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February 25, 2021

Open Letter to:

The Premier of Nova Scotia
Nova Scotia Leader of the Opposition
Nova Scotia Leader of the NDP
Nova Scotia Members of the Parliament
Nova Scotia MLA's
Mayor of HRM
Councilors of HRM
Sackville River Association
Ecology Action Centre
Protected Areas and Ecosystem Services

Halifax Herald Re: Newspaper advertisement "Protected Areas consultation"

Re: Protected Areas Consultation (So Called)

It is my over 60 year experience that whatever governments put a notice in the paper asking Nova Scotia for comments, the government has already made up their minds. The government are just going through the motions so in the future they can say the government asked Nova Scotians for input while government does as it pleases, to keep lobby groups happy.

Most of my comments are directed to the Sackville River Wilderness Area, although my comments could apply to most of the other areas in question.

First I want to say that I admire all that Walter Regan of the Sackville River Association has done for the Sackville River and the Little Sackville River, in fact I have personally helped him and his association at no cost supplying and delivering digger logs at various sites along the Little Sackville River.

We at Barrett Lumber Co Ltd (BLC) have for over 90 years by way of our dams on Felly Lake, Little Lake and our millpond insured there is always water flowing in the Little Sackville River during the dry times in the summer, we also provide some flood control during large storm events. If it wasn't for BLC arranging a continuous flow of water down the Little Sackville River a lot of the effort of the Sackville River association would be lost.

For many years BLC provided a steady flow of fresh clean water to the Peverell Dairy Farm on the old Sackville Road. I understand that the Peverell Dairy Farm supplied fresh milk to the Children's Hospital in Halifax for many years.

MEMBER OF

NOVA SCOTIA FOREST PRODUCTS ASSOCIATION (NSFPA)
WOOD PRODUCTS MANUFACTURERS ASSOCIATION OF NOVA SCOTIA (WPMANS)
ATLANTIC BUILDING SUPPLY DEALERS ASSOCIATION (ABSDA)
ATLANTIC WOOD TRUSS FABRICATORS ASSOCIATION (AWTFA)
CANADIAN WOOD TRUSS ASSOCIATION (CWTA)
CANADIAN FEDERATION OF INDEPENDENT BUSINESS (CFIB)
CANADIAN HOME BUILDERS ASSOCIATION (CHBA)
CANADIAN WOODLANDS FORUM (CWF)
FAMILY BUSINESS ATLANTIC (FBA)

I ask all of you "Why"

- 1.) Why does the Sackville River Association think it's OK to indirectly expropriate land in Beaver Bank which is not in the Sackville River watershed area and this forest land has provide jobs etc. for generations of Beaver Bankers.
- 2.) Why are lobby groups mostly made of city dwellers or people on government payroll so intend in destroying forestry in Nova Scotia (taking forest land out of production.)
- 3.) Why are our government helping those lobby groups destroy forestry in Nova Scotia
- 4.) Why is our government saying it is only 13 to 15% that they are taking out of production knowing that they are being hypocritical for the true figure is closer to 50% when you add up all the forest land taken out of production by regulations, protected areas, repairion zones, parks, rules, endangered plants, endangered birds and animals. Municipal water sheds plus volunteer groups taking large areas of forest land out of production like "Ducks Unlimited" etc.


It is my belief in the saying "waste not want not" in forestry there should be a provincial policy of multiple use of all forest land not to let the land become a disease spreaders like Point Pleasant Park. Because good forestry wasn't practiced.

In closing I ask all of you to

Recognize that we the Nova Scotia Forest Industry have protected Nova Scotia forest land for generations and shouldn't be put out of business by city slickers grabbing control of rural forest land.

Someone in Nova Scotia should be paying the bills for if Nova Scotia continues down the road of limiting rural industry you will find more and more Nova Scotian's sleeping on the streets of Halifax.

Yours Truly,


David F. Barrett

If any if you want more input from me please call me at 902-452-8137

Copied: Media
Forestry Associations

I have included in this letter a copy of a brief I sent to Premier Darrell Dexter in 2011. In this brief I explained how for over 40 years all Nova Scotia Governments were intentionally or unintentionally destroying Forestry in Nova Scotia, with the collateral damage of destroying rural Nova Scotia.

I was shocked by the reception I received from Premier Darrell Dexter. First I met with the opposition parties. I then received a call from the Premier's office asking me to come to a meeting. I said to the lady who called "I didn't expect a call from the Premiers office, I expected the letter just to be put in the garbage, without even being read" No she said the premier wanted me to come to a meeting.

I was very pleased when I went to the Premier's office

- 1.) The premier said he read my letter (its 30 pages long)
- 2.) The premier had two of his Executive Assistance attend
- 3.) The Premier had the Deputy Minister of the Environment, Natural Resources, Transportation and Labor attend.

