

Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 14th day of January 2021, the following proceedings were had and entered of record.

RESOLUTION #21-09

ADA GRIEVANCE PROCEDURE

Luna County has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the US Department of Justice Regulations implementing Title II of the 'Americans with Disabilities Act'. Title II states, in part, that no otherwise qualified individual shall solely by reason of such disability, be excluded from participation, or be denied the benefits of, or be subjected to discrimination in programs or activities sponsored by a public entity.

COMPLAINTS SHOULD BE ADDRESSED TO:

Risk Manager
County of Luna
P.O. Drawer 551
Deming, NM 88031-0551

1. A complaint should be filed, preferably in writing, and contain the name, address and telephone number of the complainant, with a brief description of the alleged violation.
2. The complaint should be filed immediately, but no later than 180 days after the complainant becomes aware of the alleged violation. Alleged allegations occurring prior to the posting of this procedure will be considered on an individual case basis.
3. An informal but thorough investigation shall be conducted by the Risk Manager in a timely manner, affording all interested parties and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
4. A written determination as to the validity of the complaint and resolution, if applicable, shall be issued by the Risk Manager with a copy forwarded to the complainant upon completion of the investigation.
5. The Risk Manager shall maintain files and records relating to any complaint filed.
6. The complainant may request reconsideration of the case by the County Manger provided such request is received in writing within ten (10) working days of the receipt of the initial determination.
7. The right of a person to a prompt and equitable resolution of any complaint filed shall not be impaired by the filing of an ADA complaint with a responsible Federal Department/Agency. Use of this Grievance Procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure Luna County's compliance with the ADA Act and the implementation of applicable regulations.
9. The Board of County Commissioners shall be the final appeals entity.

Done at Deming, New Mexico this 14th day of January, 2021.

Luna County Board of Commissioners


Barbara L. Reedy, Commissioner,
District 1


Linda M. Smrkovsky, Commissioner,
District 2


John S. Sweetser, Commissioner,
District 3

ATTEST:


Berenda McWright, County Clerk

