



STANDING COMMITTEE ON PUBLIC ACCOUNTS

Hansard Verbatim Report

No. 8 – February 13, 2017



Legislative Assembly of Saskatchewan

Twenty-Eighth Legislature

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Ms. Danielle Chartier, Chair
Saskatoon Riversdale

Mr. Larry Doke, Deputy Chair
Cut Knife-Turtleford

Ms. Jennifer Campeau
Saskatoon Fairview

Mr. Herb Cox
The Battlefords

Mr. Glen Hart
Last Mountain-Touchwood

Mr. Warren Michelson
Moose Jaw North

Ms. Nicole Sarauer
Regina Douglas Park

Mr. Randy Weekes
Biggar-Sask Valley

[The committee met at 13:02.]

The Chair: — Good afternoon everyone. Welcome to Public Accounts. I'm Danielle Chartier. I'm the Chair of Public Accounts, and I'd like to introduce our members here today. We have Nicole Sarauer and Ms. Sproule, who isn't a committee member but I believe she'll be asking some questions. We have Mr. Makowsky, Ms. Campeau, Mr. Merriman, Mr. Cox, Mr. Doke, and Mr. Weekes. Did I miss anyone? I don't think I did. Okay.

And today, our agenda, we are considering the Provincial Auditor's report and issues arising from it, the *Special Report: Land Acquisition Processes, The Global Transportation Hub Authority and Ministry of Highways and Infrastructure*. We have a set adjournment time today of 4 o'clock.

I'd like to welcome the officials from Highways and GTH [Global Transportation Hub], Mr. Govindasamy and Mr. Richards. Welcome. And I would like to welcome the folks from the Provincial Comptroller's office. We've got Chris Bayda and Terry Paton here. Welcome, as always. And welcome to our Provincial Auditor, Ms. Judy Ferguson. And with that we shall get rolling. Ms. Sarauer.

Ms. Sarauer: — Thank you, Madam Chair. And I'd like to thank Mr. Govindasamy and Mr. Richards for coming here. I'm happy to have you back here with us today. I know I'm looking forward to hearing what you have to offer us today. I know there were some questions that we had in our last meeting in January that I believe you were to come back on. So not only am I happy to ask some more questions, and my colleague Ms. Sproule's happy to ask some more questions today, but also to hear some follow-up, I'm assuming, from some of the questions we had in January.

However, as I've said before and I'm saying again, you're limited in the information you're able to provide the committee, and there are many other officials who were around during the time in question that we would like to have the opportunity to ask questions to.

Through the few meetings we've had with the two of you gentlemen there's been quite a few instances where you simply did not have knowledge to be able to answer the questions that we had, which is understandable because you weren't there at the time or maybe you weren't privy to the conversations in question. Which is why it's important that we do have all the officials relevant to this issue come forward at committee so we can have a full undertaking, as is our duty as a scrutiny committee to really delve to the bottom of this entire transaction and several transactions, I suppose.

We know that there are government employees who worked on this land deal who weren't employees of either of your two offices, the GTH or the Ministry of Highways, so they wouldn't have reported to either of the two of you. And we understand there's only so much we can learn from you two gentlemen.

We've asked before to have relevant witnesses at committee. One of them was Laurie Pushor, who's a special advisor to the government who now works at the Ministry of Economy. Time

and time again, the government members of this committee have blocked him from coming. Pushor's still employed by the government and it wouldn't be hard to get him to the committee. He works just down the street and he makes, I believe, \$220,000 of taxpayers' money.

So I am going to ask again of government members, if you feel it necessary to conclude debate at 4 p.m. today, to bring Laurie Pushor to the committee.

The Chair: — Ms. Sarauer, are you making a motion?

Ms. Sarauer: — Sure.

The Chair: — And what is your motion?

Ms. Sarauer: — My motion is:

That this committee request Laurie Pushor, the deputy minister of Economy, to appear before this committee as a witness to a meeting of the Public Accounts Committee.

The Chair: — I am sorry, Ms. Sarauer, I have to rule that out of order. As Chair of this committee I'm bound by the decisions of this committee, and this committee has already decided against calling Mr. Pushor.

Ms. Sarauer: — Well again I would express the importance of making sure that we have all relevant officials at committee, especially those that have very . . . and pertinent knowledge to the questions that we've been asking. So I understand that this may be out of order, but I do want to make sure that I have my concerns on the record that I would like the government members to rethink that motion that had been defeated earlier.

The Chair: — I'm sorry, Ms. Sarauer. Unless there is any further comment? Mr. Doke.

Mr. Doke: — Thank you, Madam Chair. No, I believe that this has been asked twice now and voted down both times. We're still of the opinion that the Provincial Auditor has covered all those avenues of talking to the named people. So we won't be supporting that.

The Chair: — Thank you, Mr. Doke. Ms. Sarauer.

Ms. Sarauer: — Well in light of that I suppose, Madam Chair, the auditor's report, as we well know and we've discussed, it's the result of a process audit. And the auditor has been very clear that the scope and intent of the audit was to look at processes for buying land at both the GTH and the Ministry of Highways.

Obviously we've seen a lot of issues and we've talked about a lot of issues, with how both the GTH and the Ministry of Highways use taxpayers' money, especially in this particular instance. And the Auditor has rightfully highlighted those throughout her report. This is highly concerning and I want to address this again. I am particularly concerned that the members opposite are very inclined to continue to shut down debate and limit the officials that are here and that are being allowed to appear at committee.

We still are waiting for a lot of information from both ministries that are before us right now — the GTH and the Ministry of Highways, I mean — and as well as some information from the auditor that we have yet to receive. So we've not even come close to having a full discussion or understanding of the issues that are in question, that came out of the auditor's report.

Not only that, but time and time again as a result of these meetings we either uncover new information that leads to more questions or there is new information that comes out, as the result of news releases for example, or news articles that result in more questions that we need to ask and should be asking at a Public Accounts Committee. Again, I stress to the members, to the government members the importance of the role of Public Accounts in government processes and our duty not only both as PAC [Public Accounts Committee] members but as MLAs [Member of the Legislative Assembly] to ask these questions and to get the relevant answers.

I don't know about government members, but everywhere I go around Saskatchewan, this is the question that I get. I get concerns about this GTH land deal and the desire from taxpayers and from all citizens of Saskatchewan wanting to know what happened in GTH and when are we going to find out what really happened. And that's not just Regina. That's Melfort. That's Weyburn. That's Moose Jaw. That's Wymark. That's Prince Albert where we're hearing people's concerns. Saskatoon as well, my colleague reminded me.

I'm sure, since I'm hearing so much about it from my constituents, that government members are also hearing about it from their constituents as well. And it's sad to me that the government members continue to shut down debate. So I'm going to table one more motion, and I would urge that the members consider voting with their conscience and not voting on government or party lines.

PAC is supposed to be run by members on as much of a non-partisan basis as possible. We're supposed to leave our partisanship at that door and work together to ensure that we are making sure that government processes are running efficiently and that government is using taxpayers' dollars as effectively as possible. This is our job as PAC, and it's also our job as MLAs.

So with that I would like to put forward a motion stating:

That the Standing Committee on Public Accounts rescind the motion put forward on January 12th stating:

That the Standing Committee on Public Accounts meet with officials of the Global Transportation Hub Authority and the Ministry of Highways and Infrastructure on February 13th, 2017 from 1 p.m. until 4 p.m. to conclude considerations of the recommendations in the *Special Report: Land Acquisition Processes*.

The Chair: — Thank you, Ms. Sarauer. We'll just make sure that's in order. Thank you. Ms. Sarauer has moved:

That the Standing Committee on Public Accounts rescind the motion put forward on January 12th stating:

That the Standing Committee on Public Accounts meet

with officials of the Global Transportation Hub Authority and the Ministry of Highways and Infrastructure on February 13th, 2017 from 1 p.m. until 4 p.m. to conclude considerations of the recommendations in the *Special Report: Land Acquisition Processes*.

Is the committee ready for the question? Mr. Merriman.

Hon. Mr. Merriman: — Thank you, Madam Chair. I guess I'm very concerned in the process here. We've had two motions put forward to do . . . to not have somebody appear on behalf of the ministry. Now we're having a motion to rescind which motion, first of all? Was it specific, a specific motion? . . . [inaudible interjection] . . . Okay. Thank you, Madam Chair.

That's the concern. We've done this twice. We could keep going around on this over and over again. My concern is that the auditor has done her investigation, and her team has done the investigation, as well as the RCMP [Royal Canadian Mounted Police], with the opposition's request that the RCMP look into this. The RCMP's currently investigating this as well. I think that we should allow them to do their work on this, and we should move on with the questioning. We have officials here in the room. We should move on with the questioning of these specific officials.

The Chair: — Thank you, Mr. Merriman. Mr. Doke.

Mr. Doke: — Thank you, Madam Chair. I would agree with what Mr. Merriman has said, but also we had an agreement on this motion between both sides of government here to conclude today's recommendation. So that's what we will be going for.

The Chair: — Thank you, Mr. Doke. Ms. Sarauer.

Ms. Sarauer: — Thank you. I just want to comment one more time before we vote on the motion. Now there's a lot that's come to light since our last meeting in January, for one thing. And for another, we were not informed of exactly which officials would be here today. It's very clear that we need more officials than the officials that are here currently, which is why it's important that we rescind this motion and we provide the opportunity to have further discussion about this.

The process is important here. And it's pretty obvious, the only thing that's transparent to me in this whole process is what's going on from the government members in Public Accounts Committee. You can say whatever you want. As an opposition member on PAC, I only have one vote. And I can continue to express my concern, and this is the way I can continue. And I choose to continue to express my concern about the way that government members are using the process in PAC to shut down debate.

So again I urge the members on the government side to vote with their conscience, to allow for continual discussion and questions about this issue. And frankly the east bypass is another one that we're going to potentially shut down discussion on that we've barely even touched. So again, urge the members to vote with their conscience and allow for the continuation of discussion and questions on this so that we can make sure that the people of Saskatchewan have the answers that they deserve to get.

[13:15]

The Chair: — Ms. Sproule.

Ms. Sproule: — Just one further comment in response to Mr. Doke's comments, and that's we were provided undertaking this by the auditor in November and by the two gentlemen in the committee in January that there was certain information that we needed to be able to review. As you will recall, Madam Chair, the information that was provided the day before on January 12th was very significant, and there's still questions that come out of that that we are waiting for answers from, from these members.

So since they haven't tabled it before today, it would be unfair to close debate at 4 o'clock today. And I'm sure the members opposite would agree.

The Chair: — Thank you, Ms. Sproule. Seeing no further questions, I will read the motion again just to make sure everyone hears it:

That the Standing Committee on Public Accounts rescind the motion put forward on January 12th stating:

That the Standing Committee on Public Accounts meet with officials of the Global Transportation Hub Authority and the Ministry of Highways and Infrastructure on February 13th, 2017 from 1 p.m. until 4 p.m. to conclude consideration of the recommendations in the *Special Report: Land Acquisition Processes*.

Is that agreed?

Some Hon. Members: — Agreed.

Some Hon. Members: — No.

An Hon. Member: — Recorded division, Madam Chair.

The Chair: — All those in favour raise your hand. All those opposed raise your hand. That motion is defeated. Six opposed and one in favour. Thank you. Moving on now, Ms. Sproule.

Ms. Sproule: — I don't know if the officials want to make any opening comments. I'd be happy to defer to that.

The Chair: — Mr. Govindasamy or Mr. Richards? Mr. Govindasamy.

Mr. Govindasamy: — Thank you, Madam Chair. Thank you for the opportunity to appear before the committee again this afternoon. Ms. Sproule and Ms. Sarauer have already mentioned that there were a few questions that were raised at the last meeting when I was here, that they're waiting for responses. I hope to be able to respond to the best of my ability to those questions that were raised in the last session.

So good afternoon to all members of the committee. It's my pleasure to be here again to discuss and to respond to questions with respect to the land acquisition. On behalf of the Ministry of Highways and Infrastructure, I have today with me Mr. Wayne Gienow, who is executive director of corporate services

in my ministry, and Rachel Ratch, director of our corporate support branch, to assist me in responding to any questions where that may come up that I don't have the details. I will endeavour to answer all the questions to the best of my ability.

And when I appeared before the committee last month, I had an opportunity to update you on the work of the ministry and the work that the ministry has undertaken with respect in response to the Provincial Auditor's report and the recommendations contained in that report. At that time, we had already implemented seven of the Provincial Auditor's eight recommendations. And I believe that I spoke quite extensively to those recommendations and the approach that we've taken in the ministry to implement them. They were important recommendations, and of course, we in the ministry agreed with all of them.

More importantly, I did point out to members of the committee that those recommendations have actually helped us to improve our business processes which I think was the intent of the Provincial Auditor's very thorough review and our procedures as a ministry. So I'm quite pleased to report that those process improvements have started to show results in the ministry.

We appreciated the thorough review of our land acquisition practices. And again I'd like to thank the Provincial Auditor and her team for their careful analysis of all of the processes and proceedings. Today I'm pleased to announce that we have now implemented on the eighth and final recommendation brought forth by the Provincial Auditor in the review of the processes of my ministry. This recommendation really was to publish information to help landowners understand their property rights and how compensation for land for public improvement projects is determined. We worked with the Ministry of Justice, worked with other ministries that have anything to do with land acquisition, and prepared some material that's, I would say, fairly complex . . . took fairly complex legal items and turned it into some fairly simple lay language for the public to understand.

The information that we had previously was developed really for ministry staff and so was very technical and full of industry jargon, as I pointed out before. So we've now published a new document, as of today, that'll help people better understand their rights as landowners. It's really a very comprehensive document that provides information on the steps in the acquisition process, what is expropriation, compensation, making claims, and how to contact the Public and Private Rights Board. And so we've started to take the steps that the Provincial Auditor has mentioned to us that we ought to be taking like other jurisdictions to explain to the public and have the right kind of information available.

Admittedly this is just the beginning. We're working on other mechanisms by which we can put more information out there, either through a website or other mechanisms to be able to actually have the kind of information that members of the public would be seeking, because we will continue to be in the business of having to acquire land for infrastructure development in the province.

We intend to develop a collection of materials on our entire land acquisition and compensation policies to help landowners

better understand the process. It's an important step that we have taken because in examining it, which is the reason why I suggested earlier that the Provincial Auditor's thorough examination, careful analysis, comparisons to other jurisdictions with respect to the information available, was important to us, and important to me as the head of the ministry to be able to correct that and provide the kind of information that the auditor suggested that we ought to. In addition to providing this important information to landowners, it also allows my ministry to fully implement the recommendations previously brought forward by the Provincial Auditor.

I'd like to take a few minutes, Madam Chair, with your permission, to fulfill a commitment that I made to the committee at the last appearance on January 12th. There were several questions that Ms. Sproule and Ms. Sarauer asked of me and I was unable to respond at that time, but I did commit to going back and taking a look at what information was available in the ministry. And I want to take this opportunity now at least to respond to some of those questions.

The first request as I recall, going through the *Hansard*, the first request of me was to provide a list of the lawsuits that the ministry has been involved in as a result of land acquisition processes for the GTH. And Ms. Sproule, I think that you will be familiar with the information that I'm about to provide to yourself and other committee members as you received that same response in response to written questions 186 and 187 during the past sitting of the Legislative Assembly.

So with that, as of November 14th, 2016, there were 15 legal cases related to land purchased for the Regina bypass project or the Global Transportation Hub since 2009. The plaintiffs in these cases were Ailsby Enterprises; Bruce Bolingbroke; Lyle and Florence Denton; Granitewest Developments Ltd., there were two cases; William Hadwiger; Robert Hayward; McNally Enterprises; North Plains Management, there were two cases; James Ripplinger; Frederick Siller; James Tanner; and Douglas Voss with two cases.

I'm pleased to report that currently, out of those 15, nine of those cases are still active including Ailsby, Bolingbroke, Denton, Granitewest, McNally, North Plains, and Frederick. The other cases were concluded by agreement between the two parties.

Your next request was to provide a copy of the appraisal that was completed for the east parcels for the Ministry of Highways and Infrastructure. My ministry had one appraisal completed for those parcels. It was prepared by Peter Lawrek from Lawrek Johnson Bird Appraisals & Consulting Ltd. on October 23rd, 2013. I have a copy of that appraisal with me that I can provide to the committee members today.