A person would be lucky to meet with one Deputy Minister let alone 4 Deputies.

It was only after the meeting with Premier Dexter and others that I found out why I had such an in-depth meeting with such a powerful group. It was announced that both Bowater Mersey in Liverpool and Stora Enso in Port Hawkesbury were closing down and the Premier had picked a strong committee of deputy ministers to help him find a solution.

The main theme of my 2011 brief was how for over 40 years all Government's by the way of laws Rules, regulations etc. had taken 50 % of Nova Scotia timberland out of production. I also stated this would mean a 50% shrinking of the Nova Scotia Forest Industry.



◆ SINCE 1926 ◆

March 29, 2011

Dear Sir or Madam

Please find enclosed, a copy of the documents I have sent to the Premiere, the Leader of the Opposition, the Leader of the Progressive Conservative Party, and Mayor of Halifax Regional Municipality.

After reading this document and noting why Barrett Lumber Company was forced to downsize our workforce from 75 to less than 40 employees, I hope you will join me in working towards the survival of family and small businesses in rural Nova Scotia.

Please feel free to copy and share this brief with anyone you deem concerned.

If you have any questions, call me, David Barrett, at 902-452-8137, or if you would like further copies of the brief, please phone 902-864-1955 or email bjq@eastlink.ca and one will be sent to you.

Yours Truly

David F. Barrett
Woodland Manager, Corporate Secretary
Barrett Lumber Company.

Building Materials | Roof Trusses | Engineered Wood Products

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845-2-8137

A

Mill Manager

David F. Barrett
Sales & Administrative Mgr.

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March 21, 2011

Please Find Enclosed

- A. Contents
- B. David F. Barrett - Resume
- I. "The Law of Unintended Consequences"
- II. Open letter to: The Premier of Nova Scotia
The Leader of the Opposition Party of NS
The Leader of the Progressive Conservative Party of NS
The Mayor of HRM
- III. How Government is forcing Barrett Lumber Company to quit hiring and downsize.
- IV. Jobs Barrett Lumber Company has been forced to eliminate.
- V. Article from The Chronicle herald: How the Department of Environment is helping to bankrupt HRM.
- VI. Brief I prepared to present to the HRM public hearing on garbage March 8, 2011. This public hearing was cancelled.
- VII. Copy of a letter I sent to the Premier of NS - November 5, 2009.
- VIII. Points.
- IX. Other Views and Concerns.
- X. Examples of how Nova Scotia laws are going "too far".

Note: To those of you who make copies of parts of this brief, please include a copy of #1 - "The Law of Unintended Consequences" so others know where I am coming from.

Thanks,

David F Barrett

MEMBER OF

MARITIME LUMBER BUREAU (MLB)
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woodlands manager
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Mill Manager

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David F Barrett - Resume

- 1/3 owner of Barrett Lumber Company. Secretary/Woodlands manager.
- Started running dozer when I was 8 years old.
- Started at 10 years old on Saturdays, holidays and summer vacations to work at the sawmill.
- At 12 years old started to work in the woods with the dozer.
- At 16 after finishing high school, valedictorian and head of the class, I started to work full time with my father in forestry.
- At age 72 I am still working in forestry.
- past president of Wood Manufacturing Association of Nova Scotia.
- Past president of Chebucto Track & Field Association.
- On the Board of Directors of FPANS for over 30 years, 10 years as Treasurer.
- Volunteer fireman for 10 years (Sackville and District Fire Department).
- Three Children:
 - Robin Barrett - President of Barrett Enterprises Limited - a forest harvesting, fuel wood chipping and firewood manufacturer.
 - Dr. Mary Jeanne Barrett - Professor of Education, University of Saskatoon.
 - Dr. James H. Barrett - Professor of Archaeology, University of Cambridge, England.
- Comment from Hugh - That "Darn" David is always right!

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I

Mill Manager

Sales & Administrative Mgr.

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March 21, 2011

"The Law of Unintended Consequences"

The concept has long existed but was named and popularized in the 20th century by the American sociologist, Robert K. Merton.

I draw attention to this concept as it specifically pertains to the enactment of various government regulations.

Of course one must expect all regulations to have unintended consequences; the issue is whether regulators understand a situation well enough to improve it via imperfect regulations. A reasonable guess is that no regulation is on average better than another, but that savvy regulators expect that the public expects them to "do something".

This is an open letter to Provincial, Federal, and Municipal politicians in the Province of Nova Scotia. My name is David Barrett, one of the principal owners of Barrett Lumber Company Limited in operation since 1926. Together with my two brothers we have a combined experience of over 168 years in forestry. The following are "personal" views of how our governments have "built the coffin, dug the grave, and now are preparing to bury forestry in Nova Scotia". At the same time, it is my personal view that successive governments in this province are perpetuating the largest Government land grab since the "Expulsion of the Acadians".

