

Trump taps judge with deep ties to Paul for federal bench

BY AUSTIN R. RAMSEY
LEXINGTON HERALD-LEADER

President Donald Trump has nominated a conservative South-eastern Kentucky circuit court judge with longstanding ties to U.S. Sen. Rand Paul for a lifetime appointment to the federal bench.

Trump announced Tuesday afternoon in a Truth Social post that he was nominating Daniel “Dan” Ballou, chief judge of Kentucky’s 34th Judicial Circuit, to replace retired U.S. District Judge Gregory Van Tatenhove, who retired from the Eastern District of Kentucky bench in July to become the University of Kentucky’s new law school dean.

Ballou’s nomination came amid a batch of back-to-back federal judicial picks the president announced online Tuesday as the administration moves to fill red-state vacancies before the Senate’s calendar tightens ahead of the Nov. 3 midterm elections. His naming also ends months of speculation over the kind of Trump loyalist the White House would elevate to the bench and raises questions about the relative influence of Kentucky’s two Republican senators.

Traditionally, home-state senators play a major role in recommending candidates for federal judge-ships. Senate Majority Leader Mitch McConnell, Kentucky’s senior senator, had been expected to have significant sway over the process. But McConnell’s health problems and a two-month absence from public view had fueled questions about whether the vacancy would remain open.

Trump tapped Ballou, who has long been politically aligned with Paul and whose career has inter-



President Donald Trump shakes hands with U.S. Senator Rand Paul during a 2019 rally at Rupp Arena in Lexington.

sected with the senator’s in ways that have drawn scrutiny.

In 2011, the Kentucky Judicial Conduct Commission reprimanded Ballou after finding that he violated the judicial conduct code by publicly endorsing Paul’s 2010 U.S. Senate Campaign and engaging in political activity while serving as a judge.

The case stemmed from an email Ballou forwarded to other Kentucky judges in January 2010 that included pro-Paul campaign materials about the candidate’s position on the Second Amendment.

Ballou said he did not intend the email as an endorsement or to take a political position and defended his First Amendment rights. He also had been accused of making political contributions to former U.S. Sen. John McCain’s 2008 presidential bid, but the commission dismissed

those allegations.

Ballou agreed to the commission’s reprimand and remained on the bench.

Paul congratulated Ballou on X, formerly known as Twitter, on Tuesday, calling him a “Great American.” Trump highlighted Ballou’s military service, calling him “A True Patriot” and saying he had no doubt Ballou would be “a powerful defender of the Rule of Law on the Federal Bench in the GREAT Commonwealth of Kentucky.”

Kentucky Attorney General Russell Coleman, also a Republican, said on X Ballou’s service on the bench in Kentucky’s Appalachian mountain region and as a marine “have prepared him well to uphold the rule of law.”

“I look forward to his confirmation!” Coleman added.

Bear wanders into home, dines on fried chicken

BY TRIBUNE NEWS SERVICE

Something crashed through a Kentucky kitchen. The culprit wasn’t human

Decades after the Bluegrass State became linked to the infamous “Cocaine Bear” saga, another Kentucky bear is drawing attention for a far less dangerous, but no less unusual, food-related encounter. This time, the incident involved leftover fried chicken, a shattered table and a sleeping homeowner in Eastern Kentucky, WLKY reported.

Kendra North said a black bear wandered into her Harlan County home during the early morning hours after she and her partner unintentionally left their front door open while trying to cool their house during a stretch of hot summer weather. Without air conditioning in part of the home, the couple had opened the door for airflow before going to bed.

According to North, the bear entered the residence while the couple slept and made its way into the kitchen, where leftover Kentucky Fried Chicken had been left out overnight. The animal apparently found exactly what it was looking for,

helping itself to the meal and destroying a glass table in the process, Yahoo! said.

North said she slept through the entire encounter and only learned something was wrong after receiving repeated calls from her sister, who lives nearby. Her sister reported seeing the bear leaving the home and said the sound of the table breaking was loud enough that she initially thought a traffic accident had occurred outside, according to local12.com.

The homeowner estimated the bear may have weighed between 600 and 700 pounds, though wildlife officials have not publicly confirmed its size. Despite the commotion and the people nearby, the animal appeared focused on finding food rather than interacting with humans.

North later joked that while the damage to her home was frustrating, she was particularly disappointed about losing her leftover fried chicken. The incident quickly attracted attention online, with many observers noting the irony of a Kentucky bear seeking out one of the state’s most recognizable foods.

