

QUARTERLY COURT MINUTES

ON  
PUBLIC HEARING FOR  
CHANGES TO ZONING RESOLUTION AND MAP

Be it remembered that the Quarterly County Court of Loudon, Tennessee, on November 5, 1973, at 9:00 A. M., pursuant to public notice duly published in the two newspapers of Loudon County, held a public hearing on certain proposed changes to the County Zoning Map and the County Zoning Resolution, there being present of the Quarterly Court the following members:

J. J. Blair	Roy Bledsoe
I. D. Conner	Henry C. Foster
Reece Paul Hamilton	Curtis A. Williams
J. G. Hudson	

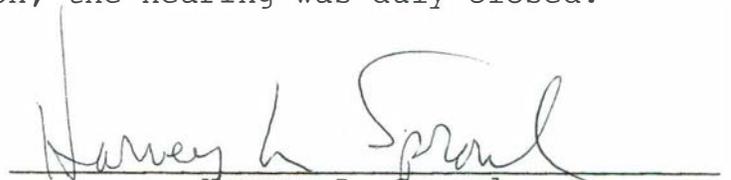
Absent:

Boyd Duckworth  
James M. Hartsook

The proposed changes were as follows:

1. An amendment to rezone property owned by Mr. Earl Crisp on U. S. 11 in the Highland Park community from R-1 Suburban Residential to C-2 General Commercial. The property is more specifically identified as parcel number 171 on tax map 17.
2. An amendment to allow one mobile home on a lot with another residential structure as a temporary use in cases of medical hardship, provided that the sewage disposal system is approved by the County Sanitarian.
3. An amendment to allow one mobile home on a lot with another residential structure as a temporary use in cases where the Loudon County Board of Zoning Appeals finds that this is necessary in order to prevent undue hardship, provided that the sewage disposal system is approved by the County Sanitarian.
4. An amendment to permit the location of one mobile home on a lot with another residential structure, provided that enough land is available on that lot so that all other requirements of the applicable zone are met.

Each item was called to the attention of the citizens present in the Courtroom, but there appearing to be no one to speak in opposition, or requesting information, the hearing was duly closed.

  
Harvey L. Sproul  
County Judge

REGULAR MEETING  
NOVEMBER 5, 1973,  
9:00 A. M.

BE IT REMEMBERED that the Quarterly County Court of Loudon County met on November 5, 1973, at 9:00 A. M. with the Honorable Harvey L. Sproul, County Judge, presiding and with Mrs. Addie Ruth Clarke representing Mr. Edward Alexander, Clerk of said Court; whereupon Sheriff Russell led the Pledge of Allegiance and opened Court.

Upon roll-call the following Squires were present:

ROLL CALL

J. J. Blair	Curtis A. Williams
I. D. Conner	Henry C. Foster
J. G. Hudson	R. P. Hamilton
Roy Bledsoe	

Absent were:

Boyd Duckworth	James M. Hartsook
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The Chair declared a quorum present.

MINUTES APPROVED

Squire Conner stated that inasmuch as the Agenda was lengthy, and that all Squires had a copy of the minutes of October 1, 1973, and the adjourned session of the September meeting of September 18, 1973, moved that the reading of the minutes be dispensed with and that they be approved as written and received which motion was seconded by Squire Williams and approved unanimously by all Squires present on a roll-call vote. This included the reading of the minutes.

OPEN DISCUSSION

A. W. CARPENTER  
REQUEST

During the open discussion session Mr. Carpenter was present stating that he had been to the Planning Commission concerning a proposed rezoning on U.S. 411 but that the Planning Commission had failed to approve his request and that he would like some consideration from the Quarterly Court. It was moved by Squire Conner, seconded by Squire Foster, that the matter be referred back to the Planning Commission for reconsideration.

JOHN BROWDER REQUEST  
TO CLOSE ROAD

John Browder from the Second District was present requesting consideration of the possibility of closing the Old Loudon Road which passes by his house with he to give right-of-way necessary for the relocation of the road. It was moved by Squire Blair, seconded by Squire Williams, and unanimously approved that this matter be referred to the Planning Commission for consideration under the rules of the Court. This was unanimously approved by all Squires present.

BUSINESS SESSION

AGENDA AMENDED

It was then moved by Squire Blair, seconded by Squire Hudson, and unanimously approved by all Squires present that the agenda be amended so as to put first for consideration the question on the agenda concerning the election of County School Board members by popular vote.