For your next question, you requested a detailed description of who was on the land assembly subcommittee, when they met, why they were no longer active as of March 2013, and whether or not the Ministry of Highways and Infrastructure was informed of the activities of the team that was assembled.

Additionally, you wanted to know why the ministry pulled out of the subcommittee in March 2013. I have gone back and examined the processes and what was available and talked to

the staff with respect to the committee that you had expressed to me at the last meeting. And again, just as a reminder to members of the committee and with due respect to the Chair, I did not commence my role as deputy minister of Highways and Infrastructure until September of 2013. So a number of these questions and issues and events that we're talking about predated my arrival at the ministry.

Nevertheless, so the existence of this subcommittee and its activities essentially predated my arrival at the ministry. So I went back and I looked for information from within the ministry to find out what was this subcommittee and what were they doing, etc. And it's my understanding that the Global Transportation Hub Authority had a land assembly team created in May of 2012 with representation from the Global Transportation Hub Authority itself, ministry of Government Services which is now called the Ministry of Central Services, and Ministry of Highways and Infrastructure.

I believe our ministry was involved because of the role we played in the original land assembly for the GTH. Furthermore, Mr. Richards previously informed the committee in his testimony that Government Services helped procure independent consultants, such as appraisals for the GTHA [Global Transportation Hub Authority] in June of 2012. I understand that the Ministry of Highways and Infrastructure's representative was notified at the time that consultants were being engaged.

So from what I have been able to determine, in March 2013 our ministry became aware that Government Services had asked the appraisers to conclude the commission directly with the GTHA due to Government Services' minimal role in the process. I understand that the GTHA had also procured a consultant to directly assist with the land acquisition. Given the GTHA's direct work with the consultants, there was no longer a need for the larger committee or the committee that was assembled between GTHA, Government Services, and the Ministry of Highways, to continue to meet. So the role and our role as ministry became unnecessary and ceased to exist.

Finally your last question to me on . . . Is it the last meeting that we had? You had asked how many times our ministry met with the GTH and how often were the respective ministers advised of those meetings regarding the design plans for the west bypass. I can tell you that I first met with Mr. Richards for an introductory meeting on September the 23rd, 2013. The next meetings were held on December 11th and December 13th, basically to prepare a briefing on the full Regina bypass project — not just the west section of the bypass, but a full briefing was being prepared for consideration by cabinet. Our discussions included such things as the project needs, the route, the estimated costs and benefits and timelines, etc. So it was a full-scale presentation that was being prepared along with SaskBuilds and a number of other ministries. Mr. Richards was away on vacation at that time but participated in the meeting over the phone.

I should also mention that when I checked the records in my calendar, I was on vacation from November 23rd to December 9th and I was in Malaysia, out of country. So there were no sit-down meetings of Bryan Richards during that period of time. And then I subsequently . . . I've also established the fact that

Mr. Richards was away on vacation from December 7th until after Christmas but managed to participate in two of those teleconferences that I mentioned, so there was no sit-down meetings in that period of time that was asked of me. So we were also scheduled to, you know, continue to have the presentations prepared for consideration. And I think there was some scheduled meetings for December 16, 17th, but Mr. Richards, Bryan, was away on vacation so that did not happen.

The second part of your question dealt with how often our respective ministers were advised of our meetings regarding the design plans for the bypass, etc. And as I mentioned in my response earlier, on January the 12th, it was normal practice for me and my senior staff in the ministry to discuss issues with the minister's office. Discussing the business of a ministry is part of normal course of events and regular briefings that we provide to any minister.

[13:30]

I'm not sure how often or exactly when we discussed the design plans for the west bypass, but as we had information come along to us we would, you know, it would have been put together in briefing packages as part of our regular communication between the ministry and minister's office. And my senior staff, the ADMs [assistant deputy minister] in particular, have constant communication with the minister's office in all businesses that relate to the ministry in their area of responsibility and accountability.

Thank you for the opportunity to look into these issues that arose as a result of questions that Ms. Sproule and Ms. Sarauer asked of me. And I have endeavoured to check the records in the ministry as well as my own calendar events leading up to some of the questions, and I've tried to provide the information that I've been able to glean.

Today I look forward to the opportunity to respond to any more questions that I may get as deputy of Highways and Infrastructure, and I appreciate the importance of the process. And from a ministry perspective, we want to continue to do what we do best and that is, you know, we support providing the infrastructure requirements for the province to support trade and investment, increased transportation safety, enhance the quality of life in Saskatchewan, and efficiently manage the transportation system. Thank you, Madam Chair.

The Chair: — Thank you, Mr. Govindasamy. Mr. Richards, do you have some opening comments?

Mr. Richards: — If you don't mind, Madam Chair. Thank you, Madam Chair and committee members, for having us back today. With me today is my vice-president of finance, Matt Schroeder; my director of communications, Kelly Brossart. I thank them for their support.

I'd like to take a moment and report back to the committee on requests made specifically to me during my appearance before the Public Accounts Committee on January 12th. As my colleague has already noted, some of them overlapped for sure, and we'll just add to that as I go through.

Number one, I was asked to provide clarification as to when I

first learned the GTH was going to purchase the east parcels of land that were the subject of the review by the Provincial Auditor. I believe my testimony indicates December 19th. Upon reviewing the record, although I do not honestly recall the exchange, in the email record it indicates that I was potentially made aware the GTH may lead the purchase of these lands on the date of December 6th, 2013. There was additional . . . that particular intent was, of course, subject of approval by the GTH board of directors and the provincial cabinet.

In another email record from that date, it was further indicated that the subject would be reviewed in an upcoming cabinet meeting, and there would be more clarity available at that time. So at that point in time it was not confirmed, but I had communicated to my staff to be aware that that might potentially happen. I regret that I do not recall who specifically informed me in this regard, but I did pass it on to my staff, and that exists within the record.

At my last appearance, I'd been asked to identify the number of meetings between the GTH and the Ministry of Highways between August 2013 and December 2013. As my colleague has already indicated, our records show that the deputy minister, Mr. Govindasamy, and I only had one in-person meeting during that timeline. It was an introductory meeting after he assumed the role on September 23rd. The primary topic of discussion was the west Regina bypass and how critical the importance of free-flow traffic in and out of the GTH was.

In addition to that one-on-one meeting, our records show a number of briefings on the bypass project that took place December 11th, 13th, 16th, and 17th between officials of the Ministry of Highways, SaskBuilds, and the GTH. As already indicated, I was on vacation with my family during this time, but I did have an opportunity to call in to the December 11th and 13 meetings via conference call. But again, the subject was most specifically the Regina bypass project.

In response to the request to have a conversation with Mr. Laurie Pushor, who was the senior advisor to the Ministry of the Economy, I did have that opportunity. And in the discussion with Mr. Pushor, he clearly advised that he had co-operated fully with the Provincial Auditor, disclosed every detail on record regarding the transaction from his point of view with the auditor, and he believes that her report accurately reflects the events that occurred. Mr. Pushor further advises that he accepted the findings of the Provincial Auditor in all aspects of that discussion.

And finally I'd like to provide an update to the committee members regarding a recent business development activity of the GTH. I had been asked in January about the status of the Brightenview project first announced by the GTH last spring. I think I clearly identified I was very confident that that particular agreement would move forward, so I'm very pleased to share with the committee that Brightenview Development International Inc. has become a landowning client of the GTH. Title to the first phase of property was transferred earlier this month, making them the latest client at our inland port. We are excited to complete this milestone with the Brightenview and recognize their investment and commitment to the province. In addition, as part of that agreement they have provided non-refundable deposits on phase 2 and phase 3 of that

particular project. So again we are moving forward on all aspects of that agreement.

I hope today that we will share further conversation on the progress that GTH has made responding to the important recommendations made by the Provincial Auditor. We take those recommendations very seriously and understand the purpose of the committee assembled here is to track our advances in this regard. Unfortunately we have not been able to get to that during our previous visits, but hopefully we can discuss that today.

As a reminder, the Provincial Auditor had concluded the GTH did not have formal policies or processes for buying land from the private sector or experience in acquiring land. We accept her conclusion, and the GTH has worked diligently to develop a formal policy to control the process for land acquisitions and other significant initiatives.

This policy further outlines the specific approval requirements and templates. Among the changes, the policy sets out a checklist as an appendix that is required to be completed by the GTH land agent. Once this is completed and signed off and certified by the GTH project leader, of course it needs to go to our board of directors for approval.

This particular policy was approved, reviewed, and approved by the GTH board of directors in December. This was one of the many improvements we have made to our processes at the GTH. I would like to take a moment to reiterate our appreciation to the Provincial Auditor and her thorough work. They have completed an audit in the land acquisition processes. Their guidance and detailed analysis was, and will continue to be, very helpful to our organization.

I would welcome any additional questions from the Public Accounts Committee members. Thank you.

The Chair: — Thank you, Mr. Richards. Just before we get to questions, I realized there were three documents I didn't table that we need to table today.

We have the Provincial Auditor of Saskatchewan: Third quarter financial forecast for the nine months ending December 31, 2016, that's PAC 20-28; Ministry of Finance: Report of public losses, October 1, 2016 to December 31, 2016, PAC 21-28; and Ministry of Health: Report of public losses, October 1, 2016 to December 31st, 2016, and that is PAC 22-28.

Thank you for that. Ms. Sarauer.

Ms. Sarauer: — Thank you. Thank you, Mr. Richards and Mr. Govindasamy on those reports back on the information you received after our last meeting. I have a few follow-up questions, and I'm sure my colleague, Ms. Sproule, does as well, if you don't mind.

I'll start with you, Mr. Richards, simply because you were the last person who spoke. You had mentioned, and in your words I believe you said that you were potentially made aware of GTH purchasing the land on December 6th. Can you elaborate please on what you mean by that?

Mr. Richards: — Again, as I indicated, I do not specifically recall the exchange. But in reviewing the email record, one of my staff members wrote an email to another of my staff members indicating that Bryan had heard today that the GTH may lead the purchase of the land. And that was written on December 6th. There was an additional exchange of email record between ourselves and the Ministry of Highways seeking information on — much the same as what you have — on the status of the expropriation lawsuits, and we provided that information. And the response within that record was, thank you for the information. We would be presenting that as part of our submission to cabinet, and after that we will have more clarity.

So my combination of understanding of those particular elements is that it had been communicated to us that there was consideration for the GTH to be the lead agency on the purchase of the land, but it had not been fully settled at that point in time. Again, I don't have the full recollection, but piecing that together from the record, that's what I understand.

Ms. Sarauer: — Okay. So just to clarify, you saw, in an email, an official sending an email to another official within GTH indicating that you had told them that the land was going to be purchased by GTH.

Mr. Richards: — Correct. It was an email that was copied to me. I was copied on it. But it was from one of my officials to another of my officials saying, Bryan heard today. So I can only relate that I had some form of conversation, and I don't recall who, that there may be an opportunity.

Clearly, we had heard on December 3rd at our board meeting that there was a presentation that had gone forward to cabinet about the government purchasing the land, which was the way the item . . . We discussed that at our last session, you know, purchasing the land. I can only make the leap that there was additional information provided that potentially the GTH was being considered as the lead in that and that more information would follow, more clarity would follow after the next cabinet meeting.

Ms. Sarauer: — So who would have provided you with that information that GTH was potentially going to be the lead?

Mr. Richards: — I wish I knew. I do not specifically recall. All I have is the exchange that Bryan was advised today. And that's all it states in the email.

Ms. Sarauer: — Okay. Do you have any recollection of any conversations you had with your minister after the December 3rd meeting?

Mr. Richards: — I do not recall any interactions with the minister specifically after the December 3rd meeting, but I do not have a recollection of that particular conversation, no. And as I already stated, left for vacation the next day, and that's . . .

Ms. Sarauer: — Do you have a copy of that email for the committee?

Mr. Richards: — I believe that would be on the record. Yes, we could.

Ms. Sarauer: — Okay. You can provide that to the committee then?

Mr. Richards: — We could do that follow-up. Yes.

Ms. Sarauer: — Who were the government officials that were communicating with each other in that email exchange?

Mr. Richards: — That would have been the chief operating officer, Blair Wagar, of the GTH at that point in time sending an email to Matt Schroeder, our VP [vice-president] of finance, and copying myself.

Ms. Sarauer: — Okay. I might come back to this, but I do want to ask some follow-up questions on your update after your discussion with Mr. Pushor. In response to the PAC meeting that we had in January, there was a follow-up that you just reported on where we had asked you to talk to Mr. Pushor and figure out why he . . . in particular in relation to the board meeting information and why it was done in a quick time, in about, I believe it was a 30-minute time frame. Now your communication with Mr. Pushor for the purposes of today's meeting, was that done over email or was that over the phone?

Mr. Richards: — It was actually a personal meeting.

Ms. Sarauer: — Okay. It sounds like the comments you received are pretty much the same words that we've been hearing from ministers in question period. Did you find that a little bit odd?

Mr. Richards: — Sure. Sorry, I'm not familiar with what was asked in question period. My questions specifically to Mr. Pushor were along the lines and asked him if he would read *Hansard* directly so that he could clearly identify what was asked of myself, and hence of himself. And the conversation ensued from there.

Ms. Sarauer: — Okay. So the answer he provided you to that was done orally. It wasn't over written communication.

Mr. Richards: — Correct.

Ms. Sarauer: — Okay.

The Chair: — Ms. Sproule.

Ms. Sproule: — Thank you very much, Madam Chair. A number of questions, but I just want to clarify some of the information that we've just been provided before I go into other questions in relation to what has been said previously.

Mr. Govindasamy, in committee on January 12th, you indicated that it was late December where you became aware of the GTH's interest in acquiring those parcels of land. I know there had been communications in as early as June of 2012 where Nicole Anderson from your ministry was in contact with Mr. Wagar from the GTH.

We know that your minister in, I think, July of 2012, there was a cabinet meeting at that time. I believe there was also cabinet meetings in November 2013. And you've now told us that your officials were actively discussing the buyback of GTH land, or I

assume that was the subject of those, so . . . Okay, I'm going to back up then. You said in January 12th, 2017 that you were not aware of any active negotiations with the sellers until late December. Now you're telling us this happened as early as, I believe, December 11th. Do you see an inconsistency in that statement?

[13:45]

Mr. Govindasamy: — You know, I just want to be really, really clear about the questions that you've raised and my responses. The auditor has raised, you know, a schedule of events in terms of, on pages 14, 15, and 16. All the events . . .

Ms. Sproule: — Madam Chair, I would ask that the official just answer the question.

Mr. Govindasamy: — Yes, so clearly laid out.

Ms. Sproule: — Just answer the question, Mr. Govindasamy.

Mr. Govindasamy: — Right. So, well I am trying to get to the answers here, Ms. Sproule. Please pardon me. I first became aware the GTH was proceeding to purchase the land on or about December 18th of 2013. So that's when I first became aware.

Ms. Sproule: — And how did you become aware?

Mr. Govindasamy: — I was made aware by my staff.

Ms. Sproule: — Which ones of your staff?

Mr. Govindasamy: — My senior staff who are responsible for construction informed me that the GTH was proceeding to purchase the land. So that was the first time that I heard . . .

Ms. Sproule: — And who is the head of that unit? Which staff person . . .

Mr. Govindasamy: — I'm sorry?

Ms. Sproule: — Which staff person is the head of that unit?

Mr. Govindasamy: — That staff person was the head of the unit is no longer the head of the unit. He has taken on another position in the ministry.

Ms. Sproule: — What was his name, sir?

Mr. Govindasamy: — His name was Ron Gerbrandt. He's my assistant deputy minister of, was my assistant deputy minister of construction.

Ms. Sproule: — Thank you.

Mr. Govindasamy: — So that was when I first heard that the GTH was proceeding to purchase the land. And I believe that is how I responded on January the 12th.

Ms. Sproule: — All right. In terms of the meetings that happened between your ministries, first off I guess I want to go back a little bit because, Mr. Richards, when we asked you to provide some documentation, you'll recall, on November 28th

you provided us with a very large pile of paper just the day before our meeting. And the very last note in your response — this was prepared by you on January 9th — as you said, “As all of the documents provided to the committee become public record, this request has been considered in the context of *The Freedom of Information and Protection of Privacy Act* of Saskatchewan.” And the request here was that committee has requested all records provided to the Provincial Auditor.

