

From: Laura Belsky <laura.belsky@kenoshacounty.org>
Subject: Fwd: [EXTERNAL] Kenosha County Menominee Casino
Date: January 17, 2024 at 3:11:04 PM CST

Dear Supervisors –

Last evening I read the most recent email I sent Director Hart. Albeit after the vote, it does provide a definitive answer to my questions.

As I believe that government should be open and transparent, I am forwarding you the email response that I received from Ms. Paula Hart, Director of Office of Indian Gaming, regarding the representations that Kenosha was prohibited from including some assurances in the IGA that Hard Rock would be managing the casino. Please see her response below.

It is quite disappointing that the experts hired by the City and County have provided all of us bad advice when we have asked them direct questions about this process and how to best protect our community.

Supervisor Laura Belsky

Begin forwarded message:

From: "Hart, Paula" <Paula.Hart@bia.gov>
Subject: Re: [EXTERNAL] Kenosha County Menominee Casino
Date: January 17, 2024 at 2:00:49 PM CST
To: Laura Belsky <Laura.Belsky@kenoshacounty.org>
Cc: "Bristol, Philip A" <Philip.Bristol@bia.gov>, "Poitra, Tammie" <Tammie.Poitra@bia.gov>

I apologize for the delay in getting back to you, however, I was trying to track down information from the BIA Regional Office.

The management agreement with the Menominee Tribe and Hard Rock casino resorts is not usually part of an IGA. The information in that management agreement may be confidential. However, if your concerns are whether or not the Hard Rock casino resorts is managing this project there should be something short of the management agreement itself that we can provide that will give you some assurance of that arrangement.

To answer your question to deny an IGA on its face if it contained the management agreement is not true.

I hope this helps.

Paula

From: Laura Belsky <Laura.Belsky@kenoshacounty.org>
Sent: Monday, January 15, 2024 3:54 PM
To: Hart, Paula <Paula.Hart@bia.gov>
Cc: Bristol, Philip A <Philip.Bristol@bia.gov>
Subject: Re: [EXTERNAL] Kenosha County Menominee Casino

Dear Ms. Hart –

Thank you for your quick response to my question back in November regarding the Menominee Tribe's IGA and the County.

Several County Board Supervisors are concerned that we continue to not have all of the information in order to make a sound decision, including an apparent management agreement that Menominee entered into with the Hard Rock Casino to operate the Kenosha Casino as well as a Traffic Study.

As elected officials we would like this management agreement to be included as an exhibit to the County's IGA but we are being told that the BIA would deny Menominee's application on its face if we included a copy of the Hard Rock management agreement to our IGA. Is that true?

Most of the politicians who are supporting this IGA are doing so because of the representations that Hard Rock will be building, managing and operating the casino. Even Menominee has stated during deliberations that they could not do this project if Hard Rock was not involved.

If that is true, can't we include the Hard Rock management agreement as one of the conditions for approval of the IGA, or will the BIA simply reject the application if this management contract is included?

Thank you for any clarification you could provide us.

Laura Belsky
Kenosha County Supervisor
District 4
262-705-5722

On Nov 17, 2023, at 12:23 PM, Hart, Paula <Paula.Hart@bia.gov> wrote:

Good afternoon, Laura,

Yes, we are aware of the Menominee Tribe's gaming application for land in Kenosha, Wisconsin. There is no time limit when negotiating an IGA with the Tribe, in some cases, those agreements are entered into once the land is in trust. Also, there is no time "bar" from entering into that agreement. And nothing that says you have to sign at the same time as the city.

As you know, state entities cannot tax, fee, assess or charge for negotiating with the Tribe but payments to local governments for services provided is acceptable.

I hope this answers your question.

Paula L. Hart
Director, Office of Indian Gaming

From: Laura Belsky <Laura.Belsky@kenoshacounty.org>
Sent: Friday, November 17, 2023 12:41 PM
To: Hart, Paula <Paula.Hart@bia.gov>
Cc: Monica Yugas <Monica.Yugas@kenoshacounty.org>
Subject: [EXTERNAL] Kenosha County Menominee Casino

Paula Hart, Director, Office of Indian Gaming
[Office of Indian Gaming-Indian Affairs Director Paula L. Hart | Indian Affairs \(bia.gov\)](#)
202-219-4066 (main)
Paula.Hart@BIA.gov

Dear Ms. Hart –

As you are aware, the Menominee Indian Tribe of Wisconsin has filed an application on May 2, 2023 with the BIA to take land located in Kenosha, Wisconsin into trust and receive approval from the BIA to engage gaming activities on the Kenosha parcel.

The County Board was made aware of two separate IGA's (City and County), from the announcement of the City of Kenosha's Committee of the Whole meeting on November 7, 2023. The Kenosha County Board Supervisors were not made aware prior to the City's announcement. We were provide the County's IGA, via email, on November 9, 2023.

County Board Supervisors are concerned that we do not have all the information, including traffic studies, to make an educated decision.

The County is being told that if we (the County Supervisors) don't sign an IGA before or at the same time as the City signs its IGA with the Menominee Tribe next week Monday, November 20th, 2023, the County will be barred from further negotiating with the Menominee Tribe on its IGA and/or if we do not approve the current IGA, we (County) will be left paying for all of the costs associated with supporting the Menominee Tribe's gaming activities and land uses without any compensation from the Tribe.

We are scheduled to vote on approving the IGA on Tuesday, November 21, 2023 but we were only presented a draft of the IGA for the first time on Thursday, November 9, 2023.

Thank you for any insight that you can provide us on such short notice.

Laura Belsky
Kenosha County Supervisor
District 4
262.705.5722 (Mobile)