After some discussion it was moved by Squire Blair, seconded by Squire Williams, and unanimously approved by all Squires present that this question concerning the election of County School Board members by popular election be postponed for further consideration at a later time.

SQUIRE BLEDSOE PRESENT

Squire Bledsoe came in.

REZONING  
EARL CRISP REQUEST

By agreement, the matter concerning rezoning of the property of Earl Crisp on U. S. Highway 11 was considered at this time with presentation being made by Attorney Charles Eblen. After discussion, it was moved by Squire Williams, seconded by Squire Blair, and unanimously approved by all Squire present that Resolution NO. 31-73, attached to these minutes as Exhibit A, be adopted, the caption of said Resolution being as follows:

A RESOLUTION, PURSUANT TO THE AUTHORITY GRANTED BY SECTION 13-405, TENNESSEE CODE ANNOTATED, TO REZONE APPROXIMATELY 2 ACRES IN THE HIGHLAND PARK COMMUNITY NEAR LENOIR CITY, TENNESSEE, FROM R-1 SUBURBAN RESIDENTIAL TO C-2 GENERAL COMMERCIAL

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ZONING RESOLUTION:  
AMENDMENTS CONCERNING  
MOBILE HOMES  
~~XXXXXXXXXXXX~~ TEMPORARY  
DWELLING UNITS

By agreement the additional items concerning amendments to the Zoning Resolution were considered, the Public Hearing and all notices having been duly made, and upon motion by Squire Conner, seconded by Squire Hudson, Resolution No. 32-73, attached to these minutes as Exhibit B, were unanimously approved on a roll-call vote by all Squires present, the caption of said Resolution being as follows:

A RESOLUTION, PURSUANT TO THE AUTHORITY GRANTED BY SECTION 13-405 OF THE TENNESSEE CODE ANNOTATED AMENDING THE ZONING RESOLUTION OF LOUDON COUNTY, TENNESSEE, TO PROVIDE FOR TEMPORARY DWELLING UNITS IN CASES OF MEDICAL HARDSHIPS OR OTHER SPECIAL HARDSHIPS UNDER CERTAIN CIRCUMSTANCES AND TO PERMIT THE CONSTRUCTION OF TWO DWELLING UNITS ON LOTS OF 2 ACRES OR MORE PROVIDED EACH DWELLING STRUCTURE MEETS ALL THE REQUIREMENTS OF THE ZONE IN WHICH IT IS LOCATED.\*\*\*\*\*

ROAD STANDARDS  
POSTPONED

It was moved by Squire Blair, seconded by Squire Foster, and unanimously approved by all Squires present, that the question of accepting the Revised Road Standards be postponed until the next meeting so that the Court would have further chance to study the proposal.

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BUILDING CODE DATE  
POSTPONED

Squire Bledsoe stated that he had been contacted by some of the contractors and suppliers requesting additional time for the preparation of proposals for a building code for Loudon County, and he then moved, which motion was seconded by Squire Hudson, that the contractors and suppliers be given until March 1 to make their recommendation, with the Building Code enforcement to be suspended until further action of the Quarterly Court. The motion passed unanimously.

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BRANDYWINE SUB-DIVISION  
ROADS ACCEPTED  
CONDITIONALLY

It was moved by Squire Blair, seconded by Squire Hamilton, and unanimously approved by all Squires present, that the roads in the Brandywine Sub-division, as shown on the recorded plat in Map Book 2, Page 211-210, in the Register's office of Loudon County, be accepted as County roads conditioned upon final certification of acceptance by the County Road Engineer.

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BANKS' SECURITY  
INCREASED

County Judge reported that there had been a vast change in the amount of County deposits in the local banks in the County in the past several months, and according to law contacts had been made with the banks and that they were putting up the proper security deposits to protect the County's deposits and investments in accordance with Federal and State laws.

RETIREMENT SYSTEM

He further stated that the three departments of the County had been approved and accepted into the State system by the Board of Trustees of the Tennessee Consolidated Retirement System.

LOCAL GOVERNMENT  
LIABILITY ACT  
DECISION POSTPONED

Judge Sproul further stated that the question about what position should be taken concerning the new Local Government Liability Act which removes governmental immunity was still unclear in his mind and he was attempting to get additional opinions and suggestions that the matter be postponed.

