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June 12, 2026
Via Email

Mr. Jarvis Reidburn
Clark County Equalization Office
jarvis.reidburn@clark.sdcounty.gov

Re: Lamar Colony's Proposed Conditional Use Permits- Clark County, SD

Dear Mr. Reidburn:

Please be advised that I represent Lamar Hutterian Brethren, Inc. ("**Lamar**"). This letter is in response to the May 13, 2026 letter provided by Clark County residents regarding Lamar's conditional use permits. We appreciate the opportunity to clarify concerns raised in advance of the consideration of its wastewater treatment facility and religious farming community applications. We ask that you pass this letter along to the board.

As you are aware, the Clark County Zoning Ordinance classifies institution farms, including religious farming communities, as a conditional use under Section 2.04.04. It is important to note that this type of conditional use is only recognized within the Agricultural District. Again, as you know, the ordinance defines a religious farming community as "*a corporation formed primarily for religious purposes whose principle income is derived from agriculture and/or a farm which may or may not be held in collective ownership, in which multiple families reside on-site and use or conduct activities upon the property which are participated in, shared, or used in common by the members of the group presiding thereon.*" Ironically, this language aligns with the religious beliefs and practices of Hutterites, as well as their Articles of Incorporation. While not all county ordinances list an institution farm or define a religious farming community, Clark County has chosen to do so. This inclusion shows that at the adoption of the ordinance, county commissioners acknowledged the potential for future Hutterite Colony development within Clark County.

The application for the religious farming community encompasses a church, cemetery, houses, communal areas, a school, and a small livestock barn, affectionately referred to as the "McDonald Barn." This barn serves as a space for members to raise poultry seasonally. Additionally, the McDonald Barn plays a pivotal role in teaching children responsibility and the circle of life. The wastewater treatment facility works in tandem, serving houses, communal areas the school, and church. Each of these buildings are essential to a Hutterite Colony. The church,

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cemetery, school, and houses are core elements of their religious lifestyle while the agricultural operations are intrinsic to their way of life. Hutterite Colonies engage in farming and related activities, ensuring that agricultural land remains dedicated to farming.¹

Through its site maps, Lamar has made a good-faith effort to disclose its long-term construction plans. Unfortunately, this transparency was misconstrued as an attempt to bypass established procedures. The letter raises concerns about much of the development that is not included in the two pending applications. Essentially, the entire plan represents a wish list for possible future additions, or in other words, a dream. Beyond the redundant references to ordinances, statutes, and case law, it seems that these Clark County residents have taken issue with Lamar's honesty and openness regarding their future aspirations. To re-emphasize, no approvals are being sought at this time for commercial uses. Lamar, along with its attorney and engineer, understands that buildings of that nature require separate applications, public notices, and board evaluations.

The letter misrepresents the compatibility of religious farms within an Agricultural District. Seventy-two Hutterite Colonies call the countryside of South Dakota home, with five of those colonies operating in Clark County's Agricultural District. Notably, Fordham, the mother colony to Lamar, was the first Hutterite Colony in Clark County in 1974. While the phrase "In the world but not of it" resonates with many Hutterites, the reality is quite different. Hutterites face the same laws, taxes, and challenges that affect many of us. Although their dress and religious views on property ownership differ from ours, it *does not* dismiss them from being valued members of the Clark community. We acknowledge the ongoing discussions regarding the potential addition of a new Hutterite Colony negatively impacting the public interest. I appreciate the opportunity to address these concerns.

While a Hutterite Colony may be recognized as a tax-exempt organization under Section 501(d) of the Internal Revenue Code, this classification is misleading. In 1936, Congress passed Section 501(d) to address issues related to communal property ownership and double taxation on federal income tax. Each Colony pays and collects sales and use tax, property tax, payroll tax for its employees, excise tax, fuel tax, etc. In 2025, Fordham Colony's property tax bill alone reached well into six figures. These property tax dollars stay local and support the budgets for the schools, the county, municipalities, and townships. Last school year, Fordham had 42 students enrolled in the Clark School District. While these students do not physically attend school in Clark, they are still accounted for in the funding the district receives from the state. Additionally, Fordham supports various businesses in the county, just like other community members do. Community involvement takes many forms and should not be judged solely by participation in fundraisers or local events.

Condemning Hutterite Colonies is a one-sided view that overlooks the economic pressures facing today's farming economy. The rising costs for inputs, rent, land, equipment, interest rates

¹ A letter from Attorney Mitchell Peterson characterized Lamar's plans as "high-density residential..." We find this Sioux Fall's attorney's definition of "high-density residential" quite sensationalized.

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and over-regulation impact them just like any other farming operation. Increased financial resources often bring greater complexity and responsibility to these operations. Farming has been evolving for decades and keeping up with those changes comes at a substantial cost. In recent years, the Hutterite Colonies have faced significant challenges with bird flu, leading to the loss of millions of birds with no clear solution on the horizon. Despite these challenges, Hutterite Colonies help sustain local economies by creating jobs, increasing tax revenues, assisting with harvest, and providing agricultural services that have been lost due to consolidation.

In closing, we concur with the statement in the May 13 letter that “*there is no such thing as automatic approval of a conditional use permit.*” As you are well aware, Section 3.04.01 clearly outlines the approval process, which includes an application, notice, public hearing, and a list of findings of fact that the applicant must fulfill. We believe our applications are complete and transparent, notice has been provided, and we look forward to engaging in a professional discussion on Wednesday, June 17. Should the board decide to deny the applications, we kindly request specific feedback. We thank you for your time and attention to these matters.

Sincerely,



Kiera Leddy
of Leut Services, P.C.

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