

## AGENDA

Catawba County Board of Commissioners Meeting  
Monday, December 5, 2016 9:30 a.m.  
Robert E. Hibbitts Meeting Room, 1924 Courthouse  
30 North College Avenue, Newton, NC

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Invocation.
4. [Approval of the Minutes from the Regular Meeting of November 21, 2016.](#)
5. Oaths of Office:
  - a. Board of Commissioners:  
*Oath to be administered by North Carolina State Representative Mitchell Setzer:*  
**Barbara G. Beatty**  
*Oath to be administered by North Carolina Senior Resident Superior Court Judge Nathaniel J. Poovey:*  
**Dan A. Hunsucker**
  - b. Register of Deeds  
*Oath to be administered by North Carolina Senior Resident Superior Court Judge Nathaniel J. Poovey:*  
**Donna Hicks Spencer**
6. Organizational Meeting of the Board of Commissioners:
  - a. Election of Chair and Vice-Chair
  - b. Organizational Appointments:
    1. County Attorney
    2. Counsel to the Board
    3. Finance and Personnel Subcommittee
    4. Policy and Public Works Subcommittee
    5. WPCOG Policy Board Delegate
    6. WPCOG Policy Board Alternate
    7. Hospital Board of Trustees
    8. Public Health Board
    9. Social Services Board
    10. Partners Behavioral Health Management Board
7. Recognition of Special Guests.
8. Public Comment for Items Not on the Agenda.
9. Presentations:
  - a. Library Director of the Year Award. *Presented to Library Director Suzanne White.*
  - b. [North Carolina Library Directors' Association Award for Best Program for Adults in Public Libraries of its Size – Advanced Gardener Series.](#) *Presented*

10. Appointments.
11. Consent Agenda:
  - a. Juvenile Crime Prevention Council Priorities for FY 2017/18.
  - b. Piedmont Natural Gas Easement.
12. Departmental Reports:  
Finance.  
2015/16 Audit/Financial Report. *Presented by Chief Financial Officer Bob Miracle and Paula Hodges, Partner, Martin, Starnes & Associates, CPAs, P.A.*
13. Other Items of Business.  
Strategic Planning – Broadband Discussion.
14. Manager's Report.
15. Attorneys' Report.
16. Adjournment.

**PERSONS WITH DISABILITIES:** Individuals needing assistance should contact the County Clerk at 828-465-8990 within a reasonable time prior to the meeting. . Access to the 1924 Courthouse for individuals with disabilities is at the south side ("A" Street). The elevator is located at the north end of the building. Participation in public meetings is without regard to race, creed, religion, national origin, sex, age, color, or disability.

**INFOTALK/INTERNET:** The Catawba County Telephone Information System will allow you to use your touch tone telephone to obtain current information on Catawba County 24 hours a day. Information is updated on a regular basis. Dial 465-8468 and INFOTALK will direct your questions with easy to understand instructions. Reach Catawba County on the Internet at <http://www.catawbacountync.gov>.

**CALENDAR:** The next Board of Commissioners Meeting will be held on Monday, December 19, 2016, at 7:00 p.m., in the 1924 Courthouse in Newton. The Board will also hold a Strategic Planning Session on Monday, December 12, 2016, at 8:25 a.m., following the Board's Subcommittee Meetings scheduled for 8:00 a.m.

**Contact:** Paul Foster, Community Engagement Specialist  
828-465-8661, [pfoster@catawbacountync.gov](mailto:pfoster@catawbacountync.gov)  
**Organization:** Catawba County Library System, Newton, NC  
828-465-8664 [www.catawbacountync.gov/library](http://www.catawbacountync.gov/library)



For Immediate Release:

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## **Libraries Receive State-Wide Award for Advanced Gardener Series**

**November 29, 2016**

**Newton, NC** – The Catawba County Library's, Advanced Gardener Series, was named the Best Program for Adults in public libraries of its size across the state of North Carolina for FY 2015-2016, sharing the award with Hickory Public Libraries. The award was presented to library directors, Suzanne White (Catawba County) and Sarah Green (Hickory), at the annual banquet of the North Carolina Public Library Directors' Association on December 1, 2016.

We're proud of this community collaboration—it has really developed a strong spirit of community service among participants," said Library Director Suzanne White. "With the expertise and facilitation of George Place, our Cooperative Extension Director, our community has access to a vast amount of technical gardening information, much needed labor at community gardens, and engagement with our local food initiatives."

The Advanced Gardener Series was an eleven part series that took place monthly throughout 2016, and was designed to connect the Catawba County community with the numerous benefits of produce gardening, outdoor activity, family learning, and community service. A total of 67 people attended the program, which was a collaboration among the Catawba County Library, Catawba County Cooperative Extension Service, and the Hickory Public Library, and contributes to our county's Farm and Food Sustainability Plan to engage citizens in gardening and produce consumption.

The Advanced Gardener Program is a quantum leap of creativity in that it goes beyond a standard educational program. This program has a 'pay it forward' component that deepens the educational value for participants while creating a multiplier effect for our organizations charged with doing more with less. Additionally the program unites the agricultural and educational outreach capacity of the Cooperative Extension Service with the Catawba County Library system's goal of integrating healthy gardening, foods, and community sharing concepts into literacy programming, and the Hickory Library's lifelong learning goals.

Library programs for adults from around the state were judged on their Originality, Ability to be Replicated, Involvement with Other Community Organizations, Relationship to the Library's Mission, Effectiveness of Publicity, and Results to Cost Ratio. The Advanced Gardener Series was considered the best in its class!

The North Carolina Public Library Directors Association is a 501(c)4 organization made up of the directors of the state's eighty public libraries. Its mission is to share professional knowledge and experience for the good of all members, to serve as advocates for public libraries with the state legislature, to give voice to the aspirations of the public library community, and to serve as the primary liaison between the state library agency and the public libraries.

###



**About:** *The Catawba County Library System, headquartered in Newton, NC, serves the citizens of Catawba County with seven branches throughout the county and is a year-round, integral provider of early literacy and lifelong learning. In addition to traditional services, the system provides a full complement of computer and digital services, classes and support to bridge the digital divide, empower job seekers, and enhance community quality of life and economic health.*

## APPOINTMENTS

BARBARA BEATTY (Upcoming) Catawba Valley Medical Center

12/31/16

Rita Busbee

Not Eligible for Reappt

Douglas Howard

Eligible for a 2<sup>nd</sup> term

Reginald Williams

Eligible for a 3<sup>rd</sup> term

4-year terms

Vice-Chair Beatty recommends the reappointment of Douglas Howard for a second term and Reginald Williams for a third term on the Catawba Valley Medical Center Board of Trustees. These terms will expire December 31, 2020.

## Memorandum

**TO** Catawba County Board of Commissioners

**FROM** Finance and Personnel Subcommittee

**DATE** December 5, 2016

**RE** Juvenile Crime Prevention Council (JCPC) Funding Priorities for FY 2017/18 and Risks and Needs Assessment

### **Request:**

The Finance and Personnel Subcommittee recommends the Board of Commissioners approve the JCPC Risk and Needs Assessment Summary for Fiscal Year 2017/18. The Risk and Needs Assessment Summary is recommended by the Catawba JCPC after review of court data, with input from court services, juvenile court counselors, and funded programs.

### **Background:**

The Catawba JCPC is a locally appointed board, with members drawn from a list of statutorily recommended community representatives involved with youth. It exists to identify risks facing youth in the community, review court data, and identify needed programs to provide juvenile delinquency intervention and prevention services. Funding is provided by the State through the North Carolina Department of Public Safety (DPS) to each county, and then to programs based on the annual JCPC process.

***Annual Process:*** Annually, the JCPC is charged with developing a County Plan for review and approval by the Board of Commissioners. Steps in the annual process include:

1. Development of a risk and needs assessment summary with funding priorities for the coming year.
2. Advertisement of "request for proposals" (RFP) for organizations to submit proposals to provide services that fall within the funding priorities.
3. Review of proposals and development of funding recommendations for services that address the risks and needs.
4. Submission of the County Plan to the Board of Commissioners for approval.

***Risk and Needs Assessment Summary:*** The Risks and Needs Assessment Summary serves as the foundation for the annual County Plan, as funding recommendations for the upcoming fiscal year are required to align with the priorities it establishes. For this reason, the JCPC submits the risk and needs assessment summary to the Board of Commissioners for approval prior to advertising the RFP. The JCPC reviews four years of County court data compared to statewide averages, with input from juvenile court

counselors, to develop the risk and needs assessment summary, which includes the following components:

- Elevated risk and needs observations:
  - *Elevated risks* are identified from the Juvenile Risk Assessment administered by Juvenile Court counselors after juveniles are referred with complaints alleging that delinquent acts have occurred, but prior to adjudication. The Juvenile Risk Assessment is an instrument used to predict the likelihood of the juvenile being involved in future delinquent behavior.
  - *Elevated needs* are identified from the Juvenile Needs Assessment administered by Juvenile Court Counselors prior to the juvenile's court disposition.
- A review of existing community resources available to work with court-involved youth, including identification of any gaps and barriers to services.
- A list of funding priorities by service type to address the risks, needs, and gaps in services available to court-involved youth.

***Elevated Observations:*** The following outlines elevated risk and needs observations from youth assessments. The four years of data used by the JCPC is attached and submitted for review by the Board of Commissioners. Note, data with \*\* indicates that the information is self-reported and should be considered under-reported as a result.

*Elevated risk observations among assessed youth at referral to Juvenile Services:*

Age of First Delinquent Offense Alleged in a Complaint

- Under age 12 for first delinquent offense – 19% (increase from previous year's rate of 17% and higher than the State's rate of 15%)

Number of undisciplined or Delinquent Referrals at Intake

- One or more prior referrals – 42% (increase from previous year's rate of 36% but lower than the State's rate of 40%)
- 2 or more prior referrals – 24% (increase from previous year's rate of 17% and higher than the State's rate of 22%)

Most Serious Prior Adjudication

- Prior adjudications – 33% (increase from previous year's rate of 21% and higher than the State's rate of 21%)
- Prior Class 1-3 misdemeanor adjudications – 20% (three-year increase in trend – which has grown from 9% - and higher than the State's rate of 12-13% the past two years)
- Prior Class F1 felony or A1 misdemeanor adjudication – 5% (increase from previous year's rate of 2%; lower than state rate of 6%)

#### Prior Assaults

- Prior assaults – 23% (increase from the previous year's rate of 14% and higher than the State's rate of 16%)
- Prior assault without a weapon – 21% (increase from previous year's rate of 13% and higher than the State's rate which ranged from 13% to 14% the past two years)
- Involved in an affray – 6% (increase from the previous year's rate of 4% and higher than the State's rate, which was 3% in each of the past three years)
- Prior assault with a weapon – 2% (increase from previous year's rate of 1%; the same as the State's rate)

#### Known Use – Alcohol, Illegal Drugs\*\* (prior 12 months)

- Known substance use – 27% (four-year increase trend, growing from 19%)
- known use and need assessment – 13% (two-year increase from previous year's rate, which increased from 9%, but lower than the State's rate of 18%)
- Known substance abuse and assessment or treatment needed – 14% (increase from previous year's rate of 12% and higher than the State's rate which ranged from 11% to 12% the past two years)

#### School Behavior Problems (prior twelve months)

- School behavior problems – 77% of all referred (decrease from 87% last year)
- Moderate school behavior problems – 39% (increase from the previous year's rate of 37% and higher than the State's rate which ranged from 28% to 29% the past four years)

Elevated needs observations among assessed youth prior to court disposition were as follows:

#### School Behavior/Adjustment

- School behavior problems – 68% of court dispositions (decrease from 75% last year)
- 31% of assessed youth have moderate to serious school behavior problems (two-year increase from previous year's rates, which ranged from 26% to 28%, and higher than the State's rate which ranged from 24% to 25% the past three years)

#### Substance Abuse within the past 12 months

- Substance use and assessment or treatment needed – 14% (increase from previous year's rate of 8%; same as State rate)

#### Sexual Behaviors during Past 12 months

- Dangerous sexual practices – 11% (increase from previous year's rate of 8% and higher than the State's rate which ranged from 4 % to 5% the past four years)



#### Mental Health Needs

- Need more mental health assessment or treatment – 25% (increase from the previous year's rate of 21% but lower than the State's rate which ranged from 33% to 35% the past two years)
- Have mental health needs addressed – 49% (this is a positive increase from the previous year's rate of 39% and higher than the State's rate which ranged from 33% to 35% the past four years)

#### Family Supervision Skills

- Parents with marginal to inadequate family supervision skills – 57% (increase from previous year's rate of 56%; consistent with State rate)

#### Family Substance Abuse within the Past 3 Years by Household Member

- Family members with alcohol/drug abuse issues – \*\*11% (this is positive two-year decreasing trend from 18%, although since it is self-reported it may be under-reported)

#### ***Priorities:***

Based on court data and gaps in community services, the JCPC recommends the following 17 services in ranked order be approved as funding priorities for Fiscal Year 2017/18. While the list is in priority order, not all priorities will be funded, and services ranked lower could potentially receive more funding than higher ranked priorities due to many factors (including the cost of each program, number of clients served, the prescribed treatment, and the nature of the work).

The following table compares the recommended priorities for the coming year to the prior year (blue = priority increase; red = priority decrease; gray = priority renamed/clarified):

Fiscal Year 2017/18	Fiscal Year 2016/17
1. Psychological services/comprehensive assessments	1. Psychological services/comprehensive assessments
2. Substance Abuse assessment and treatment	2. Counseling
3. Counseling	3. Restitution/community service
4. Restitution/Community Service	4. Substance abuse
5. Sexual Offender assessment and treatment	5. Mentoring
6. Family Skill building	6. Family skill building
7. Interpersonal Skill building	7. Group home/Residential services
8. Mediation	8. Interpersonal skill building
9. Mentoring	9. Mediation

10. Group Home/Residential services	10. Sexual offender
11. Temporary Shelter	11. Temporary shelter
12. Therapeutic Foster Care	12. Specialized foster care
13. Experiential	13. Tutoring
14. Vocational	14. Structured day
15. Tutoring	15. Experiential
16. Structured Day	16. Teen court
17. Teen Court	17. Vocational

*Reasons for changes are as follows:*

- Substance Abuse (increased from #4 to #2): 27% of assessed youth had substance abuse and/or use issues, continuing a 3-year increased trend. Additionally, 14% of assessed youth have known substance abuse with treatment needed—an increase from the previous year, and higher than the State’s rate for the past two years.
- Counseling (decreased from #2 to #3): Counseling is ineffectual if there is an untreated substance abuse problem. Data indicates that 25% of youth need more mental health assessment and treatment, while 49% have mental health needs addressed—a positive increase from the previous year’s rate and higher than the State’s rate the past four years.
- Restitution/Community Service (decreased from #3 to #4): Ranking decreased due to greater needs for psychological and substance abuse assessments and treatment. It is still a high priority due to a state requirement that dispositional alternatives be given high priority and an increased number of youth be served by the funded program.
- Sexual Offender Assessment and Treatment (increased from #10 to #5): Data indicates that 11% of assessed youth have dangerous sexual practices—an increase from the previous year’s rate and higher than the State’s rate for the past four years.
- Interpersonal Skill Building (increased from #8 to #7): Relationships with positive peers continues to be a need. Data shows that 43% of assessed youth sometimes to regularly associate with delinquent peers. Data also shows that 47% of assessed youth lack prosocial peers.
- Mediation (increased from #9 to #8): The majority of referrals to this program are made by the school systems. School behavior data indicates 68% of assessed youth have school behavior problems and 31% of assessed youth have moderate to serious school behavior problems—a two-year increased trend and higher than the State’s rate for the past three years.

- Mentoring (decreased from #5 to #9): Mentoring continues to be regarded as the most successful intervention for at-risk youth, but currently there are no mentoring programs in the county that serve court-involved youth.
- Group Home/Residential Services (decreased from #7 to #10): Court counselors continue to see the need for youth to sometimes be out of their homes, receiving intensive supervision and structure, but felt it was a lower priority.
- Specialty Foster Care (which remained in the #12 slot) was renamed Therapeutic Foster Care to more accurately reflect the service.
- Experiential (increased from #15 to #13): Experiential skill building programs provide services to youth using activities to develop skills.
- Vocational (increased from #17 to #14): Vocational programs provide training to youth in a specific vocation, which may provide youth struggling academically with an alternative that better prepares them for the future.
- Tutoring (decreased from #13 to #17): Data indicates that 92% of assessed youth are performing at grade level—a three-year increased trend and higher than the State’s rate for the first time in four years.
- Structured Day (decreased from #14 to #16): These programs offer structured full day or after school programs to youth. It ranked lower because, while limited, there is access to this service through schools.
- Teen court (decreased from #16 to #17): This is a restorative alternative to court service where a trained adult and youth volunteer act as officials of the court to hear complaints and make recommendations for appropriate sanctions, including service/restitution. Currently no juvenile courts exist in the County.

**Recommendation:**

The Personnel and Finance Subcommittee recommends the Catawba County Board of Commissioners approve the JCPC Risks and Needs Assessment Summary, which includes the list of funding priorities for FY 2017/18.

