



Paul Gillum
of Ashland
Stays informed by
reading the latest
issue of The Daily
Independent

WEEKEND

Daily Independent

\$3.00 ASHLAND, KY 41101 © DAILYINDEPENDENT.COM SATURDAY-SUNDAY, OCTOBER 24-25, 2026

Horse farm owner arrested, horses still missing

BY MARY JANE EPLING
THE DAILY INDEPENDENT

PRINCESS The surrender of multiple horses and even the arrest of an equine farm owner in Boyd County this week has failed to reveal the location of

two horses amid disturbing images of stable conditions and emaciated horses that’s drawn extensive criticism online.

A Nicholasville-based non-profit focused on rehoming retired Thoroughbred horses, Mareworthy Charities

Inc., filed a lawsuit in Boyd County Circuit Court on Wednesday concerning the location of two horses contracted to Marlo Matheny, the owner of Ohana Run Farm.

Matheny has been at the center of controversy following

the disclosure of video and images captured at the Boyd County stables, depicting malnourished horses, some with visible injury, in conditions described as deplorable.

Earlier this month, Matheny told *The Daily Independent* six

or seven horses died at the farm over the last month under unexplained circumstances, either from foul play or “a scary environmental issue going on somewhere.”

SEE HORSES | A6

BZA pauses conditional use hearing

BY AARON SNYDER
THE DAILY INDEPENDENT

ASHLAND The Ashland Board of Zoning Adjustment tabled the only item on its agenda Tuesday, prompting a CEO of a prospective data center company to invite folks to another table.

Navneet Aron, the founder and CEO of Livio Building Systems, extended an invitation to members of the public to Bob Evans on his dime to provide details of a presentation that met a stop sign in Ashland’s commission chambers, which featured a large crowd.

TADA ASH-KY LLC has requested a conditional use permit for a data center facility at the former AK Steel Coke Plant property at 4045 Winchester Ave. TADA KY LLC is the property owner. Both entities list the same California mailing address — 171 Main Street, #562, Los Altos, California. The city implemented zoning restrictions

for potential data center operations within city limits. Those restrictions include a 1,500-foot buffer from residential zones, a 55-decibel noise limit at the property line, a maximum of 50,000 square feet for floor area per building and a 45-foot height limit.

Tuesday’s hearing lasted 40 minutes, but TADA never reached the point of flipping past the first slide of its prepared presentation.

City Attorney Andrew Wheeler stated an objection because of “a second plan identified in materials you’re going to be shown.” That “Plan B” was sent to city staff on Monday at 7 p.m., Wheeler said, with a revised copy sent Tuesday afternoon — allowing insufficient time for review, Wheeler contended.

“These were conditions raised as a result of a staff report we received last Thursday,” said attorney Nick Pregliasco, representing TADA.

Wheeler labeled this second option as a “variance, meaning a change from conditions the city commission sent.

“I don’t believe that’s appropriate to be addressed today. ... (Staff) is not prepared to give opinions about anything other than the initial plan. This is just a procedural objection.”

Variances require a public notice and a public hearing, which according to Wheeler, had not been advertised. He said the variance changes the 1,500-foot residential setback to 1,000.

“That is significant,” Wheeler



PHOTOS BY AARON SNYDER | THE DAILY INDEPENDENT

ABOVE: The Ashland Board of Zoning Adjustment listens to attorney Nick Pregliasco, who represents an applicant for a conditional use permit to build a data center at the former AK Steel Coke Plant. **INSET:** The first slide of TADA’s presentation for plans at the former coke plant property is seen Tuesday.

said. “... Plan 2 is a variance from those conditions. It’s not been public-noticed. It’s not been vetted by staff. That’s what the city objects to.”

Pregliasco used the term “relief” to describe a potentially “viable alternative.”

“What we have done is prepared and filed a plan fully compliant with the zoning ordinance and fully compliant with data center regulation,” he said. “During this review, concerns were raised by staff that the city may want additional land for potential expansion for water intake. ... The board may say we don’t like Plan 2.”

Shawn McDaniel, of the BZA, made a motion to table “until city officials have proper time to review the documentation that’s been submitted. I cannot give a decision based on what I have in front of me.”

Dave Bolen seconded the motion.

Before proceeding to a vote, Pregliasco emphasized the second plan was simply as a result of the city’s concern about raw water intake amid the property. He indicated both parties — the city and TADA — had a good, productive dialogue until recently.

“I would object to any characterization that staff has not been responsive,” Wheeler said. “There have been numerous conversations the city will not, from a utility standpoint, make a concrete determination on raw water intake needs for the foreseeable future. We’re actively engaged to determine what that is.”

Aron is listed as the organizer of both companies. He is the founder and CEO of Livio, which markets itself as producing engineered, panelized AI data-center construction.

Noticeably irked by Tuesday’s chain of events, Aron asked to speak.

“I’m not requesting to be approved or not approved,” Aron said. “We acquired the site as a mixed use industrial site. The intent is to have 70 acres of industrial and a small data center that is appropriate for the site — about 50 megawatts of total power.”

The coke plant property consists of 141 acres. With data center restrictions approved by the city, that leaves only 17 ½ acres for data center construction.

“Nowhere in America is there such a restrictive ordinance,” Aron said. He said his vision is creating a data center as an anchor tenant.

“We made excellent headway with city staff, had excellent conversations and communications with everybody in city staff,” Aron said. “The city wanted 5 acres for a city garage and we created space for that.”

SEE BZA | A6

Russell council kicks draft to planning commission

Proposed amendments pertain to data center construction, operation

BY AARON SNYDER
THE DAILY INDEPENDENT

RUSSELL Russell’s city council voted to refer proposed zoning regulations relating to data centers to the Greenup County Joint Planning Commission Thursday.

The 17-page draft ordinance contains details including conditional use standards, application requirements, restrictions regarding noise, size and more, and a decommissioning plan.

While the ordinance does not pertain to any specific company, one has been knocking at the door.

Rubix, a privately held company of the Submer Group, is working to finalize an acquisition of a brownfield site from Cleveland-Cliffs. It is the former AK Steel Ashland Works property. A total of 255 acres is in Russell, with 115 in unincorporated Boyd County and 149 in Ashland. With Ashland’s strict

zoning ordinance in place, it is not factored into Rubix’s plan, but Russell and Boyd County are.

Russell and Boyd County are both under a data center moratorium. Russell’s six-month pause expires in December.

SEE RUSSELL | A3

To subscribe to the
Daily Independent
call 326-2674 or
(800) 955-5860

Find us on:



CLASSIFIED	A4	REGION	A2-3, D1
DEATHS	A4	OPINION	A6
LIFESTYLES	C1-6	SPORTS	B1-4



TODAY’S WEATHER
HIGH..... **73**
LO..... **44**
FULL FORECAST, PAGE A6

