

CLAY COUNTY PLANNING COMMISSION MINUTES
7:00 TUESDAY, DECEMBER 20, 2022
THIRD FLOOR BOARD ROOM, CLAY COUNTY COURTHOUSE

Members Present: Ezra Baer, Dave Steichen, Curt Stubstad, Brad Eldred, Ashley Heng, Joel Hildebrandt, Steve Lindaas, Brent Berg

Members Absent: Kurt Skjerven, Laura Johnson, Jenny Mongeau

Others Present: Matt Jacobson, Katie Stock, Justin Sorum, Erika Franck, Rita Rueckert, Jesse Johansen

ROLL CALL:

Attendance was recorded by Chair Ezra Baer and meeting called to order at 7:00 PM.

APPROVAL OF AGENDA:

On motion by Steve Lindaas, seconded by Brad Eldred, and unanimously carried, the Agenda was approved.

APPROVAL OF MINUTES FROM NOVEMBER 15, 2022 MEETING:

There was a typographical error discovered on page 6, and animal units should state 50 instead of 5.

On motion by Joel Hildebrandt, seconded by Steve Lindaas, and unanimously carried, the Planning Commission approved the November 15, 2022 Minutes with noted correction.

CITIZENS TO BE HEARD:

There were no citizens wanting to speak on any items not on the Agenda.

PUBLIC HEARINGS:

STRATA CORPORATION – REQUEST FOR INTERIM USE - MINING PERMIT

The applicant is seeking approval of an interim use – mining permit to continue a 67-acre aggregate mining operation on parcel 17.016.3800, the SW1/4 of the SE1/4 and the E1/2 of the SW1/4, Township 141N, Range 45W, Section 16, Keene Township.

On motion by Brad Eldred, seconded by Steve Lindaas, and unanimously carried, the Planning Commission opened the public hearing.

Matt Jacobson, Planning Director, stated that this request is from a permit that was heard in July of 2022, for the Applicant to continue mining a 67-acre aggregate mining operations. There are no structures on the site and the current use is cultivated agricultural and gravel mining. Zoning is Agricultural General (AG), Resource Protection-Aggregate (RP-Agg), and Shoreland: Special Protection-Rivers & Streams (SP-Rivers & Streams).

The use is allowed with an interim use permit in the AG and RP-Agg zoning districts. The use is not allowed in the Shoreland: Special Protection-Rivers and Streams zoning district.

Policy Considerations reviewed include:

- **Land Use: Agricultural**
 1. Recognize and Protect the agricultural character of Clay County.
 - b. Protect prime agricultural soils from commercial, industrial and residential development.
- **Transportation: Freight**
 1. Support the movement of freight across Clay County roadways.
 - a. Coordinate with local jurisdictions and use proper planning and zoning methods to locate industrial and commercial developments on or near roadways that can handle heavy commercial truck traffic.
 - b. Monitor seasonal freight traffic, commodity movement, FM Diversion construction traffic, and associated transportation infrastructure to ensure safe and efficient operation of the system. Prepare for increase maintenance along roadways with heavy commercial truck traffic.
- **Natural Resources and the Environment: Aggregate Resources**
 1. Recognize the importance of aggregate resources to Clay County and the region.
 - a. Continue to protect quality aggregate resources from encroachment of incompatible residential, commercial, and industrial development.
 2. Foster a balanced approach to aggregate resource extraction that is compatible with the natural resources and the rural character of Clay County.
 - a. Require adequate buffering and landscaping for new mining operations when adjacent to existing residential areas as well as when an existing operation expands or is substantially modified and would negatively impact existing land uses in the surrounding area.
 - b. Avoid or mitigate against impacts to groundwater, surface water, native prairie, woodlands, and wetlands for new or expanding mining operations.
 - c. Require phased-end reclamation plans and bonds to ensure mines are reclaimed as mining progresses.
 - d. Consider the cumulative impacts of existing nearby mining operations for new or expanding operations on the environment, agricultural lands, residential areas and transportation infrastructure.

This is a 67 acre mine on a 121-acre parcel. The applicant has reclaimed 15.5 acres of the 67 back to agricultural use. The haul route is along 200th Street North to CSAH 27.