<b>Overview of Juvenile Court Data</b>				
CATAWBA COUNTY				
<b>Juvenile Demographics</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>	<b>2015-2016</b>
Juvenile Population ages 6-17	24,939	24,789	24,680	24,619
Juveniles seen in Intake	438	336	372	315
Juveniles Put on Diversion Plans or Contracts	200	136	106	80
Juveniles Approved for Court	229	179	209	191
Juveniles Adjudicated	159	138	149	146
Juveniles Put on Protective Supervision	48	45	42	38
Juveniles Put on Probation	107	86	97	95
Number of Detention Admissions	26	31	56	56
Number of Juveniles Committed to YDC	3	6	5	4
Number of Juveniles put on Post Release Supervision	4	3	6	4
<b>Disposition Orders for Juveniles Adjudicated Delinquent</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>	<b>2015-2016</b>
Community Service	37	54	45	33
Restitution or Fine	13	21	19	13
Alcohol/Drug Monitoring/Treatment	73	50	63	51
Non residential program	6	16	9	2
Residential program or group home	6	10	2	3
Supervised day program	0	0	0	0
Regimented training program	0	0	0	0
Victim-offender reconciliation	0	1	0	0
Wilderness program	2	7	3	0
Confinement	4	10	11	4
House arrest/electronic monitoring	11	24	27	24
Change of custody	3	2	1	2
<b>Offense Committed by Juveniles Who Were Adjudicated</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>	<b>2015-2016</b>
Alcohol offense	4	2	3	2
Drug offense	12	14	15	12
Property crime	21	28	31	33
Person crime	62	36	39	45
Sex crime	6	9	10	6
Weapons offense	9	5	6	9
Other offense	73	66	66	61
<b>Catawba</b>				
<b>Suspension Data</b>	<b>2011-2012</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>
Short Term Suspensions	1294	1099	1126	1171
Long Term Suspensions	1	1	0	1
Expulsions	0	0	0	0
<b>Hickory City</b>				
<b>Suspension Data</b>	<b>2011-2012</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>
Short Term Suspensions	1069	629	595	752
Long Term Suspensions	7	9	4	16
Expulsions	0	0	0	0
<b>Newton</b>				
<b>Suspension Data</b>	<b>2011-2012</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>
Short Term Suspensions	310	274	307	440
Long Term Suspensions	0	1	0	0
Expulsions	0	0	0	0

<b>JCPC Program Admissions</b>				
<b>Legal Status at Referral to Program</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>	<b>2015-2016</b>
Court Counselor Consultation	1	0	1	4
Youth at Risk	64	34	7	11
Intake/Diverted	112	97	74	51
Petition Filed	19	35	47	46
Referred From District Court	0	1	3	0
Probation	129	125	131	78
Protective Supervision	20	17	14	2
Adjudicated	9	4	2	31
Committed	0	0	0	0
Post Release Supervision	0	1	2	2

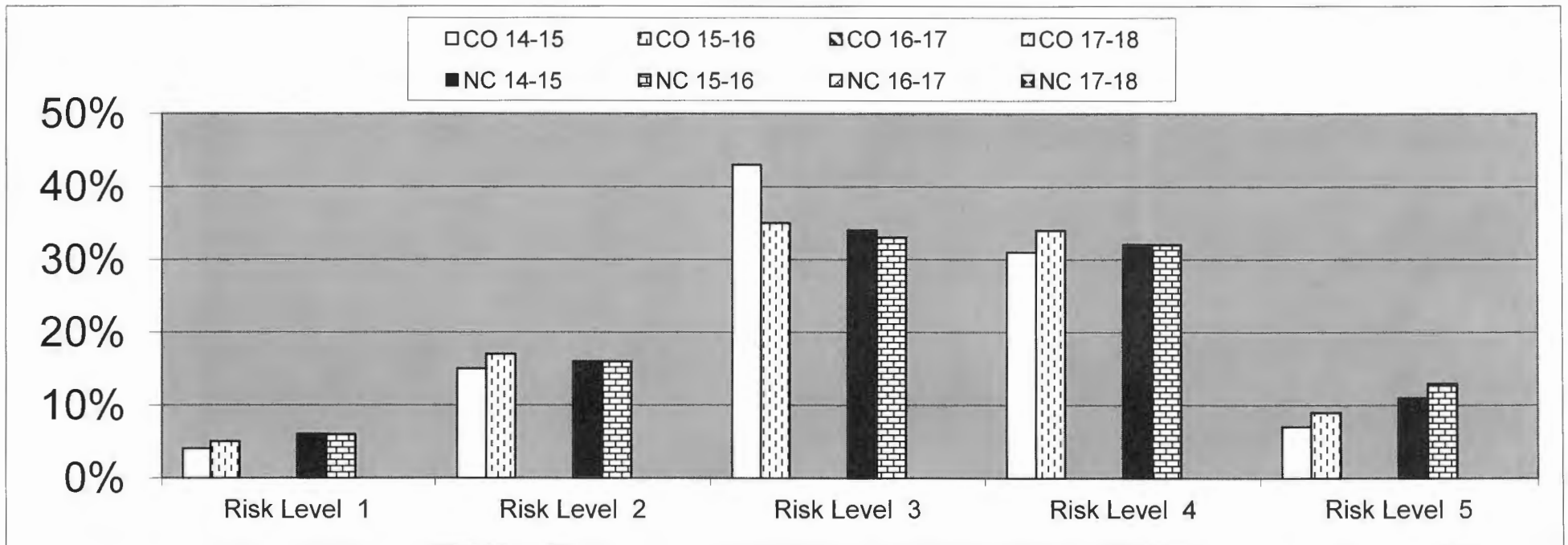
FY 15/16 Counts of Legal Status At Admissions By Program

Program Name	Court Counselor Consultation	Youth at Risk	Intake/ Diverted	Petition Filed	Adjudicated	Referred From District Court	Probation	Protective Supervision	Committed	PRS	Total
Mediation Center Juvenile Mediation	0	6	15	0	1	0	3	0	0	0	25
Mediation Center/Life Skills	0	3	0	1	5	0	8	1	0	0	18
Family Net/Psych Eval	1	0	7	8	5	0	4	3	0		28
Family Net/Mental Health	1	0	27	29	16	0	20	9	0		102
Family Net/Sex Offender Evaluation & Treatment	0	0	0	1	1	0	0	0	0	1	3
Family Net/Substance Abuse Assessment & Treatment	0	0	2	7	4	0	7	1	0	1	22
Catawba Parent Education	1	0	0	0	3	0	6	5	0	0	15
Project Challenge	0	0		0	0	0	22	3	0	0	25
Alexander Youth Nexwork/Rapid Response Beds	0	0	0	0	0	0	0	4	0	0	4
Phoenix Group Home	0	0	0	0	0	0	0	0	0	0	0
<b>Totals</b>	<b>3</b>	<b>9</b>	<b>51</b>	<b>46</b>	<b>35</b>	<b>0</b>	<b>70</b>	<b>26</b>	<b>0</b>	<b>2</b>	<b>242</b>

## RISK ASSESSMENT COMPARISION DATA

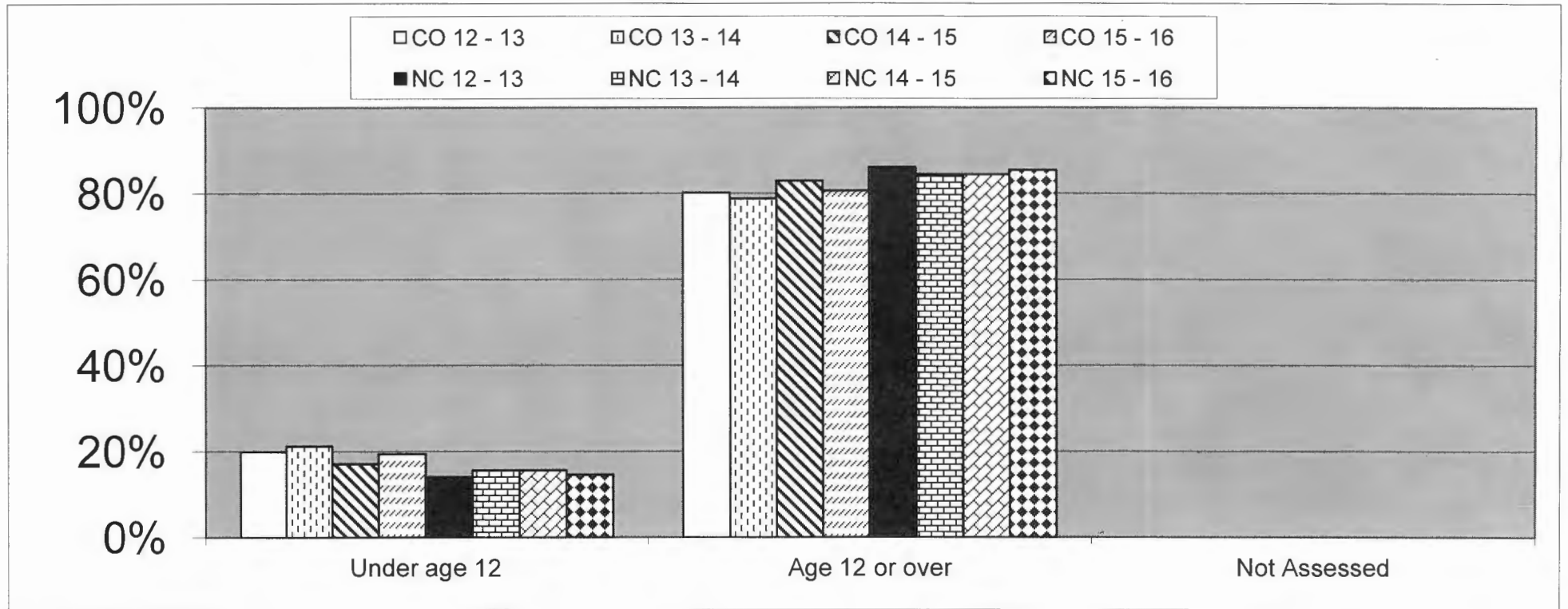
CATAWBA COUNTY

	CO 14-15	CO 15-16	CO 16-17	CO 17-18	NC 14-15	NC 15-16	NC 16-17	NC 17-18
Total Youth	362	319			13,995	13,187		
Overall Risk Level	CO 14-15	CO 15-16	CO 16-17	CO 17-18	NC 14-15	NC 15-16	NC 16-17	NC 17-18
Risk Level 1	4%	5%			6%	6%		
Risk Level 2	15%	17%			16%	16%		
Risk Level 3	43%	35%			34%	33%		
Risk Level 4	31%	34%			32%	32%		
Risk Level 5	7%	9%			11%	13%		



Observations:

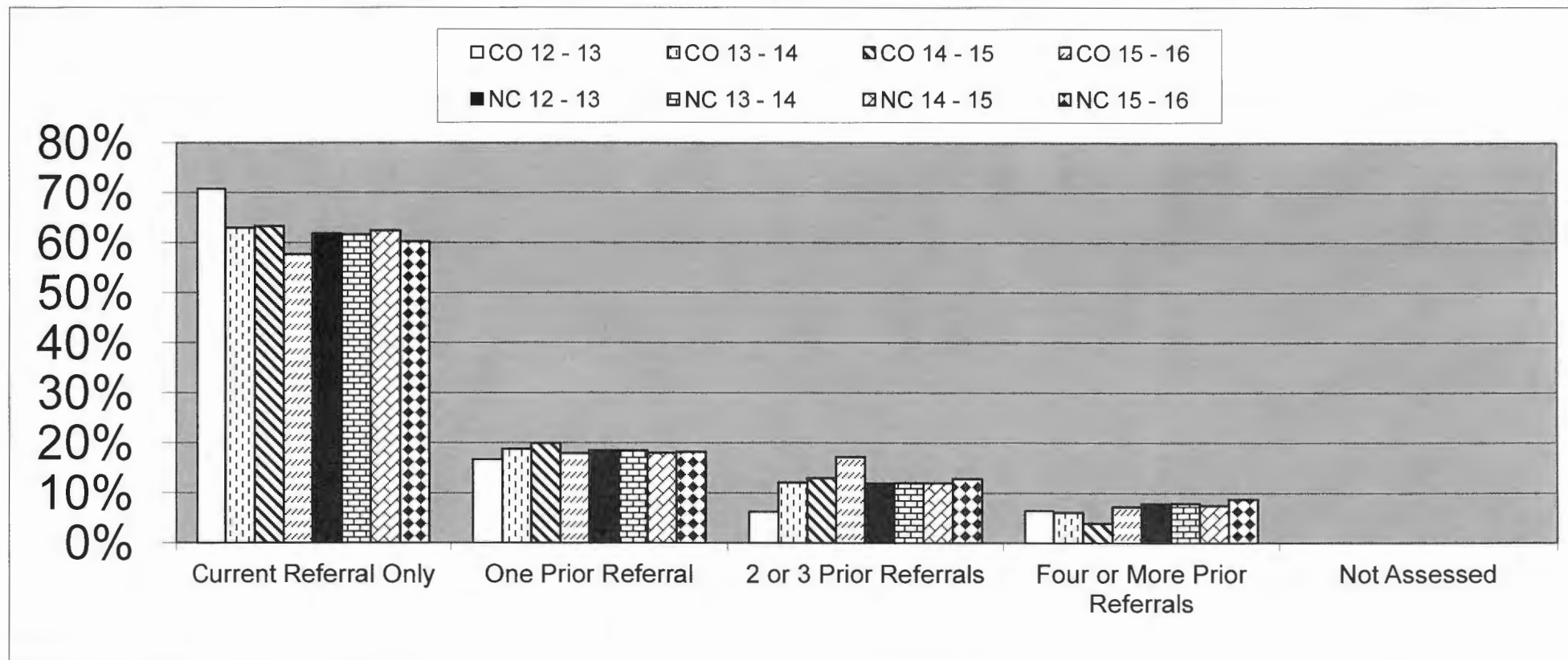
R1 - Age for First Delinquent Offense Alleged in a Complaint	CO 12 - 13	CO 13 - 14	CO 14 - 15	CO 15 - 16	NC 12 - 13	NC 13 - 14	NC 14 - 15	NC 15 - 16
Under age 12	20%	21%	17%	19%	14%	16%	16%	15%
Age 12 or over	80%	79%	83%	81%	86%	84%	84%	85%
Not Assessed								



**R1 Elevated Observations:**

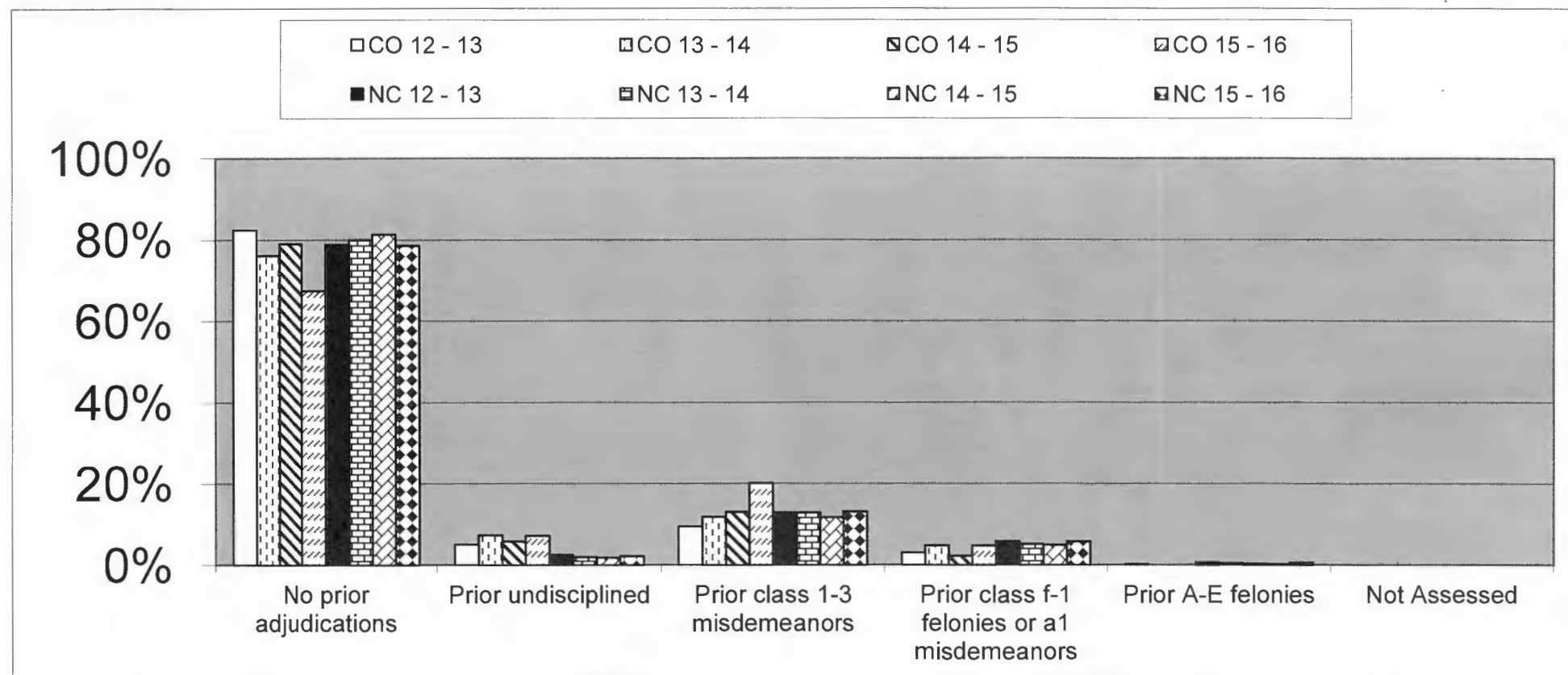


<b>R2 - Number of Undisciplined or Delinquent Referrals at Intake</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
Current Referral Only	71%	63%	63%	58%	62%	62%	62%	60%
One Prior Referral	17%	19%	20%	18%	19%	19%	18%	18%
2 or 3 Prior Referrals	6%	12%	13%	17%	12%	12%	12%	13%
Four or More Prior Referrals	6%	6%	4%	7%	8%	8%	8%	9%
Not Assessed								