I am most sincere in my expression of these views and if you take the time to read and digest my comments you will find that I am passionate about our past, our present, and most importantly about our collective future. I harbour no malice toward any person who has been, is now, or will be in the future, connected with government either as a politician or as a bureaucrat. My sole intent is to heighten awareness of the very slippery slope on which we collectively tread and in so doing to encourage corrective measures to prevent and almost certain calamity on the primary industries in Nova Scotia, which are the "backbone" of our sustainability.

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While my personal stories (which I am prepared to share if any of you are interested, at your convenience) are specifically about "Forestry". I fervently believe that like examples exist for all other sectors of our primary sectors. I refer specifically to Forestry, Agriculture, Fishing and Mining. I fully recognize that our economy is comprised of a large menu of industries and sub-industries but each are directly or indirectly connected to one or more of these primary sectors.

In the past, a bearer of bad news would be shot. I ask you to at least read this letter, which together with an overview of personal thoughts and experiences, will hopefully prevent any temptation to "tar and feather" me. For years past as well as present Governments have passed legislation and enacted regulations which collectively are destroying the Forestry Sector. This sector, together with the three others noted earlier is the "backbone of our economy". As the prime activity within these sectors takes place in rural Nova Scotia, our society is progressively destroying these localities. As noted in the opening of this communique, I suggest that this is a glowing example of the "law of unintended consequence". I respectfully suggest that these governments have little idea of the end result of these actions which have become the "law of the land". At the risk of over dramatizing I contend that this attitude or regulatory over burden is so entrenched at this time that I wonder if there is any politician in Nova Scotia with integrity, principals, and backbone to say "enough is enough". Is there any among them who will work against the brainstorming that the environmental movement, with which the media has acquiesced, is succeeding?

Sincerely,

David F Barrett
David F. Barrett

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March. 14, 2011

Open Letter to;

The Honorable Darrell Dexter, Premiere of Nova Scotia

The Honorable Stephen McNeil, Leader of the Opposition

The Honorable Jamie Baillie, Leader of the Progressive Conservative Party

Your Worship Mayor Peter Kelly

"The Law of Unintended Consequences" – (attached)

Personal views of David F Barrett of how our governments have, built the coffin, dug the grave and are preparing to bury Forestry in Nova Scotia, while at the same time perpetuating the largest government land grab since the "Expulsion of the Acadians."

Dear Sirs,

I write this letter with deep regret and I know it is a waste of time and it will likely be thrown into the trash, for all governments both past and present, have gone so far down the road to destroying forestry in Nova Scotia. I believe both past and present governments have no idea what the result would be of the laws they were passing. It would take a decisive Premiere with the help of the opposition to stop this destruction. During the last 30 years, consecutive Nova Scotian governments, with the help of city dwellers and the environmental movement have been destroying forestry in Nova Scotia.

The Land Grab

In the 60's we had "the me generation" now we have "the entitlement generation." I feel Nova Scotians in the majority, feel they are entitled with the help of our governments to, legally steal forest land and by doing so are destroying the forestry industry and rural Nova Scotia. They are doing this by;

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- A. Reperion zone laws
- B. Proposed wetland laws
- C. Species at risk laws
- D. Plants at risk laws
- E. Migratory bird laws
- F. Municipal zoning laws
- G. Leaving timber to blow down on harvesting areas, even when it's been protected by families for 150 years. This timber could be used to support rural industry. And all this with no compensation to the forest land owner and, at the same time making a large acreage of adjacent timber uneconomical to harvest because this forest land is cut up so badly by all these laws.
- H. If you let a beaver dam your land the Department of Environment then claims it as a wetland and indirectly steals it.
- I. If you direct the flow of ditches on forest fiber extraction roads through vegetation so as to filter out any silt, over time the Department of Environment claims the drainage area a wetland.
- J. View plain regulations
- K. Danger in the workplace laws.

It is my view that if all the land grabs and the protected areas are totaled up, 50% of Nova Scotia's forests will be taken out of production thereby destroying 50% of rural employment and rural wealth. In fact I believe that if the wetland regulations are passed as proposed there will be many private woodlots where over 50% of their woodland will not be economically harvestable.



Barrett Lumber Company Limited
Property 1900, Hants Co.
PID 45025228
Total Area 170 Acres
Wet Areas 70 Acres (41% of total)
Remaining Area 100 Acres (59% of total)

Legend

Barrett Lumber Company 1900 Lines

Property Lines

N.S. Roads

CLASS

Trans Canada

Arterial

Trunk

Collector

Major Local

Loose Surface

Cart Track

U/C

Depth to Water Table

Depth (metres)

0 - 0.10 m

0.11 - 0.50 m

0.51 - 2 m

2.01 - 10 m

> 10 m

1:10,000

0 100 200 400
Meters

Costs

Another way that forestry is being destroyed in Nova Scotia is costs.

