

Under New Leadership, Tribe Presses Ahead With Casino Plans

Remy Tumin *Monday, February 24, 2014 - 6:44pm*

The Wampanoag Tribe of Gay Head (Aquinnah) will proceed with efforts to build a casino on the Island after a referendum to quash the plan failed by two votes.

The vote, held at a general membership meeting on Feb. 16, effectively confirmed a previous vote taken in May 2012, when tribal members moved to convert their 6,000-square-foot community center in Aquinnah into a Class II gaming facility.

A two-thirds majority was required to overturn the measure, and according to several reports the measure was two votes shy of reaching a majority. The meeting was held the day after a snowstorm left nearly six inches on the Vineyard and higher snowfall totals off-Island.

“The outcome of the referendum did not change the previous two actions that had endorsed the proposal of a casino project here,” tribal chairman Tobias Vanderhoop told the Gazette this week. “At this point, the previous actions remain enforced and the project will move forward.”

The tribe still faces an uphill battle in bringing gaming to the Island. In December, Gov. Deval Patrick filed suit with the state’s highest court to block the casino, claiming the tribe had breached a 1983 land claims settlement agreement by taking steps to allow gaming.

In January, the tribe filed a motion to have the case moved to federal court, where it is now before U.S. District Judge F. Dennis Saylor. The state has petitioned to have the case remanded back to the state court; a response from the tribe was due Monday.

Aquinnah selectman and tribal member Spencer Booker said the tribe would also have to go before the town zoning board of appeals for a change of use permit to convert the community center into a casino.

“From the town point of view, we’re still waiting to hear from the tribe relative to what transpired at the general membership meeting,” he said.

The tribe announced in April 2012 plans to turn the community center into a high-stakes bingo hall with electronic games, while also pursuing a multimillion dollar commercial casino off-Island. The move was led chiefly by then chairman of the tribe, Cheryl Andrews-Maltais. Mrs. Andrews-Maltais was unseated by Mr. Vanderhoop in November. She is still chairman of the Aquinnah Gaming Corporation, which continues to oversee the casino developments. The corporation is a separate entity which includes members of tribal council.

In an email to the Gazette, Mrs. Andrews-Maltais was scant on details of the project, which previously included bringing 300 slot machines to the facility, but said the casino will “generate some badly needed revenue” and create jobs that will benefit “tribal members and the local community.”

“Our project is being carefully developed as not to overbuild what we anticipate the market will yield or over burden our members with a heavy debt,” she wrote. “It will be conducive with the character of the Island. We will be sharing more information publicly when the time is appropriate.”

After he was elected tribal chairman, Mr. Vanderhoop called a special membership meeting in early February to specifically address the topic of gaming and give tribal members information on the proposal, he said. No vote was taken at that time. Following the meeting, Mr. Vanderhoop said a number of tribal members gathered enough signatures for a referendum on the casino issue. Mr. Vanderhoop said the issue was tested in a written ballot on Feb. 16. He described the atmosphere of that meeting as “charged” but “not contentious.”

Mr. Booker, speaking as a tribal member, said he thought the vote should have been postponed due to the weather.

“As with all democracies, what the people want in theory is not necessarily what the leadership wants,” he said.

Selectman and board chairman Beverly Wright, who is also a tribal member, echoed Mr. Booker’s sentiments.

“I’m sorry that the referendum did not pass,” she said. Mrs. Wright was not present at the meeting. “I don’t think the fight is over, that’s for sure. We’ll have to see what the governor is going to do and go from there.”

Mr. Vanderhoop said the tribe will be reaching out to town governments and business owners to keep communication channels open.

“We want to try to make sure that we have discussion where appropriate and provide support where appropriate to the town of Aquinnah and other towns as well,” he said. “It is our intention to reach out and have those conversations with our sister governments on the Island to make sure that questions and concerns are heard and discussions about any mitigation that may be necessary are had so that we continue to be that good neighbors. That’s the right thing to do.

“The project will move forward, the court action will take its course,” he added. “As I’ve said before, we will defend ourselves vigorously because we obviously believe we have these rights.”

The tribe broke ground in 2004 on the community center, which is still unfinished. Aquinnah building inspector Leonard Jason, Jr. said he has not done a final inspection needed for a certificate of occupancy. He said there has been no request for a final inspection.

“If they want to use it they have to get the finals done,” Mr. Jason said, including wiring, plumbing and fire department approvals for use as a community center.