

IDAHO DATA CENTER PUBLIC GUIDE · GUIDE 5 · SUPPLEMENT

A WARNING FOR COUNTY RESIDENTS

Warning Signs When Big Money Meets Local Decisions

Hyperscale projects bring more money to a county commission than most rural counties see in a generation. Here's what pressure and conflicts of interest have looked like elsewhere, and how to spot them early.

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AT A GLANCE

The short version

A hyperscale data center can be a $1 billion to $10 billion project. The company behind it can hire the best lawyers and lobbyists in the state. The county on the other side of the table may have three part-time commissioners and one attorney. That gap is where trouble starts. Across the country in 2025 and 2026, people have seen private meetings before public notice, nondisclosure agreements signed by local officials, state agencies arguing a developer's side, lawsuits used to force approvals, and money offered in exchange for freezing the rules. Most of it is legal. Some of it is alleged. One utility case in Ohio ended in prison sentences. The protection is the same in every case: rules written before an application arrives, every meeting in public, every conflict disclosed, and an independent review of the numbers.

$230M
penalty FirstEnergy agreed to pay after admitting it bribed Ohio's House speaker and top utility regulator

20 years
federal prison sentence for former Ohio House Speaker Larry Householder

2
Utah county commission meetings on a giant data center held before any public notice

8 years
a Maryland county would have frozen its rules for one campus in exchange for $110 million

Inside this guide

01 What it has looked like elsewhere
02 Warning signs to watch for
03 What you can do
04 Words to know and where to look
05 Sources

How to read the numbers

PROVEN means admitted by the company or decided in court. ALLEGED means claimed in a complaint or report, not a finding of wrongdoing. LEGAL means allowed by law but shows how money and pressure shape decisions.

HOW THIS GUIDE WAS CHECKED

Each case was checked against named news reports, court records or agency documents in November 2026. Where a case is an allegation, it is labeled that way. Nothing here accuses any Idaho official of wrongdoing.

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PART 01

What it has looked like elsewhere

Six cases, from proven bribery to perfectly legal pressure. Read the label on each one.

Where	What happened	Type
Ohio, FirstEnergy (2019–2023)	FirstEnergy admitted it bribed former House Speaker Larry Householder and paid a $4.3 million bribe to the state's top utility regulator to pass and protect a roughly $1 billion bailout of nuclear plants paid by ratepayers. It agreed to a $230 million penalty in 2021. Householder was convicted and sentenced to 20 years.[1]	PROVEN
Saline Township, Michigan (2025)	The board voted 4–1 to deny rezoning 575 acres of farmland for an Oracle and OpenAI data center. The developer sued two days later. After a closed-door meeting and a warning that landowners could seek money damages, the board settled 4–1. A resident's challenge under the open meetings law was turned away by a judge.[2]	LEGAL
Box Elder County, Utah (2026)	Commissioners first heard details of the 40,000-acre Stratos project at two meetings in March with no public notice and no minutes. Records show the state's Military Installation Development Authority (MIDA) pushed back on the county's request for $16.2 million up front, on the developer's behalf. MIDA's director told his board, "That's why we've been rushing it so fast."[3]	LEGAL
Carroll County, Kentucky (2026)	Residents filed ethics complaints arguing several Carrollton city council members should have sat out votes on a proposed hyperscale data center. A local ethics board is looking into it. Elsewhere in Kentucky, local officials acknowledged signing nondisclosure agreements with data center developers.[4]	ALLEGED
Fort Worth, Texas (2026)	The mayor's husband was listed in state filings as a lobbyist for a national data center trade group through his firm. Both deny any conflict. Three ethics experts said she isn't legally required to sit out data center votes but should anyway. Fort Worth is the only large Texas city without a standing ethics commission.[5]	LEGAL
Frederick County, Maryland (2026)	A developer offered $110 million for a school, a community center, fire equipment and farmland preservation. In exchange, the county would have locked in its current zoning and environmental rules for the campus for at least eight years. After public outcry, the county executive rejected the deal in September. The developer has sued.[6]	LEGAL

Who sits on the board matters, too. A 2025 study of California cities found that when a developer won a close race for city council, approved housing units rose 68 percent during that term, mostly through case-by-case zoning approvals.[7] That isn't corruption. It shows that the people casting the votes shape the outcome, which is why their ties should be public.

PART 02

Warning signs to watch for

None of these proves anything by itself. Each one is a reason to ask questions, in public, before the vote.

[1] FirstEnergy deferred prosecution agreement, S.D. Ohio, July 2021; Associated Press, July 21, 2025; Ohio Capital Journal via Canary Media, Feb. 2024.

[2] Planet Detroit, Oct. and Dec. 2025; Route Fifty / Inside Climate News, Oct. 26, 2025.

[3] FOX 13 News, 2026; Salt Lake Tribune, May 11, 2026; Axios Salt Lake City, May 4, 2026.

[4] Kentucky Lantern, Oct. 12, 2026; WKU Public Radio / Kentucky Public Radio, Aug. 24, 2026.

[5] KERA News, June 18 and June 25, 2026; Fort Worth Report / Texas Standard, July 1, 2026.