Examples:

1. Downloading \$17 per thousand silviculture costs on saw mills (the only place in the world). This downloading cost BLC over 1/4 of a million dollars. Sawmills in Nova Scotia are either going bankrupt, shutting down or being fed with government money like Sydney Steel. I feel that under present government policies the only wood processing industries that will operate in the future will be government subsidized. **(It's happening now)**
2. Extra fees, every time you turn around there's more.
3. Training costs. Example: to hire a person for one day with a chain saw in the woods, here are just a few of the things we have to do:
 - A. Provide 3 days chain saw training with a Department of Labour instructor (can't do it in-house, like we used to), 6 person days.
 - B. Provide 2 days first aid training, 4 person days.
 - C. ½ days WHIMIS training, 1 person day.
 - D. Provide comprehensive orientation of company policies, ½ day worker, ½ day owner.
 - E. Provide 1 day training of Best Forestry Management.
 - F. Provide on the job supervision with documentation. Owner, 1 day.
 - G. Provide remote location training.
 - H. Provide risk assessment training.
 - I. Provide personal protective equipment.

Even if we did all this training, if the employee happened to get hurt or do something stupid we would still be charged and fined by the Department of Labour for unsafe work practices and advertized as an unsafe employer.

4. Extra permit costs.
5. Regulation complaint costs.
6. We had to pay \$18,500 municipal betterment charges on a 90 acre timber lot; the interest on this money is larger than the value of the annual growth of timber.
7. It seems to me that our governments would rather see forest land blown down and burnt, (like the Minesville and Spryfield forest fires. These fires not only burned large acres of forest land but also homes) rather than see the forest harvested and making rural employment.
8. Upgraded the woodland water course crossing (18" and up) to meet DOT regulations i.e. 100 years rain event - 2ft to 3ft of crush gravel under culverts. The riprap has to be imported, not local rock. In fact the environmental engineer giving the course said that not a single forestry brook crossing was in compliance in 2009. She in no way acknowledged the forestry industry couldn't afford the cost of the new forest extraction roads regulations (About the value of the timber).
9. New propane laws - Nova Scotia is the only place in Canada. (BLC - \$2,500)
10. New over width trucking laws. (BLC - \$2,000)
11. We have yet to see the new "pit regulations". If it's like anything else that comes out of the Department of Environment, the new regulations will put the final nail in the forestry coffin.
12. No end in sight on training costs. After Barrett Lumber Company spent thousands for training, national and international companies who get large government handouts then hire them away. So, I at 72 years old, have to do the work or completely go out of business. And lay off our forestry employees.
13. Violence in the workplace laws. The Department of Labour charged Barrett Lumber Company thousands of dollars because we followed their rules of 0 Tolerance of Violence in the workplace. (Department of Labour are hypocrits).

14. Danger in the workplace laws.
15. 48 hour work rule.
16. Have to have a policy of only ourselves going to advanced courses because after we spend thousands to train employees, Multi nationals with large Government support will hire them away.
17. Highway signage laws (costs \$500 for signage to unload an excavator on the side of the road).

I believe that all Governments have so brainwashed themselves into thinking they have all the answers in sustainable forestry that, by way of laws, they are destroying that which they profess to support.

Sincerely,



David F. Barrett

Cell: 452-8137

CC: Nova Scotia Members of the House of Commons
Nova Scotia M.L.A's
NS Members, Forest Products Association of Nova Scotia
NS Members, Canadian Woodlands forum - CWF
NS Members, Maritime Lumber Bureau
Canadian Association of Family Enterprise (HFX Office) - CAFÉ
Canadian Federation of Independent Business (HFX office) - CFIB
Canadian Taxpayers Federation (HFX Office)
The Fraser Institute
National Citizens Coalition
Road Builder Association of NS
Mr. Raymond Ploudre, Ecology Action Centre
Employees of Barrett Lumber Co.
Atlantic Building Supply Dealers Association (NS Members) - ABSDA
Various NS Businesses
Media

III

HOW GOVERNMENTS ARE FORCING BARRETT LUMBER COMPANY TO QUIT HIRING, AND DOWNSIZE FROM 75 TO LESS THAN 40 EMPLOYEES.

Today the most dangerous thing BLC can do is to hire someone.

I feel that all governments don't realize that small businesses do not have to hire. Small entrepreneurs and their families can continue to run their business by just working away by themselves.

The basic principles of Barrett Lumber Company as established by my father Harold T. Barrett in 1926 have been followed for over 65 years by Dad, my brothers Keith and Hugh, and by myself, until various governments forced us to quit hiring and downsize.