You went on to say that “The GTH sought to provide as much information as possible, as can be seen with the attached documents. However, certain documents have been severed pursuant to the Act, and some documents in their entirety have been withheld.”

Now since then we’ve become aware that through freedom of information requests, CBC [Canadian Broadcasting Corporation] has received a number of emails between your authority and the Ministry of Highways. Those were not disclosed as part of this package. So I have two questions for you. First of all, why did you not disclose all of the information that CBC was able to obtain through freedom of information? And secondly, I would like a list of what we did not receive. Would you provide that to the committee?

Mr. Richards: — In the absence of understanding all of that, I will certainly look into that and consult. My understanding, from the appearance of the Provincial Auditor from November 8th, if I got the dates right, there was an undertaking as to, if I have this correct, that the Provincial Auditor was going to review the materials that were presented to the Provincial Auditor and have an understanding of whether those will be presented to the committee. So from that perspective, that’s why we took the action of saying, you know, at this point in time we’ll provide everything that has gone in the public record from a freedom of information Act point of view. And then we’re waiting, I believe, to hear what the results of that particular situation was from, I believe it was the November 8th meeting.

Ms. Sproule: — That’s not quite what I asked, so maybe I’ll try it again. What you’re saying is on January 9th you didn’t tell us at the time, but you were waiting to hear back from the auditor on her position? Is that what you’re saying now?

Mr. Richards: — I don’t think that question was specifically asked of me on January 12th, but I could be wrong on that.

Ms. Sproule: — I didn’t ask any questions of you on January 12th. These were asked on November 28th. You prepared your reply on January 9th and presented it to the committee on . . .

Mr. Richards: — Right. Okay, I understand. Okay.

Ms. Sproule: — In that reply, where we requested all of the information that was sent to the Provincial Auditor, you never indicated . . . This is something that just came up now. You indicated now that you were waiting to hear back from the Provincial Auditor before you released more of those documents. Did I get that right?

Mr. Richards: — If you allow me to consult one second with my officials, make sure I have the proper understanding.

Ms. Sproule, it’s a little bit complicated, but I’m going to try to make sure I articulate this properly. I believe the request was for the information that was provided to the Provincial Auditor. We gave you all the information that we provided to the Provincial Auditor. The email records were provided to the Provincial Auditor from a separate request to ITO [information technology office]. So the request for us was to give the committee everything that was provided by us to the Provincial Auditor.

Subsequently on freedom of information requests, they have been posed to us separately and asked specifically for those email records, which then were provided to the applicant based on those freedom of information requests as opposed to them being included in the original package of information from the GTH to the Provincial Auditor. So there is definitely a disconnect there as to the information.

Ms. Sproule: — An interesting disconnect, I think. And this is now a new question: why didn’t your authority provide those initial emails to the auditor when requested? Why did they have to come from the ITO?

Mr. Richards: — I think that was a process issue from the specifics of the provincial audit office. A number of the emails came from previous officials, current officials. The search was rather large, so it was much easier to conduct that through the office of the Provincial Auditor as opposed to going sort of piecemeal to the GTH, etc.

Ms. Sproule: — All right then. I think at this point in time we would like to ask for you to provide all of those emails that came through the ITO to the Provincial Auditor and provide those to the committee. Would you undertake to do that?

Mr. Richards: — I can certainly consult and advise on that.

Ms. Sproule: — Thank you. You did say you were waiting to hear back from the Provincial Auditor. Is that now not part of your response?

Mr. Richards: — I would still be on the record as saying that’s part of my response because I believe that there was some discussion at that point in time, a question posed to the Provincial Auditor as to . . . That office would have to seek additional counsel in that regard. If that has been completed and I am unaware of it, I would apologize. But I believe that was still outstanding, from our understanding.

Ms. Sproule: — And have you requested that the auditor proceed with that information? Have you had any communication with the auditor in that regard?

Mr. Richards: — I have not specifically asked for it because there was no intent on our part.

Ms. Sproule: — All right. So without having the opportunity to have those emails in front of us today . . . And certainly we’d like to be able to have the opportunity. I’m sure other members of the committee might be interested in them as well. We can’t do that past 4 o’clock, so is there any way you can get them here today before 4 o’clock?

Mr. Richards: — Excuse me while I consult one more minute.

I believe the short answer to that: it would be impossible to get them here before 4 p.m.

Ms. Sproule: — That's unfortunate. Madam Chair, I just would like you to take note of that, that there is information that isn't available for the committee before 4 o'clock today.

I want to move on to the information package that you and your board were provided on December 3rd and subsequently on December 19th of 2013. There's been a number of questions, and I guess this relates to which Mr. Pushor told you. And he certainly hasn't been in front of this committee to tell us that, but he indicated he disclosed everything to the auditor. That was, I think, the essence of your conversation with him?

Mr. Richards: — Correct.

Ms. Sproule: — Now when he talked to the auditor, he said he actually disregarded the third party appraisal that Mr. Marquart had acquired in February of 2013 and that it wasn't relevant to the negotiations. My first question in relation to the December 3rd packages: who did you receive those materials from?

Mr. Richards: — I believe my previous testimony indicated that they came from the minister's office.

Ms. Sproule: — Yes, you were that general. I would like a more specific answer in terms of who from the minister's office provided you with that package.

Mr. Richards: — Let me consult one second. I might be able to get very accurate for you.

Without checking the email record, my recollection is it came on December 2nd to our board secretary from the minister's office. And I'm going to likely believe it was the chief of staff to the minister, but I would have to check that for accuracy.

Ms. Sproule: — Do you recall who the chief of staff was at that time?

Mr. Richards: — Yes, that would have been Cam Baker.

Ms. Sproule: — So as far as you can recall, Cam Baker delivered the December 3rd board package to your office on December 2nd?

Mr. Richards: — That is my recollection, but I would need to check that for accuracy.

Ms. Sproule: — Okay. And at that point in time the indication was that the government was going ahead to purchase the land, but was there any indication from Mr. Baker which ministry would be purchasing that land?

Mr. Richards: — My recollection of that meeting is it was very specific. It said the government would be purchasing the land. There was no indication given . . . The item was worded that way on December 3rd.

Ms. Sproule: — And were you aware that the SaskPower money would be voted on by cabinet on December — what day did that go through? — 5th I believe or . . . Just let me check. I

want to make sure I get the dates right. Oh, it was December 4th. So the next day the cabinet was giving approval for the SaskPower purchase of land at the GTH. Did that enter your mind at the time that that was going to be an interesting amount of money that you would have available?

Mr. Richards: — I'm searching my recollection. I don't believe I have any knowledge of any cabinet proceedings related to that at all.

Ms. Sproule: — Were you aware that SaskPower was intending to put in a bid for 120 acres?

Mr. Richards: — Absolutely. We'd been in discussions with . . . I became aware of those discussions with SaskPower from the time that I assumed the role on August 2013. And they had been ongoing, the items that had gone to our board prior to and then in August and then subsequently again in the fall. So there was ongoing discussion about SaskPower and their intent to purchase land within the GTH.

Ms. Sproule: — But you had no indication that that would proceed through cabinet on December 4th, the very next day?

Mr. Richards: — I personally have no knowledge of cabinet proceedings in that regard, no.

Ms. Sproule: — All right. In that December 3rd information item, there was a description, a recommendation, a rationale, considerations. There was a map listed as appendix 1, and then there was a summary that we received that said that there was two appraisals that were relevant to the purchase. One was the appraisal for \$60,000 per acre. I believe that was the one that your out-of-province appraiser did, Vertex. That was in the fall of 2013. And then there's a second reference here to appraisal B, approximately \$129,000 per acre. So that would be the Marquart appraisal, as far as you know?

Mr. Richards: — Correct.

Ms. Sproule: — At the bottom of the item it says diligence, and it says: two appraisals were considered; see attached. So were those appraisals attached to this information item?

Mr. Richards: — Again I don't . . . Can I confer with my officials?

[14:00]

Ms. Sproule: — My concern is they weren't provided with the information that you gave us. So if they were part of that information item, why were they removed? So would you please check with your officials, yes.

Mr. Richards: — Okay. The recollection of our officials is that there was no appraisals attached to the December 3rd item.

Ms. Sproule: — And could you also confirm the same for the December 19th items which has the same statement? There was no appraisals attached there either.

Mr. Richards: — Correct.

Ms. Sproule: — So although they were considered part of the diligence, at no point in time did you or the board of directors look at those appraisals or request to see them?

Mr. Richards: — I believe the board was not presented with them. Correct.

Ms. Sproule: — And you have never seen them either at the time of this . . .

Mr. Richards: — I believe in the testimony we gave at the first meeting of this committee is that we at the GTH received a copy of . . . Obviously we had our own version of the appraisal from CRVG [Canadian Resource Valuation Group Inc.], but we were presented with a copy of the appraisal from the Marquart group. And at the request of the Privacy Commissioner, we were advised to destroy all copies.

Ms. Sproule: — Can you share with the committee when you received that appraisal?

Mr. Richards: — I would only be going through recollection. I'd have to check the record, but I believe it was attached to an email around December 16th.

Ms. Sproule: — While you were away on holidays?

Mr. Richards: — Yes.

Ms. Sproule: — So that was the very first time that you saw that appraisal, as best . . .

Mr. Richards: — To the best of my of recollection, yes.

Ms. Sproule: — All right. So on December 3rd then we have the price being justified at \$105,000 per acre based on that appraisal. Now on page 30 of the auditor's report, she makes the following statement:

The Senior Advisor [which is Laurie Pushor] indicated to us that he had deemed 3rd Party C's appraisal as irrelevant to the negotiations. As a result, he indicated that he did not formally review it.

So why do you think then that the board of directors was presented with the existence of that appraisal on December 3rd? Why was it included in the information item?

Mr. Richards: — I didn't ask Mr. Pushor specifically that question. So I would merely be speculating on that because I did not write that item.

Ms. Sproule: — Do you agree that when it's listed as a part of the information and then under the heading, diligence, that that is something that is relevant? And in the view of the Ministry of the Economy and Cam Baker, that it was important that the board consider that appraisal?

Mr. Richards: — Clearly I believe that the provincial audit report has identified that as a particular gap and an issue, and has commented at length on that in the report.

Ms. Sproule: — And Mr. Pushor gave you no indication,

despite having telling you he disclosed everything to the auditor that that gap, he didn't address that with you at all in your conversations?

Mr. Richards: — He specifically indicated to me that he accepted the conclusions from the interview and the investigation of the auditor and the gaps that existed from that perspective. So that was his statement, that I accept exactly what was written there.

Ms. Sproule: — Now I know you're a well-paid individual — I think it's \$225,000 a year is your contract. I think that works out to about \$108 an hour based on my rough calculations, give or take. So when you were away on holidays on December 16th and this appraisal was then provided, what use did you make of it and for what purpose was it provided to you? Who asked it to be provided? Did you ask it to be provided? What use was made of that appraisal when you got it?

Mr. Richards: — Again you're asking me to recollect from three years ago. I believe I'm correct when saying that it was December 16th, but I believe the . . . I would have to check the email record that I was provided a copy by Mr. Pushor of both the appraisals for reference purposes. And again, I would have to go back to the email record. And I certainly don't recall doing anything with them while I was on vacation.

Ms. Sproule: — No, I don't blame you. December 16th, Mr. Pushor provided you with that appraisal. Did you ask for it or did he just choose to include it?

Mr. Richards: — I do not recall asking for it, no.

Ms. Sproule: — So we can assume that Mr. Pushor saw it significant to provide it to you at that point before the board made their final decision?

Mr. Richards: — Pure speculation on my part. I wouldn't know.

Ms. Sproule: — Did you provide it to the members of the board?

Mr. Richards: — I did not.

Ms. Sproule: — So the board members never saw that third party appraisal?

Mr. Richards: — To the best of my knowledge, no.

Ms. Sproule: — Despite the fact it's under the diligence item for the board's consideration?

Mr. Richards: — All I can add is that I believe the Provincial Auditor report has clearly identified that as an area of opportunity.

Ms. Sproule: — That's a good way of putting it. So when Mr. Pushor indicated to the auditor that it was irrelevant to the negotiations, how do you think then that the Government of Saskatchewan came to the total of \$105,000 per acre, when we had a Highways appraisal done in October that I believe showed it around 50 to \$60,000 per acre — maybe even less,

30,000 — and you had an appraisal done in June of 2012 that was around 15 to \$20,000 per acre? You had another one done in your term from the Alberta company who had it quite a bit higher. I think it was around 50,000; I'd have to look.

So how do you think that \$105,000 per acre could even be considered as acceptable when there was nothing near that? Even what the person who bought the land paid for it was significantly lower than that. So was there anything going through your mind at that time thinking, this is too high?

Mr. Richards: — At that point in time when it was presented to us, it had been a cabinet decision. And I was pleased when the board of directors considered the cabinet decision, moved ahead, and gave us advice how to move forward with the purchase of the land. I was not commenting or thinking anything relative to the \$103,000 an acre.

Ms. Sproule: — On December 3rd it was not yet a cabinet decision. That's when 105,000 came. It was 103,000 after the cabinet approved it. So on December 3rd, before the cabinet made their decision, had you given any thought to whether that was a good use of public dollars?

Mr. Richards: — Again, at that point in time, it was presented to us as an information item for our December 3rd meeting to be considered by the board.

Ms. Sproule: — And that due diligence should be exercised with respect to the two appraisals, including the Marquart appraisal?

Mr. Richards: — Absolutely. I believe that the provincial audit report has clearly identified the areas of opportunity and challenge in that, and we accept those conclusions.

Ms. Sproule: — We know that on November 27th there was a cabinet committee meeting and in that case, it was the GTH interchange land acquisition proposal was submitted by Bill Boyd and Laurie Pushor to the land buying due diligence committee. So that was, as far as we know, minister Boyd; minister McMorris; Minister Wyant, the Minister of Justice; Donna Harpauer, minister of CIC [Crown Investments Corporation of Saskatchewan]; Jim Reiter; Nancy Heppner; and Ken Cheveldayoff. This is what we were told through disclosures that the CBC has acquired.

We've never been provided these documents although I hope we will after our conversation today. So in that time they brought this proposal to the committee. We know then, Mr. Govindasamy, that your minister was part of that committee. Did he report at that time to anyone from your ministry regarding the decision that the GTH purchase that land?

Mr. Govindasamy: — Ms. Sproule, as far as I can recollect, there was no information relayed back to me on any discussions of the land committee that you're referencing or any of the cabinet discussions back to me.

Ms. Sproule: — After November 27th and before December 19th, did you meet with minister McMorris on any occasion or talk to him or exchange emails with him or have any communications with him?

Mr. Govindasamy: — I was out of the country from November 23rd to December 9th. I had no email communication with the minister's office. And subsequently, I don't recollect any email or phone conversations with the minister's office.

Ms. Sproule: — Are you aware in your absence whether there were other officials in your ministry that would have received communications from the minister's office indicating that the GTH was now pursuing the purchase?

Mr. Govindasamy: — I'm not aware of communications during that time other than the fact that my ADMs normally do communicate with the minister's office on the areas of responsibility. That's normal course of business.

Ms. Sproule: — But in this particular time frame, while you were away, was there any communication with the minister's office with any of your officials in relation to this decision item that went through the cabinet committee meeting?

Mr. Govindasamy: — I'm not aware of any.

Ms. Sproule: — Is there any way you could check with your officials to find out if they heard from the minister's office during that period of time? It's a very significant decision that you would assume your minister would communicate.

Mr. Govindasamy: — So I want to understand the question perfectly before I go back and look for any records that I may or may not have in the ministry. You're asking me to go back and check to see, as a result of some meeting on . . .

Ms. Sproule: — On November 27th, 2013 . . .

Mr. Govindasamy: — November 27th that occurred, whether or not there was any communication between any members of my staff and the minister's office with respect to that particular meeting?

Ms. Sproule: — The GTH acquiring that land. Because you've told us your officials were busy working on the second appraisal, going through your normal processes. Although it's startling to think that your minister would not inform you that that was not going ahead. So he was there at the committee meeting, and we just want to confirm that he didn't share any of that information.

