

## WHATCOM COUNTY - AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE COMMITTEE

### MEETING SUMMARY

Date: Wednesday, June 9, 2021; 9:00 a.m. – 10:30 a.m.

Location: Virtual Meeting (via Zoom)

#### **Committee Members Present:**

Mark Challender

Paul Glasser

Wendy Miller

John Radwanski

Rebecca Xczar, County Assessor

#### **ADA Coordinator**

Melissa Keeley, County Human Resources

#### **Guest Speakers**

George Roche, County Senior Civil Prosecutor

Dave Hower, County Senior Engineering Tech.

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#### 1. Welcome and Introductions

Melissa Keeley welcomed members and guests and called the meeting to order at 9:01 a.m.  
Staff called roll for members present – see above.

#### 2. Public Comments

There were no speakers for public comment.

#### 3. Status report on ADA lawsuits and settlements (George Roche)

George Roche presented on lawsuits, including the following:

- Complaint filed against Sheriff, Superior Court, and Public Defender. A resident in Point Roberts has a hearing disability. Sheriff was required to contact the person regarding crimes of domestic violence. Video phones were not available at the home. Discussions had to take place in writing, without an ASL interpreter. The Resident was arrested and brought before the court system the next day. Attempts were made to arrange for ASL interpreters but on short notice was not possible. The County is settling and paying \$60,000 to see a resolution of the complaint. George Roche will be requesting summary judgement on the case.
- Complaints by G. Langworthy including influence of previous lawsuit outcomes related to current lawsuits (e.g. against the Humane Society and other persons related to an event where G. Langworthy signed over rights to her dog). Additionally, G. Langworthy has repeatedly requested ADA accommodation resulting in her ability to file requests by email.

George Roche answered questions from members regarding:

- G. Langworthy's official residence during event and currently
- Accommodations requested that are unique to the case and unable to be met
- Skagit County complaint and articulation of disability
- Privacy of medical records
- Request to provide public complaint on file

4. Status report on ADA Written Complaint from G. Langworthy (Melissa Keeley)

Melissa Keeley provided an update, including the following:

- Emails from G. Langworthy in January regarding reasonable accommodation requests made under general rule 33.
- ADA Coordinator denied requests for accommodation and offered information on the process for appeals.

George Roche clarified the separation of powers between the courts and the county when a complaint involves the courts. The County has no authority over the courts.

5. Status report on Public Works ADA Transition Plan for public rights-of-way (Dave Hower)

Dave Hower, Senior Engineering Technician, reported on the Public Works ADA Transition Plan, including the following:

- Plan was adopted by the County Council on May 18, 2021.
- Grievance policy to address complaints in the public right-of-way (including example of sidewalk repair upon request)
- Staff evaluated 36 miles of sidewalk under County control including push button control crossings, curb ramps, proximity to schools, and other elements.
- New roadway design process

Mark Challender discussed his participation in the ADA Transition Plan and his experiences as a new wheelchair user.

6. Review / Discussion on recent accessibility issues raised

Melissa Keeley presented on 9 accessibility issues raised by the ADA Compliance Committee in fall 2019.

- 1- Public and employee restrooms on the first floor of the courthouse have doors that are too hard to open. All doors have been adjusted to meet the ADA weight and all handles have been replaced
- 2- Top step in Courthouse rotunda is difficult to detect for people with low vision. Facilities noted the steps were in compliance at the time of permitting.
- 3- Courthouse rotunda lift is too short for some wheelchairs. Facilities noted that the lift complies with requirements.
- 4- Low contrast between background and text colors. Facilities intend to replace first floor signage. Project is pending, delayed by pandemic.
- 5- Chambers have a lack of level seating and tables not placed for ease of use for people in wheelchairs. Virtual meeting accessibility provided by Council.
- 6- Council Chambers entrance is hard to maneuver through in a wheelchair due to placement of sign-in tables and trash cans. Virtual meeting accessibility provided by Council.

- 7- Insufficient ADA parking spaces at North entrance closest to Council Chamber during public meetings. Virtual meeting accessibility provided by Council.
- 8- Garden level conference room not accessible for people in wheelchairs. Facilities has recently installed two ramps to access the Garden room as well as an additional ramp at the entrance of the building.
- 9- Boards and commissions are meeting in non-accessible locations. Since the pandemic they are meeting virtually.

Members discussed the following:

- Courthouse lift is new, but it has been modified. A ramp was removed from the lift and the space the ramp provided allows for power wheelchairs (longer than most) to fit on the lift. The option is to park (north side handicapped parking) and access the south entrance to the Courthouse. A request was made to facilities two years ago to put the ramp back on.
- Council chambers lack of seating available could be addressed by putting the tables out in front of the chambers so as people arrive, there are tables to sign up to speak and tables are removed from the back of the chambers.
- Facilities has made the following improvements:
  - Paving near jail visitation and Lottie alley was fixed as well as the drain.
  - Facilities installed hands free toilet flushing and hands-free towel dispenser
  - Hardware for courthouse doors was replaced
  - Sidewalk snow removal
  - Changing signage to a black background with white text
- Facilities is hiring a special projects manager to address ADA improvements

7. Date of Next Meeting

Melissa Keeley suggested the committee meet once every quarter, making the next meeting in September with a date/time to be determined.

8. Adjourn

Meeting adjourned at 10:27 a.m.