The main principles were:

- A. When making a business decision, if the decision is not good for the community it is not good for the business. (The Beaver Bank Community recognized these principles by naming the Beaver Bank Junior High School and Beaver Bank Boy Scouts Camp after Dad).
- B. Provide personal service.
- C. It was our Christian duty to try to find employment for anyone with the work ethic. This principle had to be changed because of government policy.
- D. Supply quality products.
- E. Always put your profits back into the business so you can grow and provide more employment.
- F. A good businessman should get at least three returns for any move he makes and put something back into the community that makes it all possible.
- G. Waste not, want not.
- H. Pay your bills on time and live within your means.
- I. Above all provide reasonable and fair pricing.

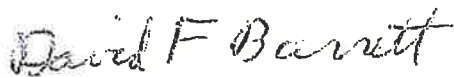
Reasons for Downsizing

- 1. The Department of Labour treats employers as criminals if an employee does something stupid. (Barrett Lumber Company \$3,000) My brother Hugh has lost all of his enthusiasm to hire after being treated like a criminal for hiring.
- 2. New building codes cost Barrett Lumber Company \$40,000. Because of the extra costs our CEO said he could no longer make a business case of operating our sawmill.
- 3. New Department of Labour administration penalty laws which I believe have a flawed administration and appeal process. (Article attached)

4. All businesses are guilty until proven innocent, going against hundreds of years of freedom where you were innocent until proven guilty.
5. Ridding forklift laws. My brother Hugh, who is 68 years old, had to lay off an employee because he could no longer have someone help him on the forklift.
6. Lower payload of log trucks. Stolen 6,000 lbs of forestry trucks - 2,000 lbs off the front axle and 4,000 lbs off the pulp trailers. Our two rural based wood fiber truckers informed us they are going out of business because of this 20% deduction of payload.
7. Upping property taxes in the middle of a recession. I don't understand how the assessment department can just raise the assessment by 10% during a recession.
8. Upping minimum wage in the middle of a recession. (An entitlement with no thought about if a person is worth the wage or that an employer can afford the extra.)
9. The stealing of private forest lands. "RRSP" telling me by law that I can't harvest the timber crop. I have spent my entire work life and savings in buying timberland, planting trees, harvesting timber, building forestry extraction roads etc. I am very proud of the 40 plus miles of wood roads that are used by over 2,000 families for recreational purposes at no cost to the taxpayer. If I was starting out today I wouldn't invest in forestry and if my son Robin wasn't already in forestry I would strongly recommend against it.
10. Because of all the laws in forestry the government is making forestry in Nova Scotia a sunset industry. Forest land owners have no choice but to sell their holdings for other purposes, i.e Cottage Country, Vacation Homes and to the Government like Irving and Wagner.
11. Nova Scotia forest policy is forcing national and multi national companies to move to places like Chile for forestry is a global industry and if Nova Scotia doesn't want them they move or don't come here in the first place.
12. One of our main strengths has been our ability to innovate. Today you have to have an engineer stamp for everything we do at thousands of dollars.

It's a proven fact that anytime a government takes control of a business, it destroys that business. That is what's happening to forestry in Nova Scotia.

Sincerely,



David F. Barrett

ADMINISTRATIVE PENALTIES

In January 2010, the Department of Labour in Nova Scotia introduced a new fine structure. What they did was introduce an administrative penalty which would be levelled against an employer when they received an order from the Department of Labour. These orders are the result of an inspection by an officer of the work site. The purpose of these penalties was to serve as a deterrent for employers who did not want to comply with the regulations. But the result is that they have turned into a tax for all business. The businesses that have been hardest hit are the small to medium businesses in Nova Scotia which are collectively the largest employers in Nova Scotia. There are very few employers in NS that want to hurt their employees and an extra fee/taxes are not the way to motivate NS employers. Instead it is going to force many small businesses to close due to excess orders resulting in administrative penalties.

It is reported that in the 11 months since the introduction of these penalties there have been over 820 orders written to employers with over 20 each to both supervisor and employees. The total money collected was in the neighbourhood of \$500,000. There is rumour that the departments goal was for this number to be much higher - \$750,000. This leaves businesses to wonder what the true motivation of the Department is, to collect money or to promote safety in the workplace for workers in Nova Scotia.

These penalties have not only affected the bottom line of many companies during one of the worst economic down turns in recent history but it has also had the negative effect on the relationship between employer and the Department of Labour. In the past, employers were quite comfortable to call on the department or the local inspector to get assistance with occupational safety concerns. These penalties have changed that relationship. No employer would dare call as it would most likely result in a fine. This change in the DOL business model has left workers in NS at risk of workplace injury because employers and employees have no where else to turn.