CECIL CUSICK CLAIM

He further reported that a claim had been made against the County by Cecil Cusick who stated that he had parked his car in front of the Court House and that a pebble from the mowing machine had struck his windshield and cracked it. The County has no liability insurance, and under law is immune from suits or liability for such an incident. After discussion, during which time it was expressed by several Squires that under the particular circumstances involved they felt it would be a responsibility of the County to replace the windshield if the owner's insurance would not do so, and it was so moved by Squire Foster, seconded by Squire Conner, and unanimously approved by all Squires present on a roll-call vote, with the payment, if necessary, to come from the Unallocated Fund.

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RURAL ROAD  
LEGISLATIVE PROGRAM

Judge Sproul explained that he attended a Legislative Hearing, along with Squire Hamilton, promoting the idea that a significant increase in support from the 2¢-gas tax should be put toward improvement of the rural road system in all the Counties and that a resolution from the Quarterly Court might be beneficial. It was moved by Squire Blair, seconded by Squire Hamilton, that Resolution No. 33, attached to these minutes as Exhibit No. C, be adopted, which motion passed unanimously, the heading of said Resolution being as follows:

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CENTRAL GARAGE

The County Highway Commissioners present requested that the matters concerning the County Central Garage be placed on the next agenda for discussion with the Purchasing Committee in the meantime to continue to iron out any bugs and clarify regulations as to the operation of the Garage.

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COUNTY JUSTICE CENTER  
PLANS AND SPECS.  
APPROVED

Architect Thomas Woodard of the engineering firm of Barge, Waggoner, Cannon & Sumner was present with the final plans for the Loudon County Justice Center. He stated that he was ready to advertise for bids on the building in the next few days upon receiving approval from the Quarterly Court. It was moved by Squire Blair, seconded by Squire Hamilton, and unanimously approved by all Squires present on a roll-call vote that the plans and specifications as prepared by the architect be approved and that he be authorized to proceed as soon as possible advertising for bids, with the final decision left to him as to separating the bidding as to the grading and the construction of the building.

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TVA SECURITY PATROL

Judge Sproul explained that the question concerning the TVA Security Patrol in the Tellico Reservoir area was under consideration as to continuance by TVA. It was moved by Squire Hudson, seconded by Squire Blair, that the Quarterly Court go on record as supporting and requesting the continuance of the TVA Security Patrol because of the great assistance it had been to the County and to the area, which motion passed unanimously.

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SOLID WASTE DISPOSAL  
TRANSFER STATION REPORT

It was reported that State Health Department Regional Representative had inspected our Transfer Station site and had some recommendations as to improvements which included getting a water supply to the hopper area, controlling rates, making better provision for sanitation, etc. He further had ruled that it would be impossible to use the old quarry as a site for the dumping of debris, leaves, etc.

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AIR-CONDITIONING AND  
HEATING IMPROVEMENTS  
FOR COURT HOUSE  
APPROVED

It was moved by Squire Blair, seconded by Squire Hudson, and unanimously approved by all Squires present on a roll-call vote that the letting of the bid for the heating and air-conditioning of the County Court House be approved and the necessary funds be appropriated from General Revenue Sharing, provided that the bid previously made by the R. W. Issac's Heating and Air Conditioning Company some months ago remain firm, the amount of said bid being \$ \_\_\_\_\_.

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ELECTION COMMISSION  
OFFICER PAY RAISE  
APPROVED

It was explained that the Election Commission had written a letter requesting additional pay for one officer in each precinct because of additional duties and responsibilities on that officer. After discussion, it was moved by Squire Hamilton, seconded by Squire Hudson, and unanimously approved by all Squires present on a roll-call vote that the Election Commission be authorized to pay one officer in each precinct an additional \$5.00 per day for each election day.

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MANPOWER PROGRAMS

It was reported that the question of sponsorship of Manpower Programs had been decided by the Governor's Office with a recommendation that the sponsorship go to the Mid-East Community Action Agency and that there was no necessity for further consideration by the Quarterly Court.

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BUDGET AMENDMENTS  
APPROVED

It was moved by Squire Blair, seconded by Squire Foster, and unanimously approved by all Squires present on a roll-call vote that the budget amendments as indicated on the attachment sheet for November 5, 1973, be approved, a copy of said amendments being attached to these minutes as Exhibit D, which motion also included the Title I amendments as shown on Exhibit \_\_\_\_\_.