Obviously we can't ask minister McMorris. He's been asked to comment . . . or Mr. McMorris at this point in time. He's been asked to comment and hasn't, so we want to know what your officials were told. At least maybe we could get some of that information through that route. So if you would undertake to do that.

Mr. Govindasamy: — Well I can go back and check, but I believe that if . . . I will go back and check to see what exists.

Ms. Sproule: — Okay. That's all we can ask. Thank you very much. Now we know that after that November 27th meeting, a few days later minister Boyd, who's your Chair, brought that information item to the GTH board, that the government buy the land for \$105,000 an acre. The next day we know that the cabinet approved the SaskPower purchase, which would put

\$25 million in the GTH bank account. And then on December 6th you were told, Mr. Richards, that the GTH would lead the purchase.

Now according to the emails that CBC was able to obtain through freedom of information requests, there were a number of communications between you, Mr. Govindasamy, and your officials. Could you detail — because we don't have those emails here right now — what exactly those communications were?

Mr. Govindasamy: — So, Ms. Sproule, I want to know the dates if I may, please, that you're looking for communications with my . . . on my email system. What are the specific dates that you are looking for?

Ms. Sproule: — If you'll just hang on a second I'll find the reference.

According to the CBC report, and this was on — I'm going to get you the date of the report so you can refer to it — February 5th, 2017. The CBC says:

Internal emails show that from Dec. 6 to Dec. 17, 2013, Richards and his staff met with or were part of email exchanges with Govindasamy and his staff no fewer than 12 times.

And then there's a comment on that further about you testifying you didn't know any of this, but I think your testimony was as to the decision for GTH to purchase the land only. So obviously you were part of these communications. So those are the ones we're looking for specifically.

I know you've looked at them recently because they were provided to CBC. So perhaps you could just share with the committee the essence of those email exchanges or the meetings.

Mr. Govindasamy: — Can I take a moment please, so I want to get this right?

Ms. Sproule: — Sure. Mr. Richards, you could start if you're ready to go.

Mr. Richards: — To make sure I understand, you're asking specifically about December 11th, 13th, 16th, and 17th?

Ms. Sproule: — I'm not sure. What we're told from CBC was from December 6th to December 17th, so I think it goes before December 11th.

Mr. Richards: — When we reviewed all of those records at the request of the committee from our last meeting, each one of those exchanges was not initiated by either Highways or the GTH. We were copied on those, both Mr. Govindasamy and myself. And it was with regards to a complete review of the Regina bypass project which was being presented to senior leadership within government.

There was a number of exchanges. The bulk of the attachments on those would be a PowerPoint presentation that we were

going back and forth on reviewing in terms of the overall bypass, all of the elements, costs, etc.

So as I said, I was on vacation. I did have the opportunity to participate in the conference calls on the 11th and the 13th as per what my opening statement indicated. And that was merely to contribute or listen in as they were preparing the information on the Regina bypass project overall.

[14:15]

Ms. Sarauer: — So just to clarify, Mr. Richards, you were in a conference call that Highways was a part of as well, both on the 11th and 13th of December. Is that correct?

Mr. Richards: — There was a number of parties involved in that. I would believe, and I would have to check with my colleague the accuracy, but SaskBuilds was very much involved in this. There was one of their officials that was on the lead in preparing the information on this and we were contributing to it. But it was in discussion about the overall bypass project.

Ms. Sarauer: — And at no point in time during those two conference calls was it mentioned that GTH was going to be purchasing this land?

Mr. Richards: — No, there was no opportunity, no reason to, no context to provide that information.

Ms. Sarauer: — Simply, perhaps because of the knowledge that you had, Mr. Richards, of Highways' involvement in potentially purchasing the land, that you still felt that there was no reason to provide that information during the December 11th or the December 13th meeting?

Mr. Richards: — I believe I have stated previously to this committee that I had no knowledge of Highways' processes or what they were pursuing on that side, and I stand on that today.

Ms. Sarauer: — However your predecessors had knowledge though, correct? Like Mr. Dekker, for example.

Mr. Richards: — I would be purely speculating if I said that Mr. Dekker was aware of anything relative to that.

Ms. Sarauer: — Were there any ministers involved in that conference call or was it simply officials?

Mr. Richards: — My recollection was entirely officials because the presentation was going to be going to ministers.

Ms. Sarauer: — Okay. So I'm just struggling with the understanding of the purpose of the conference calls, and this to me seems like an important piece of the bypass and why that wasn't discussed during the December 11th or the December 13th conference calls. Do you have anything you can add?

Mr. Richards: — You know, from the GTH perspective, this was an important piece where the interchange from Rotary Avenue was going to go, but this was a much larger discussion in terms of the overall bypass project and the viability and validity of it moving forward to support the Saskatchewan plan for growth. That was the intent of those discussions. So there

was no individual land discussion or anything along that line, to my recollection. But perhaps Mr. Govindasamy can add some clarity to that.

Ms. Sarauer: — Okay, but you, Mr. Richards, did you not have knowledge that the . . . Your testimony is that you had zero knowledge that the Ministry of Highways whatsoever was looking into purchasing this land?

Mr. Richards: — The question was posed: was I aware that they were exercising their process in getting appraisals on that land? If you ask me, I had zero context to that in that perspective through the months of August through to December 2013.

Ms. Sarauer: — With respect, Mr. Richard, my question is whether you had any knowledge of whether Highways was looking into purchasing the land.

Mr. Richards: — Again, I would say no. I had no context, no conscious level of understanding that Highways was pursuing that land specifically.

Ms. Sarauer: — But you were aware of a PowerPoint that Highways was working on with respect to the land that they needed around the GTH?

Mr. Richards: — Again from this was a much broader presentation about the overall Regina bypass project in terms of route, positioning, etc. It was not specifically about land, so there was no context for me to . . .

Ms. Sarauer: — But in terms of when you're looking at the route, it would be fair to say that that would include looking at a map, for example, and seeing where that route would go.

Mr. Richards: — That would be fair.

Ms. Sarauer: — Okay. At what point did you notify Highways that you were intending on purchasing the land?

Mr. Richards: — I would believe — and again I was on vacation — that the communication would've . . . After it was passed by our board of directors on December 19th, there would be communication in some form or fashion on a formal basis. But again I would have to check the email record or other records on that.

Ms. Sarauer: — So it wasn't you specifically who provided that information to Highways?

Mr. Richards: — That would not be my recollection, again being on vacation.

Ms. Sarauer: — Okay. You have no knowledge of who from your office passed that information on to Highways?

Mr. Richards: — Again that is speculation on my part that that communication actually occurred. I would have to check the record to see if there was formal communication to Highways and on what date it had occurred, or perhaps it did not even occur. But I think Mr. Govindasamy has already gone on the record to say he became aware of it around December 18th or December 19th. But I don't know how.

Ms. Sarauer: — Right. I'm more interested in the GTH side of that particular equation, Mr. Richards. If you could go back and undertake to provide us that information, that would be appreciated.

Mr. Richards: — Just to be clear, did the GTH communicate; and if so, how?

Ms. Sarauer: — Who and when and how, I suppose too. Now a follow-up question, Mr. Richards: when did you become aware that Highways was going to buy back a portion of that land?

Mr. Richards: — I believe there was understanding on my part that that bypass for Rotary Avenue and the overall route of it would require some of that land that was to be purchased. Formal discussions between Mr. Govindasamy and I probably did not occur until after certainly I returned from vacation. But if there was other communication from anybody at the GTH in that regard, I would again have to check the record.

Ms. Sarauer: — If you could, that would be great and provide that information to us. And similarly, so . . . Sorry, I'm just trying to wrap my head around the whole process. So you said that you had an understanding that that was going to occur. Who provided you with that understanding?

Mr. Richards: — That would be a general understanding of the path of the bypass. And that particular section of parcel land, 204 acres, had been in discussion for several years as to what was going to be needed, and how the plan and the design changed several times in the years preceding my appointment.

But even after August 2013 there was a number of discussions. I think we referred to the September 23rd first meeting between Mr. Govindasamy and I. That was again another opportunity for us to review that, the importance of that Rotary Avenue free-flow interchange and where the placement, where the design of that was going to go. It clearly had not been finalized at that point in time.

Ms. Sarauer: — So your testimony, Mr. Richards, is that you were not provided that information, that the Ministry of Highways was going to purchase the land. You just assumed that that's how it was going to shape out?

Mr. Richards: — My recollection is when I did the transition with Mr. Dekker in August of 2013, it was clearly identified how important — from a transition perspective getting me up to speed — free-flow access that had been promised to our client, most specifically Loblaws, and that we needed an interchange at Rotary Avenue.

The discussions that ensued were, what did that look like, because originally it had been a bypass interchange at Dewdney Avenue only. So those changes were happening almost as we assumed that transition. So there was, I think, absolutely an understanding of the need for that. That land existed in previous business plans, west industrial land designations for the city of Regina. It was clearly discussed at length from that perspective.

My testimony is that I did not specifically know that Highways was pursuing any particular process on their side in terms of getting appraisals or pursuing that land. Was I aware that that

land eventually would be needed? From my perspective, Mr. Dekker had said that had been presented to the minister for follow-up, and that's what was happening.

Ms. Sarauer: — So, Mr. Richards, you were aware of the importance of this land to Highways, is what you're saying. Correct?

Mr. Richards: — I absolutely understood the strategic importance of that particular land to the GTH.

Ms. Sarauer: — Right. But you did not provide that information to them at the December 11th or the December 13th meeting that you were instructed to purchase the land. Is that correct?

Mr. Richards: — No, I did not.

Ms. Sarauer: — Okay. What I was speaking more about though was the actual, the second part of it, the Highways-purchasing-back-from-GTH portion of the land. So at what point did you become aware that that's what was going to happen?

Mr. Richards: — That was my undertaking, I believe, is that I was going to find out if it had happened prior to the return in January of 2014, because my recollection is that Mr. Govindasamy and I did not meet to discuss that until sometime in January of that year.

Ms. Sarauer: — And your recollection is that you did not receive instructions from anybody prior to January that Highways would be purchasing back that land?

Mr. Richards: — I don't have a recollection of that, no.

Ms. Sarauer: — Okay. I want to touch base again with that, that December 6th email, Mr. Richards. I understand you are aware of the email and that . . .

Mr. Richards: — I do have it here actually.

Ms. Sarauer: — You have it here. Could you provide it to the committee then? I don't think the committee has gotten a copy of that email.

Mr. Richards: — Okay. Who would . . .

Ms. Sarauer: — Yes, perhaps I'll ask a couple of questions while we wait for the email. I haven't had the opportunity to see it yet. You had mentioned, Mr. Richards, that you have no recollection of how you knew that GTH was going to purchase the land at that time, but you were reminded that you knew, I suppose, by this December 6th email. Is that correct?

Mr. Richards: — That would be correct.

Ms. Sarauer: — Now you mentioned that there were two officials that were communicating with each other in the email, and I haven't seen it yet, but you were cc'd to this email and those two officials were Mr. Wagar and Mr. Schroeder. Is that correct?

Mr. Richards: — Matt is right here. Yes.

Ms. Sarauer: — But that was my next question. I understand that Mr. Schroeder is here. I'm wondering if you've communicated with him and if you've had the opportunity to ask him if he has any recollection of any, I suppose, subtext to that email and how that conversation started. Hopefully we can get a little bit more information as to how you actually had knowledge of the GTH purchase and who provided that knowledge to you.

Mr. Richards: — May I consult? I'll see.

Ms. Sarauer: — Thank you.

Mr. Richards: — In consulting with Mr. Schroeder, he has no additional context other than he was . . . The intent from his perspective was, be advised that we could be in contact with the bank to ensure that we gave them a heads-up if it went down that path.

Ms. Sarauer: — Thank you, Mr. Richards and Mr. Schroeder. And I now have a copy of the email in discussion in front of me. It says in the email now, and this is December 6, and this is a part of the email:

Ministry of Highways will then purchase what they need from us for the transportation infrastructure. Bryan wanted to be sure you communicated this to the bank, as it will drive the debt level we will need.

So I take it from this email that you had received instructions that Ministry of Highways would purchase a portion of the land prior to or on December 6. Is that correct?

Mr. Richards: — Again, referencing what was there, I have no recollection of that discussion. It does state that in there but, again, I think the understanding was that the GTH needed a portion of this land for the bypass. Ministry of Highways would need a portion of that land to build the bypass. I think it's inferred in there that somebody would need to make sure they had that land to complete the bypass.

[14:30]

Ms. Sarauer: — Right. But it seems a little bit more serious than an inference when you're going to be providing that information to the bank, don't you think?

Mr. Richards: — I don't think there's any question about the 204 acres in total that we're talking about. That was the subject of the item that was presented to us on December 3rd. I don't think the parcels of land were ever in question as to what pieces of land were the target for this particular initiative.

Ms. Sarauer: — And by the target you mean the Highways' target, not GTH's?

Mr. Richards: — I don't know. I don't know how to answer that question. I'm not sure it was clearly land that was needed for us to be able to build the bypass. The design was not completed. I recollect many discussions about how many acres would be needed, whether the whole parcel would be needed.

There was discussion about our ability to put commercial services in that land at some point in time. That was changed because of the understanding of how much land was going to be needed. So it very much was not concrete by any stretch of the imagination.

The path of the bypass, however, was becoming clearer, so that 204 acres was important, but I do not recollect any discussion at all or understanding of whether 10 per cent of it was going to be needed or 100 per cent.

Ms. Sarauer: — Okay, but for the purposes of providing information to the bank, you had a clear enough picture for the bank's confidence level?

Mr. Richards: — Yes, I would believe so. We had the legal description of the land. That was all the information we had at that point in time because it, as we understood, was going to be considered further. It was just a heads-up from that perspective.

Ms. Sarauer: — Okay. And so just to clarify, Mr. Richards, you're telling us today that you have no recollection of who told you that Highways would be purchasing what, and I quote from the email, "... what they need from us [the GTH] for the transportation infrastructure."

Mr. Richards: — I apologize to this committee, but I really do not have any recollection of how that was communicated to me.

Ms. Sarauer: — Okay. And you don't remember when you provided that information to Highways?

Mr. Richards: — I do not believe I provided that information to Highways at any point in time. That's why the undertaking to see if any of our officials did because clearly on December 19th I would be aware that the GTH would now be the lead on that particular purchase.

Ms. Sarauer: — Okay, thank you.

Ms. Sproule: — Madam Chair.

The Chair: — Ms. Sproule.

Ms. Sproule: — Thank you. Mr. Richards, in the briefing note, the information item that you were provided both December 3rd and December 19th from the Ministry of the Economy, presumably Mr. Baker, again there was a reference in the December 19th materials to this . . . the Marquart appraisal, and it was under the item called "considerations" in that package, and there it talks quite a bit about that appraisal. A cash flow subdivision development analysis was done in February 2013 which placed the value of the land at \$129,000 per acre. Now we know this was provided despite the fact that Mr. Pushor has told the auditor he thought that was irrelevant. And I know that on page 31 of the auditor's report she talks about the discussion that your board had on December 19th. Were you sitting in by telephone at that meeting?

Mr. Richards: — Yes I was.

Ms. Sproule: — Do you recall that discussion that the board had about the purchase price? I know it's a long time ago.

Mr. Richards: — I do not have a good recollection of the elements of that discussion, no.

Ms. Sproule: — I know that, when the auditor spoke to the board members individually, they told the auditor's investigators that the negotiated price . . . It was determined it would be a commercially profitable transaction. In that case we know that they were now looking at \$103,000 per acre. Highways had just got an appraisal in October that had the lands around \$30,000 per acre. Your own appraisal from the Edmonton company was higher, around \$50,000 per acre, and significantly, both of those portions of land were for different values. So was there any discussion at the board meeting that perhaps there should be at least some negotiation of a different price for the southwest quarter because it was actually quite a bit less expensive and less valued than the northwest quarter?

Mr. Richards: — I would be purely speculating as I do not recall any discussion along that line.

Ms. Sproule: — Would it have occurred to you at any point that that was a matter that was of importance? Did you think about that at all?

