



**ETHICS COMMISSIONERS**

**Kerry E. Rosenthal, CHAIRPERSON**  
**Gail A. Dotson, VICE CHAIRPERSON**  
**Seymour Gelber**  
**Dawn E. Addy**  
**Brenda Rivera**

**ROBERT A. MEYERS**  
**EXECUTIVE DIRECTOR**

**MICHAEL P. MURAWSKI**  
**ADVOCATE**

**ARDYTH WALKER**  
**STAFF GENERAL COUNSEL**

April 15, 2005

Tara Hinnant-Johnson  
Haul It Away, Inc.  
1981 N.W. 81 Street  
Miami, FL 33147

**RE: INQUIRY 05-58**

Dear Mrs. Johnson:

You requested an opinion regarding whether your spouse's business, Haul It Away, may be certified as a Community Small Business Enterprise (CSBE) and apply for county contracts.

In your letter, you informed me that your spouse is starting a dump truck company that will haul trash and debris from construction sites. The company is seeking certification as a CSBE. The company also plans to apply for county contracts. You are currently employed as a Correctional Officer at the Women's Detention Center. You will own a portion of the business.

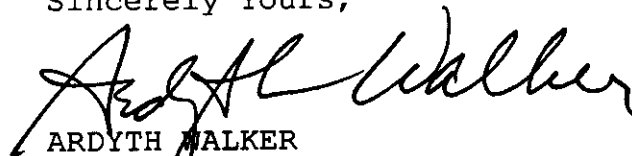
The Conflict of Interest ordinance permits Haul It Away to become certified as a CSBE and apply for county contracts. However, you are barred from seeking contracts with the Department of Corrections and must apply for an ethics opinion prior to responding to any solicitation. Section 2-11.1 (c) provides that " Notwithstanding any provision to the contrary herein, subsection (c) and (d) shall not be construed to prevent any employee...from entering into any contract, individually or through a firm, corporation, partnership or business entity in which the employee or any member of his or her

immediate family has a controlling financial interest, with Miami-Dade County or any person or agency acting for Miami-Dade County as long as 1) entering into the contract would not interfere with the full and faithful discharge by the employee of his or her duties to the County, 2) the employee has not participated in determining the subject contract awards or awarding the contract , and 3) the employee's job responsibilities and job description will not require him or her to be involved with the contract in any way, including but not limited to its enforcement, oversight, administration, amendment, extension, termination or forbearance. However, this limited exclusion shall not be construed to authorize an employee or his or her immediate family to enter into a contract with Miami-Dade County or any person or agency acting for Miami-Dade County if the employee works in the County department which will enforce, oversee or administer the subject contract. Therefore, your company may become certified and apply for contracts with any department except Corrections.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding this opinion, please call the undersigned at (305) 350-0616.

Sincerely Yours,

  
ARDYTH WALKER  
Staff General Counsel

## Haul it Away Inc.

1981 NW 81 Street  
Miami, FL 33147

April 4, 2005

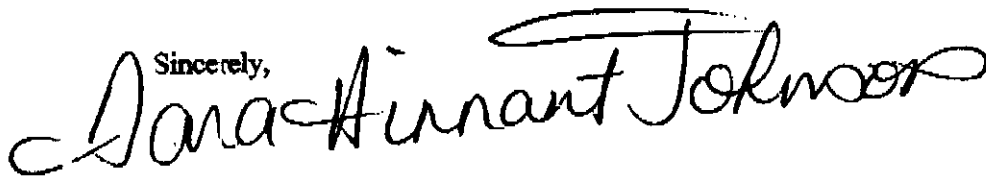
Commission of Ethic and Public Trust

19 West Flagler Street Suite 207  
Miami, FL 33130

Dear Sir or Madam:

I am currently employed with Miami- Dade County as a Correctional Officer at the Women's Detention Center located at 1401 NW 7 Ave. Miami, FL 33136. I have been employed with this department since 1993 and I have worked for Miami- Dade County since 1989. This letter is to inform you that my husband and I are interested in starting a dump truck company. The company, Haul it Away Inc., will haul and dump trash and debris from construction sites. We will be looking to certified as well as securing contracts with Miami- Dade County. Although my husband will be the lead person that runs this company, because I am part owner, we are requesting that this letter be review to determine if there is a conflict of interest between my employment with Miami- Dade County and this business that we are so eager to start.

Sincerely,



Tara Hinnant- Johnson