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RECESS

The Chair declared a 10-minute recess.

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ADJOURNED SESSION

It was moved by Squire Blair, seconded by Squire Hudson, and unanimously approved by all Squires present that the Quarterly Court hold an adjourned session one week later on Monday night, November 12, 1973, at 7:00 P. M. with any item on the agenda to be eligible for discussion but with primary consideration to go toward the questions of election of the County School Board by popular election, the reorganization of the Loudon County Highway Department, the Department of Education report, and the condemnation of the Dr. Harsh property at Philadelphia for a purpose of an industrial park.

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HOSPITAL EQUIPMENT  
IN OLD BACON BUILDING

It was moved by Squire Conner, seconded by Squire Foster, and unanimously approved that, in accordance with the recommendation of the Old Bacon Hospital Committee, the equipment in the old Hospital building be authorized to be leased out for a reasonable compensation based on charges that have already been determined by the Hospital Administration to those people who properly request the same, with the Hospital to keep track of the property that is leased and be responsible for it.

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NOTARY PUBLICS ELECTED

It was moved by Squire Blair, seconded by Squire Williams, that the following persons be elected as notary publics, the motion passing unanimously:

- Faye W. Bailey - new
- Jeree L. Ernst - new
- William J. Clark - renewal
- Paul Arp - renewal

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ADJOURNMENT

It was moved by Squire Blair, seconded by Squire Hudson, and unanimously approved that the meeting be adjourned at 2:50 P. M.

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APPROVED

LOUDON COUNTY RESOLUTION NO. 31-73

A RESOLUTION, PURSUANT TO THE AUTHORITY GRANTED BY SECTION 13-405, TENNESSEE CODE ANNOTATED, TO REZONE APPROXIMATELY 2 ACRES IN THE HIGHLAND PARK COMMUNITY NEAR LENOIR CITY, TENNESSEE, FROM R-1 SUBURBAN RESIDENTIAL TO C-2 GENERAL COMMERCIAL.

WHEREAS, The Quarterly Court of Loudon County, Tennessee, has adopted The Zoning Resolution of Loudon County, Tennessee, and

WHEREAS, Section 13-405 of the Tennessee Code Annotated provides that the County Quarterly Court may from time to time amend the number, shape, boundary, area, or any regulation of or within a district or districts or any other provision of any zoning ordinance, and

WHEREAS, The Lenoir City Regional Planning Commission has recommended to the Loudon County Regional Planning Commission that the herein described real estate be rezoned from R-1 Suburban Residential to C-2 General Commercial in accordance with Section 13-405 of the Tennessee Code Annotated.

NOW, THEREFORE BE IT RESOLVED BY THE QUARTERLY COURT OF LOUDON COUNTY, TENNESSEE, at its regular meeting on November 4, 1973, that the hereinafter described real estate be rezoned from R-1 Suburban Residential to C-2 General Commercial classification which real estate is more specifically described as follows:

Situated in District No. Two (2) of Loudon County, Tennessee, in or near what is known as "Highland Park", a suburb of the town of Lenoir City, as follows:

BEGINNING on an iron pin in the edge of the right-of-way of the Lenoir City to Knoxville new hard surfaced road, at corner with Key; thence northwest with the line of Key 384 feet to an iron pin; thence south-west 70 feet to an iron pin in the line of McGinnis; thence in a north-western direction with a wire fence on a line of Roach 250 feet to a stake, corner with Will Bivens; thence in a south-eastern direction with the line of Will Bivens 471 feet to the edge of the right-of-way of the said new hard surfaced highway; thence west or south-west with the said road or right-of-way 189 feet to the beginning corner, the same containing two (2) acres, more or less.

BEING the same property that was conveyed to Earl Crisp and wife, Nettie Crisp, by deed dated June 15, 1971, from Viola H. (Mrs. C.S.) Murray, et als, and which deed is of record in Deed Book No. 103, Page 236 in the Register's Office at Loudon, Tennessee.

BE IT FURTHER RESOLVED, that the Zoning Map of Loudon County be amended immediately to reflect the above rezoning.

BE IT FINALLY RESOLVED, that this Resolution shall take effect immediately, the public welfare requiring it.