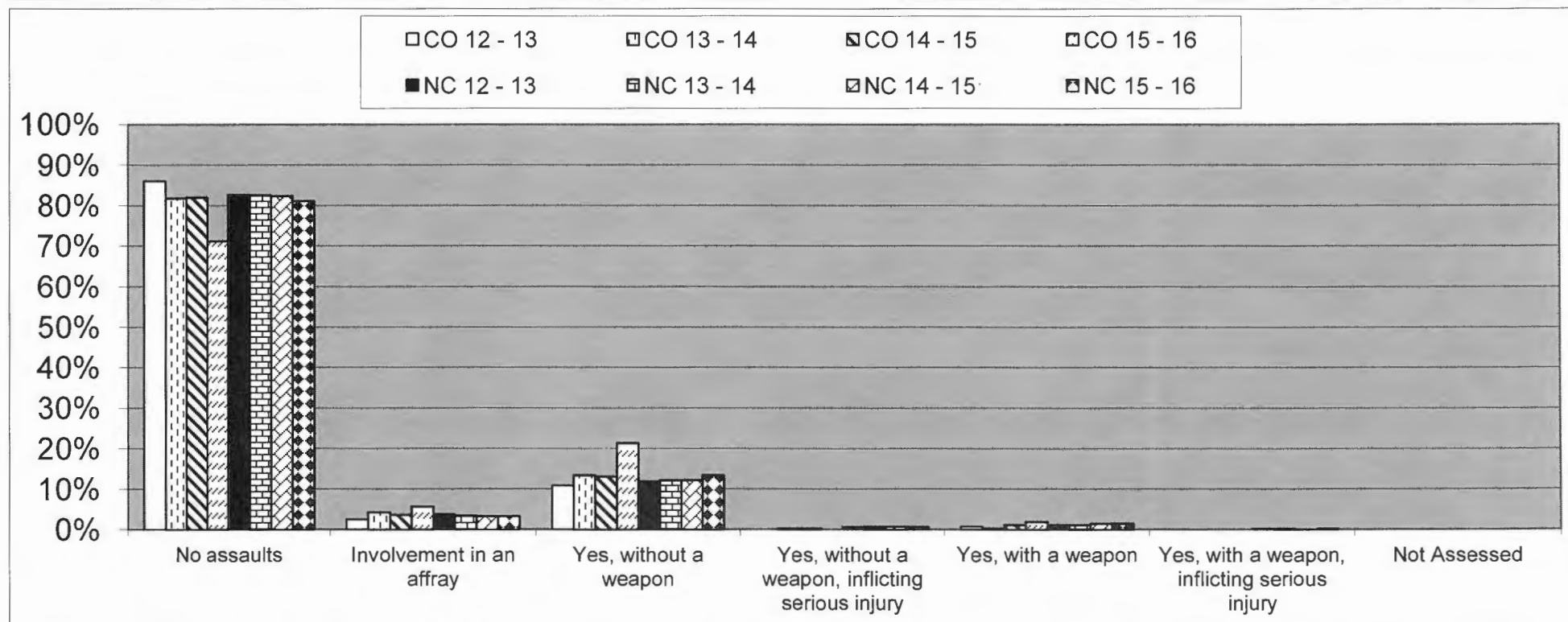
**R2 Elevated Observations:**

<b>R3 - Most Serious Prior Adjudication</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No prior adjudications	82%	76%	79%	67%	79%	80%	81%	79%
Prior undisciplined	5%	7%	6%	7%	2%	2%	2%	2%
Prior class 1-3 misdemeanors	9%	12%	13%	20%	13%	13%	12%	13%
Prior class f-1 felonies or a1 misdemeanors	3%	5%	2%	5%	6%	5%	5%	6%
Prior A-E felonies	0%	0%	0%	1%	0%	0%	0%	1%
Not Assessed								



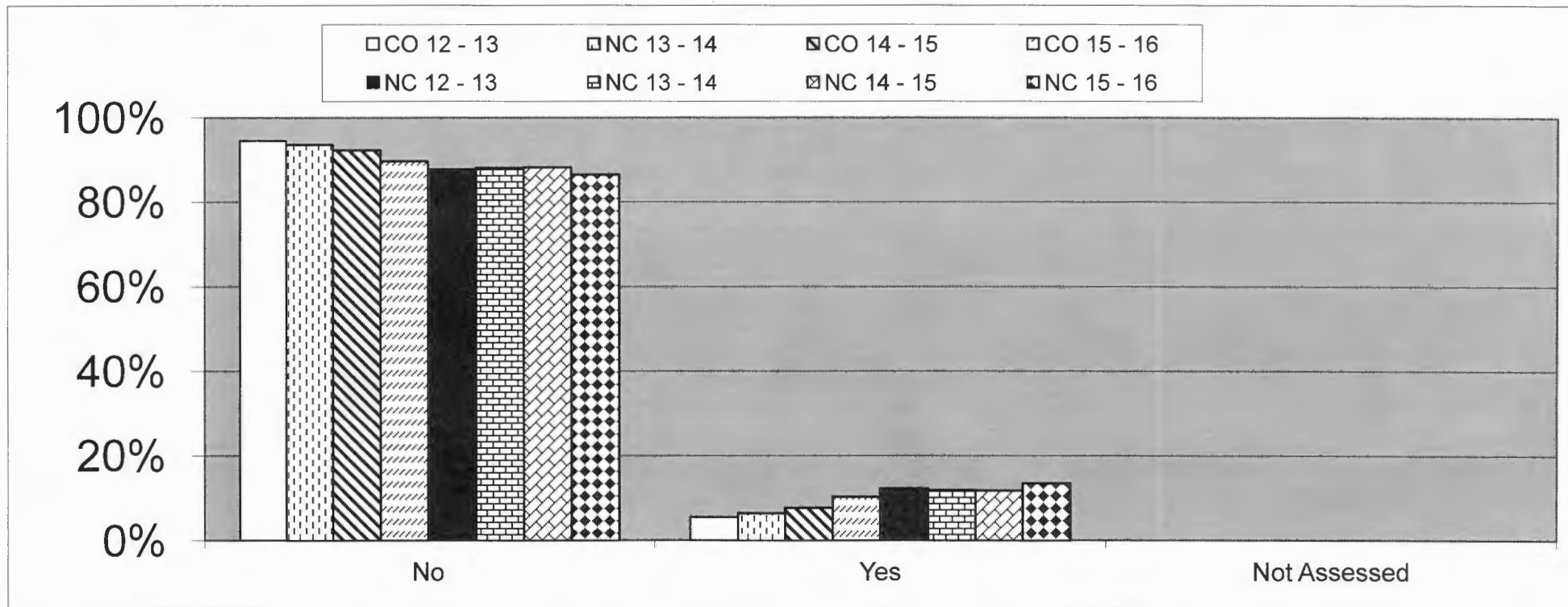
**R3 Elevated Observations:**

<b>R4 - Prior Assaults</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No assaults	86%	82%	82%	71%	83%	83%	82%	81%
Involvement in an affray	3%	4%	4%	6%	4%	3%	3%	3%
Yes, without a weapon	11%	13%	13%	21%	12%	12%	12%	13%
Yes, without a weapon, inflicting serious injury	0%	0%	0%	0%	1%	1%	1%	1%
Yes, with a weapon	1%	0%	1%	2%	1%	1%	1%	2%
Yes, with a weapon, inflicting serious injury	0%	0%	0%	0%	0%	0%	0%	0%
Not Assessed								



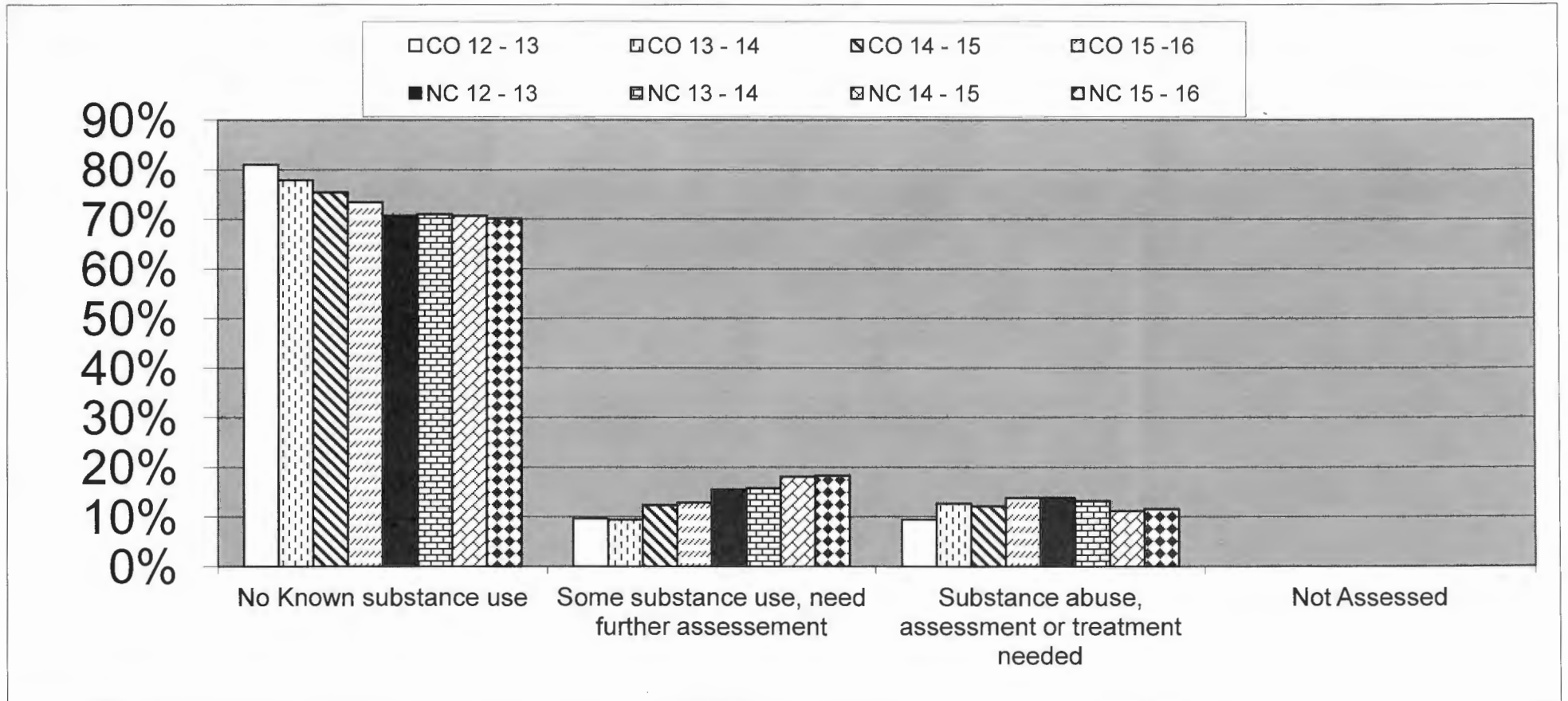
**R4 Elevated Observations:**

<b>R5 - Runaway from Home or Placement</b>	<b>CO 12 - 13</b>	<b>NC 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No	95%	94%	92%	90%	88%	88%	88%	87%
Yes	6%	6%	8%	10%	12%	12%	12%	14%
Not Assessed								



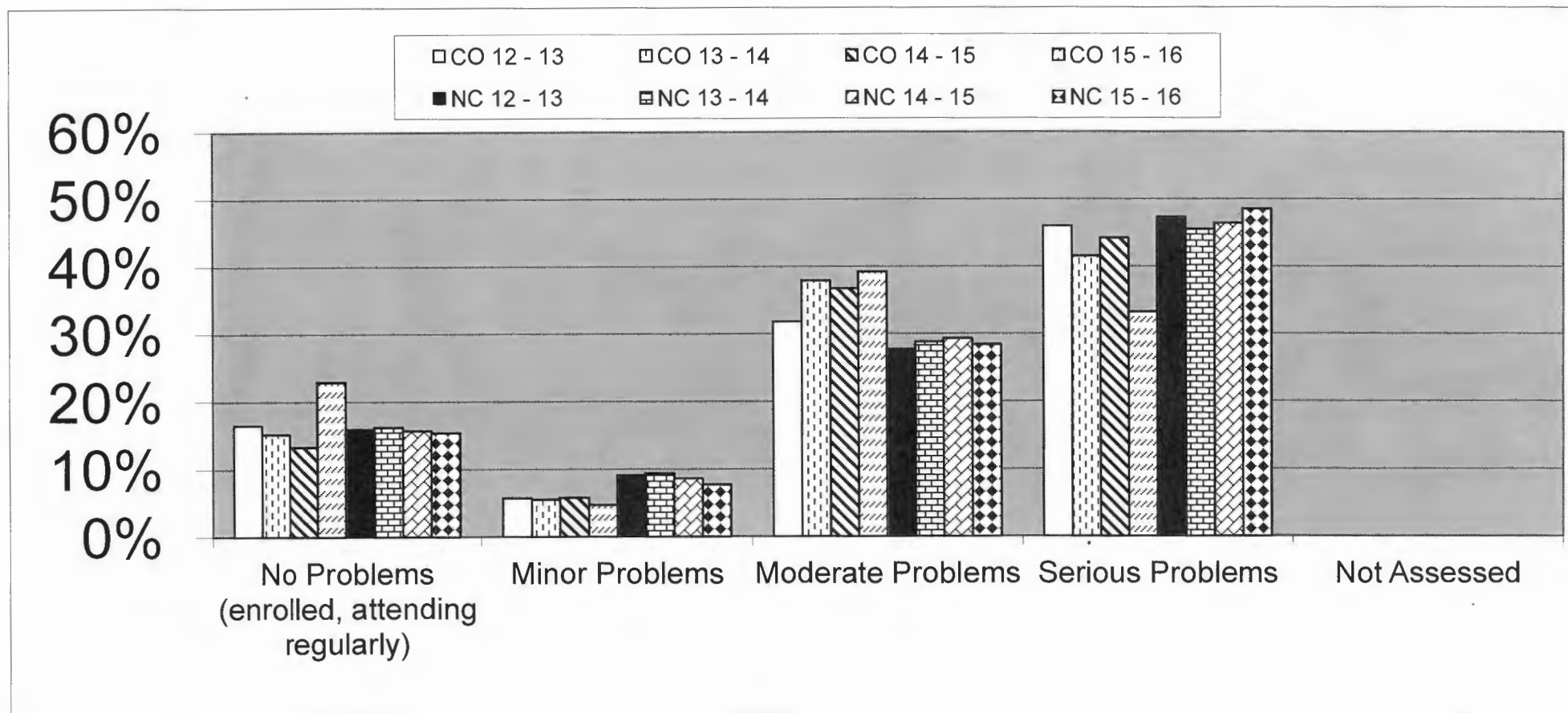
**R5 Elevated Observations:**

<b>R6 - Known Use - Alcohol, Illegal Drugs (prior 12 months)</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 -16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No Known substance use	81%	78%	75%	73%	71%	71%	71%	70%
Some substance use, need further assesement	10%	9%	12%	13%	16%	16%	18%	18%
Substance abuse, assessment or treatment needed	9%	13%	12%	14%	14%	13%	11%	12%
Not Assessed								



