

**March 10th, 2026  
Town Council  
Regular Meeting  
Res. No.**

**A RESOLUTION OF THE WARRENTON TOWN COUNCIL URGING THE RECUSAL OF THE MAYOR FROM ALL MATTERS RELATING TO THE COMMISSION FOR OPEN AND TRANSPARENT GOVERNMENT AND THE AMAZON DATA CENTER MATTER IN WARRENTON**

**WHEREAS**, on January 14th, 2025, the Warrenton Town Council approved the formation of the Warrenton Commission on Open and Transparent Government (the “Commission”) to review past land use applications, with particular interest in the Town’s approval of Special Use Permit 22-03 issued on February 14th, 2023 to Amazon Data Services (“Amazon”) for a data center in Warrenton;

**WHEREAS**, the Commission was duly authorized to investigate the processes and actions taken by the Town in connection with the Amazon data center project, and to access and review Town records, including the e-mails of present and former elected officials, to conduct its investigation;

**WHEREAS**, immediately following the Commission’s first public meeting, Mayor Nevill initiated communications with the offices of Delegate Michael J. Webert and the Virginia Municipal League seeking a legal basis to terminate the Commission, demonstrating a clear pattern of conduct aimed at subverting a duly authorized investigation in which he has a personal interest;

**WHEREAS**, Mayor Carter Nevill’s conduct is a subject of the Commission’s inquiry, and on April 9th, 2025, it was confirmed that Mayor Nevill retained the services of the Hirschler Fleischer law firm to represent him both personally and in his capacity as Mayor on matters related to the Commission’s investigation;

**WHEREAS**, the Council has confirmed that the Hirschler Fleischer law firm also represents Amazon in at least four major data center projects in the State of Virginia, creating a direct legal and financial nexus between the Mayor’s personal legal representative and a corporate entity that is a primary subject of the Commission’s investigation;

**WHEREAS**, the Town Council has a fundamental duty to uphold the public trust and ensure the integrity of its proceedings, its appointed commissions, and its Code of Ethics, which requires that conflicts of interest, and the appearance of such conflicts, be addressed directly and publicly;

**WHEREAS**, the aforementioned facts, when considered in the aggregate, establish a clear and compelling case that the Mayor has violated multiple provisions of the Town of Warrenton Code of Ethics, as follows:

- 1) **VIOLATION OF SECTION 1 (STEWARDSHIP OF THE PUBLIC INTEREST):** Section 1 requires that the "stewardship of the public interest" must be the "primary concern" of elected officials, and that elected officials "will assure fair and equal treatment of all persons, claims and transactions coming before the Town of Warrenton Town Council, boards, commissions, and committees." The Mayor's own legal personal representation by a law firm with a substantial practice representing Amazon, and by actively seeking to terminate an investigation into his own conduct, the Mayor has placed his personal interests ahead of his duty to ensure a fair and impartial process, thereby violating his primary duty to the public interest;
- 2) **VIOLATION OF SECTION 2 (AVOIDANCE OF IMPROPRIETY):** Section 2, which requires that the conduct of officials "must be above reproach and avoid even the appearance of impropriety," and that members "shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of the Town Council, boards, commissions, or committees." The Mayor's decision to share legal representation with the primary subject of a Town investigation creates a profound and undeniable appearance of impropriety, suggesting his interests are aligned with a private corporation rather than the public he serves. Further, the Mayor's e-mail communications to Delegate Webert's office and Michelle Gowdy of the Virginia Municipal League, where he accuses the Commission and its members of "abuse of authority" and conducting a "witch hunt," clearly evidence a pattern of abusive conduct and attack on the motives of the Commission and its members;
- 3) **VIOLATION OF SECTION 7 (CONFLICT OF INTEREST):** Section 7 prohibits officials from having a "personal relationship that may give the appearance of a conflict of interest" and requires that they "abstain from participating in deliberations and decision-making where conflicts may exist." The Mayor's retention of Amazon's legal counsel constitutes a clear conflict of interest, and his being a subject of the investigation by the Commission demands his abstention from all related matters;
- 4) **VIOLATION OF SECTION 9 (CONFIDENTIAL INFORMATION):** Section 9 prohibits officials from using confidential information to "advance their personal, financial, or other private interests." By being privy to confidential Town legal strategies concerning Amazon and the Commission, while sharing counsel with Amazon, the Mayor has created an unacceptable risk that such information could be used to advance his private interest in thwarting the Commission's work, and places himself, and the Town, at substantial risk for potential release of this information;
- 5) **VIOLATION OF SECTION 14 (UNDUE INFLUENCE):** Section 14 requires that officials "refrain from using their positions to unduly influence the deliberations or outcomes of . . . commission proceedings." The Mayor's documented efforts to terminate the Commission represent a direct and unambiguous attempt to use the influence of his office to gain a personal advantage by ending an investigation into his own actions.

**WHEREAS**, the confluence of his relationships and his past actions pose clear potential conflicts of interest for Mayor Nevill relative to the Town of Warrenton.

**NOW BE IT FURTHER RESOLVED BY THE TOWN COUNCIL THAT:**

- 1) The Town Council of the Town of Warrenton hereby warns Mayor Carter Nevill that, because of a profound conflict of interest and an appearance of impropriety, based on the facts as detailed above, he is in violation of the Town of Warrenton Code of Ethics;
- 2) The Town Council admonishes Mayor Nevill to immediately recuse himself from any and all further participation in setting or scheduling Town Council agenda items related to the Commission, or in any matter concerning the Amazon Data Services data center project in Warrenton, and that all such agenda items will automatically be placed on the agenda upon submission by any Council member, Town Manager, or Town Attorney to the Town Clerk in advance of every Town Council meeting;
- 3) The Mayor's recusal shall be comprehensive and absolute, including, but not limited to, abstaining from all formal and informal discussions, other communications, deliberations, and votes, including in particular any tie-breaking vote, on any matter related to the Commission, its access to e-mails or other Town records sought by the Commission, or any other matter related to the Amazon Data Services data center project;
- 4) The Mayor's recusal shall extend to any private meeting, discussion, or engagement of any kind with any Town Council member, the Town Manager, the Town Attorney, or any Town staff member relating to the Amazon Data Services data center project, any pending or future litigation involving Amazon, or the work of the Commission.

ATTACHMENT:

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

Town of Warrenton

**ATTEST:** \_\_\_\_\_

***Town Recorder***