This process has created yet another bureaucracy in the Nova Scotia Government which provides no value for the businesses in Nova Scotia. An inspector comes on to the work site and finds a violation. As a result of that violation they write an order. This order is then forwarded to a separate group who is deciding the administrative penalty/tax based on the limited information they received from the officer. This group has never visited the work site and they are making this decision with the limited information that is forwarded by the officer. There is an appeal process that is available but it is too early in the process to see how effective it will be. But the people in that part of the process are many times a political appointee that has little or no Occupational Safety background and we as a province are allowing them to decide the fate of many small to medium size businesses in NS.

Note: This letter showed up on my desk. Up to now I didn't realize the Nova Scotians are afraid of the Nova Scotia Department of Labour. re: David F. Barrett March 11/11

David F. Barrett
Woodlands Manager

Hugh A. Barrett
Mill Manager

Keith H.W. Barrett
Sales & Administrative Mgr.



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1. Don't hire anyone who is accident prone or low intelligence, for if they have an accident or do something stupid the Department of Labour will treat us like criminals and with flawed administrative penalties and appeal system they will charge us thousands, and advertize Barrett Lumber Company as an unsafe employer.
2. Don't hire anyone to help on a forklift.
3. Don't hire anyone who has a temper. Charged BLC thousands (Department of Labour are hypocrites)
4. Don't hire anyone who has a drug problem.
5. Don't hire anyone who is an alcoholic.
6. Don't hire anyone who has a medical problem because a job "could aggravate her medical problems". Chronicle Herald article (attached) Sunday March 7, 2011 - Workers Compensation put a drug user on long term disability as it "could lead to the unsafe and illegal operation of a motor vehicle".
7. Don't hire anyone who is illiterate.
8. Don't hire anyone who has "ADD".
9. Don't hire anyone to drive a firewood boom truck for home delivery of 8ft firewood - have to do it myself at 72 years of age.
10. I don't know why after the Legislature passes a law, the various departments gradually make the regulations so onus that the laws seem to be for job elimination, besides forcing companies to move offshore.
11. Damage done by 48 hour work rules.

Example:

A. An employee came to me before the rules and said, "David, I have a son in college and a wife in college. I need all the hours I can get". After the law was passed the employee felt I could pay him overtime because it's the law. We parted company.

B. The worst thing any employer can do is to pay an employee too much. In the end the employer will have no choice but to lay the employee off, for if the employer doesn't then the business will go bankrupt and nobody will have a job.

Sincerely,

David F. Barrett

David F. Barrett

Cell: 452-8137

MEMBER OF

MARITIME LUMBER BUREAU (MLB)
NOVA SCOTIA FOREST PRODUCTS ASSOCIATION (NSFPA)
WOOD PRODUCTS MANUFACTURERS ASSOCIATION OF NOVA SCOTIA (WPMANS)
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rising number of WCB decisions being overturned

HOULD A doped-up, injured worker, using a machine to lift heavy loads, be faulted for a fall if he couldn't get the job done without the machine?

o. says the Nova Scotia Workers' Compensation Appeals Tribunal, which is returning an increasing number of decisions, not on the basis of new evidence but on plain common sense.

We are still overturning quite a few of [decisions] on common-sense principles. It seems to us, anyway," said Anne Labelle, the tribunal's chief legal commissioner, said in a recent review.

In the case above, the man hurt his back lifting a 40-kilogram bag of salt while working at a fish plant.

JUST BUSINESS



RACHEL BRIGHTON

Later, his request for extended benefits was denied by the Nova Scotia Workers' Compensation Board because they argued that he was qualified, and able, to get work as a full-time delivery driver.

The board's decision was overturned on appeal.

The tribunal's written decision noted the man's Grade 7 education, criminal

record and dope habit, and pointed out that his use of drugs "could lead to the unsafe and illegal operation of a motor vehicle."

The evidence also showed the man could not drive a vehicle with a standard transmission.

In another case, an injured woman with carpal tunnel syndrome and elbow and nerve problems was denied extended earnings-related benefits because her case manager decided she was able to work full time as a customer service clerk.

The appeals tribunal overturned the decision because most jobs in this field were in call centres, where the repetitive nature of working on a computer "could aggravate her medical problems."

After reading these and other cases

that had reached the appeals tribunal this year, I called Labelle to ask why so many of the board's decisions were being successfully appealed.

Last year, 45 per cent of appeals to the tribunal were successful in full or in part, up from 40 per cent in 2007 and 2006.

Apart from an apparent lack of common sense in some cases, Labelle said the time allowed for workers and employers to launch an appeal was too short to gather all the necessary facts and opinions for a sound decision.

As a result, critical evidence was being presented to the tribunal that was not available during the first stage of the process, which is conducted internally by the board's hearing officer.