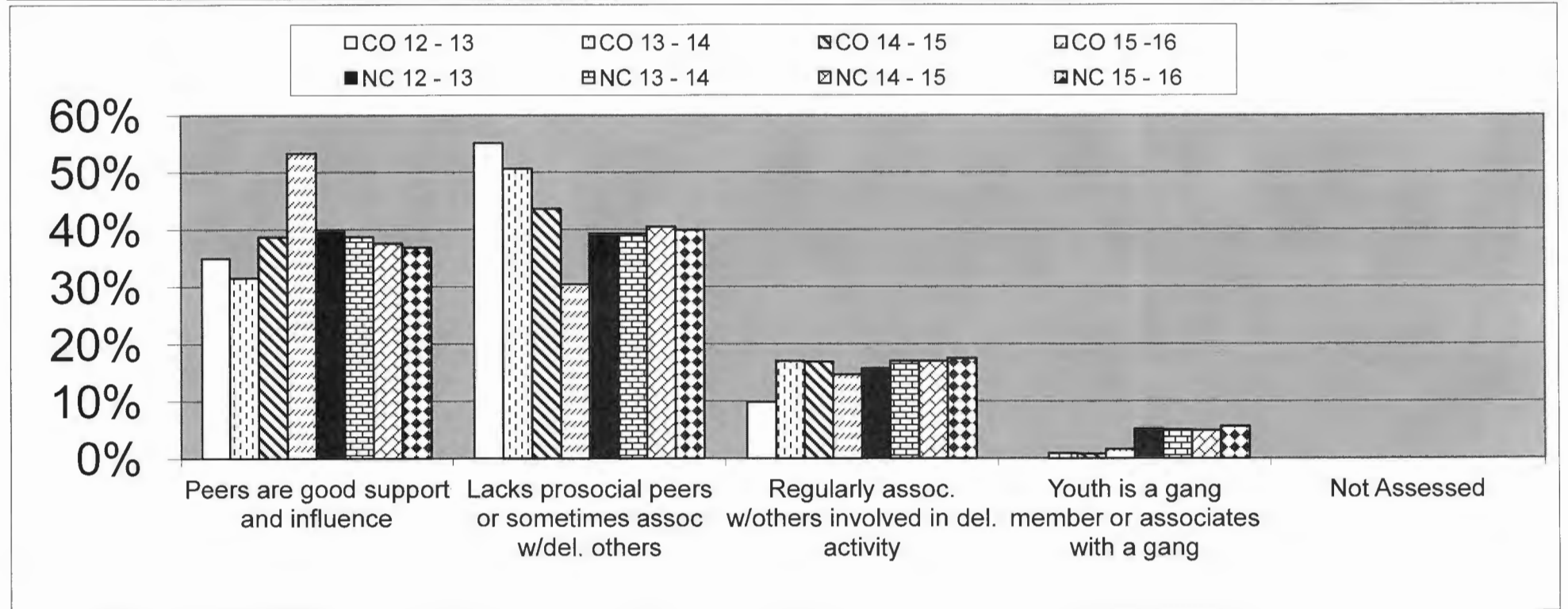
**R6 Elevated Observations:**

<b>R7 - School Behavior Problems (prior 12 months)</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No Problems (enrolled, attending regularly)	17%	15%	13%	23%	16%	16%	16%	15%
Minor Problems	6%	6%	6%	5%	9%	9%	9%	8%
Moderate Problems	32%	38%	37%	39%	28%	29%	29%	28%
Serious Problems	46%	42%	44%	33%	47%	46%	46%	49%
Not Assessed								



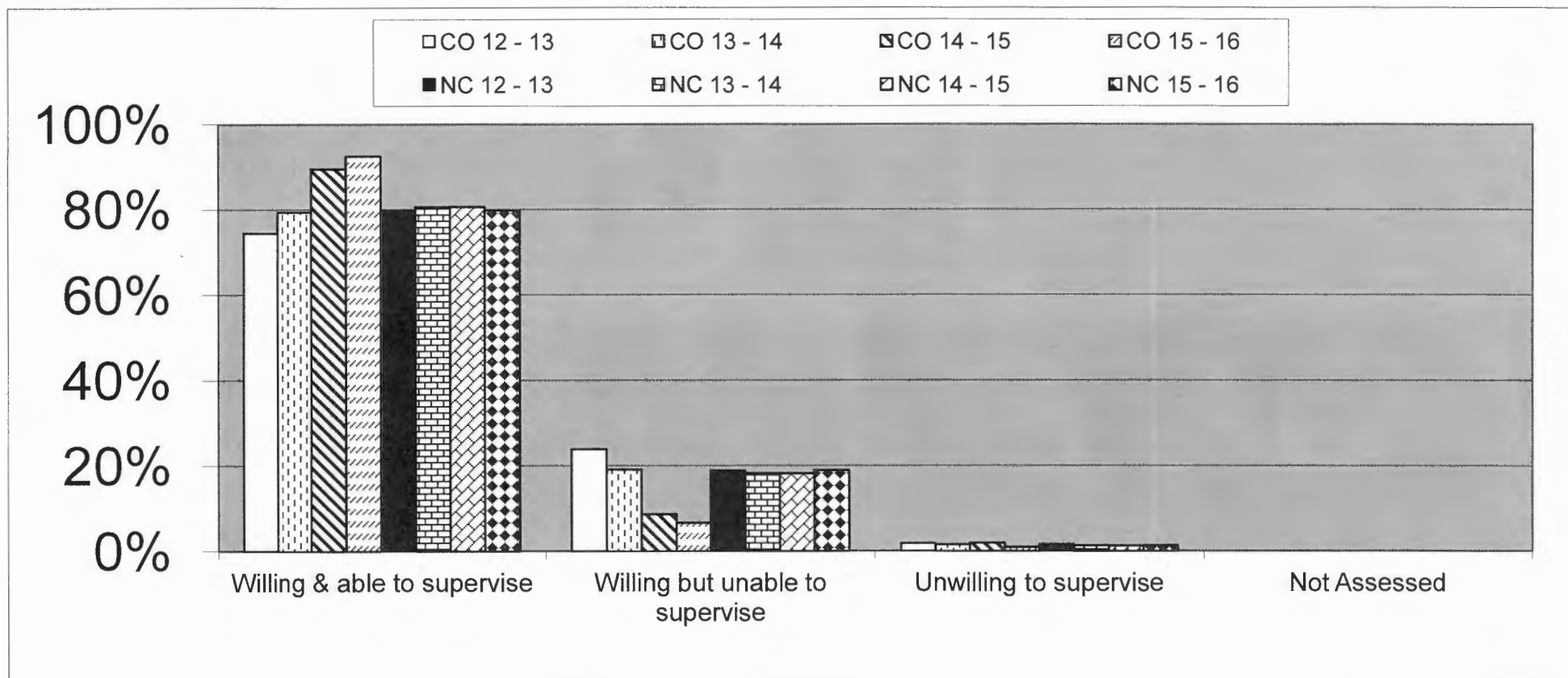
**R7 Observations:**

<b>R8 - Relationships with Peers</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 -16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
Peers are good support and influence	35%	32%	39%	53%	40%	39%	38%	37%
Lacks prosocial peers or sometimes assoc w/del. others	55%	51%	44%	30%	39%	39%	41%	40%
Regularly assoc. w/others involved in del. activity	10%	17%	17%	15%	16%	17%	17%	18%
Youth is a gang member or associates with a gang	0%	1%	1%	2%	5%	5%	5%	6%
Not Assessed								



**R8 Elevated Observations:**

<b>R9 - Parental Supervision</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
Willing & able to supervise	74%	79%	90%	93%	80%	81%	81%	80%
Willing but unable to supervise	24%	19%	9%	7%	19%	18%	18%	19%
Unwilling to supervise	2%	2%	2%	1%	2%	1%	1%	1%
Not Assessed								



**R9 Elevated Observations:**

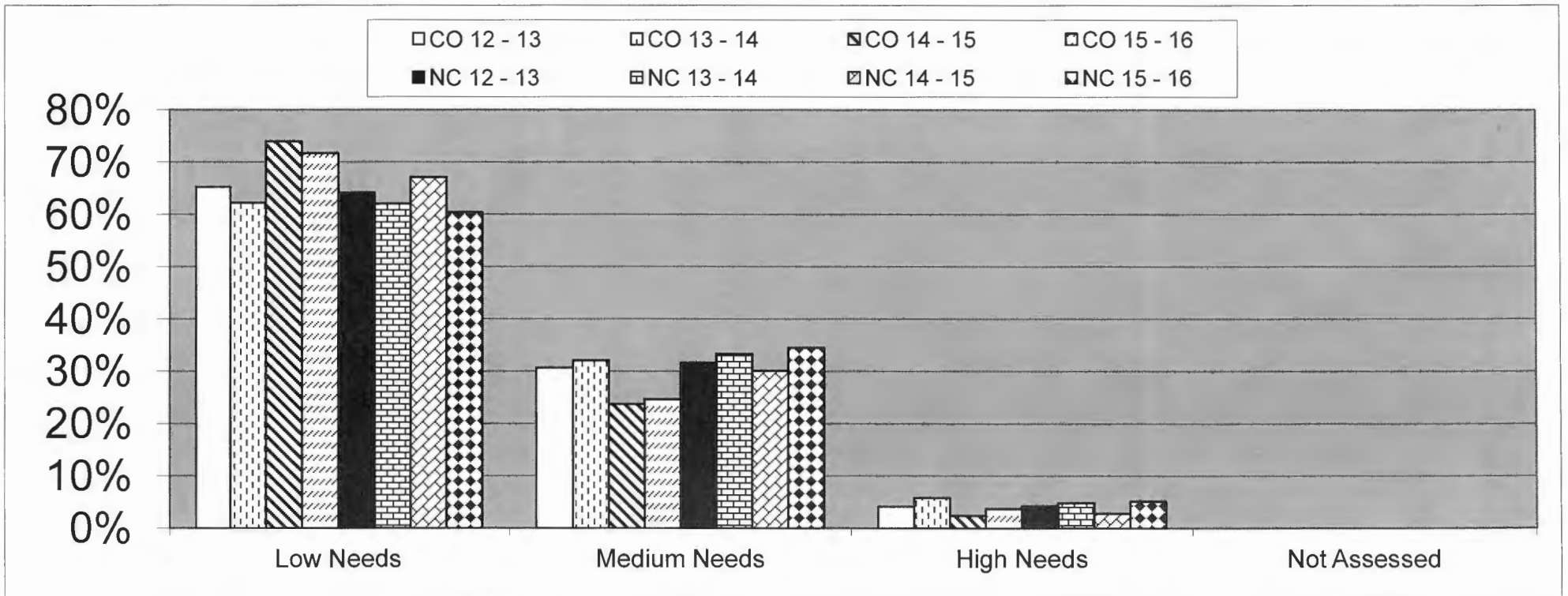


# NEEDS ASSESSMENT COMPARISON DATA

## CATAWBA COUNTY

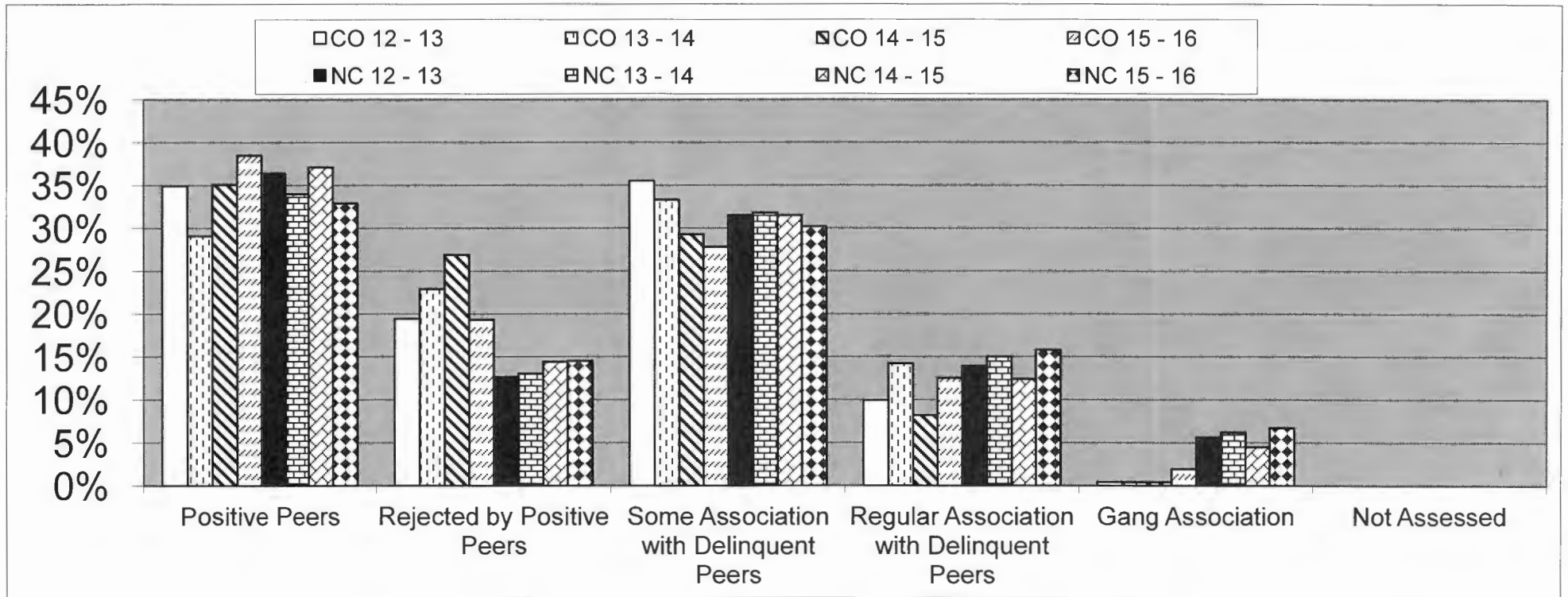
	CO 12 - 13	CO 13 - 14	CO 14 - 15	CO 15 - 16	NC 12 - 13	NC 13 - 14	NC 14 - 15	NC 15 - 16
Total Youth	558	450	464	431	20,497	18,189	18,053	17,334

Overall Needs Levels of Disposed Youth	CO 12 - 13	CO 13 - 14	CO 14 - 15	CO 15 - 16	NC 12 - 13	NC 13 - 14	NC 14 - 15	NC 15 - 16
Low Needs	65%	62%	74%	72%	64%	62%	67%	60%
Medium Needs	31%	32%	24%	25%	32%	33%	30%	35%
High Needs	4%	6%	2%	4%	4%	5%	3%	5%
Not Assessed								



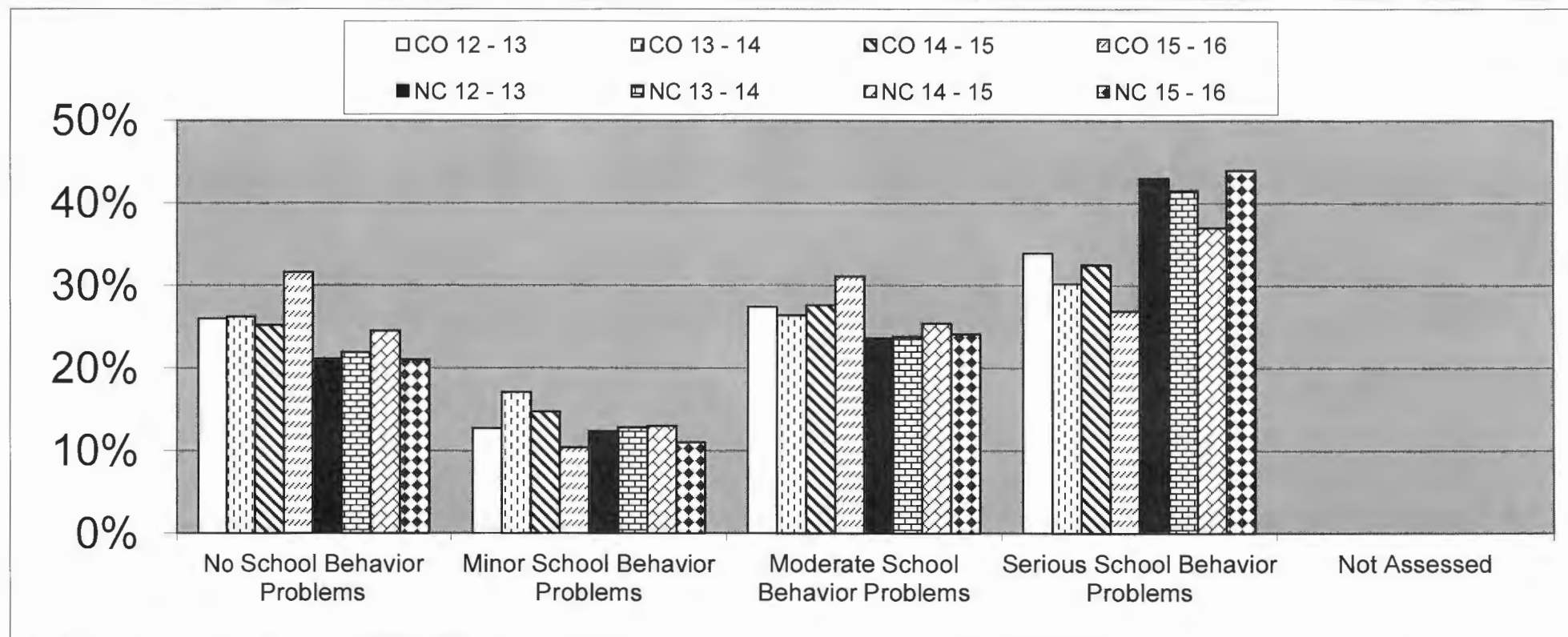
Observations:

Y1 - Peer Relationships	CO 12 - 13	CO 13 - 14	CO 14 - 15	CO 15 - 16	NC 12 - 13	NC 13 - 14	NC 14 - 15	NC 15 - 16
Positive Peers	35%	29%	35%	39%	36%	34%	37%	33%
Rejected by Positive Peers	19%	23%	27%	19%	13%	13%	14%	15%
Some Association with Delinquent Peers	36%	33%	29%	28%	32%	32%	32%	30%
Regular Association with Delinquent Peers	10%	14%	8%	13%	14%	15%	12%	16%
Gang Association	0%	0%	0%	2%	6%	6%	5%	7%
Not Assessed								



