

**BOARD OF SUPERVISORS
COUNTY OF LOUISA
RESOLUTION**

At a regular meeting of the Board of Supervisors of the County of Louisa held in the Louisa County Public Meeting Room at 5:00 PM on the 5th day of September 2023, at which the following members were present, the following resolution was adopted by a majority of all members of the Board of Supervisors, the vote being recorded in the minutes of the meeting as shown below:

RESULT:	
MOVER:	None
SECONDER:	None
AYES:	None

**A RESOLUTION TO APPROVE THE PERFORMANCE AGREEMENT BETWEEN
THE COUNTY OF LOUISA AND AMAZON DATA SERVICES, INC.**

WHEREAS, the County of Louisa (the “County”) supports the economic welfare of its citizens, the creation and maintenance of sustainable jobs for its citizens, and the development of new infrastructure to serve its citizens, and therefore wishes to provide the necessary conditions to stimulate investment in the local economy and promote responsible business development, resulting in the creation of a substantial investment in the County, and to encourage economic growth and development opportunities; and

WHEREAS, Amazon Data Services, Inc., a Delaware corporation (the “Company”) is engaged in the development and operations of data centers, including through direct ownership and third-party partners (the “Project”); and

WHEREAS, the County and the Company desire to enter into an Economic Development Local Performance Agreement (the “Agreement”); and

WHEREAS, the Company has proposed to build, develop, and operate, or cause to build, develop, and operate, data center facilities (the “Project”) at locations in the County within the Technology Overlay District (“TOD”), including the Lake Anna Technology Campus and North Creek Technology Campus (collectively the “Sites”); and

WHEREAS, to build, develop, and operate data center facilities at the Sites, the Company intends to make billions of dollars of capital investment and create hundreds of new full-time jobs in the County; and

WHEREAS, time is of the essence in developing the Project Sites, and the County desires to work with the Company and its agents to provide efficient approvals of various zoning, permits, inspections, and other actions necessary to allow the Project development to proceed within the TOD; and

WHEREAS, the Company and County intend to implement processes and specify and develop the necessary infrastructure to support the Company’s Project, including transportation, water, power, connectivity, and other infrastructure, and to that end intend to enter into a Water Services Agreement and potentially other development agreements that reflect the County and Company’s obligations with regard to construction and development of such infrastructure; and

WHEREAS, to encourage the Company’s Project and additional data center development, the County desires to support infrastructure built by the Company, by providing incentives to the Company pursuant to Annual Infrastructure Grants and an Investment Performance Bonus; and

WHEREAS, the provision of the Annual Infrastructure Grants, Investment Performance Bonuses, Permitting, Utilities, and proposed Tax Package, were important factors in the Company’s decision to make capital investments and create jobs in the County; and

WHEREAS, the General Assembly of the Commonwealth of Virginia has enacted 59.1-284.42 of the Code of Virginia, known as the Cloud Computing Cluster Infrastructure Grant Fund (the “Grant Fund Program”); and **WHEREAS**, the Grant Fund Program requires that the Commonwealth grants are matched on a two-for-one basis (the “Local Match”) by the locality, and the County desires to provide the Local Match to encourage additional data center development; and

WHEREAS, the County recognizes that the Project will bring direct and indirect benefits to the County that constitute a valid public purpose for the use of public funds, including stimulating additional tax revenue and economic activity, and has offered to provide the Annual Infrastructure Grants, Investment Performance Bonus, Permitting, Utilities, and Tax package to induce development of the Project; and

WHEREAS, the County may act in cooperation with or through the Louisa County Industrial Development Authority for the provisions of its commitments under this agreement; and

WHEREAS, the Company acknowledges that its decision to locate the Project in the County resulted from the availability of the Grant Fund Program, Annual Infrastructure Grants, Investment Performance Bonus, Permitting, Utilities, and proposed Tax Package; and

NOW, THEREFORE BE IT RESOLVED, on this day 5th day of September, 2023, in consideration of the mutual covenants and agreements set forth herein, the Louisa County Board of Supervisors hereby agrees to the terms and conditions of the Agreement subject to future amendment thereto with regard to incentive package details.

BE IT FURTHER RESOLVED, the Louisa County Board of Supervisors authorizes the County Administrator to continue negotiating terms of an incentives package with the Company for future consideration by the Board.

A Copy, teste:

Christian R. Goodwin, Clerk
Board of Supervisors
Louisa County, Virginia