November 5, 1973  
DATE

Edward Alexander  
Loudon County Court Clerk

Harvey L. Spraul  
Loudon County Judge

*Exhibit A*

A RESOLUTION, PURSUANT TO THE AUTHORITY GRANTED BY SECTION 13-405 OF THE TENNESSEE CODE ANNOTATED AMENDING THE ZONING RESOLUTION OF LOUDON COUNTY, TENNESSEE, TO PROVIDE FOR TEMPORARY DWELLING UNITS IN CASES OF MEDICAL HARDSHIPS OR OTHER SPECIAL HARDSHIPS UNDER CERTAIN CIRCUMSTANCES AND TO PERMIT THE CONSTRUCTION OF TWO DWELLING UNITS ON LOTS OF 2 ACRES OR MORE PROVIDED EACH DWELLING STRUCTURE MEETS ALL THE REQUIREMENTS OF THE ZONE IN WHICH IT IS LOCATED.

RESOLUTION NO. 32-73  
LOUDON COUNTY RESOLUTION

A resolution to amend the County Zoning Resolution

WHEREAS, the Loudon County Quarterly Court, in accordance with Chapter four, section 13-405, of the Tennessee Code Annotated, may from time to time, amend the number, shape, boundary, area, or any regulation of or within any district or districts or any other provision of any zoning ordinance, and

WHEREAS, the Loudon County Regional Planning Commission has forwarded its recommendations regarding the amendment of The Zoning Resolution of Loudon County, Tennessee and the necessary public hearing called for and held;

NOW THEREFORE, BE IT RESOLVED by the Loudon County Quarterly Court that The Zoning Resolution of Loudon County, Tennessee, Article Three, Section 3.042, subsection C; and Article Four, Section 4.050 be amended to add the following provisions:

Section 3.042, Subsection C,  
14. Governmental Buildings and Community Centers.

Section 4.050

G. Temporary Dwelling Units In Cases Of Medical Hardships

In any district, a Temporary Use Permit may be issued to erect a residential structure temporarily on a lot which already contains a residential structure, provided that the purpose of erecting such a structure temporarily shall be to make it possible for a resident of either structure to provide assistance to a person who requires assistance due to physical or mental disability, and provided further that such a temporary structure does not represent a hazard to the safety, health, or welfare of the community.

An applicant for a Temporary Use Permit as provided under this subsection must produce a written statement from a physician certifying that the specific disability requires assistance from someone in close proximity as evidence of such disability, and a written statement from the Loudon County Sanitarian approving the sewage disposal system of the proposed temporary structure.

Such permit may be initially issued for 18 months. A permit may be renewed for one year at a time, subject to producing a new statement from a physician certifying that the assistance is still required due to the disabling condition.

The person requiring assistance due to the stated disabling condition may be a resident of either the temporary or permanent structure.

*Exhibit B*

The temporary residence shall be treated as an accessory structure.

H. Temporary Dwelling Units In Cases Of Other Special Hardships

In any district, a Temporary Use Permit may be issued to erect a residential structure temporarily on a lot which already contains a residential structure where the Loudon County Board of Zoning Appeals finds that special circumstances or conditions, fully described in the findings of the Board, exist, such that the use of a temporary residential structure is necessary in order to prevent an exceptional hardship on the applicant, provided that such a temporary structure does not represent a hazard to the safety, health, or welfare of the community.

An applicant for a Temporary Use Permit as provided under this subsection must produce a written statement from the Loudon County Sanitarian approving the sewage disposal system of the temporary structure. Such a permit may be initially issued for nine months. A permit may be renewed for up to six months at a time, not exceeding a total of eighteen (18) months. The temporary residence shall be treated as an accessory structure.

Section 4.080, Subsection A, (deleting existing paragraph I)

1. Only one (1) principal building and its customary accessory buildings may be erected on any lot. However, on land in tracts of two acres or more where the tract is a lot of record in the Register's office of Loudon County, Tennessee, as many as two dwelling structures may be erected on a tract provided each dwelling structure meets all of the requirements of the zone in which it is located. This provision does not prohibit planned development complexes as permitted under Article 4, Section 4.100, of this resolution.

BE IT FINALLY RESOLVED, That this Resolution shall take effect immediately, the public welfare requiring it.