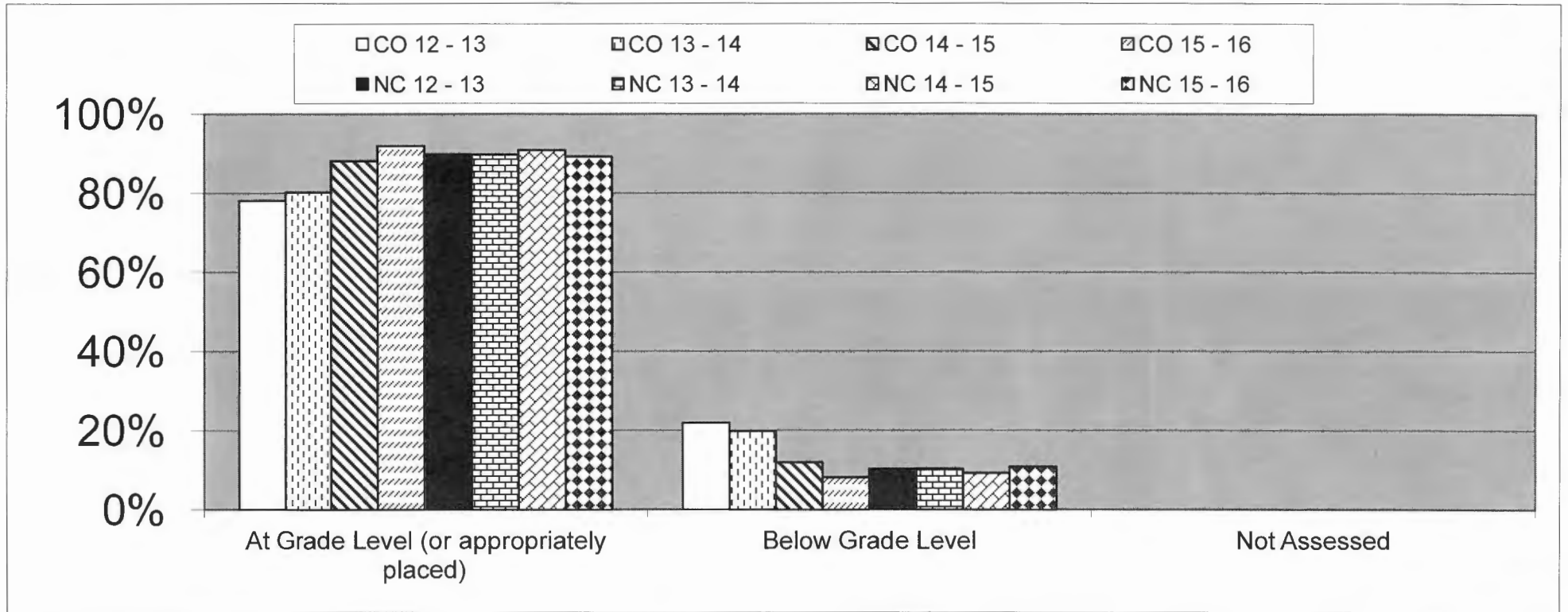
Y1 Elevated Observations:

<b>Y2 - School Behavior</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No School Behavior Problems	26%	26%	25%	32%	21%	22%	25%	21%
Minor School Behavior Problems	13%	17%	15%	10%	12%	13%	13%	11%
Moderate School Behavior Problems	27%	26%	28%	31%	24%	24%	25%	24%
Serious School Behavior Problems	34%	30%	33%	27%	43%	42%	37%	44%
Not Assessed								



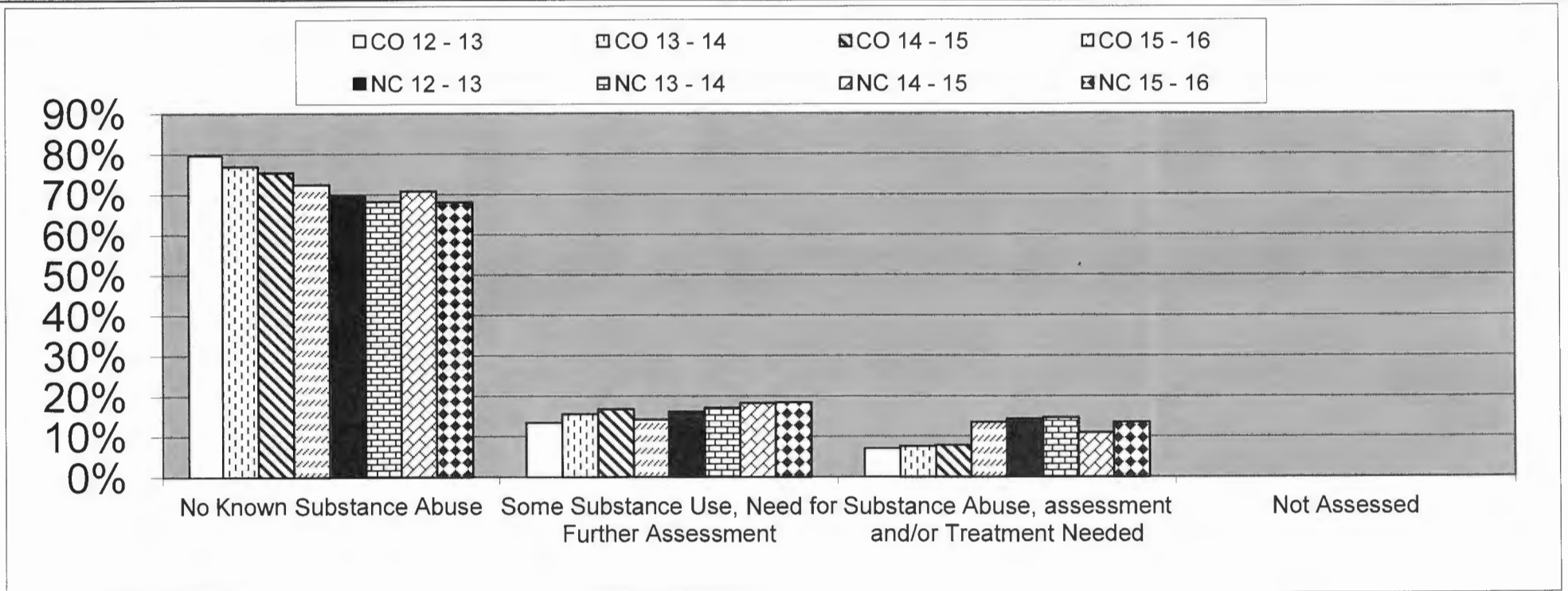
**Y2 Elevated Observations:**

<b>Y3 - Academic Functioning</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
At Grade Level (or appropriately placed)	78%	80%	88%	92%	90%	90%	91%	89%
Below Grade Level	22%	20%	12%	8%	10%	10%	9%	11%
Not Assessed								



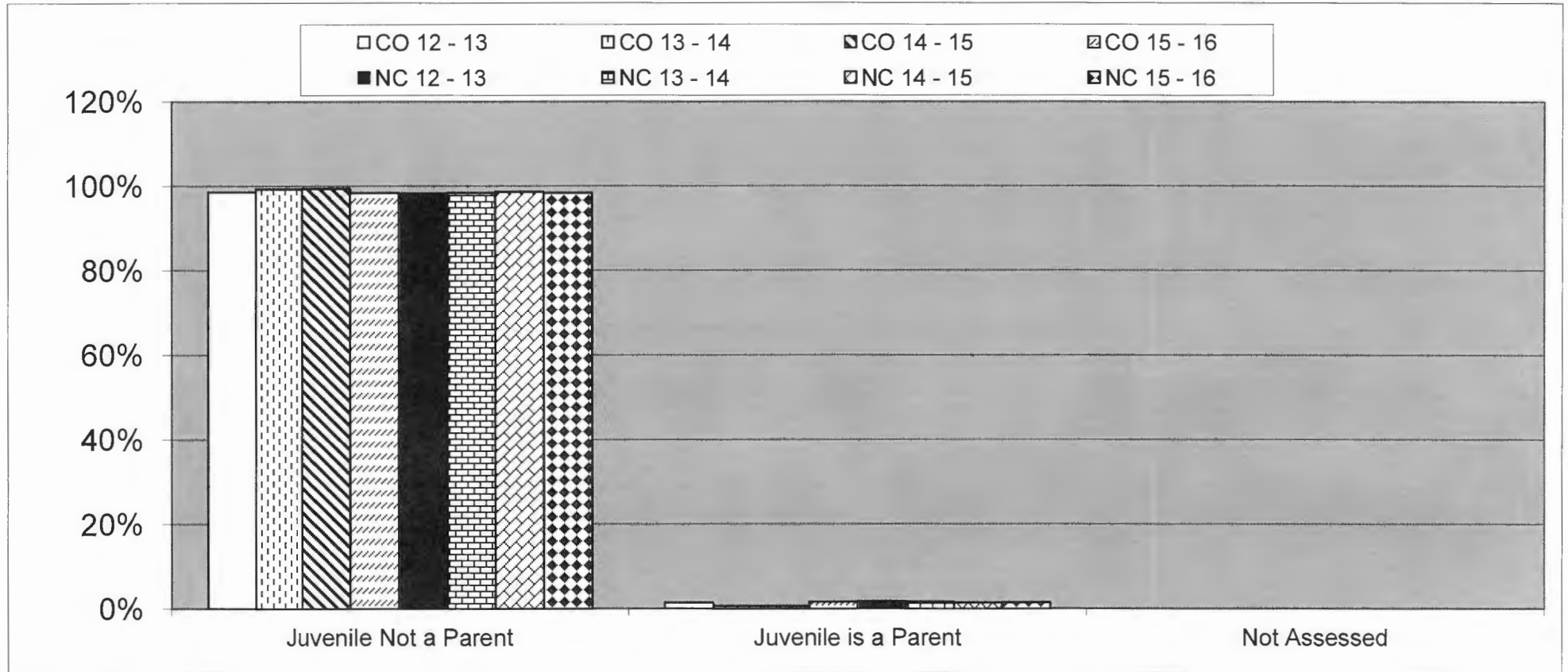
**Y3 Elevated Observations:**

<b>Y4 - Substance Abuse Within the Past 12 Months</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No Known Substance Abuse	80%	77%	75%	72%	70%	68%	71%	68%
Some Substance Use, Need for Further Assessment	13%	16%	17%	14%	16%	17%	18%	19%
Substance Abuse, assessment and/or Treatment Needed	7%	8%	8%	14%	14%	15%	11%	14%
Not Assessed								



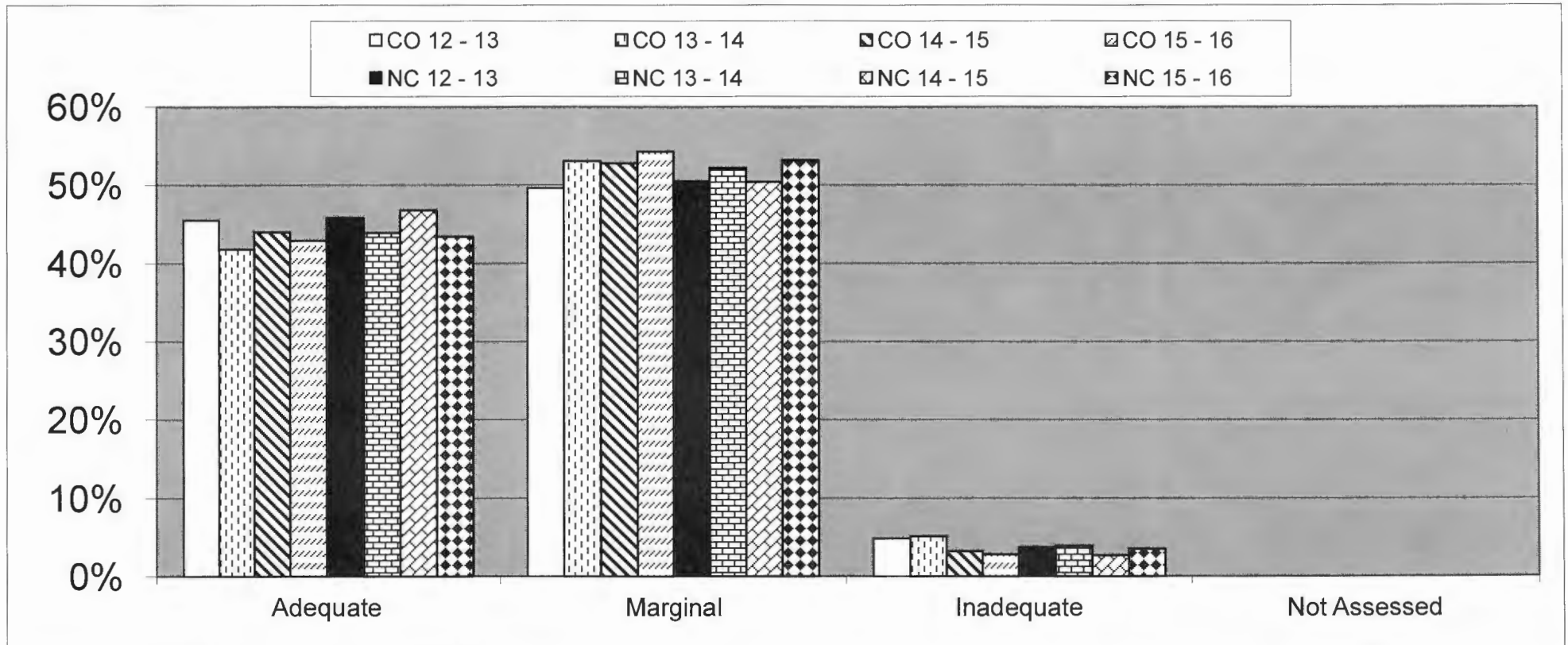
**Y4 Elevated Observations:**

Y5 - Juvenile Parental Status	CO 12 - 13	CO 13 - 14	CO 14 - 15	CO 15 - 16	NC 12 - 13	NC 13 - 14	NC 14 - 15	NC 15 - 16
Juvenile Not a Parent	99%	99%	99%	98%	98%	98%	99%	98%
Juvenile is a Parent	1%	1%	1%	2%	2%	2%	1%	2%
Not Assessed								



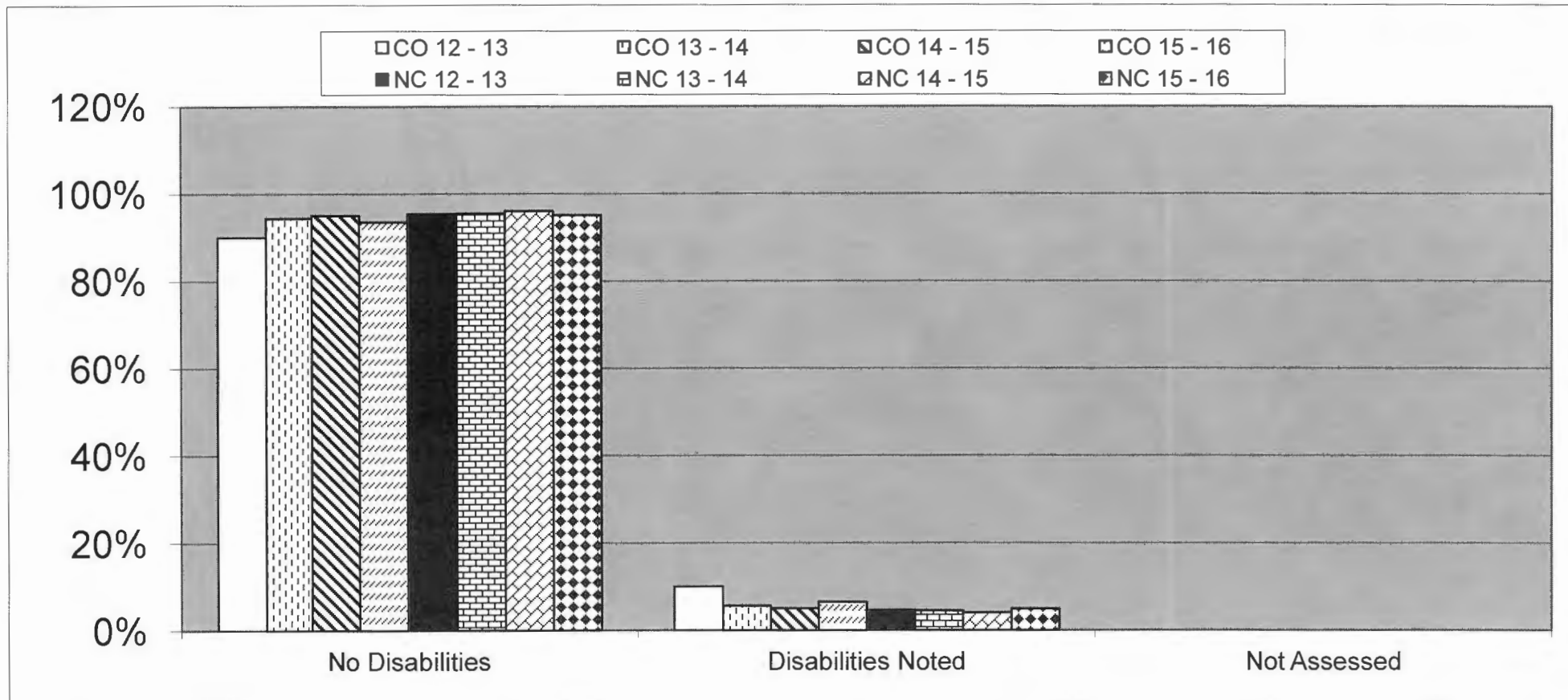
Y5 Observations:

<b>F2 - Family Supervision Skills</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
Adequate	46%	42%	44%	43%	46%	44%	47%	43%
Marginal	50%	53%	53%	54%	51%	52%	50%	53%
Inadequate	5%	5%	3%	3%	4%	4%	3%	4%
Not Assessed								



**F2 Elevated Observations:**

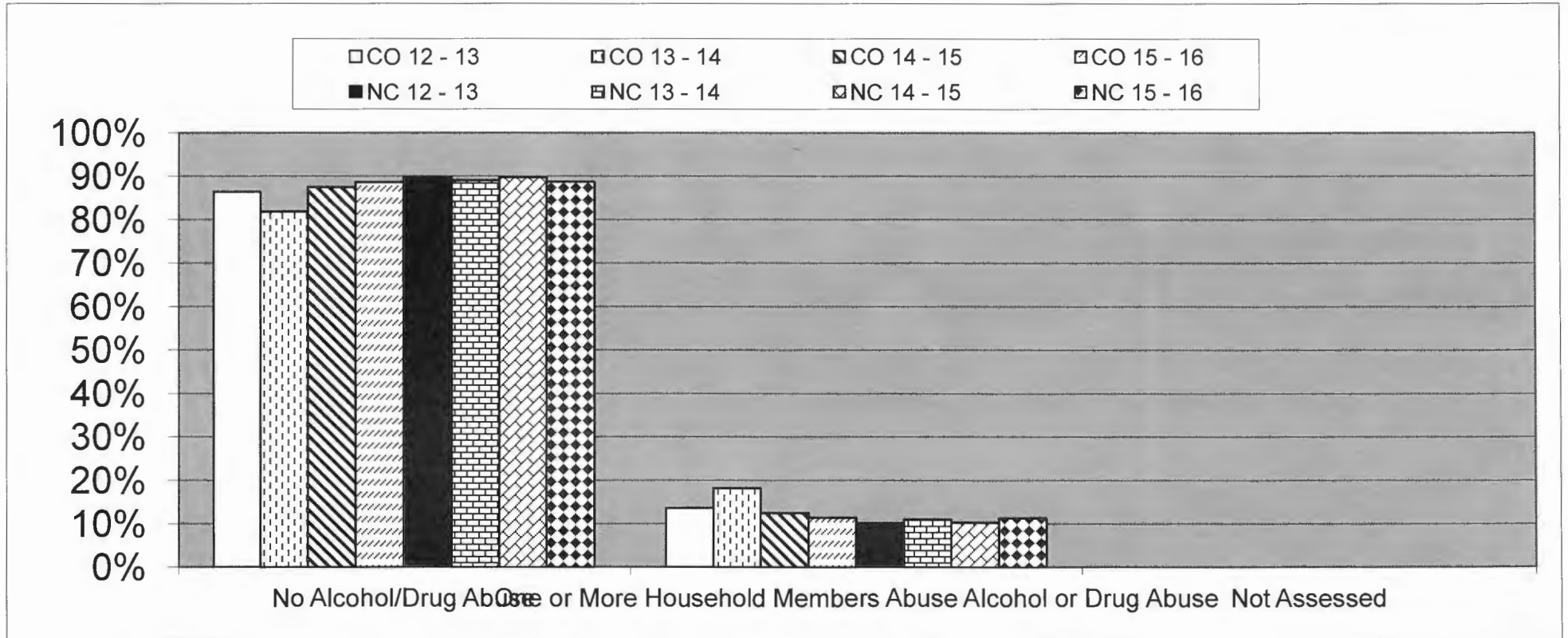
<b>F3 - Disability of Parent/Guardian</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No Disabilities	90%	94%	95%	94%	95%	96%	96%	95%
Disabilities Noted	10%	6%	5%	7%	5%	5%	4%	5%
Not Assessed								



**F3 Observations:**

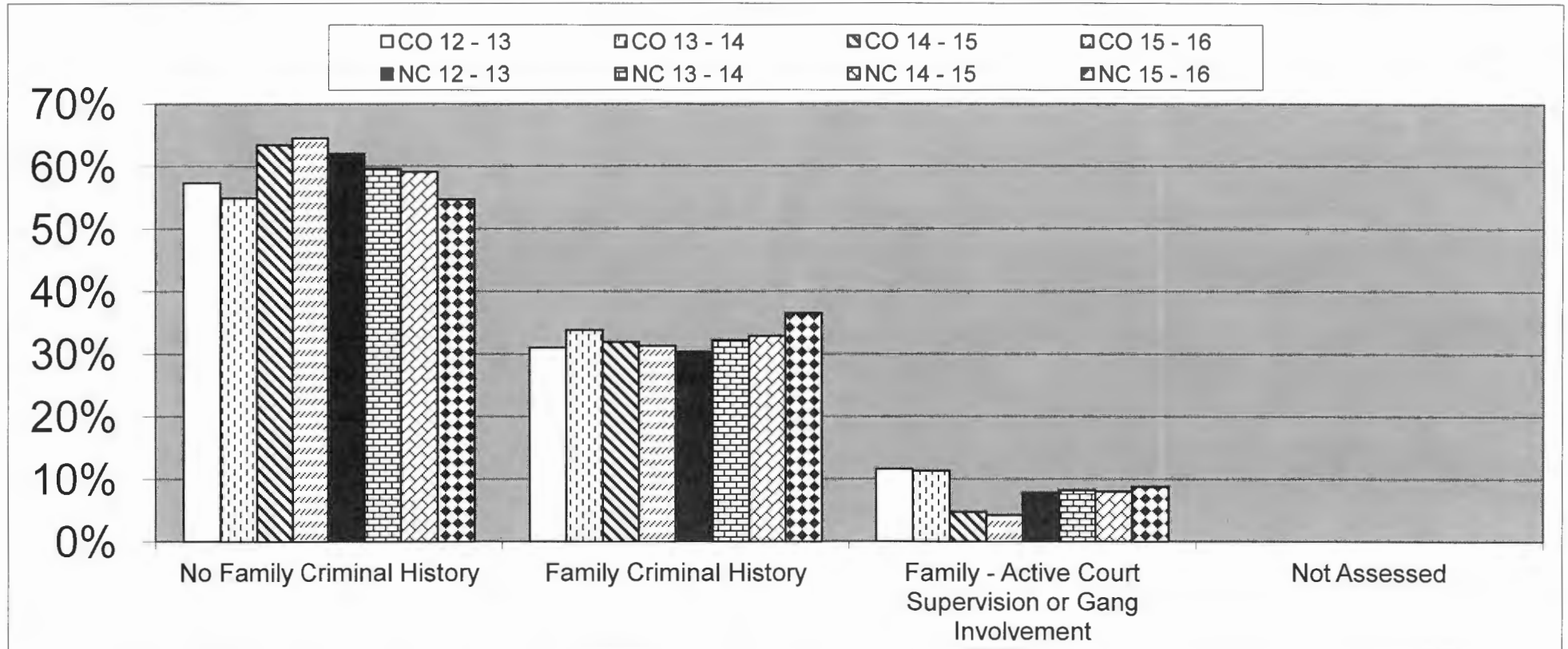


<b>F4 - Substance Abuse Within the Past 3yrs By Household Member</b>	CO 12 - 13	CO 13 - 14	CO 14 - 15	CO 15 - 16	NC 12 - 13	NC 13 - 14	NC 14 - 15	NC 15 - 16
No Alcohol/Drug Abuse	86%	82%	88%	89%	90%	89%	90%	89%
One or More Household Members Abuse Alcohol or Drug Abuse	14%	18%	13%	11%	10%	11%	10%	11%
Not Assessed								



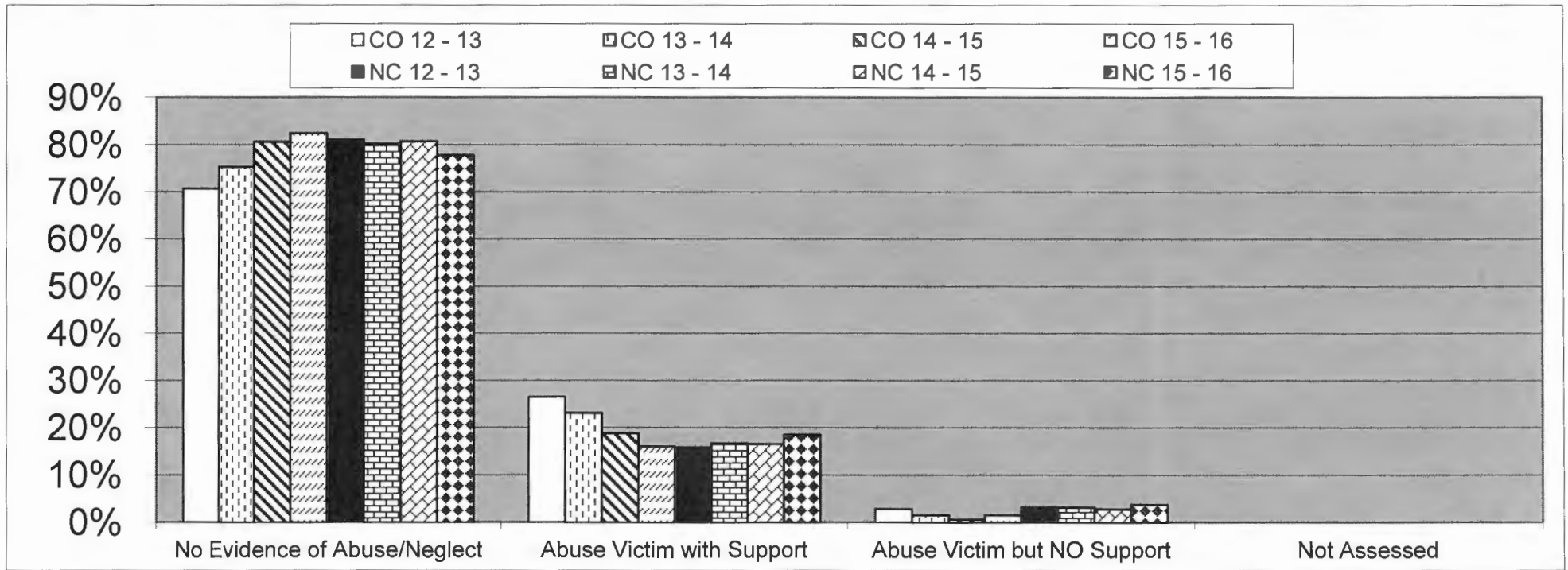
**F4 Elevated Observations:**

<b>F5 - Family Criminality</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No Family Criminal History	57%	55%	63%	65%	62%	60%	59%	55%
Family Criminal History	31%	34%	32%	31%	30%	32%	33%	37%
Family - Active Court Supervision or Gang Involvement	12%	11%	5%	4%	8%	8%	8%	9%
Not Assessed								



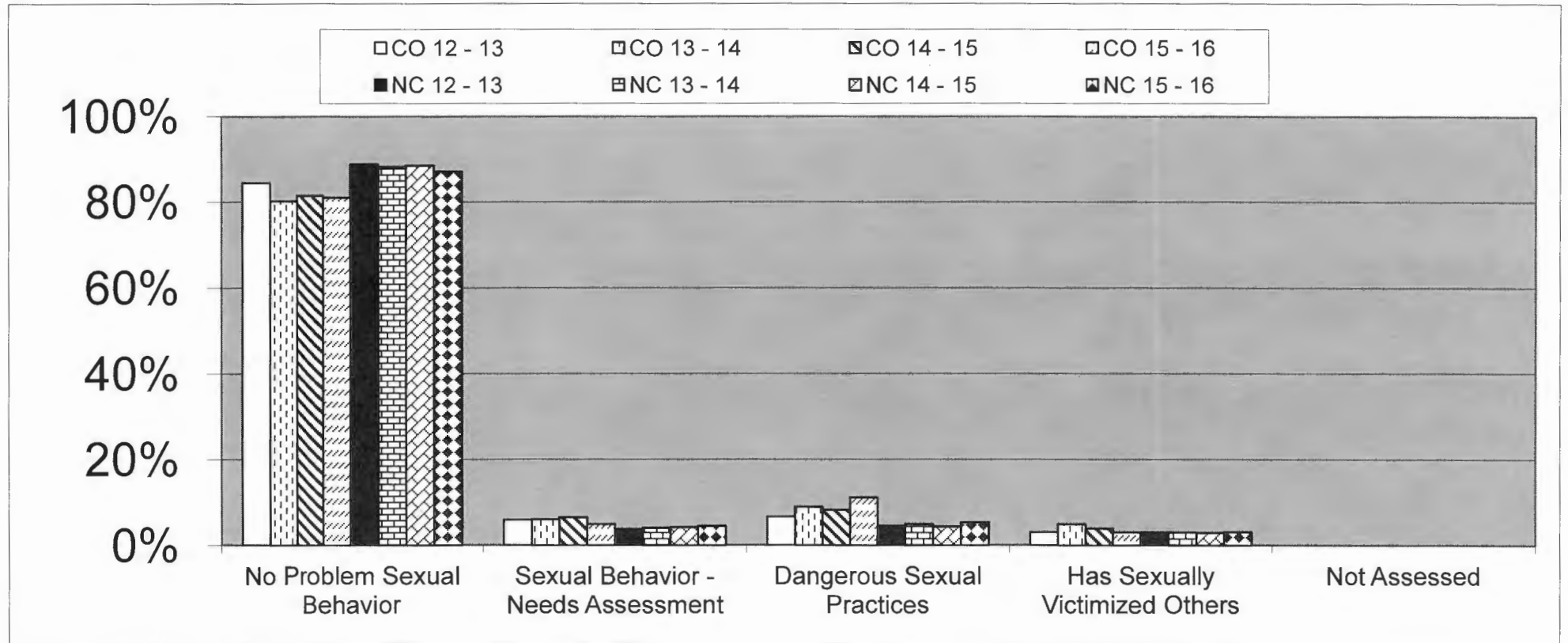
**F5 Elevated Observations:**

<b>Y6 - Abuse Neglect History</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No Evidence of Abuse/Neglect	71%	75%	81%	82%	81%	80%	81%	78%
Abuse Victim with Support	27%	23%	19%	16%	16%	17%	17%	19%
Abuse Victim but NO Support	3%	2%	1%	2%	3%	3%	3%	4%
Not Assessed								



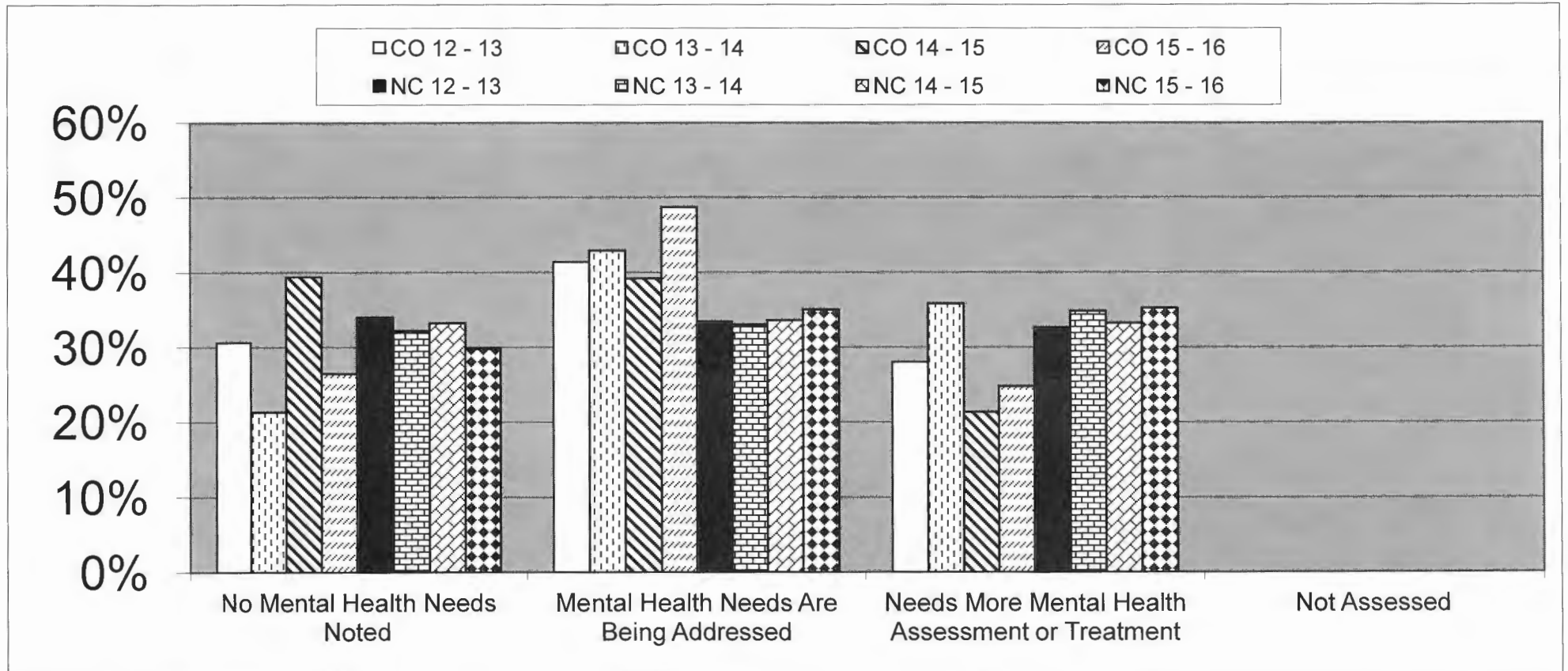
**Y6 Observations:**

<b>Y7 - Sexual Behaviors</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No Problem Sexual Behavior	84%	80%	82%	81%	89%	88%	89%	87%
Sexual Behavior - Needs Assessment	6%	6%	7%	5%	4%	4%	4%	5%
Dangerous Sexual Practices	7%	9%	8%	11%	5%	5%	4%	5%
Has Sexually Victimized Others	3%	5%	4%	3%	3%	3%	3%	3%
Not Assessed								