Mr. Richards: — At that point in time, as we can see from the record, typically an item that goes to the board is presented by management, drawn up by management, created by management. In this particular instance, as the Provincial Auditor has already pointed out, those particular items came directly from the minister's office, who had taken the responsibility. I think she clearly identified the GTH had no knowledge from that perspective of that particular transaction. So no, I did not consider that on December 19th because it was an item that had already been approved by cabinet, the negotiation had been done, and I assume it was done by people with all that information. So at that point in time, that was what we received as terms of information, and it was presented to the board for decision. They approved it and, from a management staff point of view, we went to execute.

Ms. Sproule: — So despite the fact that under due diligence the Marquart appraisal was included, and Mr. Pushor has indicated since to the auditor that it was irrelevant, you've since destroyed the copy that you have of it and aren't able to provide it to this committee, although I think the Privacy Commissioner's ruling, once it was disclosed to you, I don't think there was any more propriety left. I think it was gone, but that's another issue for another day. When you signed the offer to purchase for, it says farmland, I don't know if you noticed that when you signed the offer to purchase on December 24th . . . Actually, you signed it on December 23rd. Did you sign it from your vacation location?

Mr. Richards: — Yes.

Ms. Sproule: — So it was through facsimile that you were . . .

Mr. Richards: — Correct.

Ms. Sproule: — When you put your name personally on that amount of \$21,038,780, did it ever occur to you at that point in time that there should be some due diligence done on that amount? Or did you assume it had already been done by

cabinet?

Mr. Richards: — Cabinet had approved the item. We were executing.

Ms. Sproule: — Did you have any conversations with your Chair regarding the valuation of the properties?

Mr. Richards: — I did not.

Ms. Sproule: — What conversations did you have with minister Boyd in November and December of 2013?

Mr. Richards: — I don't recall any discussion with minister Boyd because I was on vacations.

Ms. Sproule: — In November as well?

Mr. Richards: — In November? I don't recall any meetings or discussion with minister Boyd.

Ms. Sproule: — So in your view, you and your board were basically being told what to do.

Mr. Richards: — Cabinet had already approved this. It was presented to our board. They made a decision and I was executing.

Ms. Sproule: — And you put your own personal name on it on December 24th under that assumption. 23rd.

Mr. Richards: — Actually I have the item here in front of me, Ms. Sproule. Just to be confirmed, it was at my request, signed by Mr. Blair Wagar on behalf of myself.

Ms. Sproule: — Oh that's whose signature that is. Oh, I see it now — for Bryan Richards. So you did not sign that on the 24th? It wasn't faxed to you? Or the 23rd.

Mr. Richards: — Again three years ago, I'd have to recollect, but I remember running around trying to find a fax machine when I was on vacation. So I would assume I got the item but I'll have to . . . I would have to check the record for that.

Ms. Sproule: — So you were incorrect when you said you signed it?

Mr. Richards: — That would be . . . As I say, what was going through my head was the recollection that I was running around trying to find a fax machine at that point in time.

Ms. Sproule: — All right. The original closing date was March . . . or sorry, February 1st. Let me double-check in the agreement. The offer to purchase . . . Just hang on one second because I want to make sure I get this right. Oh yes, completed by February 14th, 2014. That was extended to March 3rd, 2014. Can you share with committee why the closing date went through later?

Mr. Richards: — Part of the process of the GTH is that on all items over \$5 million in value, that we seek an order in council from cabinet. And the process of getting that order in council completed was delayed, thereby we had to extend the closing.

Ms. Sproule: — All right. In the information items that you were provided on December 3rd and December 19th, there was an indication in there regarding announcement plan. And it was proposed that a routine announcement strategy be used consistent with the Ministry of Highway' routine land acquisition policies. Was that done?

Mr. Richards: — Again, you'll have to remind me of the dates on that. Sorry.

Ms. Sproule: — Well, December 19th was when the closing . . . or well December 23rd is when you actually signed the papers. It was recommended that there be an announcement, a routine announcement strategy, from using Highways' routine announcement strategy. I've searched your website and there was no announcement in the GTH website regarding this fairly significant acquisition. So how was it announced?

Mr. Richards: — I don't have a recollection here to be able to pass on to you today. I'd have to check into that myself.

Ms. Sproule: — Do you think perhaps your communication officer could share some light on that?

Mr. Richards: — I would ask that communication officer, but the one here in question today did not start till the following year.

Ms. Sproule: — So once again we don't have somebody in front of us that can answer the questions?

Mr. Richards: — I might possibly be able to answer, but I would have to check the record.

Ms. Sproule: — Then will you undertake to check the record to provide the committee with how this announcement was made, whether or not you consulted with the Ministry of Highways to use, I'll quote, "their routine land acquisition policies," and when you consulted with Highways as to how to announce this particular acquisition? I don't know, 23 million is a lot of money, and you know, you've announced far less on your website. So I'm just really curious why you wouldn't announce this when you announce safety meetings on your website. Sorry, \$21 million. I better get that right.

Okay, I'm going to just go back in time unless my colleague . . . Do you have anything right now?

Ms. Sarauer: — Sure, I can jump in and ask a few questions until you're ready again, Ms. Sproule, maybe to Mr. Govindasamy, so you don't feel so left out.

As I'm sure you're well aware, there was a very recent CBC article that came out where a former official of yours expressed that he had expressed some concerns about the prices that were being talked about with respect to the buyback — so the Ministry of Highways purchasing back the land from GTH. Do you remember, Mr. Govindasamy, ever receiving any concerns about the price being offered as the price that Ministry of Highways should be purchasing for that land?

Mr. Govindasamy: — Can I ask you to be specific? From whom are you referring to? Concerns from whom?

Ms. Sarauer: — From your officials, any of your staff within the Ministry of Highways, Mr. Govindasamy.

Mr. Govindasamy: — This particular individual that you are referencing that has appeared as part of media articles was not involved. He was not regularly involved in any land negotiations and did not have any signing authority. There were no other officials. When we were ready to sit down with the GTH and look at our needs from the Ministry of Highways and Infrastructure perspective, we had to first of all determine how much land they would need. And as I said earlier, you know, the final designs were not finalized until April of 2014. But nevertheless, we were looking at the designs and trying to determine how much land was going to be needed. We were aware of our own appraisal that we had done in October of 2013. We also, at that point in time, were aware of the appraisals that the GTH had signed. And then it was a matter of sitting down and working out in terms of what the purchase price was going to be for the land that we would need as the Ministry of Highways for that particular design.

Ms. Sarauer: — Thank you, but I don't believe you answered my question, Mr. Govindasamy. Are you aware — no, let me rephrase — do you recall ever receiving any concerns about the price of the land that was going to be purchased back by the Ministry of Highways by any members of your ministry?

Mr. Govindasamy: — I was not provided with any emails or any concerns were raised with any kind of, you know, concerns with respect to the price. We had the appraisals that we used as the basis for our discussions with the GTH.

Ms. Sarauer: — Were any other concerns raised by any members of your ministry?

Mr. Govindasamy: — How do you mean by concerns?

Ms. Sarauer: — Well I would appreciate if you would actually give us some examples. But I'll give you a couple of examples but they're not limited. The price would be one of them. The process may be another. The appraisals where the prices are being listed could be another concern. Perhaps the expediency of which the process was being done. I'm sure you could elaborate more. I'm sure if there were any, and I'm speak broadly, Mr. Govindasamy, if there were any concerns raised by any members of your ministry, any of your employees raised to you about the buyback.

[14:45]

Mr. Govindasamy: — Well I mean I would have raised concerns at that point in time in terms of being pretty certain about how much land we would need to build the infrastructure. So I would have turned to my officials to say, to ask the question, you know, where are we at in the design stage? How can we actually determine the exact footprint of this particular design? I would have raised that as a question, not being familiar with where the process was at, at that point in time.

I would have also looked at, so what are the processes that the ministry is going to use with respect to actually acquiring this land? Would we be negotiating with the GTH on the purchase? So that's another question I would have raised. So those are the

questions I would have raised with my own staff with respect to, okay we've got this particular interchange that they're going to build. Is it an at-grade interchange? Is it a grade-separated interchange? Is it a systems interchange? Let's have a look at the design. You know, what kind of design is it there? How much land would we have, would we need? We now know that the GTH has already purchased this land. We're going to take some of this to build our infrastructure. What is the process in terms of sitting down with Bryan Richards and his team to be able to negotiate a price that we would have to pay for the land that we need? So those are the types of questions that I would have raised.

Ms. Sarauer: — What about your officials, Mr. Govindasamy?

Mr. Govindasamy: — They would have been looking to, you know, basically discuss with me, in terms of the land appraisals that we had done, they would have been looking to look at the GTH's land appraisals. And I'm not sure whether or not I would label them as concerns, but they would have had to go through those appraisals to determine where we're going to land.

Ms. Sarauer: — But I'm speaking more specifically, not just into what sort of work they'd be doing. Were any concerns raised about the process or about the price or whatever that were expressed to you by any of your officials?

Mr. Govindasamy: — There were no concerns raised with me directly with respect to the process or the price.

Ms. Sarauer: — Okay. More broadly speaking though, were any individual, specific to this purchase — not broadly speaking of what the regular process is, but specifically to this particular purchase — were any concerns raised by any of your officials?

Mr. Govindasamy: — At the time that we were actually sitting down and negotiating with the GTH with respect to the land, there were no concerns that I was aware of.

Ms. Sarauer: — Okay. And you have described some concerns you had about it initially as you were working through the process. Was one of them the price?

Mr. Govindasamy: — I was . . . I guess maybe the word "concern" is perhaps wrongly applied here. I wanted to know details. I wanted to know facts about, how many acres of land do we need? What was the actual design? Have we firmly established the design or is the design going to change again? You know, I'm working with a number of engineers in the ministry and, you know, I need to be certain about designs and when they're finalized and how do they fit, how does that design fit in with the overall bypass, things of that nature. So those are the questions I would've raised in terms of being firm, in terms of what we need, and how much do we need.

Ms. Sarauer: — But you had no concerns about the price?

Mr. Govindasamy: — I had no concerns about the price because we had a starting position in terms of the appraisals that we had done.

Ms. Sarauer: — What about the GTH appraisals? You said you had some concerns with respect to appraisals generally. I don't know if you were specifically talking about the appraisals that the GTH used to get to their price. Is that what you're inferring?

Mr. Govindasamy: — No, I'm not inferring any concerns about the appraisals. As you can see, the amounts were different in terms of the actual appraisals, right? The two parcels, the one that we did. One was \$30,000; the other was \$35,000.

Ms. Sarauer: — Yes.

Mr. Govindasamy: — I think the GTH came up with appraised values of 51,000 and 65,000. So those were all differences.

Ms. Sarauer: — Well, and one hundred and some thousand, that 129,000 that was also used. So did you . . .

Mr. Govindasamy: — I'm sorry. I'm sorry. I was not aware of any other appraised values for that land at that point in time.

Ms. Sarauer: — All right. But, Mr. Govindasamy, you were aware of what the purchase price ended up being by GTH for the land. You were aware that that was significantly larger than the appraisals you've just mentioned, and yet you had no concerns about those prices?

Mr. Govindasamy: — I was aware of the purchase price subsequently. Once the GTH had already purchased the land, I was aware of the purchase price. But I was going to use the appraisals that we had done, which was what I was advised by my officials — use the appraisals that we have, and work from there in terms of what the payment ought to be to the GTH.

Ms. Sproule: — I know that one of your officials clearly had some concern about the prices that you ended up settling on, and that was in an article produced by the CBC on February 8th, 2017. We have your former director of property standards within the ministry who was alarmed about what he calls vastly inflated price that the GTH had paid for the property. He indicated that within days the GTH began negotiating to sell more than half of that land to the ministry despite the fact that Highways had been planning to buy the land itself for the amounts you indicated as 30,000 and 35,000. And we know certainly that you've expropriated land in the area for even less than that, in terms of the Eisworth litigation.

So one of the things he said is there's no appraisal that gives that number of \$103,000. There's no indicator, not even in the ballpark of that number. So this individual was a director in your ministry. Did he ever communicate those concerns to you directly?

Mr. Govindasamy: — A couple of things. He had never . . . I think if you look, and you went back and of course you're aware of and you have the article that was published in the media, so you have information that has come out of the media reports. He had never in written or verbal form ever conveyed any of those concerns, you know, speculations that he was involved in, directly to me.

I also subsequently found out, based on . . . and I read the media reports just as you do, that Mr. Grigg at that time was not

involved in the negotiations. At least I didn't involve him in any of the negotiations, and he wasn't aware of all of the facts. For example, you know, we had an appraisal that was prepared for the GTH — that's already the subject of these discussions and is already a part of the record — that valued that land, one parcel of the land, at \$65,000. And he was not aware of it because he was not involved in the actual land acquisition and negotiations.

Ms. Sproule: — Right, but I think the question then is he had urged his colleague, who was trying to figure out what Highways should pay, that they needed to be very cautious here in what the ministry pays and can't be subsidizing the GTH just because of their decisions. So who was this colleague that was trying to figure out what Highways should pay?

Mr. Govindasamy: — I'm not sure. If you have . . . I don't have the emails in front of me, but if you have them, there would be names of the emails. If it had been FOIPed [*The Freedom of Information and Protection of Privacy Act*], we would have shared that. I'm sorry, I don't know who the colleagues were that he was talking to or he was writing to.

Ms. Sproule: — Those emails were provided through freedom of information, so it came from your ministry. Perhaps your officials know who that colleague was.

Mr. Govindasamy: — Yes, I can certainly find that out. But it wasn't . . . I don't recall Grigg, actually Jeff, writing to me.

Ms. Sproule: — Your officials are right behind you. Do you want to check with them to see if they know who that individual was?

Mr. Govindasamy: — I would have to check. They don't have the exact information that was released under FOIP, but I'm going to take a guess and suggest that if there'd been any communication by Jeff on this matter to any of my staff, it would have been to Nicole Anderson.

Ms. Sproule: — Nicole Anderson, who was involved in the file for quite a substantial time. I recall in June of 2012 her telling Blair Wagar that Mr. Tappauf was the purchaser, which leads me to an entire further line of questioning that I want to follow up on. But I think I'll save that.

I just want to finish this particular disclosure of emails through freedom of information that the CBC got. What Mr. Grigg told this individual, probably Nicole Anderson, is that:

It's not in your best interest to be fabricating numbers. Take the high road and let the executive be responsible for their decisions and be giving them the best advice possible and if they don't want to follow it, that's their choice.

And then he questioned the appraisal of \$50,000 an acre.

Now I understand that Mr. Lawrek prepared your initial \$30,000 appraisal. He also did the June 2012 appraisal. I also understand from individuals from SAMA [Saskatchewan Assessment Management Agency], for example, he's a very highly regarded appraiser in this area. So in October of 2013, 30,000.

Now GTH chose to hire a consultant to hire somebody from out of province to do . . . a second appraiser, and we have emails that you provided, Mr. Richards, where Mr. Lawrek really questioned the validity of Vertex's chosen consultant's appraisal because of the outliers. Did you have any discussion, Mr. Richards, with your officials about those outliers and the veracity of the second appraisal that listed the lands at \$50,000 and 65,000?

Mr. Richards: — I do not recall any discussion with officials in that regard.

Ms. Sproule: — I'm just going to read the emails to you so that we can get this on the record, if I can find the emails. This was in 2013 in March, so this was prior to Highways obtaining their appraisal in October. In 2012 . . . It was about who was going to pay the bill. The exchange was with Mr. Wagar and Pam Malach and Mr. Lawrek and Alf Bernstein from the Ministry of Central Services or Government Services. This is when Government Services stepped out of the committee as Mr. Govindasamy described earlier. Now he said there was some discussion there about a Regina developer taking title on February 26th for 84,000, and Mr. Lawrek's view there that's "Unbelievable but apparently true . . ." and they made the Kaminski purchase for \$30,000 an acre ". . . look like a bargain."

If you recall, the southwest of 18 was purchased by the GTH for \$30,000 which was double the appraised value for that particular property. "They are going to upset any negotiation with owners for bypass land and Granitewest will use for ammunition in court case." I think there's other comments here from Mr. Lawrek as well about the actual purchase price.

