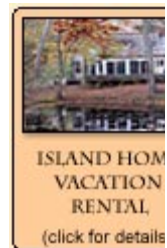


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Editorial

Aquinnah Selectmen Have a Job To Do

The selectmen of Aquinnah have declined to appeal a state superior court decision that eviscerates the 1983 settlement agreement that paved the way for federal recognition of the Wampanoag Indian tribe. Faced with the profound dismay that their decision has provoked among many Aquinnah voters, as well as elected officials and others Island-wide, the selectmen have agreed to convene a public meeting Monday to air the matter. The selectmen ought to pay attention to the voters who are pleading with them to do their duty.



The selectmen, whether they are members of the Wampanoag tribe, as Carl Widdiss is, or sympathetic to the tribe's views, as Mike Hebert, the husband of a tribe member, certainly is, or non-Indian, as Jim Newman is, all have the identical obligation to the town's voters. As chief executives of Aquinnah, the selectmen promised to represent the interests of all the voters. This includes in the most fundamental sense enforcing and defending the decisions voters have made, including the established growth and development rules they have created.

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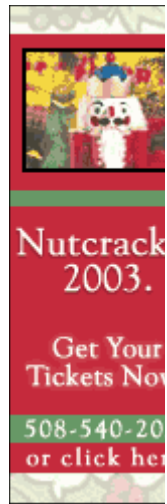
The 1983 agreement formed a basis for the act of Congress that established the sovereign existence of the tribe, but it was also the foundation for the modern relationship between the Wampanoag Indians, who are also voters and taxpayers of the town, and the non-Indian residents and non-voting taxpayers of Aquinnah. Everyone agreed then, as Judge Richard F. Connon noted in his otherwise benighted decision, "...that in negotiating the Settlement Agreement the Town intended to bargain not merely for a hollow right to apply substantive zoning law to the environmentally sensitive Cook Lands but also for the practical power to enforce that law against the Tribe in a judicial forum."

Without the ability to enforce the terms of municipal, regional, and state laws, the settlement agreement is meaningless, good government is not assured, and the rights of non-Wampanoags are crippled. The selectmen, the chief executives of Aquinnah, cannot permit Aquinnah's municipal rules to be gutted without a strenuous attempt to avoid the calamity. If they walk away from this obligation, they will have betrayed the trust voters have placed in them.

And it is also the case that Islanders in other towns, who also have a profound interest here, will have been betrayed, because the enforcement of building, zoning, and environmental rules

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everywhere are in jeopardy if this errant decision is allowed to stand.

Our MVC

The members of the Martha's Vineyard Commission are responsible to the voters in the six Vineyard towns and to no one else. The voters elect the MVC members or elect others who are required by law to appoint some MVC members.

The work of the Martha's Vineyard Commission is funded in several ways, including federal, state, and local grants, as well as fees from applicants under the MVC's developments of regional impact process. But the bulk of the MVC revenue, more than 60 percent, comes from assessments made against the six Island towns — and to a limited degree to Gosnold, the seventh Dukes County community. Voters in each town appropriate their share of the MVC's expenses as part of the town's real estate tax levy.

By choosing the members of the MVC and by agreeing to pay the bills the MVC presents in the course of doing its work, voters review, grade, and endorse the MVC's planning and regulatory decision making.

This is precisely what the legislature intended when it created the MVC: that its members would serve at the pleasure of voters and that as an extra measure of voter control, voters would also control the purse strings.

It's the way government works, and the way it ought to work.

Which isn't to say that contributions aren't welcome. Of course they are.

Let's say you would like to contribute \$16 million to build a new Edgartown School. By all means, don't be bashful, we'd like to have your help. But first, the school committee has to ask the voters if they want to spend \$16 million on a school, and if they agree, then we have to ask them at town meeting if they want to accept your \$16 million.

It's all aboveboard. It's all on the up-and-up. It's all out in the open. It's all transparent. It's what towns and counties and states and the federal government all do. Voters approve budgets, no matter where the money is expected to come from. And to approve budgets — with the policy endorsement that such budget approval implies — voters need to know where the money is coming from.

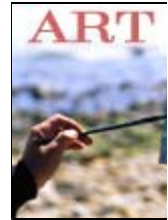
And that is the impermissible, undemocratic flaw in the Martha's Vineyard Commission's plan to have a private, non-profit charitable trust created to funnel anonymous donations into the MVC treasury. Secrecy is antithetical to policy making by such a powerful agency as the MVC.

The notion that if the origin of the donated funds is kept secret, then the MVC members will be freed from actual or perceived conflict of interest is bogus. The secrecy itself will spawn suspicion and undermine the regional regulatory and planning agency, as news of the creation of this secret trust has already done, because voters will wonder whether an unknown donor is also an applicant or



whether a donor who may not be an applicant has an interest in a controversial regulatory or planning initiative, of which voters may or may not approve.

The solution for the MVC is transparency, just as it is for donors to political campaigns and lobbyists to state and federal politicians and agencies. Such donors and lobbyists, both analogous to the potential donors to the MVC secret trust, must declare themselves and their contributions. That lets voters know from whom the money comes. With that information, voters can make prudent judgments about the work the MVC does.



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