See BRIGHTON / A10

This was adding to the rate of successful appeals, said Labelle. A recent decision handed down by the tribunal was overturned on appeal. Mary King, a lawyer with the agency, said the tribunal's decision was "flawed" and that she would appeal it. King said the tribunal's decision was "flawed" and that she would appeal it. King said the tribunal's decision was "flawed" and that she would appeal it.

continued from / A9

This tells me to stop hiring anyone with drug, alcohol or medical problem for WCB will treat me as a criminal an advantage me as an unsafe employer

DP Barnett

BRIGHTON

0 carry on

Despite cost

Verruns

uncil votes to finish derpass into Bayers Lake

MICHAEL LIGHTSTONE
Hall Reporter

A regional council moved a contentious road structure plan forward Tuesday despite a "calamity errors" that led to the three-phase project being killed to \$7 million over budget.

A 17-4 recorded vote, council decided to support a plan of the Washmill Lake Court underpass in Bayers Lake Business Park.

Most councillors felt it would be "irresponsible" to the plan now on the partly finished project, which is to provide a third entrance to the commercial district.

The plan will be expanding during the next decade the underpass is seen as a crucial element of that plan. But a couple of councillors said they couldn't see something they viewed as philosophically wrong in terms of the municipality's regional plan curbing suburban sprawl.

Atlix Regional Municipality is getting provincial federal funds for the infrastructure job. The city's contribution is about \$3.8 million, municipal funds said.

With the cost overrun, the project's bottom line is estimated at \$17 million, staff told council. Initial rock excavation estimates were off the mark, serious problems with pyritic slate at the

THE CHRONICLE HERALD

Underpass

continued from / A1

construction site also helped to drive up the cost, senior staff said.

A staff report says the provincial Environment Department denied permission for the pyritic rock to be used to build a detour road, so new rock had to be brought in. This resulted in an extra cost of \$550,000, the report says.

Also, an excavation job was underestimated and an unplanned retaining wall had to be built, again adding to the cost.

"Were the estimates wrong?" Wayne Anstey, the city's acting chief administrative officer, asked rhetorically after council voted.

"Clearly, yes."

Council members alleged that advice they received from a consultant was deficient. Even councillors who approved of the construction work proceeding said they had to hold their nose to vote yes.

"This has been a calamity of errors — we all know it," said Coun. Steve Strachan (Eastern Shore-Musquodoboit Valley). "If you want a scapegoat, then let's have a public lynching or fire somebody, but let's not make the project the scapegoat. Supporters of the third en-

trance to Bayers Lake said the municipality's reputation would suffer if it pulled out of the underpass project now, and Ottawa might treat future funding requests warily.

Councillors who opposed it proceeding were Jackie Barkhouse, Gloria McCluskey, Dawn Sloane and Jennifer Watts.

"This has been a real screw-up," McCluskey said, "so I'm not supporting it."

Watts, who represents Connaught-Quimpoel and was no fan of the underpass project to start with, said there are better ways to plan for the future of the municipality with respect to sustainable transportation and livable communities.

Mayor Peter Kelly was absent because he was attending a mayors meeting in Regina.

Council met in secret earlier Tuesday to discuss the Washmill Lake Court underpass. Staff and councillors told The Chronicle Herald that no one was fired over the costly plan, and the municipality, for now, has decided not to sue anyone from the private sector linked to the project.

"Staff were given a legal opinion today, and on the basis of that, a determination was made that we wouldn't take legal action," Anstey said.

Council's endorsement means it agreed to seek an extension under the federal government's Economic Action Plan for the road project, and the politicians directed staff to come back with a funding plan for the final phase of the work.

The addition of a third entrance to Bayers Lake is "a prerequisite for continued development" in the park and to reduce traffic backlogs and congestion, a city hall release says. The underpass project was identified as a necessary component of the park's growth back in 2002, council heard.

(mlightstone@herald.ca)

The Nova Scotia Department of Environment has no concept that someone has to pay the bills. I would probably rather go to Bankrupt or jail.
at the rate DOE is going its also going to bankrupt government

V

Garbage brief for proposed public hearing re: HRM March 8, 2011

This public hearing was cancelled.

Garbage - March 8, 2011

Mayor Kelly, Members of HRM Council, my name is David Barrett of 2 Maplewood Court, Beaver Bank. I'm a 72 year old lifetime resident of Beaver Bank and with my brother, Hugh and Keith, we own and operate Barrett Lumber Company.