The Minnesota DNR had concerns during the initial Interim Use Permit hearing in 2016. Their concerns regarded the effects the mining may have on water levels of Felton Creek. If mining were to occur below the water table it could adversely affect the designated trout stream. Approximate depth to groundwater on the site is 10-20 feet. No dewatering or washing is anticipated to occur at this site. There are areas on site that ponding does occur.

Applicant requests operations run March through December, Monday through Saturday, 6:00 AM to 9:00 PM. Estimated remaining life of the pit is approximately 6 years. Depending on the production schedules, Applicant may not mine each year for the next 6 years; however, they may instead mine one year and load out the next. A map was reviewed of the pit and the various areas of the pit that have been reclaimed. Applicant does have a Variance to mine through the property line. Operations are normally conducted with excavators, bulldozers and front-end loaders. There is a portable crusher periodically used at this site.

Prior reclamation stages were reviewed. A mapping area of the pit was reviewed with areas of the pit labeled Mine Areas 1-4. Applicant states that Mine Area 3 was reclaimed to farmland in 2021; however, a site visit revealed that only a portion in the northeastern portion of this area was fully reclaimed and planted into agricultural use and the remainder is too wet to be farmed. Three acres of Mine Area 4 were reclaimed and 3.5 acres of Mine Area 1 was reclaimed. Applicant states full reclamation will occur once the mining is completed. There was a spot in the southwest corner where there was encroachment on the neighboring property line and that has now been reclaimed.

Over the past few years CSAH 27 has experienced severe degradation at times due to intensive traffic generated by this use. The Applicant has worked with Clay County Highway Department have been more responsive to remedying deterioration of this road.

Chair Baer clarified that the pit is a 67-acre mine that has had 15 acres reclaimed, with 52 acres of mining remaining. Chair Baer also asked the depth of the pit and Director Jacobson advised that the average depth is approximately 4 feet. Applicant had collected elevation and imagery data through drone flights and that information was included in the packets.

Steve Lindaas asked the potential impact to Felton Creek and the areas closest to the creek appear to be higher ground. Mr. Lindaas also asked who is taking the lead on the maintenance of CSAH 27. Director Jacobson deferred this to the Highway Department. Director Jacobson has not received any calls from residents along CSAH 27 but he has taken calls from the Highway Department with respect to this road and its conditions.

Dave Steichen asked how problems are identified on the County's roadways. Engineer Justin Sorum advised that he has a road manager who does follow up with these situations. Mr. Steichen asked if the DNR is satisfied with what they are seeing going on with Felton Creek and Director Jacobson stated they seem to be satisfied. While Felton Creek is a groundwater-fed creek, the DNR concerns would be primarily regarding dewatering in the water or pumping water in that area.

Chair Baer asked Engineer Sorum if it would be helpful to place calcium chloride in front of the residences on that roadway to help protect the road. Engineer Sorum advised he didn't really know if that would be helpful but felt that the watering of the roadway as they are now doing is probably most effective.

Jesse Johanson of Strata was present. Chair Baer asked how much reclamation is projected for next year. Mr. Johanson stated that they would like to get some more reclamation done but didn't elaborate on amount of reclamation. Chair Baer inquired how much product has been taken out of this pit the past year and Mr. Johanson stated they have not been in this pit since 2021. Joel Hildebrandt acknowledged and thanked the work that Strata has done since last summer in restoration and maintenance of the roadway.

On motion by Steve Lindaas, seconded by Curt Stubstad, and unanimously carried, the Planning Commission closed the public hearing.

The Findings of Fact and Order were addressed and discussed by the Planning Commissioners as they pertain to the requested permit. All items can be addressed with conditions.

Staff recommends the following minimum conditions for consideration:

1. Permit shall terminate on December 31, 2028.
2. Operate within provisions of the Clay County Land Development Ordinance.
3. Operator shall control dust and provide maintenance on access and haul route. Operator shall coordinate with the Clay County Highway Department on dust control and maintenance on CSAH 27.
4. Operator shall improve access onto 200th Street N to meet Clay County Highway Department standards and place appropriate "Trucks Hauling/Entering" signage at entrance when hauling.
5. Operator shall provide proof of NPDES/SDS, Storm Water management, and Air Quality Permits, as required, to the Planning Office and shall be in compliance with any and all local/state/federal regulating agencies prior to commencing mining operations. Sediment control methods must be implemented between mine site and Felton Creek.
6. Operations must comply with all provisions of Wetlands Conservation Act.
7. Sixty-seven (67) acres, not to exceed a mean depth of ten feet (10') approved for mining operations, (excavation, screening, stockpiling, etc.) If additional acres or depth are proposed to be opened in the future, a new or amended IUP would be required.
8. May operate March through December, Monday through Friday, from 7AM to 7PM and hauling on Saturday from 7:00 AM to 2:00 PM. Twenty-four (24) hour crushing operations may be allowed with prior approval from the Planning Office.
9. Operator shall post \$1,000 per acre reclamation bond and reclaim mined out areas as mining activities progress. Require areas to be seeded to native prairie grasses or landowners specification upon reclamation.
10. Operator shall provide parking, screening, lighting, drainage, and portable sewer facilities consistent with County regulations as determined by the Planning Department and County Health Department.
11. Operator shall present a mine plan to Planning Office indicating exact area to be mined, current topography, final topography, phases of mining operation, equipment locations, locations of hazardous material storage and sanitary facilities and stormwater management plan prior to commencing any operations at this site.

On motion by Joel Hildebrandt, seconded by Ashley Heng, and unanimously approved, the Planning Commission *GRANTED* the Interim Use Permit with the following Conditions:

1. Permit shall terminate December 31st, 2028.
2. Operate within provisions of the Clay County Land Development Ordinance.
3. Operator shall control dust and provide maintenance on access and haul route. Operator shall coordinate with the Clay County Highway Department on dust control and maintenance on CSAH 27.
4. Operator shall improve access onto 200th Street North to meet Clay County Highway Department standards and place appropriate "Trucks Hauling/Entering" signage at entrance when hauling.

5. Operator shall provide proof of NPDES/SDS, Storm Water Management, and Air Quality Permits as required, to the Planning Office and shall be in compliance with any and all local/state/federal regulating agencies prior to commencing mining operations. Sediment control methods must be implemented between mine site and Felton Creek.
6. Operations must comply with all provisions of Wetlands Conservation Act.
7. Sixty-seven (67) acres, not to exceed 10' of mean depth approved for mining operations (excavation, screening, stockpiling, etc.) If additional acres or depth are proposed to be opened in the future a new or amended IUP would be required.
8. May operate March through December, Monday through Friday, from 7:00 AM to 7:00 PM and hauling on Saturday from 7:00 AM to 2:00 PM. Twenty-four (24) hour crushing operations may be allowed with prior approval from the Planning Office.
9. Operator shall post \$1,000 per acre reclamation bond and reclaim mined out areas as mining activities progress.
Require areas to be seeded to native prairie grasses or to landowners specifications upon reclamation.
10. Operator shall provide parking, screening, lighting, drainage and portable sewer facilities consistent with County regulations as determined by the Planning Department and County Health Department.
11. Operator shall present a mine plan to Planning Office indicating exact area to be mined, current topography, final topography, phases of mining operation, equipment locations, locations of hazardous material storage and sanitary facilities and stormwater management plan prior to commencing any operations at the site.

STRATA CORPORATION – REQUEST FOR INTERIM USE PERMIT

The applicant is seeking approval of an interim use permit to stage equipment and stockpile aggregate material on parcel 17.016.4500, the SE1/4 of the SE1/4 of Section 15, Township 141N, Range 45W, Keene Township.

On motion by Steve Lindaas, seconded by Curt Stubstad, and unanimously carried, the Planning Commission opened the public hearing.

Matt Jacobson, Planning Director, advised this request is a bit different as it is only requesting for stockpiling and equipment staging. This parcel is directly east of the site for the previous hearing. There are no structures on the site and the current use is cultivated agricultural and gravel mining. The zoning is the same as the previous hearing: Zoning is Agricultural General (AG), Resource Protection-Aggregate (RP-Agg), and Shoreland: Special Protection-Rivers & Streams (SP-Rivers & Streams). The use is allowed with an interim use permit in the AG and RP-Agg zoning districts. The use is not allowed in the Shoreland: Special Protection-Rivers and Streams zoning area.

Policy Considerations reviewed are exactly the same as the previous hearing above and the Planning Commission was referred back to those for this hearing.

