

0025330

**From:** [Mike Murray](#)  
**To:** [David Vela](#)  
**Cc:** [Gayle Hazelwood](#); [Gordon Wissinger](#); [Mike Anderson](#); [Rose Blankenship](#); [William F Reynolds](#)  
**Subject:** Re: Buxton Issues  
**Date:** 02/04/2010 04:57 PM

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David,

Thank you for your quick response. While both employees and the community member involved were white females, it is clear that the treatment was due to the NPS uniform.

Mike Murray  
Superintendent  
Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS  
(w) 252-473-2111, ext. 148  
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▼ [David Vela/Atlanta/NPS](#)

**David  
Vela/Atlanta/NPS**

02/04/2010 04:42 PM

To: Mike Murray/CAHA/NPS@NPS, Gordon  
Wissinger/Atlanta/NPS@NPS, Gayle  
Hazelwood/Atlanta/NPS@NPS  
cc: Mike Anderson/Atlanta/NPS@NPS, William F  
Reynolds/Atlanta/NPS@NPS, "Rose Blankenship"  
<Rose\_Blankenship@nps.gov>

Subject: Re: Buxton Issues 

Hi Mike,  
Thanks for your message. Are there any other potential reasons for refusal of service (such as race, gender, etc.)? Folks, any thoughts and or recommendations?

Have a great day.  
David

David Vela  
Regional Director  
Southeast Region  
(404) 507-5603

▼ [Mike Murray](#)

----- Original Message -----  
**From:** Mike Murray

0025331

**Sent:** 02/04/2010 03:57 PM EST  
**To:** David Vela; Gordon Wissinger; Gayle Hazelwood  
**Cc:** Mike Anderson; William Reynolds  
**Subject:** Fw: Buxton Issues

David,

See below FYI, particularly the original message from Britta Muiznieks. Sadly, this incident is symptomatic of the issues and work climate we are dealing with here. We are not asking for any particular assistance from the Regional Office (though ideas are welcome!), but thought you should be aware of the latest development. In reality, the abusive treatment is coming from a small but vocal number of people on Hatteras Island (in this case a family who has despised the Park Service since NPS changed its policy on shoreline protection and abandoned NPS dune building in front of the family's ocean-front motel in the early 1970's). We accept that we may never win over some of these individuals, who carry life-long grudges against the NPS while local staff come and go, but the treatment is obviously hurtful to the current staff who are on the receiving end.

Thanks for listening.

Mike Murray  
Superintendent  
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----- Forwarded by Mike Murray/CAHA/NPS on 02/04/2010 03:41 PM -----

**Paul  
Stevens/CAHA/NPS**

02/04/2010 03:23 PM

To: Mike Murray/CAHA/NPS@NPS  
cc: Britta Muiznieks/CAHA/NPS@NPS, Cyndy Holda/CAHA/NPS@NPS, Darrell Echols/CAHA/NPS@NPS, Thayer Broili/CAHA/NPS@NPS  
Subject: Re: Buxton Issues 

Mike,

I followed up with the Assistant U.S. Attorney on this matter. He advised that the property owner does have the right to ask individuals not to enter their property. The AUSA also advised that the individual leasing the restaurant property from the owner could have grounds to file a civil action against the owner for hurting his business. This issue is between the restaurant operator and the land owner.

Thanks,

Paul K. Stevens  
Chief Ranger  
National Park Service  
Outer Banks Group  
1401 National Park Drive  
Manteo, NC 27954

(252) 473-2111 ext. 119 (office)  
(252) 475-8307 (cellular)

▼ Mike Murray/CAHA/NPS

**Mike  
Murray/CAHA/NPS**

02/04/2010 12:42 PM

To Britta Muiznieks/CAHA/NPS@NPS  
cc Cyndy Holda/CAHA/NPS@NPS, Darrell  
Echols/CAHA/NPS@NPS, Paul  
Stevens/CAHA/NPS@NPS, Thayer Broili/CAHA/NPS

Subject Re: Buxton Issues 

Britta,

Thank you for your message and for speaking up on behalf of your employees. I have been aware of the general problem for some time and have on several occasions made the Regional Director aware of it as well. As far as I am concerned, RM and LE employees in Buxton have one of the most difficult duty stations in the National Park System. Refusal of service by local businesses, including this most recent incident, is not easily addressed. Unfortunately, it appears that we have no legal recourse if a business refuses to serve NPS employees (we will confirm that with the AUSA). While it is tempting to want to "push back" at unfair treatment of our employees, I believe it would be counter-productive for employees to take a confrontational approach in response to it. The challenge is to determine an appropriate action or response that is actually beneficial to our employees, rather than doing something that only makes matters worse. If incidents occur in the park, we do have legal recourse to take action, depending upon the circumstances. For example, under NPS regulations we can directly address instances of the public interfering with NPS employees who are performing their assigned duties. As with any prosecution of a CFR violation, the LE staff would need to investigate and determine that the elements of the violation have been met before a violator could be charged.

Please know that park management is aware and concerned about our employees, though we have not figured out a good strategy for addressing the issue. I think this most recent incident is unfortunate, but it serves as an opportunity to re-visit the idea of establishing an "employee lounge" trailer (for lack of a better term). We are also open to other suggestions for other ideas that would be beneficial to employees.

