

Revised
(Addition—Item No. 6a, 7, & 8)

THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA

Monday, January 26, 2009

County Commissioners' Chambers
200 East Main Street, Durham, North Carolina

AGENDA

“Public Charge”

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

7:00 P.M. Regular Session

1. **Opening of Regular Session**—Pledge of Allegiance 5 min.
2. **Agenda Adjustments** 5 min.
3. **Announcements** 5 min.

2009 Earned Income Tax Credit (EITC) Campaign

January kicks off tax season and the 2009 Earned Income Tax Credit (EITC) Campaign across Durham. EITC is the nation's largest anti-poverty program that provides a refund based on a household's earned income and family size. It provides a financial boost to families by reducing the tax burden and granting a tax refund when filing an annual income tax return. While thousands of Durham households applied for the EITC last year, thousands more of uninformed families left millions of dollars unclaimed!

Citizens are encouraged to take advantage of tax credits including the EITC, Child Tax Credit, Child and Dependent, and Credit and Education credits. Citizens that earned less than \$41,646 in 2008 may qualify for both the Federal and the New NC EITC. Citizens are also encouraged to visit a Volunteer Income Tax Assistance (VITA) site to have an IRS-certified volunteer prepare their taxes. VITA sites throughout Durham are open from late January through April 15. Most VITA sites use electronic filing that allows citizens to receive their refund within two weeks- sooner with direct deposit. To locate a VITA site, dial 211 or visit the EITC Carolinas website at www.eitc-carolinas.org.

A community thrives when its residents thrive. The EITC is a way to strengthen working families while bringing more federal dollars into the local economy.

4. **Consent Agenda**

15 min.

- a. Property Tax Releases and Refunds for Fiscal Year 2008-2009—November 2008 (accept the property tax release and refund report for November 2008 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- b. Property Tax Releases and Refunds for Fiscal Year 2008-2009—December 2008 (accept the property tax release and refund report for December 2008 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- c. Raleigh-Durham Airport Authority Grant Offer (accept the \$792,192 grant offer from the Federal Aviation Administration to the Raleigh-Durham Airport Authority);
- d. Resolution of Support for Durham At-Risk Youth Collaborative—Truancy Program (approve the resolution and forward to Mr. Barker French for inclusion in the grant application to the Governor’s Crime Commission); and
- e. Resolution of Support for Durham At-Risk Youth Collaborative—Intervention and Prevention (approve the resolution and forward to Mr. Barker French for inclusion in the grant application to the Governor’s Crime Commission).

5. **FY 2009-2010 Annual Action Plan “Needs” Public Hearing**

15 min.

The Citizen Participation Plan contained in the adopted 2005-2010 Consolidated Plan requires that two public hearings be held prior to the submission of the Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD). The purpose of the first public hearing is to receive citizen comments on housing and community development needs. The purpose of the second public hearing is to receive citizen comments on the draft Annual Action Plan, which specifies the allocation of CDBG, HOME, and ESG funds. The City of Durham will hold its “Needs” public hearing on January 20, 2009.

As an entitlement city, Durham has been the recipient of CDBG funds since 1975 and HOME Consortium funds since 1992. CDBG funds have primarily been used for housing activities, public services, code enforcement, and public infrastructure. HOME Consortium funds have been used for affordable housing activities as required by HOME program regulations. Durham has also been a recipient of Emergency Shelter Grant (ESG) funds from HUD, which have been used to provide assistance to individuals and households who are homeless or at risk of becoming homeless.

The Annual Action Plan is Durham’s application to the U.S. Department of Housing and Urban Development for the upcoming fiscal year’s funding and outlines the actions Durham is taking with HUD-awarded funds to meet the goals as described in the 2005-2010 Five Year Consolidated Plan. Comments received from the “Needs” public hearing will be incorporated into the draft FY 2009-2010 Annual Action Plan, which will be presented to the Board of County Commissioners for adoption in April 2009.

Resource Person(s): Mike Barros, Director of the City of Durham Department of Community Development, and/or Assistant Director Larry Jarvis

County Manager's Recommendation: Hold a public hearing on January 26, 2009 to receive citizen comments on community development needs.

6. **Final Approval of 2009 Durham County Legislative Agenda**

15 min.

The North Carolina General Assembly will convene the 2009 General Assembly Session at noon on January 28 in Raleigh. A final listing of Durham County Legislative proposals will be presented at the breakfast meeting between the Durham Legislative Delegation on Friday, January 23, at 8:00 a.m.

Resource Person(s): Deborah Craig-Ray, Assistant County Manager, and Chuck Kitchen, County Attorney

County Manager's Recommendation: The Manager's recommendation is that the Board approve the proposed legislative agenda items.

6a. **Budget Reduction for Durham Public Schools**

10 min.

The Board is requested to approve in principle a reduction to Durham Public Schools (DPS) of \$3,081,862. No reduction to the Current Expense (operating) budget for DPS, as originally anticipated, will be necessary. Instead, DPS has agreed to a \$410,595 reduction in its annual capital outlay appropriation, and will commit the balance needed, \$2,671,267, from annual lottery funds that will be received prior to June 30, 2009.

Resource Person (s): Mike Ruffin, County Manager; Pam Meyer, Director of Budget and Management Services

County Manager's Recommendation: The manager recommends that the Board agreed in principle to the recommended reductions and authorize the staff to proceed with the preparation of the necessary budget amendments.

7. **Boards and Commissions**

5 min.

Vonda Sessoms, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:

- Adult Care Home Community Advisory Committee
- Nursing Home Community Advisory Committee
- Open Space & Trails Commission

RESOURCE PERSON(S): Vonda Sessoms

COUNTY MANAGER'S RECOMMENDATION:

The County Manager recommends that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

8. Closed Session

30 min.

The Board of Commissioners are requested to adjourn to closed session to consider the conditions of appointment of a public officer pursuant to G.S. § 143-318.11(a)(6).

1 ³/₄ hrs.