

**HENRY COUNTY BOARD OF ETHICS  
STATE OF GEORGIA**

**FILED IN OFFICE  
HENRY COUNTY  
BOARD OF ETHICS**

**JAN 14 2025**

*Gloria Banister*  
GLORIA BANISTER  
ETHICS ADMINISTRATOR

IN RE:	)	
	)	
Roque Romero-Muniz,	)	Case Numbers:
	)	2022EB2
	)	2022EB4
Respondent.	)	2023EB2
	)	

**FINAL DECISION**

The above-styled matter was brought before Henry County Board of Ethics (the “Board”) for a final hearing on October 8, 2024.

**BACKGROUND**

1.

This matter stems from several anonymous complaints against Mr. Roque Romero-Muniz (“Mr. Muniz”). On September 15, 2022, this Board received its first anonymous complaint against Mr. Muniz (“Complaint 1”). The complaint alleged that Mr. Muniz had violated the following sections within SB22: Failure to Show Impartiality in Performing Official Duties, Misuse of Position, Conflict with Official Duties, and Engaging in Activity Prohibited by Law.

A second anonymous complaint was filed on December 7, 2022 (“Complaint 2”). The allegations were Failure to Show Impartiality in Performing Official Duties, Disclosure of Confidential Information, Misuse of Position, and Engaging in Activity Prohibited by Law.

The third anonymous complaint was filed on February 1, 2023 (“Complaint 3”). The allegations were Failure to Show Impartiality in Performing Official Duties and Misuse of Position.

2.

On November 29, 2022, at a regularly scheduled meeting, the Board voted by majority vote that probable cause existed for a formal hearing on Complaint 1, Mr. Muniz’s Failure to Show Impartiality in Performing Official Duties (section 22 §7.1 (c)(1)).

3.

On January 2, 2023, Mr. Muniz was served with the *Notice of Preliminary Investigation Findings*. Because Complaint 1, Complaint 2, and Complaint 3 involved the same parties, facts, and allegations, the Board consolidated all three cases into 2022EB2 on February 23, 2023.

4.

On February 1, 2023, Mr. Richard D.C. Schrade, Jr. filed an entry of appearance on

behalf of Mr. Muniz. Mr. Schrade filed a Response to Complaints on March 28, 2023.

5.

The Board was initially scheduled to hear this matter on July 30, 2024, but it was postponed to October 8, 2024. Mr. Muniz, represented by Mr. Schrade, was present for the final hearing via a virtual platform.

### **FINDINGS OF FACTS**

Complaint 1, Complaint 2, and Complaint 3 (“Complaints”) all alleged that Mr. Muniz failed to show impartiality when dealing with his coworker and subordinate Francis Alomia (“Ms. Alomia”). Mr. Muniz served as the interim director of Stormwater from January 2019 to June 2019. After serving as the interim director of Stormwater, Mr. Muniz became the SPLOST Transportation Director until becoming the public works cluster lead on August 15, 2022, where he oversees the airport, the DOT, Stormwater, SPLOST, the recycling center, and also the transportation plan.

Ms. Alomia had known Mr. Muniz for about twenty years before she started her tenure with Henry County. When Ms. Alomia was unemployed, Mr. Muniz informed her that an open position within Henry County Stormwater would be advertised and that she would work directly under him. Ms. Alomia was encouraged to apply. She submitted her application for two positions: the Stormwater position and one in Henry County’s Department of Transportation; however, she was only invited to interview for Stormwater. According to Ms. Alomia, she wanted the position in the Department of Transportation due to her extensive experience with the Georgia Department of Transportation, but she was unsure if her resume was even reviewed. Mr. Muniz interviewed Ms. Alomia and subsequently recommended her for hire. He had been the interim director for one month prior to her hiring. During the process, Mr. Muniz did not inform anyone of his prior working relationship or friendship with Ms. Alomia. Instead, he told an employee in the Stormwater department that he had only met her while working on her road