But my question to you, Mr. Richards, is why did you choose not to continue using Mr. Lawrek for the second appraisal that you commissioned when Highways chose to use Mr. Lawrek for their first appraisal?

Mr. Richards: — My recollection of the discussion with the minister's office was that we seek independent appraisal. Some of the firms here had been involved in several reviews at that point in time.

Ms. Sproule: — Who from the ministry told you that?

Mr. Richards: — That was a request from the minister's office.

Ms. Sproule: — Who at the minister's office told you that?

Mr. Richards: — I would believe that would be Cam Baker.

Ms. Sproule: — On direction from the minister?

Mr. Richards: — I assume.

Ms. Sproule: — Okay. So the minister wasn't happy with Lawrek's work? Is that basically . . .

Mr. Richards: — I have no knowledge of that at all. The request was, can we get an independent appraiser to do a sort of objective review.

Ms. Sproule: — So Mr. Lawrek wasn't seen as being objective then, is what the implication is?

Mr. Richards: — I can't speculate and say there was an insinuation relative to Mr. Lawrek in any way, relative to that. The discussion was, can we get an appraiser that, you know, has not as much Saskatchewan experience so we get an objective view. There was no insinuation relative to Mr. Lawrek or anyone else.

Ms. Sproule: — When Mr. Lawrek did comment in the media about that out-of-province appraisal, he indicated that they used outliers that weren't relevant to the appraisal itself. Did you review the appraisal at that point in time and discount those outliers?

[15:00]

Mr. Richards: — I'm sorry. I'm getting confused on the dates because you're asking me about 2012 and 2013, prior to my being there, and then . . .

Ms. Sproule: — This is 2013.

Mr. Richards: — You're talking about some media discussion he had subsequent to that or . . .

Ms. Sproule: — Just let me find it. I've got it here somewhere. Outliers, here we are. This was in an article on November, or sorry, March 4th, 2016. So this was in March a year ago essentially and . . .

Mr. Richards: — He was commenting about an appraisal that happened in October 2013?

Ms. Sproule: — Yes. He had looked at CRVG's . . . Let me quote this from the article:

Part of the reason for the gap in valuation is because of the six sales the Alberta-based appraiser considered, three [of those] were rejected by Lawrek as outliers. Those three sales were the highest-priced transactions CRVG considered.

For example, CRVG said that a sale involving a 94 acre piece of property in the RM of Sherwood for . . . [\$97,000] an acre was "a bona-fide arms length sale" based on his research.

However, in his appraisal, Lawrek said the transaction "is an unreliable sale due to financing by the seller and motivation by the buyer." Lawrek also pointed out that at the time of the sale the land in question was under water, which he said significantly devalued the property.

CRVG also considered the February 26th, 2013 sales from 139 Land Corporation to Marquart and Rotstien for \$71,000 and \$84,000 an acre as comparables and "bona-fide arms-length sale(s)."

Lawrek concluded they were outliers. In his appraisal of land, [which Highways had], Lawrek said the price paid by Marquart and Rotstien were above market value and "there

have been sales of superior land for less per acre than the . . . [\$71,000 and \$84,000] per acre paid.”

The appraisal went on to say that Lawrek interviewed six Regina developers and asked them if they would have paid the price Marquart and Rotstien did and he reported that all of them said no.

[Mr.] Marquart told CBC he bought the land because it’s located beside the GTH and will be next to a bypass.

So in that situation you have a respected appraiser who knows the Regina market providing that information to the Ministry of Highways. But the GTH was advised by the minister’s office to go out of province to get someone who doesn’t know the Regina market. Does that make any sense to you?

Mr. Richards: — An accredited appraiser, I think we have to have comfort in that, the same as Mr. Lawrek. The process is that we get two appraisals, if not more, to consider the differences, and the typical process that we’ve talked about here is that you would compare, you know, two different appraisers. The understanding is that the appraisal in question done by CRVG was done in an appropriate manner using the proper comparisons. So for that perspective, no there was no discussion at that point in time relative to something Mr. Lawrek said three years later.

Ms. Sproule: — But you didn’t have two appraisals. You only had one.

Mr. Richards: — I say, in normal process, we would get two appraisals. That’s why you don’t just look at one. In this particular instance, we were asked to get an objective appraisal from an accredited appraiser. And that’s the recommendation we had, and that’s what we pursued.

Ms. Sproule: — Despite the fact you had one the year before for significantly less and Highways had one for significantly less at the exact same time, that was no concern. Like what was your second appraisal that you relied on then? Because when you look at the notes that were provided to you on December 6th, they used the Marquart appraisal, which is clearly not up for consideration and was incorrect and misleading at best.

Mr. Richards: — Ms. Sproule, I’m sorry. I’m struggling to try to comment or respond to you. I think it’s been clearly covered in the auditor’s report in this regard in terms of which appraisals were used and the source of that. We were asked to get an appraisal; we passed it on to the minister’s office, and the special advisor took it from there. You asked me those questions. I’m sorry, I don’t know how to respond.

Ms. Sproule: — So GTH paid for the appraisal, didn’t read it, and just turned it over to the special advisor, Mr. Pushor. Is that what the process was?

Mr. Richards: — The request was for us was to get an appraisal, which we subsequently executed.

Ms. Sproule: — And what did you do once you got the appraisal?

Mr. Richards: — Passed it on to those that requested it, yes.

Ms. Sproule: — And specifically Mr. Baker.

Mr. Richards: — The minister’s office, yes.

Ms. Sproule: — Right, okay.

Ms. Sarauer: — Thank you. I have a few follow-up questions for Mr. Govindasamy. I think we’ve spoken a bit about this before, but I just want to make sure again that I have the timeline straight, especially with some information that’s coming to light in today’s meeting. Now when did you become aware of when Highways was going to be purchasing back the land from GTH?

Mr. Govindasamy: — So as soon as December rolled around and the GTH had proceeded to purchase that land, knowing that we would need some of that land for the infrastructure that we were going to build, I initiated meetings with Bryan. And we agreed to get together in the new year to sit down and look at the process for purchasing part of that land that we needed for our infrastructure. So I’m not, like I’m really not certain whether you are asking whether I was instructed to go and buy the land or . . . I initiated the meeting because we needed the land for the infrastructure.

Ms. Sarauer: — Well I have several questions, one of which is that. But when did you first reach out to Mr. Richards about initiating that process?

Mr. Govindasamy: — So in the email strings that we have both been going back and looking at in terms of our various discussions, etc. . . . So I’ve already mentioned that on September 26th there was a bit of an introductory email between Bryan and I. And then I responded to Bryan with respect to overall things related to the GTH signage and so on and so forth.

And then we picked up again based on, you know, post-December 18th. It was post-Christmas that when I was back, I said, okay, all right, let’s . . . I do recall an email saying, let’s try and arrange something for the new year so we can sit down and go through what the Ministry of Highways’ needs are going to be. I recall one email that said, let’s sit down in January. And I do not recall actually . . . Well it was the Christmas break. I don’t recall actually sitting down with Bryan till the new year.

Ms. Sarauer: — You’re doing more than recalling right now; you’re actually looking at an email. Is that correct?

Mr. Govindasamy: — No, I’m looking at some of the dates that were mentioned earlier in terms of when was I in the country. I was the recipient of . . . And I’m referring to the media articles that you have just referenced and Ms. Sproule has referenced. So I’ve gone and checked my emails and checked the dates, etc. So I’ve got September 26 as when, you know, Bryan and I were actually in email. I had just come on board 10 days earlier; Bryan had been there for a month or so and was sort of introducing himself to me. So we kind of went back and checked all this because of the media article that you had referenced.

Ms. Sarauer: — Well, fair, but please understand, Mr. Govindasamy, that that article referenced emails that the committee has yet to see. So do you have . . . could you provide those emails to the committee? I don't know if we've already asked for that, but we haven't been provided those emails.

Mr. Govindasamy: — The email from September 26th, I can certainly look for it. I have a copy of it. I would have to look at the FOIP regulations to make sure that whatever information that I have provided under FOIP which would . . . If it had been there, I will provide it to the committee.

Ms. Sarauer: — Well it sounds like it, because that's what the CBC reported is that there was email that's already been FOIPed, some email communication in September as well as email communication subsequent to September.

So we're talking more specifically email communication in December where you had indicated to Mr. Richards that you were going to set up a meeting in January about having some discussions about Highways purchasing that land. All of that communication, this committee hasn't seen yet. Although it has been reported in the media, we haven't had the opportunity to see that communication. So it has been FOIPed. It is public, but we haven't gotten to see it yet. So I would really appreciate if you could provide that information to the committee.

Mr. Govindasamy: — I can certainly take that and provide what has been provided, is in the public domain, back to the committee.

Ms. Sarauer: — Thank you. I appreciate that. Now just to delve into this a little bit further, you're telling us that you had spoken to Mr. Richards via email on December 18th about having a meeting in January about the buyback. Or which date? What's the date of that?

Mr. Govindasamy: — Okay. So I would have to go back and look to see the actual date that I had suggested to Bryan — I don't have that email in front of me — when we should sit down and have a discussion. So I'll have to look for that.

Ms. Sarauer: — Just to clarify, Mr. Govindasamy, I'm not asking for when that date is going to be, the date for the meeting. I'm asking for when you communicated with Mr. Richards that you two should meet. So I'm assuming it was an email sent on a particular date, likely in December, or if it was earlier or later. You know, we don't have that communication so I don't know, frankly.

Mr. Govindasamy: — Okay, I will certainly look for that.

Ms. Sarauer: — Thank you.

Mr. Govindasamy: — I swear I don't have it in front of me.

Ms. Sarauer: — Fair. Again, it's unfortunate that we won't have the opportunity to ask you questions at another PAC meeting because we won't have that information until later, but so be it. Now you obviously, if you instigated that communication with Mr. Richards, you had received knowledge that GTH would be purchasing that land. Do you recall who provided you that information?

Mr. Govindasamy: — So I just responded, I think, earlier to a similar question from Ms. Sproule that I became aware, and I want to be careful here in terms of . . . because I had to go back . . . Again, trying to recollect all the dates and the emails, etc., I became aware that the GTH was purchasing that land on or about December 18th. And I've gone back, you know, to look at the email trail, etc. On or about December 18th I became aware that the GTH was purchasing the land.

As you will recall, I've sat here and sort of, on January 12th, explained that we had already done one appraisal, and we are proceeding to do another appraisal when that appraisal was no longer needed because the GTH already purchased the land. And so subsequent to that we had to enter into discussions with the GTH with respect to determining how much land we needed, how much land they needed, and work out an arrangement to be able to proceed with the actual construction.

Ms. Sarauer: — Right. Do you recall who provided you with that information, that GTH would be purchasing the land?

Mr. Govindasamy: — One of my senior staff, which I have mentioned, my assistant deputy minister for design and innovation provided me with that information.

Ms. Sarauer: — Sorry. Was that Nicole Anderson? Is that the . . .

Mr. Govindasamy: — No, no. That was Mr. Ron Gerbrandt.

Ms. Sarauer: — Okay. Do you know how he received that information?

Mr. Govindasamy: — I have no idea. I have no idea how he received the information.

Ms. Sarauer: — Was it because you were on holidays that he would have been the contact person?

Mr. Govindasamy: — The information came to me. I was not on holidays when the information came to me because it was on December 18th. I was back in the office.

Ms. Sarauer: — When the information came to him, did it come to him because you were on holidays?

Mr. Govindasamy: — I have no idea when that information may have been conveyed.

Ms. Sarauer: — Could you undertake to ask him and provide that information back to the committee?

Mr. Govindasamy: — I would certainly try and look for that information.

Ms. Sarauer: — So I'm asking specifically what date he knew and who provided that information to him. Thank you.

I had a follow-up question going way back to the beginning of this meeting. You had kindly provided us an update on some of the undertakings that you had given to us in January. One of them, I think I just might have missed a little bit of clarification, but one of them was about the assembly team that Highways

was a part of, Government Services and GTH, that was active and then no longer became active, was essentially from what I understand disbanded as of March of 2013. Is that correct?

Mr. Govindasamy: — I'm going back to look at my notes.

Ms. Sarauer: — You can take your time. It's fine.

Mr. Govindasamy: — I'm just going back to look at my notes again. Yes, there was a team assembled and they had some activities with respect to assisting the GTH in terms of their land needs, etc., etc. And Mr. Richards had previously informed the committee that Government Services helped procure independent consultants such as appraisals for the GTH in June of 2012. And essentially our services, or at least my staff's services with respect to sitting on the committee, were no longer required as of March 2013.

Ms. Sarauer: — Okay. So my question was why the committee was deemed no longer required as of March 2013?

Mr. Govindasamy: — Perhaps I'm going to ask my colleague, Bryan Richards, to maybe assist me in that response. My understanding was that the GTH had already gotten sufficient assistance either through consultants, etc., to be able to do the work that they needed to do. So perhaps for the first time I'm going to punt that over to the GTH. Bryan?

[15:15]

Mr. Richards: — Thanks, Mr. Govindasamy. I think you, I believe, had a statement in your opening statement that reflected that, again prior to my arrival there. But my understanding in going back to attempt to answer this question — as you can imagine, both of us worked on this — is that we had started the process of seeking a land agent at the GTH. That became Vertex. There was multiple responses to that particular RFP [request for proposal]. That was, I think, finalized a little later in the spring or early summer, and they were definitely in place by the time I arrived in August 2013.

So a combination of that committee not being really active and the fact that, as Mr. Govindasamy has indicated, Central Services had pushed over to the GTH that we should be dealing directly on appraisals and having those billed directly to the GTH. It was a combination of factors where that particular committee (a) wasn't active; (b) the relationship should be directly with the GTH, and we were pursuing our own land agent to deal with that. I think that was the summary of why it gravitated from that particular arrangement to another arrangement.

Ms. Sarauer: — Could you remind me again when Vertex was hired as your land agent?

Mr. Richards: — I think I heard that from my colleague earlier when I asked a question. Just let me confirm that.

Ms. Sarauer: — Sure.

Mr. Richards: — If I may, Vertex was notified on July 10th they were the successful supplier within the RFP for the land agent. And on August 27th, 2013, the final consulting

agreement was executed.

Ms. Sarauer: — Okay, so I guess my follow-up question is, why wasn't Vertex used for the purchase of the GTH land, the land in question?

Mr. Richards: — I believe my testimony and the auditor's report has clearly identified that that particular initiative had been within the minister's office for quite a period of time for review.

Ms. Sarauer: — So you considered this particular purchase outside the scope of what internal GTH was working on then, at that time. Is what you're saying?

Mr. Richards: — Correct.

Ms. Sarauer: — Okay. Thank you.

Ms. Sproule: — Madam Chair, thank you. Mr. Richards, back in May of 2013, Mr. Dekker appeared before the Economy Committee when they were considering the bill to add the GTH as an authority and create special powers for the minister.

At that point in time he was asked to provide a list of all the activities of the GTH. So this is May of 2016. We understand that he had already put in an offer on the west parcels. In November of 2012 cabinet had considered it but there was some question about the identity of the landowner and all that. So in 2016 he was asked to provide the plans for GTH. He never directly mentions the west parcels in committee in May of 2013. Do you know why he would not have done that?

Mr. Richards: — I'm sorry, Ms. Sproule, you put 2016 in there a couple times and I got confused.

Ms. Sproule: — Sorry, 2013, 2013, 2013. This is committee of 2013. My apologies.

Mr. Richards: — Okay. So in November 2012 you're referencing the document that went to cabinet?

Ms. Sproule: — Yes.

Mr. Richards: — And that was considered; we've had much discussion about that. We didn't know the applicant, or the owner's name at that point in time. It was rejected. Now you're saying in May 2013 there was another item presented?

Ms. Sproule: — Mr. Dekker spoke to the Economy Committee, here in this room, about the bill that was being presented. It was passed in August when you started, if you recall; the GTH received its legislation.

Mr. Richards: — Correct, yes.

Ms. Sproule: — He was asked to give a full accounting of all the costs that the GTH was involved in. And at the time, he mentioned the GTH's footprint but he didn't mention the fact the GTH was looking to buy those lands. Do you know why he might have omitted that from his summary in committee on May of 2013?

Mr. Richards: — I wish I could, Ms. Sproule, but I do not.

\$65,000 an acre.

