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**Commission on Ethics &
Public Trust
Miami-Dade County**

Memorandum

To: File

Date: December 5, 2007

From: Michael Murawski, Advocate
Breno Penichet, Investigator

Re: K07-152 Homestead CRA Director Richard Stauts;

This Investigation was predicated by a letter received from Mr. Curtis K. Ivy, City Manager for the City of Homestead Florida. In the letter he advises that while reviewing the e-mails of the former Executive director of the CRA Mr. Rick Stauts, to see if there were any pending issues, Mr. Dan Wick the current director discovered that property may have been purchased through the City for personal use to avoid paying Florida Sales tax.

A review of the documentation received shows that Mr. Stauts purchased merchandise from Stone Systems of South Florida, the paper work shows that it was "exempt from sales tax". COE Investigator K. Rosario contacted Stone Systems of South Florida and spoke to Ms. Anna Thiemer, Comptroller. Ms. Thiemer stated that Mr. Stauts was not charged a sale tax because Stone Systems purchased the materials (counter top) from the manufacturer, sales tax included, and by law cannot then re-tax the end user, Mr. Stauts. Ms. Thiemer further stated that the description on the invoice reads "improvement on real property, 2649 SE 19th Ct. Homestead, Florida.

Ms. Thiemer also advised that the invoice was paid in two (2) installments; Check # 113 April 20, 2007 for the amount of \$ 2,250.00 and Check #116 May 25, 2007 for the amount of \$ 2,179.30.

Ms. Thiemer later faxed to Investigator Rosario copies of the above noted checks which identify the buyer / payer as Richard Stauts.

Ms. Thiemer further stated that Richard Stauts did not request a Florida Sales Tax exemption, reflecting the purchase to be for a government entity.

Advocate Mr. Michael Murawski was briefed as to the details of this investigation.

COE Investigator Penichet contacted Homestead City Manager Ivy via phone, and advised there is no violation of the Miami-Dade County Ethics Ordinance.

No further action is required.

Case closed.