BIT OF HISTORY - Barrett Lumber Company

Dad started Barrett Lumber Company in 1926 - 85 years ago. He had strong principles which he passed onto his sons, such as:

- A. Don't ever make a business decision which isn't good for our community.
- B. It was our Christian duty to try to find employment for anyone with the work ethic.
- C. Always put your profits back into the business so you can grow and provide more employment.
- D. In fact, the community of Beaver Bank recognized Dad's principles by naming a Beaver Bank Junior High School and Beaver Bank Boy Scouts Camp after him.

CLEANING UP GARBAGE

There is one thing about getting older; you remember what it was like when there was no garbage collection.

A. I spent many a day cleaning up garbage on our forest extraction roads.

For the last 30 years I haven't had to do this much.

I'm afraid that under your new proposal I will have to go back to square one and start all over again, cleaning up illegally dumped garbage. The only problem is under the present HRM rules, not only will I have to pay dearly for the privilege of cleaning up someone else's garbage but I will be treated as a criminal the minute I touch that garbage. (ex. A home owner was charged in the HRM for cleaning up a vacant lot next to his home.)

I ASK YOU

1. The amount of 6 green bags used every two weeks is reasonable and working. Don't force me to clean up other people's messes. re. illegally dumped garbage on our forest land.
2. Have HRM auditors look into the HRM garbage disposal contract, for it is my understanding that the cost per ton should be approximately \$65 a ton, where HRM costs are double that amount.
3. When the new budget is received take the time to read and understand it. Not like last year when you got a two inch thick budget on a Friday and passed it on a Tuesday - you didn't even know you gave yourself a raise.

RESPECT

I used to respect everyone who ran for public office - I have now lost most of that respect for them. Here are some of the reasons why:

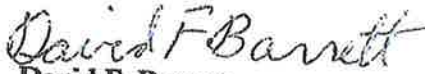
1. Allowed bureaucrats to charge a homeowner for cleaning up a vacant lot next to their home.
2. Spend thousands of dollars to drive a homeowner out of their home.
3. In today's Chronicle Herald they are spending thousands of dollars to appeal a "ridiculous" case of a resident selling fertilizer out of his home.

IN CLOSING

In closing I would like to leave you with some thoughts. During the public participation planning committee in Sackville in the 80's, Mr Brian Grennan stated; "how many existing businesses in Sackville would ever get started under these new rules"?

I today state - "how many existing businesses in HRM will survive under all the HRM rules, fees, permits etc., including these new proposed rules for garbage bags"?

Sincerely,



David F. Barrett

Cell: 452-8137

David F. Barrett
Woodlands Manager

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November 5, 2009

The Honourable Darrell Dexter, MLA
Premier of Nova Scotia
7th floor, One Government Place
1700 Granville Street
Halifax, NS B3J 2T3

RE: Survival of the Nova Scotia Forest Industry

Dear Mr. Premier:

As you know the forest industry of Nova Scotia is in a depression with a number of bankruptcies, receivership closures, and curtailments. As you also know, all wealth is produced by lumbering, farming, fishing, mining, manufacturing and export. All other employment, although very important, only shuffles the wealth that is generated by the above. And once the wealth generators are gone the Province will be bankrupt and our social network will collapse.

I don't think you want your Government to become known as the Government that completely destroyed the forest industries of Nova Scotia. I feel that if your Government enacts a Nova Scotia wetlands regulation as proposed, that would be the end result. Nova Scotia is a wet Province with every square foot of the Province containing water at various times during the year.

If you don't think this will happen, just look at the Saturday October 9, 2009 Chronicle Herald where civil servants drove Colleen Weare and her family out of their own home and onto the street. The comments I have heard about civil servants considering the end results before making interpretations of regulations and enforcing them goes against what is happening in our Province today. These rules need to work. Good intentions and optimism will not bring back companies who go bankrupt or put food on the table of people who lose their rights to harvest woodlots they counted on to fund their retirement.

Page 1 of 2

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CANADIAN ASSOCIATION OF FAMILY ENTERPRISES (CAFE)



If You, as myself, don't want to see the forestry industry of Nova Scotia destroyed, I strongly recommend your Government work with the Forest Products Association of Nova Scotia to come up with a workable solution. If you want further input from me please do not hesitate to call me on my cell at 452-8137.

Yours truly,



David F. Barrett
Secretary, Woodlands Manager
Barrett Lumber Company
/mh

cc. The Honourable Stephen R. McNeil, E.C.N.S., MLA, Leader of the Opposition
The Honourable Karen Lynn Casey, E.C.N.S., MLA, NS Leader of the PC Party
Nova Scotia Members of the House of Commons
Nova Scotia Members of the Executive Council
Ms. Sharon Ganong, Director or NDP Caucus
Ms. Exie Sciocchetti, Liberal Secretary
Ms. Margaret Brayley, PC Caucus Secretary
Mr. Steve Talbot, Forest Products Association of Nova Scotia
Mr. Raymond Plourde, Ecology Action Centre
Media