Ms. Sproule: — You never discussed that with Mr. Dekker in your devolution or transfer of files?

So we've talked about that.

Mr. Richards: — Not specifically why he, you know, did or did not submit that as part of . . . It was a presentation to . . .

But what he went on to say is that there's a pretty big risk. This is a quote from minister Boyd:

Ms. Sproule: — To the Economy Committee.

“. . . pretty big risk to the taxpayer, I would say, that if we expropriated that it would be challenged at some point in the future in court,” . . . [he] explained . . . [and he went on to say] “That appraisal would be presented at that point and we could lose.”

Mr. Richards: — The estimates or the Economy Committee? No, I do not.

Ms. Sproule: — It was in consideration of the bill. He further referred to, on page 303 of the committee he said, “We . . . engaged . . . our two advisory committees to the GTH who have extensive experience in these fields.” Do you know who those two advisory committees would have been in May of 2013?

Now we know from Mr. Pushor what he reported to the auditor is that that appraisal was irrelevant. So why would minister Boyd say that could be the breaking point in a lawsuit when Mr. Pushor said it was irrelevant?

Mr. Richards: — No, I would have to investigate the record on that of what he was referencing.

Mr. Richards: — I think that's been clearly covered in the auditor's report and several pages of discussion relative to that appraisal.

Ms. Sproule: — Were there any advisory committees in place when you took over in August?

Ms. Sproule: — Not minister Boyd's position that it was a make-or-break with respect to a lawsuit. That wasn't covered, I don't think, in the appraisal or the auditor's report.

Mr. Richards: — It would be easy to say the board was in existence, but I . . .

Mr. Richards: — Ms. Sproule, I really could not put words into the mouth of the minister of the government at that point in time as why he said that.

Ms. Sproule: — Yes, we know that.

Mr. Richards: — Again, how he was referencing advisory committee, I would be merely speculating I think. I would have to . . . Whether it was the reference to that committee that was March 2013 and it still had some reference, I'm not sure. But I would have to investigate that.

Ms. Sproule: — He further went on to say that the GTH, which is your organization, “. . . came up with the \$103,000-an-acre price by taking a mid-point between the GTH appraisal and the Marquart and Rotstien appraisal.” Now if I take the midway point, I come up with \$88,000 and \$95,000 using your appraisals, not Highways'. It would be much lower at that point. So the midpoint is actually \$88,000 or \$95,000, but he said to the press that the GTH, which is the organization that you were hired to represent, came up with \$103,000 an acre price. Was minister Boyd wrong when he said that?

Ms. Sproule: — All right. It's unfortunate we don't have Mr. Dekker here. Mr. Boyd went on to comment that there were a number of discussions with parties in relation to the bill itself. Do you know who the GTH consulted with when the bill was being drafted and presented to the legislature?

Mr. Richards: — Ms. Sproule, I think we've identified several times that the GTH management at that point in time was not involved in that. The auditor is very clear. Those negotiations and that summary was done outside of the GTH. In my discussions with Mr. Pushor, he clearly identified the \$84,000 price that was last paid for the land was a clear identifier from that perspective and was one of the indications of part of the negotiation strategy, which was clearly identified again I believe in the auditor's report.

Mr. Richards: — I'm just going to check with my colleagues to see if there's a specific reference.

For accuracy for this committee, I would have to go back and review that. The recollection is that it was a wide-ranging consultation including the city of Regina, the RM [rural municipality] of Sherwood, local developers, etc. But for accuracy we would have to get a complete understanding.

Ms. Sproule: — I guess that brings me up to another question then, because Mr. Pushor was making that claim, but we have an experienced appraiser who said that those prices are actually outliers, that they paid too much for that land.

Ms. Sproule: — All right, just moving on here. We've already talked about the outliers. I think it was in December when the CBC first interviewed minister Boyd. There was an article that was produced on March 2nd, 2016, and in that article:

The iTeam asked Boyd why the government didn't simply expropriate the land at the \$30,000-to-\$35,000-an-acre price recommended in the . . . Highways appraisal.

I've taken some time to look at the qualifications that Mr. Pushor has, and if I understand correctly, prior to being a political servant he was providing . . . his job was . . . I just want to pull this out because this is his resumé that was provided. Before moving to . . . or no, he was in Saskatoon. Prior to joining the government, Laurie was director of recruitment and admissions for the University of Saskatchewan.

Boyd explained that the seller had an appraisal showing the land was worth \$125,000 an acre and the GTH had its own appraisal saying the property was worth \$51,000 to

So do you feel that Mr. Pushor in that capacity was more qualified than Mr. Lawrek to determine whether that \$80,000 purchase price was maybe too high?

Mr. Richards: — That would be pure speculation on my part, Ms. Sproule, unfortunately.

Ms. Sproule: — You didn't discuss that with Mr. Pushor when you had your conversation?

Mr. Richards: — I certainly did not discuss his resumé. No, I did not.

Ms. Sproule: — And you didn't discuss the fact that Mr. Lawrek said that those prices were overpaid and that, you know, \$80,000 was already too much?

Mr. Richards: — The reference you brought out from the media article did not come up, really wasn't top of mind for me in the discussion, no.

Ms. Sproule: — Is that something you'd be willing to go back and talk to him about?

Mr. Richards: — I think he's clearly identified that all those questions were asked of him by the auditor, but if there's opportunity and this committee agrees, I will try to do that.

Ms. Sproule: — I think it's pretty clear that that question wasn't discussed with the auditor, so perhaps you could undertake to ask him that question on behalf of the committee and report back.

Mr. Richards: — So to make sure I understand specifically the question we're trying to . . .

Ms. Sproule: — What, in his experience, led him to believe that \$88,000 an acre was a reasonable purchase price on the part of Mr. Marquart when Mr. Lawrek had already identified it as being . . . and you'll see this in *Hansard* if you want to review the record. Mr. Lawrek, an experienced appraiser in the city of Regina, had already identified that as being overpriced and overpaid, and at least six other developers in Regina had confirmed that. And it'll all be in the *Hansard*, so you'll be fine.

Mr. Richards: — My only concern with that . . . I hope you don't mind my clarifying that with you. I believe you indicated that Mr. Lawrek did not make those comments until 2016, so I'm not sure that Mr. Lawrek had identified those as outliers for Mr. Pushor to even consider. So I'm just trying to make sure I ask the right question.

Ms. Sproule: — I think Mr. Lawrek was referring to the October 2013 appraisal he did for the Ministry of Highways. So at that time that was when he did the determination and investigated with other developers. So that's going back to October 2013.

Mr. Richards: — Okay. I understand the connection you're identifying now. I'll work with my colleague.

Ms. Sproule: — Thank you. I would also like to know your opinion on whether you think Mr. Pushor was more qualified

than you to make the deal.

Mr. Richards: — That is a very, very difficult question to answer. I was absolutely settling into the position, and I was focused on numerous other challenges at the GTH. But secondarily I wasn't even aware he was assigned to that particular initiative, so I really can't have a comment along that line.

Ms. Sproule: — Is this something you think the GTH board and . . . the purchase of the lands I'm talking about, the west parcels. Is this something that you think the board and yourself would've been better situated to conduct?

Mr. Richards: — That would be pure speculation on my part to try to go back to place ourselves in that position three years ago.

Ms. Sproule: — So you don't have an opinion on that?

Mr. Richards: — I do not.

Ms. Sproule: — Thank you. There's a Regina landowner I know who's in a lawsuit right now with the Ministry of Highways officials who, according to her statement of claim, Highways bought 44 acres from her for \$9,000 an acre, another 28 acres for \$11,000 an acre under threat of expropriation.

[15:30]

Now she had an appraisal that said the property was worth \$38,000 an acre, but Highways refused to accept that higher appraisal. Now, Mr. Govindasamy, when you bought the land from the GTH, you actually chose to take into consideration their higher appraisal as opposed to your appraisal. Why would you treat GTH differently than Ms. Eisworth?

Mr. Govindasamy: — So thank you for the question. If it's an active case in court, I'm not going to discuss it. I'm not at liberty to discuss any statements of claim that may lead to legal action.

As to how we treated GTH and the appraisals, etc., as you know, we had the appraisals. We had a discussion about the appraisals and the valuations contained within and landed on the price that we paid for that land which I have explained in some fair detail on January 12th.

Ms. Sproule: — In this article from March 24, 2016, it indicated that your statement of defence had not yet been filed. Can you share with the committee whether you have filed a statement of defence in the Eisworth . . . That's a matter of public record, so is that something you can share with the committee today?

Mr. Govindasamy: — Ms. Sproule, the information that I have is that there were 15 cases. Currently nine of those cases are still active, and I do not know whether or not a statement of defence has been filed. I am sorry.

Ms. Sproule: — All right. Is that something you could ask your officials and confirm later with us whether the statement of defence has been filed for Eisworth?

Mr. Govindasamy: — What was the name again? I'm sorry.

Ms. Sproule: — Eisworth. E-i-s-w-o-r-t-h.

Mr. Govindasamy: — Can I just take a moment to check on that name, Ms. Sproule, please?

Ms. Sproule: — Sure. Thank you.

Mr. Govindasamy: — Thank you. Thank you for waiting for me. I had to check the list of names that I have in my notes with the name that you gave me, Ms. Sproule, and I don't find as an active case the name Eisworth.

Ms. Sproule: — Oh, I'm sorry. It's McNally Enterprises. That's the name of the company. The owner is Ms. Eisworth.

Mr. Govindasamy: — Okay, thank you. Let me check again.

Ms. Sproule: — Sorry. Sorry, sorry.

Mr. Govindasamy: — Yes, McNally is one of the active cases. And I'll have to go and check with the legal folks to see if a statement of defence has actually been filed.

Ms. Sproule: — Okay, thank you very much.

Mr. Govindasamy: — Okay, thank you.

Ms. Sproule: — Sorry about that. Mr. Richards, on March 24th CBC quoted the Premier regarding the Marquart appraisal and the fact that it couldn't be released. And he said:

Wall said, "What we can do is encourage the GTH to have another look and to reach out to the appraiser and reach out to the seller and get their permission to release it." [The Premier said] "I'd like this appraisal out there — their appraisal shows \$129,000 an acre."

So did you do that? Did you reach out to the appraiser and did you reach out to the seller to get their permission to release that appraisal?

Mr. Richards: — If you'll allow me to consult for one second, I believe I can answer that.

Ms. Sproule: — Sure.

Mr. Richards: — For clarity, we did approach the appraisal company and they refused to release it. It was requested under freedom of information and the Privacy Commissioner then subsequently ruled that it would be a breach of privacy to release it and also indicated that it was a breach of privacy that we actually were in possession of it. Hence we destroyed all copies.

Ms. Sproule: — And this was subsequent to that when Premier Wall suggested you approach the appraiser?

Mr. Richards: — Correct.

Ms. Sproule: — Did you approach the seller at all, Mr. Marquart?

Mr. Richards: — Excuse me one second.

Ms. Sproule: — Sure.

Mr. Richards: — We did approach the — I don't know if this is the proper term — the owner of the appraisal, and he specifically did not have a concern with the release. But very shortly thereafter we received a letter from the legal firm of the completer of the appraisal who declined the release of it.

Ms. Sproule: — So the owner was barred by the company that did the appraisal from releasing it to you? Did he not pay for it and own it? You didn't inquire any further? I mean that's really bizarre. The owner owns that appraisal report so he can release it if he wants. If he said yes, then perhaps it should be released.

Mr. Richards: — The Privacy Commissioner has ruled from that perspective that we should not have been in possession of it.

Ms. Sproule: — No, originally. But now that the owner has agreed to release it, then he should indeed release it. So Mr. Marquart has agreed to release it but the company said no, is basically what you can tell us?

Mr. Richards: — That would be my recollection of the sequence of events, yes.

Ms. Sproule: — Well perhaps we should just ask Mr. Marquart then, and I won't ask you any more about that. Thank you.

Going on further in that article, there was another quote from the Premier that said:

... negotiating that the government did with Marquart and Rotstien's company is "standard operating procedure often when there's a land transaction involving government."

Yet we know that Mr. Pushor had disregarded and said it was irrelevant to that particular appraisal because we know it wasn't a direct cost comparison appraisal. So did you question the Premier when he made that statement because obviously it's incorrect?

Mr. Richards: — No, I did not question the Premier on that statement.

Ms. Sproule: — Do you have any concerns that he was misrepresenting Mr. Pushor's activities that that appraisal was not used at all?

Mr. Richards: — I think it's been clearly identified in the auditor's report about the inconsistency of the negotiation strategy.

Ms. Sproule: — Then the question is, why is the Premier still talking? As late as March 2016 during the election period, he was intimating that that was an appropriate procedure. So it wasn't until the auditor pointed out that Mr. Pushor wasn't using that appraisal that this came to light?

Mr. Richards: — I'm sorry, Ms. Sproule, I do not have knowledge of why the Premier characterized it at that point in

time.

Ms. Sarauer: — Thank you. I'm going to move on to a line of questioning that we were talking about earlier while Ms. Sproule, my colleague here, finds a few extra documents.

I'm moving back, Mr. Richards, again to the December 6th email that you've now provided to the committee. I had already asked you to speak with Mr. Schroeder, who's here, about the email. One thing I failed and am now asking you about is Mr. Wagar who, I understand from reviewing the email, now is the individual that sent this email. So Mr. Wagar is the individual that would have spoken with you about the information that's provided in the email. Is that correct?

Mr. Richards: — That would be my assumption, yes.

Ms. Sarauer: — Okay. Have you spoken with Mr. Wagar to see if he has any documentation related to this email?

Mr. Richards: — Not specifically, no.

Ms. Sarauer: — Would you undertake to do so and provide any notes he may have to the committee?

Mr. Richards: — I can write that down, yes.

Ms. Sarauer: — Thank you.

Ms. Sproule: — All right. Just one question, Mr. Richards. When the CBC was trying to get information from Highways and GTH, there was a ruling by the Privacy Commissioner about the fee estimate. And I'll just give you the time frame for that. This would have been in May of 2016, so before the auditor's report in May. Now when CBC complained about the excessiveness of the fees, the GTH changed its mind and decided to split up some of the CBC's request. What led you to change your mind?

Mr. Richards: — There was several interactions between the Privacy Commissioner and the applicant in terms of trying to get the information that was seeking. Some of the initial freedom of information requests were extremely broad, looking for information over several years. And our tack at that point in time was that we felt to give the best volume of information that you really needed to resurrect the email records. Thereby we went to internal government, ITO, to seek that over several years from the number of people that would have touched that particular file. And it was the fee estimate that was returned to us from the provider to ITO as to that would be the effort that would be required to regenerate all of that information.

Subsequently we were able to narrow those requests, get a better understanding of what information was exactly required. That allowed us to change that particular response.

Ms. Sproule: — All right, thank you for that. I need to go back a little bit to some follow-up questions regarding the identity of 139 company back in 2012, and I just want to clarify what the GTH knew at that time. There was an email exchange, I believe, in June of 2012. This is when Nicole Anderson from the Ministry of Highways wrote an email to your chief operating officer, Blair Wagar, who I understand now has left the GTH

and is back at Highways. She identified Robert Tappauf as the potential purchaser.

So this was June of 2012. Prior to that . . . And I need to go back to another article. Oh, yes, further to that and at the same time we know that your predecessor, John Law, was asked to leave the GTH, and Chris Dekker was appointed right around that time. What we understand is that Mr. Law actually consulted with the Ministry of Justice for some advice regarding, I believe, the purchase of this land and the mystery buyer, which at that point was a company called 139 Land Corporation.

Now I want to find the reference in these articles to the ministry, so just hang on one second. I think it's in a different article.

Anyways, Blair Wagar knew in June of 2012 that Robert Tappauf was the 139 Land Corporation purchaser. In November of 2012, when this went to cabinet, the auditor indicated that GTH pulled the submission to cabinet to purchase the land because you didn't have the identity of the conditional purchase agreement. Yet Nicole Anderson told Blair Wagar in June that it was Robert Tappauf. So do you know why in November of that year, Mr. Wagar didn't inform Mr. Dekker that indeed the purchaser was Mr. Tappauf?

Mr. Richards: — No. I do not know that all.