Date: November 5, 1973

Attested By: Edward A. [Signature]  
Loudon County Court Clerk

Harvey L. Sprad  
Loudon County Judge

COUNTY OF LOUDON

RESOLUTION # 33-73

A RESOLUTION URGING A DRAMATIC INCREASE IN  
STATE APPROPRIATIONS FOR RURAL ROAD IMPROVEMENT

WHEREAS, the amount of State funds that have been appropriated through recent years for rural road purposes has not been sufficient to meet the increased problems and demands in Loudon County for rural roads; and

WHEREAS, road problems of "crisis" proportions are upon Tennessee Counties, and can be expected to grow even worse during the next few years; and

WHEREAS, the question of providing safe and adequate roads for all of the County residents is important to the welfare of the citizens of this County; and

WHEREAS, this Quarterly Court approves and supports the increased funding request of the Commissioner of Transportation and the Office of the Governor for Rural Road purposes;

NOW THEREFORE BE IT RESOLVED BY THE LOUDON COUNTY QUARTERLY COURT in regular session assembled on this the 5<sup>th</sup> day of November, 1973, that the State Administration, and the State Legislature be requested and implored to consider and implement a dramatic annual increase in the amount of funds available for rural road purposes for the Counties of this State, to be increased beyond the amount requested in the Administration's budget if possible.

Be it further resolved that copies of this Resolution be furnished to the Office of the Governor, and to the Speaker of the House and the Lieutenant Governor, and to the Joint Committee for the Study of Rural Roads in the State of Tennessee.

This the 5<sup>th</sup> day of November, 1973.

Harvey L. Spraul  
County Judge

*Ex. Let C*

BUDGET AMENDMENTS  
FOR  
NOVEMBER 5, 1973, AGENDA

SCHOOL DEPARTMENT

Transfer \$18,360.00 from Account 97 (Unappropriated Surplus) to Account 2210.9 (Salaries for 9 Aides) in the amount of \$15,660.00 and to Account 2210.51 (Secretary Salary at Eatons School) in the amount of \$2,700.00. This transfer is to be made to meet the comparability of Effort Requirement of Title -I- E.S.E.A.

Transfer \$4,047.28 from Account 97 (Unappropriated Surplus) to Account 2220.9 (Other Contracted Services for Instructions). This transfer is to cover the expenses of the contract entered into with Lenoir City Board of Education for a period of one year for Health Occupations Program.

Increase Account 2110.3 (Salary of Superintendent) in the amount of \$180.00 and increase Account 131.1 (Equalization Funds).

Increase Account 2210.2 (Salary of Supervisor) in the amount of \$191.00 and increase Account 131.1 (Equalization Funds).

Title -I- 73/01

Approve attached budget amendment.

FEDERAL REVENUE SHARING TRUST FUND

Transfer \$1,710.00 from Account 97 (Unappropriated Surplus) to the following accounts:

Account

1600	Capital Outlay	
	530-52	County Garage Renovation of Bldg. \$1,160.00
		Rock furnished by Lee Malone
	200-56	Financial Administration
		Panel for bookkeeping machine to record
		W-2 Forms 550.00

*Exp. Robert D.*



TENNESSEE  
STATE DEPARTMENT OF EDUCATION  
OFFICE OF COMMISSIONER  
NASHVILLE 37219

October 3, 1973

Mr. A. C. Dukes, Sr., Superintendent  
Loudon County Schools  
Loudon, Tennessee 37774

Dear Mr. Dukes:

Your request of September 25, 1973 to establish Project 73.21 to be funded from FY 1973 carry-over funds, and to be combined, but not co-mingled with Project 74.01 under Title I, Public Law 89-10 as amended, has been reviewed by this office. Your request is approved as follows:

Decrease

FY 73 Unprogrammed Allotment Balance \$532.89

Increase

2720.3 Repair of Equipment \$532.89

Project Budget 73.21 in the amount of \$532.89 is funded in full.

Fiscal year 1973 carry-over funds must be budgeted, reported, and accounted for separately from FY 1974 funds.

Separate financial reports (Form A and B and Final Completion Reports) are required of all FY 1973 funds budgeted in FY 1974 as FY 1973 carry-over funds.

These approved project carry-over funds may be encumbered until June 30, 1974.

Your Title I records and books of account should be adjusted to reflect the above changes.

Sincerely yours,

Benjamin E. Carmichael  
Commissioner

BEC/vg