Courthouse. The secondary location would be the McKenzie County Public Works building; both are handicap accessible and ADA compliant. Hearing impaired individuals will be served on an individual request basis.

### **Emergency Evacuation**

McKenzie County uses The Integrated Public Alert & Warning System (IPAWS). It is FEMA's national system for local alerting that provides authenticated emergency and life-saving information to the public through mobile phones using Wireless Emergency Alerts, to radio and television via the Emergency Alert System. Along with IPAWS, McKenzie County contracts with the State of North Dakota to have the ability to send out messages on all landlines. If emergency management and local law enforcement make a request to our local dispatch, they can have all of our 10 outdoor sirens engaged within a minute. These sirens go off in three towns: Watford City, Arnegard and Alexander.

### **Automated Equipment**

McKenzie County provides reasonable accommodation to any employees or individuals with disabilities.

**Complaint Procedure**

Any complaints regarding Title VI Compliance are to be reported through the McKenzie County Human Resources office located in the McKenzie County Courthouse.

**Consultation**

McKenzie County takes all feedback regarding Title VI accommodations seriously and routinely seeks to understand if additional services or accommodations would be a benefit.

**Advisory Board**

The Title VI & ADA Coordinator is responsible for enforcing ADA guidelines. The goal of the County is that no qualified disabled person is denied the opportunity to participate as a member of a planning or advisory board, or to serve in any other desired capacity for which they are willing and able to perform for the County.