Ms. Sproule: — Do you think this is something that Ms. Anderson could provide information to the committee, or Mr. Wagar? I'll ask Mr. Govindasamy about that. Is that something that Mr. Wagar or Ms. Anderson could provide information to the committee why that wasn't brought up in November of 2012?

Mr. Govindasamy: — I'm sorry. I would have to go back and take a look at what was said in which emails and so on and so forth. You obviously have some information that I will have to review. So I'm not really in the position to say. Somebody or one of my staff will be able to explain something that they may have written. A lot of this kind of emails you will also notice that I'm not directly copied on some of this. And some of this predates me obviously.

Ms. Sproule: — I appreciate that. That's the difficulty we have with just having the two of you available for questions today. I think you understand that. So if you could consult with Ms. Anderson and Mr. Wagar, who's now under your employ, as to why that information wasn't shared with GTH management and let us know because we can't ask them directly.

[15:45]

Mr. Govindasamy: — So just so that I am clear in terms of exactly what is that I am asking my ADM Blair, as well as my staff member, Nicole, I'm just going to write this down: ask them as to their email traffic for 2012?

Ms. Sproule: — June 2012, as referenced in a CBC article. I'll give you the date, it's a long one: October 16th, 2016. So if you want to look at the CBC article on that date, he says:

Emails obtained by CBC's iTeam show that the GTH's Chief Operating Officer Blair Wagar had been told Tappauf was "the potential purchaser" of the land about five months before the deal went to cabinet.

And before, I mean there was quotes. Who said this? The auditor. Before it went to cabinet, this is from her report. She said GTH officials "weren't finished their due diligence . . . And before cabinet met, they were unable to identify who the underlying owner of the numbered company was."

But according to this email, Mr. Wagar did know who the purchaser was. All right, if you could get us that information, that would be appreciated.

Mr. Govindasamy: — I'll certainly review the record to see and then go ahead and do, on that basis, take a look at what was said by who.

Ms. Sproule: — Right. And, Mr. Richards, you might want to confirm that with Mr. Wagar as well as your former employee.

Mr. Richards: — Understood.

Ms. Sproule: — Thank you. We're going back to another article that was . . . I think this is the same date. Let me double-check. October 18th, 2016, this is what the auditor said was that minister Boyd, at the time, took the lead on the actual acquisition. And the challenge was he didn't keep the board informed, he didn't keep management informed, and he didn't keep the Ministry of Highways informed.

In contrast to that, the Premier said on March 24th that ". . . GTH, not politicians, decided to buy this land." And this is a quote from the Premier:

"We don't, at the political level, get involved and say, 'Hey GTH, or Highways, let's do this manner of negotiating with this person and this manner with another,'" Wall said. [He went on to say] "We just don't do that. The GTH came to this decision to acquire a lot more land because of the interest — because of the growth there."

So that's an obvious disconnect between what the auditor has said and what the Premier has said. Which one of those positions do you believe is more accurate?

Mr. Richards: — Oh sorry, Ms. Sproule. That's a question for me?

Ms. Sproule: — Do you want me to repeat it?

Mr. Richards: — No. From that perspective, the Provincial Auditor had complete access to all the information and I believe has written extensively in that particular area and identified the gap. So I, I'm not seeking to choose but, you know, that was clearly the path from my perspective there.

Ms. Sproule: — All right. I think I would agree with you. So . . . oh I've already asked you that question. Right.

On November 25th, so this is right around the time . . . of 2013.

Sorry, I should be more specific as to what year we're in. Moving forward. So we know in July of 2013, Mr. Dekker contacted Mr. Marquart expressing interest in purchasing the land. That's the letter that you're aware of and we've discussed in the past. So GTH was moving forward as a board with the CEO [chief executive officer] in your seat doing the deal. Then we find out that by November, Mr. Pushor was still trying to wrap his head around the facts. So he sent Mr. Marquart an email on November 25th and they were going back and forth apparently. And again, we don't have those emails but the CBC got them and Mr. Pushor was getting ready for this December 3rd presentation, according to CBC.

So I know you said it came from the minister's office, but it looks like through the emails that Mr. Pushor was actually involved in preparing that information item for the board, where he specifically listed the Marquart appraisal as a significant document, despite the fact he told the auditor it wasn't relevant.

In that email he said to Mr. Marquart, and I quote, "I wonder if we should meet face to face just so we can say we did." Now I'm wondering, did you have any discussion with Mr. Pushor about why he would even say that to Mr. Marquart in the context of a \$21 million negotiation?

Mr. Richards: — No I'm sorry. I did not. That was not a top-of-mind question based on your request from last meeting.

Ms. Sproule: — It's clearly something that's on the public record though, that Mr. Pushor did say that. Do you have any idea why? Did you talk to Mr. Marquart about this at all or have any conversations with him?

Mr. Richards: — I have never spoken to Mr. Marquart, no.

Ms. Sproule: — Okay. I guess you can't help us with that question. On December 23rd . . . now we may have already done this one. Oh, right. I had a question for Mr. Govindasamy.

On November 23rd, an acting assistant deputy minister of Highways wrote to his staff saying he'd just been informed that the global transformation hub will be moving forward with the purchasing of the land from Marquart on the west Regina bypass. Who was that acting assistant deputy minister?

Mr. Govindasamy: — That date surprised me because I've just finished telling the committee when I found out about it. December 23rd was the email that Ron Gerbrandt had sent out to staff — the staff who were going to be involved with discussions with the GTH — that GTH will be moving forward with the purchase of the land. So I'm not aware of a November 23rd email. I'm sorry. At least it didn't come up on the . . .

Ms. Sproule: — Okay. No, that's fine. I was just curious who it was. At that point he asked staff to cancel the second appraisal. Now you knew at that time you were going to go forward and buy the land from the GTH, so why did you cancel the second appraisal? Isn't that your normal practice?

Mr. Govindasamy: — We'd already done one appraisal; the GTH had also done one appraisal. It didn't make much sense for us to proceed with another appraisal until we had a sit-down and had a look at what we had in terms of appraisals. So we

didn't. We would have normally done two appraisals if we were buying it from, you know, a third party, in this case a private landowner. GTH is already owning the land and they'd done an appraisal, and I had an appraisal done for that land. My staff had done that through Peter Lawrek that you've just talked about. So those appraisals were sufficient in terms of the process, etc., for us to actually have a beginning conversation about what was going to happen after that.

Ms. Sproule: — Despite Mr. Lawrek's concern about the veracity of the GTH appraisal and the outliers that we discussed earlier, that wasn't a concern to you?

Mr. Govindasamy: — Well the appraisal that we had and the appraisal that, you know, the GTH had . . . I just wanted to point out also that the auditor had received all of this information and had gone through it, and had basically concluded that the Ministry of Highways did have the right kind of expertise to be able to . . . "had the necessary knowledge and experience to perform a competent review." So they went through that. And normally, you know, that's what my staff do. I would give it to them to do. Like, I wouldn't be looking at appraisals and so on and so forth. So that was what we had and that's what we used to come up with an agreement with the GTH.

Ms. Sarauer: — Thank you. Mr. Richards, I do have another follow-up question based on some conversations we were having earlier, so I'm going to kick it back to you. On December 3rd, 2013, you had received a package from the Ministry of Economy for your board meeting about the purchase of the land. Is that correct?

Mr. Richards: — Yes.

Ms. Sarauer: — And just to clarify, it was Laurie Pushor that sent that information along to you. Is that correct?

Mr. Richards: — I can't confirm that, no. I would have to check the record.

Ms. Sarauer: — Okay.

Mr. Richards: — I know it came from the minister's office to the board secretary, but the actual source of that, I think is a question you've already . . . I have a note here to determine that from a previous question.

Ms. Sarauer: — Okay. I just wanted to make sure that we did get that. So I'm assuming that was sent to you via email so you would know who that came from. So you can undertake to check the record and determine who provided that package to you to give to the board. Correct?

Mr. Richards: — That's my understanding, yes.

Ms. Sarauer: — Okay. And you said you weren't sure who made the recommendation that it was GTH that should purchase the land. You weren't sure whether or not it was cabinet or the cabinet subcommittee.

Mr. Richards: — Sorry, I'm not following that one. Cabinet subcommittee or cabinet?

Ms. Sarauer: — You had said previously that you weren't sure who made the recommendation that it was GTH who should purchase the land.

Mr. Richards: — No, I have no knowledge of that at all.

Ms. Sarauer: — Okay. Is that something that Mr. Pushor would know?

Mr. Richards: — It's possible.

Ms. Sarauer: — Could you endeavour to look into that and undertake to provide that information to the board please? Or to the committee? Sorry. Thank you.

And, Madam Chair, with that if you don't mind, seeing the time, I just wanted to table a motion. We've had a lot of discussion here today and there's understanding that we've only been able to talk to two witnesses and there's been limited answers, which is understandable, but a lot of reporting back that's going to need to happen to the committee and a lot of tabling of documents that have been promised to us today. I thought with . . . frankly with ease, it would provide more ease to both the committee as well as the officials we have before us to table a motion. And I'll read it right now:

That the Standing Committee on Public Accounts requests all the documentation, without redactions, referenced by the CEO of the Global Transportation Hub and the deputy minister of Highways today as they have endeavoured to check the record or get back to the committee with information.

The Chair: — Thank you, Ms. Sarauer. I'll read the motion. Ms. Sarauer has moved:

That the Standing Committee on Public Accounts requests all the documentation, without redactions, referenced by the CEO of the Global Transportation Hub and the deputy minister of Highways today as they have endeavoured to check the record or get back to the committee with information.

That was moved by Ms. Sarauer. Is the committee ready for the question?

Mr. Doke: — Madam Chair, I'm not sure I follow. You've already asked the officials to supply those answers to that. They've agreed to it within the legal realms that they can do, so I don't quite understand why it requires a motion.

The Chair: — Ms. Sarauer.

Ms. Sarauer: — I suppose I'm just seeking clarity and making this as easy as possible. I just want to make sure that there's a process in place that we're able to get this documentation before the committee. The problem is, is that I don't know if we will have an opportunity to talk about this, the auditor's report, again. So I just want to ensure that the committee is able to get the documentation that has been requested today.

The Chair: — Mr. Merriman.

Hon. Mr. Merriman: — Thank you, Madam Chair. I guess I trust that the officials and I think everybody in the committee trusts that if the officials are going to say that they're going to get back to us with the information, I do believe that they can table those reports to the committee at a later point. But without redactions, there could be privacy issues. We don't know what's in there.

So I would just say we've done this many times before where officials have come back to the committee with written documentations. I don't think we need a motion on this. I think we can trust the officials. It's in *Hansard* that this will be done. The officials will bring this back as they can, making sure that no privacy issues have been breached.

The Chair: — Thank you, Mr. Merriman. Ms. Sarauer.

Ms. Sarauer: — Thank you. Just a final comment: I do, as has been mentioned by Mr. Merriman, understand that some of the documentation referenced has also been referenced to FOIP legislation, and that's how it came to light. I don't believe that the committee . . . I don't believe that FOIP applies to committee documents, so that's why I'm requesting that this documentation not be redacted.

[16:00]

I'm also concerned about timelines. So for example, for the last meeting we had a timeline of this meeting theoretically to have that information before the board. So I want to make sure that it comes before the committee in a timely fashion as well.

So if there's a way that we can do that, and I don't know how that works procedurally, but if we can ensure that those concerns are addressed, then I'm comfortable.

The Chair: — While the committee can ask witnesses anything — I mean you can move a motion and agree to pass it — it is standard practice that there is the expectation that when officials commit to something that they report back in written form to the committee. So that is an expectation of the committee which I would have informed our witnesses. But a motion, I suppose, strengthens that, if it were. Yes, because it is an order of the committee.

So thank you for your comments. Any further comments with respect to this motion? So I'll just read the motion again:

That the Standing Committee on Public Accounts requests all the documentation, without redactions, referenced by the CEO of the Global Transportation Hub and the Deputy Minister of Highways today as they have endeavoured to check the record or get back to the committee with information.

All in favour?

An Hon. Member: — Recorded division.

The Chair: — Recorded . . . Sorry. Sorry, my apologies. We're going to back that up for a second. Is that agreed?

Some Hon. Members: — Agreed.

Some Hon. Members: — No.

An Hon. Member: — Recorded division.

The Chair: — Okay, all those in favour please raise your hand. All those opposed please raise your hands. That motion is defeated six against to one for. Thank you. Okay.

It is now 4 o'clock. That was the time of adjournment, but we had committed . . . Normally if there are still more questions it's also the practice of the committee to allow the committee to continue to ask questions. However there is a motion that has been passed by the committee saying that today will be the conclusion of this particular report. Yes, Ms. Sproule.

Ms. Sproule: — Just for the record I do have a number of further questions that should be asked.

The Chair: — Yes. Thank you for that. But as per the motion that was passed at last committee, I understand the government members have some motions with respect to the recommendations. Mr. Doke.

Mr. Doke: — Thank you, Madam Chair. In regards to the *Special Report: Land Acquisition Processes: The Global Transportation Hub Authority and Ministry of Highways and Infrastructure*, I want to make two motions. The first would be on the Global Transportation Hub, that we concur with the recommendations and note progress towards compliance on recommendations 1 and 2.

The Chair: — Mr. Doke has moved that for the *Special Report: Land Acquisition Processes*, June 30th, 2016, Minister of Highways and Infrastructure, that this committee . . . with the recommendation 1 and 2 for the GTH portion, that this committee concur with the recommendations and note progress to compliance. Is that agreed?

Some Hon. Members: — Agreed.

Some Hon. Members: — No.

An Hon. Member: — Recorded division.

The Chair: — Recorded division. All those in favour of the motion please raise your hands. All those opposed please raise your hands. That is passed 6 to 1.

On to . . . Mr. Doke, you have a motion?

Mr. Doke: — Yes. Thank you, Madam Chair. In regards to the second part of this, with the Ministry of Highways and Infrastructure, in regards to the auditor's recommendations 1 through 8, we would concur with the recommendations and note compliance.

The Chair: — Thank you. Mr. Doke has moved that for the auditor's *Special Report: Land Acquisition Processes*, that this committee concur with recommendations 1 through 8 and note compliance. Is that agreed?

Some Hon. Members: — Agreed.

Some Hon. Members: — No.

An Hon. Member: — Recorded division.

The Chair: — Recorded division. All those in favour of the motion please raise your hands. All those opposed? Thank you. That is passed 6 to 1.

With that, I would like to give the officials a brief moment for any comments.

Mr. Richards: — Thank you to the committee for allowing us to answer to the best of our ability. I know this has been a frustrating process and we will endeavour to return the information that you've requested. Thank you.

Mr. Govindasamy: — Thank you to the committee. Thank you, Madam Chair.

The Chair: — Just a reminder, as per the motion that was passed and defeated, it is usually the practice. . . I appreciate you committing to checking back through *Hansard* of today and reviewing your notes. And I know you've got the Committee Clerk's contact information, and you can respond in a written form to the Committee Clerk. That would be appreciated. Ms. Sproule.

Ms. Sproule: — Just one further follow-up: for the information that you provided on January 11th there was a number of redactions in that information so perhaps those should be re-presented and re-sent to the committee.

The Chair: — Okay, thank you for that. Mr. Doke.

Mr. Doke: — Thank you, Madam Chair. Just a few closing remarks, if you don't mind. I'd like to thank all the officials for bearing with us here. And I appreciate your honesty and due diligence in all the questions being asked.

I'd like to thank the auditor for her extensive report and I'm glad to see where we're at right now. Thank you.

The Chair: — Ms. Sarauer.

Ms. Sarauer: — Thank you. Just very briefly, on behalf of myself and Ms Sproule, I want to thank both of you, Mr. Richards and Mr. Govindasamy, as well as your officials for your hard work and your dedication to attending all of these meetings and answering the questions to the best of your ability for this length of time. And thank you to the auditor, as always, and her staff for their work as well.

The Chair: — Thank you so much. Thank you to members here today and officials for your time. And with that, could I have a motion to adjourn . . . [inaudible interjection] . . . Oh yes, because we had an adjournment time. Anyway, Mr. Weekes.

Mr. Weekes: — I so move.

The Chair: — Mr. Weekes has moved adjournment. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. This committee stands adjourned until the call of the Chair.

[The committee adjourned at 16:06.]