

LOGAN FISCAL COURT
RESOLUTION NO. 2020-7

2020 JUL 29 AM 12:50

**A RESOLUTION AUTHORIZING THE LOGAN COUNTY FISCAL COURT TO
ESTABLISH A MORITORIUM ON THE APPROVAL OF NEW HIGH-WATER-
CONSUMPTION BUSINESSES PENDING REVIEW OF WATER SUPPLY CAPACITY,
INFRASTRUCURE AND REGULATORY STANDARDS**

WHEREAS, the Logan County Fiscal Court has a responsibility to protect health, safety, and welfare of its resident and businesses; and

WHEREAS, the Logan County Fiscal Court recognizes that water and electricity are our most precious natural resources, are vital to the survival of our community and basic human life, and finds it necessary to evaluate the long-term impacts of water uses and other natural resources on availability, emergency reserves, utility operations, environmental sustainability, and future community growth; and

WHEREAS, the Logan County Fiscal Court recognizes that other communities in the Commonwealth are suffering significant negative impacts to utility operations as a result of the scarcity of water, evidenced by Casey County, Kentucky's recent declaration of a State of Emergency; and energy, nationally evidenced by power grid failures cause by extreme heat in recent months; and

WHEREAS, KRS 67.083(3)(h) empowers the Fiscal Court to carry out governmental functions for the operation of the county by enacting ordinances or regulations that conserve, preserve, and enhance natural resources including water, and to regulate commerce for the protection and convenience of the public; and

WHEREAS, the Logan County Fiscal Court desires to develop appropriate regulations, standards, and review procedures governing future business developments that could create a threat of depletion to our available natural resources; and

WHEREAS, the Logan County Fiscal Court finds that data centers are an industry that is specifically known to overwhelm the resources of a community by consuming large volumes of water and electricity which threaten the existing water supply, thereby threatening the health, welfare and convenience of the public; and

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

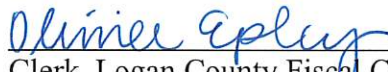
1. By majority vote of the membership of the Logan Fiscal Court, a 12-month moratorium is declared on the construction development, and/or operation of data centers within the unincorporated areas of Logan County for the purpose of studying capacity levels of the local water supply, and the affects high-water consumers could have on said water supply, considering the existing industry, and the needs of the citizens of Logan County.
2. The Logan County Fiscal Court declares that for 12 months from the date of this resolution, data centers in the unincorporated areas of Logan County shall be specifically prohibited from being developed, constructed, or operated while the Fiscal Court further assesses this issue and considers appropriate safeguards for the preservation and conservation of the water supply and other natural resources to meet the needs of the citizens and current businesses within Logan County.
3. Any prospective organization requesting an exception from this moratorium should submit a petition to include a Water Balance Study, including a certification from the applicable water district, concluding the prospective project(s) would have no impact on the existing water supply in Logan County. Any petition submitted with the necessary

supporting documentation will be considered by the Logan County Fiscal Court, which shall have discretion in determining whether a moratorium would be appropriate. The Logan County Fiscal Court reserves the right to amend this Resolution to include other industries that may threaten natural resources in Logan County. This resolution was adopted by the Logan County Fiscal Court in the regularly scheduled meeting, called to order on the 28th day of July, 2026.



PHIL BAKER
Logan County Judge-Executive

ATTEST:



Clerk, Logan County Fiscal Court