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“The planning commission would have a public hearing, make a recommendation and forward it to the legislative bodies,” Howard said.

STATEWIDE DATA CENTER GROWTH DRAWS SCRUTINY

Guidelines have been emerging on data centers in Kentucky, and with good reason.

In July, the Lexington Herald-Leader documented 18 A.I. data center proposals across the state, primarily in north-central Kentucky; only one, near Louisville, has been cleared for construction, according to Louisville Public Media.

According to the University of Kentucky’s Energy Planning Inventory Commission, the largest data centers “can use as much electricity as a small city. A 100-megawatt data center draws roughly the same electricity as 80,000 homes, around the clock, every day of the year.”

Indiana University’s Environmental Resilience Institute said in 2023 that data centers in the U.S. used 176 terawatt-hours of power. By 2030, that number is expected to climb to 426 terawatt-hours.

“In northern Indiana, utilities forecast a handful of proposed hyperscale data centers will require more electricity than all 6.8 million Hoosier households today,” the Indiana University report said.

Diesel generators for emergency power at data centers “emit significant amounts of particulate matter, nitrogen oxides, sulfur dioxide and carbon monoxide, all of which are associated with adverse health effects.”

Those generators likely would be tested monthly and would run infrequently, with the EPA not requiring diesel generators to have pollution controls, the IU report says.

The UK Energy Planning Inventory Commission report says whether data centers will affect electric rates for Kentucky residents “depends on whether the right rules are in place

before the project is built.”

“When a utility has to build a new substation, power lines, or generating capacity to serve a data center, those costs must be recovered from someone. If rules require the data center to pay for the infrastructure it specifically needs, existing customers are protected. If those rules are weak or absent, the costs get spread across every home, farm, and business on the system.”

OFFICIALS WEIGH SAFEGUARDS FOR COMMUNITY

Some model regulations have been drafted by the Kentucky Resources Council, which is described as “Kentucky’s only statewide public-interest environmental law and advocacy organization.” The model regulations address issues such as where data centers would be prohibited, such as on land prone to flooding, near wetlands or on prime farmland; required minimum distances from residential, agricultural or commercial property; design standards, buffering and screening; noise abate-

ment and maximum noise limits; and water and power requirements.

“Our purpose is to get regulations,” Kuegel said.

“I know the governor put something out a couple of days ago,” Kuegel said referring to Gov. Andy Beshear’s Aug. 6 executive order regarding data centers.

Beshear’s order calls for data center developers to submit plans to the state, “showing how it will protect residential (utility) ratepayers, including assurances that it can meet its energy needs now (and) into the near-term.” The order would prohibit utilities from increasing electric rates “to recover costs caused by the development and operation of a data center,” and would block data center projects that would “negatively impact Kentucky’s air quality, water use, water quality, water supply, federal jurisdiction wetlands or natural resources.”

Beshear’s order says data center developers would also be required to pay their “full and fair share of state and local taxes,” and would have to commit to

“engaging in public discussion with local community leaders and members ... addressing with full transparency the community’s questions, including how the data center will create local job opportunities.”

“It’s a good start,” Kuegel said of the executive order. “Ultimately, it’s going to be up to the local politicians to welcome or not welcome something like this to their communities.”

Castlen said he supports having regulations that would place requirements on how a data center could be built and operated locally.

“As far as the county, absolutely I would want us to put safeguards in,” Castlen said.

While zoning regulations could put requirements on data center construction and operation, communities cannot ban data centers entirely, Castlen said.

“One thing I’ve told citizens when I’ve emailed them, we cannot ban legal businesses from coming to our county,” Castlen said. “You can put in conditions and parameters. ...We can set up parameters to safe-

guard our community. The reality is I hope as we do our research, we can put things in place.”

Watson said he supports restrictions on data centers, and that he would like uniform regulations to be adopted by cities and counties statewide. Watson said he plans to discuss the idea of uniform regulations in an upcoming meeting with state Attorney General Russell Coleman.

“We’ve got 162 cities and 120 counties,” Watson said. Rather than multiple sets of regulations across the state, Watson said he would prefer “if we could come up with a uniform proposal that could be easily adopted.”

With a uniform ordinance, “you wouldn’t have 100 of them sitting out there getting scrutiny” or being subject to challenges, Watson said.

Watson said he does want to hear the results of the planning commission’s research.

“It would be nice to start from that,” Watson said. “It would be nice to have some leadership on that from them.”



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