The purpose of this request is that the Applicant would like to use 4 acres of this parcel for staging equipment and stockpiling of aggregate material. The parcel has a previous Interim Use Permit for operation of a 12-acre gravel mining pit which was issued in February 2016 and is set to expire December 31, 2022.

This pit has been opened since the 1980s. Applicant states they have reclaimed 6 acres of the parcel back to farmland and left 4 acres open to be used for staging and stockpiling. The applicant has no intention of doing any additional mining on this pit as resources have been exhausted. They did receive a Variance on this parcel earlier this date for setbacks for stockpiling and equipment staging only. Impacts to CSAH 27 have been

discussed in the previous hearing and was not done in detail again. Once mining of the adjacent property to the west is completed, all stockpiles will be removed and the Applicant will reclaim the property back to farmland or landowner's request. They did receive a Variance earlier this evening at the Board of Adjustment meeting for setback reductions.

Jesse Johanson of Strata Corporation advised there are 2 remaining acres on the north end that they have a stockpile ready to reclaim but had run out of time. But once they are ready to reclaim, that whole side will be reclaimed.

Joel Hildebrandt asked how the product will be getting from the west side of the road to the east side of the road and if it will be transported over the township road.

Steve Lindaas asked when the reclamation photos were taken and applicant stated they were as recent as last month. Applicant stated that they have tuckered up an area that had water and they are hoping the spring will be dry enough for them to go in and complete that area.

Chair Baer asked the applicant if they had ever been audited by the County for gravel tax; applicant stated that he would not be aware of that.

On motion by Joel Hildebrandt, seconded by Steve Lindaas, and unanimously carried, the Planning Commission closed the public hearing.

The Findings of Fact and Order were addressed and discussed by the Planning Commissioners as they pertain to the requested permit. All items can be addressed with conditions.

Staff recommends the following minimum conditions for consideration:

1. Permit shall terminate on December 31st, 2028
2. Operate within provisions of the Clay County Land Development Ordinance.
3. Operator shall control dust and provide maintenance on access and haul route. Operator shall coordinate with the Clay County Highway Department on dust control and maintenance on CSAH 27.
4. Operator shall place appropriate "Trucks Hauling/Entering" signage at entrance when hauling.
5. Operator shall provide proof of NPDES/SDS, Storm Water Management and Air Quality Permits, as required to the Planning Office and shall be in compliance with any and all local/state/federal regulating agencies prior to commencing mining operations. Sediment control methods must be implemented between mine site and Felton Creek.
6. Operations must comply with all provisions of Wetland Conservation Act.
7. Four (4) acres are approved for staging and stockpiling of materials (excavation, screening, stockpiling, etc.) If additional acres are proposed to be opened or used in the future, a new or amended IUP would be required.
8. May operate March through December, Monday through Friday, from 7:00 AM to 7:00 PM, and hauling on Saturday from 7:00 AM – 2:00 PM. Twenty-four (24) hour crushing operations may be allowed with prior approval from the Planning Office.

9. Operator shall post \$1,000 per acre reclamation bond and reclaim staging areas once mining ceases and stockpiles are removed. Require areas to be seeded to native prairie grasses or to landowners' specification upon reclamation.
10. Operator shall provide parking, screening, lighting, drainage, and portable sewer facilities consistent with County regulations as determined by the Planning Department and County Health Department.
11. Operator shall present a staging and stockpiling plan to Planning Office indicating exact area to be used, current topography, final topography, phases of mining operation, equipment locations, locations of hazardous material storage and sanitary facilities and stormwater management plan prior to commencing any operations at the site.

On motion by Steve Lindaas, seconded by Ashley Heng, and unanimously approved, the Planning Commission *GRANTED* the Interim Use Permit with the following Conditions:

1. Permit shall terminate on December 31st, 2028
2. Operate within provisions of the Clay County Land Development Ordinance.
3. Operator shall control dust and provide maintenance on access and haul route. Operator shall coordinate with the Clay County Highway Department on dust control and maintenance on CSAH 27.
4. Operator shall place appropriate "Trucks Hauling/Entering" signage at entrance when hauling.
5. Operator shall provide proof of NPDES/SDS, Storm Water Management and Air Quality Permits, as required to the Planning Office and shall be in compliance with any and all local/state/federal regulating agencies prior to commencing mining operations. Sediment control methods must be implemented between mine site and Felton Creek.
6. Operations must comply with all provisions of Wetland Conservation Act.
7. Four (4) acres are approved for staging and stockpiling of materials (excavation, screening, stockpiling, etc.) If additional acres are proposed to be opened or used in the future, a new or amended IUP would be required.
8. May operate March through December, Monday through Friday, from 7:00 AM to 7:00 PM, and hauling on Saturday from 7:00 AM – 2:00 PM. Twenty-four (24) hour crushing operations may be allowed with prior approval from the Planning Office.
9. Operator shall post \$1,000 per acre reclamation bond and reclaim staging areas once mining ceases and stockpiles are removed. Require areas to be seeded to native prairie grasses or to landowners' specification upon reclamation.
10. Operator shall provide parking, screening, lighting, drainage, and portable sewer facilities consistent with County regulations as determined by the Planning Department and County Health Department.
11. Operator shall present a staging and stockpiling plan to Planning Office indicating exact area to be used, current topography, final topography, phases of mining operation, equipment locations, locations of hazardous material storage and sanitary facilities and stormwater management plan prior to commencing any operations at the site.

STRATA CORPORATION – REQUEST FOR INTERIM USE PERMIT

The applicant is seeking approval of an interim use permit to stage equipment and stockpile aggregate material on parcel 26.025.2700, the SW1/4 of the NE1/4 of Section 25, Township 138N, Range 45W, Skree Township.

On motion by Curt Stubstad, seconded by Brad Eldred, and unanimously carried, the Planning Commission opened the public hearing.

Matt Jacobson, Planning Director, stated this request is the same as the previous hearing for staging of equipment and stockpiling of mining materials. The location is on the south side of Hawley in Skree Township on the east side of Highway 31.

Policy Considerations are the same as the previous 2 hearings this date. Applicant intends to utilize 11-acres of this parcel for staging equipment and stockpiling of aggregate material. Applicant currently has an Interim Use Permit for a 30-acre gravel mining operation which was issued in March 2015 and is set to expire December 31st, 2022.

They have opened up 22-acres of mining on this parcel and have exhausted the resources. Applicant has reclaimed 11-acres of the parcel back to farmland and left 11-acres open to be used for staging and stockpiling areas. This parcel is used to access the adjacent pit on parcel 26.025.1800 known as the Flaten pit. The Flaten Pit has an Interim Use Permit for mining 9-acres that is not set to expire until December 31, 2026. There was a Variance granted in March 2016 to mine through the property lines. The staging and stockpiling areas will be graded so erosion is contained onsite. All adjacent lands are agricultural related operations. Access is provided onto County 31 which is a paved highway.

Once mining of the adjacent property is complete and all stockpiles are removed, the Applicant will reclaim the property back to farmland or to landowners' request.

There have been comments received regarding the presence of tumbleweed or kochia which has been identified by the county as a noxious weed. A County Board can petition to add a noxious weed to their list, which was done for this weed approximately 2011. If a County add to this list, it is treated by the State as a prohibited weed. Director Jacobson advised that this item could be listed as a Condition on any permit granted.

There was discussion about the date on the proposed conditions and determining if it would be appropriate to have the date of all 3 hearings be the same.

Dave Steichen asked if all pits should have a condition on their permits for control of noxious weeds. Director Jacobson felt that may be a good idea to have it as a condition on all permits and it usually is included.

Chair Baer asked about the expiration dates on the permits under conditions. Applicant Jesse Johanson advised that 2 years to remove stockpile would probably work best, so expiration date of 2028. Joel Hildebrandt asked if they have a herbicide contractor they use. Mr. Johanson advised that they could go out in the spring with the landowners for identification of what needs to be done and areas needing to be sprayed. Chair Baer and Joel Hildebrandt recommended applicant meet with the noxious weed person at Soil and Water Conservation District (SWCD). Director Jacobson advised he would get the applicant connected with Gabe Foltz at the SWCD.

On motion by Steve Lindaas, seconded by Joel Hildebrandt, and unanimously carried, the Planning Commission closed the public hearing.

The Findings of Fact and Order were addressed and discussed by the Planning Commissioners as they pertain to the requested permit. All items can be addressed with conditions.

Staff recommends the following minimum conditions for consideration:

1. Permit shall terminate on December 31, 2026.
2. Operate within provisions of the Clay County Land Development Ordinance.