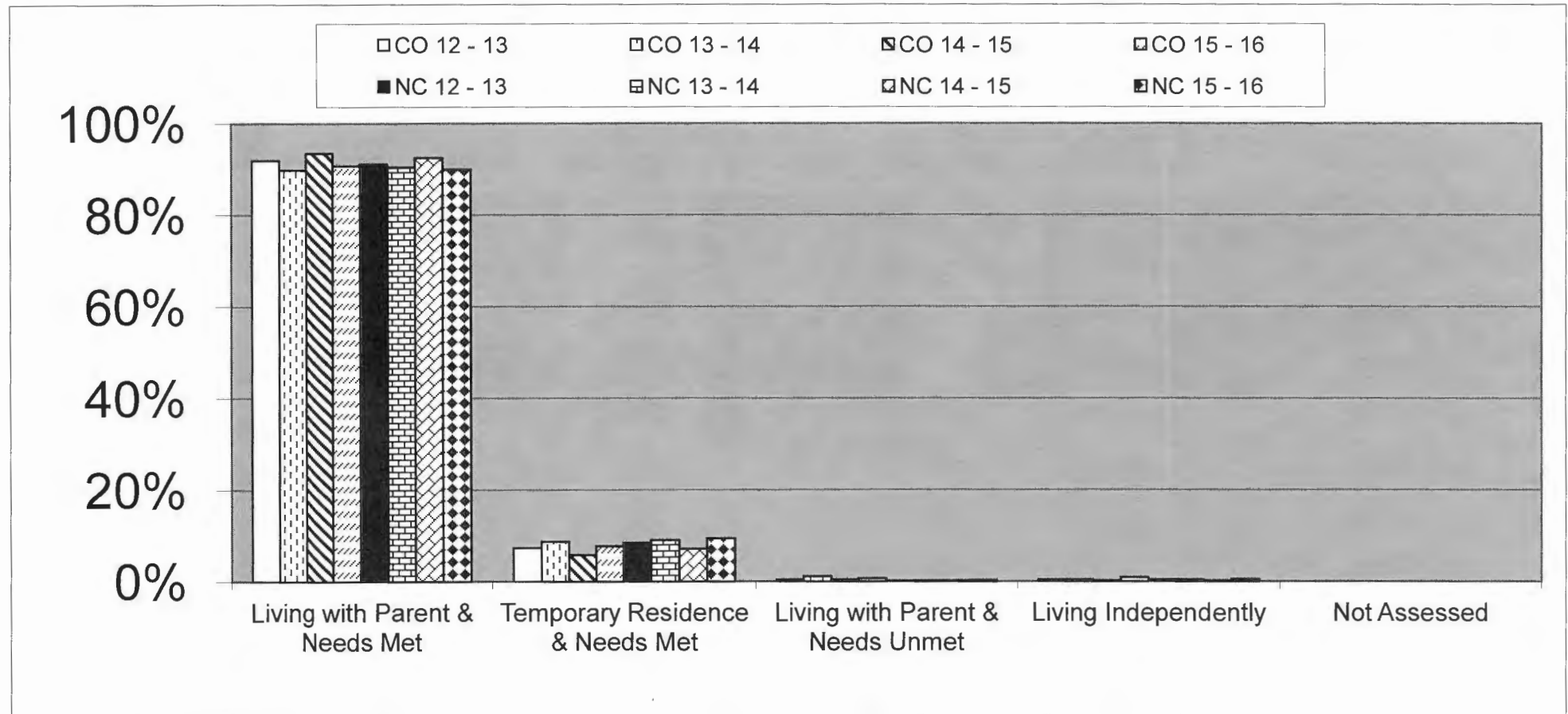
**Y7 Elevated Observations:**

<b>Y8 - Mental Health Needs</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No Mental Health Needs Noted	31%	21%	39%	27%	34%	32%	33%	30%
Mental Health Needs Are Being Addressed	41%	43%	39%	49%	33%	33%	34%	35%
Needs More Mental Health Assessment or Treatment	28%	36%	21%	25%	33%	35%	33%	35%
Not Assessed								



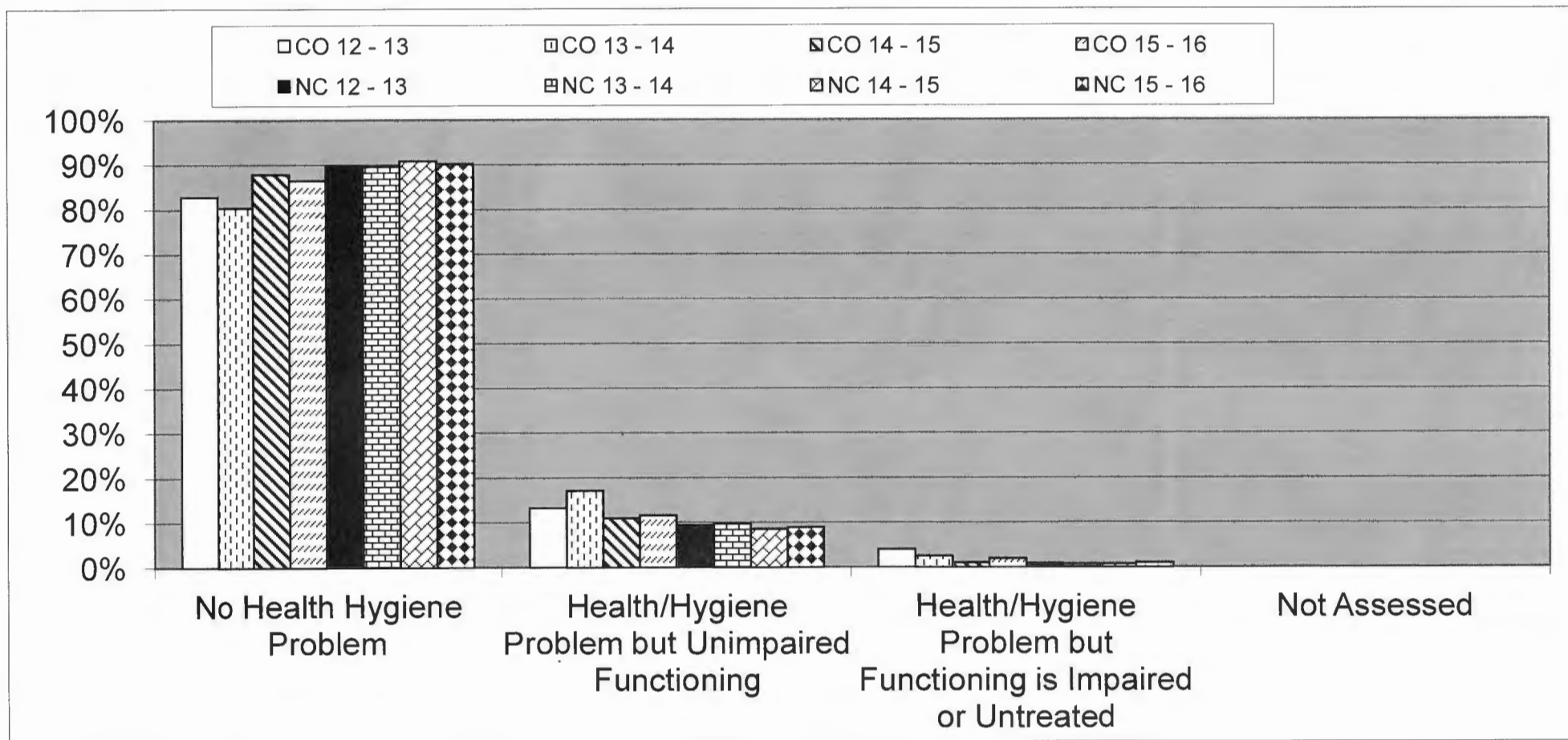
**Y8 Elevated Observations:**

<b>Y9 - Basic Needs/Living</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
Living with Parent & Needs Met	92%	90%	94%	91%	91%	90%	93%	90%
Temporary Residence & Needs Met	7%	9%	6%	8%	8%	9%	7%	9%
Living with Parent & Needs Unmet	0%	1%	0%	1%	0%	0%	0%	0%
Living Independently	0%	0%	0%	1%	0%	0%	0%	1%
Not Assessed								



Y9 Elevated Observations:

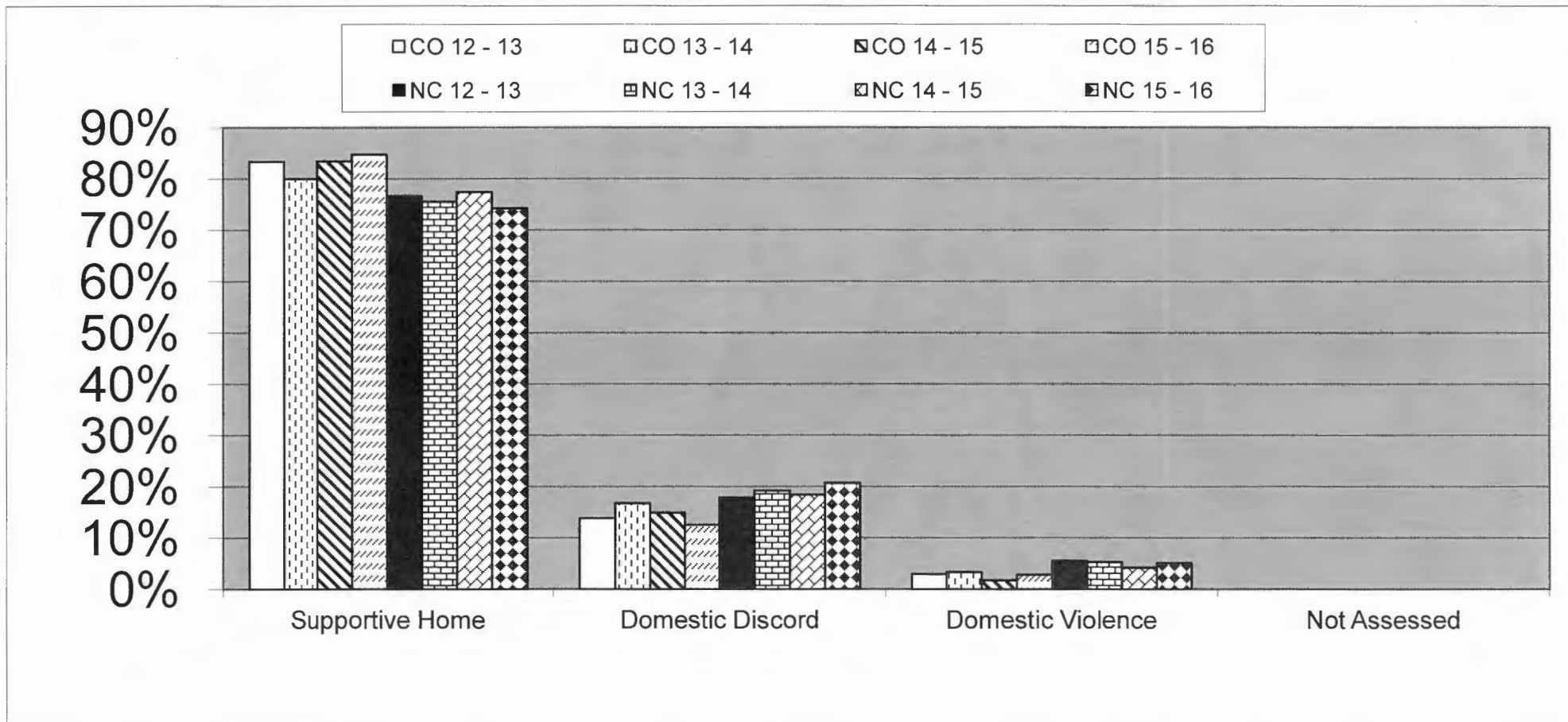
<b>Y10 - Health/Hygiene</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
No Health Hygiene Problem	83%	80%	88%	87%	90%	90%	91%	90%
Health/Hygiene Problem but Unimpaired Functioning	13%	17%	11%	12%	9%	10%	9%	9%
Health/Hygiene Problem but Functioning is Impaired or Untreated	4%	3%	1%	2%	1%	1%	1%	1%
Not Assessed								



**Y10 Elevated Observations:**



<b>F1 - Conflict in the Home Within Past 12 Months</b>	<b>CO 12 - 13</b>	<b>CO 13 - 14</b>	<b>CO 14 - 15</b>	<b>CO 15 - 16</b>	<b>NC 12 - 13</b>	<b>NC 13 - 14</b>	<b>NC 14 - 15</b>	<b>NC 15 - 16</b>
Supportive Home	83%	80%	83%	85%	77%	76%	77%	74%
Domestic Discord	14%	17%	15%	13%	18%	19%	18%	21%
Domestic Violence	3%	3%	2%	3%	6%	5%	4%	5%
Not Assessed								



**F1 Observations:**



## **MEMORANDUM**

TO: Catawba County Board of Commissioners

FROM: Bob Miracle, Chief Financial Officer  
Jodi Stewart, Assistant County Attorney

DATE: December 5, 2016

SUBJECT: Piedmont Natural Gas Easement

### **REQUEST**

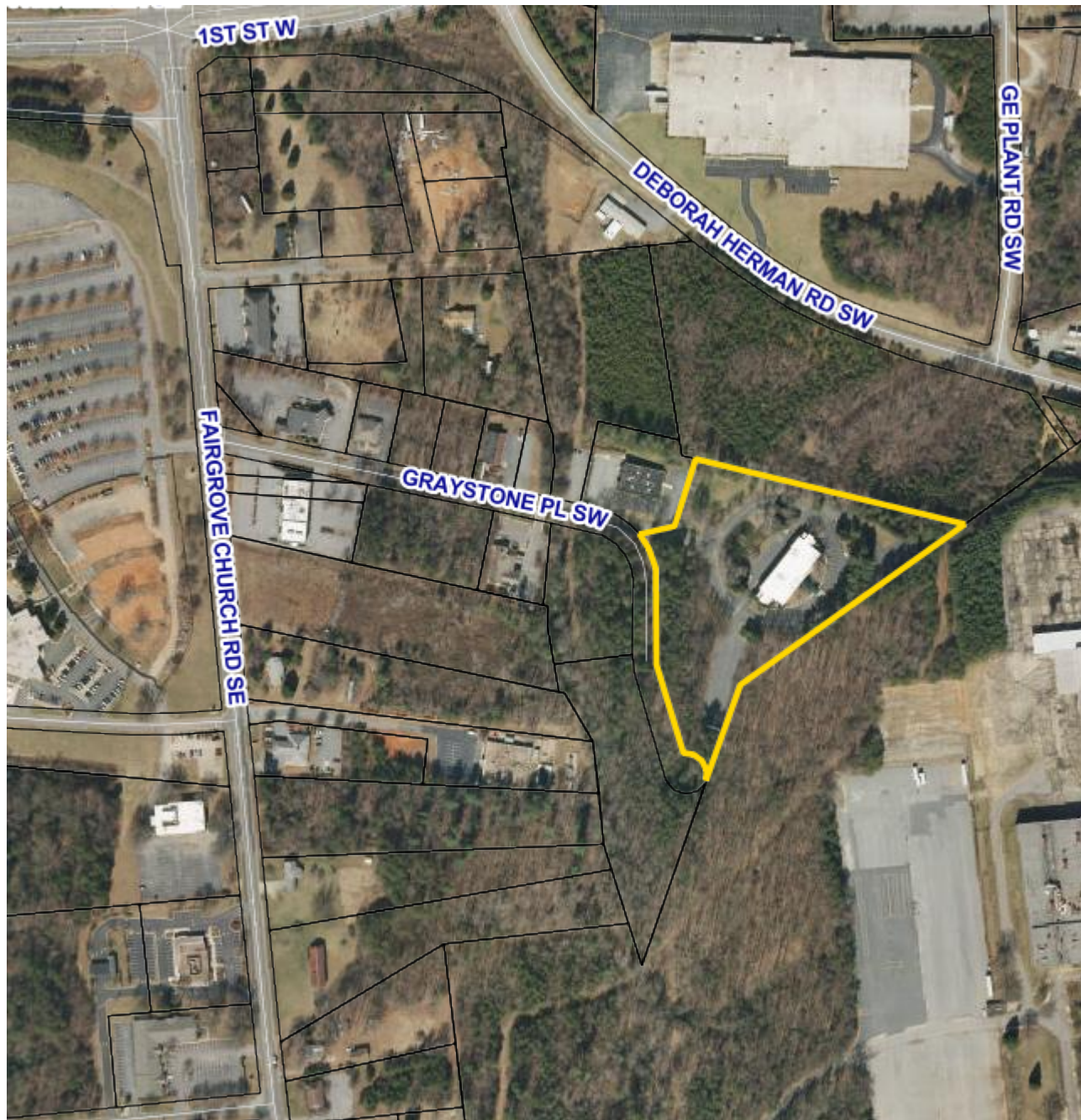
The Board of Commissioners is requested to approve a Grant of Easement to Piedmont Natural Gas for a total of 0.118 acres for the 297 Line Replacement Project that crosses County property located at 3521 Graystone Place SW in Conover.