[6] Conduit Street (Maryland Association of Counties), Sept. 2, 2026; GovTech / TNS, Sept. 2026; WYPR, Sept. 15, 2026; Federation of American Scientists, Before Breaking Ground, 2026.

[7] Ouasbaa, Solé-Ollé and Viladecans-Marsal, When developers hold office, IEB Working Paper 2025/05.

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- ☐ **Meetings before notice.** Officials hear the pitch privately, then the public hears about it once terms are mostly set.
- ☐ **Nondisclosure agreements.** An elected official signs a promise to keep a project secret from the people who elected them.
- ☐ **A code name and no company name.** "Project Stratos" or "a Fortune 100 company," with no customer named.
- ☐ **Rushed votes.** Approval sought before water, traffic or power studies are finished. Since July 1, 2026, two questions belong on that list: where the cooling water will come from, given that Idaho Code § 42-252 limits the cooling water new data centers can use up to city, water district or water and sewer district supplies, and whether a large-load power contract has been filed with the PUC under § 61-335.
- ☐ **Secret power or water numbers.** A project that won't say how many megawatts or gallons it needs. Few states require that disclosure, and Idaho's 2026 laws don't either, so a county has to ask for it in writing before any vote.[8]
- ☐ **Public agencies arguing the developer's side.** A state or economic development office pushing the county to ask for less.
- ☐ **Money tied to freezing the rules.** Benefits offered on the condition that the county won't change its laws for years.
- ☐ **Lawsuit threats.** Suits claiming the county's zoning is unfair, filed right after a no vote.
- ☐ **Family or business ties.** An official, a spouse or a firm connected to the developer, a landowner, a lobbyist or a utility.

What Idaho law already gives you

Idaho's Open Meeting Law requires public notice and open meetings when a majority of a governing board meets to deliberate or decide.[9] Idaho's ethics law requires a public official with a conflict of interest to disclose it before acting on the matter.[10] Zoning decisions require written findings, and affected neighbors can ask for reconsideration and court review. Guide 3 covers those deadlines. These tools only work if residents show up and use them.

[8] Idaho Code §§ 74-201 to 74-208.

[9] Idaho Code § 74-404 (Ethics in Government Act).

[10] Quorum, "Quorum Tracked 486 Data Center Measures in 2025–2026. Only 42 Became Law," Oct. 26, 2026; NCSL, "As They Consider New Data Centers, States Target Water Use," 2026; Florida CS/CS/SB 484 (2026).

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PART 03

What you can do

WHERE WE STAND

Write the rules before the application arrives. Hold every meeting in public, with minutes. No nondisclosure agreements for elected officials. Every conflict disclosed on the record. An independent review of the developer's numbers, paid for by the developer and hired by the county.

Ask your county commissioners

- ☐ Has any commissioner or staff member signed a nondisclosure agreement about a data center or energy project?
- ☐ Have you met with a developer, landowner or lobbyist about a project outside a noticed public meeting?
- ☐ Does any commissioner, family member or business partner have a financial tie to the land, the developer or the utility?
- ☐ Will the county hire its own engineers and attorneys, paid by the developer through a deposit, before any vote?

Put the questions in writing, and ask for the answers at a public meeting so they go into the record. Records requests under Idaho's Public Records Act can turn up calendars, emails and signed agreements.

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PART 04

Words to know

Community benefit agreement. A deal where a developer pays for local projects, sometimes in exchange for promises from the county.

Conflict of interest. When an official, or their family or business, could gain or lose from a decision they're making.

Deferred prosecution agreement. A deal where a company admits wrongdoing and pays penalties in exchange for charges being dropped later.

Exclusionary zoning. A legal claim that a community's rules unfairly block a lawful use of land.

Nondisclosure agreement (NDA). A contract promising to keep information secret.

Open Meeting Law. Idaho's law requiring public notice and open doors when a governing board meets to deliberate or decide.

Recusal. Sitting out a vote because of a conflict of interest.

Where to look it up

Idaho Attorney General ag.idaho.gov Open Meeting Law and Public Records Act manuals for citizens.

Idaho Secretary of State, Sunshine sos.idaho.gov Campaign finance and lobbyist filings. Guide 5 shows how to read them.

Federation of American Scientists fas.org Before Breaking Ground: a local government guide with ten community benefit agreements compared.

Revision history

Revision	Date	What changed
Rev. 1	Nov. 10, 2026	First public edition, a supplement to Guide 5. Each case checked against named news reports or court and agency records. Allegations are labeled as allegations.
Rev. 2	Nov. 10, 2026	Added warning signs tied to the July 1, 2026 water and power laws and how few states require power and water disclosure. Removed a company name from the cover and footer.
Rev. 3	Nov. 16, 2026	Fact-check against primary sources and a ChatGPT cross-check. Updated the ethics law citation to Idaho Code § 74-404 (recodified from § 59-704). Narrowed the Frederick County description: the rules freeze covered the campus, not the whole county.
v4	Nov. 22, 2026	Cross-guide review. Water law wording now matches Idaho Code § 42-252. Saline Township reconfirmed. Version and date stamp added to every page.

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PART 05

Sources

Short citations appear as footnotes. Full references follow.

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