3. Operator shall control dust on access road.
4. Operator shall place appropriate "Trucks Hauling/Entering" signage at entrance when hauling.
5. Operator shall provide proof of NPDES/SDS, Storm Water Management, and Air Quality Permits, as required, to the Planning Office and shall be in compliance with any and all local/state/federal regulating agencies prior to commencing mining operations.
6. Operations must comply with all provisions of Wetland Conservation Act.
7. Eleven (11) acres are approved for staging and stockpiling of materials (excavation, screening, stockpiling, etc.) if additional acres are proposed to be opened or used in the future, a new or amended IUP would be required.
8. Applicant may operate March through December, Monday through Saturday, from 6:00 AM to 9:00 PM. Twenty-four (24) hour crushing operations may be allowed with prior approval from the Planning Office.
9. Operator shall post \$1,000 per acre reclamation bond and reclaim staging areas once mining ceases and stockpiles are removed. Require areas to be seeded to native prairie grasses or landowners' specification upon reclamation.
10. Operator shall provide parking, screening, lighting, drainage, and portable sewer facilities consistent with County regulations as determined by the Planning Department and County Health Department.
11. Operator shall present a staging and stockpiling plan to Planning Office indicating exact area to be used, current topography, final topography, phases of mining operation, equipment locations, locations of hazardous material storage and sanitary facilities and stormwater management plan prior to commencing any operations at the site.

On motion by Brad Eldred, seconded by Curt Stubstad, and unanimously approved, the Planning Commission *GRANTED* the Interim Use Permit with the following Conditions:

- 1. Permit shall terminate on December 31, 2028.
- 2. Operator within provisions of the Clay County Land Development Ordinance.
- 3. Operator shall control dust on access road.
- 4. Operator shall place appropriate "Trucks Hauling/Entering" signage at the entrance when hauling.
- 5. Operator shall provide proof of NPDES/SDS, Storm Water Management, and Air Quality Permits, as required, to the Planning Office and shall be in compliance with any and all local/state/federal regulating agencies prior to commencing mining operations.
- 6. Operations must comply with all provisions of Wetland Conservation Act.
- 7. Eleven (11) acres approved for staging and stockpiling of materials (excavation, screening, stockpiling, etc.) If additional acres are proposed to be opened or used in the future, a new or amended IUP would be required.
- 8. Applicant may operate March through December, Monday through Saturday, 6:00 AM to 9:00 PM. Twenty-four (24) hour crushing operations may be allowed with prior approval from the Planning Office.
- 9. Operator shall post \$1,000 per acre reclamation bond and reclaim staging areas once mining ceases and stockpiles are removed. Require areas to be seeded to native prairie grasses or to landowners' specification upon reclamation.
- 10. Operator shall provide parking, screening, lighting, drainage, and portable sewer facilities consistent with County regulations as determined by the Planning Department and County Health Department.

- 11. Operator shall present a staging and stockpiling plan to Planning Office indicating exact area to be used, current topography, final topography, phases of mining operation, equipment locations, locations of hazardous material storage and sanitary facilities, and stormwater management plan prior to commencing any operations at the site.
- 12. Operator shall control all County and State listed noxious weeds in the mining areas.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

- Director Jacobson advised that there was a hearing placed on the Agenda for changes to the dimensional standards of Shoreland for recreational development. Clay County has 2 Recreation Development lakes: Sand Lake and Turtle Lake. Each of these lakes also have a great share of their presence within Becker County. The Petitioner has asked that the minimum lot size matches what is in the Minnesota State Shoreland Rules. Clay County standards are much greater restriction for both Riparian and Non-Riparian lots. This hearing has been postponed until January.
- The Board of Commissioners did approve the changes requested for the Resource Protection-Aggregate overlay as recommended by this Planning Commission.
- The 2023 Meeting Calendar was reviewed and a copy distributed to the Planning Commission members.

David Steichen asked if there was a possibility for the members to physically visit the parcels of the applications. Director Jacobson strongly recommended that members take the time to visit these sites, and also offered for the Planning Office staff to bring any Planning Commission member to any site they have trouble to locate.

ADJOURNMENT:

On motion by Joel Hildebrandt, seconded by Brad Eldred, and unanimously approved, the meeting adjourned at 8:28 pm.



Laura Johnson, Planning Commission Secretary