Ms. Alomia began her tenure with Henry County on February 25, 2019, as an Engineer II. Only three months after her hiring, Mr. Muniz designated Ms. Alomia as his “assistant.” This position was neither advertised within the department nor formally documented through human resources. The department learned of Ms. Alomia’s new role via an email from Mr. Muniz. According to Ms. Alomia, she was never officially appointed or dismissed as Mr. Muniz’s assistant. Her role as Mr. Muniz’s assistant ended when he transitioned from Stormwater to a cluster lead overseeing the airport, the DOT, Stormwater, SPLOST, the recycling center, and the transportation plan. Mr. Muniz assumed the cluster lead position on August 15, 2022

Ms. Alomia and Mr. Muniz engaged in both professional and personal conversations using Mr. Muniz’s work phone. On March 17, 2022, a phone call with Ms. Alomia began at approximately 9:00 p.m. and lasted around two hours. Additional phone interactions occurred between Mr. Muniz and Ms. Alomia after 9:00 p.m. Ms. Alomia was unable to specify the nature of the calls other than stating that they were “work-related,” but she testified that she would not contact her former supervisor in this manner. When the board inquired if the witnesses interacted with Mr. Muniz to this extent, they all denied it. A former employee testified that the department

was explicitly instructed not to reach out to Mr. Muniz and to report to Ms Alomia.

Furthermore, Ms. Alomia and Mr. Muniz were aware of various employees' concerns in the Department regarding the nature of their friendship, including a formal complaint made to Human Resources that required Ms. Alomia to be called in for questioning. Several employees described Ms. Alomia and Mr. Muniz's friendship as "uncomfortable," stating that it created tension within the Department and characterizing their interactions as "different." They cited how Mr. Muniz would spend long periods in Ms. Alomia's office, how he would come to the facility without speaking to other employees, and how he only interacted with Ms. Alomia

There was testimony that employees would be cautious not to upset Ms. Alomia due to fear of her telling Mr. Muniz and not knowing what he would do. The employee who did not have a good relationship with Ms. Alomia was moved out of Stormwater to Henry County's Department of Transportation without prior notice or explanation. No other employee was transferred from Stormwater, and human resources was not involved in this process. Before the employee's removal, it was reported to human resources that the same employee believed the tension between that employee and Ms. Alomia would have negative consequences for the employee.

After Mr. Muniz left Stormwater in June 2019, Ms. Alomia's new direct supervisor became Alex Mohajer. Even though Mr. Mohajer was the new director, Ms. Alomia reached out to Mr. Muniz for many of Stormwater's inquiries without Mr. Mohajer's knowledge. From June 2020 to August 2022, Mr. Muniz served as the SPLOST Transportation director and had no direct or reporting authority over Ms. Alomia.

### **CONCLUSION OF LAW<sup>1</sup>**

It is essential to the proper administration and operation of the Henry County government that its officials and employees be, and give the appearance of being, independent and impartial, that public office not be used for private gain, and that there be public confidence in the integrity of Henry County officials and employees. Because the attainment of one or more of these ends is impaired whenever there exists, in fact, or appears to exist, a conflict between the private interests and public responsibilities of officials and employees. SB 22§ 7.1(a)(1).

#### **Failure to Show Impartiality in Performing Official Duties**

Pursuant to SB 22§7.1 (c)(1), an official or employee shall not, by his or her conduct, give a reasonable basis for the impression that any person can improperly influence him or her or unduly enjoy his or her favor in the performance of his or her official acts or actions or that he or she is affected unduly by the rank or position of or kinship or association with any person.

Although Mr. Muniz may not have intended his interactions with Ms. Alomia to be inappropriate, his behavior and obvious disregard for the impressions he left on coworkers from

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<sup>1</sup> Any of the "Findings of Fact" herein which should have been properly classified by the Board as "Conclusions of Law" shall be considered as "Conclusions of Law" and any "Conclusions of Law" which should have been properly classified as "Findings of Fact" shall be considered as "Findings of Fact."

those interactions indicate that he did not maintain impartiality while performing his official duties.