Thanks again,

Mike Murray  
Superintendent  
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▼ [Thayer Broili/CAHA/NPS](#)

**Thayer  
Broili/CAHA/NPS**

02/04/2010 10:23 AM

To Britta Muiznieks/CAHA/NPS@NPS  
cc Mike Murray/CAHA/NPS@NPS, Darrell  
Echols/CAHA/NPS@NPS, Paul  
Stevens/CAHA/NPS@NPS, Cyndy  
Holda/CAHA/NPS@NPS  
Subject Re: Buxton Issues 

I'm forwarding this to the Superintendent's office and LE as I indicated I would in our conversation yesterday. As I indicated yesterday, before we discussed this, I suggested to Paul Stevens that he query the U.S. Attorney about whether this constituted an action that could be subject to legal action. He indicated yesterday afternoon that he had checked with them and that there was nothing the federal government could do to prosecute such an action; however the owner of Island Perks might have legal recourse against the property owner. If I'm misinterpreting this, Paul can set it straight.

I, and I'm sure the rest of CAHA management, share your concern about the affect on RM and other CAHA employees' morale and other ramifications of this animosity. Personally, I certainly am willing to admit that there is a problem and I am an advocate of any action that can be taken to rectify or minimize this problem; however I don't have a solution at this time.

Thayer Broili  
Chief of Resource Management  
Cape Hatteras National Seashore  
Phone 252-473-2111 ext.137  
Fax 252-473-2595

▼ [Britta Muiznieks/CAHA/NPS](#)

**Britta  
Muiznieks/CAHA/NPS**

To Thayer Broili/CAHA/NPS@NPS  
cc

02/04/2010 07:58 AM Subject Buxton Issues

Thayer-

Yesterday I spoke with Michelle who is obviously still upset about what happened on Tuesday at Island Perks. She and Katie Bell were trying to have lunch when Carol Dillon's daughter, Carol Dawson, met them at the door to Island Perks. She asked if they were Park Service employees and then demanded that they get off the premises. It was quite obvious that they were Park Service employees since they were both in uniform. She continued to say that they (i.e. the Dillons) would throw Isaac (the owner of Island Perks leasing the property from the Dillons) out if he let them into his restaurant. Daydreams clothing store (also owned by the Dillons) has had a sign up for quite some time stating that NPS employees are not allowed. They have tried to get Isaac to do the same thing (i.e. prohibit entry) but he has refused to so. Daydreams was even picketed this past summer because of the sign and it disappeared for a short period of time. This is the first time that the Dillons actually approached our employees as they were trying to enter the restaurant and asked them to leave.

Shouldn't LE be investigating this incident? Isn't this considered harassment of employees? I know they were on their lunch break but the only reason they are not being allowed to enter the establishment is because they were wearing Park Service uniforms. Can we demand they allow us entrance into this establishment? Is it legal for them to do this? I don't think that this is something that should be brushed under the rug. I am concerned for my employees and think that the tension in Buxton is building. In the recent past we have had employees get kicked out of the only bar in Buxton just because they work for the NPS and have received VERY slow service at the Orange Blossom. Diamond Shoals, Captain's Table, and Finnegan's are blatantly anti-NPS judging from the anti-NPS rhetoric they place on their billboards. What sort of impression will this give to the new hires that are coming on board for the next breeding season when we have to warn them that they shouldn't go out to eat at the local restaurants? Do we warn them to hide the fact that they work for the Park Service? In the field we ask them to wear their uniforms with pride but then when they are in town are they supposed to be ashamed of it? Do we have to change out of uniform so that we can go out to lunch? NPS staff in Buxton doesn't have many options for eating out and it is a very small community where NPS employees are easily recognized so I doubt that changing clothes to eat would do any good. Wearing a Park Service uniform or being associated with the Park Service should not make you an automatic target for harassment and should not be tolerated.

Island Perks is one of the few restaurants in Buxton that actually welcomes us into their establishment. During the summer, Buxton Munch is another NPS friendly restaurant but they are closed during the winter months so in reality there is no other option for dining at the moment. During the summer, the rest of the restaurants tolerate us but we don't necessarily know what goes on in the kitchen when they are preparing our food. I know that John McCutcheon warned me specifically about visiting one establishment for this very reason. Resource management staff already is subject to harassment on the beach when installing closures during the breeding season but do they have to be subject to harassment off the beach as well? Are the seasonal technicians supposed to hang out all

summer in the “trailerhood” because there is nowhere else for them to go?

I am nervous about the permanent technicians and the potential harassment they may face when looking for housing and then harassment once they do move in. I don't want to lose good employees because of this hostile environment. I know the incident at Island Perks is something that upper management could easily ignore as an “isolated incident” but I really hope that you do not. I know that when Norah Martinez was here, she was looking at options to make life in Buxton more tolerable. One of the things she was looking into was a trailer or a place for Park employees hang out. What happened with this idea? We really do need to do something to compensate staff for all the hard work they do even though the local community does not appreciate it and in fact are openly hostile about it. We at least need to show them that WE care about them and appreciate them and will do what we can to make life more tolerable in Buxton. We need to at least admit that there is a problem rather than just ignore it and hope that it goes away. We can't ask them to hide under rocks when they are not in uniform. I know there are a lot of issues that go on in the Park that we are not aware of but it would certainly go a long way if folks in Manteo could walk in our shoes for a while and just admit that there is problem even if there is no apparent immediate fix. Any suggestions on what I could do or how to proceed would be greatly appreciated.

Thanks,

Britta Muiznieks  
Wildlife Biologist  
Cape Hatteras National Seashore

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