

**Crystal Lake Township**  
1651 Frankfort Hwy., PO Box 2129  
Frankfort, MI 49635-2129

**AMERICAN RESCUE PLAN ACT COMMITMENT RESOLUTION**

**Resolution Number: 06-15-2021 # \_\_\_\_\_**

**Date: June 15, 2021**

**Whereas**, on March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by the President. Section 9901 of ARPA amended Title VI of the Social Security Act (the Act) to add section 602, which establishes the Coronavirus State Fiscal Recovery Fund, and section 603, which establishes the Coronavirus Local Fiscal Recovery Fund (together, the Fiscal Recovery Funds). The Fiscal Recovery Funds are intended to provide support to State, local, and Tribal governments (together, recipients) in responding to the impact of COVID-19 and in their efforts to contain COVID-19 on their communities, residents, and businesses.

**Whereas**, through the Fiscal Recovery Funds, Congress provided State, local, and Tribal governments with significant resources to respond to the COVID-19 public health emergency and its economic impacts through four categories of eligible uses. Sections 602(c)(1) and 603(c)(1) provide that funds may be used: a) To respond to the public health emergency or its negative economic impacts or aid to impacted industries; b) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers; c) For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; and d) To make necessary investments in water, sewer, or broadband infrastructure.

**Whereas**, the COVID-19 public health emergency has underscored the importance of universally available, high-speed, reliable, and affordable broadband coverage as millions of Americans rely on the internet to participate in, among critical activities, remote school, healthcare, and work. Recognizing the need for such connectivity, the ARPA provides funds to State, territorial, local, and Tribal governments to make necessary investments in broadband infrastructure.

**Whereas**, eligible investments in broadband are those that are designed to provide services meeting adequate speeds and are provided to unserved and underserved households and businesses. Eligible projects are expected to be designed to deliver, upon project completion, service that reliably meets or exceeds symmetrical upload and download speeds of 100 Mbps. There may be instances in which it would not be practicable for a project to deliver such service speeds because of the geography, topography, or excessive costs associated with such a project. In these instances, the affected project would be expected to be designed to deliver, upon project completion, service that reliably meets or exceeds 100 Mbps download and between at least 20 Mbps and 100 Mbps upload speeds and be scalable to a minimum of 100 Mbps symmetrical for download and upload speeds.

**Whereas**, recipients are also encouraged to prioritize investments in fiber optic infrastructure where feasible, as such advanced technology enables the next generation of application solutions for all communities. Eligible projects are expected to focus on locations that are unserved or underserved. The interim final rule treats users as being unserved or underserved if they lack access to a wireline connection capable of reliably delivering at least minimum speeds of 25 Mbps download and 3 Mbps upload as

households and businesses lacking this level of access are generally not viewed as being able to originate and receive high-quality voice, data, graphics, and video telecommunications.

**Whereas**, in order to avoid duplication of efforts and resources. Recipients are encouraged to consider ways to integrate affordability options into their program design. To meet the immediate needs of unserved and underserved households and businesses, recipients are encouraged to focus on projects that deliver a physical broadband connection by prioritizing projects that achieve last mile-connections.

**Whereas**, the ARPA expressly permits the use of Fiscal Recovery Funds for improvements to water, sewer, and broadband infrastructure, which entail a longer timeframe. In recognition of this, Treasury is interpreting the requirement in section 602 and section 603 that costs be incurred by December 31, 2024, to require only those recipients have obligated the Fiscal Recovery Funds by such date.

**Therefore**, the Crystal Lake Township board commits the use of the ARPA Fiscal Recovery Funds to invest in broadband infrastructure of adequate speeds to the unserved or underserved households and businesses of Crystal Lake Township.

**Furthermore**, the intended costs of broadband infrastructure improvements will be obligated by December 31, 2024.

This resolution was so moved by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Roll call vote: \_\_\_\_\_ Amy Ferris, Supervisor

\_\_\_\_\_ Richard Nielsen, Trustee

\_\_\_\_\_ William Northway, Trustee

\_\_\_\_\_ Sue Sullivan, Clerk

\_\_\_\_\_ Brooke Trentham Popp, Treasurer

The Supervisor declared this resolution carried and duly adopted.

\_\_\_\_\_ Sue Sullivan, Crystal Lake Township Clerk