Mr. Muniz and Ms. Alomia provided conflicting testimony about the nature of their friendship. Ms. Alomia was open about the fact that she and Mr. Muniz have had a personal friendship for over twenty years, even before her hiring. She readily acknowledged that he encouraged her to apply for the Stormwater position and informed her that she would work directly under him. After only four months of employment with the county, Ms. Alomia became Mr. Muniz's assistant. She testified that she would text him on his work phone about personal matters since that was the only number she had for him.

While Mr. Muniz initially described Ms. Alomia as simply "a person that [he has] known" and "friends [with] on Facebook," he also encouraged her to apply for the engineering position at Stormwater, interviewed her, recommended her for hire, and ultimately appointed her as his "assistant" just a few months after she was hired. Mr. Muniz never informed human resources of his friendship with Ms. Alomia to recuse himself from the hiring process and prevent any appearance of impropriety. In contrast, he told Stormwater employees that he met Ms. Alomia while working on her street.

Additionally, neither Mr. Muniz nor Ms. Alomia could clarify the specific nature of the calls between them at 11 p.m. and 12 a.m. While Ms. Alomia testified that the calls were always work-related, she also acknowledged that she was not "on-call" and deemed it inappropriate to call or text her subsequent supervisor after 11:00 pm. Mr. Muniz stated that he only texted Ms. Alomia about work; however, he later mentioned that they would discuss other matters, not work, as he did with others. As an Engineer II, Mr. Muniz testified that Ms. Alomia's responsibilities included contracts and reviewing ponds. Phone calls with Ms. Alomia involved a call at 9:38 pm lasting almost two hours and another at 12:44 am for 8 minutes, without any recollection of why he would reach out to her at such a late hour. When asked about Ms. Alomia's role in an emergency, Mr. Muniz could not define any specific role. Furthermore, Mr. Muniz permitted Ms. Alomia to contact him on his work cell for personal matters, further blurring the lines of appropriate versus inappropriate communication between them individuals.

It was evident that many employees believed Mr. Muniz showed favoritism towards Ms. Alomia and that his interactions with her were different from those with every other employee. Several employees testified that Mr. Muniz would report to the office and only acknowledge Ms. Alomia. Mr. Muniz would then go into Ms. Alomia's office, close the door, and remain there for an extended period. Interactions like these between Mr. Muniz and other employees were unusual. Mr. Muniz referred to Ms. Alomia as his assistant; however, many employees were confused since there was no official title change for her.

Several reports were made to human resources regarding the nature of their friendship and how it impacted their department. Mr. Muniz did not take any action to change that perspective.

### **STANDARD OF REVIEW**

A preponderance of the evidence standard shall govern the decision of the Board. SB 22§7.1(1)(8)(B).

**DECISION**

It is HEREBY CONCLUDED that Mr. Muniz violated the following section of Henry County's Code of Ethics:

1. SB 22§ 7.1(c)(1)- Failure to Show Impartiality in Performing Official Duties

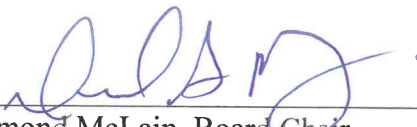
**SANCTIONS**

Pursuant to SB 22§ 7.1(m)(1)(B), the Board hereby issues a Public Reprimand.

The Board also recommends that Mr. Muniz undergo fraternization training to educate him on appropriate workplace relationships.

Respondent has the right to appeal this Decision by filing a petition for review to the Superior Court of Henry County within 14 days of receiving the decision. SB 22§ 7.1(m)(3).

*Failure by the Respondent, Roque Romero-Muniz, to comply with this Final Decision may result in additional sanctions or referral of this matter to the County's Solicitor's Office for prosecution.*

By:   
Desmond McLain, Board Chair  
Henry County Board of Ethics  
Decision (5-1)

Date: 1/14/25