### **BACKGROUND**

Catawba County owns a 5.6 acre tract of land on Graystone Place SW located across from the Catawba Valley Medical Center. Piedmont Natural Gas requested a permanent and temporary easement across the corner of this property for their 297 Line Replacement Project. This project by Piedmont Natural Gas will expand the gas lines from 4" to 8" to increase the natural gas capacity in the area. The easements are located along the northeastern edge of the property. The permanent easement is for 0.085 acres and the temporary easement is for 0.033 acres. Piedmont Natural Gas has offered the sum of \$7,000 for the easement, based on the current tax value of \$76,475/acre. Catawba County and Catawba Valley Medical Center staff have visited the site and raised no concerns with the location of the easement.

### **RECOMMENDATION**

Staff recommends Catawba County Board of Commissioners approve the execution of a Grant of Easement to Piedmont Natural Gas for the purpose of the 297 Line Replacement Project.



1in=400ft

Parcel: 372220829311, 3521 GRAYSTONE PL SW CONOVER, 28613

Owners: CATAWBA COUNTY, null

Owner Address: 810 FAIRGROVE CHURCH RD SE

Values - Building(s): \$1,423,800, Land: \$427,800, Total: \$1,851,600

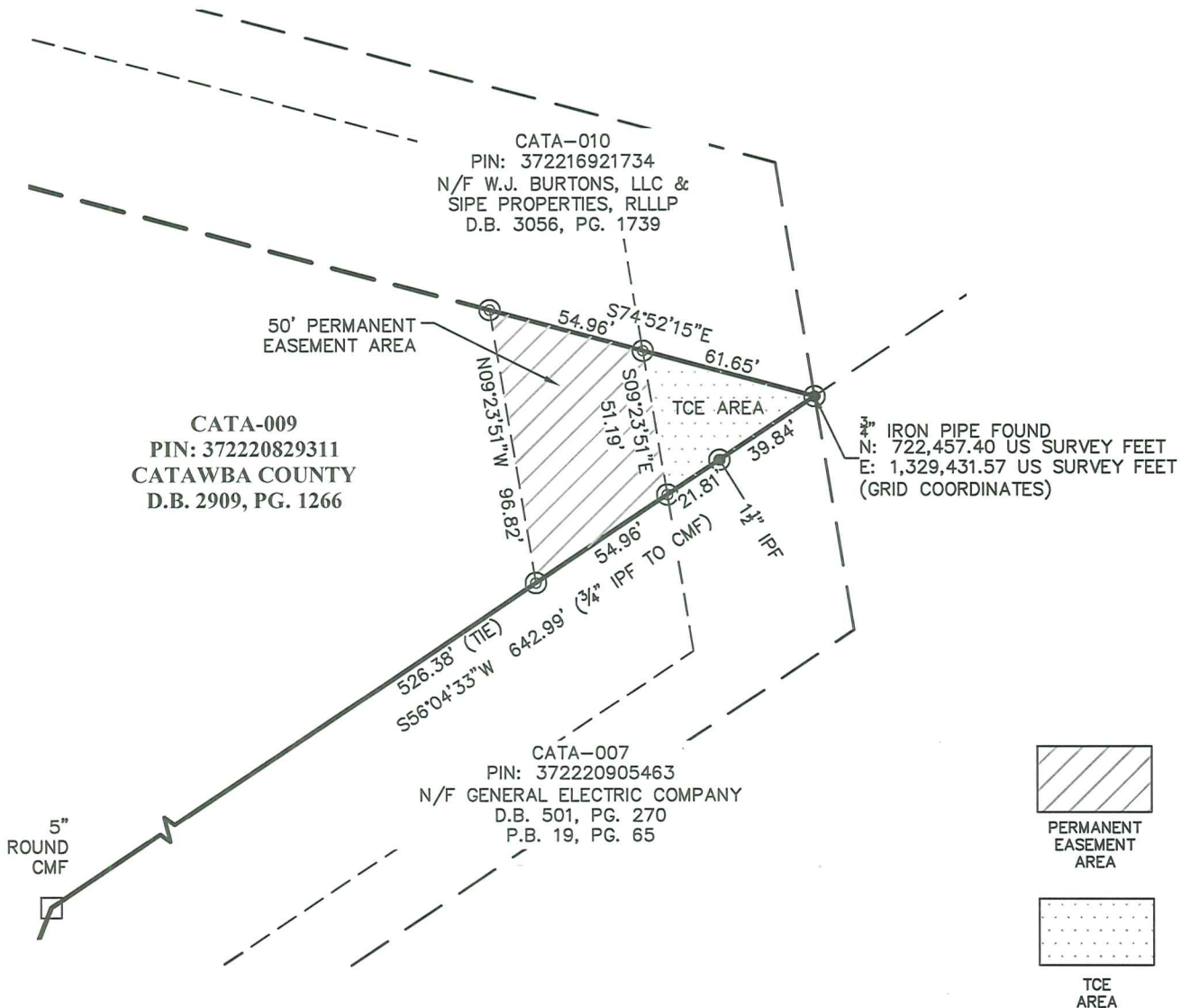
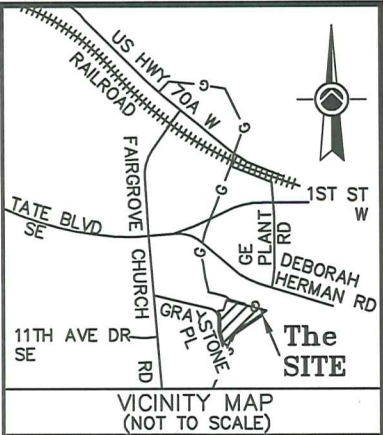
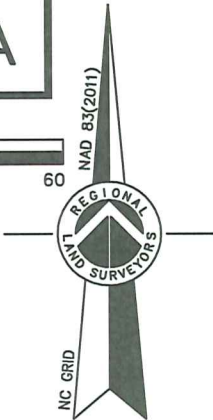
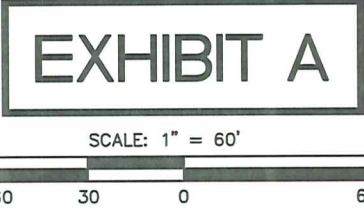
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11/28/2016



AREA TABLE	
PERMANENT EASEMENT	0.085 AC
ACCESS EASEMENT	N/A
TEMPORARY CONSTRUCTION EASEMENT (TCE)	0.033 AC
UTILITY STATION SITE EASEMENT (USSE)	N/A



- NOTES
1. AREA BY COORDINATE COMPUTATION.
  2. ALL DISTANCES ARE NORTH CAROLINA GRID DISTANCE, IN US SURVEY FEET.
  3. SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, STREETS AND ASSESSMENTS, AS THE SAME MAY APPEAR OF RECORD IN THE REGISTER OF DEEDS OFFICE, CLERK OF COURT, TOWN OR COUNTY TAX OFFICES, OR WHICH MAY HAVE BEEN ACQUIRED BY PRESCRIPTIVE USE.
  4. THIS SURVEY IS INTENDED FOR THE PURPOSES OF EASEMENT ACQUISITION ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE LANDS SHOWN HEREON.
  5. NC GRID COORDINATES AS SHOWN HEREON ARE BASED UPON GPS OBSERVATIONS UTILIZING NCGS' NETWORK RTK SYSTEM AND ARE REFERENCED TO THE NAD 83(NSRS 2011) DATUM. COMBINED FACTOR 0.999863415 IF SHOWN, VERTICAL POSITIONS ARE REFERENCED TO NAVD 88 (GEOID 12A).
  6. THIS MAP HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

I, JEFFERY S. SMITH, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 2909, PAGE 1266); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK & PAGE AS NOTED; THAT THE RATIO OF PRECISION IS 1:19,051; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (12 NCAC 56.1600).

JEFFERY S. SMITH, PLS 7/5/16 L-4464

LEGEND	
⊙	IRON PIPE SET
⊙	IRON PIPE FOUND (IPF)
⊙	CONCRETE MONUMENT FOUND (CMF)
---	SUBJECT BOUNDARY LINE (SURVEYED)
---	SUBJECT BOUNDARY LINE (NOT SURVEYED)
---	ADJOINER BOUNDARY LINE (NOT SURVEYED)
---	PERMANENT EASEMENT
---	TCE AREA

EASEMENT FOR  
PIEDMONT NATURAL GAS COMPANY, INC.  
ACROSS THE LANDS OF  
CATAWBA COUNTY  
3521 GRAYSTONE PLACE SW, CONOVER, 28613  
DEED BOOK 2909 PAGE 1266  
HICKORY TOWNSHIP  
CATAWBA COUNTY, NORTH CAROLINA  
PROJECT # 1151342 TRACT # CATA-009

<b>Regional Land Surveyors, Inc.</b> 8642 WEST MARKET STREET, SUITE 100 GREENSBORO, NORTH CAROLINA 27409 NC FIRM LICENSE NO. C-1362	
DRAWN BY: JRD	REVISIONS
DATE: 06/13/2016	6/29/2016
JOB NO: 1550.00	
CREW CHIEF: RD	
PAGE 1 OF 1	

## EASEMENT

Return Recorded Document To: Diversified Energy Services, Inc., 821A South Horner Blvd., Sanford, NC 27330

STATE OF NORTH CAROLINA  
COUNTY OF CATAWBA  
PARCEL ID # 372220829311

LINE NO. 297  
PARCEL NO. CATA-009  
PROJECT NO. 1151342

THIS "**EASEMENT**" is made and granted as of this \_\_\_\_ day of \_\_\_\_\_, 2016, from **CATAWBA COUNTY**, a body politic ("**Grantor**", whether one or more), to **PIEDMONT NATURAL GAS COMPANY, INC.**, a North Carolina corporation ("**Piedmont**").

WHEREAS, Grantor is the owner of, or has an interest in, that property situated in Hickory Township, Catawba County, North Carolina, as more particularly described in the instrument recorded in Book 2909, Page 1266, Catawba County Registry (the "**Property**").

NOW, THEREFORE, Grantor for and in consideration of the sum of \$7,000.00 and other valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, and conveys unto Piedmont, its successors and assigns the following easement(s) and right(s) of way under, upon, over, through and across the Property:

**Permanent Easement.** A perpetual easement for purposes of constructing, installing, maintaining, operating, repairing, altering, replacing, removing, relocating, inspecting, upgrading and protecting one or more pipelines and appurtenant facilities (including, without limitation, valves, markers, cathodic protection equipment, and anode beds) for the transportation of natural gas (collectively, "**Facilities**") under, upon, over, through, and across the Property within an easement area generally 50 feet wide (the "**Permanent Easement Area**"), and shown on the survey attached hereto as **Exhibit A** (the "**Survey**"), some or all of which Facilities (including additional pipelines) may be installed now and/or in the future. The Survey is incorporated herein by reference. All Facilities shall be and remain the property of Piedmont and may be removed by it at any time and from time to time.

Piedmont shall have all rights necessary or convenient for the full use and enjoyment of the rights herein granted, including, without limitation: (1) reasonable access to and from the Permanent Easement Area across the Property, and (2) to keep the Permanent Easement Area cleared of trees (including overhanging limbs and foliage), buildings, structures, and any other obstructions (collectively, "**Obstructions**"), except for Obstructions approved by Piedmont in writing pursuant to Piedmont's policies, guidelines or procedures regarding land use within easements (the "**Guidelines**"). Grantor shall not install or maintain, or permit to be installed or maintained, any Obstructions within the Easement Area except as approved in writing by Piedmont.

**Temporary Construction Easement.** The temporary and exclusive right to use the temporary construction easement area shown on the Survey (the "**TCE Area**") for construction activities including, without limitation, installing temporary fencing around the TCE Area and laying, storing, erecting, or parking equipment, vehicles, materials, fill, components, parts, and tools within the TCE Area during construction of the Facilities, which temporary right shall terminate upon Piedmont placing such Facilities in service and release of Piedmont from its obligations under all permits issued for construction of such Facilities including, without limitation, all sedimentation and erosion control permits. Piedmont shall have all rights necessary or convenient for the full use and enjoyment of the TCE Area, including without limitation: (1) reasonable access to and from the TCE Area across the Property and (2) to keep the TCE Area cleared of Obstructions. Upon completion of construction and the Facilities being placed in service, Piedmont shall restore the TCE Area to substantially the same condition as it existed prior to Piedmont's entry thereon, ordinary wear and tear excepted.

For purposes of this EASEMENT, the term "**Easements**" shall refer collectively to all easements described above and the term "**Easement Areas**" shall refer collectively to all the easement areas described above.

**Grantor's Reservation of Rights.** Grantor reserves the right to use the Property and Easement Areas for all purposes that do not unreasonably interfere with the rights granted herein and that are not inconsistent with the rules and regulations of the North Carolina Utilities Commission, the Guidelines, or any applicable federal, state, or local law, rule, or regulation. Grantor shall obtain written approval from Piedmont prior to making any use of the Easement Areas, which approval shall not be unreasonably withheld. Anything to the contrary herein notwithstanding, Grantor shall not: (1) unreasonably interfere with Piedmont's access to or maintenance of the Facilities or the Easement Areas, or (2) endanger the safety of Grantor, Piedmont, the general public, or the Facilities.

**Damages.** Piedmont shall be responsible for actual physical damage to: (1) the land within the Property and Easement Areas; and (2) improvements and annual crops located on the Property that are not in violation of the terms hereof,

provided that such damage must be caused by Piedmont in exercising the rights granted herein, and provided further that a claim is made by Grantor within sixty (60) days after such damages are sustained. Piedmont shall restore and level the surface of the Easement Areas to, as nearly as can be reasonably done, the same condition as prior to Piedmont's use of the Easement Areas. Piedmont shall not be liable for any damage caused to Obstructions or improvements installed in violation of the terms hereof and may remove them at Grantor's expense.

**No Waiver or Additional Representations.** The failure by Piedmont to exercise and/or enforce any of the rights, privileges, and Easements herein described shall not be construed as a waiver or abandonment of any such rights, privileges and easements, and Piedmont thereafter may exercise and/or enforce, at any time and from time to time, any or all of them. It is understood and acknowledged by the undersigned that the person securing this grant on behalf of Piedmont is without authority to make any agreement with regard to the subject matter hereof which is not expressed herein, and that no such agreement will be binding on Piedmont.

**Ownership of the Property.** Grantor represents, warrants and covenants that it is the lawful owner of the Property and has the right to convey the rights set forth herein and that the Property is free from all encumbrances, except for encumbrances of record.

To have and to hold said rights, privileges, and easements unto Piedmont, its affiliates, successors, and assigns. Piedmont, its successors and assigns, shall have the right to assign, license, lease, or otherwise transfer, in whole or in part, this EASEMENT, or any rights granted herein, to any person or entity, including but not limited to, any affiliated parent or subsidiary entity of Piedmont, for the uses and purposes expressly stated herein. This EASEMENT shall run with the land and inure to the benefit of and be binding upon Grantor, Piedmont and their respective heirs, successors and assigns.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, this Easement has been signed under seal by Grantor, as of the date first above written.

**GRANTOR:**  
**CATAWBA COUNTY, NORTH CAROLINA,**  
**a body politic,**

By: \_\_\_\_\_ Sign  
\_\_\_\_\_  
Chairman,  
Catawba County Board of Commissioners

ATTESTED: By: \_\_\_\_\_ Sign  
\_\_\_\_\_, Clerk to the Board

STATE OF NORTH CAROLINA  
COUNTY OF CATAWBA

I, \_\_\_\_\_, a Notary Public of \_\_\_\_\_ County, North Carolina, do hereby certify that \_\_\_\_\_, personally appeared before me this day and acknowledged that he/she is the Clerk to the Catawba County Board of Commissioners, and that by authority duly given and as the act of the board, the foregoing GRANT OF EASEMENT was signed in its name by its Chairman, sealed with its corporate seal, and attested by himself/herself as its Clerk.

Witness my hand and official seal this the \_\_\_\_ day of \_\_\_\_\_, 2016.

(Notary Seal)

\_\_\_\_\_  
My commission expires: \_\_\_\_\_